

MEMORANDUM

TO: President Edward T. Foote II

FROM: Dr. George C. Alexandrakis *GEA*  
Chairman, Faculty Senate

DATE: October 20, 1989

SUBJECT: Faculty Senate Legislation #89003(B) -  
Amendments to Faculty Senate Legislation #87001(B),  
Sections 2.7, 9.6.3 and 9.6.4

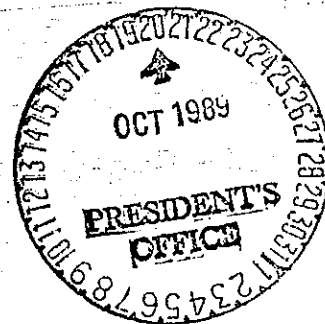
The Faculty Senate, at its meeting of October 16, 1989, voted to approve Faculty Senate Legislation #89003(B) which comprise the last amendments to Faculty Senate Legislation #87001(B). The text of the legislation is attached.

This legislation is now forwarded to you for your action.

BLH/s

Attachments

cc: Provost Luis Glaser



Faculty Senate  
325 Ashe - Admin. Bldg.  
Coral Gables, Florida 33124  
(305) 284-3721

CAPSULE:

Faculty Senate Legislation #87001(B) -  
Policy on Faculty Status, Titles, Appointment, Reappointment,  
Promotion and the Award of Tenure (Including Amendments to  
Sections 2.7, 9.6.3 and 9.6.4)

RESPONSE BY THE PRESIDENT:

DATE: 11/2/89

APPROVED: [Signature]

OFFICE OR INDIVIDUAL TO IMPLEMENT OR PUBLISH: Provost

EFFECTIVE DATE OF LEGISLATION: \_\_\_\_\_

NOT APPROVED AND REFERRED TO: \_\_\_\_\_

REMARKS (IF NOT APPROVED): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

POLICY ON FACULTY STATUS, TITLES,  
APPOINTMENT, REAPPOINTMENT, PROMOTION  
AND THE AWARD OF TENURE

Faculty Senate Actions,  
Consolidated Version  
87001, 87003, 87005, 87006, 87008, 87014, 88011, 89003

CHARTER CHANGES  
Approved Faculty Senate, March 23, 1987  
Class A Legislation

II. DEFINITIONS

DELETE current language:

2.1 *The University faculty consists of the President, the vice presidents holding professorial appointments, the academic deans, the professors, the associate professors, the assistant professors and the instructors, whether serving in teaching, research, or administrative appointments, whether serving part-time or full-time and whether serving in an active or an emeritus capacity. The President of the University is the presiding officer of the University faculty.*

ADD:

2.1 The General Faculty shall consist of the University Faculty and the Associated Faculty.

The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

The Regular Faculty shall consist of all faculty having tenured or tenure-earning appointments and holding the rank of Professor, Associate Professor, or Assistant Professor.

The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

The Educator Faculty shall consist of those clinicians who hold the rank of Professor, Associate Professor, or Assistant Professor, who serve in the clinical programs of the University, and whose title consists of a rank and discipline prefixed by "Clinical" (e.g., Professor of Clinical Surgery, Professor of Clinical Nursing). Educator Faculty shall not hold tenured or tenure-earning appointments.

The Associated Faculty are all faculty with professorial titles prefixed by Clinical (e.g., Clinical Professor of Surgery), Adjunct, Visiting, and Affiliated, Lecturers, and Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

**DELETE:**

2.2 *The voting members of the University faculty are those members of the University who (1) hold the rank of professor, associate professor, assistant professor, or instructor, (2) serve full-time in their appointments at the University of Miami, and (3) devote at least half-time to teaching or research duties, or other activities of an academically related nature. Research professors, research associate professors, research assistant professors, and research instructors, meeting the preceding requirements, are considered voting members of the University faculty with the exception of ratification of Class A legislation. For the ratification of Class A legislation, only faculty with unmodified rank, otherwise qualified, are eligible to vote.*

**ADD:**

2.2 The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair and Dean, and ratification of Amendments to the *Faculty Charter*.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the University Faculty may vote only once on a single question. Persons holding appointive administrative office may not vote on any matter which is subject to or may be reviewed by their office.

**DELETE:**

2.4 *The voting members in a department of school are those voting members of the University faculty holding at least half-time (as specified in the annual renewal of appointment) appointments in the department or school. A voting member of the University who holds half-time appointments in two departments or two schools, excluding the Graduate School, shall in a written statement to the secretary of the Senate, elect one department or school for all voting privileges.*

Class B Legislation

*[This section constitutes a separate Senate action, Legislation #88011.]*

Change in Bylaw 1.1

Replace on page 28, *Manual*, section 1.1 of Bylaws:

**DELETE current language:** This bylaw is intended to clarify the meaning of Section 3.1 of the Faculty Government Charter.

**ADD:** Bylaws and Policies are intended to clarify the meaning of the Faculty Government Charter.

1.0

DEFINITIONS

1.1

The General Faculty shall consist of the University Faculty and the Associated Faculty.

1.2

The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

1.3

The Regular Faculty shall consist of all faculty having tenured or tenure-earning positions and holding the rank of Professor, Associate Professor, or Assistant Professor.

1.4

The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

*[This section constitutes a separate Senate action, Legislation #88011.]*

1.5

The Educator Faculty shall consist of those physicians who are in the clinical departments of the School of Medicine or nurses in the clinical programs of the School of Nursing with such titles as "rank" of Clinical "name of department", (e.g. Professor of Clinical Surgery or Professor of Clinical Nursing). These titles are granted to physicians and nurses who choose to concentrate on clinical performance and its use as a teaching tool. Such faculty are full-time and, if salaried by the University, are subject to a ceiling.

1.6

The Associated Faculty are all faculty with professorial titles prefixed by Clinical, except in the School of Law, (e.g., Clinical Professor of Surgery) or by Adjunct, Visiting, or Affiliated, and all Lecturers and Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

1.7

The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair or Dean, and ratification of Amendments to the *Faculty Charter*.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the General Faculty may vote only once on a single question. Persons holding joint appointments must designate a school or department in which to exercise their voting rights on university matters. Persons holding appointive administrative position may not vote on any matter which is subject to review or other action by their office.

1.8

Change of Type of Faculty Appointment

1.8.1

Any member of the Research or Educator faculty may initiate a request to be considered for appointment to the Regular Faculty of the University. The decision on that request must be made in accordance with the standards and procedures applicable to initial appointment to the Regular Faculty as set forth in the *Faculty Charter* and these Bylaws, including Sections 6 and 8. If the requested appointment to the Regular faculty is made, but without an immediate grant of tenure, the period served as a member of the Research or Educator faculty may, if requested by the faculty member and approved by the President, be credited toward the probationary period for Regular Faculty appointments as provided in Sections 3.6 and 3.6.1 of these Bylaws.

1.8.2

Members of the Regular Faculty of the University, during their probationary period as defined in Section 3.6 of these Bylaws, may initiate a request to be considered for appointment to the Research or Educator Faculty. The decision on that request shall be made by the President upon recommendation of the Regular Faculty of the department and the Dean of the School.

1.8.3

Members of the Regular Faculty who have become members of the Research or Educator Faculty under the provisions of Section 1.8.2 may not subsequently be appointed to the Regular Faculty except as a tenured Professor.

2.0  
**THE FACULTY**

2.1  
**Appointive Authorities**

[*This section, with section 9.10, constitutes a separate Senate action, Legislation #87005.*]

The power to appoint and remove both administrative officers and members of the General Faculty is vested in the Board of Trustees. The Board of Trustees shall appoint the President of the University.

The President, by authority of the Board of Trustees, shall select the Provost, the Deans, and the administrative officers and shall appoint the General Faculty of the University. The President is the presiding officer of the General Faculty.

The Provost, as delegated by authority of the President, shall make appointments to the General Faculty and promote members of the General Faculty to higher ranks.

All appointments to the General Faculty and promotions to higher ranks shall be made in accordance with the procedures set forth in the *Faculty Charter*, Section XII, and in this Bylaw.

2.2  
**Faculty Status**

2.2.1

All University Faculty shall be deemed to have full-time status. Unless on sabbatical or other approved leave, University Faculty shall be deemed to be "in residence." University Faculty members may request reduced teaching and research loads for reduced pay while retaining all rights and privileges. Associated Faculty may have either full-time or part-time status as established by their contracts with the University.

2.2.2

While under contract all members of the University Faculty in residence shall be entitled to an average of one working day of consultation per week, either on a part-time or self-employed basis, unless a written exception allowing additional time is issued by the President.

2.2.3

[This section, with section 3.2.2, constitutes a separate Senate action, Legislation #87006.]

A member of the General Faculty shall be compensated from University approved sources, but not necessarily by the University. The fact that the salary of a member of the Regular Faculty is paid from non-University sources does not affect the faculty member's tenure status.

### 2.3

#### Joint Appointments

Members of the University Faculty may hold appointments in two or more schools or in two or more departments within a school. Such appointments imply financial support from both academic units and should be made to promote interdisciplinary or inter-professional teaching and research. Recommendations on salary, merit increases, promotion, and tenure, and assignment of teaching and research responsibilities shall be determined by both of the units involved. The holder of a joint appointment shall be entitled to vote in both units, but may not vote twice on the same question. All Participating Faculty in the Graduate School of International Studies shall hold joint appointments. In all joint appointments, one unit shall be designated as the "unit of primary administrative responsibility" for such matters as salary, promotion, tenure, and teaching assignment. Persons holding joint appointments must designate the unit of primary administrative responsibility as the school or department in which to exercise their voting rights on university matters.

### 2.4

#### Secondary Appointments

Members of the General Faculty may hold secondary appointments in departments or schools where they have a professional interest and in which they occasionally work. Holders of secondary appointments do not have tenure in, nor need they be compensated by, the secondary unit. Limited voting privileges may be extended by the secondary department in accordance with the provisions of Section 8.2 of the *Charter*.

### 2.5

#### Titles of Associated Faculty

##### 2.5.1

##### Visiting Faculty

The term "Visiting" is prefixed to the title of persons who are expected to teach and/or engage in research or clinical activities at the University of Miami for a limited period of time only. Faculty members may be appointed with the visiting title for no more than two consecutive one-year terms.

##### 2.5.2

##### Adjunct Faculty

The term "Adjunct" is prefixed to the title of persons who collaborate in some special way in the academic work of the University.



2.5.3

**Instructors**

The title "Instructor" shall be used only for persons being trained to become members of the University Faculty. Persons who are expected to be appointed to the University Faculty but who have not completed the requirements for a terminal degree in their field must be appointed as Instructor. The President shall make the final determination of "terminal degree" in any field or discipline.

2.5.4

**Affiliated Faculty**

Qualified staff members of hospitals and medical research institutions with which the University has an affiliation agreement may receive appointments as Affiliated Faculty of the Schools of Medicine and Nursing. Such appointments may be continued until normal retirement, subject to annual renewal by the University and continuing employment in the affiliated institution. Affiliated Faculty are not paid by the University, although the University may provide compensation to the institution for the services of such individuals.

2.5.5

**Lecturers**

The title "Lecturer" is ordinarily assigned to a faculty member who teaches, but who is not expected to proceed through the regular promotion sequence. A Lecturer is expected to have appreciable skill in a specialized field.

Lecturers who teach nine or more credit hours in a semester are eligible for full-time status as a Semester Lecturer.

2.6

**Emeriti Faculty**

Emeritus status is automatically conferred at the time of retirement upon all University Faculty holding tenure at the University. The President may be petitioned for the award of emeritus status to retired members of the General Faculty and academic administrative personnel who have not held tenure. The names of emeriti faculty are listed in a separate section of the appropriate Bulletin.

2.7

**Privileges and Benefits  
of Associated and Emeriti Faculty**

*[This section constitutes a separate Senate action, Legislation #87008; with the changes from Senate action, Legislation #88011.]*

Associated and Emeriti faculty members are entitled to the following privileges and benefits: 1) Any discounts which University Faculty members are eligible to receive including identification cards, bookstore purchases, football tickets, etc.; 2) Membership in the Faculty Club, Lowe Museum, and Credit Union; 3) Purchase of parking stickers; and 4) Purchase of prescription medicines through the University Health Center.

2.7.1

Visiting Faculty who are full-time are entitled to remission of tuition for themselves and their dependents at the University of Miami consistent with tuition remission policy and are eligible for participation in the group insurance plans but not in the retirement plan.

2.7.2

Associated Faculty who are both full-time and salaried by the University are entitled to participate in the insurance and retirement programs, and tuition remission for themselves and their dependents in accordance with University Policy.

2.7.3

Semester Lecturers are eligible for health insurance, tuition remission for themselves and 75% for their dependents (during the period of full-time employment), and disability insurance. After four consecutive semesters as Semester Lecturer, the individual is eligible for all full-time benefits, including retirement.

2.7.4

Associated Faculty who are part-time are entitled to fifty percent (50%) tuition remission for themselves at the University of Miami after one academic year of continuous employment at the University except in the doctoral programs of the Graduate School and the programs in the Schools of Medicine and Law. Benefits are limited to seven credit hours per semester and four credit hours per summer session.

2.7.5

University Faculty are entitled to the benefits and privileges listed in the Benefits and Privileges section of this *Manual*.

3.0  
**APPOINTMENTS**

3.1  
**General Policy**

The University wishes to maintain the highest possible standards of teaching, scholarship and patient care at the University of Miami, to ensure faculty members full academic freedom, and to enable the University to rely on the continuous service of an able faculty.

To ensure teaching and scholarship of high quality in an atmosphere of academic integrity and mutual confidence, it is the policy of the University to provide stability and continuity of appointment for the faculty member at the University.

3.2  
**Kinds of Appointments**

Each member of the General Faculty shall be appointed to one of the following categories:

3.2.1  
**Appointments to the Regular Faculty**

Appointments to the Regular Faculty provide either for tenure with initial appointment or for tenure consideration during a probationary period if appointment is not terminated during that period.

3.2.2  
**Regular Appointments With Limited Financial Support**

*[This section, with section 2.2.3, constitutes a separate Senate action, Legislation #87006.]*

Regular appointments with limited financial support may be made only in the School of Medicine. "Limited financial support" defines the minimum level of salary support which the University is obligated to provide tenured members of the faculty. The dollar amount of the minimum level of salary support is calculated by a formula established by the School Council of the School of Medicine and approved by the Dean of the School of Medicine and the President. The amount of limited financial support may not be decreased except in times of declared financial exigency.

The President of the University shall determine annually which sources and amounts of funds the School of Medicine may consider sufficiently secure to be used in providing limited financial support for tenured members of the faculty. In making this determination, the General and Educational budget of the School of Medicine shall be considered the most secure source. Other secure sources may include, but are not limited to: Veterans Administration Medical Center; Professional Income Plan; and Dade County (Jackson Memorial Hospital/Public Health Trust). Research grants and contracts are not considered sufficiently secure to

warrant their use in fulfilling the obligations associated with tenure with limited financial support.

3.2.3

**Appointments not Involving Tenure**

Faculty members holding Research, Educator or Associated appointments shall not be eligible for tenure.

3.3

**Term Appointments**

Term appointments are issued for a defined period of time specified in the letter of appointment. Appointment to the Associated Faculty is automatically terminated at the conclusion of the period specified in the letter of the appointment. Research and Educator Faculty have term appointments. Regular faculty with probationary appointments are not considered to have term appointments.

3.4

**Notice of Termination  
for Research and Educator Faculty**

Research Faculty members are entitled to one month's notice with pay for each year of full-time continuous service as a Research Faculty member at the University up to a maximum of twelve months for twelve or more years of service. The Research Faculty member will be expected to perform normal faculty duties during the notice period and such pay will cease upon the availability of other grant support at the University or initiation of employment elsewhere. Notice so used may be re-earned at the rate of one month per year up to the maximum of twelve months.

*[This constitutes a separate Senate action, Legislation #88011 taken from p.55 of Manual.]*

An Educator appointment to the faculty may be terminated at the close of any academic year by written notice, either by the University of intention not to appoint or by the faculty member not to return. A decision not to reappoint needs no justification. Such written notice by the University shall be given in accordance with the following standards:

1. Not later than March 1st of the first academic year of service, if the appointment is to expire at the end of that year.
2. Not later than December 15 of the second year of academic service, if the appointment is to expire at the end of that year.
3. After two or more years of service, at least twelve months before the expiration of an appointment.

Notice of termination by a faculty member shall be given either six months prior to the termination of the appointment or by the time specified for the return of salary memoranda for the following year.

Faculty who change from a regular appointment to a research or educator appointment shall receive one year's notice after two years' service in the regular appointment.

### 3.5

#### Terms in Writing

All appointments shall specify, in writing, whether they are Regular, Research, Educator or Associated appointments and, in the case of untenured Regular Faculty, the expiration of the probationary period. All appointments shall specify rank, salary, and full or part time status.

### 3.6

#### Probationary Period for Regular Appointments

The probationary period before the award of tenure is six (6) years at the University of Miami.

#### 3.6.1

##### Credit for Prior Service

Persons with appropriate experience at other comparable institutions may be awarded up to three years credit toward the probationary period by the President following a recommendation of the Dean upon consultation with the Chair. Persons granted credit for prior service under section 3.6.1 shall have their probationary period appropriately reduced, but in no case shall a probationary period be established for less than three years.

#### 3.6.2

##### Waiver of Prior Service

During the first year of appointment, faculty members may waive credit for applicable prior service at another institution.

#### 3.6.3

##### Early Award of Tenure

A faculty member holding a regular appointment is normally considered for tenure during the sixth year of the probationary period, but in unusual circumstances may be awarded tenure at any other time during the probationary period. Faculty members wishing to be considered for tenure before the expiration of the probationary period should consult with the Chair or Dean. Any consideration of a faculty member for the early award of tenure shall have no prejudicial effect on reconsideration through the sixth year of the probationary period.

#### 3.6.4

##### Term of Probationary Appointments

The University permits initial probationary appointments for terms of one, two or three years, provided that the term of the appointment is uniform within the School. A substantive review of the appointee shall occur as provided in Sections 9.6-9.10 below, and, if the conclusion is favorable, the appointment shall be renewed with the final review for tenure occurring in the sixth year. If sixth year review is unfavorable, the appointee shall be granted a one year terminal appointment. Where evidence of unsatisfactory performance exists during the term of any appointment, an early substantive review of the appointee may be initiated by the voting faculty, Chair or Dean.

3.6.5

**Definition Probationary Year**

The probationary period shall begin with the first September of the Faculty member's appointment. The first probationary year shall end on the following May 31.

3.6.6

**Notice of Termination of a Probationary Appointment**

During the probationary period, a regular appointment to the faculty may be terminated at the close of the term of the appointment by written notice, either by the University of intention not to reappoint or by the faculty member of intention not to return. Notice of termination by the faculty member shall be given prior to the expiration of the appointment.

Schools with probationary appointments for a term of one year shall observe the following notice requirements: Not later than March 15 during the first appointment; not later than December 15 during the second appointment. With the third and following appointments notice of a full year is required.

Schools with probationary appointments for a term of two years shall observe the following notice requirements: Not later than December 15 of the second year of the first appointment and with the second and following appointments notice of a full year is required.

Schools with probationary appointments for a term of three years shall give notice of a full year.

The justification of a decision by the University not to reappoint need not be communicated to the faculty member, but shall be made in accord with established University standards.

3.7

**Term Appointments Following Retirement**

According to the University retirement plans, the official retirement age at the University of Miami is 65 years and the incumbent may complete the fiscal year in which the 65th birthday occurs. Faculty members terminate their regular employment with the University at the end of the academic year (June 1 to May 31) in which they reach age seventy (70). At the discretion of the President, faculty members may be requested to continue to serve full-time after that year on a year-to-year basis, provided the concerned department or school initiates the request. Faculty members may not be continued beyond the fiscal year in which they reach the age of 72 without the approval of the Board of Trustees. Faculty members under consideration for full-time appointment beyond the retirement age shall be notified of the decision as early as possible.

4.0  
TENURE

4.1  
Administrators and Tenure

4.1.1

Tenure at the University of Miami shall be awarded to persons only in their capacities as faculty members in academic departments. In no case is tenure applicable to persons in their administrative capacities.

4.1.2

Academic deans and academic directors are eligible for the award of tenure as faculty members in the academic departments of their specialization, but not in their administrative posts. No other persons engaged in administrative duties are eligible for the award of tenure nor shall the period of time during which such persons are employed in positions with administrative duties be counted toward the completion of the probationary period for tenure, unless each of the following conditions is satisfied:

1) During the period of employment in question such persons must devote more than fifty percent of their total work time to teaching, research, patient care or other activities of an academically-related nature.

2) The division of such persons' efforts between administrative duties and teaching, research, patient care or other activities of an academically-related nature must be specifically documented each semester, and must be certified by the appropriate academic dean who shall make such documentation part of the faculty personnel records of such persons.

4.2  
Attainment of Tenure

4.2.1

Tenure shall not be awarded to faculty members serving under any type of Research, Educator or Associated appointment. Regular appointments that are not accompanied by an initial award of tenure shall specify the expiration date of the probationary period.

4.2.2

By April 15 of the year in which the probationary period would normally expire, the process should culminate in a tenure decision by the Board of Trustees, which is the final authority for the award of tenure. If the process of tenure consideration has not been completed by this date, the faculty member may ask the President, in writing, to direct that the process be completed immediately.

4.2.3

Tenure shall not be awarded at the rank of assistant professor.

4.2.4

Promotion to the rank of professor awards tenure at the time of promotion. A faculty member initially appointed to the rank of associate professor or professor is eligible for tenure at any time upon recommendation of the voting faculty of the department.

4.2.5

The faculty member shall be advised in writing at the time of initial appointment, of the substantive standards and procedures generally employed in decisions affecting reappointment and tenure. Any special standards adopted by the faculty member's department or school under the provisions of Section 9.1.2, below, shall also be communicated to the faculty member in writing by the Chair or the Dean.

4.3

**Meaning of Tenure**

4.3.1

Faculty members having tenure shall have appointments continued from year to year without necessity for annual or other renewal thereof.

4.3.2

Tenure implies that the faculty member shall accede to reasonable requests to redistribute efforts between teaching and research, to accept classes assigned, whether in day or evening hours, and, in an emergency and for the period thereof, to accept such other reasonable assignments as may be deemed necessary by the University.

4.3.3

Tenure does not imply any promise of promotion or any regular increase in salary, but it does assure the faculty member of participation in any general change in the salary scale. It also assures the faculty member of provisions for general working conditions on the same basis as other faculty members in the same academic areas who have similar professional activities and duties.

4.3.4

Tenure of a faculty member shall continue until death, resignation, retirement, termination for cause, or, in extraordinary circumstances, because of financial exigency or reorganization.

4.4

**Termination of Tenure  
Because of Declared Financial Exigency or Reorganization**

4.4.1

If it appears that a tenure appointment may need to be terminated because of financial exigency or because of reorganization brought about by decline in enrollment, lack of funds to support an activity, or change of course offerings, the President shall consult with the Faculty Senate Council.



4.4.2

The purposes of such consultation shall be to explain the reasons why reduction is necessary, to explore the equities of the situation, including consideration of the best interests of the University and due consideration for the faculty members involved, and to attempt to arrive at an alternative solution. If no alternative is practicable and a position must be so discontinued, such a position shall not be filled for a period of two years unless the released faculty member has been offered reappointment and has declined.

4.4.3

If the appointment of a faculty member with tenure is terminated by the University, one year's notice shall be given except in cases of termination for cause involving serious immediate injury to the University.

4.5

**Obligations of Tenure**

A faculty member having the rights and privileges of tenure shall in turn have the continuing obligation to maintain and improve professional competence to render efficient service to the University. Faculty members may accept an assignment to administrative duties and position without interrupting or impairing their tenure, but tenure shall apply only to their rank and service on the faculty, an administrative assignment being subject to change at any time by authority of the President.

4.6

**Retention of Existing Rights**

Nothing stated herein shall be interpreted to affect adversely rights acquired by faculty members under previously existing tenure policies at the University of Miami.

5.0

**ACADEMIC FREEDOM**

All members of the General Faculty are entitled to academic freedom as defined in the 1940 Statement of Principles of Academic Freedom and Tenure, as amended, formulated by the Association of American Colleges and the American Association of University Professors. This statement is reproduced on pp. xx of the *Manual*.

## 6.0 SCHOLARLY AND PROFESSIONAL QUALIFICATIONS OF THE FACULTY

### 6.1

#### Mission of the Faculty

The basic functions of a university are to preserve, augment, criticize and transmit knowledge and to foster creative capacities. Its chief instrument for performing these functions is the faculty, and its success in doing so depends on the quality of the faculty. The policy of this University is to enlist, develop and retain distinguished faculty members with outstanding qualifications.

### 6.2

#### Scholarship

Scholarship embraces inquiry, research, and creative professional performance and activity. Scholarship is required for effective teaching and is the obligation of all members of the faculty. Scholarship may be judged by the character of the advanced degree, by contributions to knowledge in the form of publication and instruction, by reputation among other scholars and professional persons, and by the performance of students.

The scholarly function of a university requires the appointment of faculty members devoted to inquiry and research. Among the criteria for evaluating research are publication of books by nationally recognized presses, and of articles and reviews of a scholarly nature in books, periodicals and technical reports nationally recognized in the profession; the directing of scholarly work by students working on advanced degrees; the receipt of professional awards and fellowships; membership on boards and commissions devoted to inquiry; and the judgment of professional colleagues.

Scholarship may be demonstrated by significant achievement in an art related to a faculty member's discipline, such as creative works, original designs, or original procedure. National recognition of such activities is demonstrated: by commissions, awards and prizes from nationally recognized bodies; by performances with nationally recognized companies; by invited presentations, exhibitions, lectures and performances before nationally recognized bodies; by invitations to teach master classes or lead intensive workshops at nationally recognized institutions; and by reviews of performance and creative works in nationally recognized journals, magazines and newspapers.

Promotion, tenure, and merit salary increases should recognize these scholarly achievements. Whenever possible, Chairs shall reduce other duties for those faculty engaged in these activities.

### 6.3

#### Teaching

The educational function of a university requires the appointment of faculty who are effective teachers. The means of evaluating teaching effectiveness are: 1) the informed judgment of colleagues; 2) the performance of students; and 3) qualified student opinion. Promotion, tenure, and merit salary increases should recognize outstanding achievements in teaching.

MEMORANDUM FOR THE DIRECTOR

DATE: 10/15/68

TO: DIRECTOR, FBI

DATE	REPORT NUMBER	REPORT TITLE	FROM	TO	STATUS	REMARKS	APPROVED	FILE
10/15/68	100-100000	COMMUNISM	SA	ASAC	OK			

Communism

6.4

**University Service and Administration**

Contributions to committee and administrative activities are recognized as furthering the University's educational function.

6.5

**Recognition of Degrees**

To ensure that faculty members are appropriately qualified, the University of Miami recognizes degrees from universities which are accredited within the United States by the appropriate accrediting association. Other degrees will be individually evaluated.

6.6

**Scholarly and Professional Qualifications  
for Each Rank of the University Faculty**

6.6.1

**Assistant Professor**

Appointment to the rank of assistant professor requires completion of professional training, in most fields marked by the Ph.D., and the clear promise of a successful career in teaching and scholarship. Appointment to the University Faculty requires a terminal degree. This requirement may be waived by the President upon recommendation of the Provost.

6.6.2

**Associate Professor**

Appointment to the rank of associate professor normally requires a record of substantial success in both teaching and scholarship. In unusual cases an outstanding record in one of these activities and an adequate record in the other may be considered sufficient.

6.6.3

**Professor**

Appointment to the rank of professor requires national recognition in the profession.

7.0  
**DEFINITIONS FOR PROCEDURES FOR THE  
APPOINTMENT, REAPPOINTMENT, PROMOTION,  
AND AWARD OF TENURE**

7.1

The *Faculty Charter* in section XII calls for consultation with the voting faculty of the department in recommendations from the department on faculty appointments, reappointments, promotions and award of tenure. Such consultations shall be conducted in accordance with this Policy.

7.2  
**Definitions**

For purposes of Sections 7-10 of this Bylaw, the following definitions shall apply:

7.2.1

The term **department** means either a department or a school in the case of an undepartmentalized school.

7.2.2

In an undepartmentalized school the term **Dean** encompasses the role of the Chair.

7.2.3

The term **appropriate faculty** means the Regular Faculty of the department in which the appointment is made.

7.2.4

The **voting faculty** for tenure are those tenured faculty equal or superior in rank to the candidate and for promotion those tenured faculty superior in rank to the candidate.

7.2.5

A person under consideration for appointment, reappointment, promotion or tenure is termed a **candidate**.

7.3  
**Voting Rights**

No person may vote at more than one level of review on questions of appointment, reappointment, promotion or tenure.

Faculty members who devote more than fifty percent personal effort to administrative duties other than departmental and whose duties may involve the review of candidates, shall not participate in the vote of a department with regard to any recommendation for promotion or the award of tenure.

8.0  
INITIAL APPOINTMENT

8.1

The entire Regular Faculty of a department are entitled to vote on each new appointment. In periods of recess, in summer sessions, and in departments with thirty-five or more members a committee of at least five members of the voting faculty shall be appointed, at the discretion of the Chair and in accordance with departmental bylaws, to vote on the candidate.

*consultative*

8.2

The voting faculty shall have an opportunity to review supporting materials of the candidate. In addition, when candidates are brought to campus, the voting faculty shall have a reasonable opportunity to interview and to attend a professional presentation by the candidate.

8.3

A Consultative Committee shall vote on the nominees by each committee member indicating the order of preference, if there is more than one nominee, and the disapproval of individual nominees. The numerical results of each member's ordered preferences, recorded anonymously, shall be reported by the committee to the appointing agent.

9.0  
**REVIEW OF THE FACULTY FOR  
REAPPOINTMENT, PROMOTION,  
AND THE AWARD OF TENURE**

9.1  
**Notification of Standards and Procedures**

9.1.1

At the time of initial appointment, each faculty member shall be advised in writing by the President of the substantive standards outlined in Section 6 above and of the procedures generally employed in decisions affecting reappointment, promotion, and tenure.

9.1.2

Special additional standards may be adopted by departments, by vote of their tenured faculty and with the approval of the school faculty, and by schools by vote of their faculty. Such additional standards shall not conflict with the *Faculty Manual*. Departments and schools shall consult with the Faculty Senate Council to determine whether such additional standards conform to the *Faculty Manual*. Following certification of the Faculty Senate Council, copies of such special additional standards shall be provided the Dean and the President.

9.1.3

Each faculty member shall be advised in writing by the Chair of any additional standards at the time of initial appointment, at the time of their adoption, and before any major review.

9.2

**Review of the Faculty**

In accord with established University policies, a systematic annual evaluation is made of every faculty member, tenured and untenured. Such evaluations are implemented by the Chair observing the guidelines, standards and rights established in Article XII, Sections 12.3 and 12.4 of the *Faculty Charter*. Reappointment, promotion, merit salary increases, and the award of tenure are based on such reviews. Upon completion of this evaluation, in accordance with the procedures described below, the Chair discusses the results with each faculty member and, in the event of unsatisfactory performance, the Chair shall counsel the faculty member as to how to correct any deficiencies. In the extreme case where there appear to be grounds for termination for cause, the provisions of Section XX of the University Faculty and Tenure Policy shall be observed. Each Dean reports annually to the President when the review of all members of the faculty has been completed consistent with established University procedures.

9.3

**Types of Review**

The Regular Faculty of each school and department undertakes two types of review of the performance of its members:

*Annual Reviews* of each individual's accomplishments for the purposes of salary increases; and

*Special Reviews* for the purposes of reappointment, promotion, and the award of tenure.

The Research, Educator, and Associated Faculty of each school are subject to Annual Reviews and Special Reviews for the purposes of reappointment and promotion. Such reviews shall be undertaken by the Regular Faculty.

9.4

**Faculty Files**

The file of the candidate shall be the basis for the deliberations at each state of the reviews.

Each faculty member shall be responsible for maintaining a current statement of his professional activities, arranged according to customary practices and university requirements. This file shall include evidence of: a) educational attainments; b) awards and fellowships; c) funded research projects; d) publications, papers, performances and other scholarly contributions to the profession; e) services to the profession in scholarly bodies and in university agencies; and f) public service to the community relating to scholarship and the profession.

Prior to any faculty consultation or vote, candidates shall have an opportunity to make current their files in the office of the Chair, as described in Section 12.5 of the *Faculty Charter*.

The Chair shall make available to the appropriate voting faculty all relevant materials from the files of each candidate.

9.5

**Annual Reviews**

Each tenured and untenured member of the faculty shall be reviewed annually by the appropriate faculty based upon a systematic evaluation of the past year's work.

9.5.1

For untenured faculty, the Chair shall discuss the results of the Annual Review with each faculty member, and, following this discussion, the Chair shall prepare a written statement summarizing the review. This statement shall be placed in the file and shall be made available to the faculty member who may prepare a response to be included in the file.

9.5.2

The Annual Review is complete when the Dean advises the Provost of recommended salary increases.




## 9.6

**Special Reviews**

A more complete review is required: 1) in the year prior to reappointment of a faculty member holding a tenure earning appointment; 2) when promotion to associate professor or professor is to be considered; and 3) in the year prior to the award of tenure. Each Special Review shall be conducted as follows:

## 9.6.1

**Teaching Evaluation**

The file of a candidate for reappointment, promotion and tenure shall contain an assessment of teaching performance. For promotion to associate professor and tenure the file shall include, except for initial appointments, (and cases in which teaching has not been part of the duties of the candidate) an assessment of classroom teaching made by the appropriate voting faculty on the basis of classroom visitation, and a summary and interpretation of the results of student evaluations. The faculty of each school and college is authorized to develop procedures governing the peer review and classroom visitations by tenured faculty who are evaluating the teaching of non-tenured faculty members. 

## 9.6.2

**External Letters**

The file of a candidate for tenure or for promotion to full professor shall include at least three written evaluations of the scholarly work of the candidate solicited from scholars specializing in the field of work who hold tenured positions at comparable universities.

Such letters are solicited by the Chair following consultation with the candidate and the appropriate voting faculty. The content of letters requesting written evaluations shall be prepared with the approval of the appropriate voting faculty and shall be shown to the candidate. Letters of evaluation are confidential, but such letters may be seen by anyone directly concerned in making the promotion or tenure decision.

Copies of each letter used to solicit external reviews shall be included in the candidate's file. The Chair shall supply the voting faculty and the Dean with a list of external reviewers, indicating how and why each was selected. If outside letters are solicited from reviewers recommended by the candidate, the nature of any relationship shall be indicated. Candidates shall be permitted to identify persons who are thought to be unsuitable external reviewers and the reasons for that judgment.

Exceptions to the need for written external evaluations of the candidate's scholarly work may be made when such letters would not add materially to the candidate's file.

## 9.6.3

**Evaluation Committee**

Each School may, by a bylaw, provide for the establishment of an Evaluation Committee in each department of the School with five or more faculty eligible to vote on candidates for reappointment, promotion or tenure. A School may delegate to each department the decision whether to establish such a Committee. The

Committee shall assist the voting faculty of the department to assess the qualifications of the candidate.

#### 9.6.4

##### **Special Evaluation Committee**

In the case of departments with fewer than five faculty eligible to vote on a candidate, Special Evaluation Committees shall be established for each candidate in the department. The Committees shall be appointed in the manner provided for in the School's by-laws, but, in all events, shall have five-members consisting of (1) such voting faculty in the department as the by-laws provide and (2) up to five faculty from cognate disciplines within the University whose research and scholarly activities will enable them to assist in evaluating the candidate. The vote of the Special Evaluation Committees shall be recorded and placed in the candidate's file. The Dean shall appoint the Committee and shall advise the candidates, the Senate Council and the President of the appointment of all such Committees. Special Evaluation Committees shall be chaired, wherever possible, by a member of the department.

If it is likely that a Special Evaluation Committee will be needed when a member of the department becomes a candidate for reappointment, promotion or tenure, the Committee should be established at the time of the candidate's appointment or as far in advance of the evaluation as is practicable.

#### 9.6.5

##### **Formal Written Evaluation.**

The Evaluation Committee shall examine the complete work of the candidate. On the basis of this examination, the Committee shall prepare a detailed written evaluation of the candidate's contribution to knowledge and to the profession. The Committee shall then state whether, in its judgment, reappointment, promotion, or award of tenure is justified. The candidate, the appropriate voting faculty, the Chair and the Dean shall be entitled to examine the report. If in the judgment of the Committee or Department Faculty any of these persons can show good cause why the Committee should reconsider its decision, the Committee shall promptly do so. Prior to any vote by the Faculty of the Department the candidate shall have the right to submit a written statement in response to the Committee's report and that statement shall be part of the candidate's file available to the voting faculty.

#### 9.6.6

##### **Candidate's Statement**

Candidates may present a written career assessment providing the rationale of their work and the significance of their contribution to knowledge and the profession.

#### 9.7.

##### **Faculty Vote**

The appropriate voting faculty shall be assembled to consult on the candidate. Notice of the meeting shall be in writing, shall provide adequate notice of the date and agenda of the meeting, and shall include the names of candidates under consideration.

#### 9.7.1

After systematic examination of the file, including any Evaluation Committee report, and after deliberation, the voting faculty shall determine by ballot for each candidate whether to recommend reappointment, promotion or tenure. The ballots shall be counted by two designated members of the voting faculty and the results of the ballot announced to the electorate. Following this announcement, the Chair shall prepare a written statement of the views of the voting faculty which shall be circulated to the voting faculty prior to its transmission to the Dean.

9.7.2

Absentee ballots shall not be counted unless they have been submitted prior to the meeting called to consider candidates for tenure, promotion, and appointment. The electorate shall be informed of the numerical results of the ballot.

9.8

**Role of the Chair.**

9.8.1

The Chair shall prepare and forward a written summary of the recommendation of the voting faculty and a numerical tally of the ballot with the file of the candidate.

9.8.2

The Chair shall not participate in the ballot of the voting faculty, but shall provide a separate recommendation supported by a written evaluation of each candidate. The Chair should make reference to the performance of the candidate in terms of the Annual Reviews and any prior Special Reviews.

9.8.3

The Chair shall forward with the file of the candidate all materials that were considered, the recommendation of the Chair, and the written summary of the voting faculty.

9.8.4

Subsequent to the meeting of the voting faculty, the voting faculty and each candidate shall be informed promptly by the Chair of the relevant recommendations of the voting faculty and of the Chair.

9.9

**Actions of the Dean**

In a departmentalized School, the Dean shall, after reviewing in a written statement the file of each candidate, make a recommendation to the President with regard to each candidate.

9.9.1

**School Advisory Boards**

In departmentalized schools where Deans do not perform the role of Chair in the Annual and Special Reviews, the Faculty of the School may enact a bylaw establishing an Advisory Board consisting of tenured full professors to assist in the review of all candidates for reappointment, promotion and tenure in the School. The bylaw shall prescribe the number, composition and method of selecting the members of the board. Advisory Boards shall examine all the material forwarded by the department and the Chair and shall prepare a written report explaining the

reasons for their recommendations. This report shall be included in each candidate's file along with all other materials and forwarded to the Dean. Recommendations of any advisory group not established in accordance with this provision may not be cited or placed in the file of the candidate.

9.9.2

The Dean shall forward the files of all candidates together with the recommendations of the Chair and the voting faculty, and the report of the Advisory Board.

9.9.3

The Dean's recommendation and written statement shall be included in each candidate's file along with all other material and forwarded to the Provost.

9.10

**Provost Actions**

*[This section, with Section 2.1, constitutes a separate Senate action, Legislation #87005.]*

The Provost, as delegated by the President, makes all reappointments and promotions. After reviewing each candidate's file, the Provost shall notify each candidate of his decision to reappoint or promote. When the Provost decides against promotion and there is a positive recommendation from the voting faculty, the Provost should explain his reasons in writing and the candidate should be counseled by his Chair or Dean on what should be done to secure promotion.

10

**Trustee Authority in Tenure**

Tenure may be earned only by a considered action of the University. The Board of Trustees is the final authority for the award of tenure. The award or denial of tenure shall be directly communicated to the candidate by the President immediately following the completion of the tenure process. If the Board denies tenure to a faculty member in the final year of the probationary period, the faculty member shall receive at least twelve (12) months notice prior to the expiration of the appointment.

## SYNOPSIS OF ACTIONS

Executive Committee

May 15, 1990

Page Two

ACCEPTED the recommendations of the president and the Faculty Senate and approved the following changes to the Faculty Charter: 1) replaced the current requirement for annual consideration for promotion with a provision that the faculty will be considered for promotion upon request, subject to a six-year limit; 2) places in the Charter the present four-year evaluation of deans; 3) removes two committees from the Charter and places them in the bylaws, consistent with the practices of other committees; 4) makes the Charter consistent with the new Class B legislation regarding "Policy on Faculty Status, Title, Appointment, Reappointment, Promotion and the Award of Tenure".

AUTHORIZED administration to enter into agreements to purchase workmen's compensation, excess, general, auto liability, marine, directors and officers, crime and fiduciary coverage with Johnson & Higgins and property and miscellaneous insurance coverage with Stembler, Adams & Sweet and Alexander & Alexander in an amount not to exceed \$3.06 million.

APPROVED the 1990 Medical Malpractice insurance budgets.

AUTHORIZED administration to enter an Affiliation Agreement with Mount Sinai Medical Center for an indefinite term to provide patient care and teaching, research, and community service programs.

Amendment to Faculty Senate Legislation #87001(B)

Faculty Manual Bylaw Section 9.6.2 - External Letters

The file of the candidate for tenure or for promotion to full professor shall include at least three written evaluations of the scholarly work of the candidate solicited from scholars specializing in the field of work who hold tenured positions at comparable universities.

Such letters are solicited by the Chair following consultation with the candidate and the appropriate voting faculty. The content of letters requesting written evaluations shall be prepared with the approval of the appropriate voting faculty and shall be shown to the candidate. Letters of evaluation are confidential, but such letters may be seen by anyone directly concerned in making the promotion or tenure decision.

Copies of each letter used to solicit external reviews shall be included in the candidate's file. The Chair shall supply the voting faculty and the Dean with a list of external reviewers, indicating how and why each was selected. If outside letters are solicited from reviewers recommended by the candidate, the nature of any relationship shall be indicated. **Before the final decision on evaluators is made, the candidate shall be provided a written list of all potential evaluators. The candidate may submit a memorandum commenting on the suitability of the potential evaluators which shall become part of the candidate's file.**

Exceptions to the need for written external evaluations of the candidate's scholarly work may be made when such letters would not add materially to the candidate's file.

**"Faculty Senate Legislation #87001(A) - Definitions of Faculty Titles**

2.1 The General Faculty shall consist of the University Faculty and the Associated Faculty.

"The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

"The Regular Faculty shall consist of all faculty having tenured or tenure-earning appointments and holding the rank of Professor, Associate Professor, or Assistant Professor.

"The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University, and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

"The Educator Faculty shall consist of those clinicians who hold the rank of Professor, Associate Professor, or Assistant Professor, who serve in the clinical programs of the University, and whose title consists of a rank and discipline prefixed by "Clinical" (e.g., Professor of Clinical Surgery, Professor of Clinical Nursing). Educator faculty shall not hold tenured or tenure-earning appointments.

"The Associated Faculty are all faculty with professorial titles prefixed by Clinical (e.g., Clinical Professor of Surgery), Adjunct, Visiting, and Affiliated, Lecturers, and Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

"2.2 The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

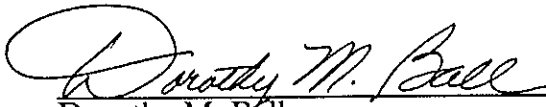
"The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair and Dean, and ratification of Amendments to the Faculty Charter.

"The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

"Members of the University Faculty may vote only once on a single question. Persons holding appointive administrative office may not vote on any matter which is subject to or may be reviewed by their office.

"Delete 2.4 and renumber the remaining sections."

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said corporation this 3rd day of August, 1990, at Coral Gables, Dade County, Florida.



Dorothy M. Ball  
Assistant Secretary of the University

(Corporate Seal)



MEMORANDUM

TO: President Edward T. Foote II

FROM: Dr. George C. Alexandrakis *GCA*  
Chairman, Faculty Senate

DATE: December 6, 1988

SUBJECT: Faculty Senate Legislation #87001(B) -  
Bylaw on Faculty Appointment, Promotion and Tenure

The Faculty Senate, at its meeting of October 17, 1988, voted to approve Faculty Senate Legislation #87001(B) - Bylaw on Faculty Appointment, Promotion and Tenure. The text of the legislation is attached.

This legislation is now forwarded for your action.

GCA:b

Attachment

cc: Provost Luis Glaser

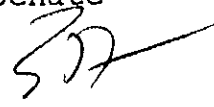


Edward T. Foote II  
President

M E M O R A N D U M

October 25, 1988

TO: Dr. George C. Alexandrakis  
Chairman, Faculty Senate

FROM: Edward T. Foote II 

RE: Senate Legislation # 87001: Promotion and  
Tenure

I approve this legislation. Thanks to you and all concerned for the significant amount of work this represents.

ETF:nbt

P.O. Box 248006  
Coral Gables, Florida 33124  
(305) 284-5155



JUL 1988

M E M O R A N D U M

TO: Dr. George Alexandrakis  
Chairman, Faculty Senate

FROM: Edward T. Foote II *ETF*  
President

DATE: July 15, 1988

RE: Bylaw on Faculty Status, Titles, Appointment,  
Reappointment, Promotion and the Award of  
Tenure - Faculty Senate Actions, Consolidated  
Version 87001, 87005, 87006, 87008, 87014, 87034.

I have reviewed the above-referenced legislation which you have submitted to me for approval pursuant to Article 8.8 of the Faculty Charter. Having reviewed those proposals, I approve of them with the following exceptions:

1. References to Educator Faculty should be deleted until such time as we have agreed to the creation of that faculty position. The references to Educator Faculty to which I refer are found in paragraphs 1.5, 1.7, 1.8.1, 1.8.2, 1.8.3, 3.3, 3.4, 3.5, 4.2.1, and 9.3. Should we have missed any other references to Educator Faculty, those references would be likewise included in this objection.

2. In paragraph 2.3, given the fact that there are independent faculty in the Graduate School of International Studies, I disapprove the inclusion of the sentence which reads, "All Participating Faculty in the Graduate School of International Studies shall hold joint appointments."

3. In paragraph 2.5.2, I disapprove of the proposed language until such time as we have agreed on Educator Faculty. In the interim, the present definition of adjunct faculty should apply.

4. In paragraph 2.7, I recommend that the first sentence of the second paragraph be rewritten as follows, "Associated Faculty

July 15, 1987

teaching more than nine hours in any calendar year shall be considered full-time faculty."

5. As I understand, there have been discussions that the provisions of all of Section 3.0 and all of Section 4.0 should be approved in the form in which you have proposed, provided, that the provisions of those two sections not be incorporated or included in the Faculty Bylaws. I understand that those sections will be segregated into a separate section of the Faculty Manual to be appropriately designated.

6. In paragraph 3.4, the phrase "a minimum of" in line 2 must be deleted.

7. I do not agree that the Advisory Boards to the Dean should be memorialized in the form proposed in paragraph 9.9.1. Therefore, I do not approve the provisions of that paragraph.

8. Similarly, the reference to "the report of the Advisory Board" in paragraph 9.9.2 should be deleted.

The changes which you have proposed and which I have approved constitute the largest single amendment to our form of faculty governance. I congratulate you and the members of the Faculty Senate who have worked over the past year on this matter. With respect to the sections to which I have objected, I would be pleased to meet with you to further discuss those issues.

ETF:ckv

sm6/a

BYLAW ON FACULTY STATUS, TITLES,  
APPOINTMENT, REAPPOINTMENT, PROMOTION  
AND THE AWARD OF TENURE

**Faculty Senate Actions,  
Consolidated Version**  
87001, 87005, 87006, 87008, 87014  
Class B Legislation

1.0  
**DEFINITIONS**

1.1

The General Faculty shall consist of the University Faculty and the Associated Faculty.

1.2

The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

1.3

The Regular Faculty shall consist of all faculty having tenured or tenure-earning positions and holding the rank of Professor, Associate Professor, or Assistant Professor.

1.4

The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

1.5

*[This paragraph shall define the educator faculty and is the subject of a separate action.]*

1.6

The Associated Faculty are all faculty with professorial titles prefixed by Clinical, except in the School of Law, (e.g., Clinical Professor of Surgery) or by Adjunct, Visiting, or Affiliated, and all Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

1.7

The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair or Dean, and ratification of Amendments to the *Faculty Charter*.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the General Faculty may vote only once on a single question. Persons holding joint appointments must designate a school or department in which to exercise their voting rights on university matters. Persons holding appointive administrative position may not vote on any matter which is subject to review or other action by their office.

1.8

Change of Type of Faculty Appointment

1.8.1

Any member of the Research or Educator faculty may initiate a request to be considered for appointment to the Regular Faculty of the University. The decision on that request must be made in accordance with the standards and procedures applicable to initial appointment to the Regular Faculty as set forth in the *Faculty Charter* and these Bylaws, including Sections 6 and 8. If the requested appointment to the Regular faculty is made, but without an immediate grant of tenure, the period served as a member of the Research or Educator faculty may, if requested by the faculty member and approved by the President, be credited toward the probationary period for Regular Faculty appointments as provided in Sections 3.6 and 3.6.1 of these Bylaws.

1.8.2

Any member of the Regular Faculty of the University, during their probationary period as defined in Section 3.6 of these Bylaws, may initiate a request to be considered for appointment to the Research or Educator Faculty. The decision on that request shall be made by the President upon recommendation of the Regular Faculty of the department and the Dean of the School.

1.8.3

Members of the Regular Faculty who have become members of the Research or Educator Faculty under the provisions of Section 1.8.2 may not subsequently be appointed to the Regular Faculty except as a tenured Professor.

2.0  
**THE FACULTY**

2.1  
**Appointive Authorities**

*[This section, with section 9.10, constitutes a separate Senate action, Legislation #87005.]*

The power to appoint and remove both administrative officers and members of the General Faculty is vested in the Board of Trustees. The Board of Trustees shall appoint the President of the University.

The President, by authority of the Board of Trustees, shall select the Provost, the Deans, and the administrative officers and shall appoint the General Faculty of the University. The President is the presiding officer of the General Faculty.

The Provost, as delegated by authority of the President, shall make appointments to the General Faculty and promote members of the General Faculty to higher ranks.

All appointments to the General Faculty and promotions to higher ranks shall be made in accordance with the procedures set forth in the *Faculty Charter*, Section XII, and in this Bylaw.

2.2  
**Faculty Status**

2.2.1

All University Faculty shall be deemed to have full-time status. Unless on sabbatical or other approved leave, University Faculty shall be deemed to be "in residence." University Faculty members may request reduced teaching and research loads for reduced pay while retaining all rights and privileges. Associated Faculty may have either full-time or part-time status as established by their contracts with the University.

2.2.2

While under contract all members of the University Faculty in residence shall be entitled to an average of one working day of consultation per week, either on a part-time or self-employed basis, unless a written exception allowing additional time is issued by the President.

2.2.3

[This section, with section 3.2.2, constitutes a separate Senate action, Legislation #87006.]

A member of the General Faculty shall be compensated from University approved sources, but not necessarily by the University. The fact that the salary of a member of the Regular Faculty is paid from non-University sources does not affect the faculty member's tenure status.

2.3  
**Joint Appointments**

Members of the University Faculty may hold appointments in two or more schools or in two or more departments within a school. Such appointments imply financial support from both academic units and should be made to promote interdisciplinary or inter-professional teaching and research. Recommendations on salary, merit increases, promotion, and tenure, and assignment of teaching and research responsibilities shall be determined by both of the units involved. The holder of a joint appointment shall be entitled to vote in both units, but may not vote twice on the same question. All Participating Faculty in the Graduate School of International Studies shall hold joint appointments. In all joint appointments, one unit shall be designated as the "unit of primary administrative responsibility" for such matters as salary, promotion, tenure, and teaching assignment. Persons holding joint appointments must designate the unit of primary administrative responsibility as the school or department in which to exercise their voting rights on university matters.

2.4  
**Secondary Appointments**

Members of the General Faculty may hold secondary appointments in departments or schools where they have a professional interest and in which they occasionally work. Holders of secondary appointments do not have tenure in, nor need they be compensated by, the secondary unit. Limited voting privileges may be extended by the secondary department in accordance with the provisions of Section 8.2 of the *Charter*.

2.5  
**Titles of Associated Faculty**

2.5.1  
**Visiting Faculty**

The term "Visiting" is prefixed to the title of persons who are expected to teach and/or engage in research or clinical activities at the University of Miami for a limited period of time only. Faculty members may be appointed with the visiting title for no more than two consecutive one-year terms.

2.5.2  
**Adjunct Faculty**

The term "Adjunct" is prefixed to the title of persons who collaborate in some special way in the academic work of the University.



2.5.3

**Instructors**

The title "Instructor" shall be used only for persons being trained to become members of the University Faculty. Persons who are expected to be appointed to the University Faculty but who have not completed the requirements for a terminal degree in their field must be appointed as Instructor. The President shall make the final determination of "terminal degree" in any field or discipline.

2.5.4

**Affiliated Faculty**

Qualified staff members of hospitals and medical research institutions with which the University has an affiliation agreement may receive appointments as Affiliated Faculty of the Schools of Medicine and Nursing. Such appointments may be continued until normal retirement, subject to annual renewal by the University and continuing employment in the affiliated institution. Affiliated Faculty are not paid by the University, although the University may provide compensation to the institution for the services of such individuals.

2.6

**Emeriti Faculty**

Emeritus status is automatically conferred at the time of retirement upon all University Faculty holding tenure at the University. The President may be petitioned for the award of emeritus status to retired members of the General Faculty and academic administrative personnel who have not held tenure. The names of emeriti faculty are listed in a separate section of the appropriate Bulletin.

2.7  
**Privileges and Benefits  
of Associated and Emeriti Faculty**

[*This section constitutes a separate Senate action, Legislation #87008.*]

Associated and Emeriti faculty members are entitled to the following privileges and benefits:

- 1) Any discounts which University Faculty members are eligible to receive including identification cards, bookstore purchases, football tickets, etc.;
- 2) Membership in the Faculty Club, Lowe Museum, and Credit Union;
- 3) Purchase of parking stickers; and
- 4) Purchase of prescription medicines through the University Health Center.

Associated Faculty who teach nine or more hours in any calendar year are considered full-time. Members of the Associated Faculty are entitled to fifty percent (50%) personal tuition remission at the University of Miami after one academic year of continuous employment at the University except in the doctoral programs of the Graduate School and the programs in the Schools of Medicine and Law. Benefits are limited to seven credit hours per semester and four credit hours per summer session.

2.7.1

Full-time visiting faculty are entitled to remission of tuition for themselves and their dependents at the University of Miami consistent with tuition remission policy and are eligible for participation in the group insurance plans but not in the retirement plan.

2.7.2

Adjunct faculty and Instructors who are both full-time and salaried by the University are entitled to participate in the insurance and retirement programs.

2.7.3

All members of the University Faculty are entitled to the benefits and privileges listed in the Benefits and Privileges section of this *Manual*.

3.0  
**APPOINTMENTS**

3.1  
**General Policy**

The University wishes to maintain the highest possible standards of teaching, scholarship and patient care at the University of Miami, to ensure faculty members full academic freedom, and to enable the University to rely on the continuous service of an able faculty.

To ensure teaching and scholarship of high quality in an atmosphere of academic integrity and mutual confidence, it is the policy of the University to provide stability and continuity of appointment for the faculty member at the University.

3.2  
**Kinds of Appointments**

Each member of the General Faculty shall be appointed to one of the following categories:

3.2.1  
**Appointments to the Regular Faculty**

Appointments to the Regular Faculty provide either for tenure with initial appointment or for tenure consideration during a probationary period if appointment is not terminated during that period.

3.2.2  
**Regular Appointments With Limited Financial Support**

*[This section, with section 2.2.3, constitutes a separate Senate action, Legislation #87006.]*

Regular appointments with limited financial support may be made only in the School of Medicine. "Limited financial support" defines the minimum level of salary support which the University is obligated to provide tenured members of the faculty. The dollar amount of the minimum level of salary support is calculated by a formula established by the School Council of the School of Medicine and approved by the Dean of the School of Medicine and the President. The amount of limited financial support may not be decreased except in times of declared financial exigency.

The President of the University shall determine annually which sources and amounts of funds the School of Medicine may consider sufficiently secure to be used in providing limited financial support for tenured members of the faculty. In making this determination, the General and Educational budget of the School of Medicine shall be considered the most secure source. Other secure sources may include, but are not limited to: Veterans Administration Medical Center; Profes-

sional Income Plan; and Dade County (Jackson Memorial Hospital/Public Health Trust). Research grants and contracts are not considered sufficiently secure to warrant their use in fulfilling the obligations associated with tenure with limited financial support.

### 3.2.3

#### **Appointments not Involving Tenure**

Faculty members holding Research, Educator or Associated appointments shall not be eligible for tenure.

### 3.3

#### **Term Appointments**

Term appointments are issued for a defined period of time specified in the letter of appointment. Appointment to the Associated Faculty is automatically terminated at the conclusion of the period specified in the letter of the appointment. Research and Educator Faculty have term appointments. Regular faculty with probationary appointments are not considered to have term appointments.

### 3.4

#### **Notice of Termination for Research and Educator Faculty**

Research Faculty members, faced with termination as a result of the cessation of external support, are entitled to a minimum of one month's notice with pay for each year of full-time continuous service as a Research Faculty member at the University up to a maximum of twelve months for twelve or more years of service. The Research Faculty member will be expected to perform normal faculty duties during the notice period and such pay will cease upon the availability of other grant support at the University or initiation of employment elsewhere. Notice so used may be re-earned at the rate of one month per year up to the maximum of twelve months.

Educator faculty in category two are entitled to notice by March 31 of their first year of service, by December 15 of their second year of service, and a full year of notice after the second year of service.

Faculty who change from a regular appointment to a research or educator appointment shall receive one month's notice for each year's service in the regular appointment.

### 3.5

#### **Terms in Writing**

All appointments shall specify, in writing, whether they are Regular, Research, Educator or Associated appointments and, in the case of untenured Regular Faculty, the expiration of the probationary period. All appointments shall specify rank and salary.

### 3.6

#### **Probationary Period for Regular Appointments**

The probationary period before the award of tenure is six (6) years at the University of Miami.

#### 3.6.1

##### **Credit for Prior Service**

Persons with appropriate experience at other comparable institutions may be awarded up to three years credit toward the probationary period by the President following a recommendation of the Dean upon consultation with the Chair. Persons granted credit for prior service under section 3.6.1 shall have their probationary period appropriately reduced, but in no case shall a probationary period be established for less than three years.

#### 3.6.2

##### **Waiver of Prior Service**

During the first year of appointment, faculty members may waive credit for applicable prior service at another institution.

#### 3.6.3

##### **Early Award of Tenure**

A faculty member holding a regular appointment is normally considered for tenure during the sixth year of the probationary period, but in unusual circumstances may be awarded tenure at any other time during the probationary period. Faculty members wishing to be considered for tenure before the expiration of the probationary period should consult with the Chair or Dean. Any consideration of a faculty member for the early award of tenure shall have no prejudicial effect on reconsideration through the sixth year of the probationary period.

#### 3.6.4

##### **Term of Probationary Appointments**

The University permits initial probationary appointments for terms of one, two or three years, provided that the term of the appointment is uniform within the School. A substantive review of the appointee shall occur as provided in Sections 9.6-9.10 below, and, if the conclusion is favorable, the appointment shall be renewed with the final review for tenure occurring in the sixth year. If sixth year review is unfavorable, the appointee shall be granted a one year terminal appointment. Where evidence of unsatisfactory performance exists during the term of any appointment, an early substantive review of the appointee may be initiated by the voting faculty, Chair or Dean.

#### 3.6.5

##### **Definition Probationary Year**

The probationary period shall begin with the first September of the Faculty member's appointment. The first probationary year shall end on the following May 31.

### 3.6.6

#### **Notice of Termination of a Probationary Appointment**

During the probationary period, a regular appointment to the faculty may be terminated at the close of the term of the appointment by written notice, either by the University of intention not to reappoint or by the faculty member of intention not to return. Notice of termination by the faculty member shall be given prior to the expiration of the appointment.

Schools with probationary appointments for a term of one year shall observe the following notice requirements: Not later than March 15 during the first appointment; not later than December 15 during the second appointment. With the third and following appointments notice of a full year is required

Schools with probationary appointments for a term of two years shall observe the following notice requirements: Not later than December 15 of the second year of the first appointment and with the second and following appointments notice of a full year is required.

Schools with probationary appointments for a term of three year shall give notice of a full year.

The justification of a decision by the University not to reappoint need not be communicated to the faculty member, but shall be made in accord with established University standards.

### 3.7

#### **Term Appointments Following Retirement**

According to the University retirement plans, the official retirement age at the University of Miami is 65 years and the incumbent may complete the fiscal year in which the 65th birthday occurs. Faculty members terminate their regular employment with the University at the end of the academic year (June 1 to May 31) in which they reach age seventy (70). At the discretion of the President, faculty members may be requested to continue to serve full-time after that year on a year-to-year basis, provided the concerned department or school initiates the request. Faculty members may not be continued beyond the fiscal year in which they reach the age of 72 without the approval of the Board of Trustees. Faculty members under consideration for full-time appointment beyond the retirement age shall be notified of the decision as early as possible.

### 4.0

#### **TENURE**

### 4.1

#### **Administrators and Tenure**

### 4.1.1

Tenure at the University of Miami shall be awarded to persons only in their

capacities as faculty members in academic departments. In no case is tenure applicable of persons in their administrative capacities.

#### 4.1.2

Academic deans and academic directors are eligible for the award of tenure as faculty members in the academic departments of their specialization, but not in their administrative posts. No other persons engaged in administrative duties are eligible for the award of tenure nor shall the period of time during which such persons are employed in positions with administrative duties be counted toward the completion of the probationary period for tenure, unless each of the following conditions is satisfied:

1) During the period of employment in question such persons must devote more than fifty percent of their total work time to teaching, research, patient care or other activities of an academically-related nature.

2) The division of such persons' efforts between administrative duties and teaching, research, patient care or other activities of an academically-related nature must be specifically documented each semester, and must be certified by the appropriate academic dean who shall make such documentation part of the faculty personnel records of such persons.

### 4.2

#### Attainment of Tenure

##### 4.2.1

Tenure shall not be awarded to faculty members serving under any type of Research, Educator or Associated appointment. Regular appointments that are not accompanied by an initial award of tenure shall specify the expiration date of the probationary period.

##### 4.2.2

By April 15 of the year in which the probationary period would normally expire, the process should culminate in a tenure decision by the Board of Trustees, which is the final authority for the award of tenure. If the process of tenure consideration has not been completed by this date, the faculty member may ask the President, in writing, to direct that the process be completed immediately.

##### 4.2.3

Tenure shall not be awarded at the rank of assistant professor.

##### 4.2.4

Promotion to the rank of professor awards tenure at the time of promotion. A faculty member initially appointed to the rank of associate professor or professor is eligible for tenure at any time upon recommendation of the voting faculty of the department.

##### 4.2.5

The faculty member shall be advised in writing at the time of initial appointment, of the substantive standards and procedures generally employed in decisions

affecting reappointment and tenure. Any special standards adopted by the faculty member's department or school under the provisions of Section 9.1.2, below, shall also be communicated to the faculty member in writing by the Chair or the Dean.

4.3  
**Meaning of Tenure**

4.3.1  
Faculty members having tenure shall have appointments continued from year to year without necessity for annual or other renewal thereof.

4.3.2  
Tenure implies that the faculty member shall accede to reasonable requests to redistribute efforts between teaching and research, to accept classes assigned, whether in day or evening hours, and, in an emergency and for the period thereof, to accept such other reasonable assignments as may be deemed necessary by the University.

4.3.3  
Tenure does not imply any promise of promotion or any regular increase in salary, but it does assure the faculty member of participation in any general change in the salary scale. It also assures the faculty member of provisions for general working conditions on the same basis as other faculty members in the same academic areas who have similar professional activities and duties.

4.3.4  
Tenure of a faculty member shall continue until death, resignation, retirement, termination for cause, or, in extraordinary circumstances, because of financial exigency or reorganization.

4.4  
**Termination of Tenure  
Because of Declared Financial Exigency or Reorganization**

4.4.1  
If it appears that a tenure appointment may need to be terminated because of financial exigency or because of reorganization brought about by decline in enrollment, lack of funds to support an activity, or change of course offerings, the President shall consult with the Faculty Senate Council.

4.4.2  
The purposes of such consultation shall be to explain the reasons why reduction is necessary, to explore the equities of the situation, including consideration of the best interests of the University and due consideration for the faculty members involved, and to attempt to arrive at an alternative solution. If no alternative is practicable and a position must be so discontinued, such a position shall not be filled for a period of two years unless the released faculty member has been offered reappointment and has declined.



4.4.3

If the appointment of a faculty member with tenure is terminated by the University, one year's notice shall be given except in cases of termination for cause involving serious immediate injury to the University.

4.5

**Obligations of Tenure**

A faculty member having the rights and privileges of tenure shall in turn have the continuing obligation to maintain and improve professional competence to render efficient service to the University. Faculty members may accept an assignment to administrative duties and position without interrupting or impairing their tenure, but tenure shall apply only to their rank and service on the faculty, an administrative assignment being subject to change at any time by authority of the President.

4.6

**Retention of Existing Rights**

Nothing stated herein shall be interpreted to affect adversely rights acquired by faculty members under previously existing tenure policies at the University of Miami.

5.0

**ACADEMIC FREEDOM**

All members of the General Faculty are entitled to academic freedom as defined in the 1940 Statement of Principles of Academic Freedom and Tenure, as amended, formulated by the Association of American Colleges and the American Association of University Professors. This statement is reproduced on pp. xx of the *Manual*.

**6.0**  
**SCHOLARLY AND PROFESSIONAL QUALIFICATIONS**  
**OF THE FACULTY**

**6.1**

**Mission of the Faculty**

The basic functions of a university are to preserve, augment, criticize and transmit knowledge and to foster creative capacities. Its chief instrument for performing these functions is the faculty, and its success in doing so depends on the quality of the faculty. The policy of this University is to enlist, develop and retain distinguished faculty members with outstanding qualifications.

**6.2**

**Requirement for Scholarship**

Scholarship embraces inquiry, research, and creative professional performance and activity. Scholarship is required for effective teaching and is the obligation of all members of the faculty. Scholarship may be judged by the character of the advanced degree, by contributions to knowledge in the form of publication and instruction, by reputation among other scholars and professional persons, and by the performance of students.

The scholarly function of a university requires the appointment of faculty members devoted to inquiry and research. Among the criteria for evaluating research are publication of books by nationally recognized presses, and of articles and reviews of a scholarly nature in books, periodicals and technical reports nationally recognized in the profession; the directing of scholarly work by students working on advanced degrees; the receipt of professional awards and fellowships; membership on boards and commissions devoted to inquiry; and the judgment of professional colleagues.

Scholarship may be demonstrated by significant achievement in an art related to a faculty member's discipline, such as creative works, original designs, or original procedure. National recognition of such activities is demonstrated: by commissions, awards and prizes from nationally recognized bodies; by performances with nationally recognized companies; by invited presentations, exhibitions, lectures and performances before nationally recognized bodies; by invitations to teach master classes or lead intensive workshops at nationally recognized institutions; and by reviews of performance and creative works in nationally recognized journals, magazines and newspapers.

Promotion, tenure, and merit salary increases should recognize these scholarly achievements. Whenever possible, Chairs shall reduce other duties for those faculty engaged in these activities.

**6.3**

**Teaching**

The educational function of a university requires the appointment of faculty who are effective teachers. Among the meant to evaluate teaching effectiveness are: 1) the informed judgment of colleagues; 2) the performance of students; and 3)

qualified student opinion. Promotion, tenure, and merit salary increases should recognize outstanding achievements in teaching.

6.4

**University Service and Administration**

Contributions to committee and administrative activities are recognized as furthering the University's educational function.

6.5

**Recognition of Degrees**

To ensure that faculty members are appropriately qualified, the University of Miami recognizes degrees from universities which are accredited within the United States by the appropriate accrediting association. Other degrees will be individually evaluated.

6.6

**Scholarly and Professional Qualifications  
for Each Rank of the Regular Faculty**

6.6.1

**Assistant Professor**

Appointment to the rank of assistant professor requires completion of professional training, in most fields marked by the Ph.D., and the clear promise of a successful career in teaching and scholarship. Appointment to the University Faculty requires a terminal degree. This requirement may be waived by the President upon recommendation of the Provost.

6.6.2

**Associate Professor**

Appointment to the rank of associate professor normally requires a record of substantial success in both teaching and scholarship. In unusual cases an outstanding record in one of these activities and an adequate record in the other may be considered sufficient.

6.6.3

**Professor**

Appointment to the rank of professor requires national recognition in the profession.

7.0  
**DEFINITIONS FOR PROCEDURES FOR THE  
APPOINTMENT, REAPPOINTMENT, PROMOTION,  
AND AWARD OF TENURE**

7.1

The *Faculty Charter* in section XII calls for consultation with the voting faculty of the department in recommendations from the department on faculty appointments, reappointments, promotions and award of tenure. Such consultations shall be conducted in accordance with this Bylaw.

7.2  
**Definitions**

For purposes of Sections 7-10 of this Bylaw, the following definitions shall apply:

7.2.1

The term **department** means either a department or a school in the case of an undepartmentalized school.

7.2.2

In an undepartmentalized school the term **Dean** encompasses the role of the Chair.

7.2.3

The term **appropriate faculty** means the Regular Faculty of the department in which the appointment is made.

7.2.4

The **voting faculty** for tenure are those tenured faculty equal or superior in rank to the candidate and for promotion those tenured faculty superior in rank to the candidate.

7.2.5

A person under consideration for appointment, reappointment, promotion or tenure is termed a **candidate**.

7.3  
**Voting Rights**

Faculty members who devote more than fifty percent personal effort to administrative duties other than departmental and whose duties may involve the review of candidates, shall not participate in the vote of a department with regard to any recommendation for promotion or the award of tenure.

8.0  
**INITIAL APPOINTMENT**

8.1

The entire Regular Faculty of a department are entitled to vote on each new appointment. In periods of recess, in summer sessions, and in departments with thirty-five or more members a committee of at least five members of the voting faculty shall be appointed, at the discretion of the Chair and in accordance with departmental bylaws, to vote on the candidate.

8.2

The voting faculty shall have an opportunity to review supporting materials of the candidate. In addition, when candidates are brought to campus, the voting faculty shall have a reasonable opportunity to interview and to attend a professional presentation by the candidate.

8.3

A Consultative Committee shall vote on the nominees by each committee member indicating the order of preference, if there is more than one nominee, and the disapproval of individual nominees. The numerical results of each member's ordered preferences, recorded anonymously, shall be reported by the committee to the appointing agent.

9.0  
**REVIEW OF THE FACULTY FOR  
REAPPOINTMENT, PROMOTION,  
AND THE AWARD OF TENURE**

9.1  
**Notification of Standards and Procedures**

9.1.1

At the time of initial appointment, each faculty member shall be advised in writing by the President of the substantive standards outlined in Section 6 above and of the procedures generally employed in decisions affecting reappointment, promotion, and tenure.

9.1.2

Special additional criteria may be adopted by departments, by vote of their tenured faculty and with the approval of the school faculty, and by schools by vote of their faculty. Such additional criteria shall not conflict with the *Faculty Manual*. Departments and schools shall consult with the Faculty Senate Council to determine whether such additional standards conform to the *Faculty Manual*. Following certification of the Faculty Senate Council, copies of such special additional criteria shall be provided the Dean and the President.

9.1.3

Each faculty member shall be advised in writing by the Chair of any additional criteria at the time of initial appointment, at the time of their adoption, and before any major review.

9.2

**Review of the Faculty**

In accord with established University policies, a systematic annual evaluation is made of every faculty member, tenured and untenured. Such evaluations are implemented by the Chair observing the guidelines, standards and rights established in Article XII, Sections 12.3 and 12.4 of the *Faculty Charter*. Reappointment, promotion, merit salary increases, and the award of tenure are based on such reviews. Upon completion of this evaluation, in accordance with the procedures described below, the Chair discusses the results with each faculty member and, in the event of unsatisfactory performance, the Chair shall counsel the faculty member as to how to correct any deficiencies. In the extreme case where there appear to be grounds for termination for cause, the provisions of Section XX of the University Faculty and Tenure Policy shall be observed. Each Dean reports annually to the President when the review of all members of the faculty has been completed consistent with established University procedures.

9.3

**Types of Review**

The Regular Faculty of each school and department undertakes two types of review of the performance of its members:

*Annual Reviews* of each individual's accomplishments for the purposes of salary increases; and

*Special Reviews* for the purposes of reappointment, promotion, and the award of tenure.

The Research and Educator Faculty of each school are subject to Annual Reviews and Special Reviews for the purposes of reappointment and promotion.

9.4

**Faculty Files**

The file of the candidate shall be the basis for the deliberations at each state of the reviews.

Each faculty member shall be responsible for maintaining a current statement of his professional activities, arranged according to customary practices and university requirements. This file shall include evidence of: a) educational attainments; b) awards and fellowships; c) funded research projects; d) publications, papers, performances and other scholarly contributions to the profession; e) services to the profession in scholarly bodies and in university agencies; and f) public service to the community relating to scholarship and the profession.

Prior to any faculty consultation or vote, candidates shall have an opportunity to make current their files in the office of the Chair, as described in Bylaw 12.5.

The Chair shall make available to the appropriate voting faculty all relevant materials from the files of each candidate.

9.5

**Annual Reviews**

Each tenured and untenured member of the faculty shall be reviewed annually by the appropriate faculty based upon a systematic evaluation of the past year's work.

9.5.1

For untenured faculty, the Chair shall discuss the results of the Annual Review with each faculty member, and, following this discussion, the Chair shall prepare a written statement summarizing the review. This statement shall be placed in the file and shall be made available to the faculty member who may prepare a response to be included in the file.

9.5.2

The Annual Review is complete when the Dean advises the Provost of recommended salary increases.

9.6

**Special Reviews**

A more complete review is required: i) in the year prior to reappointment of a faculty member holding a tenure earning appointment; ii) when promotion to associate professor or professor is to be considered; and iii) in the year prior to the award of tenure. Each **Special Review** shall be conducted as follows:

9.6.1

**Teaching Evaluation**

The file of candidates for reappointment, promotion to associate professor, and tenure shall include the an assessment of classroom teaching made by the appropriate voting tenured faculty on the basis of classroom visitation by peers and, where appropriate, an interpretation of the results of formal student evaluations by the Chair. The faculty of each college and school is authorized to develop procedure governing the peer review and classroom visitations by faculty who are evaluating the teaching of non-tenured members.

9.6.2

**External Letters**

The file of a candidate for tenure or for promotion to full professor shall include at least three written evaluations of the scholarly work of the candidate solicited from scholars specializing in the field of work who hold tenured positions at comparable universities.

Such letters are solicited by the Chair following consultation with the candidate and the appropriate voting faculty. The content of letters requesting written evaluations shall be prepared with the approval of the appropriate voting faculty and shall be shown to the candidate. Letters of evaluation are confidential, but such letters may be seen by anyone directly concerned in making the promotion or tenure decision.

Copies of each letter used to solicit external reviews shall be included in the candidate's file. The Chair shall supply the voting faculty and the Dean with a list of external reviewers, indicating how and why each was selected. If outside letters are solicited from reviewers recommended by the candidate, the nature of any relationship shall be indicated. Candidates shall be permitted to identify persons who are thought to be unsuitable external reviewers and the reasons for that judgment.

Exceptions to the need for written external evaluations of the candidate's scholarly work may be made when such letters would not add materially to the candidate's file.

9.6.3

**Evaluation Committee**

After consultation with the appropriate voting faculty, the Dean, upon recommendation of the department, shall appoint an Evaluation Committee consisting of at least five tenured faculty superior in rank to the candidates. They shall be chosen because their research and scholarly activities enable them to assess the candidates'



contributions to knowledge. The committee should include faculty from cognate departments or schools, but the Chair of the Committee and a majority of its members should be from the department of the candidate. When there is good reason to appoint a majority or Chair of the Evaluation Committee from outside the department or school, the Dean shall advise the candidate, the Senate Council, and the President of the justification.

#### 9.6.4

##### **Formal Written Evaluation.**

The Evaluation Committee shall examine the complete work of the candidate. On the basis of this examination, the Committee shall prepare a detailed written evaluation of the candidate's contribution to knowledge and to the profession. The Committee shall then state whether, in its judgment, reappointment, promotion, or award of tenure is justified. The candidate, the appropriate voting faculty, and the Chair shall be entitled to examine the report. Any of these can, for cause, ask the Committee to reconsider its evaluation.

#### 9.6.5

##### **Candidate's Statement**

Candidates may present a written career assessment providing the rationale of their work and the significance of their contribution to knowledge and the profession.

#### 9.7.

##### **Faculty Vote**

The appropriate voting faculty shall be assembled to consult on the candidate. Notice of the meeting shall be in writing, shall provide adequate notice of the date and agenda of the meeting, and shall include the names of candidates under consideration.

#### 9.7.1

After systematic examination of the file, including any Evaluation Committee report, and after deliberation, the voting faculty shall determine by ballot for each candidate whether to recommend reappointment, promotion or tenure. The ballots shall be counted by two designated members of the voting faculty and the results of the ballot announced to the electorate. Following this announcement, the Chair shall prepare a written statement of the views of the voting faculty which shall be circulated to the voting faculty prior to its transmission to the Dean.

#### 9.7.2

Absentee ballots shall not be counted unless they have been submitted prior to the meeting called to consider candidates for tenure, promotion, and appointment. The electorate shall be informed of the numerical results of the ballot.

9.8  
**Role of the Chair.**

9.8.1

The Chair shall prepare and forward a written summary of the recommendation of the voting faculty and a numerical tally of the ballot with the file of the candidate.

9.8.2

The Chair shall not participate in the ballot of the voting faculty, but shall provide a separate recommendation supported by a written evaluation of each candidate. The Chair should make reference to the performance of the candidate in terms of the Annual Reviews and any prior Special Reviews.

9.8.3

The Chair shall forward with the file of the candidate all materials that were considered, the recommendation of the Chair, and the written summary of the voting faculty.

9.8.4

Subsequent to the meeting of the voting faculty, the voting faculty and each candidate shall be informed promptly by the Chair of the relevant recommendations of the voting faculty and of the Chair.

9.9

**Actions of the Dean**

In a departmentalized School, the Dean shall, after reviewing in a written statement the file of each candidate, make a recommendation to the President with regard to each candidate.

9.9.1

**School Advisory Boards**

In departmentalized schools where Deans do not perform the role of the Chair in the Annual and Special Reviews, the Dean shall establish an Advisory Board to assist in the review of candidates from each department of the School.

The members of the Advisory Board must be tenured full professors selected to reflect the diversity of disciplines in the School. Chairs and Assistant or Associate Deans are not eligible to serve on Advisory Boards.

The Advisory Board shall examine all the material forwarded by the Chair. It shall prepare a written report explaining the reasons for its recommendations. This report shall be included in the candidate's file along with all other material and forwarded to the Dean.

9.9.2

The Dean shall forward the files of all candidates together with the recommendations of the Chair and the voting faculty, and the report of the Advisory Board.

9.9.3

The Dean's recommendation and written statement shall be included in each candidate's file along with all other material and forwarded to the Provost.

9.10

**Provost Actions**

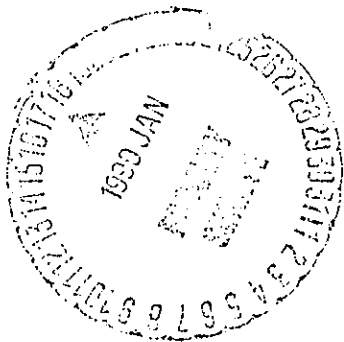
*[This section, with Section 2.1, constitutes a separate Senate action, Legislation #87005.]*

The Provost, as delegated by the President, makes all reappointments and promotions. After reviewing each candidate's file, the Provost shall notify each candidate of his decision to reappoint or promote. When the Provost decides against promotion and there is a positive recommendation from the voting faculty, the Provost should explain his reasons in writing and the candidate should be counseled by his Chair or Dean on what should be done to secure promotion.

10

**Trustee Authority in Tenure**

Tenure may be earned only by a considered action of the University. The Board of Trustees is the final authority for the award of tenure. The award or denial of tenure shall be directly communicated to the candidate by the President immediately following the completion of the tenure process. If the Board denies tenure to a faculty member in the final year of the probationary period, the faculty member shall receive at least twelve (12) months notice prior to the expiration of the appointment.



MEMORANDUM

TO: All Voting Members of the University Faculty

FROM: George C. Alexandrakis *GCA*  
Chairman, Faculty Senate

DATE: December 4, 1989

Dear Colleagues:

The legislation on the reverse side of this sheet and the attached sheets is Class A Legislation, consisting of proposed revisions to the Faculty Charter. This legislation is submitted for your approval in accordance with the requirement that the Faculty ratify all amendments to the Charter before they are presented to the Board of Trustees for their action. All items have been approved by the Faculty Senate and by President Foote. Other current legislation related to these Class A amendments is noted for your information.

All Class A amendments refer to the most recent edition (1985) of the *Faculty Manual*, pp. 13-28. Item 1 replaces the current requirement for annual consideration for promotion with a provision that faculty will be considered for promotion upon request. Item 2 places in the Charter the present four-year evaluation of Deans. Item 3 removes two committees from the Charter and places them in the Bylaws, consistent with the practices for other committees. Item 4 is designed to make the Charter consistent with new Class B Legislation regarding "Policy on Faculty Status, Titles, Appointment, Reappointment, Promotion and the Award of Tenure." This Class B Legislation, which has been approved by the Senate and the President, replaces Sections 3.11 and 3.12 of the Bylaws, Section V of the Bylaws, and pages 51 through 63 of the *Faculty Manual*. The complete text of this Class B legislation has been sent to your Dean and your Department Chair and is available for your review.

Please return this ballot to the Faculty Senate Office, Ashe 325, no later than January 26. If you have any questions concerning the legislation, please do not hesitate to call the office of the Faculty Senate at 284-3721.

GCA/b

Attachments

## BALLOT

1. Faculty Senate Legislation #84012(A) -  
Amendment to Faculty Charter, Section 12.4

APPROVE

DISAPPROVE

**Current  
Language**

Each member of the faculty below the rank of professor shall be considered annually for promotion as follows: The tenured members of the department who are superior in academic rank to the person under consideration shall decide whether to recommend the promotion. In this decision they shall take into account the qualifications described in Bylaw V for the several academic ranks. Promotion shall be based upon possession of these qualifications and not upon the length of service. The department chairman shall transmit a recommendation for promotion to the dean of the school along with supporting evidence, and may also transmit opinions. The dean shall attach a final recommendation and any additional information, and transmit to the Executive Vice President and Provost for decision.

**Proposed  
Language**

*Any member of the faculty below the rank of Professor shall, upon written request, be considered for promotion as described in the Bylaws. [Note: See Bylaw 8.1.\* and the Policy on Faculty Status, Titles, Appointment, Reappointment, Promotion and the Award of Tenure.] The tenured members of the department who are superior in academic rank to that faculty member shall decide whether to recommend the promotion.*

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\*Faculty Senate Legislation #84013(B) - Amendment to Bylaws, Section 8.1

Any member of the faculty below the rank of Professor shall be considered for promotion upon submitting a written request to his or her Chairman, or to the Dean of an undepartmentalized School. The request must be filed at least two months prior to the meeting of the Department or undepartmentalized School in which promotion is to be considered.

Each department shall establish the period of time (not to exceed six years) within which the department must vote, for each rank, on each member of the faculty below the rank of Professor. (Clarifies Charter Section 12.4).

BALLOT

2. Faculty Senate Legislation #84014(A) -  
Amendment to Faculty Charter, Section 11.4

APPROVE

DISAPPROVE

Proposed  
Language

*At four-year intervals, (as initially determined by the Provost and Executive Vice President for Academic Affairs), the voting members of each school or college other than the Dean, shall be afforded an opportunity to express their opinions as to whether the interests of their school or college, profession and the University would be best served by replacement or retention of its Dean. The Secretary to the Senate shall initiate the vote and transmit the resulting information\* to the President and to the Provost and Executive Vice President. The process shall ensure the anonymity of each respondent.*

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\*Faculty Senate Legislation #88003(D) - Supervisory Committee for Annual Evaluation of Academic Administrators

The Faculty Senate Chairman, Vice Chairman and one more Senate Council member selected by the Senate Council shall serve as the committee to supervise the annual evaluation of the Academic Administrators (see Bylaws). The specific duties of the committee shall be to tabulate, summarize, and communicate the evaluation results as described in the Bylaws.

In the case when the administrator being evaluated is the Dean or the Chairman of one of the committee members, then that member shall be replaced for that purpose by an alternate member selected by the Senate Council.

BALLOT

3. Faculty Senate Legislation #86001(A) -  
Committees of the University Faculty

APPROVE

DISAPPROVE

Current

Language 13.1

The following standing committees of the University faculty are herewith established:

- (a) An Academic Planning Committee\* to recommend broad educational and research policies within a sphere of interest more specifically indicated by the bylaws. The Committee shall be composed of the Executive Vice President and Provost, ex officio, representatives from amongst the academic deans, and representatives from the school councils, respectively appointed or elected as indicated by the bylaws.
- (b) A Curriculum Committee to approve curriculum changes, in a manner outlined in the bylaws. The Committee shall be composed of one member elected from and by each of the school councils with the Executive Vice President and Provost, or designee, an ex officio member.

The Senate may create or modify such additional standing committees of the University faculty as are deemed necessary. Such additional committees, including definition of their area of responsibility, shall be delineated in the bylaws.

- 13.2 All committees of the University faculty, except the Academic Planning and Curriculum Committees, shall be appointed by the Senate Council which shall also name the committee chairmen pro tem. The committee shall elect a permanent chairman at its first meeting which will be called by the chairman pro tem. Whenever possible, at least one member of the Senate shall be appointed to each committee. Matters within the sphere of interest of a committee of the University faculty may be referred to it by the faculty of a department or school or by the appropriate administrator, and the committee shall act in accordance with the existing policy of the University. A committee may also propose legislation for Senate action in order to establish or change University policy on matters within its sphere of interest. A committee quorum shall consist of a majority of its members; the chairman of a committee entitled to cast a vote in committee decisions.

Proposed  
Language

*Committees of the University Faculty*

- 13.1 *The Senate may create such standing committees of the University faculty as are deemed necessary. Such committees, including definition of their area of responsibility, shall be delineated in the bylaws.*
- 13.2 *All committees of the University faculty shall be appointed by the Senate Council which shall also name the committee chairmen pro tem. The committee shall . . . in committee decisions.*

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\*Faculty Senate Legislation #86001(B) - Modifications of the Bylaws to Revise the Academic Planning Committee

- 4.2 Academic Planning Committee. The sphere of interest of this committee shall include educational and research policy, scholastic standards, admission and exclusion of students, undergraduate degree requirements, new degree programs, graduation honors, academic scholarships, adult and extension functions, the academic organization of the University, and teaching loads. The Committee shall report each year to the Senate and to the President. This Committee will not participate in decisions regarding the admission and exclusion of individual students. The Committee shall be composed of the Provost and Executive Vice President, ex officio, and the members of the Senate Council.

## BALLOT

4. Faculty Senate Legislation #87001(A) -  
Definitions of Faculty Titles

APPROVE

DISAPPROVE

### II. DEFINITIONS

#### Current

##### Language 2.1

The University faculty consists of the President, the vice presidents holding professorial appointments, the academic deans, the professors, the associate professors, the assistant professors and the instructors, whether serving in teaching, research, or administrative appointments, whether serving part-time or full-time and whether serving in an active or an emeritus capacity. The President of the University is the presiding officer of the University faculty.

#### Proposed

##### Language 2.1

*The General Faculty shall consist of the University Faculty and the Associated Faculty.*

*The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.*

*The Regular Faculty shall consist of all faculty having tenured or tenure-earning appointments and holding the rank of Professor, Associate Professor, or Assistant Professor.*

*The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.*

*The Educator Faculty shall consist of those clinicians who hold the rank of Professor, Associate Professor, or Assistant Professor, who serve in the clinical programs of the University, and whose title consists of a rank and discipline prefixed by "Clinical" (e.g., Professor of Clinical Surgery, Professor of Clinical Nursing). Educator Faculty shall not hold tenured or tenure-earning appointments.*

*The Associated Faculty are all faculty with professorial titles prefixed by Clinical (e.g., Clinical Professor of Surgery), Adjunct, Visiting, and Affiliated, Lecturers, and Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.*



Current  
Language 2.2

The voting members of the University faculty are those members of the University who (1) hold the rank of professor, associate professor, assistant professor, or instructor, (2) serve full-time in their appointments at the University of Miami, and (3) devote at least half-time to teaching or research duties, or other activities of an academically related nature. Research professors, research associate professors, research assistant professors, and research instructors, meeting the preceding requirements, are considered voting members of the University faculty with the exception of ratification of Class A legislation. For the ratification of Class A legislation, only faculty with unmodified rank, otherwise qualified, are eligible to vote.

Proposed  
Language 2.2

*The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.*

*The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair and Dean, and ratification of Amendments to the Faculty Charter.*

*The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.*

*Members of the University Faculty may vote only once on a single question. Persons holding appointive administrative office may not vote on any matter which is subject to or may be reviewed by their office.*

Current  
Language 2.4  
(Delete)

The voting members in a department or school are those voting members of the University faculty holding at least half-time (as specified in the annual renewal of appointment) appointments in the department or school. A voting member of the University who holds half-time appointments in two departments or two schools, excluding the Graduate School, shall in a written statement to the Secretary of the Senate, elect one department or school for all voting privileges.

MEMORANDUM

TO: President Edward T. Foote II

FROM: Dr. George C. Alexandrakis *GCA*  
Chairman, Faculty Senate

DATE: December 6, 1988

SUBJECT: Faculty Senate Legislation #87001(B) -  
Bylaw on Faculty Appointment, Promotion and Tenure

The Faculty Senate, at its meeting of October 17, 1988, voted to approve Faculty Senate Legislation #87001(B) - Bylaw on Faculty Appointment, Promotion and Tenure. The text of the legislation is attached.

This legislation is now forwarded for your action.

GCA:b

Attachment

cc: Provost Luis Glaser

BYLAW ON FACULTY STATUS, TITLES,  
APPOINTMENT, REAPPOINTMENT, PROMOTION  
AND THE AWARD OF TENURE

Faculty Senate Actions.  
Consolidated Version  
87001, 87005, 87006, 87008, 87014  
Class B Legislation

1.0  
DEFINITIONS

1.1  
The General Faculty shall consist of the University Faculty and the Associated Faculty.

1.2  
The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

1.3  
The Regular Faculty shall consist of all faculty having tenured or tenure-earning positions and holding the rank of Professor, Associate Professor, or Assistant Professor.

1.4  
The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

1.5  
*[This paragraph shall define the educator faculty and is the subject of a separate action.]*

1.6  
The Associated Faculty are all faculty with professorial titles prefixed by Clinical, except in the School of Law, (e.g., Clinical Professor of Surgery) or by Adjunct, Visiting, or Affiliated, and all Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

X, A } >

1.7

The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair or Dean, and ratification of Amendments to the *Faculty Charter*.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the General Faculty may vote only once on a single question. Persons holding joint appointments must designate a school or department in which to exercise their voting rights on university matters. Persons holding appointive administrative position may not vote on any matter which is subject to review or other action by their office.

1.8

Change of Type of Faculty Appointment

1.8.1

Any member of the Research or Educator faculty may initiate a request to be considered for appointment to the Regular Faculty of the University. The decision on that request must be made in accordance with the standards and procedures applicable to initial appointment to the Regular Faculty as set forth in the *Faculty Charter* and these Bylaws, including Sections 5 and 3. If the requested appointment to the Regular faculty is made, but without an immediate grant of tenure, the period served as a member of the Research or Educator faculty may, if requested by the faculty member and approved by the President, be credited toward the probationary period for Regular Faculty appointments as provided in Sections 3.6 and 3.6.1 of these Bylaws.

1.8.2

Any member of the Regular Faculty of the University, during their probationary period as defined in Section 3.6 of these Bylaws, may initiate a request to be considered for appointment to the Research or Educator Faculty. The decision on that request shall be made by the President upon recommendation of the Regular Faculty of the department and the Dean of the School.

1.8.3

Members of the Regular Faculty who have become members of the Research or Educator Faculty under the provisions of Section 1.8.2 may not subsequently be appointed to the Regular Faculty except as a tenured Professor.

2.0  
THE FACULTY

2.1  
Appointive Authorities

*[This section, with section 9.10, constitutes a separate Senate action, Legislation #87005.]*

The power to appoint and remove both administrative officers and members of the General Faculty is vested in the Board of Trustees. The Board of Trustees shall appoint the President of the University.

The President, by authority of the Board of Trustees, shall select the Provost, the Deans, and the administrative officers and shall appoint the General Faculty of the University. The President is the presiding officer of the General Faculty.

The Provost, as delegated by authority of the President, shall make appointments to the General Faculty and promote members of the General Faculty to higher ranks.

All appointments to the General Faculty and promotions to higher ranks shall be made in accordance with the procedures set forth in the *Faculty Charter*, Section XII, and in this Bylaw.

2.2  
Faculty Status

2.2.1

All University Faculty shall be deemed to have full-time status. Unless on sabbatical or other approved leave, University Faculty shall be deemed to be "in residence." University Faculty members may request reduced teaching and research loads for reduced pay while retaining all rights and privileges. Associated Faculty may have either full-time or part-time status as established by their contracts with the University.

2.2.2

While under contract all members of the University Faculty in residence shall be entitled to an average of one working day of consultation per week, either on a part-time or self-employed basis, unless a written exception allowing additional time is issued by the President.

2.2.3

[This section, with section 3.2.2, constitutes a separate Senate action, Legislation #87006.]

A member of the General Faculty shall be compensated from University approved sources, but not necessarily by the University. The fact that the salary of a member of the Regular Faculty is paid from non-University sources does not affect the faculty member's tenure status.

### 2.3

#### Joint Appointments

Members of the University Faculty may hold appointments in two or more schools or in two or more departments within a school. Such appointments imply financial support from both academic units and should be made to promote interdisciplinary or inter-professional teaching and research. Recommendations on salary, merit increases, promotion, and tenure, and assignment of teaching and research responsibilities shall be determined by both of the units involved. The holder of a joint appointment shall be entitled to vote in both units, but may not vote twice on the same question. All Participating Faculty in the Graduate School of International Studies shall hold joint appointments. In all joint appointments, one unit shall be designated as the "unit of primary administrative responsibility" for such matters as salary, promotion, tenure, and teaching assignment. Persons holding joint appointments must designate the unit of primary administrative responsibility as the school or department in which to exercise their voting rights on university matters.

### 2.4

#### Secondary Appointments

Members of the General Faculty may hold secondary appointments in departments or schools where they have a professional interest and in which they occasionally work. Holders of secondary appointments do not have tenure in, nor need they be compensated by, the secondary unit. Limited voting privileges may be extended by the secondary department in accordance with the provisions of Section 8.2 of the *Charter*.

### 2.5

#### Titles of Associated Faculty

##### 2.5.1

##### Visiting Faculty

The term "Visiting" is prefixed to the title of persons who are expected to teach and/or engage in research or clinical activities at the University of Miami for a limited period of time only. Faculty members may be appointed with the visiting title for no more than two consecutive one-year terms.

##### 2.5.2

##### Adjunct Faculty

The term "Adjunct" is prefixed to the title of persons who collaborate in some special way in the academic work of the University.

### 2.5.3

#### Instructors

The title "Instructor" shall be used only for persons being trained to become members of the University Faculty. Persons who are expected to be appointed to the University Faculty but who have not completed the requirements for a terminal degree in their field must be appointed as Instructor. The President shall make the final determination of "terminal degree" in any field or discipline.

### 2.5.4

#### Affiliated Faculty

Qualified staff members of hospitals and medical research institutions with which the University has an affiliation agreement may receive appointments as Affiliated Faculty of the Schools of Medicine and Nursing. Such appointments may be continued until normal retirement, subject to annual renewal by the University and continuing employment in the affiliated institution. Affiliated Faculty are not paid by the University, although the University may provide compensation to the institution for the services of such individuals.

### 2.6

#### Emeriti Faculty

Emeritus status is automatically conferred at the time of retirement upon all University Faculty holding tenure at the University. The President may be petitioned for the award of emeritus status to retired members of the General Faculty and academic administrative personnel who have not held tenure. The names of emeriti faculty are listed in a separate section of the appropriate Bulletin.

2.7  
Privileges and Benefits  
of Associated and Emeriti Faculty

[This section constitutes a separate Senate action. Legislation #87008.]

Associated and Emeriti faculty members are entitled to the following privileges and benefits:

- 1) Any discounts which University Faculty members are eligible to receive including identification cards, bookstore purchases, football tickets, etc.;
- 2) Membership in the Faculty Club, Lowe Museum, and Credit Union;
- 3) Purchase of parking stickers; and
- 4) Purchase of prescription medicines through the University Health Center.

⇒ Associated Faculty who ~~teach nine or more~~ <sup>more than ten</sup> hours in any calendar year are considered full-time. Members of the Associated Faculty are entitled to fifty percent (50%) personal tuition remission at the University of Miami after one academic year of continuous employment at the University except in the doctoral programs of the Graduate School and the programs in the Schools of Medicine and Law. Benefits are limited to seven credit hours per semester and four credit hours per summer session.

2.7.1

Full-time visiting faculty are entitled to remission of tuition for themselves and their dependents at the University of Miami consistent with tuition remission policy and are eligible for participation in the group insurance plans but not in the retirement plan.

2.7.2

Adjunct faculty and Instructors who are both full-time and salaried by the University are entitled to participate in the insurance and retirement programs.

2.7.3

All members of the University Faculty are entitled to the benefits and privileges listed in the Benefits and Privileges section of this *Manual*.



### 3.0 APPOINTMENTS

#### 3.1 General Policy

The University wishes to maintain the highest possible standards of teaching, scholarship and patient care at the University of Miami, to ensure faculty members full academic freedom, and to enable the University to rely on the continuous service of an able faculty.

To ensure teaching and scholarship of high quality in an atmosphere of academic integrity and mutual confidence, it is the policy of the University to provide stability and continuity of appointment for the faculty member at the University.

#### 3.2 Kinds of Appointments

Each member of the General Faculty shall be appointed to one of the following categories:

##### 3.2.1 Appointments to the Regular Faculty

Appointments to the Regular Faculty provide either for tenure with initial appointment or for tenure consideration during a probationary period if appointment is not terminated during that period.

##### 3.2.2 Regular Appointments With Limited Financial Support

*[This section, with section 2.2.3, constitutes a separate Senate action, Legislation #87006.]*

Regular appointments with limited financial support may be made only in the School of Medicine. "Limited financial support" defines the minimum level of salary support which the University is obligated to provide tenured members of the faculty. The dollar amount of the minimum level of salary support is calculated by a formula established by the School Council of the School of Medicine and approved by the Dean of the School of Medicine and the President. The amount of limited financial support may not be decreased except in times of declared financial exigency.

The President of the University shall determine annually which sources and amounts of funds the School of Medicine may consider sufficiently secure to be used in providing limited financial support for tenured members of the faculty. In making this determination, the General and Educational budget of the School of Medicine shall be considered the most secure source. Other secure sources may include, but are not limited to: Veterans Administration Medical Center; Profes-

sional Income Plan; and Dade County (Jackson Memorial Hospital/Public Health Trust). Research grants and contracts are not considered sufficiently secure to warrant their use in fulfilling the obligations associated with tenure with limited financial support.

### 3.2.3

#### Appointments not Involving Tenure

Faculty members holding Research, Educator or Associated appointments shall not be eligible for tenure.

### 3.3

#### Term Appointments

Term appointments are issued for a defined period of time specified in the letter of appointment. Appointment to the Associated Faculty is automatically terminated at the conclusion of the period specified in the letter of the appointment. Research and Educator Faculty have term appointments. Regular faculty with probationary appointments are not considered to have term appointments.

### 3.4

#### Notice of Termination for Research and Educator Faculty

*delete*  
Research Faculty members, faced with termination as a result of the cessation of external support, are entitled to ~~a minimum of~~ one month's notice with pay for each year of full-time continuous service as a Research Faculty member at the University up to a maximum of twelve months for twelve or more years of service. The Research Faculty member will be expected to perform normal faculty duties during the notice period and such pay will cease upon the availability of other grant support at the University or initiation of employment elsewhere. Notice so used may be re-earned at the rate of one month per year up to the maximum of twelve months.

*73B  
P. 55*  
Educator faculty in category two are entitled to notice by March 31 of their first year of service, by December 15 of their second year of service, and a full year of notice after the second year of service.

Faculty who change from a regular appointment to a research or educator appointment shall receive one month's notice for each year's service in the regular appointment.

### 3.5

#### Terms in Writing

All appointments shall specify, in writing, whether they are Regular, Research, Educator or Associated appointments and, in the case of untenured Regular Faculty, the expiration of the probationary period. All appointments shall specify rank and salary.

3.6

**Probationary Period for Regular Appointments**

The probationary period before the award of tenure is six (6) years at the University of Miami.

3.6.1

**Credit for Prior Service**

Persons with appropriate experience at other comparable institutions may be awarded up to three years credit toward the probationary period by the President following a recommendation of the Dean upon consultation with the Chair. Persons granted credit for prior service under section 3.6.1 shall have their probationary period appropriately reduced, but in no case shall a probationary period be established for less than three years.

3.6.2

**Waiver of Prior Service**

During the first year of appointment, faculty members may waive credit for applicable prior service at another institution.

3.6.3

**Early Award of Tenure**

A faculty member holding a regular appointment is normally considered for tenure during the sixth year of the probationary period, but in unusual circumstances may be awarded tenure at any other time during the probationary period. Faculty members wishing to be considered for tenure before the expiration of the probationary period should consult with the Chair or Dean. Any consideration of a faculty member for the early award of tenure shall have no prejudicial effect on reconsideration through the sixth year of the probationary period.

3.6.4

**Term of Probationary Appointments**

The University permits initial probationary appointments for terms of one, two or three years, provided that the term of the appointment is uniform within the School. A substantive review of the appointee shall occur as provided in Sections 9.6-9.10 below, and, if the conclusion is favorable, the appointment shall be renewed with the final review for tenure occurring in the sixth year. If sixth year review is unfavorable, the appointee shall be granted a one year terminal appointment. Where evidence of unsatisfactory performance exists during the term of any appointment, an early substantive review of the appointee may be initiated by the voting faculty, Chair or Dean.

3.6.5

**Definition Probationary Year**

The probationary period shall begin with the first September of the Faculty member's appointment. The first probationary year shall end on the following May 31.

### 3.6.6

#### Notice of Termination of a Probationary Appointment

During the probationary period, a regular appointment to the faculty may be terminated at the close of the term of the appointment by written notice, either by the University of intention not to reappoint or by the faculty member of intention not to return. Notice of termination by the faculty member shall be given prior to the expiration of the appointment.

Schools with probationary appointments for a term of one year shall observe the following notice requirements: Not later than March 15 during the first appointment; not later than December 15 during the second appointment. With the third and following appointments notice of a full year is required

Schools with probationary appointments for a term of two years shall observe the following notice requirements: Not later than December 15 of the second year of the first appointment and with the second and following appointments notice of a full year is required.

Schools with probationary appointments for a term of three year shall give notice of a full year.

The justification of a decision by the University not to reappoint need not be communicated to the faculty member, but shall be made in accord with established University standards.

### 3.7

#### Term Appointments Following Retirement

According to the University retirement plans, the official retirement age at the University of Miami is 65 years and the incumbent may complete the fiscal year in which the 65th birthday occurs. Faculty members terminate their regular employment with the University at the end of the academic year (June 1 to May 31) in which they reach age seventy (70). At the discretion of the President, faculty members may be requested to continue to serve full-time after that year on a year-to-year basis, provided the concerned department or school initiates the request. Faculty members may not be continued beyond the fiscal year in which they reach the age of 72 without the approval of the Board of Trustees. Faculty members under consideration for full-time appointment beyond the retirement age shall be notified of the decision as early as possible.

### 4.0

#### TENURE

### 4.1

#### Administrators and Tenure

### 4.1.1

Tenure at the University of Miami shall be awarded to persons only in their

capacities as faculty members in academic departments. In no case is tenure applicable of persons in their administrative capacities.

#### 4.1.2

Academic deans and academic directors are eligible for the award of tenure as faculty members in the academic departments of their specialization, but not in their administrative posts. No other persons engaged in administrative duties are eligible for the award of tenure nor shall the period of time during which such persons are employed in positions with administrative duties be counted toward the completion of the probationary period for tenure, unless each of the following conditions is satisfied:

1) During the period of employment in question such persons must devote more than fifty percent of their total work time to teaching, research, patient care or other activities of an academically-related nature.

2) The division of such persons' efforts between administrative duties and teaching, research, patient care or other activities of an academically-related nature must be specifically documented each semester, and must be certified by the appropriate academic dean who shall make such documentation part of the faculty personnel records of such persons.

### 4.2

#### Attainment of Tenure

##### 4.2.1

Tenure shall not be awarded to faculty members serving under any type of Research, Educator or Associated appointment. Regular appointments that are not accompanied by an initial award of tenure shall specify the expiration date of the probationary period.

##### 4.2.2

By April 15 of the year in which the probationary period would normally expire, the process should culminate in a tenure decision by the Board of Trustees, which is the final authority for the award of tenure. If the process of tenure consideration has not been completed by this date, the faculty member may ask the President, in writing, to direct that the process be completed immediately.

##### 4.2.3

Tenure shall not be awarded at the rank of assistant professor.

##### 4.2.4

Promotion to the rank of professor awards tenure at the time of promotion. A faculty member initially appointed to the rank of associate professor or professor is eligible for tenure at any time upon recommendation of the voting faculty of the department.

##### 4.2.5

The faculty member shall be advised in writing at the time of initial appointment, of the substantive standards and procedures generally employed in decisions

affecting reappointment and tenure. Any special standards adopted by the faculty member's department or school under the provisions of Section 9.1.2. below, shall also be communicated to the faculty member in writing by the Chair or the Dean.

4.3  
Meaning of Tenure

4.3.1

Faculty members having tenure shall have appointments continued from year to year without necessity for annual or other renewal thereof.

4.3.2

Tenure implies that the faculty member shall accede to reasonable requests to redistribute efforts between teaching and research, to accept classes assigned, whether in day or evening hours, and, in an emergency and for the period thereof, to accept such other reasonable assignments as may be deemed necessary by the University.

4.3.3

Tenure does not imply any promise of promotion or any regular increase in salary, but it does assure the faculty member of participation in any general change in the salary scale. It also assures the faculty member of provisions for general working conditions on the same basis as other faculty members in the same academic areas who have similar professional activities and duties.

4.3.4

Tenure of a faculty member shall continue until death, resignation, retirement, termination for cause, or, in extraordinary circumstances, because of financial exigency or reorganization.

4.4  
Termination of Tenure  
Because of Declared Financial Exigency or Reorganization

4.4.1

If it appears that a tenure appointment may need to be terminated because of financial exigency or because of reorganization brought about by decline in enrollment, lack of funds to support an activity, or change of course offerings, the President shall consult with the Faculty Senate Council.

4.4.2

The purposes of such consultation shall be to explain the reasons why reduction is necessary, to explore the equities of the situation, including consideration of the best interests of the University and due consideration for the faculty members involved, and to attempt to arrive at an alternative solution. If no alternative is practicable and a position must be so discontinued, such a position shall not be filled for a period of two years unless the released faculty member has been offered reappointment and has declined.

4.4.3

If the appointment of a faculty member with tenure is terminated by the University, one year's notice shall be given except in cases of termination for cause involving serious immediate injury to the University.

4.5

**Obligations of Tenure**

A faculty member having the rights and privileges of tenure shall in turn have the continuing obligation to maintain and improve professional competence to render efficient service to the University. Faculty members may accept an assignment to administrative duties and position without interrupting or impairing their tenure, but tenure shall apply only to their rank and service on the faculty, an administrative assignment being subject to change at any time by authority of the President.

4.6

**Retention of Existing Rights**

Nothing stated herein shall be interpreted to affect adversely rights acquired by faculty members under previously existing tenure policies at the University of Miami.

5.0

**ACADEMIC FREEDOM**

All members of the General Faculty are entitled to academic freedom as defined in the 1940 Statement of Principles of Academic Freedom and Tenure, as amended, formulated by the Association of American Colleges and the American Association of University Professors. This statement is reproduced on pp. xx of the *Manual*.

6.0  
**SCHOLARLY AND PROFESSIONAL QUALIFICATIONS  
OF THE FACULTY**

6.1  
**Mission of the Faculty**

The basic functions of a university are to preserve, augment, criticize and transmit knowledge and to foster creative capacities. Its chief instrument for performing these functions is the faculty, and its success in doing so depends on the quality of the faculty. The policy of this University is to enlist, develop and retain distinguished faculty members with outstanding qualifications.

6.2  
**Requirement for Scholarship**

Scholarship embraces inquiry, research, and creative professional performance and activity. Scholarship is required for effective teaching and is the obligation of all members of the faculty. Scholarship may be judged by the character of the advanced degree, by contributions to knowledge in the form of publication and instruction, by reputation among other scholars and professional persons, and by the performance of students.

The scholarly function of a university requires the appointment of faculty members devoted to inquiry and research. Among the criteria for evaluating research are publication of books by nationally recognized presses, and of articles and reviews of a scholarly nature in books, periodicals and technical reports nationally recognized in the profession; the directing of scholarly work by students working on advanced degrees; the receipt of professional awards and fellowships; membership on boards and commissions devoted to inquiry; and the judgment of professional colleagues.

Scholarship may be demonstrated by significant achievement in an art related to a faculty member's discipline, such as creative works, original designs, or original procedure. National recognition of such activities is demonstrated: by commissions, awards and prizes from nationally recognized bodies; by performances with nationally recognized companies; by invited presentations, exhibitions, lectures and performances before nationally recognized bodies; by invitations to teach master classes or lead intensive workshops at nationally recognized institutions; and by reviews of performance and creative works in nationally recognized journals, magazines and newspapers.

Promotion, tenure, and merit salary increases should recognize these scholarly achievements. Whenever possible, Chairs shall reduce other duties for those faculty engaged in these activities.

6.3  
**Teaching**

The educational function of a university requires the appointment of faculty who are effective teachers. Among the meant to evaluate teaching effectiveness are: 1) the informed judgment of colleagues; 2) the performance of students; and 3)



qualified student opinion. Promotion, tenure, and merit salary increases should recognize outstanding achievements in teaching.

6.4

**University Service and Administration**

Contributions to committee and administrative activities are recognized as furthering the University's educational function.

6.5

**Recognition of Degrees**

To ensure that faculty members are appropriately qualified, the University of Miami recognizes degrees from universities which are accredited within the United States by the appropriate accrediting association. Other degrees will be individually evaluated.

6.6

**Scholarly and Professional Qualifications  
for Each Rank of the Regular Faculty**

6.6.1

**Assistant Professor**

Appointment to the rank of assistant professor requires completion of professional training, in most fields marked by the Ph.D., and the clear promise of a successful career in teaching and scholarship. Appointment to the University Faculty requires a terminal degree. This requirement may be waived by the President upon recommendation of the Provost.

6.6.2

**Associate Professor**

Appointment to the rank of associate professor normally requires a record of substantial success in both teaching and scholarship. In unusual cases an outstanding record in one of these activities and an adequate record in the other may be considered sufficient.

6.6.3

**Professor**

Appointment to the rank of professor requires national recognition in the profession.

7.0  
DEFINITIONS FOR PROCEDURES FOR THE  
APPOINTMENT, REAPPOINTMENT, PROMOTION,  
AND AWARD OF TENURE

7.1

The *Faculty Charter* in section XII calls for consultation with the voting faculty of the department in recommendations from the department on faculty appointments, reappointments, promotions and award of tenure. Such consultations shall be conducted in accordance with this Bylaw.

7.2

Definitions

For purposes of Sections 7-10 of this Bylaw, the following definitions shall apply:

7.2.1

The term department means either a department or a school in the case of an undepartmentalized school.

7.2.2

In an undepartmentalized school the term Dean encompasses the role of the Chair.

7.2.3

The term appropriate faculty means the Regular Faculty of the department in which the appointment is made.

7.2.4

The voting faculty for tenure are those tenured faculty equal or superior in rank to the candidate and for promotion those tenured faculty superior in rank to the candidate.

7.2.5

A person under consideration for appointment, reappointment, promotion or tenure is termed a candidate.

7.3

Voting Rights

No person may vote at more than one level of review on questions of appointment, reappointment, promotion or tenure.

Faculty members who devote more than fifty percent personal effort to administrative duties other than departmental and whose duties may involve the review of candidates, shall not participate in the vote of a department with regard to any recommendation for promotion or the award of tenure.

8.0  
INITIAL APPOINTMENT

8.1

The entire Regular Faculty of a department are entitled to vote on each new appointment. In periods of recess, in summer sessions, and in departments with thirty-five or more members a committee of at least five members of the voting faculty shall be appointed, at the discretion of the Chair and in accordance with departmental bylaws, to vote on the candidate.

8.2

The voting faculty shall have an opportunity to review supporting materials of the candidate. In addition, when candidates are brought to campus, the voting faculty shall have a reasonable opportunity to interview and to attend a professional presentation by the candidate.

8.3

A Consultative Committee shall vote on the nominees by each committee member indicating the order of preference, if there is more than one nominee, and the disapproval of individual nominees. The numerical results of each member's ordered preferences, recorded anonymously, shall be reported by the committee to the appointing agent.

9.0  
REVIEW OF THE FACULTY FOR  
REAPPOINTMENT, PROMOTION,  
AND THE AWARD OF TENURE

9.1  
Notification of Standards and Procedures

9.1.1

At the time of initial appointment, each faculty member shall be advised in writing by the President of the substantive standards outlined in Section 6 above and of the procedures generally employed in decisions affecting reappointment, promotion, and tenure.

9.1.2

Special additional criteria may be adopted by departments, by vote of their tenured faculty and with the approval of the school faculty, and by schools by vote of their faculty. Such additional criteria shall not conflict with the *Faculty Manual*. Departments and schools shall consult with the Faculty Senate Council to determine whether such additional standards conform to the *Faculty Manual*. Following certification of the Faculty Senate Council, copies of such special additional criteria shall be provided the Dean and the President.

9.1.3

Each faculty member shall be advised in writing by the Chair of any additional criteria at the time of initial appointment, at the time of their aoption, and before any major review.

9.2  
Review of the Faculty

In accord with established University policies, a systematic annual evaluation is made of every faculty member, tenured and untenured. Such evaluations are implemented by the Chair observing the guidelines, standards and rights established in Article XII, Sections 12.3 and 12.4 of the *Faculty Charter*. Reappointment, promotion, merit salary increases, and the award of tenure are based on such reviews. Upon completion of this evaluation, in accordance with the procedures described below, the Chair discusses the results with each faculty member and, in the event of unsatisfactory performance, the Chair shall counsel the faculty member as to how to correct any deficiencies. In the extreme case where there appear to be grounds for termination for cause, the provisions of Section XX of the University Faculty and Tenure Policy shall be observed. Each Dean reports annually to the President when the review of all members of the faculty has been completed consistent with established University procedures.

9.3

**Types of Review**

The Regular Faculty of each school and department undertakes two types of review of the performance of its members:

*Annual Reviews* of each individual's accomplishments for the purposes of salary increases; and

*Special Reviews* for the purposes of reappointment, promotion, and the award of tenure.

The Research and Educator Faculty of each school are subject to Annual Reviews and Special Reviews for the purposes of reappointment and promotion.

9.4

**Faculty Files**

The file of the candidate shall be the basis for the deliberations at each state of the reviews.

Each faculty member shall be responsible for maintaining a current statement of his professional activities, arranged according to customary practices and university requirements. This file shall include evidence of: a) educational attainments; b) awards and fellowships; c) funded research projects; d) publications, papers, performances and other scholarly contributions to the profession; e) services to the profession in scholarly bodies and in university agencies; and f) public service to the community relating to scholarship and the profession.

Prior to any faculty consultation or vote, candidates shall have an opportunity to make current their files in the office of the Chair, as described in Bylaw 12.5.

The Chair shall make available to the appropriate voting faculty all relevant materials from the files of each candidate.

9.5

**Annual Reviews**

Each tenured and untenured member of the faculty shall be reviewed annually by the appropriate faculty based upon a systematic evaluation of the past year's work.

9.5.1

For untenured faculty, the Chair shall discuss the results of the Annual Review with each faculty member, and, following this discussion, the Chair shall prepare a written statement summarizing the review. This statement shall be placed in the file and shall be made available to the faculty member who may prepare a response to be included in the file.

9.5.2

The Annual Review is complete when the Dean advises the Provost of recommended salary increases.

9.6  
Special Reviews

A more complete review is required: i) in the year prior to reappointment of a faculty member holding a tenure earning appointment; ii) when promotion to associate professor or professor is to be considered; and iii) in the year prior to the award of tenure. Each Special Review shall be conducted as follows:

9.6.1  
Teaching Evaluation

The file of candidates for reappointment, promotion to associate professor, and tenure shall include the an assessment of classroom teaching made by the appropriate voting tenured faculty on the basis of classroom visitation by peers and, where appropriate, an interpretation of the results of formal student evaluations by the Chair. The faculty of each college and school is authorized to develop procedure governing the peer review and classroom visitations by faculty who are evaluating the teaching of non-tenured members.

9.6.2  
External Letters

The file of a candidate for tenure or for promotion to full professor shall include at least three written evaluations of the scholarly work of the candidate solicited from scholars specializing in the field of work who hold tenured positions at comparable universities.

Such letters are solicited by the Chair following consultation with the candidate and the appropriate voting faculty. The content of letters requesting written evaluations shall be prepared with the approval of the appropriate voting faculty and shall be shown to the candidate. Letters of evaluation are confidential, but such letters may be seen by anyone directly concerned in making the promotion or tenure decision.

Copies of each letter used to solicit external reviews shall be included in the candidate's file. The Chair shall supply the voting faculty and the Dean with a list of external reviewers, indicating how and why each was selected. If outside letters are solicited from reviewers recommended by the candidate, the nature of any relationship shall be indicated. Candidates shall be permitted to identify persons who are thought to be unsuitable external reviewers and the reasons for that judgment.

Exceptions to the need for written external evaluations of the candidate's scholarly work may be made when such letters would not add materially to the candidate's file.

9.6.3  
Evaluation Committee

After consultation with the appropriate voting faculty, the Dean, upon recommendation of the department, shall appoint an Evaluation Committee consisting of at least five tenured faculty superior in rank to the candidates. They shall be chosen because their research and scholarly activities enable them to assess the candidates'

contributions to knowledge. The committee should include faculty from cognate departments or schools, but the Chair of the Committee and a majority of its members should be from the department of the candidate. When there is good reason to appoint a majority or Chair of the Evaluation Committee from outside the department or school, the Dean shall advise the candidate, the Senate Council, and the President of the justification.

#### 9.6.4

##### Formal Written Evaluation.

The Evaluation Committee shall examine the complete work of the candidate. On the basis of this examination, the Committee shall prepare a detailed written evaluation of the candidate's contribution to knowledge and to the profession. The Committee shall then state whether, in its judgment, reappointment, promotion, or award of tenure is justified. The candidate, the appropriate voting faculty, and the Chair shall be entitled to examine the report. Any of these can, for cause, ask the Committee to reconsider its evaluation.

#### 9.6.5

##### Candidate's Statement

Candidates may present a written career assessment providing the rationale of their work and the significance of their contribution to knowledge and the profession.

#### 9.7.

##### Faculty Vote

The appropriate voting faculty shall be assembled to consult on the candidate. Notice of the meeting shall be in writing, shall provide adequate notice of the date and agenda of the meeting, and shall include the names of candidates under consideration.

#### 9.7.1

After systematic examination of the file, including any Evaluation Committee report, and after deliberation, the voting faculty shall determine by ballot for each candidate whether to recommend reappointment, promotion or tenure. The ballots shall be counted by two designated members of the voting faculty and the results of the ballot announced to the electorate. Following this announcement, the Chair shall prepare a written statement of the views of the voting faculty which shall be circulated to the voting faculty prior to its transmission to the Dean.

#### 9.7.2

Absentee ballots shall not be counted unless they have been submitted prior to the meeting called to consider candidates for tenure, promotion, and appointment. The electorate shall be informed of the numerical results of the ballot.

9.8  
Role of the Chair.

9.8.1

The Chair shall prepare and forward a written summary of the recommendation of the voting faculty and a numerical tally of the ballot with the file of the candidate.

9.8.2

The Chair shall not participate in the ballot of the voting faculty, but shall provide a separate recommendation supported by a written evaluation of each candidate. The Chair should make reference to the performance of the candidate in terms of the Annual Reviews and any prior Special Reviews.

9.8.3

The Chair shall forward with the file of the candidate all materials that were considered, the recommendation of the Chair, and the written summary of the voting faculty.

9.8.4

Subsequent to the meeting of the voting faculty, the voting faculty and each candidate shall be informed promptly by the Chair of the relevant recommendations of the voting faculty and of the Chair.

9.9  
Actions of the Dean

In a departmentalized School, the Dean shall, after reviewing in a written statement the file of each candidate, make a recommendation to the President with regard to each candidate.

9.9.1

School Advisory Boards

In departmentalized schools where Deans do not perform the role of Chair in the Annual and Special Reviews, the Faculty of the School may enact a bylaw establishing an Advisory Board consisting of tenured full professors to assist in the review of all candidates for reappointment, promotion and tenure in the School. The bylaw shall prescribe the number, composition and method of selecting the members of the board. Advisory Boards shall examine all the material forwarded by the department and the Chair and shall prepare a written report explaining the reasons for their recommendations. This report shall be included in each candidate's file along with all other materials and forwarded to the Dean. Recommendations of any advisory group not established in accordance with this provision may not be cited or placed in the file of the candidate.

9.9.2

The Dean shall forward the files of all candidates together with the recommendations of the Chair and the voting faculty, and the report of the Advisory Board.





MEMORANDUM

TO: All Voting Members of the University Faculty  
FROM: George C. Alexandrakis *GCA*  
Chairman, Faculty Senate  
DATE: December 4, 1989

Dear Colleagues:

The legislation on the reverse side of this sheet and the attached sheets is Class A Legislation, consisting of proposed revisions to the **Faculty Charter**. This legislation is submitted for your approval in accordance with the requirement that the Faculty ratify all amendments to the **Charter** before they are presented to the Board of Trustees for their action. All items have been approved by the Faculty Senate and by President Foote. Other current legislation related to these Class A amendments is noted for your information.

All Class A amendments refer to the most recent edition (1985) of the *Faculty Manual*, pp. 13-28. Item 1 replaces the current requirement for annual consideration for promotion with a provision that faculty will be considered for promotion upon request. Item 2 places in the **Charter** the present four-year evaluation of Deans. Item 3 removes two committees from the **Charter** and places them in the Bylaws, consistent with the practices for other committees. Item 4 is designed to make the **Charter** consistent with new Class B Legislation regarding "Policy on Faculty Status, Titles, Appointment, Reappointment, Promotion and the Award of Tenure." This Class B Legislation, which has been approved by the Senate and the President, replaces Sections 3.11 and 3.12 of the Bylaws, Section V of the Bylaws, and pages 51 through 63 of the *Faculty Manual*. The complete text of this Class B legislation has been sent to your Dean and your Department Chair and is available for your review.

Please return this ballot to the Faculty Senate Office, Ashe 325, no later than January 26. If you have any questions concerning the legislation, please do not hesitate to call the office of the Faculty Senate at 284-3721.

GCA/b

Attachments

## BALLOT

4. Faculty Senate Legislation #87001(A) -  
Definitions of Faculty Titles

APPROVE

DISAPPROVE

### II. DEFINITIONS

**Current**

**Language 2.1**

The University faculty consists of the President, the vice presidents holding professorial appointments, the academic deans, the professors, the associate professors, the assistant professors and the instructors, whether serving in teaching, research, or administrative appointments, whether serving part-time or full-time and whether serving in an active or an emeritus capacity. The President of the University is the presiding officer of the University faculty.

**Proposed**

**Language 2.1**

*The General Faculty shall consist of the University Faculty and the Associated Faculty.*

*The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.*

*The Regular Faculty shall consist of all faculty having tenured or tenure-earning appointments and holding the rank of Professor, Associate Professor, or Assistant Professor.*

*The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.*

*The Educator Faculty shall consist of those clinicians who hold the rank of Professor, Associate Professor, or Assistant Professor, who serve in the clinical programs of the University, and whose title consists of a rank and discipline prefixed by "Clinical" (e.g., Professor of Clinical Surgery, Professor of Clinical Nursing). Educator Faculty shall not hold tenured or tenure-earning appointments.*

*The Associated Faculty are all faculty with professorial titles prefixed by Clinical (e.g., Clinical Professor of Surgery), Adjunct, Visiting, and Affiliated, Lecturers, and Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.*

**Current  
Language 2.2**

The voting members of the University faculty are those members of the University who (1) hold the rank of professor, associate professor, assistant professor, or instructor, (2) serve full-time in their appointments at the University of Miami, and (3) devote at least half-time to teaching or research duties, or other activities of an academically related nature. Research professors, research associate professors, research assistant professors, and research instructors, meeting the preceding requirements, are considered voting members of the University faculty with the exception of ratification of Class A legislation. For the ratification of Class A legislation, only faculty with unmodified rank, otherwise qualified, are eligible to vote.

**Proposed  
Language 2.2**

*The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.*

*The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair and Dean, and ratification of Amendments to the Faculty Charter.*

*The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.*

*Members of the University Faculty may vote only once on a single question. Persons holding appointive administrative office may not vote on any matter which is subject to or may be reviewed by their office.*

**Current  
Language 2.4  
(Delete)**

The voting members in a department or school are those voting members of the University faculty holding at least half-time (as specified in the annual renewal of appointment) appointments in the department or school. A voting member of the University who holds half-time appointments in two departments or two schools, excluding the Graduate School, shall in a written statement to the Secretary of the Senate, elect one department or school for all voting privileges.

REVISION OF BYLAW

SECOND COUNT

Legislation # 84012 (A)	Approved	<u>261</u>
	Disapproved	<u>26</u>
Legislation # 84014 (A)	Approved	<u>279</u>
	Disapproved	<u>10</u>
Legislation # 86001 (A)	Approved	<u>256</u>
	Disapproved	<u>24</u>
Legislation # 87001 (A)	Approve	<u>259</u>
	Disapproved	<u>34</u>

Total Number of Ballots Received 291



**FILE COPY**

March 19, 1990

Edward T. Foote II  
President  
University of Miami

Dear Mr. President:

It gives me great pleasure to inform you that the Faculty has, by ballot, approved amendments # 84012, 84014, 86001, 87001 to the Faculty Charter. Please submit this legislation to the Board of Trustees for their action.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "G.C. Alexandrakis". The signature is written in a cursive style with a horizontal line underlining the name.

George C. Alexandrakis  
Chair, Faculty Senate

GCA/ca

cc Provost Glaser  
Ms. Dorothy Ball  
Assistant Secretary of the University

**FILE COPY**

## MEMORANDUM

TO: Provost Luis Glaser

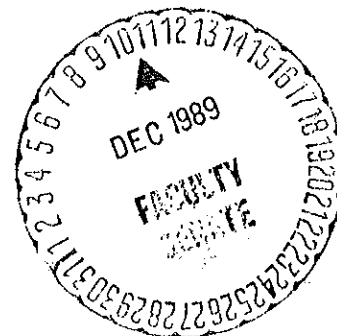
FROM: Dr. George C. Alexandrakis *GCA*  
Chairman, Faculty Senate

DATE: December 13, 1989

SUBJECT: Interpretation of Sections 9.2 and 9.3 of the Bylaws

In response to your letter of December 7, I agree with the stated interpretation of Sections 9.2 and 9.3 of the new Bylaws. Their intent is not to have individual faculty salary raise recommendations be exclusively based on peer evaluation but rather that peer evaluation will be an important part in the formulation and communication by Deans and Chairs of the salary recommendations.

GCA/b



Executive Vice President and Provost

December 7, 1989

Dr. George Alexandrakis  
Chairman  
Faculty Senate

Dear George:

I am writing with regard to the changes in the Bylaws, and in particular about section 9.2 and 9.3. It is my understanding that the interpretation of these sections is that faculty members will be evaluated with regard to their academic performance, teaching and scholarly activity by their peers, and that that information will be part of what a chair or dean considers in deciding on salary raises. It is my further understanding that there is no intent for this legislation to mandate, or to even imply, that faculty salary raises be based exclusively on this peer evaluation method.

If this does not fit with your understanding, please let me know. Otherwise, I will circulate this letter to the Deans so that they understand what we are talking about.

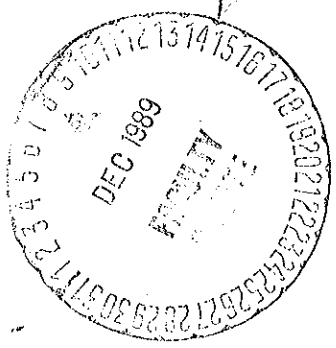
Thank you for your help.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Luis Glaser".

Luis Glaser  
Executive Vice President  
and Provost

LG:nh



UNIVERSITY OF  
**Miami**  
SCHOOL OF MEDICINE

MEMORANDUM

TO: Departmental Chairs  
School of Medicine

FROM: Nancy L. Noble, Ph.D. *Nancy N.*  
Associate Dean for Faculty Affairs

RE: Ballot, Faculty Charter Changes

DATE: December 6, 1989

You recently received a memorandum dated 11/27/89 from Dr. George Alexandrakis, Chair, Faculty Senate, indicating that a ballot would be mailed to each of the voting faculty of the University to approve/disapprove proposed changes in the Faculty Charter (Class A Legislation).

Since this voting involves Class A Legislation, the voting faculty will be only the tenured and tenure-earning faculty (Professor, Associate Professor, Assistant Professor with un-modified title).

The memorandum that will accompany the ballot will state that material explaining the proposed changes will be available in your office for review/study.

Would you please insure that the memorandum and the attachment describing the proposed changes in the Faculty Charter and the related changes in the Bylaws and in the Faculty Manual that you received from Dr. Alexandrakis are available in your departmental office for study prior to the deadline for the ballot return, 01/26/90.

If you have a large number of faculty members, you may wish to make additional copies available to your faculty and in different locations.

If you have any questions or need a copy of the material from Dr. Alexandrakis, please call me.

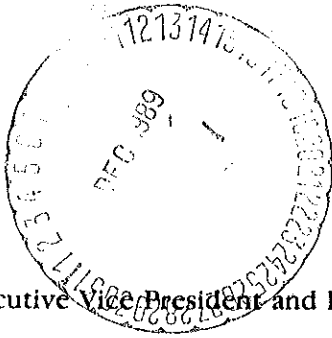
Enclosed is a copy of a memorandum (11/30/89) from Dr. Paul Segrue, Vice Provost, to Dr. Fogel. It gives additional related information for you and the faculty. Please make this memorandum available to your faculty for review. Thank you.

Encl.  
NLN:xp

cc: Dr. B. J. Fogel Associate Dean for Faculty Affairs  
Dr. George Room 2017A Sewell Building (D 2-6)  
Alexandrakis P.O. Box 016960, Miami, Florida 33101  
Faculty Sen. Location: 1475 N.W. 12th Avenue  
File (305) 547-6551-6458

Fac. Manual file  
Sch. Cou. file  
Files xp





Executive Vice President and Provost

MEMORANDUM

November 30, 1989



TO: Academic Deans

FROM: Paul K. Sugrue *[Signature]*  
Vice Provost

SUBJECT: Faculty Senate Legislation on Faculty Status, Titles, Appointment, Reappointment, Promotion, and the Award of Tenure

For the past three years, the Faculty Senate and the administration have been revising the procedures for tenure, promotion and reappointment. This work has culminated in the attached Faculty Senate legislation which has been designed to achieve the following:

1. To raise the standards of scholarship and teaching for tenure and promotion.
2. To delineate procedures to ensure the implementation of the higher standards.
3. To ensure the uniformity of standards among the schools and colleges.
4. To regularize faculty titles throughout the University.

This legislation constitutes the changes in the Faculty Manual necessary to achieve these goals.

Pages 1 and 2 of the attached are changes to the University Charter related to faculty titles and faculty voting rights. Changes to the University Charter constitute Class A legislation which requires ratification by the voting university faculty and subsequent approval by the Board of Trustees.

Memorandum  
Academic Deans  
November 30, 1989  
Page Two

Pages 3 through 25 constitute Class B legislation which requires the approval of the President. The President approved this legislation on November 2, 1989. This text will replace Sections 3.11, 3.12, 5.1 through 5.9, and pages 51 through 63 of the current Faculty Manual.

There are three areas in the approved legislation which require action on the part of the faculty within each school and college:

1. Section 3.6.4 specifies the use of one, two, or three year contracts during the probationary period, provided that the term of the appointment is uniform within the School. It should be noted that a special review, as described in Section 9.6, is required in the year prior to the issuance of a new contract. In other words if a School elects to have one year probationary contracts, a special review would have to be conducted annually.
2. Section 9.6.3 allows for the establishment of evaluation committees to assist the voting faculty within a department in assessing the qualifications of the candidate. The use of such committees must be provided by bylaw within each school. Such evaluation committees are mandatory, however, within departments with fewer than five eligible voting members.
3. Section 9.9.1 enables the faculty to enact by bylaw the establishment of a School Advisory Board to assist in the evaluation of candidates for reappointment, tenure and promotion. Recommendations of an advisory group not established by such bylaw may not be cited or included in the candidate's file.

The above items should be discussed and decided upon within each School and College during the Spring semester, as this legislation will be in effect for the tenure and promotion process in the fall of 1990.

PKS:nh

Attachment

rationale for each of the proposed titles: 1) Distinguished Professor; 2) University Professor; and 3) University Fellow. The Senate Council recommended approval of the University Professor and University Fellow titles and forwarded the title of Distinguished Professor without recommendation. It was *moved* and seconded to amend the Council's motion that there be no further new appointments to the title of Distinguished Professor. The *motion failed*. It was *moved* and seconded that the designation "Distinguished" not be added to a person's normal title except upon recommendation of the Faculty Senate to the President. The *motion carried unanimously*.

#### Retreat on Faculty Shortages in the Nineties and the Budget, Part I

Professor Clasby presented the draft agenda for the Senate Retreat with the President to be held on October 23. Presentations will be made on the outlook of the profession in the nineties, competitive situation with respect to faculty compensation and student quality; Faculty Senate Budget Committee's priorities for next year's budget; and a report from the Administration on its view of the budget and budgetary matters.

#### Proposed Bylaw Changes

Professor Knoblock presented Section 2.55 of the proposed bylaw changes creating the title "Semester Lecturer". It was *moved* and seconded to approve Sections 2.7.2, 2.7.3 and 9.6.4 as distributed. The *motion carried*. The phrase "where appropriate" has been removed because of the Administration's interpretation of the existing policy that "where appropriate" means that a faculty member may decline to be evaluated and that the changes which are made under the exclusionary rule mean that faculty members who are presently tenured, or will be tenured under the present policy, do in fact have the right which the Administration grants them.

The Chairman requested that the meeting continue in Executive Session.

# FACULTY SENATE MEETING

November 13, 1989

## Call to Order and Approval of Minutes

The meeting was called to order at 3:30 P.M. by the Chairman. Excused absences were approved for Professors Awad, Burgess, Gelabert-Navia, Lopez-Gottardi, Seiler, and Ullmann. The minutes of September 11 were approved as submitted. The minutes of October 16 were approved subject to the addition of the amendment describing the meaning of the Bylaw, Sections 2.7.2, 2.7.3, and 9.6.4, incorporating a portion of the history of the Bylaw.

## Remarks by the President

Professor Alexandrakis announced that the President had signed the Charter and Bylaw legislation. He recognized former Chair Knoblock as the architect of the changes and mentioned the contributions of Professors Swan and Clasby as well as those of Vice Provost Sugrue and General Counsel Dee.

President Foote announced that funding would be made available to implement the Senate Library Committee's strong recommendation for the computerization of Richter Library.

In response to an inquiry from one of the Senators regarding the General Education Requirements legislation, the President stated that an implementation issue still needed to be resolved. The Provost stated that he favored appointing a committee, including Deans, which would be replaced in two years by another committee whose membership will be determined at that time. Several Senators spoke to the President about the faculty's role on this matter.

## Proposed Name Change for the Division of Biology and Living Resources

Professor Peter Lutz, Chairman of the Division of Biology and Living Resources, presented the proposal to change the divisional name to the Division of Marine Biology and Fisheries. The proposal was brought to the Senate with the recommendation of the Council. The *motion carried unanimously*. It was *moved* and seconded to waive the second reading. The *motion carried*.

## Proposal for International Studies Major

Professor Alexandrakis summarized the history of the proposal for an International Studies Major in the College of Arts and Sciences. Professor Carlebach, Chairman of the Ad Hoc Review Committee, explained the problems encountered by the committee in resolving the issues of curriculum and governance for the program. He mentioned that the title of the proposed major has been changed to International and Comparative Studies. Following discussion, it was *moved* and seconded that the second reading be delayed until the Ad Hoc Review Committee's report is available. The *motion carried*.

### Faculty Senate Retreat on Budget

Professor Clasby distributed a draft agenda for the proposed Faculty Senate Retreat to be held during the special meeting scheduled with President Foote on October 23. It was suggested that because of time constraints the discussion should focus on Main Campus and RSMAS issues.

### Proposal for Outstanding Teacher Award

Professor Knoblock reviewed his proposal to establish an award for teaching. It was *moved* and seconded to appoint a committee of the Senate Council to develop a proposal as outlined in Dr. Knoblock's letter for the establishment of an Outstanding Teaching Award. The *motion carried*.

### Proposed Graduate School Legislation

Professor Clasby explained the proposed Bylaw on Graduate Council which generally reflects the distribution of graduate programs. Following discussion, the proposed language will be revised to reflect the comments of the Council and will be presented for approval at a later time.

### Information Items

Professor Clasby distributed and reviewed proposed changes to the various medical plans being suggested by outside consultants and recommended by the Employee Benefits Committee.

Professor Alexandrakis reviewed proposed changes to the language of Bylaw 2.5.4, 2.5.5, and 2.7.3. It was *moved* and seconded to approve the language. The *motion carried*.

Professor Alexandrakis requested a variation in the procedures for evaluating him as departmental chairman. He suggested that the ballots be returned directly to the Dean's office where they will be reviewed by a sub-committee of the Council. Following the review, the ballots and all other material would be sealed and held in the Senate Office until such time as Dr. Alexandrakis ceases to serve in the Senate. The Council agreed to the request.

The Council met in Executive Session to discuss a confidential matter concerning decanal reviews.

In response to a query about the outside consultants' report on Administrative Services, Professor Alexandrakis stated that copies of the report will be available from the Senate Office. He stated that the Administrative Services Committee wished to attach the report to their annual report.

AMENDMENTS TO

BY-LAWS 2.7,  
9.6.3 AND 9.6.4

September 11, 1989

Language previously approved by the Senate and proposed to be deleted is shown  
by ~~Strikethrough~~

Proposed new language is shown in **bold type**

All other text as approved by the Senate

Section 2.7.

Privileges and Benefits of  
Associated and Emeriti Faculty

Associated and Emeriti faculty members are entitled to the following privileges and benefits:

- 1) Any discounts which University Faculty members are eligible to receive including identification cards, bookstore purchases, football tickets, etc.;
- 2) Membership in the Faculty Club, Lowe Museum and Credit Union;
- 3) Purchase of parking stickers; and
- 4) Purchase of prescription medicines through the University Health Center.

~~Associated Faculty who teach more than nine hours in any calendar year are considered full-time.~~ **Associated Faculty whose service to the University exceeds one-half the usual and customary total faculty effort and are not employed full-time outside the University, shall receive medical and life insurance benefits in accordance with such eligibility standards as are established by the University.** After one academic year of continuous employment at the University, members of the Associated Faculty are entitled to fifty percent (50%) ~~personal~~ tuition remission for themselves at the University of Miami except in the doctoral programs of the Graduate School and programs in the Schools of Medicine and Law. Benefits are limited to seven credit hours per semester and four credit hours per summer session.

## 9.6.3

### Evaluation Committee

~~After consultation with the appropriate voting faculty, the Dean, upon the recommendation of the department, shall appoint an Evaluation Committee consisting of at least five tenured faculty superior in rank to the candidates. They shall be chosen because their research and scholarly activities enable them to assess the candidates' contributions to knowledge. The committee should include faculty from cognate departments or schools, but the Chair of the Committee and a majority of its members should be from the department of the candidate. When there is good reason to appoint a majority or Chair of the Evaluation Committee from outside the department or school, the Dean shall advise the candidate, the Senate Council, and the President of the justification.~~

Each School may, by a bylaw, provide for the establishment of an Evaluation Committee in each department of the School with five or more faculty eligible to vote on candidates for reappointment, promotion or tenure. The Committee shall assist the voting faculty of the department assess the qualifications of the candidate. Alternatively, the School may delegate to each department the decision whether to establish such a Committee.

In the case of departments with fewer than five faculty eligible to vote on a candidate, Special Evaluation Committees shall be established for each candidate in the department. The Committees shall be appointed in the manner provided for in the School's by-laws, but, in all events, shall have five members consisting of (i) such voting faculty in the department as the by-laws provide and (ii) up to five faculty from cognate disciplines within the University whose research and scholarly activities will enable them to assist the voting faculty evaluate the candidate. In departments where there are no eligible voting faculty the Special Evaluation Committees shall assist the Dean in evaluating candidates. The Dean shall advise the candidates, the Senate Council and the President of the appointment of all such Committees. Special Evaluation Committees shall be chaired, wherever possible, by a member of the department.

If it appears likely that a Special Evaluation Committee with members from outside the department will be needed when a member of the department becomes a candidate for reappointment, promotion or tenure, the Committee should be established at the time of the candidate's initial appointment or as far in advance of the evaluation as is practicable.

## 9.6.4

### Formal Written Evaluation

An Evaluation Committee shall examine the complete work of the candidate. On the basis of this examination, the Committee shall prepare a detailed written evaluation of the candidate's contribution to knowledge and to the profession. The Committee shall then state whether, in its judgment, reappointment, promotion, or award of tenure is justified. The candidate, the appropriate voting faculty, and the Chair and the Dean shall be entitled to examine the report. Any

~~of these can, for cause, ask the Committee to reconsider its evaluation.~~ If any of these persons can show good cause why the Committee should reconsider its decision, the Committee shall promptly do so. In addition, prior to any vote by the faculty of the department the candidate shall have the right to submit a written statement in response to the Committee's report and that statement shall be part of the candidate's file available to the voting faculty.

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### Proposal for International Studies Major

Dean Wilson, of the College of Arts and Sciences, presented the proposal for an International Studies major to the Senate for a first reading. He stated that the major would be a second major and outlined the required core courses. The Oversight Committee to be appointed will reflect the interdisciplinary nature of the program. Following discussion, it was *moved* and seconded that the Chair appoint a small committee to meet with the Dean prior to the next Senate meeting to discuss suggestions made by the Senate. *The motion carried with one abstention.*

### General Education Requirements Implementation Committee

The Chairman summarized the status of the General Education Requirements legislation. It was *moved* and seconded that the proposed legislation, #89002(C)-Implementation Committee for General Education Requirements, be amended by revising the last sentence to read "... will automatically be replaced by the faculty committee described below:... ". *The motion to amend carried with one abstention.* The new legislation will precede the original implementation section of Faculty Senate Legislation #87023(C). *The motion as amended carried unanimously.* It was *moved* and seconded to forward the legislation to the President for his action. If no action is taken by the President, the Senate Council will prepare and recommend to the Senate withdrawal of the General Education Requirements legislation or other appropriate action. *The motion carried unanimously.*

### Bylaw on Promotion and Tenure, Sections 2.7, 9.6.3 and 9.6.4

The Chairman reviewed the background of the Bylaw on Promotion and Tenure, Faculty Senate Legislation #87001(B). The proposals on Sections 2.7, 9.6.3 and 9.6.4 were presented as motions from the Council. It was *moved*, and seconded, to amend the language in Section 9.6.1, line 3, by changing *tenured* to *voting* and by adding *tenured* in the last sentence to read "...classroom visitations by tenured faculty...". *The motion to amend carried.* *The motion as amended carried with two opposed.*

The Vice Chairman explained the intent of the proposed language in Section 9.6.3, Evaluation Committee. It was *moved*, and seconded, to amend the language by editorial adjustments, creating a new 9.6.4, Special Evaluation Committee, and renumbering as required. *The motion to amend carried.* *The motion as amended carried.* It was *moved* and seconded that this provision will not apply to faculty who do not have teaching responsibilities. The letter of transmittal shall include a paragraph that such evaluations are not required when a person's normal duties do not involve teaching. *The motion carried unanimously.*

Professor Swan summarized the intent of the proposed language in Section 9.6.4, Formal Written Evaluation. It was *moved* and seconded to amend the language of the fifth sentence to read "If in the judgment of the Committee, or on appeal in the judgment of the Departmental faculty, any of these persons ...". The

*amendment carried with one abstention. The motion to approve Section 9.6.4 as amended carried with two opposed.*

The Vice Chairman summarized the intent of the proposed language for Section 2.7, Privileges and Benefits of Associated and Emeriti Faculty. The University's position is that a person who teaches a minimum of three courses per semester will receive medical and life insurance benefits. *The motion carried with one abstention.*

#### Election of the Vice Chair

Professor Swan addressed the Senate and explained that professional requirements make it necessary to tender his resignation as Vice Chair of the Senate. He wished the Senate continued success in its endeavors and announced that Professor Thomas A. Clingan would be the Senate Council member from the School of Law. Professor Clasby was nominated for Vice Chair but declined to be considered. The nomination of Professor Brass was *moved* and seconded. His election as the new Vice Chair was by acclamation.

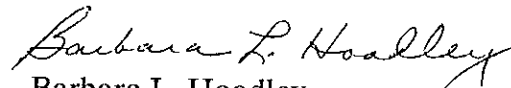
#### Matters from the Floor

Professor Awad presented the recommendation of the Senate Council to plan for an early Fall retreat to consider the issue of the University budget and the participation of the Senate and faculty in those matters which contribute to budgetary decisions. Several suggestions were offered for areas of focus for the retreat. After meeting with the Council, the Budget Committee will organize a small committee to prepare the material for discussion. *The motion carried.*

It was *moved* and seconded that the Senate ask the President to include the issue of the external environment with regard to the recruitment of faculty in this year's Five Year Plan. *The motion carried unanimously.*

It was *moved* and seconded that the Senate express to Professor Swan its gratitude for his efforts on behalf of the Senate. *The motion carried unanimously.*

The meeting adjourned at 7:00 P.M.



Barbara L. Hoadley  
Secretary to the Faculty Senate

AMENDMENTS TO

BY-LAWS 2.7,  
9.6.3 AND 9.6.4

September 11, 1989

Language previously approved by the Senate and proposed to be deleted is shown  
by ~~Strikethrough~~

Proposed new language is shown in **bold type**

All other text as approved by the Senate

Section 2.7.

Privileges and Benefits of  
Associated and Emeriti Faculty

Associated and Emeriti faculty members are entitled to the following privileges and benefits:

- 1) Any discounts which University Faculty members are eligible to receive including identification cards, bookstore purchases, football tickets, etc.;
- 2) Membership in the Faculty Club, Lowe Museum and Credit Union;
- 3) Purchase of parking stickers; and
- 4) Purchase of prescription medicines through the University Health Center.

~~Associated Faculty who teach more than nine hours in any calendar year are considered full-time.~~ **Associated Faculty whose service to the University exceeds one-half the usual and customary total faculty effort and are not employed full-time outside the University, shall receive medical and life insurance benefits in accordance with such eligibility standards as are established by the University.** After one academic year of continuous employment at the University, members of the Associated Faculty are entitled to fifty percent (50%) ~~personal~~ tuition remission for themselves at the University of Miami except in the doctoral programs of the Graduate School and programs in the Schools of Medicine and Law. Benefits are limited to seven credit hours per semester and four credit hours per summer session.

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### 9.6.3

#### Evaluation Committee

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In the case of departments with fewer than five faculty eligible to vote on a candidate, Special Evaluation Committees shall be established for each candidate in the department. The Committees shall be appointed in the manner provided for in the School's by-laws, but, in all events, shall have five members consisting of (i) such voting faculty in the department as the by-laws provide and (ii) up to five faculty from cognate disciplines within the University whose research and scholarly activities will enable them to assist the voting faculty evaluate the candidate. In departments where there are no eligible voting faculty the Special Evaluation Committees shall assist the Dean in evaluating candidates. The Dean shall advise the candidates, the Senate Council and the President of the appointment of all such Committees. Special Evaluation Committees shall be chaired, wherever possible, by a member of the department.

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### 9.6.4

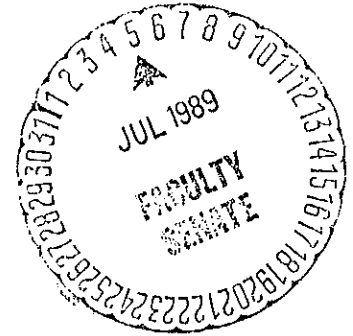
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~~of these can, for cause, ask the Committee to reconsider its evaluation.~~ If any of these persons can show good cause why the Committee should reconsider its decision, the Committee shall promptly do so. In addition, prior to any vote by the faculty of the department the candidate shall have the right to submit a written statement in response to the Committee's report and that statement shall be part of the candidate's file available to the voting faculty.

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Ref:500-295:am  
June 30, 1989



Dr. George Alexandrakis, Chairman  
Faculty Senate Office  
325 Ashe Building  
Campus Mail

Dear George,

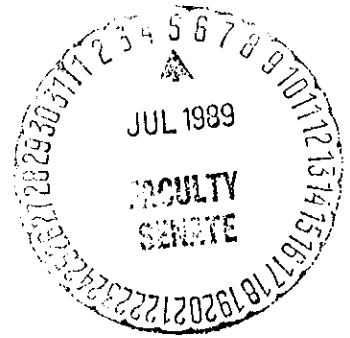
The School Council at RSMAS has requested that I bring to your attention the deplorable situation regarding sabbatical leaves which prevails in the school and to ask the senate to take action to correct the second class status to which RSMAS faculty have been relegated. The difficulty is that sabbatical leaves are being denied to qualified applicants on financial grounds, and sabbatical leave has become a privilege of faculty in other schools but not in ours.

I have communicated to the Provost the concerns of the faculty with no positive response. I will leave this problem in your hands although I expect that the committee on Rank, Salary and Conditions of Employment is appropriate venue. If you wish a formal representation from the RSMAS faculty, the RSMAS School Council will oblige.

Sincerely,

A handwritten signature in cursive script, appearing to read "Garrett W. Brass".

Garrett W. Brass  
Professor and Chairman  
Marine Geology and Geophysics



Executive Vice President and Provost


M E M O R A N D U M

June 30, 1989

TO: Dr. George Alexandrakis  
Chairman, Faculty Senate

FROM: Luis Glaser  
Executive Vice President  
and Provost

SUBJECT: Probationary Period for Faculty



We occasionally run into the problem, fortunately rarely, that we have non-tenured faculty who are asked for good cause to assume major administrative responsibilities at the University. This clearly creates a problem in that they are not in a position to carry out adequate scholarly activity. We all understand that this is not a desirable set of circumstances, but also that the best interests of the University, and often of the individual, are in fact served by this appointment. I would like to suggest the following as a general rule that applies in these cases.

When a non-tenured faculty member is asked to assume major administrative responsibility equivalent to that of a department chair, the faculty member may at that point in time request an extension of his/her probationary period for tenure for a period not to exceed two years. This extension would have to be approved by the department chair (in a departmentalized school), by the dean, and by the Provost. Only under exceptional circumstances will such administrative appointments be made and an increase in the probationary period be granted.

I would appreciate your help in solving this problem.

LG:nh

## SENATE COUNCIL MEETING

May 15, 1989

### Call to Order

The meeting was called to order at 3:10 p.m. by Prof. Alexandrakis. An Excused absence was approved for Prof. Clasby.

### Bylaw on Promotion and Tenure

A suggestion made by the Provost regarding new language for Section 9.6, Special Reviews, to replace Sections 9.6 and 9.6.1 was presented. This section defines special reviews for reappointment, promotion and tenure. It was moved by Prof. Brass, and seconded, that the new Section 9.6 be accepted. The motion carried with one abstention.

Prof. Swan introduced to the Council Section 9.6.4, Special Procedures for Small Departments. After discussion, Prof. Brass proposed new language for Section 9.6.4: The Faculty of each school and college are authorized to develop procedures governing the establishment of a voting unit for departments with fewer than five eligible voting faculty. After further discussion, Prof. Brass withdrew the motion. It was agreed that Section 9.6.4 would be redrafted, as Prof. Awad proposed, that the language that state separately the evaluation procedures in departments with fewer than five eligible voting faculty. In addition, the time of the appointment of the evaluation committee should follow the faculty member's appointment, and the committee should submit a written report to the voting faculty or the dean.

It was agreed to request the Administration to submit to the Council a proposal on Section 2.7, Privileges and Benefits of Associated and Emeriti Faculty.

### General Education Requirements

The Provost proposed that the Implementation Committee be chaired by him and included the Undergraduate Deans, one faculty member from each undergraduate school and three faculty members from the College of Arts and Sciences. It was discussed that a committee with such a membership could be useful in revising the new general requirements and that it would later be replaced by a committee of the faculty.



The motion was amended to request that the Senate endorse the principle enunciated by the President that student athletes should be mainstreamed. Recognizing the many complications that this issue entailed, the Senate urges the President to study the implementation of the policy forthwith. The amendment failed by a vote of eleven in favor and thirteen opposed.

An amendment was moved by Prof. Fishman, and seconded, that the Senate supports the President's approach to the issue of mainstreaming of student athletes. The motion carried with two opposed and one abstention.

It was moved by Prof. Thurer, and seconded, that the Faculty Senate urged the President to pursue efforts at a national level to bring intercollegiate athletics, particularly intercollegiate football, into a more realistic alignment with the academic goals of higher education in the United States. The motion was unanimously approved.

#### *Report on Student Life*

It was moved by Prof. Clasby, and seconded, that the Senate accepted the report of the Student Life Committee. Prof. Seiler explained that the recommendations supported the concept of residential colleges; and that this concept should be applied to other areas of housing. The committee also recommended that the Senate address the issue of academic advising since complaints concerning this matter were prevalent among students.

Prof. Knoblock moved to amend the motion to say that the Senate receive the report and its recommendations and directs the Chairman to refer the matter of academic advising to the Academic Standards Committee. The motion was seconded. The motion to amend was approved and the amended motion carried unanimously.

Prof. Awad reminded the Senate of his recommendation to involve emeriti faculty into student life, especially through participation in student advising.

#### *Bylaw on Promotion and Tenure*

Prof. Swan informed the Senate that the Chair and Vice-Chair have been working with Mr. Paul Dee and Prof. Sugrue to identify technical differences between the Faculty Senate and the Administration on the bylaw. The differences were narrowed to three matters that have to be cleared with the President. The first matter was the language leaving the establishment of the Evaluation Committee to the individual Schools. The proposed language was accepted by the Administration. A Special rule for small departments was established. Prof. Swan noted that there was disagreement on the next two propositions. The definition of a full-time person for the purposes of receiving fringe benefits, and the role of student teaching evaluations in the promotion to Professor. Prof. Swan said that the President was requesting the Senate to authorize the Council to work out new language that can be agreed by the Senate and the Administration. It was moved by Prof. Knoblock,

and seconded, that the Chair be authorized to appoint a Senate subcommittee to draft new language for Sections 9.6.1 and 2.7 in light of the discussion at the present meeting and to call a special Senate meeting during the summer to vote on the language, provided that the President confirmed that he would sign the proposal when the changes to be agreed upon were made and that additional issues would not be introduced. **The motion was unanimously approved.**

*Academic Standards Committee Report*

It was moved, and seconded, to accept the proposal from the Academic Standards Committee that the drop period without a "W" for TR classes be extended so that students can make their decision after attending the fifth TR class. **The motion carried unanimously.**

It was moved, and seconded, to accept the Academic Standards Committee proposal to establish appeal procedures concerning graduation honors to be handled by the University Graduation Honors Committee. **The motion carried unanimously.**

It was moved, and seconded, that the Faculty Senate accepted the recommendation of the Academic Standards Committee requesting to increase the number of credits taken as "credit only" option from nine to twelve and to lower the minimum CGPA for eligibility from 3.0 to 2.75. **The motion was unanimously approved.**

On the Final Examination item, Prof. Pospesel explained that there was no official policy on final exams at the University. The Committee believed that there was a need to establish a policy recognizing the faculty's right to structure exams or to decide not to have final exams, and at the same time, protect the students. **The motion carried with one abstention.**

The Academic Standards Committee proposed the establishment of a second Dean's List with a minimum requirement of a QPA of 3.75 and to lower the required QPA for Dean's List from 3.60 to 3.50. Prof. Pospesel informed the Senate that the Council recommended lowering the minimum QPA requirement for a Dean's List from 3.60 to 3.50 and to maintain the President's Honor Roll with its current requirement of a QPA of 4.0, but did not recommend a second Dean's List. The motion of the Council was amended to include the creation of the Provost's Honor Roll with a minimum QPA of 3.75. **The motion as amended carried with one abstention. The main motion as amended carried unanimously.**

*Proposal for a Bachelor of Arts Degree in Music*

Prof. Yacoub introduced the Senate Council Committee's recommendation to approve the proposal from the School of Music to establish a Bachelor of Arts in Music Degree (BAM), as distinct from the Bachelor of Music (BM) degree in the School of Music and the Bachelor of Arts (BA) degree with a Major in Music in the College of Arts and Sciences. After a discussion of the requirements for the proposed Bachelor of Arts in Music, it was agreed to add eight credit hours to the 120 credit

## FACULTY SENATE MEETING

MAY 8, 1989

### *Call to Order*

The meeting was called to order at 3:45 p.m. by Prof. Alexandrakis. Excused absences were approved for Profs. Feehan, Forman and Neider.

### *Remarks by President Foote*

The President announced to the Senate that Dr. Bruce Rosendahl, Professor of Geophysics at Duke University has been appointed Dean at Rosenstiel School of Marine and Atmospheric Sciences.

### *Student Housing for Athletes.*

*Maintaining  
legislation.*

Prof. Howard Pospel requested that the Faculty Senate endorse a petition signed by 382 University of Miami Faculty asking the President to integrate student athletes into residential colleges for the educational benefit of all resident students. Mr. Doug Johnson, Department of Athletics, explained the reasons why his Department believed that the proposal would not increase educational benefits for student athletes. Discussion followed. Educational benefits, the problem of monitoring student athletes, homogeneity versus heterogeneity of the student body were discussed. It was moved by Prof. Clasby, and seconded, that the Senate endorse the petition.

President Foote stated that he had received the petition and that he was philosophically in favor of it. However, he said that the arguments of Dr. Anna Price and Mr. Doug Johnson, both from the Department of Athletics, particularly the argument referring to the pressures, temptations, and dangers to which student athletes were exposed, were serious concerns. The President informed the Senate that he has asked Provost Glaser, Dr. Butler, Vice-President of Student Affairs, and Mr. Jankovich, Director of Intercollegiate Athletics, the three senior university officers most directly involved with academics, living arrangements and athletics, to study the issues. The President intends to make a decision the coming fall which would leave enough time to implement it with the incoming freshmen in the fall, 1990.

After further discussion, Prof. Knoblock summarized the issues asking if the Faculty Senate supported the thesis that it was preferable for all students, including athletes, to live in the general environment of the residential colleges instead of having separate athletic dorms.

The motion was amended to request that the Senate endorse the principle enunciated by the President that student athletes should be mainstreamed. Recognizing the many complications that this issue entailed, the Senate urges the President to study the implementation of the policy forthwith. The amendment failed by a vote of eleven in favor and thirteen opposed.

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Prof. Knoblock moved to amend the motion to say that the Senate receive the report and its recommendations and directs the Chairman to refer the matter of academic advising to the Academic Standards Committee. The motion was seconded. The motion to amend was approved and the amended motion carried unanimously.

Prof. Awad reminded the Senate of his recommendation to involve emeriti faculty into student life, especially through participation in student advising.

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Prof. Swan informed the Senate that the Chair and Vice-Chair have been working with Mr. Paul Dee and Prof. Sugrue to identify technical differences between the Faculty Senate and the Administration on the bylaw. The differences were narrowed to three matters that have to be cleared with the President. The first matter was the language leaving the establishment of the Evaluation Committee to the individual Schools. The proposed language was accepted by the Administration. A Special rule for small departments was established. Prof. Swan noted that there was disagreement on the next two propositions. The definition of a full-time person for the purposes of receiving fringe benefits, and the role of student teaching evaluations in the promotion to Professor. Prof. Swan said that the President was requesting the Senate to authorize the Council to work out new language that can be agreed by the Senate and the Administration. It was moved by Prof. Knoblock,

BYLAW ON FACULTY STATUS, TITLES,  
APPOINTMENT, REAPPOINTMENT, PROMOTION  
AND THE AWARD OF TENURE

Faculty Senate Actions,  
Consolidated Version  
87001, 87003, 87005, 87006, 87008, 87014, 88011

CHARTER CHANGES  
Approved Faculty Senate, March 23, 1987  
Class A Legislation

II. DEFINITIONS

DELETE current language:

2.1 The University faculty consists of the President, the vice presidents holding professorial appointments, the academic deans, the professors, the associate professors, the assistant professors and the instructors, whether serving in teaching, research, or administrative appointments, whether serving part-time or full-time and whether serving in an active or an emeritus capacity. The President of the University is the presiding officer of the University faculty.

ADD:

2.1 The General Faculty shall consist of the University Faculty and the Associated Faculty.

The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

The Regular Faculty shall consist of all faculty having a tenured or have tenure-earning positions and holding the rank of Professor, Associate Professor, or Assistant Professor.

The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

The Educator Faculty shall consist of those clinicians who hold the rank of Professor, Associate Professor, or Assistant Professor, who serve in the clinical programs of the University, and whose title consists of a rank

and discipline prefixed by "Clinical" (e.g., Professor of Clinical Surgery, Professor of Clinical Nursing). Educator Faculty shall not hold tenured or tenure-earning appointments.

The Associated Faculty are all faculty with professorial titles prefixed by Clinical (e.g., Clinical Professor of Surgery), Adjunct, Visiting, and Affiliated, and Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

**DELETE:**

2.2 The voting members of the University faculty are those members of the University who (1) hold the rank of professor, associate professor, assistant professor, or instructor, (2) serve full-time in their appointments at the University of Miami, and (3) devote at least half-time to teaching or research duties, or other activities of an academically related nature. Research professors, research associate professors, research assistant professors, and research instructors, meeting the preceding requirements, are considered voting members of the University faculty with the exception of ratification of Class A legislation. For the ratification of Class A legislation, only faculty with unmodified rank, otherwise qualified, are eligible to vote.

**ADD:**

2.2 The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, and ratification of Amendments to the *Faculty Charter*.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the University Faculty may vote only once on a particular question. Persons holding appointive administrative office may not vote on any matter which is subject to or may be reviewed by their office.

**DELETE:**

2.4 The voting members in a department of school are those voting members of the University faculty holding at least half-time (as specified in the annual renewal of appointment) appointments in the department or school. A voting member of the University who holds half-time appointments in two departments or two schools, excluding the Graduate School, shall in a written statement to the secretary of the Senate, elect one department or school for all voting privileges.

Class B Legislation

[This section constitutes a separate Senate action, Legislation 88011.]

Change in Bylaw 1.1

Replace on page 28, *manual*, section 1.1 of Bylaws: This bylaw is intended to clarify the meaning of Section 3.1 of the Faculty Government Charter.

These Bylaws and Policies are intended to clarify the meaning of the Faculty Government Charter.

1.0  
DEFINITIONS

1.1

The General Faculty shall consist of the University Faculty and the Associated Faculty.

1.2

The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

1.3

The Regular Faculty shall consist of all faculty having tenured or tenure-earning positions and holding the rank of Professor, Associate Professor, or Assistant Professor.

1.4

The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

[This section constitutes a separate Senate action, Legislation 88011.]

1.5

The Educator Faculty shall consist of those physicians who in the clinical departments of the School of Medicine or nurses in the clinical programs of the School of Nursing with such titles as "rank" of Clinical "name of department", (e.g. Professor of Clinical Surgery or Professor of Clinical Nursing). These titles are granted to physicians and nurses who choose to concentrate on clinical performance and its use as a teaching tool. Such faculty are full-time and, if salaried by the University, are subject to a ceiling. They are entitled to the perquisites of other full-time faculty with the exception of award of tenure and ratification of *Charter* amendments.

1.6

The Associated Faculty are all faculty with professorial titles prefixed by Clinical, except in the School of Law, (e.g., Clinical Professor of Surgery) or by

Adjunct, Visiting, or Affiliated, and all Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

1.7

The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair or Dean, and ratification of Amendments to the *Faculty Charter*.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the General Faculty may vote only once on a single question. Persons holding joint appointments must designate a school or department in which to exercise their voting rights on university matters. Persons holding appointive administrative position may not vote on any matter which is subject to review or other action by their office.

1.8

Change of Type of Faculty Appointment

1.8.1

Any member of the Research or Educator faculty may initiate a request to be considered for appointment to the Regular Faculty of the University. The decision on that request must be made in accordance with the standards and procedures applicable to initial appointment to the Regular Faculty as set forth in the *Faculty Charter* and these Bylaws, including Sections 6 and 8. If the requested appointment to the Regular faculty is made, but without an immediate grant of tenure, the period served as a member of the Research or Educator faculty may, if requested by the faculty member and approved by the President, be credited toward the probationary period for Regular Faculty appointments as provided in Sections 3.6 and 3.6.1 of these Bylaws.

1.8.2

Any member of the Regular Faculty of the University, during their probationary period as defined in Section 3.6 of these Bylaws, may initiate a request to be considered for appointment to the Research or Educator Faculty. The decision on that request shall be made by the President upon recommendation of the Regular Faculty of the department and the Dean of the School.

1.8.3

Members of the Regular Faculty who have become members of the Research or Educator Faculty under the provisions of Section 1.8.2 may not subsequently be appointed to the Regular Faculty except as a tenured Professor.



2.0  
**THE FACULTY**

2.1  
**Appointive Authorities**

[*This section, with section 9.10, constitutes a separate Senate action, Legislation #87005.*]

The power to appoint and remove both administrative officers and members of the General Faculty is vested in the Board of Trustees. The Board of Trustees shall appoint the President of the University.

The President, by authority of the Board of Trustees, shall select the Provost, the Deans, and the administrative officers and shall appoint the General Faculty of the University. The President is the presiding officer of the General Faculty.

The Provost, as delegated by authority of the President, shall make appointments to the General Faculty and promote members of the General Faculty to higher ranks.

All appointments to the General Faculty and promotions to higher ranks shall be made in accordance with the procedures set forth in the *Faculty Charter*, Section XII, and in this Bylaw.

2.2  
**Faculty Status**

2.2.1

All University Faculty shall be deemed to have full-time status. Unless on sabbatical or other approved leave, University Faculty shall be deemed to be "in residence." University Faculty members may request reduced teaching and research loads for reduced pay while retaining all rights and privileges. Associated Faculty may have either full-time or part-time status as established by their contracts with the University.

2.2.2

While under contract all members of the University Faculty in residence shall be entitled to an average of one working day of consultation per week, either on a part-time or self-employed basis, unless a written exception allowing additional time is issued by the President.

2.2.3

[This section, with section 3.2.2, constitutes a separate Senate action, Legislation #87006.]

A member of the General Faculty shall be compensated from University approved sources, but not necessarily by the University. The fact that the salary of a member of the Regular Faculty is paid from non-University sources does not affect the faculty member's tenure status.

2.3

**Joint Appointments**

Members of the University Faculty may hold appointments in two or more schools or in two or more departments within a school. Such appointments imply financial support from both academic units and should be made to promote interdisciplinary or inter-professional teaching and research. Recommendations on salary, merit increases, promotion, and tenure, and assignment of teaching and research responsibilities shall be determined by both of the units involved. The holder of a joint appointment shall be entitled to vote in both units, but may not vote twice on the same question. All Participating Faculty in the Graduate School of International Studies shall hold joint appointments. In all joint appointments, one unit shall be designated as the "unit of primary administrative responsibility" for such matters as salary, promotion, tenure, and teaching assignment. Persons holding joint appointments must designate the unit of primary administrative responsibility as the school or department in which to exercise their voting rights on university matters.

2.4

**Secondary Appointments**

Members of the General Faculty may hold secondary appointments in departments or schools where they have a professional interest and in which they occasionally work. Holders of secondary appointments do not have tenure in, nor need they be compensated by, the secondary unit. Limited voting privileges may be extended by the secondary department in accordance with the provisions of Section 8.2 of the *Charter*.

2.5

**Titles of Associated Faculty**

2.5.1

**Visiting Faculty**

The term "Visiting" is prefixed to the title of persons who are expected to teach and/or engage in research or clinical activities at the University of Miami for a limited period of time only. Faculty members may be appointed with the visiting title for no more than two consecutive one-year terms.

2.5.2

**Adjunct Faculty**

The term "Adjunct" is prefixed to the title of persons who collaborate in some special way in the academic work of the University.

2.5.3

**Instructors**

The title "Instructor" shall be used only for persons being trained to become members of the University Faculty. Persons who are expected to be appointed to the University Faculty but who have not completed the requirements for a terminal degree in their field must be appointed as Instructor. The President shall make the final determination of "terminal degree" in any field or discipline.

2.5.4

**Affiliated Faculty**

Qualified staff members of hospitals and medical research institutions with which the University has an affiliation agreement may receive appointments as Affiliated Faculty of the Schools of Medicine and Nursing. Such appointments may be continued until normal retirement, subject to annual renewal by the University and continuing employment in the affiliated institution. Affiliated Faculty are not paid by the University, although the University may provide compensation to the institution for the services of such individuals.

2.6

**Emeriti Faculty**

Emeritus status is automatically conferred at the time of retirement upon all University Faculty holding tenure at the University. The President may be petitioned for the award of emeritus status to retired members of the General Faculty and academic administrative personnel who have not held tenure. The names of emeriti faculty are listed in a separate section of the appropriate Bulletin.

2.7

**Privileges and Benefits  
of Associated and Emeriti Faculty**

[*This section constitutes a separate Senate action, Legislation #87008; with the changes from Senate action, Legislation #88011.*]

Associated and Emeriti faculty members are entitled to the following privileges and benefits:

- 1) Any discounts which University Faculty members are eligible to receive including identification cards, bookstore purchases, football tickets, etc.;
- 2) Membership in the Faculty Club, Lowe Museum, and Credit Union;
- 3) Purchase of parking stickers; and
- 4) Purchase of prescription medicines through the University Health Center.

~~Associated Faculty who teach more than nine hours in any calendar year are considered full-time.~~ Members of the Associated Faculty are entitled to fifty percent (50%) personal tuition remission at the University of Miami after one academic year of continuous employment at the University except in the doctoral programs of the Graduate School and the programs in the Schools of Medicine and Law. Benefits are limited to seven credit hours per semester and four credit hours per summer session.

2.7.1

Full-time visiting faculty are entitled to remission of tuition for themselves and their dependents at the University of Miami consistent with tuition remission policy and are eligible for participation in the group insurance plans but not in the retirement plan.

2.7.2

Adjunct faculty and Instructors who are both full-time and salaried by the University are entitled to participate in the insurance and retirement programs.

2.7.3

All members of the University Faculty are entitled to the benefits and privileges listed in the Benefits and Privileges section of this *Manual*.

3.0  
**APPOINTMENTS**

3.1  
**General Policy**

The University wishes to maintain the highest possible standards of teaching, scholarship and patient care at the University of Miami, to ensure faculty members full academic freedom, and to enable the University to rely on the continuous service of an able faculty.

To ensure teaching and scholarship of high quality in an atmosphere of academic integrity and mutual confidence, it is the policy of the University to provide stability and continuity of appointment for the faculty member at the University.

3.2  
**Kinds of Appointments**

Each member of the General Faculty shall be appointed to one of the following categories:

3.2.1  
**Appointments to the Regular Faculty**

Appointments to the Regular Faculty provide either for tenure with initial appointment or for tenure consideration during a probationary period if appointment is not terminated during that period.

3.2.2  
**Regular Appointments With Limited Financial Support**

*[This section, with section 2.2.3, constitutes a separate Senate action, Legislation #87006.]*

Regular appointments with limited financial support may be made only in the School of Medicine. "Limited financial support" defines the minimum level of salary support which the University is obligated to provide tenured members of the faculty. The dollar amount of the minimum level of salary support is calculated by a formula established by the School Council of the School of Medicine and approved by the Dean of the School of Medicine and the President. The amount of limited financial support may not be decreased except in times of declared financial exigency.

The President of the University shall determine annually which sources and amounts of funds the School of Medicine may consider sufficiently secure to be used in providing limited financial support for tenured members of the faculty. In making this determination, the General and Educational budget of the School of Medicine shall be considered the most secure source. Other secure sources may include, but are not limited to: Veterans Administration Medical Center; Professional Income Plan; and Dade County (Jackson Memorial Hospital/Public Health Trust). Research grants and contracts are not considered sufficiently secure to

warrant their use in fulfilling the obligations associated with tenure with limited financial support.

### 3.2.3

#### Appointments not Involving Tenure

Faculty members holding Research, Educator or Associated appointments shall not be eligible for tenure.

### 3.3

#### Term Appointments

Term appointments are issued for a defined period of time specified in the letter of appointment. Appointment to the Associated Faculty is automatically terminated at the conclusion of the period specified in the letter of the appointment. Research and Educator Faculty have term appointments. Regular faculty with probationary appointments are not considered to have term appointments.

### 3.4

#### Notice of Termination for Research and Educator Faculty

Research Faculty members, faced with termination as a result of the cessation of external support, are entitled to one month's notice with pay for each year of full-time continuous service as a Research Faculty member at the University up to a maximum of twelve months for twelve or more years of service. The Research Faculty member will be expected to perform normal faculty duties during the notice period and such pay will cease upon the availability of other grant support at the University or initiation of employment elsewhere. Notice so used may be re-earned at the rate of one month per year up to the maximum of twelve months.

[This constitutes a separate Senate action, Legislation 88011.]

An Educator appointment to the faculty may be terminated at the close of any academic year by written notice, either by the University of intention not to appoint or by the faculty member not to return. A decision not to reappoint needs no justification. Such written notice by the University shall be given in accordance with the following standards:

1. Not later than March 1st of the first academic year of service, if the appointment is to expire at the end of that year.
2. Not later than December 15 of the second year of academic service, if the appointment is to expire at the end of that year.
3. After two or more years of service, at least twelve months before the expiration of an appointment.

Notice of termination by a faculty member shall be given either six months prior to the termination of the appointment or by the time specified for the return of salary memoranda for the following year.

Faculty who change from a regular appointment to a research or educator appointment shall receive one month's notice for each year's service in the regular appointment.

### 3.5

#### **Terms in Writing**

All appointments shall specify, in writing, whether they are Regular, Research, Educator or Associated appointments and, in the case of untenured Regular Faculty, the expiration of the probationary period. All appointments shall specify rank and salary.

### 3.6

#### **Probationary Period for Regular Appointments**

The probationary period before the award of tenure is six (6) years at the University of Miami.

#### 3.6.1

##### **Credit for Prior Service**

Persons with appropriate experience at other comparable institutions may be awarded up to three years credit toward the probationary period by the President following a recommendation of the Dean upon consultation with the Chair. Persons granted credit for prior service under section 3.6.1 shall have their probationary period appropriately reduced, but in no case shall a probationary period be established for less than three years.

#### 3.6.2

##### **Waiver of Prior Service**

During the first year of appointment, faculty members may waive credit for applicable prior service at another institution.

#### 3.6.3

##### **Early Award of Tenure**

A faculty member holding a regular appointment is normally considered for tenure during the sixth year of the probationary period, but in unusual circumstances may be awarded tenure at any other time during the probationary period. Faculty members wishing to be considered for tenure before the expiration of the probationary period should consult with the Chair or Dean. Any consideration of a faculty member for the early award of tenure shall have no prejudicial effect on reconsideration through the sixth year of the probationary period.

#### 3.6.4

##### **Term of Probationary Appointments**

The University permits initial probationary appointments for terms of one, two or three years, provided that the term of the appointment is uniform within the School. A substantive review of the appointee shall occur as provided in Sections 9.6-9.10 below, and, if the conclusion is favorable, the appointment shall be renewed with the final review for tenure occurring in the sixth year. If sixth year review is unfavorable, the appointee shall be granted a one year terminal appointment. Where evidence of unsatisfactory performance exists during the term of any appoin-

tment, an early substantive review of the appointee may be initiated by the voting faculty, Chair or Dean.

### 3.6.5

#### **Definition Probationary Year**

The probationary period shall begin with the first September of the Faculty member's appointment. The first probationary year shall end on the following May 31.

### 3.6.6

#### **Notice of Termination of a Probationary Appointment**

During the probationary period, a regular appointment to the faculty may be terminated at the close of the term of the appointment by written notice, either by the University of intention not to reappoint or by the faculty member of intention not to return. Notice of termination by the faculty member shall be given prior to the expiration of the appointment.

Schools with probationary appointments for a term of one year shall observe the following notice requirements: Not later than March 15 during the first appointment; not later than December 15 during the second appointment. With the third and following appointments notice of a full year is required

Schools with probationary appointments for a term of two years shall observe the following notice requirements: Not later than December 15 of the second year of the first appointment and with the second and following appointments notice of a full year is required.

Schools with probationary appointments for a term of three year shall give notice of a full year.

The justification of a decision by the University not to reappoint need not be communicated to the faculty member, but shall be made in accord with established University standards.

### 3.7

#### **Term Appointments Following Retirement**

According to the University retirement plans, the official retirement age at the University of Miami is 65 years and the incumbent may complete the fiscal year in which the 65th birthday occurs. Faculty members terminate their regular employment with the University at the end of the academic year (June 1 to May 31) in which they reach age seventy (70). At the discretion of the President, faculty members may be requested to continue to serve full-time after that year on a year-to-year basis, provided the concerned department or school initiates the request. Faculty members may not be continued beyond the fiscal year in which they reach the age of 72 without the approval of the Board of Trustees. Faculty members under consideration for full-time appointment beyond the retirement age shall be notified of the decision as early as possible.



**4.0  
TENURE**

**4.1  
Administrators and Tenure**

**4.1.1**

Tenure at the University of Miami shall be awarded to persons only in their capacities as faculty members in academic departments. In no case is tenure applicable of persons in their administrative capacities.

**4.1.2**

Academic deans and academic directors are eligible for the award of tenure as faculty members in the academic departments of their specialization, but not in their administrative posts. No other persons engaged in administrative duties are eligible for the award of tenure nor shall the period of time during which such persons are employed in positions with administrative duties be counted toward the completion of the probationary period for tenure, unless each of the following conditions is satisfied:

1) During the period of employment in question such persons must devote more than fifty percent of their total work time to teaching, research, patient care or other activities of an academically-related nature.

2) The division of such persons' efforts between administrative duties and teaching, research, patient care or other activities of an academically-related nature must be specifically documented each semester, and must be certified by the appropriate academic dean who shall make such documentation part of the faculty personnel records of such persons.

**4.2  
Attainment of Tenure**

**4.2.1**

Tenure shall not be awarded to faculty members serving under any type of Research, Educator or Associated appointment. Regular appointments that are not accompanied by an initial award of tenure shall specify the expiration date of the probationary period.

**4.2.2**

By April 15 of the year in which the probationary period would normally expire, the process should culminate in a tenure decision by the Board of Trustees, which is the final authority for the award of tenure. If the process of tenure consideration has not been completed by this date, the faculty member may ask the President, in writing, to direct that the process be completed immediately.

**4.2.3**

Tenure shall not be awarded at the rank of assistant professor.

4.2.4

Promotion to the rank of professor awards tenure at the time of promotion. A faculty member initially appointed to the rank of associate professor or professor is eligible for tenure at any time upon recommendation of the voting faculty of the department.

4.2.5

The faculty member shall be advised in writing at the time of initial appointment, of the substantive standards and procedures generally employed in decisions affecting reappointment and tenure. Any special standards adopted by the faculty member's department or school under the provisions of Section 9.1.2, below, shall also be communicated to the faculty member in writing by the Chair or the Dean.

4.3

**Meaning of Tenure**

4.3.1

Faculty members having tenure shall have appointments continued from year to year without necessity for annual or other renewal thereof.

4.3.2

Tenure implies that the faculty member shall accede to reasonable requests to redistribute efforts between teaching and research, to accept classes assigned, whether in day or evening hours, and, in an emergency and for the period thereof, to accept such other reasonable assignments as may be deemed necessary by the University.

4.3.3

Tenure does not imply any promise of promotion or any regular increase in salary, but it does assure the faculty member of participation in any general change in the salary scale. It also assures the faculty member of provisions for general working conditions on the same basis as other faculty members in the same academic areas who have similar professional activities and duties.

4.3.4

Tenure of a faculty member shall continue until death, resignation, retirement, termination for cause, or, in extraordinary circumstances, because of financial exigency or reorganization.

4.4

**Termination of Tenure  
Because of Declared Financial Exigency or Reorganization**

4.4.1

If it appears that a tenure appointment may need to be terminated because of financial exigency or because of reorganization brought about by decline in enroll-

ment, lack of funds to support an activity, or change of course offerings, the President shall consult with the Faculty Senate Council.

4.4.2

The purposes of such consultation shall be to explain the reasons why reduction is necessary, to explore the equities of the situation, including consideration of the best interests of the University and due consideration for the faculty members involved, and to attempt to arrive at an alternative solution. If no alternative is practicable and a position must be so discontinued, such a position shall not be filled for a period of two years unless the released faculty member has been offered reappointment and has declined.

4.4.3

If the appointment of a faculty member with tenure is terminated by the University, one year's notice shall be given except in cases of termination for cause involving serious immediate injury to the University.

4.5

**Obligations of Tenure**

A faculty member having the rights and privileges of tenure shall in turn have the continuing obligation to maintain and improve professional competence to render efficient service to the University. Faculty members may accept an assignment to administrative duties and position without interrupting or impairing their tenure, but tenure shall apply only to their rank and service on the faculty, an administrative assignment being subject to change at any time by authority of the President.

4.6

**Retention of Existing Rights**

Nothing stated herein shall be interpreted to affect adversely rights acquired by faculty members under previously existing tenure policies at the University of Miami.

5.0

**ACADEMIC FREEDOM**

All members of the General Faculty are entitled to academic freedom as defined in the 1940 Statement of Principles of Academic Freedom and Tenure, as amended, formulated by the Association of American Colleges and the American Association of University Professors. This statement is reproduced on pp. xx of the *Manual*.

## 6.0 SCHOLARLY AND PROFESSIONAL QUALIFICATIONS OF THE FACULTY

### 6.1

#### Mission of the Faculty

The basic functions of a university are to preserve, augment, criticize and transmit knowledge and to foster creative capacities. Its chief instrument for performing these functions is the faculty, and its success in doing so depends on the quality of the faculty. The policy of this University is to enlist, develop and retain distinguished faculty members with outstanding qualifications.

### 6.2

#### Requirement for Scholarship

Scholarship embraces inquiry, research, and creative professional performance and activity. Scholarship is required for effective teaching and is the obligation of all members of the faculty. Scholarship may be judged by the character of the advanced degree, by contributions to knowledge in the form of publication and instruction, by reputation among other scholars and professional persons, and by the performance of students.

The scholarly function of a university requires the appointment of faculty members devoted to inquiry and research. Among the criteria for evaluating research are publication of books by nationally recognized presses, and of articles and reviews of a scholarly nature in books, periodicals and technical reports nationally recognized in the profession; the directing of scholarly work by students working on advanced degrees; the receipt of professional awards and fellowships; membership on boards and commissions devoted to inquiry; and the judgment of professional colleagues.

Scholarship may be demonstrated by significant achievement in an art related to a faculty member's discipline, such as creative works, original designs, or original procedure. National recognition of such activities is demonstrated: by commissions, awards and prizes from nationally recognized bodies; by performances with nationally recognized companies; by invited presentations, exhibitions, lectures and performances before nationally recognized bodies; by invitations to teach master classes or lead intensive workshops at nationally recognized institutions; and by reviews of performance and creative works in nationally recognized journals, magazines and newspapers.

Promotion, tenure, and merit salary increases should recognize these scholarly achievements. Whenever possible, Chairs shall reduce other duties for those faculty engaged in these activities.

### 6.3

#### Teaching

The educational function of a university requires the appointment of faculty who are effective teachers. Among the meant to evaluate teaching effectiveness are: 1) the informed judgment of colleagues; 2) the performance of students; and 3) qualified student opinion. Promotion, tenure, and merit salary increases should recognize outstanding achievements in teaching.

6.4

**University Service and Administration**

Contributions to committee and administrative activities are recognized as furthering the University's educational function.

6.5

**Recognition of Degrees**

To ensure that faculty members are appropriately qualified, the University of Miami recognizes degrees from universities which are accredited within the United States by the appropriate accrediting association. Other degrees will be individually evaluated.

6.6

**Scholarly and Professional Qualifications  
for Each Rank of the Regular Faculty**

6.6.1

**Assistant Professor**

Appointment to the rank of assistant professor requires completion of professional training, in most fields marked by the Ph.D., and the clear promise of a successful career in teaching and scholarship. Appointment to the University Faculty requires a terminal degree. This requirement may be waived by the President upon recommendation of the Provost.

6.6.2

**Associate Professor**

Appointment to the rank of associate professor normally requires a record of substantial success in both teaching and scholarship. In unusual cases an outstanding record in one of these activities and an adequate record in the other may be considered sufficient.

6.6.3

**Professor**

Appointment to the rank of professor requires national recognition in the profession.

7.0  
**DEFINITIONS FOR PROCEDURES FOR THE  
APPOINTMENT, REAPPOINTMENT, PROMOTION,  
AND AWARD OF TENURE**

7.1

The *Faculty Charter* in section XII calls for consultation with the voting faculty of the department in recommendations from the department on faculty appointments, reappointments, promotions and award of tenure. Such consultations shall be conducted in accordance with this Bylaw.

7.2

**Definitions**

For purposes of Sections 7-10 of this Bylaw, the following definitions shall apply:

7.2.1

The term **department** means either a department or a school in the case of an undepartmentalized school.

7.2.2

In an undepartmentalized school the term **Dean** encompasses the role of the Chair.

7.2.3

The term **appropriate faculty** means the Regular Faculty of the department in which the appointment is made.

7.2.4

The **voting faculty** for tenure are those tenured faculty equal or superior in rank to the candidate and for promotion those tenured faculty superior in rank to the candidate.

7.2.5

A person under consideration for appointment, reappointment, promotion or tenure is termed a **candidate**.

7.3

**Voting Rights**

No person may vote at more than one level of review on questions of appointment, reappointment, promotion or tenure.

Faculty members who devote more than fifty percent personal effort to administrative duties other than departmental and whose duties may involve the review of candidates, shall not participate in the vote of a department with regard to any recommendation for promotion or the award of tenure.

8.0  
INITIAL APPOINTMENT

8.1

The entire Regular Faculty of a department are entitled to vote on each new appointment. In periods of recess, in summer sessions, and in departments with thirty-five or more members a committee of at least five members of the voting faculty shall be appointed, at the discretion of the Chair and in accordance with departmental bylaws, to vote on the candidate.

8.2

The voting faculty shall have an opportunity to review supporting materials of the candidate. In addition, when candidates are brought to campus, the voting faculty shall have a reasonable opportunity to interview and to attend a professional presentation by the candidate.

8.3

A Consultative Committee shall vote on the nominees by each committee member indicating the order of preference, if there is more than one nominee, and the disapproval of individual nominees. The numerical results of each member's ordered preferences, recorded anonymously, shall be reported by the committee to the appointing agent.

9.0  
**REVIEW OF THE FACULTY FOR  
REAPPOINTMENT, PROMOTION,  
AND THE AWARD OF TENURE**

9.1  
**Notification of Standards and Procedures**

9.1.1

At the time of initial appointment, each faculty member shall be advised in writing by the President of the substantive standards outlined in Section 6 above and of the procedures generally employed in decisions affecting reappointment, promotion, and tenure.

9.1.2

Special additional criteria may be adopted by departments, by vote of their tenured faculty and with the approval of the school faculty, and by schools by vote of their faculty. Such additional criteria shall not conflict with the *Faculty Manual*. Departments and schools shall consult with the Faculty Senate Council to determine whether such additional standards conform to the *Faculty Manual*. Following certification of the Faculty Senate Council, copies of such special additional criteria shall be provided the Dean and the President.

9.1.3

Each faculty member shall be advised in writing by the Chair of any additional criteria at the time of initial appointment, at the time of their adoption, and before any major review.

9.2  
**Review of the Faculty**

In accord with established University policies, a systematic annual evaluation is made of every faculty member, tenured and untenured. Such evaluations are implemented by the Chair observing the guidelines, standards and rights established in Article XII, Sections 12.3 and 12.4 of the *Faculty Charter*. Reappointment, promotion, merit salary increases, and the award of tenure are based on such reviews. Upon completion of this evaluation, in accordance with the procedures described below, the Chair discusses the results with each faculty member and, in the event of unsatisfactory performance, the Chair shall counsel the faculty member as to how to correct any deficiencies. In the extreme case where there appear to be grounds for termination for cause, the provisions of Section XX of the University Faculty and Tenure Policy shall be observed. Each Dean reports annually to the President when the review of all members of the faculty has been completed consistent with established University procedures.



9.3

**Types of Review**

The Regular Faculty of each school and department undertakes two types of review of the performance of its members:

*Annual Reviews* of each individual's accomplishments for the purposes of salary increases; and

*Special Reviews* for the purposes of reappointment, promotion, and the award of tenure.

The Research and Educator Faculty of each school are subject to Annual Reviews and Special Reviews for the purposes of reappointment and promotion.

9.4

**Faculty Files**

The file of the candidate shall be the basis for the deliberations at each state of the reviews.

Each faculty member shall be responsible for maintaining a current statement of his professional activities, arranged according to customary practices and university requirements. This file shall include evidence of: a) educational attainments; b) awards and fellowships; c) funded research projects; d) publications, papers, performances and other scholarly contributions to the profession; e) services to the profession in scholarly bodies and in university agencies; and f) public service to the community relating to scholarship and the profession.

Prior to any faculty consultation or vote, candidates shall have an opportunity to make current their files in the office of the Chair, as described in Bylaw 12.5.

The Chair shall make available to the appropriate voting faculty all relevant materials from the files of each candidate.

9.5

**Annual Reviews**

Each tenured and untenured member of the faculty shall be reviewed annually by the appropriate faculty based upon a systematic evaluation of the past year's work.

*Chair and Dean*

9.5.1

For untenured faculty, the Chair shall discuss the results of the Annual Review with each faculty member, and, following this discussion, the Chair shall prepare a written statement summarizing the review. This statement shall be placed in the file and shall be made available to the faculty member who may prepare a response to be included in the file.

9.5.2

The Annual Review is complete when the Dean advises the Provost of recommended salary increases.

9.6  
**Special Reviews**

A more complete review is required: i) in the year prior to reappointment of a faculty member holding a tenure earning appointment; ii) when promotion to associate professor or professor is to be considered; and iii) in the year prior to the award of tenure. Each **Special Review** shall be conducted as follows:

9.6.1  
**Teaching Evaluation**

The file of candidates for reappointment, promotion to associate professor, and tenure shall include an assessment of classroom teaching made by the appropriate voting tenured faculty on the basis of classroom visitation by peers and, where appropriate, an interpretation of the results of formal student evaluations by the Chair. The faculty of each college and school is authorized to develop procedure governing the peer review and classroom visitations by faculty who are evaluating the teaching of non-tenured members.

9.6.2  
**External Letters**

The file of a candidate for tenure or for promotion to full professor shall include at least three written evaluations of the scholarly work of the candidate solicited from scholars specializing in the field of work who hold tenured positions at comparable universities.

Such letters are solicited by the Chair following consultation with the candidate and the appropriate voting faculty. The content of letters requesting written evaluations shall be prepared with the approval of the appropriate voting faculty and shall be shown to the candidate. Letters of evaluation are confidential, but such letters may be seen by anyone directly concerned in making the promotion or tenure decision.

Copies of each letter used to solicit external reviews shall be included in the candidate's file. The Chair shall supply the voting faculty and the Dean with a list of external reviewers, indicating how and why each was selected. If outside letters are solicited from reviewers recommended by the candidate, the nature of any relationship shall be indicated. Candidates shall be permitted to identify persons who are thought to be unsuitable external reviewers and the reasons for that judgment.

Exceptions to the need for written external evaluations of the candidate's scholarly work may be made when such letters would not add materially to the candidate's file.

9.6.3  
**Evaluation Committee**

After consultation with the appropriate voting faculty, the Dean, upon recommendation of the department, shall appoint an Evaluation Committee consisting of at least five tenured faculty superior in rank to the candidates. They shall be chosen because their research and scholarly activities enable them to assess the candidates' contributions to knowledge. The committee should include faculty from cognate departments or schools, but the Chair of the Committee and a majority of its

members should be from the department of the candidate. When there is good reason to appoint a majority or Chair of the Evaluation Committee from outside the department or school, the Dean shall advise the candidate, the Senate Council, and the President of the justification.

9.6.4

**Formal Written Evaluation.**

The Evaluation Committee shall examine the complete work of the candidate. On the basis of this examination, the Committee shall prepare a detailed written evaluation of the candidate's contribution to knowledge and to the profession. The Committee shall then state whether, in its judgment, reappointment, promotion, or award of tenure is justified. The candidate, the appropriate voting faculty, and the Chair shall be entitled to examine the report. Any of these can, for cause, ask the Committee to reconsider its evaluation.

9.6.5

**Candidate's Statement**

Candidates may present a written career assessment providing the rationale of their work and the significance of their contribution to knowledge and the profession.

9.7.

**Faculty Vote**

The appropriate voting faculty shall be assembled to consult on the candidate. Notice of the meeting shall be in writing, shall provide adequate notice of the date and agenda of the meeting, and shall include the names of candidates under consideration.

9.7.1

After systematic examination of the file, including any Evaluation Committee report, and after deliberation, the voting faculty shall determine by ballot for each candidate whether to recommend reappointment, promotion or tenure. The ballots shall be counted by two designated members of the voting faculty and the results of the ballot announced to the electorate. Following this announcement, the Chair shall prepare a written statement of the views of the voting faculty which shall be circulated to the voting faculty prior to its transmission to the Dean.

9.7.2

Absentee ballots shall not be counted unless they have been submitted prior to the meeting called to consider candidates for tenure, promotion, and appointment. The electorate shall be informed of the numerical results of the ballot.

9.8  
**Role of the Chair.**

9.8.1

The Chair shall prepare and forward a written summary of the recommendation of the voting faculty and a numerical tally of the ballot with the file of the candidate.

9.8.2

The Chair shall not participate in the ballot of the voting faculty, but shall provide a separate recommendation supported by a written evaluation of each candidate. The Chair should make reference to the performance of the candidate in terms of the Annual Reviews and any prior Special Reviews.

9.8.3

The Chair shall forward with the file of the candidate all materials that were considered, the recommendation of the Chair, and the written summary of the voting faculty.

9.8.4

Subsequent to the meeting of the voting faculty, the voting faculty and each candidate shall be informed promptly by the Chair of the relevant recommendations of the voting faculty and of the Chair.

9.9

**Actions of the Dean**

In a departmentalized School, the Dean shall, after reviewing in a written statement the file of each candidate, make a recommendation to the President with regard to each candidate.

9.9.1

**School Advisory Boards**

In departmentalized schools where Deans do not perform the role of Chair in the Annual and Special Reviews, the Faculty of the School may enact a bylaw establishing an Advisory Board consisting of tenured full professors to assist in the review of all candidates for reappointment, promotion and tenure in the School. The bylaw shall prescribe the number, composition and method of selecting the members of the board. Advisory Boards shall examine all the material forwarded by the department and the Chair and shall prepare a written report explaining the reasons for their recommendations. This report shall be included in each candidate's file along with all other materials and forwarded to the Dean. Recommendations of any advisory group not established in accordance with this provision may not be cited or placed in the file of the candidate.

9.9.2

The Dean shall forward the files of all candidates together with the recommendations of the Chair and the voting faculty, and the report of the Advisory Board.

9.9.3

The Dean's recommendation and written statement shall be included in each candidate's file along with all other material and forwarded to the Provost.

9.10

**Provost Actions**

*[This section, with Section 2.1, constitutes a separate Senate action, 'Legislation #87005.]*

The Provost, as delegated by the President, makes all reappointments and promotions. After reviewing each candidate's file, the Provost shall notify each candidate of his decision to reappoint or promote. When the Provost decides against promotion and there is a positive recommendation from the voting faculty, the Provost should explain his reasons in writing and the candidate should be counseled by his Chair or Dean on what should be done to secure promotion.

10

**Trustee Authority in Tenure**

Tenure may be earned only by a considered action of the University. The Board of Trustees is the final authority for the award of tenure. The award or denial of tenure shall be directly communicated to the candidate by the President immediately following the completion of the tenure process. If the Board denies tenure to a faculty member in the final year of the probationary period, the faculty member shall receive at least twelve (12) months notice prior to the expiration of the appointment.

### Report on Student Life

Dr. Ted Tims, Co-chair of the Ad Hoc Committee on Student Life, presented the Committee's report and pointed out changes to the draft report previously distributed. Dr. Butler spoke about Greek life on campus, changes that have taken place over the past few years, increase in membership in the fraternities and sororities, and the change of focus in programming within the groups. He mentioned the establishment of the Commuter Student Affairs Office and its function. Dr. Butler expressed the Administration's concern about losing upperclassmen in the residential colleges to apartment living. The Committee identified academic advising as one of the main problems mentioned by students in interviews. It was *moved* by Dr. Clasby, seconded by Dr. Dreyer, to accept the Ad Hoc Committee's report and to forward it to the Faculty Senate. The *motion carried*.

### Student Housing for Athletes

Dr. Alexandrakis summarized the history of the issue of student housing for athletes. Dr. Howard Pospesel presented the faculties' request for the integration of student athletes into the residential college facilities. He stated that the national trend is away from separate housing for student athletes. A petition with 382 faculty signatures was presented to President Foote last week. Mr. Doug Johnson, Associate Athletic Director, presented the Athletic Department's position regarding the housing issue. He noted that significant strides have been made in improving the academic quality of student athletes as well as the graduation rate. Mr. Johnson emphasized the need to monitor the academic progress as well as the social activities of the students especially during the freshman and sophomore years. It was *moved*, and seconded, to cease debate and place the item on the May 1 Senate agenda. The *motion carried*. Dr. Swan suggested that for the next meeting Dr. Anna Price, Director of Academics for the Athletic Department, prepare a written report on the amount of time spent on the various kinds of activities in which the athletes are engaged.

Dr. Alexandrakis called the meeting into Executive Session regarding a confidential matter.

SPECIAL SENATE COUNCIL MEETING

April 17, 1989

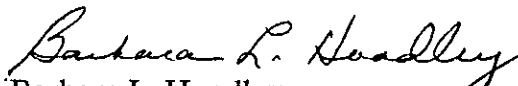
Call to Order

The Chairman called the special meeting to order at 2:30 P.M. prior to the regularly scheduled Faculty Senate meeting.

Bylaw on Faculty Appointment, Reappointment,  
Promotion and Tenure

Drs. Alexandrakis and Swan summarized the chronology of Faculty Senate Legislation #87001. The Chairman reported on meetings with the Provost and a special meeting of the Deans where the legislation was discussed. The following four areas of concern were expressed: 1) evaluation committee (Section 9.6.3); 2) the full-time definition written by the Provost and Legal Counsel (Section 2.7); 3) fact that teaching is not mentioned in Section 9.5; and 4) whether or not the three external letters required for tenure and promotion must be from tenured full professors from comparable universities (Section 9.6.2). The Deans were requested to submit only substantive changes to the Provost no later than today. The Provost gave his assurance that only those issues would be discussed further.

The meeting adjourned at 3:35 P.M.

  
Barbara L. Hoadley  
Secretary to the Faculty Senate

## FACULTY SENATE MEETING

April 17, 1989

### Call to Order

Dr. Alexandrakis called the Senate meeting to order at 3:40 P.M. Excused absences were approved for the April 3 Senate meeting for the following Senators: Professors Burgess, Connolly, Dreyer, Driscoll, Forman, Herbert, Honikman, Lopez-Gottardi, Mallios, Neider, Posnak and Seiler. An excused absence was approved for Professor Diana Lopez for today's meeting.

### Remarks by President

President Foote briefed the Senate on the Deans' searches as follows: 1)RSMAS's was progressing; 2)two candidates for the Dean of the School of Business will be brought to the campus in the near future; and 3)the School of Nursing Dean's search has progressed to the point of bringing two candidates to the campus very shortly.

The President reported that the Strategic Plan, presented to the Board of Trustees at its recent retreat, was very well received. He stated that the Campus Master Plan has been completed after five years of work.

### Remarks by the Chairman and Vice Chairman

Dr. Alexandrakis announced that Dr. Howard Pospesel, Department of Philosophy, will receive the 1989 James W. McLamore Outstanding Service Award to be given at a ceremony in the Fall. The President congratulated Dr. Pospesel for his long and dedicated service to the University.

Dr. Swan complimented the President and Provost on the candor with which they indicated to the Trustees the Faculties' concern about quality of the student body and the willingness of the Administration to study that issue. The President explained the procedure of the Trustees' retreat and the way the Strategic Plan was discussed with the Board.

### Bylaw on Faculty Appointment, Reappointment, Promotion and Tenure

The Chairman summarized a recent meeting between the Provost, Vice Chairman and himself regarding the Provost's letter to the Deans requesting any suggested changes to the proposed Bylaw on Faculty Appointment, Reappointment, Promotion and Tenure. He also reported on a recent meeting of the Deans where discussion of the proposed legislation took place. The following four areas of concern were expressed: 1)evaluation committee (Section 9.6.3); 2)the full-time definition written by the Provost and Legal Counsel (Section 2.7); 3)the fact that teaching is not mentioned in Section 9.5; and 4)whether or not the three external letters required



for tenure and promotion must be from tenured full professors from comparable universities (Section 9.6.2). The Deans were requested to submit only substantive changes to the Provost no later than today. It was agreed that a small group of Deans and Senators would discuss the areas of objection, propose language and report back to the Senate Council next week and the Faculty Senate on May 1.

#### Distinguished Faculty Scholar

Dr. Alexandrakis thanked the President and Mrs. Foote for their hospitality in hosting a lovely reception at their home for Dr. J. Donald M. Gass, the 1989 Distinguished Faculty Scholar.

#### Progress Report on Research Misconduct

Dr. Eugene Eckstein, Chairman of the Ad Hoc Committee on Research Misconduct, presented a brief report on the status of the proposed legislation on research misconduct. He noted that a Bylaw will establish a Committee on Misconduct in Research and a separate section in the *Faculty Manual* under "Research and Sponsored Programs" will deal with special items such as informal process, allegations, Federal regulations and governmental regulations. It has been suggested that the Research Council would be the appropriate body to educate the faculty on the regulations and new policy.

#### Progress Report on the Freshman Institute

Dr. Alexandrakis reported that the Academic Standards Committee has prepared an extensive report on the Freshman Institute. It was reviewed by Dr. Scott Baldwin, Director of the Freshman Institute, who then prepared a report from his perspective. The Council discussed the main issues concerning the Institute with members of the Academic Standards Committee and Dr. Baldwin. The Council, as it had been earlier directed by the Senate, will appoint a committee to review the Institute and make recommendations concerning its function and structure.

The remainder of the Senate meeting was held in Executive Session.




Executive Vice President and Provost

M E M O R A N D U M

March 28, 1989

TO: Deans

FROM: Luis Glaser  
Executive Vice President  
and Provost 

SUBJECT: Faculty Senate Legislation  
on Promotion and Tenure

This enclosed version is ready for the President's signature. Please advise us of any changes or concerns regarding this version before it is signed. The amendment to the Charter requires Board of Trustees approval.

I draw your attention to the following:

1. Charter Section 2.2 greatly limits the rights of Educator and Research Faculty.
2. Section 1.5 in the By-laws limits Clinical Faculty so that they do not "vote" on Charter amendments and on the award of tenure; in addition, Section 2.2 of the Charter has more serious limitations.
3. Section 1.7 now further limits these faculty to conform to 2.2 above. This appears confusing, but may impose major restrictions on Clinical Faculty especially in the School of Medicine.
4. Section 2.2.1 - All University faculty are deemed to be full-time. If approved, does this section mean that a Professor on reduced load or leave retains full fringe benefits?
5. Section 2.3 - Is it University policy that all faculty in GSIS must hold joint appointments? Since these appointments in this section imply joint financial responsibility, is this likely to occur and are we not in violation at the present time?

Deans  
March 28, 1989  
Page Two

6. Section 2.5.3 - If instructors are only "in training" for University positions, does this create problems for Arts and Sciences, Communication and Business, among others?
7. Section 2.7 - Associated Faculty that teach more than nine credits per year are considered full-time. Does this create problems in fringe benefits? Is the tuition discount for full-time Associated Faculty? If part-time, graduate students could get free tuition for Master's Program.
8. Section 9.6.1 - This as well as previous sections now appear to be contrary in spirit to the Senate's statements regarding student evaluations of teaching.
9. Section 9.7.1 - This section appears to leave little room for the Chair to exercise the judgement which is implicit in his appointment. This appears to be corrected in 9.8.2.
10. Section 9.10 - Denial by the Provost of tenure or promotion does not at present require a written justification. If one is required, how extensive is it?
11. Section 10 - As a practical matter, these letters are written and signed by the Provost.

LG:nh

Enclosure

cc: President Edward T. Foote II  
Mr. Paul T. Dee  
Dr. Paul K. Sugrue

### Bylaw on Promotion and Tenure

Dr. Alexandrakis reported that at a recent meeting of the Provost, Vice Provost, and Mr. Dee, President Foote requested that any comments to the proposed bylaw needing clarification or editorial changes be turned over to the Senate leadership for discussion with Dr. Sugrue and Mr. Dee. The President is anxious to sign the bylaw by May 1.

### Charter Amendment on Graduate School

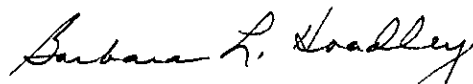
Dr. Clasby requested the Council to agenda the charter amendment on the Graduate School for the next Senate meeting. At that time he will present draft language for a bylaw on the election of the Graduate Council which provides for membership to be elected from each college or school on a proportional basis having to do with their involvement in graduate studies.

It was agreed that only two items will be published on the agenda for the next Senate meeting: 1) Executive Session; and 2) annual election of officers. The old and new Senate will be invited to attend the meeting.

### Petition from Department of Politics and Public Affairs

Dr. June Dreyer presented a memorandum from the tenured faculty members of the Department of Politics and Public Affairs requesting an early evaluation of their departmental chairman. It was agreed that the tenured faculty members of the department, the Senate Chair and Vice Chair and the Dean should meet to discuss the matter.

The meeting adjourned at 7:15 P.M.

  
Barbara L. Hoadley  
Secretary to the Faculty Senate

POLICY ON FACULTY STATUS, TITLES,  
APPOINTMENT, REAPPOINTMENT, PROMOTION  
AND THE AWARD OF TENURE

Faculty Senate Actions,  
Consolidated Version  
87001, 87003, 87005, 87006, 87008, 87014, 88011

CHARTER CHANGES  
Approved Faculty Senate, March 23, 1987  
Class A Legislation

II. DEFINITIONS

**DELETE** current language:

2.1 The University faculty consists of the President, the vice presidents holding professorial appointments, the academic deans, the professors, the associate professors, the assistant professors and the instructors, whether serving in teaching, research, or administrative appointments, whether serving part-time or full-time and whether serving in an active or an emeritus capacity. The President of the University is the presiding officer of the University faculty.

**ADD:**

2.1 The General Faculty shall consist of the University Faculty and the Associated Faculty.

The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

The Regular Faculty shall consist of all faculty having tenured or tenure-earning appointments and holding the rank of Professor, Associate Professor, or Assistant Professor.

The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

The Educator Faculty shall consist of those clinicians who hold the rank of Professor, Associate Professor, or Assistant Professor, who serve in the clinical programs of the University, and whose title consists of a rank

and discipline prefixed by "Clinical" (e.g., Professor of Clinical Surgery, Professor of Clinical Nursing). Educator Faculty shall not hold tenured or tenure-earning appointments.

The Associated Faculty are all faculty with professorial titles prefixed by Clinical (e.g., Clinical Professor of Surgery), Adjunct, Visiting, and Affiliated, and Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

**DELETE:**

2.2 The voting members of the University faculty are those members of the University who (1) hold the rank of professor, associate professor, assistant professor, or instructor, (2) serve full-time in their appointments at the University of Miami, and (3) devote at least half-time to teaching or research duties, or other activities of an academically related nature. Research professors, research associate professors, research assistant professors, and research instructors, meeting the preceding requirements, are considered voting members of the University faculty with the exception of ratification of Class A legislation. For the ratification of Class A legislation, only faculty with unmodified rank, otherwise qualified, are eligible to vote.

**ADD:**

2.2 The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, and ratification of Amendments to the *Faculty Charter*.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the University Faculty may vote only once on a particular question. Persons holding appointive administrative office may not vote on any matter which is subject to or may be reviewed by their office.

**DELETE:**

2.4 The voting members in a department of school are those voting members of the University faculty holding at least half-time (as specified in the annual renewal of appointment) appointments in the department or school. A voting member of the University who holds half-time appointments in two departments or two schools, excluding the Graduate School, shall in a written statement to the secretary of the Senate, elect one department or school for all voting privileges.

Class B Legislation

*[This section constitutes a separate Senate action, Legislation #88011.]*

Change in Bylaw 1.1

Replace on page 28, *Manual*, section 1.1 of Bylaws:

**DELETE current language:** This bylaw is intended to clarify the meaning of Section 3.1 of the Faculty Government Charter.

**ADD:** Bylaws and Policies are intended to clarify the meaning of the Faculty Government Charter.

1.0

**DEFINITIONS**

1.1

The General Faculty shall consist of the University Faculty and the Associated Faculty.

1.2

The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

1.3

The Regular Faculty shall consist of all faculty having tenured or tenure-earning positions and holding the rank of Professor, Associate Professor, or Assistant Professor.

1.4

The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

*[This section constitutes a separate Senate action, Legislation #88011.]*

1.5

The Educator Faculty shall consist of those physicians who in the clinical departments of the School of Medicine or nurses in the clinical programs of the School of Nursing with such titles as "rank" of Clinical "name of department", (e.g. Professor of Clinical Surgery or Professor of Clinical Nursing). These titles are granted to physicians and nurses who choose to concentrate on clinical performance and its use as a teaching tool. Such faculty are full-time and, if salaried by the University, are subject to a ceiling. They are entitled to the perquisites of other full-time faculty with the exception of award of tenure and ratification of *Charter* amendments.

1.6

The Associated Faculty are all faculty with professorial titles prefixed by Clinical, except in the School of Law, (e.g., Clinical Professor of Surgery) or by Adjunct, Visiting, or Affiliated, and all Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

1.7

The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair or Dean, and ratification of Amendments to the *Faculty Charter*.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the General Faculty may vote only once on a single question. Persons holding joint appointments must designate a school or department in which to exercise their voting rights on university matters. Persons holding appointive administrative position may not vote on any matter which is subject to review or other action by their office.

1.8

Change of Type of Faculty Appointment

1.8.1

Any member of the Research or Educator faculty may initiate a request to be considered for appointment to the Regular Faculty of the University. The decision on that request must be made in accordance with the standards and procedures applicable to initial appointment to the Regular Faculty as set forth in the *Faculty Charter* and these Bylaws, including Sections 6 and 8. If the requested appointment to the Regular faculty is made, but without an immediate grant of tenure, the period served as a member of the Research or Educator faculty may, if requested by the faculty member and approved by the President, be credited toward the probationary period for Regular Faculty appointments as provided in Sections 3.6 and 3.6.1 of these Bylaws.

1.8.2

Any member of the Regular Faculty of the University, during their probationary period as defined in Section 3.6 of these Bylaws, may initiate a request to be considered for appointment to the Research or Educator Faculty. The decision on that request shall be made by the President upon recommendation of the Regular Faculty of the department and the Dean of the School.



1.8.3

Members of the Regular Faculty who have become members of the Research or Educator Faculty under the provisions of Section 1.8.2 may not subsequently be appointed to the Regular Faculty except as a tenured Professor.

2.0  
**THE FACULTY**

2.1

**Appointive Authorities**

*[This section, with section 9.10, constitutes a separate Senate action, Legislation #87005.]*

The power to appoint and remove both administrative officers and members of the General Faculty is vested in the Board of Trustees. The Board of Trustees shall appoint the President of the University.

The President, by authority of the Board of Trustees, shall select the Provost, the Deans, and the administrative officers and shall appoint the General Faculty of the University. The President is the presiding officer of the General Faculty.

The Provost, as delegated by authority of the President, shall make appointments to the General Faculty and promote members of the General Faculty to higher ranks.

All appointments to the General Faculty and promotions to higher ranks shall be made in accordance with the procedures set forth in the *Faculty Charter*, Section XII, and in this Bylaw.

2.2  
**Faculty Status**

2.2.1

All University Faculty shall be deemed to have full-time status. Unless on sabbatical or other approved leave, University Faculty shall be deemed to be "in residence." University Faculty members may request reduced teaching and research loads for reduced pay while retaining all rights and privileges. Associated Faculty may have either full-time or part-time status as established by their contracts with the University.

2.2.2

While under contract all members of the University Faculty in residence shall be entitled to an average of one working day of consultation per week, either on a part-time or self-employed basis, unless a written exception allowing additional time is issued by the President.

2.2.3

[This section, with section 3.2.2, constitutes a separate Senate action, Legislation #87006.]

A member of the General Faculty shall be compensated from University approved sources, but not necessarily by the University. The fact that the salary of a member of the Regular Faculty is paid from non-University sources does not affect the faculty member's tenure status.

2.3

**Joint Appointments**

Members of the University Faculty may hold appointments in two or more schools or in two or more departments within a school. Such appointments imply financial support from both academic units and should be made to promote interdisciplinary or inter-professional teaching and research. Recommendations on salary, merit increases, promotion, and tenure, and assignment of teaching and research responsibilities shall be determined by both of the units involved. The holder of a joint appointment shall be entitled to vote in both units, but may not vote twice on the same question. All Participating Faculty in the Graduate School of International Studies shall hold joint appointments. In all joint appointments, one unit shall be designated as the "unit of primary administrative responsibility" for such matters as salary, promotion, tenure, and teaching assignment. Persons holding joint appointments must designate the unit of primary administrative responsibility as the school or department in which to exercise their voting rights on university matters.

2.4

**Secondary Appointments**

Members of the General Faculty may hold secondary appointments in departments or schools where they have a professional interest and in which they occasionally work. Holders of secondary appointments do not have tenure in, nor need they be compensated by, the secondary unit. Limited voting privileges may be extended by the secondary department in accordance with the provisions of Section 8.2 of the *Charter*.

2.5

**Titles of Associated Faculty**

2.5.1

**Visiting Faculty**

The term "Visiting" is prefixed to the title of persons who are expected to teach and/or engage in research or clinical activities at the University of Miami for a limited period of time only. Faculty members may be appointed with the visiting title for no more than two consecutive one-year terms.

2.5.2

**Adjunct Faculty**

The term "Adjunct" is prefixed to the title of persons who collaborate in some special way in the academic work of the University.

2.5.3

**Instructors**

The title "Instructor" shall be used only for persons being trained to become members of the University Faculty. Persons who are expected to be appointed to the University Faculty but who have not completed the requirements for a terminal degree in their field must be appointed as Instructor. The President shall make the final determination of "terminal degree" in any field or discipline.

2.5.4

**Affiliated Faculty**

Qualified staff members of hospitals and medical research institutions with which the University has an affiliation agreement may receive appointments as Affiliated Faculty of the Schools of Medicine and Nursing. Such appointments may be continued until normal retirement, subject to annual renewal by the University and continuing employment in the affiliated institution. Affiliated Faculty are not paid by the University, although the University may provide compensation to the institution for the services of such individuals.

2.6

**Emeriti Faculty**

Emeritus status is automatically conferred at the time of retirement upon all University Faculty holding tenure at the University. The President may be petitioned for the award of emeritus status to retired members of the General Faculty and academic administrative personnel who have not held tenure. The names of emeriti faculty are listed in a separate section of the appropriate Bulletin.

2.7  
**Privileges and Benefits  
of Associated and Emeriti Faculty**

*[This section constitutes a separate Senate action, Legislation #87008; with the changes from Senate action, Legislation #88011.]*

Associated and Emeriti faculty members are entitled to the following privileges and benefits:

- 1) Any discounts which University Faculty members are eligible to receive including identification cards, bookstore purchases, football tickets, etc.;
- 2) Membership in the Faculty Club, Lowe Museum, and Credit Union;
- 3) Purchase of parking stickers; and
- 4) Purchase of prescription medicines through the University Health Center.

Associated Faculty who teach more than nine hours in any calendar year are considered full-time. Members of the Associated Faculty are entitled to fifty percent (50%) personal tuition remission at the University of Miami after one academic year of continuous employment at the University except in the doctoral programs of the Graduate School and the programs in the Schools of Medicine and Law. Benefits are limited to seven credit hours per semester and four credit hours per summer session.

2.7.1

Full-time visiting faculty are entitled to remission of tuition for themselves and their dependents at the University of Miami consistent with tuition remission policy and are eligible for participation in the group insurance plans but not in the retirement plan.

2.7.2

Adjunct faculty and Instructors who are both full-time and salaried by the University are entitled to participate in the insurance and retirement programs.

2.7.3

All members of the University Faculty are entitled to the benefits and privileges listed in the Benefits and Privileges section of this *Manual*.

3.0  
**APPOINTMENTS**

3.1  
**General Policy**

The University wishes to maintain the highest possible standards of teaching, scholarship and patient care at the University of Miami, to ensure faculty members full academic freedom, and to enable the University to rely on the continuous service of an able faculty.

To ensure teaching and scholarship of high quality in an atmosphere of academic integrity and mutual confidence, it is the policy of the University to provide stability and continuity of appointment for the faculty member at the University.

3.2  
**Kinds of Appointments**

Each member of the General Faculty shall be appointed to one of the following categories:

3.2.1  
**Appointments to the Regular Faculty**

Appointments to the Regular Faculty provide either for tenure with initial appointment or for tenure consideration during a probationary period if appointment is not terminated during that period.

3.2.2  
**Regular Appointments With Limited Financial Support**

*[This section, with section 2.2.3, constitutes a separate Senate action, Legislation #87006.]*

Regular appointments with limited financial support may be made only in the School of Medicine. "Limited financial support" defines the minimum level of salary support which the University is obligated to provide tenured members of the faculty. The dollar amount of the minimum level of salary support is calculated by a formula established by the School Council of the School of Medicine and approved by the Dean of the School of Medicine and the President. The amount of limited financial support may not be decreased except in times of declared financial exigency.

The President of the University shall determine annually which sources and amounts of funds the School of Medicine may consider sufficiently secure to be used in providing limited financial support for tenured members of the faculty. In making this determination, the General and Educational budget of the School of Medicine shall be considered the most secure source. Other secure sources may include, but are not limited to: Veterans Administration Medical Center; Professional Income Plan; and Dade County (Jackson Memorial Hospital/Public Health Trust). Research grants and contracts are not considered sufficiently secure to

warrant their use in fulfilling the obligations associated with tenure with limited financial support.

### 3.2.3

#### **Appointments not Involving Tenure**

Faculty members holding Research, Educator or Associated appointments shall not be eligible for tenure.

### 3.3

#### **Term Appointments**

Term appointments are issued for a defined period of time specified in the letter of appointment. Appointment to the Associated Faculty is automatically terminated at the conclusion of the period specified in the letter of the appointment. Research and Educator Faculty have term appointments. Regular faculty with probationary appointments are not considered to have term appointments.

### 3.4

#### **Notice of Termination for Research and Educator Faculty**

Research Faculty members, faced with termination as a result of the cessation of external support, are entitled to one month's notice with pay for each year of full-time continuous service as a Research Faculty member at the University up to a maximum of twelve months for twelve or more years of service. The Research Faculty member will be expected to perform normal faculty duties during the notice period and such pay will cease upon the availability of other grant support at the University or initiation of employment elsewhere. Notice so used may be re-earned at the rate of one month per year up to the maximum of twelve months.

*[This constitutes a separate Senate action, Legislation #88011 taken from p.55 of Manual.]*

An Educator appointment to the faculty may be terminated at the close of any academic year by written notice, either by the University of intnetion not to appoint or by the faculty member not to return. A decision not to reappoint needs no justification. Such written notice by the University shall be given in accordance with the following standards:

1. Not later than March 1st of the first academic year of service, if the appointment is to expire at the end of that year.
2. Not later than December 15 of the second year of academic service, if the appointment is to expire at the end of that year.
3. After two or more years of service, at least twelve months before the expiration of an appointment.

Notice of termination by a faculty member shall be given either six months prior to the termination of the appointment or by the time specified for the return of salary memoranda for the following year.

Faculty who change from a regular appointment to a research or educator appointment shall receive one month's notice for each year's service in the regular appointment.

### 3.5

#### **Terms in Writing**

All appointments shall specify, in writing, whether they are Regular, Research, Educator or Associated appointments and, in the case of untenured Regular Faculty, the expiration of the probationary period. All appointments shall specify rank and salary.

### 3.6

#### **Probationary Period for Regular Appointments**

The probationary period before the award of tenure is six (6) years at the University of Miami.

#### 3.6.1

##### **Credit for Prior Service**

Persons with appropriate experience at other comparable institutions may be awarded up to three years credit toward the probationary period by the President following a recommendation of the Dean upon consultation with the Chair. Persons granted credit for prior service under section 3.6.1 shall have their probationary period appropriately reduced, but in no case shall a probationary period be established for less than three years.

#### 3.6.2

##### **Waiver of Prior Service**

During the first year of appointment, faculty members may waive credit for applicable prior service at another institution.

#### 3.6.3

##### **Early Award of Tenure**

A faculty member holding a regular appointment is normally considered for tenure during the sixth year of the probationary period, but in unusual circumstances may be awarded tenure at any other time during the probationary period. Faculty members wishing to be considered for tenure before the expiration of the probationary period should consult with the Chair or Dean. Any consideration of a faculty member for the early award of tenure shall have no prejudicial effect on reconsideration through the sixth year of the probationary period.

#### 3.6.4

##### **Term of Probationary Appointments**

The University permits initial probationary appointments for terms of one, two or three years, provided that the term of the appointment is uniform within the School. A substantive review of the appointee shall occur as provided in Sections 9.6-9.10 below, and, if the conclusion is favorable, the appointment shall be renewed with the final review for tenure occurring in the sixth year. If sixth year review is unfavorable, the appointee shall be granted a one year terminal appointment. Where evidence of unsatisfactory performance exists during the term

of any appointment, an early substantive review of the appointee may be initiated by the voting faculty, Chair or Dean.

### 3.6.5

#### **Definition Probationary Year**

The probationary period shall begin with the first September of the Faculty member's appointment. The first probationary year shall end on the following May 31.

### 3.6.6

#### **Notice of Termination of a Probationary Appointment**

During the probationary period, a regular appointment to the faculty may be terminated at the close of the term of the appointment by written notice, either by the University of intention not to reappoint or by the faculty member of intention not to return. Notice of termination by the faculty member shall be given prior to the expiration of the appointment.

Schools with probationary appointments for a term of one year shall observe the following notice requirements: Not later than March 15 during the first appointment; not later than December 15 during the second appointment. With the third and following appointments notice of a full year is required

Schools with probationary appointments for a term of two years shall observe the following notice requirements: Not later than December 15 of the second year of the first appointment and with the second and following appointments notice of a full year is required.

Schools with probationary appointments for a term of three year shall give notice of a full year.

The justification of a decision by the University not to reappoint need not be communicated to the faculty member, but shall be made in accord with established University standards.

### 3.7

#### **Term Appointments Following Retirement**

According to the University retirement plans, the official retirement age at the University of Miami is 65 years and the incumbent may complete the fiscal year in which the 65th birthday occurs. Faculty members terminate their regular employment with the University at the end of the academic year (June 1 to May 31) in which they reach age seventy (70). At the discretion of the President, faculty members may be requested to continue to serve full-time after that year on a year-to-year basis, provided the concerned department or school initiates the request. Faculty members may not be continued beyond the fiscal year in which they reach the age of 72 without the approval of the Board of Trustees. Faculty members under consideration for full-time appointment beyond the retirement age shall be notified of the decision as early as possible.



## **4.0 TENURE**

### **4.1 Administrators and Tenure**

#### **4.1.1**

Tenure at the University of Miami shall be awarded to persons only in their capacities as faculty members in academic departments. In no case is tenure applicable of persons in their administrative capacities.

#### **4.1.2**

Academic deans and academic directors are eligible for the award of tenure as faculty members in the academic departments of their specialization, but not in their administrative posts. No other persons engaged in administrative duties are eligible for the award of tenure nor shall the period of time during which such persons are employed in positions with administrative duties be counted toward the completion of the probationary period for tenure, unless each of the following conditions is satisfied:

1) During the period of employment in question such persons must devote more than fifty percent of their total work time to teaching, research, patient care or other activities of an academically-related nature.

2) The division of such persons' efforts between administrative duties and teaching, research, patient care or other activities of an academically-related nature must be specifically documented each semester, and must be certified by the appropriate academic dean who shall make such documentation part of the faculty personnel records of such persons.

### **4.2 Attainment of Tenure**

#### **4.2.1**

Tenure shall not be awarded to faculty members serving under any type of Research, Educator or Associated appointment. Regular appointments that are not accompanied by an initial award of tenure shall specify the expiration date of the probationary period.

#### **4.2.2**

By April 15 of the year in which the probationary period would normally expire, the process should culminate in a tenure decision by the Board of Trustees, which is the final authority for the award of tenure. If the process of tenure consideration has not been completed by this date, the faculty member may ask the President, in writing, to direct that the process be completed immediately.

#### **4.2.3**

Tenure shall not be awarded at the rank of assistant professor.

4.2.4

Promotion to the rank of professor awards tenure at the time of promotion. A faculty member initially appointed to the rank of associate professor or professor is eligible for tenure at any time upon recommendation of the voting faculty of the department.

4.2.5

The faculty member shall be advised in writing at the time of initial appointment, of the substantive standards and procedures generally employed in decisions affecting reappointment and tenure. Any special standards adopted by the faculty member's department or school under the provisions of Section 9.1.2, below, shall also be communicated to the faculty member in writing by the Chair or the Dean.

4.3

**Meaning of Tenure**

4.3.1

Faculty members having tenure shall have appointments continued from year to year without necessity for annual or other renewal thereof.

4.3.2

Tenure implies that the faculty member shall accede to reasonable requests to redistribute efforts between teaching and research, to accept classes assigned, whether in day or evening hours, and, in an emergency and for the period thereof, to accept such other reasonable assignments as may be deemed necessary by the University.

4.3.3

Tenure does not imply any promise of promotion or any regular increase in salary, but it does assure the faculty member of participation in any general change in the salary scale. It also assures the faculty member of provisions for general working conditions on the same basis as other faculty members in the same academic areas who have similar professional activities and duties.

4.3.4

Tenure of a faculty member shall continue until death, resignation, retirement, termination for cause, or, in extraordinary circumstances, because of financial exigency or reorganization.

4.4

**Termination of Tenure  
Because of Declared Financial Exigency or Reorganization**

4.4.1

If it appears that a tenure appointment may need to be terminated because of financial exigency or because of reorganization brought about by decline in enrollment, lack of funds to support an activity, or change of course offerings, the President shall consult with the Faculty Senate Council.

4.4.2

The purposes of such consultation shall be to explain the reasons why reduction is necessary, to explore the equities of the situation, including consideration of the best interests of the University and due consideration for the faculty members involved, and to attempt to arrive at an alternative solution. If no alternative is practicable and a position must be so discontinued, such a position shall not be filled for a period of two years unless the released faculty member has been offered reappointment and has declined.

4.4.3

If the appointment of a faculty member with tenure is terminated by the University, one year's notice shall be given except in cases of termination for cause involving serious immediate injury to the University.

4.5

**Obligations of Tenure**

A faculty member having the rights and privileges of tenure shall in turn have the continuing obligation to maintain and improve professional competence to render efficient service to the University. Faculty members may accept an assignment to administrative duties and position without interrupting or impairing their tenure, but tenure shall apply only to their rank and service on the faculty, an administrative assignment being subject to change at any time by authority of the President.

4.6

**Retention of Existing Rights**

Nothing stated herein shall be interpreted to affect adversely rights acquired by faculty members under previously existing tenure policies at the University of Miami.

5.0

**ACADEMIC FREEDOM**

All members of the General Faculty are entitled to academic freedom as defined in the 1940 Statement of Principles of Academic Freedom and Tenure, as amended, formulated by the Association of American Colleges and the American Association of University Professors. This statement is reproduced on pp. xx of the *Manual*.

## 6.0 SCHOLARLY AND PROFESSIONAL QUALIFICATIONS OF THE FACULTY

### 6.1

#### Mission of the Faculty

The basic functions of a university are to preserve, augment, criticize and transmit knowledge and to foster creative capacities. Its chief instrument for performing these functions is the faculty, and its success in doing so depends on the quality of the faculty. The policy of this University is to enlist, develop and retain distinguished faculty members with outstanding qualifications.

### 6.2

#### Requirement for Scholarship

Scholarship embraces inquiry, research, and creative professional performance and activity. Scholarship is required for effective teaching and is the obligation of all members of the faculty. Scholarship may be judged by the character of the advanced degree, by contributions to knowledge in the form of publication and instruction, by reputation among other scholars and professional persons, and by the performance of students.

The scholarly function of a university requires the appointment of faculty members devoted to inquiry and research. Among the criteria for evaluating research are publication of books by nationally recognized presses, and of articles and reviews of a scholarly nature in books, periodicals and technical reports nationally recognized in the profession; the directing of scholarly work by students working on advanced degrees; the receipt of professional awards and fellowships; membership on boards and commissions devoted to inquiry; and the judgment of professional colleagues.

Scholarship may be demonstrated by significant achievement in an art related to a faculty member's discipline, such as creative works, original designs, or original procedure. National recognition of such activities is demonstrated: by commissions, awards and prizes from nationally recognized bodies; by performances with nationally recognized companies; by invited presentations, exhibitions, lectures and performances before nationally recognized bodies; by invitations to teach master classes or lead intensive workshops at nationally recognized institutions; and by reviews of performance and creative works in nationally recognized journals, magazines and newspapers.

Promotion, tenure, and merit salary increases should recognize these scholarly achievements. Whenever possible, Chairs shall reduce other duties for those faculty engaged in these activities.

### 6.3

#### Teaching

The educational function of a university requires the appointment of faculty who are effective teachers. Among the meant to evaluate teaching effectiveness are: 1) the informed judgment of colleagues; 2) the performance of students; and 3) qualified student opinion. Promotion, tenure, and merit salary increases should recognize outstanding achievements in teaching.

6.4

**University Service and Administration**

Contributions to committee and administrative activities are recognized as furthering the University's educational function.

6.5

**Recognition of Degrees**

To ensure that faculty members are appropriately qualified, the University of Miami recognizes degrees from universities which are accredited within the United States by the appropriate accrediting association. Other degrees will be individually evaluated.

6.6

**Scholarly and Professional Qualifications  
for Each Rank of the Regular Faculty**

6.6.1

**Assistant Professor**

Appointment to the rank of assistant professor requires completion of professional training, in most fields marked by the Ph.D., and the clear promise of a successful career in teaching and scholarship. Appointment to the University Faculty requires a terminal degree. This requirement may be waived by the President upon recommendation of the Provost.

6.6.2

**Associate Professor**

Appointment to the rank of associate professor normally requires a record of substantial success in both teaching and scholarship. In unusual cases an outstanding record in one of these activities and an adequate record in the other may be considered sufficient.

6.6.3

**Professor**

Appointment to the rank of professor requires national recognition in the profession.

7.0  
**DEFINITIONS FOR PROCEDURES FOR THE  
APPOINTMENT, REAPPOINTMENT, PROMOTION,  
AND AWARD OF TENURE**

7.1

The *Faculty Charter* in section XII calls for consultation with the voting faculty of the department in recommendations from the department on faculty appointments, reappointments, promotions and award of tenure. Such consultations shall be conducted in accordance with this Policy.

7.2

**Definitions**

For purposes of Sections 7-10 of this Bylaw, the following definitions shall apply:

7.2.1

The term **department** means either a department or a school in the case of an undepartmentalized school.

7.2.2

In an undepartmentalized school the term **Dean** encompasses the role of the Chair.

7.2.3

The term **appropriate faculty** means the Regular Faculty of the department in which the appointment is made.

7.2.4

The **voting faculty** for tenure are those tenured faculty equal or superior in rank to the candidate and for promotion those tenured faculty superior in rank to the candidate.

7.2.5

A person under consideration for appointment, reappointment, promotion or tenure is termed a **candidate**.

7.3

**Voting Rights**

No person may vote at more than one level of review on questions of appointment, reappointment, promotion or tenure.

Faculty members who devote more than fifty percent personal effort to administrative duties other than departmental and whose duties may involve the review of candidates, shall not participate in the vote of a department with regard to any recommendation for promotion or the award of tenure.

8.0  
**INITIAL APPOINTMENT**

8.1

The entire Regular Faculty of a department are entitled to vote on each new appointment. In periods of recess, in summer sessions, and in departments with thirty-five or more members a committee of at least five members of the voting faculty shall be appointed, at the discretion of the Chair and in accordance with departmental bylaws, to vote on the candidate.

8.2

The voting faculty shall have an opportunity to review supporting materials of the candidate. In addition, when candidates are brought to campus, the voting faculty shall have a reasonable opportunity to interview and to attend a professional presentation by the candidate.

8.3

A Consultative Committee shall vote on the nominees by each committee member indicating the order of preference, if there is more than one nominee, and the disapproval of individual nominees. The numerical results of each member's ordered preferences, recorded anonymously, shall be reported by the committee to the appointing agent.

9.0  
**REVIEW OF THE FACULTY FOR  
REAPPOINTMENT, PROMOTION,  
AND THE AWARD OF TENURE**

9.1  
**Notification of Standards and Procedures**

9.1.1

At the time of initial appointment, each faculty member shall be advised in writing by the President of the substantive standards outlined in Section 6 above and of the procedures generally employed in decisions affecting reappointment, promotion, and tenure.

9.1.2

Special additional criteria may be adopted by departments, by vote of their tenured faculty and with the approval of the school faculty, and by schools by vote of their faculty. Such additional criteria shall not conflict with the *Faculty Manual*. Departments and schools shall consult with the Faculty Senate Council to determine whether such additional standards conform to the *Faculty Manual*. Following certification of the Faculty Senate Council, copies of such special additional criteria shall be provided the Dean and the President.

9.1.3

Each faculty member shall be advised in writing by the Chair of any additional criteria at the time of initial appointment, at the time of their adoption, and before any major review.

9.2

**Review of the Faculty**

In accord with established University policies, a systematic annual evaluation is made of every faculty member, tenured and untenured. Such evaluations are implemented by the Chair observing the guidelines, standards and rights established in Article XII, Sections 12.3 and 12.4 of the *Faculty Charter*. Reappointment, promotion, merit salary increases, and the award of tenure are based on such reviews. Upon completion of this evaluation, in accordance with the procedures described below, the Chair discusses the results with each faculty member and, in the event of unsatisfactory performance, the Chair shall counsel the faculty member as to how to correct any deficiencies. In the extreme case where there appear to be grounds for termination for cause, the provisions of Section XX of the University Faculty and Tenure Policy shall be observed. Each Dean reports annually to the President when the review of all members of the faculty has been completed consistent with established University procedures.



9.3

**Types of Review**

The Regular Faculty of each school and department undertakes two types of review of the performance of its members:

*Annual Reviews* of each individual's accomplishments for the purposes of salary increases; and

*Special Reviews* for the purposes of reappointment, promotion, and the award of tenure.

The Research and Educator Faculty of each school are subject to Annual Reviews and Special Reviews for the purposes of reappointment and promotion.

9.4

**Faculty Files**

The file of the candidate shall be the basis for the deliberations at each state of the reviews.

Each faculty member shall be responsible for maintaining a current statement of his professional activities, arranged according to customary practices and university requirements. This file shall include evidence of: a) educational attainments; b) awards and fellowships; c) funded research projects; d) publications, papers, performances and other scholarly contributions to the profession; e) services to the profession in scholarly bodies and in university agencies; and f) public service to the community relating to scholarship and the profession.

Prior to any faculty consultation or vote, candidates shall have an opportunity to make current their files in the office of the Chair, as described in Bylaw 12.5.

The Chair shall make available to the appropriate voting faculty all relevant materials from the files of each candidate.

9.5

**Annual Reviews**

Each tenured and untenured member of the faculty shall be reviewed annually by the appropriate faculty based upon a systematic evaluation of the past year's work.

9.5.1

For untenured faculty, the Chair shall discuss the results of the Annual Review with each faculty member, and, following this discussion, the Chair shall prepare a written statement summarizing the review. This statement shall be placed in the file and shall be made available to the faculty member who may prepare a response to be included in the file.

9.5.2

The Annual Review is complete when the Dean advises the Provost of recommended salary increases.

## 9.6 Special Reviews

A more complete review is required: i) in the year prior to reappointment of a faculty member holding a tenure earning appointment; ii) when promotion to associate professor or professor is to be considered; and iii) in the year prior to the award of tenure. Each **Special Review** shall be conducted as follows:

### 9.6.1 Teaching Evaluation

The file of candidates for reappointment, promotion to associate professor, and tenure shall include an assessment of classroom teaching made by the appropriate voting tenured faculty on the basis of classroom visitation by peers and, where appropriate, an interpretation of the results of formal student evaluations by the Chair. The faculty of each college and school is authorized to develop procedure governing the peer review and classroom visitations by faculty who are evaluating the teaching of non-tenured members.

### 9.6.2 External Letters

The file of a candidate for tenure or for promotion to full professor shall include at least three written evaluations of the scholarly work of the candidate solicited from scholars specializing in the field of work who hold tenured positions at comparable universities.

Such letters are solicited by the Chair following consultation with the candidate and the appropriate voting faculty. The content of letters requesting written evaluations shall be prepared with the approval of the appropriate voting faculty and shall be shown to the candidate. Letters of evaluation are confidential, but such letters may be seen by anyone directly concerned in making the promotion or tenure decision.

Copies of each letter used to solicit external reviews shall be included in the candidate's file. The Chair shall supply the voting faculty and the Dean with a list of external reviewers, indicating how and why each was selected. If outside letters are solicited from reviewers recommended by the candidate, the nature of any relationship shall be indicated. Candidates shall be permitted to identify persons who are thought to be unsuitable external reviewers and the reasons for that judgment.

Exceptions to the need for written external evaluations of the candidate's scholarly work may be made when such letters would not add materially to the candidate's file.

### 9.6.3 Evaluation Committee

After consultation with the appropriate voting faculty, the Dean, upon recommendation of the department, shall appoint an Evaluation Committee consisting of at least five tenured faculty superior in rank to the candidates. They shall be chosen because their research and scholarly activities enable them to assess the candidates' contributions to knowledge. The committee should include faculty from cognate departments or schools, but the Chair of the Committee and a majority of its members should be from the department of the candidate. When there is good

reason to appoint a majority or Chair of the Evaluation Committee from outside the department or school, the Dean shall advise the candidate, the Senate Council, and the President of the justification.

9.6.4

**Formal Written Evaluation.**

The Evaluation Committee shall examine the complete work of the candidate. On the basis of this examination, the Committee shall prepare a detailed written evaluation of the candidate's contribution to knowledge and to the profession. The Committee shall then state whether, in its judgment, reappointment, promotion, or award of tenure is justified. The candidate, the appropriate voting faculty, and the Chair shall be entitled to examine the report. Any of these can, for cause, ask the Committee to reconsider its evaluation.

9.6.5

**Candidate's Statement**

Candidates may present a written career assessment providing the rationale of their work and the significance of their contribution to knowledge and the profession.

9.7.

**Faculty Vote**

The appropriate voting faculty shall be assembled to consult on the candidate. Notice of the meeting shall be in writing, shall provide adequate notice of the date and agenda of the meeting, and shall include the names of candidates under consideration.

9.7.1

After systematic examination of the file, including any Evaluation Committee report, and after deliberation, the voting faculty shall determine by ballot for each candidate whether to recommend reappointment, promotion or tenure. The ballots shall be counted by two designated members of the voting faculty and the results of the ballot announced to the electorate. Following this announcement, the Chair shall prepare a written statement of the views of the voting faculty which shall be circulated to the voting faculty prior to its transmission to the Dean.

9.7.2

Absentee ballots shall not be counted unless they have been submitted prior to the meeting called to consider candidates for tenure, promotion, and appointment. The electorate shall be informed of the numerical results of the ballot.

9.8  
**Role of the Chair.**

9.8.1

The Chair shall prepare and forward a written summary of the recommendation of the voting faculty and a numerical tally of the ballot with the file of the candidate.

9.8.2

The Chair shall not participate in the ballot of the voting faculty, but shall provide a separate recommendation supported by a written evaluation of each candidate. The Chair should make reference to the performance of the candidate in terms of the Annual Reviews and any prior Special Reviews.

9.8.3

The Chair shall forward with the file of the candidate all materials that were considered, the recommendation of the Chair, and the written summary of the voting faculty.

9.8.4

Subsequent to the meeting of the voting faculty, the voting faculty and each candidate shall be informed promptly by the Chair of the relevant recommendations of the voting faculty and of the Chair.

9.9

**Actions of the Dean**

In a departmentalized School, the Dean shall, after reviewing in a written statement the file of each candidate, make a recommendation to the President with regard to each candidate.

9.9.1

**School Advisory Boards**

In departmentalized schools where Deans do not perform the role of Chair in the Annual and Special Reviews, the Faculty of the School may enact a bylaw establishing an Advisory Board consisting of tenured full professors to assist in the review of all candidates for reappointment, promotion and tenure in the School. The bylaw shall prescribe the number, composition and method of selecting the members of the board. Advisory Boards shall examine all the material forwarded by the department and the Chair and shall prepare a written report explaining the reasons for their recommendations. This report shall be included in each candidate's file along with all other materials and forwarded to the Dean. Recommendations of any advisory group not established in accordance with this provision may not be cited or placed in the file of the candidate.

9.9.2

The Dean shall forward the files of all candidates together with the recommendations of the Chair and the voting faculty, and the report of the Advisory Board.

9.9.3

The Dean's recommendation and written statement shall be included in each candidate's file along with all other material and forwarded to the Provost.

9.10

**Provost Actions**

*[This section, with Section 2.1, constitutes a separate Senate action, Legislation #87005.]*

The Provost, as delegated by the President, makes all reappointments and promotions. After reviewing each candidate's file, the Provost shall notify each candidate of his decision to reappoint or promote. When the Provost decides against promotion and there is a positive recommendation from the voting faculty, the Provost should explain his reasons in writing and the candidate should be counseled by his Chair or Dean on what should be done to secure promotion.

10

**Trustee Authority in Tenure**

Tenure may be earned only by a considered action of the University. The Board of Trustees is the final authority for the award of tenure. The award or denial of tenure shall be directly communicated to the candidate by the President immediately following the completion of the tenure process. If the Board denies tenure to a faculty member in the final year of the probationary period, the faculty member shall receive at least twelve (12) months notice prior to the expiration of the appointment.

Faculty Senate Legislation #87001 B

Final Adjustments to Bylaw

1. To cover Educator faculty, insert paragraph X.A, *Manual*, p. 55, as paragraph 1.5 of Bylaw.
2. Paragraph 2.7, change *teach nine or more hours* to **teach more than nine hours**.
3. Paragraph 3.4, delete italicized passage: "*are entitled to a minimum of one month's notice.*"
4. Insert paragraph X.B, *Manual*, p. 55, instead of proposed notification requirements for Educator faculty.

CHANGE IN BYLAW 1.1

Replace on page 28, *Manual*, section 1.1 of Bylaws: This bylaw is intended to clarify the meaning of Section 3.1 of the Faculty Government Charter.

**WITH: These Bylaws and Policies are intended to clarify the meaning of the Faculty Government Charter.**

*Women's Advisory Committee on Academic Affairs*

Prof. Swan, the Vice-chairman, introduced Prof. Mary Coombs, who was substituting for Prof. Dona Alpert, both members of the Women's Advisory Committee on Academic Affairs. She introduced the proposed changes to the Section on Leave of Absence on the Faculty Manual to add childcare provisions for untenured faculty. She explained that the present Manual allows leaves of absence for several reasons that do not include childcare. It was **moved** and **seconded** to request the Committee to submit a new proposal. **The motion carried.**

*External Review in MFA in Motion Pictures*

Prof. Susie Seiler, member of the Ad Hoc Committee on MFA in Communication presented the revised proposal. The new proposal contains the comparative studies of faculties at other universities, a summary of the external review and the Dean's responses to them. It was **moved** by Prof. Swan and **seconded** by Prof. Awad that the Council will consider the proposal for an MFA in Communication, but that the issue will not be forwarded to the Senate until the original recommendations from the external reviewers were presented. **The motion carried.** Prof. Seiler pointed out that the recommendations made by the Committee to the School, the strengthening of critical and analytical studies, an intellectual rationale for the program, and an additional faculty line has been incorporated in the revised proposal. She noted that the budget in the proposal has not yet been revised, but the revision will be ready before the next meeting of the Faculty Senate.

*Report on the Bylaw on Faculty Appointment, Promotion and Tenure*

Prof. Knoblock informed the Council that the President had agreed to sign the Bylaw if the following changes were approved by the Council and Senate Faculty. To cover Educator faculty, insert paragraph X.A, from page 55 in the Manual, as paragraph 1.5 of Bylaw. Change in Paragraph 2.7, *teach nine or more hours to teach more than nine hours*. Delete in Paragraph 3.4 italicized passage: "are entitled to a *minimum of one month's notice.*" Insert Paragraph X.B, *Manual*, page 55, instead of proposed notification requirements for Educator faculty. Replace on page 28, *Manual*, section 1.1 of Bylaws to **These Bylaws and Policies are intended to clarify the meaning of the Faculty Government Charter.**

*Fraud and Misconduct*

Prof. Eckstein introduced to the Council the report of the Committee on Misconduct. The Committee, he stated, is trying to fit federal requirements for sponsored research into the existing structure of the Faculty Manual. The Committee proposed the organization of a group that could set the methods to carry

MEMORANDUM

TO: President Edward T. Foote II

FROM: Dr. George C. Alexandrakis  
Chairman, Faculty Senate

DATE: December 6, 1988

SUBJECT: Faculty Senate Legislation #87001(B) -  
Bylaw on Faculty Appointment, Promotion and Tenure

The Faculty Senate, at its meeting of October 17, 1988, voted to approve Faculty Senate Legislation #87001(B) - Bylaw on Faculty Appointment, Promotion and Tenure. The text of the legislation is attached.

This legislation is now forwarded for your action.

GCA:b

Attachment

cc: Provost Luis Glaser



7.0  
**DEFINITIONS FOR PROCEDURES FOR THE  
APPOINTMENT, REAPPOINTMENT, PROMOTION,  
AND AWARD OF TENURE**

7.1

The *Faculty Charter* in section XII calls for consultation with the voting faculty of the department in recommendations from the department on faculty appointments, reappointments, promotions and award of tenure. Such consultations shall be conducted in accordance with this Bylaw.

7.2

**Definitions**

For purposes of Sections 7-10 of this Bylaw, the following definitions shall apply:

7.2.1

The term **department** means either a department or a school in the case of an undepartmentalized school.

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In an undepartmentalized school the term **Dean** encompasses the role of the Chair.

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No person may vote at more than one level of review on questions of appointment, reappointment, promotion or tenure.

Faculty members who devote more than fifty percent personal effort to administrative duties other than departmental and whose duties may involve the review of candidates, shall not participate in the vote of a department with regard to any recommendation for promotion or the award of tenure.

BYLAW ON FACULTY STATUS, TITLES,  
APPOINTMENT, REAPPOINTMENT, PROMOTION  
AND THE AWARD OF TENURE

**Faculty Senate Actions,  
Consolidated Version**  
87001, 87005, 87006, 87008, 87014  
Class B Legislation

1.0  
**DEFINITIONS**

1.1

The General Faculty shall consist of the University Faculty and the Associated Faculty.

1.2

The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

1.3

The Regular Faculty shall consist of all faculty having tenured or tenure-earning positions and holding the rank of Professor, Associate Professor, or Assistant Professor.

1.4

The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

1.5

*Added* Faculty members with such titles as "rank" of Clinical "name of department", (e.g. Professor of Clinical Surgery), are physicians who hold term appointments in the clinical departments of the School of Medicine. These are granted to physicians who choose to concentrate on clinical performance and its use as a teaching tool. Such faculty are full-time and, if salaried by the University, are subject to a ceiling. They are entitled to the perquisites of other full-time faculty with the exception of award of tenure and participation in faculty government at the School and University level. This title shall be considered a modified title and therefore can not become a regular appointment.

1.6

The Associated Faculty are all faculty with professorial titles prefixed by Clinical, except in the School of Law, (e.g., Clinical Professor of Surgery) or by Adjunct, Visiting, or Affiliated, and all Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

1.7

The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair or Dean, and ratification of Amendments to the *Faculty Charter*.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the General Faculty may vote only once on a single question. Persons holding joint appointments must designate a school or department in which to exercise their voting rights on university matters. Persons holding appointive administrative position may not vote on any matter which is subject to review or other action by their office.

1.8

Change of Type of Faculty Appointment

1.8.1

Any member of the Research or Educator faculty may initiate a request to be considered for appointment to the Regular Faculty of the University. The decision on that request must be made in accordance with the standards and procedures applicable to initial appointment to the Regular Faculty as set forth in the *Faculty Charter* and these Bylaws, including Sections 6 and 8. If the requested appointment to the Regular faculty is made, but without an immediate grant of tenure, the period served as a member of the Research or Educator faculty may, if requested by the faculty member and approved by the President, be credited toward the probationary period for Regular Faculty appointments as provided in Sections 3.6 and 3.6.1 of these Bylaws.

1.8.2

Any member of the Regular Faculty of the University, during their probationary period as defined in Section 3.6 of these Bylaws, may initiate a request to be considered for appointment to the Research or Educator Faculty. The decision on that request shall be made by the President upon recommendation of the Regular Faculty of the department and the Dean of the School.

1.8.3

Members of the Regular Faculty who have become members of the Research or Educator Faculty under the provisions of Section 1.8.2 may not subsequently be appointed to the Regular Faculty except as a tenured Professor.

2.0  
**THE FACULTY**

2.1  
**Appointive Authorities**

*[This section, with section 9.10, constitutes a separate Senate action, Legislation #87005.]*

The power to appoint and remove both administrative officers and members of the General Faculty is vested in the Board of Trustees. The Board of Trustees shall appoint the President of the University.

The President, by authority of the Board of Trustees, shall select the Provost, the Deans, and the administrative officers and shall appoint the General Faculty of the University. The President is the presiding officer of the General Faculty.

The Provost, as delegated by authority of the President, shall make appointments to the General Faculty and promote members of the General Faculty to higher ranks.

All appointments to the General Faculty and promotions to higher ranks shall be made in accordance with the procedures set forth in the *Faculty Charter*, Section XII, and in this Bylaw.

2.2  
**Faculty Status**

2.2.1

All University Faculty shall be deemed to have full-time status. Unless on sabbatical or other approved leave, University Faculty shall be deemed to be "in residence." University Faculty members may request reduced teaching and research loads for reduced pay while retaining all rights and privileges. Associated Faculty may have either full-time or part-time status as established by their contracts with the University.

2.2.2

While under contract all members of the University Faculty in residence shall be entitled to an average of one working day of consultation per week, either on a part-time or self-employed basis, unless a written exception allowing additional time is issued by the President.

2.2.3

[This section, with section 3.2.2, constitutes a separate Senate action, Legislation #87006.]

A member of the General Faculty shall be compensated from University approved sources, but not necessarily by the University. The fact that the salary of a member of the Regular Faculty is paid from non-University sources does not affect the faculty member's tenure status.

2.3

**Joint Appointments**

Members of the University Faculty may hold appointments in two or more schools or in two or more departments within a school. Such appointments imply financial support from both academic units and should be made to promote interdisciplinary or inter-professional teaching and research. Recommendations on salary, merit increases, promotion, and tenure, and assignment of teaching and research responsibilities shall be determined by both of the units involved. The holder of a joint appointment shall be entitled to vote in both units, but may not vote twice on the same question. All Participating Faculty in the Graduate School of International Studies shall hold joint appointments. In all joint appointments, one unit shall be designated as the "unit of primary administrative responsibility" for such matters as salary, promotion, tenure, and teaching assignment. Persons holding joint appointments must designate the unit of primary administrative responsibility as the school or department in which to exercise their voting rights on university matters.

2.4

**Secondary Appointments**

Members of the General Faculty may hold secondary appointments in departments or schools where they have a professional interest and in which they occasionally work. Holders of secondary appointments do not have tenure in, nor need they be compensated by, the secondary unit. Limited voting privileges may be extended by the secondary department in accordance with the provisions of Section 8.2 of the *Charter*.

2.5

**Titles of Associated Faculty**

2.5.1

**Visiting Faculty**

The term "Visiting" is prefixed to the title of persons who are expected to teach and/or engage in research or clinical activities at the University of Miami for a limited period of time only. Faculty members may be appointed with the visiting title for no more than two consecutive one-year terms.

2.5.2

**Adjunct Faculty**

The term "Adjunct" is prefixed to the title of persons who collaborate in some special way in the academic work of the University.

2.5.3

**Instructors**

The title "Instructor" shall be used only for persons being trained to become members of the University Faculty. Persons who are expected to be appointed to the University Faculty but who have not completed the requirements for a terminal degree in their field must be appointed as Instructor. The President shall make the final determination of "terminal degree" in any field or discipline.

2.5.4

**Affiliated Faculty**

Qualified staff members of hospitals and medical research institutions with which the University has an affiliation agreement may receive appointments as Affiliated Faculty of the Schools of Medicine and Nursing. Such appointments may be continued until normal retirement, subject to annual renewal by the University and continuing employment in the affiliated institution. Affiliated Faculty are not paid by the University, although the University may provide compensation to the institution for the services of such individuals.

2.6

**Emeriti Faculty**

Emeritus status is automatically conferred at the time of retirement upon all University Faculty holding tenure at the University. The President may be petitioned for the award of emeritus status to retired members of the General Faculty and academic administrative personnel who have not held tenure. The names of emeriti faculty are listed in a separate section of the appropriate Bulletin.

2.7

**Privileges and Benefits  
of Associated and Emeriti Faculty**

[*This section constitutes a separate Senate action, Legislation #87008.*]

Associated and Emeriti faculty members are entitled to the following privileges and benefits:

- 1) Any discounts which University Faculty members are eligible to receive including identification cards, bookstore purchases, football tickets, etc.;
- 2) Membership in the Faculty Club, Lowe Museum, and Credit Union;
- 3) Purchase of parking stickers; and
- 4) Purchase of prescription medicines through the University Health Center.

Associated Faculty who teach ~~more than nine~~ hours in any calendar year are considered full-time. Members of the Associated Faculty are entitled to fifty percent (50%) personal tuition remission at the University of Miami after one academic year of continuous employment at the University except in the doctoral programs of the Graduate School and the programs in the Schools of Medicine and Law. Benefits are limited to seven credit hours per semester and four credit hours per summer session.

2.7.1

Full-time visiting faculty are entitled to remission of tuition for themselves and their dependents at the University of Miami consistent with tuition remission policy and are eligible for participation in the group insurance plans but not in the retirement plan.

2.7.2

Adjunct faculty and Instructors who are both full-time and salaried by the University are entitled to participate in the insurance and retirement programs.

2.7.3

All members of the University Faculty are entitled to the benefits and privileges listed in the Benefits and Privileges section of this *Manual*.

3.0  
**APPOINTMENTS**

3.1  
**General Policy**

The University wishes to maintain the highest possible standards of teaching, scholarship and patient care at the University of Miami, to ensure faculty members full academic freedom, and to enable the University to rely on the continuous service of an able faculty.

To ensure teaching and scholarship of high quality in an atmosphere of academic integrity and mutual confidence, it is the policy of the University to provide stability and continuity of appointment for the faculty member at the University.

3.2  
**Kinds of Appointments**

Each member of the General Faculty shall be appointed to one of the following categories:

3.2.1  
**Appointments to the Regular Faculty**

Appointments to the Regular Faculty provide either for tenure with initial appointment or for tenure consideration during a probationary period if appointment is not terminated during that period.

3.2.2  
**Regular Appointments With Limited Financial Support**

*[This section, with section 2.2.3, constitutes a separate Senate action, Legislation #87006.]*

Regular appointments with limited financial support may be made only in the School of Medicine. "Limited financial support" defines the minimum level of salary support which the University is obligated to provide tenured members of the faculty. The dollar amount of the minimum level of salary support is calculated by a formula established by the School Council of the School of Medicine and approved by the Dean of the School of Medicine and the President. The amount of limited financial support may not be decreased except in times of declared financial exigency.

The President of the University shall determine annually which sources and amounts of funds the School of Medicine may consider sufficiently secure to be used in providing limited financial support for tenured members of the faculty. In making this determination, the General and Educational budget of the School of Medicine shall be considered the most secure source. Other secure sources may include, but are not limited to: Veterans Administration Medical Center; Professional Income Plan; and Dade County (Jackson Memorial Hospital/Public Health Trust). Research grants and contracts are not considered sufficiently secure to



warrant their use in fulfilling the obligations associated with tenure with limited financial support.

### 3.2.3

#### **Appointments not Involving Tenure**

Faculty members holding Research, Educator or Associated appointments shall not be eligible for tenure.

### 3.3

#### **Term Appointments**

Term appointments are issued for a defined period of time specified in the letter of appointment. Appointment to the Associated Faculty is automatically terminated at the conclusion of the period specified in the letter of the appointment. Research and Educator Faculty have term appointments. Regular faculty with probationary appointments are not considered to have term appointments.

### 3.4

#### **Notice of Termination for Research and Educator Faculty**

Research Faculty members, faced with termination as a result of the cessation of external support, are entitled to ~~one month's notice~~ with pay for each year of full-time continuous service as a Research Faculty member at the University up to a maximum of twelve months for twelve or more years of service. The Research Faculty member will be expected to perform normal faculty duties during the notice period and such pay will cease upon the availability of other grant support at the University or initiation of employment elsewhere. Notice so used may be re-earned at the rate of one month per year up to the maximum of twelve months.

A clinician-educator appointment to the faculty may be terminated at the close of any academic year by written notice, either by the University of intnetion not to appoint or by the faculty member not to return. A decision not to reappoint needs no justification. Such written notice by the University shall be given in accordance with the following standards:

1. Not later than March 1st of the first academic year of service, if the appointment is to expire at the end of that year.
2. Not later than December 15 of the second year of academic service, if the appointment is to expire at the end of that year.
3. After two or more years of service, at least twelve months before the expiration of an appointment.

Notice of termination by a faculty member shall be given either six months prior to the termination of the appointment or by the time specified for the return of salary memoranda for the following year.

Added

Faculty who change from a regular appointment to a research or educator appointment shall receive one month's notice for each year's service in the regular appointment.

### 3.5

#### **Terms in Writing**

All appointments shall specify, in writing, whether they are Regular, Research, Educator or Associated appointments and, in the case of untenured Regular Faculty, the expiration of the probationary period. All appointments shall specify rank and salary.

### 3.6

#### **Probationary Period for Regular Appointments**

The probationary period before the award of tenure is six (6) years at the University of Miami.

#### 3.6.1

##### **Credit for Prior Service**

Persons with appropriate experience at other comparable institutions may be awarded up to three years credit toward the probationary period by the President following a recommendation of the Dean upon consultation with the Chair. Persons granted credit for prior service under section 3.6.1 shall have their probationary period appropriately reduced, but in no case shall a probationary period be established for less than three years.

#### 3.6.2

##### **Waiver of Prior Service**

During the first year of appointment, faculty members may waive credit for applicable prior service at another institution.

#### 3.6.3

##### **Early Award of Tenure**

A faculty member holding a regular appointment is normally considered for tenure during the sixth year of the probationary period, but in unusual circumstances may be awarded tenure at any other time during the probationary period. Faculty members wishing to be considered for tenure before the expiration of the probationary period should consult with the Chair or Dean. Any consideration of a faculty member for the early award of tenure shall have no prejudicial effect on reconsideration through the sixth year of the probationary period.

#### 3.6.4

##### **Term of Probationary Appointments**

The University permits initial probationary appointments for terms of one, two or three years, provided that the term of the appointment is uniform within the School. A substantive review of the appointee shall occur as provided in Sections 9.6-9.10 below, and, if the conclusion is favorable, the appointment shall be renewed with the final review for tenure occurring in the sixth year. If sixth year review is unfavorable, the appointee shall be granted a one year terminal appointment. Where evidence of unsatisfactory performance exists during the term of any appointment, an early substantive review of the appointee may be initiated by the voting faculty, Chair or Dean.

### 3.6.5

#### **Definition Probationary Year**

The probationary period shall begin with the first September of the Faculty member's appointment. The first probationary year shall end on the following May 31.

### 3.6.6

#### **Notice of Termination of a Probationary Appointment**

During the probationary period, a regular appointment to the faculty may be terminated at the close of the term of the appointment by written notice, either by the University of intention not to reappoint or by the faculty member of intention not to return. Notice of termination by the faculty member shall be given prior to the expiration of the appointment.

Schools with probationary appointments for a term of one year shall observe the following notice requirements: Not later than March 15 during the first appointment; not later than December 15 during the second appointment. With the third and following appointments notice of a full year is required

Schools with probationary appointments for a term of two years shall observe the following notice requirements: Not later than December 15 of the second year of the first appointment and with the second and following appointments notice of a full year is required.

Schools with probationary appointments for a term of three year shall give notice of a full year.

The justification of a decision by the University not to reappoint need not be communicated to the faculty member, but shall be made in accord with established University standards.

### 3.7

#### **Term Appointments Following Retirement**

According to the University retirement plans, the official retirement age at the University of Miami is 65 years and the incumbent may complete the fiscal year in which the 65th birthday occurs. Faculty members terminate their regular employment with the University at the end of the academic year (June 1 to May 31) in which they reach age seventy (70). At the discretion of the President, faculty members may be requested to continue to serve full-time after that year on a year-to-year basis, provided the concerned department or school initiates the request. Faculty members may not be continued beyond the fiscal year in which they reach the age of 72 without the approval of the Board of Trustees. Faculty members under consideration for full-time appointment beyond the retirement age shall be notified of the decision as early as possible.

## 4.0 TENURE

### 4.1 Administrators and Tenure

#### 4.1.1

Tenure at the University of Miami shall be awarded to persons only in their capacities as faculty members in academic departments. In no case is tenure applicable of persons in their administrative capacities.

#### 4.1.2

Academic deans and academic directors are eligible for the award of tenure as faculty members in the academic departments of their specialization, but not in their administrative posts. No other persons engaged in administrative duties are eligible for the award of tenure nor shall the period of time during which such persons are employed in positions with administrative duties be counted toward the completion of the probationary period for tenure, unless each of the following conditions is satisfied:

1) During the period of employment in question such persons must devote more than fifty percent of their total work time to teaching, research, patient care or other activities of an academically-related nature.

2) The division of such persons' efforts between administrative duties and teaching, research, patient care or other activities of an academically-related nature must be specifically documented each semester, and must be certified by the appropriate academic dean who shall make such documentation part of the faculty personnel records of such persons.

#### 4.2

### Attainment of Tenure

#### 4.2.1

Tenure shall not be awarded to faculty members serving under any type of Research, Educator or Associated appointment. Regular appointments that are not accompanied by an initial award of tenure shall specify the expiration date of the probationary period.

#### 4.2.2

By April 15 of the year in which the probationary period would normally expire, the process should culminate in a tenure decision by the Board of Trustees, which is the final authority for the award of tenure. If the process of tenure consideration has not been completed by this date, the faculty member may ask the President, in writing, to direct that the process be completed immediately.

#### 4.2.3

Tenure shall not be awarded at the rank of assistant professor.

4.2.4

Promotion to the rank of professor awards tenure at the time of promotion. A faculty member initially appointed to the rank of associate professor or professor is eligible for tenure at any time upon recommendation of the voting faculty of the department.

4.2.5

The faculty member shall be advised in writing at the time of initial appointment, of the substantive standards and procedures generally employed in decisions affecting reappointment and tenure. Any special standards adopted by the faculty member's department or school under the provisions of Section 9.1.2, below, shall also be communicated to the faculty member in writing by the Chair or the Dean.

4.3

**Meaning of Tenure**

4.3.1

Faculty members having tenure shall have appointments continued from year to year without necessity for annual or other renewal thereof.

4.3.2

Tenure implies that the faculty member shall accede to reasonable requests to redistribute efforts between teaching and research, to accept classes assigned, whether in day or evening hours, and, in an emergency and for the period thereof, to accept such other reasonable assignments as may be deemed necessary by the University.

4.3.3

Tenure does not imply any promise of promotion or any regular increase in salary, but it does assure the faculty member of participation in any general change in the salary scale. It also assures the faculty member of provisions for general working conditions on the same basis as other faculty members in the same academic areas who have similar professional activities and duties.

4.3.4

Tenure of a faculty member shall continue until death, resignation, retirement, termination for cause, or, in extraordinary circumstances, because of financial exigency or reorganization.

4.4

**Termination of Tenure  
Because of Declared Financial Exigency or Reorganization**

4.4.1

If it appears that a tenure appointment may need to be terminated because of financial exigency or because of reorganization brought about by decline in enrollment, lack of funds to support an activity, or change of course offerings, the President shall consult with the Faculty Senate Council.

4.4.2

The purposes of such consultation shall be to explain the reasons why reduction is necessary, to explore the equities of the situation, including consideration of the best interests of the University and due consideration for the faculty members involved, and to attempt to arrive at an alternative solution. If no alternative is practicable and a position must be so discontinued, such a position shall not be filled for a period of two years unless the released faculty member has been offered reappointment and has declined.

4.4.3

If the appointment of a faculty member with tenure is terminated by the University, one year's notice shall be given except in cases of termination for cause involving serious immediate injury to the University.

4.5

**Obligations of Tenure**

A faculty member having the rights and privileges of tenure shall in turn have the continuing obligation to maintain and improve professional competence to render efficient service to the University. Faculty members may accept an assignment to administrative duties and position without interrupting or impairing their tenure, but tenure shall apply only to their rank and service on the faculty, an administrative assignment being subject to change at any time by authority of the President.

4.6

**Retention of Existing Rights**

Nothing stated herein shall be interpreted to affect adversely rights acquired by faculty members under previously existing tenure policies at the University of Miami.

5.0

**ACADEMIC FREEDOM**

All members of the General Faculty are entitled to academic freedom as defined in the 1940 Statement of Principles of Academic Freedom and Tenure, as amended, formulated by the Association of American Colleges and the American Association of University Professors. This statement is reproduced on pp. xx of the *Manual*.

## 6.0 SCHOLARLY AND PROFESSIONAL QUALIFICATIONS OF THE FACULTY

### 6.1 Mission of the Faculty

The basic functions of a university are to preserve, augment, criticize and transmit knowledge and to foster creative capacities. Its chief instrument for performing these functions is the faculty, and its success in doing so depends on the quality of the faculty. The policy of this University is to enlist, develop and retain distinguished faculty members with outstanding qualifications.

### 6.2 Requirement for Scholarship

Scholarship embraces inquiry, research, and creative professional performance and activity. Scholarship is required for effective teaching and is the obligation of all members of the faculty. Scholarship may be judged by the character of the advanced degree, by contributions to knowledge in the form of publication and instruction, by reputation among other scholars and professional persons, and by the performance of students.

The scholarly function of a university requires the appointment of faculty members devoted to inquiry and research. Among the criteria for evaluating research are publication of books by nationally recognized presses, and of articles and reviews of a scholarly nature in books, periodicals and technical reports nationally recognized in the profession; the directing of scholarly work by students working on advanced degrees; the receipt of professional awards and fellowships; membership on boards and commissions devoted to inquiry; and the judgment of professional colleagues.

Scholarship may be demonstrated by significant achievement in an art related to a faculty member's discipline, such as creative works, original designs, or original procedure. National recognition of such activities is demonstrated: by commissions, awards and prizes from nationally recognized bodies; by performances with nationally recognized companies; by invited presentations, exhibitions, lectures and performances before nationally recognized bodies; by invitations to teach master classes or lead intensive workshops at nationally recognized institutions; and by reviews of performance and creative works in nationally recognized journals, magazines and newspapers.

Promotion, tenure, and merit salary increases should recognize these scholarly achievements. Whenever possible, Chairs shall reduce other duties for those faculty engaged in these activities.

### 6.3 Teaching

The educational function of a university requires the appointment of faculty who are effective teachers. Among the meant to evaluate teaching effectiveness are: 1) the informed judgment of colleagues; 2) the performance of students; and 3) qualified student opinion. Promotion, tenure, and merit salary increases should recognize outstanding achievements in teaching.

6.4

**University Service and Administration**

Contributions to committee and administrative activities are recognized as furthering the University's educational function.

6.5

**Recognition of Degrees**

To ensure that faculty members are appropriately qualified, the University of Miami recognizes degrees from universities which are accredited within the United States by the appropriate accrediting association. Other degrees will be individually evaluated.

6.6

**Scholarly and Professional Qualifications  
for Each Rank of the Regular Faculty**

6.6.1

**Assistant Professor**

Appointment to the rank of assistant professor requires completion of professional training, in most fields marked by the Ph.D., and the clear promise of a successful career in teaching and scholarship. Appointment to the University Faculty requires a terminal degree. This requirement may be waived by the President upon recommendation of the Provost.

6.6.2

**Associate Professor**

Appointment to the rank of associate professor normally requires a record of substantial success in both teaching and scholarship. In unusual cases an outstanding record in one of these activities and an adequate record in the other may be considered sufficient.

6.6.3

**Professor**

Appointment to the rank of professor requires national recognition in the profession.



7.0  
**DEFINITIONS FOR PROCEDURES FOR THE  
APPOINTMENT, REAPPOINTMENT, PROMOTION,  
AND AWARD OF TENURE**

7.1

The *Faculty Charter* in section XII calls for consultation with the voting faculty of the department in recommendations from the department on faculty appointments, reappointments, promotions and award of tenure. Such consultations shall be conducted in accordance with this Bylaw.

7.2

**Definitions**

For purposes of Sections 7-10 of this Bylaw, the following definitions shall apply:

7.2.1

The term **department** means either a department or a school in the case of an undepartmentalized school.

7.2.2

In an undepartmentalized school the term **Dean** encompasses the role of the Chair.

7.2.3

The term **appropriate faculty** means the Regular Faculty of the department in which the appointment is made.

7.2.4

The **voting faculty** for tenure are those tenured faculty equal or superior in rank to the candidate and for promotion those tenured faculty superior in rank to the candidate.

7.2.5

A person under consideration for appointment, reappointment, promotion or tenure is termed a **candidate**.

7.3

**Voting Rights**

No person may vote at more than one level of review on questions of appointment, reappointment, promotion or tenure.

Faculty members who devote more than fifty percent personal effort to administrative duties other than departmental and whose duties may involve the review of candidates, shall not participate in the vote of a department with regard to any recommendation for promotion or the award of tenure.

8.0  
**INITIAL APPOINTMENT**

8.1

The entire Regular Faculty of a department are entitled to vote on each new appointment. In periods of recess, in summer sessions, and in departments with thirty-five or more members a committee of at least five members of the voting faculty shall be appointed, at the discretion of the Chair and in accordance with departmental bylaws, to vote on the candidate.

8.2

The voting faculty shall have an opportunity to review supporting materials of the candidate. In addition, when candidates are brought to campus, the voting faculty shall have a reasonable opportunity to interview and to attend a professional presentation by the candidate.

8.3

A Consultative Committee shall vote on the nominees by each committee member indicating the order of preference, if there is more than one nominee, and the disapproval of individual nominees. The numerical results of each member's ordered preferences, recorded anonymously, shall be reported by the committee to the appointing agent.

9.0  
**REVIEW OF THE FACULTY FOR  
REAPPOINTMENT, PROMOTION,  
AND THE AWARD OF TENURE**

9.1  
**Notification of Standards and Procedures**

9.1.1

At the time of initial appointment, each faculty member shall be advised in writing by the President of the substantive standards outlined in Section 6 above and of the procedures generally employed in decisions affecting reappointment, promotion, and tenure.

9.1.2

Special additional criteria may be adopted by departments, by vote of their tenured faculty and with the approval of the school faculty, and by schools by vote of their faculty. Such additional criteria shall not conflict with the *Faculty Manual*. Departments and schools shall consult with the Faculty Senate Council to determine whether such additional standards conform to the *Faculty Manual*. Following certification of the Faculty Senate Council, copies of such special additional criteria shall be provided the Dean and the President.

9.1.3

Each faculty member shall be advised in writing by the Chair of any additional criteria at the time of initial appointment, at the time of their adoption, and before any major review.

9.2

**Review of the Faculty**

In accord with established University policies, a systematic annual evaluation is made of every faculty member, tenured and untenured. Such evaluations are implemented by the Chair observing the guidelines, standards and rights established in Article XII, Sections 12.3 and 12.4 of the *Faculty Charter*. Reappointment, promotion, merit salary increases, and the award of tenure are based on such reviews. Upon completion of this evaluation, in accordance with the procedures described below, the Chair discusses the results with each faculty member and, in the event of unsatisfactory performance, the Chair shall counsel the faculty member as to how to correct any deficiencies. In the extreme case where there appear to be grounds for termination for cause, the provisions of Section XX of the University Faculty and Tenure Policy shall be observed. Each Dean reports annually to the President when the review of all members of the faculty has been completed consistent with established University procedures.

9.3

**Types of Review**

The Regular Faculty of each school and department undertakes two types of review of the performance of its members:

*Annual Reviews* of each individual's accomplishments for the purposes of salary increases; and

*Special Reviews* for the purposes of reappointment, promotion, and the award of tenure.

The Research and Educator Faculty of each school are subject to Annual Reviews and Special Reviews for the purposes of reappointment and promotion.

9.4

**Faculty Files**

The file of the candidate shall be the basis for the deliberations at each state of the reviews.

Each faculty member shall be responsible for maintaining a current statement of his professional activities, arranged according to customary practices and university requirements. This file shall include evidence of: a) educational attainments; b) awards and fellowships; c) funded research projects; d) publications, papers, performances and other scholarly contributions to the profession; e) services to the profession in scholarly bodies and in university agencies; and f) public service to the community relating to scholarship and the profession.

Prior to any faculty consultation or vote, candidates shall have an opportunity to make current their files in the office of the Chair, as described in Bylaw 12.5.

The Chair shall make available to the appropriate voting faculty all relevant materials from the files of each candidate.

9.5

**Annual Reviews**

Each tenured and untenured member of the faculty shall be reviewed annually by the appropriate faculty based upon a systematic evaluation of the past year's work.

9.5.1

For untenured faculty, the Chair shall discuss the results of the Annual Review with each faculty member, and, following this discussion, the Chair shall prepare a written statement summarizing the review. This statement shall be placed in the file and shall be made available to the faculty member who may prepare a response to be included in the file.

9.5.2

The Annual Review is complete when the Dean advises the Provost of recommended salary increases.

9.6

**Special Reviews**

A more complete review is required: i) in the year prior to reappointment of a faculty member holding a tenure earning appointment; ii) when promotion to associate professor or professor is to be considered; and iii) in the year prior to the award of tenure. Each **Special Review** shall be conducted as follows:

9.6.1

**Teaching Evaluation**

The file of candidates for reappointment, promotion to associate professor, and tenure shall include an assessment of classroom teaching made by the appropriate voting tenured faculty on the basis of classroom visitation by peers and, where appropriate, an interpretation of the results of formal student evaluations by the Chair. The faculty of each college and school is authorized to develop procedure governing the peer review and classroom visitations by faculty who are evaluating the teaching of non-tenured members.

9.6.2

**External Letters**

The file of a candidate for tenure or for promotion to full professor shall include at least three written evaluations of the scholarly work of the candidate solicited from scholars specializing in the field of work who hold tenured positions at comparable universities.

Such letters are solicited by the Chair following consultation with the candidate and the appropriate voting faculty. The content of letters requesting written evaluations shall be prepared with the approval of the appropriate voting faculty and shall be shown to the candidate. Letters of evaluation are confidential, but such letters may be seen by anyone directly concerned in making the promotion or tenure decision.

Copies of each letter used to solicit external reviews shall be included in the candidate's file. The Chair shall supply the voting faculty and the Dean with a list of external reviewers, indicating how and why each was selected. If outside letters are solicited from reviewers recommended by the candidate, the nature of any relationship shall be indicated. Candidates shall be permitted to identify persons who are thought to be unsuitable external reviewers and the reasons for that judgment.

Exceptions to the need for written external evaluations of the candidate's scholarly work may be made when such letters would not add materially to the candidate's file.

9.6.3

**Evaluation Committee**

After consultation with the appropriate voting faculty, the Dean, upon recommendation of the department, shall appoint an Evaluation Committee consisting of at least five tenured faculty superior in rank to the candidates. They shall be chosen because their research and scholarly activities enable them to assess the candidates' contributions to knowledge. The committee should include faculty from cognate departments or schools, but the Chair of the Committee and a majority of its

members should be from the department of the candidate. When there is good reason to appoint a majority or Chair of the Evaluation Committee from outside the department or school, the Dean shall advise the candidate, the Senate Council, and the President of the justification.

#### 9.6.4

##### **Formal Written Evaluation.**

The Evaluation Committee shall examine the complete work of the candidate. On the basis of this examination, the Committee shall prepare a detailed written evaluation of the candidate's contribution to knowledge and to the profession. The Committee shall then state whether, in its judgment, reappointment, promotion, or award of tenure is justified. The candidate, the appropriate voting faculty, and the Chair shall be entitled to examine the report. Any of these can, for cause, ask the Committee to reconsider its evaluation.

#### 9.6.5

##### **Candidate's Statement**

Candidates may present a written career assessment providing the rationale of their work and the significance of their contribution to knowledge and the profession.

#### 9.7.

##### **Faculty Vote**

The appropriate voting faculty shall be assembled to consult on the candidate. Notice of the meeting shall be in writing, shall provide adequate notice of the date and agenda of the meeting, and shall include the names of candidates under consideration.

#### 9.7.1

After systematic examination of the file, including any Evaluation Committee report, and after deliberation, the voting faculty shall determine by ballot for each candidate whether to recommend reappointment, promotion or tenure. The ballots shall be counted by two designated members of the voting faculty and the results of the ballot announced to the electorate. Following this announcement, the Chair shall prepare a written statement of the views of the voting faculty which shall be circulated to the voting faculty prior to its transmission to the Dean.

#### 9.7.2

Absentee ballots shall not be counted unless they have been submitted prior to the meeting called to consider candidates for tenure, promotion, and appointment. The electorate shall be informed of the numerical results of the ballot.

9.8  
**Role of the Chair.**

9.8.1

The Chair shall prepare and forward a written summary of the recommendation of the voting faculty and a numerical tally of the ballot with the file of the candidate.

9.8.2

The Chair shall not participate in the ballot of the voting faculty, but shall provide a separate recommendation supported by a written evaluation of each candidate. The Chair should make reference to the performance of the candidate in terms of the Annual Reviews and any prior Special Reviews.

9.8.3

The Chair shall forward with the file of the candidate all materials that were considered, the recommendation of the Chair, and the written summary of the voting faculty.

9.8.4

Subsequent to the meeting of the voting faculty, the voting faculty and each candidate shall be informed promptly by the Chair of the relevant recommendations of the voting faculty and of the Chair.

9.9

**Actions of the Dean**

In a departmentalized School, the Dean shall, after reviewing in a written statement the file of each candidate, make a recommendation to the President with regard to each candidate.

9.9.1

**School Advisory Boards**

In departmentalized schools where Deans do not perform the role of Chair in the Annual and Special Reviews, the Faculty of the School may enact a bylaw establishing an Advisory Board consisting of tenured full professors to assist in the review of all candidates for reappointment, promotion and tenure in the School. The bylaw shall prescribe the number, composition and method of selecting the members of the board. Advisory Boards shall examine all the material forwarded by the department and the Chair and shall prepare a written report explaining the reasons for their recommendations. This report shall be included in each candidate's file along with all other materials and forwarded to the Dean. Recommendations of any advisory group not established in accordance with this provision may not be cited or placed in the file of the candidate.

9.9.2

The Dean shall forward the files of all candidates together with the recommendations of the Chair and the voting faculty, and the report of the Advisory Board.

9.9.3

The Dean's recommendation and written statement shall be included in each candidate's file along with all other material and forwarded to the Provost.

9.10

**Provost Actions**

*[This section, with Section 2.1, constitutes a separate Senate action, Legislation #87005.]*

The Provost, as delegated by the President, makes all reappointments and promotions. After reviewing each candidate's file, the Provost shall notify each candidate of his decision to reappoint or promote. When the Provost decides against promotion and there is a positive recommendation from the voting faculty, the Provost should explain his reasons in writing and the candidate should be counseled by his Chair or Dean on what should be done to secure promotion.

10

**Trustee Authority in Tenure**

Tenure may be earned only by a considered action of the University. The Board of Trustees is the final authority for the award of tenure. The award or denial of tenure shall be directly communicated to the candidate by the President immediately following the completion of the tenure process. If the Board denies tenure to a faculty member in the final year of the probationary period, the faculty member shall receive at least twelve (12) months notice prior to the expiration of the appointment.






Edward T. Foote II  
President

M E M O R A N D U M

October 25, 1988

TO: Dr. George C. Alexandrakis  
Chairman, Faculty Senate

FROM: Edward T. Foote II 

RE: Senate Legislation # 87001: Promotion and  
Tenure

I approve this legislation. Thanks to you and  
all concerned for the significant amount of work  
this represents.

ETF:nbt

Report on the Bylaw on Faculty Appointment,  
Promotion and Tenure

The Provost expressed the following concerns about the proposed school advisory boards to assist the deans in the review process: 1) whether the committee should be obligatory or optional; 2) the composition of the committee; 3) only faculty of appropriate rank should be allowed to vote on issues; and 4) uniformity of process within each school or college. It was *moved* by Dr. Swan, seconded by Dr. Clasby, to draft a bylaw incorporating the following points: 1) it will be mandatory for each departmentalized school to establish an advisory committee; 2) each school, in consultation with the dean, will determine the membership and manner of appointment of the committee; and 3) no more than 50% of the committee shall be faculty members serving in an administrative capacity. No vote was taken on the motion. It was agreed that Drs. Clasby and Swan would draft bylaw language to be examined by the Council prior to the September 19 Senate meeting.

Benefits for Part-time Faculty

Dr. Knoblock reviewed the situation with part-time instructors with regard to retirement and medical benefits. He requested an update from the Provost about improvements in the fringe benefits for this group of faculty members. The Provost assured the Council that he would look into the problem.

Update on Modifications to Employee Retirement Plan

Dr. Clasby reported on the modifications to the Employee Retirement Plan. He stated that the Social Security integration provisions of the proposed revision of the Employee Retirement Plan may have to be deleted in order to meet possible Internal Revenue Service objections. Alternative proposals for determining contribution levels and initial cash balances are now being investigated. Dr. Clasby stated that under the proposed plan benefits of faculty formerly in the ERP would be "unfrozen."

Dr. Clasby informed the Council that it is probable the cost of medical insurance will increase for the next year. The Committee is concentrating its efforts on strengthening the UM/SM medical plan.

Faculty Evaluations by Students

Dr. Knoblock summarized the background of the faculty evaluations by students. He stated that this year, in addition to the objective comments, there are also anonymous comments included in the evaluation. Dr. Swan suggested that a committee examine the following issues: 1) how can the faculty evaluations be properly reported to the Board of Trustees; 2) how much, if any, of the evaluation will be available for student publication; and 3) what use will be made of the evaluations in the faculty review process. It was *moved* by Dr. Swan, and seconded, to request the Provost to inform the students that the material will not be released until there is a Faculty Senate disposition on the matter. The *motion was unanimously approved.*

9.8

**Role of the Chair.**

9.8.1

The Chair shall prepare and forward a written summary of the recommendation of the voting faculty and a numerical tally of the ballot with the file of the candidate.

9.8.2

The Chair shall not participate in the ballot of the voting faculty, but shall provide a separate recommendation supported by a written evaluation of each candidate. The Chair should make reference to the performance of the candidate in terms of the Annual Reviews and any prior Special Reviews.

9.8.3

The Chair shall forward with the file of the candidate all materials that were considered, the recommendation of the Chair, and the written summary of the voting faculty.

9.8.4

Subsequent to the meeting of the voting faculty, the voting faculty and each candidate shall be informed promptly by the Chair of the relevant recommendations of the voting faculty and of the Chair.

9.9

**Actions of the Dean**

In a departmentalized School, the Dean shall, after reviewing in a written statement the file of each candidate, make a recommendation to the President with regard to each candidate.

9.9.1

**School Advisory Boards**

**CURRENT LANGUAGE:**

*In departmentalized schools where Deans do not perform the role of the Chair in the Annual and Special Reviews, the Dean shall establish an Advisory Board to assist in the review of candidates from each department of the School.*

*The members of the Advisory Board must be tenured full professors selected to reflect the diversity of disciplines in the School. Chairs and Assistant or Associate Deans are not eligible to serve on Advisory Boards.*

**PROPOSED LANGUAGE:**

**In departmentalized schools where Deans do not perform the role of Chair in the Annual and Special Reviews, The Faculty of the School may enact a bylaw establishing an Advisory Board consisting of tenured full professors to assist in the review of candidates for reappointment, promotion and tenure. The bylaw shall prescribe the number, composition and method of selecting the members of the board. Recommendations of advisory boards not established in accordance with this provision may not be cited or placed in the file of the candidate.**

The Advisory Board shall review all candidates for reappointment, promotion and tenure in the School. No member of the board who participates in the review of a candidate at any other level shall participate in the Board deliberations on that candidate. The Board shall examine all the material forwarded by the department and the Chair and it shall prepare a written report explaining the reasons for its recommendations. This report shall be included in each candidate's file along with all other materials and forwarded to the Dean.

#### 9.9.2

The Dean shall forward the files of all candidates together with the recommendations of the Chair and the voting faculty, and the report of the Advisory Board.

BYLAW ON FACULTY STATUS, TITLES,  
APPOINTMENT, REAPPOINTMENT, PROMOTION  
AND THE AWARD OF TENURE

**Faculty Senate Actions,  
Consolidated Version**  
87001, 87005, 87006, 87008, 87014  
Class B Legislation

1.0  
**DEFINITIONS**

1.1

The General Faculty shall consist of the University Faculty and the Associated Faculty.

1.2

The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

1.3

The Regular Faculty shall consist of all faculty having tenured or tenure-earning positions and holding the rank of Professor, Associate Professor, or Assistant Professor.

1.4

The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

1.5

*[This paragraph shall define the educator faculty and is the subject of a separate action.]*

1.6

The Associated Faculty are all faculty with professorial titles prefixed by Clinical, except in the School of Law, (e.g., Clinical Professor of Surgery) or by Adjunct, Visiting, or Affiliated, and all Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

1.7

The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair or Dean, and ratification of Amendments to the *Faculty Charter*.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the General Faculty may vote only once on a single question. Persons holding joint appointments must designate a school or department in which to exercise their voting rights on university matters. Persons holding appointive administrative position may not vote on any matter which is subject to review or other action by their office.

1.8

Change of Type of Faculty Appointment

1.8.1

Any member of the Research or Educator faculty may initiate a request to be considered for appointment to the Regular Faculty of the University. The decision on that request must be made in accordance with the standards and procedures applicable to initial appointment to the Regular Faculty as set forth in the *Faculty Charter* and these Bylaws, including Sections 6 and 8. If the requested appointment to the Regular faculty is made, but without an immediate grant of tenure, the period served as a member of the Research or Educator faculty may, if requested by the faculty member and approved by the President, be credited toward the probationary period for Regular Faculty appointments as provided in Sections 3.6 and 3.6.1 of these Bylaws.

1.8.2

Any member of the Regular Faculty of the University, during their probationary period as defined in Section 3.6 of these Bylaws, may initiate a request to be considered for appointment to the Research or Educator Faculty. The decision on that request shall be made by the President upon recommendation of the Regular Faculty of the department and the Dean of the School.

1.8.3

Members of the Regular Faculty who have become members of the Research or Educator Faculty under the provisions of Section 1.8.2 may not subsequently be appointed to the Regular Faculty except as a tenured Professor.

2.0  
**THE FACULTY**

2.1  
**Appointive Authorities**

*[This section, with section 9.10, constitutes a separate Senate action, Legislation #87005.]*

The power to appoint and remove both administrative officers and members of the General Faculty is vested in the Board of Trustees. The Board of Trustees shall appoint the President of the University.

The President, by authority of the Board of Trustees, shall select the Provost, the Deans, and the administrative officers and shall appoint the General Faculty of the University. The President is the presiding officer of the General Faculty.

The Provost, as delegated by authority of the President, shall make appointments to the General Faculty and promote members of the General Faculty to higher ranks.

All appointments to the General Faculty and promotions to higher ranks shall be made in accordance with the procedures set forth in the *Faculty Charter*, Section XII, and in this Bylaw.

2.2  
**Faculty Status**

2.2.1

All University Faculty shall be deemed to have full-time status. Unless on sabbatical or other approved leave, University Faculty shall be deemed to be "in residence." University Faculty members may request reduced teaching and research loads for reduced pay while retaining all rights and privileges. Associated Faculty may have either full-time or part-time status as established by their contracts with the University.

2.2.2

While under contract all members of the University Faculty in residence shall be entitled to an average of one working day of consultation per week, either on a part-time or self-employed basis, unless a written exception allowing additional time is issued by the President.

2.2.3

[This section, with section 3.2.2, constitutes a separate Senate action, Legislation #87006.]

A member of the General Faculty shall be compensated from University approved sources, but not necessarily by the University. The fact that the salary of a member of the Regular Faculty is paid from non-University sources does not affect the faculty member's tenure status.

2.3

**Joint Appointments**

Members of the University Faculty may hold appointments in two or more schools or in two or more departments within a school. Such appointments imply financial support from both academic units and should be made to promote interdisciplinary or inter-professional teaching and research. Recommendations on salary, merit increases, promotion, and tenure, and assignment of teaching and research responsibilities shall be determined by both of the units involved. The holder of a joint appointment shall be entitled to vote in both units, but may not vote twice on the same question. All Participating Faculty in the Graduate School of International Studies shall hold joint appointments. In all joint appointments, one unit shall be designated as the "unit of primary administrative responsibility" for such matters as salary, promotion, tenure, and teaching assignment. Persons holding joint appointments must designate the unit of primary administrative responsibility as the school or department in which to exercise their voting rights on university matters.

2.4

**Secondary Appointments**

Members of the General Faculty may hold secondary appointments in departments or schools where they have a professional interest and in which they occasionally work. Holders of secondary appointments do not have tenure in, nor need they be compensated by, the secondary unit. Limited voting privileges may be extended by the secondary department in accordance with the provisions of Section 8.2 of the *Charter*.

2.5

**Titles of Associated Faculty**

2.5.1

**Visiting Faculty**

The term "Visiting" is prefixed to the title of persons who are expected to teach and/or engage in research or clinical activities at the University of Miami for a limited period of time only. Faculty members may be appointed with the visiting title for no more than two consecutive one-year terms.

2.5.2

**Adjunct Faculty**

The term "Adjunct" is prefixed to the title of persons who collaborate in some special way in the academic work of the University.



2.5.3

**Instructors**

The title "Instructor" shall be used only for persons being trained to become members of the University Faculty. Persons who are expected to be appointed to the University Faculty but who have not completed the requirements for a terminal degree in their field must be appointed as Instructor. The President shall make the final determination of "terminal degree" in any field or discipline.

2.5.4

**Affiliated Faculty**

Qualified staff members of hospitals and medical research institutions with which the University has an affiliation agreement may receive appointments as Affiliated Faculty of the Schools of Medicine and Nursing. Such appointments may be continued until normal retirement, subject to annual renewal by the University and continuing employment in the affiliated institution. Affiliated Faculty are not paid by the University, although the University may provide compensation to the institution for the services of such individuals.

2.6

**Emeriti Faculty**

Emeritus status is automatically conferred at the time of retirement upon all University Faculty holding tenure at the University. The President may be petitioned for the award of emeritus status to retired members of the General Faculty and academic administrative personnel who have not held tenure. The names of emeriti faculty are listed in a separate section of the appropriate Bulletin.

2.7  
**Privileges and Benefits  
of Associated and Emeriti Faculty**

*[This section constitutes a separate Senate action, Legislation #87008.]*

Associated and Emeriti faculty members are entitled to the following privileges and benefits:

- 1) Any discounts which University Faculty members are eligible to receive including identification cards, bookstore purchases, football tickets, etc.;
- 2) Membership in the Faculty Club, Lowe Museum, and Credit Union;
- 3) Purchase of parking stickers; and
- 4) Purchase of prescription medicines through the University Health Center.

Associated Faculty who teach nine or more hours in any calendar year are considered full-time. Members of the Associated Faculty are entitled to fifty percent (50%) personal tuition remission at the University of Miami after one academic year of continuous employment at the University except in the doctoral programs of the Graduate School and the programs in the Schools of Medicine and Law. Benefits are limited to seven credit hours per semester and four credit hours per summer session.

2.7.1

Full-time visiting faculty are entitled to remission of tuition for themselves and their dependents at the University of Miami consistent with tuition remission policy and are eligible for participation in the group insurance plans but not in the retirement plan.

2.7.2

Adjunct faculty and Instructors who are both full-time and salaried by the University are entitled to participate in the insurance and retirement programs.

2.7.3

All members of the University Faculty are entitled to the benefits and privileges listed in the Benefits and Privileges section of this *Manual*.

3.0  
**APPOINTMENTS**

3.1  
**General Policy**

The University wishes to maintain the highest possible standards of teaching, scholarship and patient care at the University of Miami, to ensure faculty members full academic freedom, and to enable the University to rely on the continuous service of an able faculty.

To ensure teaching and scholarship of high quality in an atmosphere of academic integrity and mutual confidence, it is the policy of the University to provide stability and continuity of appointment for the faculty member at the University.

3.2  
**Kinds of Appointments**

Each member of the General Faculty shall be appointed to one of the following categories:

3.2.1  
**Appointments to the Regular Faculty**

Appointments to the Regular Faculty provide either for tenure with initial appointment or for tenure consideration during a probationary period if appointment is not terminated during that period.

3.2.2  
**Regular Appointments With Limited Financial Support**

*[This section, with section 2.2.3, constitutes a separate Senate action, Legislation #87006.]*

Regular appointments with limited financial support may be made only in the School of Medicine. "Limited financial support" defines the minimum level of salary support which the University is obligated to provide tenured members of the faculty. The dollar amount of the minimum level of salary support is calculated by a formula established by the School Council of the School of Medicine and approved by the Dean of the School of Medicine and the President. The amount of limited financial support may not be decreased except in times of declared financial exigency.

The President of the University shall determine annually which sources and amounts of funds the School of Medicine may consider sufficiently secure to be used in providing limited financial support for tenured members of the faculty. In making this determination, the General and Educational budget of the School of Medicine shall be considered the most secure source. Other secure sources may include, but are not limited to: Veterans Administration Medical Center; Profes-

sional Income Plan; and Dade County (Jackson Memorial Hospital/Public Health Trust). Research grants and contracts are not considered sufficiently secure to warrant their use in fulfilling the obligations associated with tenure with limited financial support.

### 3.2.3

#### **Appointments not Involving Tenure**

Faculty members holding Research, Educator or Associated appointments shall not be eligible for tenure.

### 3.3

#### **Term Appointments**

Term appointments are issued for a defined period of time specified in the letter of appointment. Appointment to the Associated Faculty is automatically terminated at the conclusion of the period specified in the letter of the appointment. Research and Educator Faculty have term appointments. Regular faculty with probationary appointments are not considered to have term appointments.

### 3.4

#### **Notice of Termination for Research and Educator Faculty**

Research Faculty members, faced with termination as a result of the cessation of external support, are entitled to a minimum of one month's notice with pay for each year of full-time continuous service as a Research Faculty member at the University up to a maximum of twelve months for twelve or more years of service. The Research Faculty member will be expected to perform normal faculty duties during the notice period and such pay will cease upon the availability of other grant support at the University or initiation of employment elsewhere. Notice so used may be re-earned at the rate of one month per year up to the maximum of twelve months.

Educator faculty in category two are entitled to notice by March 31 of their first year of service, by December 15 of their second year of service, and a full year of notice after the second year of service.

Faculty who change from a regular appointment to a research or educator appointment shall receive one month's notice for each year's service in the regular appointment.

### 3.5

#### **Terms in Writing**

All appointments shall specify, in writing, whether they are Regular, Research, Educator or Associated appointments and, in the case of untenured Regular Faculty, the expiration of the probationary period. All appointments shall specify rank and salary.

3.6

**Probationary Period for Regular Appointments**

The probationary period before the award of tenure is six (6) years at the University of Miami.

3.6.1

**Credit for Prior Service**

Persons with appropriate experience at other comparable institutions may be awarded up to three years credit toward the probationary period by the President following a recommendation of the Dean upon consultation with the Chair. Persons granted credit for prior service under section 3.6.1 shall have their probationary period appropriately reduced, but in no case shall a probationary period be established for less than three years.

3.6.2

**Waiver of Prior Service**

During the first year of appointment, faculty members may waive credit for applicable prior service at another institution.

3.6.3

**Early Award of Tenure**

A faculty member holding a regular appointment is normally considered for tenure during the sixth year of the probationary period, but in unusual circumstances may be awarded tenure at any other time during the probationary period. Faculty members wishing to be considered for tenure before the expiration of the probationary period should consult with the Chair or Dean. Any consideration of a faculty member for the early award of tenure shall have no prejudicial effect on reconsideration through the sixth year of the probationary period.

3.6.4

**Term of Probationary Appointments**

The University permits initial probationary appointments for terms of one, two or three years, provided that the term of the appointment is uniform within the School. A substantive review of the appointee shall occur as provided in Sections 9.6-9.10 below, and, if the conclusion is favorable, the appointment shall be renewed with the final review for tenure occurring in the sixth year. If sixth year review is unfavorable, the appointee shall be granted a one year terminal appointment. Where evidence of unsatisfactory performance exists during the term of any appointment, an early substantive review of the appointee may be initiated by the voting faculty, Chair or Dean.

3.6.5

**Definition Probationary Year**

The probationary period shall begin with the first September of the Faculty member's appointment. The first probationary year shall end on the following May 31.

### 3.6.6

#### **Notice of Termination of a Probationary Appointment**

During the probationary period, a regular appointment to the faculty may be terminated at the close of the term of the appointment by written notice, either by the University of intention not to reappoint or by the faculty member of intention not to return. Notice of termination by the faculty member shall be given prior to the expiration of the appointment.

Schools with probationary appointments for a term of one year shall observe the following notice requirements: Not later than March 15 during the first appointment; not later than December 15 during the second appointment. With the third and following appointments notice of a full year is required

Schools with probationary appointments for a term of two years shall observe the following notice requirements: Not later than December 15 of the second year of the first appointment and with the second and following appointments notice of a full year is required.

Schools with probationary appointments for a term of three year shall give notice of a full year.

The justification of a decision by the University not to reappoint need not be communicated to the faculty member, but shall be made in accord with established University standards.

### 3.7

#### **Term Appointments Following Retirement**

According to the University retirement plans, the official retirement age at the University of Miami is 65 years and the incumbent may complete the fiscal year in which the 65th birthday occurs. Faculty members terminate their regular employment with the University at the end of the academic year (June 1 to May 31) in which they reach age seventy (70). At the discretion of the President, faculty members may be requested to continue to serve full-time after that year on a year-to-year basis, provided the concerned department or school initiates the request. Faculty members may not be continued beyond the fiscal year in which they reach the age of 72 without the approval of the Board of Trustees. Faculty members under consideration for full-time appointment beyond the retirement age shall be notified of the decision as early as possible.

### 4.0

#### **TENURE**

### 4.1

#### **Administrators and Tenure**

### 4.1.1

Tenure at the University of Miami shall be awarded to persons only in their

capacities as faculty members in academic departments. In no case is tenure applicable of persons in their administrative capacities.

#### 4.1.2

Academic deans and academic directors are eligible for the award of tenure as faculty members in the academic departments of their specialization, but not in their administrative posts. No other persons engaged in administrative duties are eligible for the award of tenure nor shall the period of time during which such persons are employed in positions with administrative duties be counted toward the completion of the probationary period for tenure, unless each of the following conditions is satisfied:

1) During the period of employment in question such persons must devote more than fifty percent of their total work time to teaching, research, patient care or other activities of an academically-related nature.

2) The division of such persons' efforts between administrative duties and teaching, research, patient care or other activities of an academically-related nature must be specifically documented each semester, and must be certified by the appropriate academic dean who shall make such documentation part of the faculty personnel records of such persons.

### 4.2

#### Attainment of Tenure

##### 4.2.1

Tenure shall not be awarded to faculty members serving under any type of Research, Educator or Associated appointment. Regular appointments that are not accompanied by an initial award of tenure shall specify the expiration date of the probationary period.

##### 4.2.2

By April 15 of the year in which the probationary period would normally expire, the process should culminate in a tenure decision by the Board of Trustees, which is the final authority for the award of tenure. If the process of tenure consideration has not been completed by this date, the faculty member may ask the President, in writing, to direct that the process be completed immediately.

##### 4.2.3

Tenure shall not be awarded at the rank of assistant professor.

##### 4.2.4

Promotion to the rank of professor awards tenure at the time of promotion. A faculty member initially appointed to the rank of associate professor or professor is eligible for tenure at any time upon recommendation of the voting faculty of the department.

##### 4.2.5

The faculty member shall be advised in writing at the time of initial appointment, of the substantive standards and procedures generally employed in decisions

affecting reappointment and tenure. Any special standards adopted by the faculty member's department or school under the provisions of Section 9.1.2, below, shall also be communicated to the faculty member in writing by the Chair or the Dean.

#### 4.3

### **Meaning of Tenure**

#### 4.3.1

Faculty members having tenure shall have appointments continued from year to year without necessity for annual or other renewal thereof.

#### 4.3.2

Tenure implies that the faculty member shall accede to reasonable requests to redistribute efforts between teaching and research, to accept classes assigned, whether in day or evening hours, and, in an emergency and for the period thereof, to accept such other reasonable assignments as may be deemed necessary by the University.

#### 4.3.3

Tenure does not imply any promise of promotion or any regular increase in salary, but it does assure the faculty member of participation in any general change in the salary scale. It also assures the faculty member of provisions for general working conditions on the same basis as other faculty members in the same academic areas who have similar professional activities and duties.

#### 4.3.4

Tenure of a faculty member shall continue until death, resignation, retirement, termination for cause, or, in extraordinary circumstances, because of financial exigency or reorganization.

#### 4.4

### **Termination of Tenure Because of Declared Financial Exigency or Reorganization**

#### 4.4.1

If it appears that a tenure appointment may need to be terminated because of financial exigency or because of reorganization brought about by decline in enrollment, lack of funds to support an activity, or change of course offerings, the President shall consult with the Faculty Senate Council.

#### 4.4.2

The purposes of such consultation shall be to explain the reasons why reduction is necessary, to explore the equities of the situation, including consideration of the best interests of the University and due consideration for the faculty members involved, and to attempt to arrive at an alternative solution. If no alternative is practicable and a position must be so discontinued, such a position shall not be filled for a period of two years unless the released faculty member has been offered reappointment and has declined.



4.4.3

If the appointment of a faculty member with tenure is terminated by the University, one year's notice shall be given except in cases of termination for cause involving serious immediate injury to the University.

4.5

**Obligations of Tenure**

A faculty member having the rights and privileges of tenure shall in turn have the continuing obligation to maintain and improve professional competence to render efficient service to the University. Faculty members may accept an assignment to administrative duties and position without interrupting or impairing their tenure, but tenure shall apply only to their rank and service on the faculty, an administrative assignment being subject to change at any time by authority of the President.

4.6

**Retention of Existing Rights**

Nothing stated herein shall be interpreted to affect adversely rights acquired by faculty members under previously existing tenure policies at the University of Miami.

**5.0**

**ACADEMIC FREEDOM**

All members of the General Faculty are entitled to academic freedom as defined in the 1940 Statement of Principles of Academic Freedom and Tenure, as amended, formulated by the Association of American Colleges and the American Association of University Professors. This statement is reproduced on pp. xx of the *Manual*.

**6.0**  
**SCHOLARLY AND PROFESSIONAL QUALIFICATIONS**  
**OF THE FACULTY**

**6.1**  
**Mission of the Faculty**

The basic functions of a university are to preserve, augment, criticize and transmit knowledge and to foster creative capacities. Its chief instrument for performing these functions is the faculty, and its success in doing so depends on the quality of the faculty. The policy of this University is to enlist, develop and retain distinguished faculty members with outstanding qualifications.

**6.2**  
**Requirement for Scholarship**

Scholarship embraces inquiry, research, and creative professional performance and activity. Scholarship is required for effective teaching and is the obligation of all members of the faculty. Scholarship may be judged by the character of the advanced degree, by contributions to knowledge in the form of publication and instruction, by reputation among other scholars and professional persons, and by the performance of students.

The scholarly function of a university requires the appointment of faculty members devoted to inquiry and research. Among the criteria for evaluating research are publication of books by nationally recognized presses, and of articles and reviews of a scholarly nature in books, periodicals and technical reports nationally recognized in the profession; the directing of scholarly work by students working on advanced degrees; the receipt of professional awards and fellowships; membership on boards and commissions devoted to inquiry; and the judgment of professional colleagues.

Scholarship may be demonstrated by significant achievement in an art related to a faculty member's discipline, such as creative works, original designs, or original procedure. National recognition of such activities is demonstrated: by commissions, awards and prizes from nationally recognized bodies; by performances with nationally recognized companies; by invited presentations, exhibitions, lectures and performances before nationally recognized bodies; by invitations to teach master classes or lead intensive workshops at nationally recognized institutions; and by reviews of performance and creative works in nationally recognized journals, magazines and newspapers.

Promotion, tenure, and merit salary increases should recognize these scholarly achievements. Whenever possible, Chairs shall reduce other duties for those faculty engaged in these activities.

**6.3**  
**Teaching**

The educational function of a university requires the appointment of faculty who are effective teachers. Among the meant to evaluate teaching effectiveness are: 1) the informed judgment of colleagues; 2) the performance of students; and 3)

qualified student opinion. Promotion, tenure, and merit salary increases should recognize outstanding achievements in teaching.

6.4

**University Service and Administration**

Contributions to committee and administrative activities are recognized as furthering the University's educational function.

6.5

**Recognition of Degrees**

To ensure that faculty members are appropriately qualified, the University of Miami recognizes degrees from universities which are accredited within the United States by the appropriate accrediting association. Other degrees will be individually evaluated.

6.6

**Scholarly and Professional Qualifications  
for Each Rank of the Regular Faculty**

6.6.1

**Assistant Professor**

Appointment to the rank of assistant professor requires completion of professional training, in most fields marked by the Ph.D., and the clear promise of a successful career in teaching and scholarship. Appointment to the University Faculty requires a terminal degree. This requirement may be waived by the President upon recommendation of the Provost.

6.6.2

**Associate Professor**

Appointment to the rank of associate professor normally requires a record of substantial success in both teaching and scholarship. In unusual cases an outstanding record in one of these activities and an adequate record in the other may be considered sufficient.

6.6.3

**Professor**

Appointment to the rank of professor requires national recognition in the profession.

7.0  
**DEFINITIONS FOR PROCEDURES FOR THE  
APPOINTMENT, REAPPOINTMENT, PROMOTION,  
AND AWARD OF TENURE**

7.1

The *Faculty Charter* in section XII calls for consultation with the voting faculty of the department in recommendations from the department on faculty appointments, reappointments, promotions and award of tenure. Such consultations shall be conducted in accordance with this Bylaw.

7.2

**Definitions**

For purposes of Sections 7-10 of this Bylaw, the following definitions shall apply:

7.2.1

The term **department** means either a department or a school in the case of an undepartmentalized school.

7.2.2

In an undepartmentalized school the term **Dean** encompasses the role of the Chair.

7.2.3

The term **appropriate faculty** means the Regular Faculty of the department in which the appointment is made.

7.2.4

The **voting faculty** for tenure are those tenured faculty equal or superior in rank to the candidate and for promotion those tenured faculty superior in rank to the candidate.

7.2.5

A person under consideration for appointment, reappointment, promotion or tenure is termed a **candidate**.

7.3

**Voting Rights**

Faculty members who devote more than fifty percent personal effort to administrative duties other than departmental and whose duties may involve the review of candidates, shall not participate in the vote of a department with regard to any recommendation for promotion or the award of tenure.

8.0  
**INITIAL APPOINTMENT**

8.1

The entire Regular Faculty of a department are entitled to vote on each new appointment. In periods of recess, in summer sessions, and in departments with thirty-five or more members a committee of at least five members of the voting faculty shall be appointed, at the discretion of the Chair and in accordance with departmental bylaws, to vote on the candidate.

8.2

The voting faculty shall have an opportunity to review supporting materials of the candidate. In addition, when candidates are brought to campus, the voting faculty shall have a reasonable opportunity to interview and to attend a professional presentation by the candidate.

8.3

A Consultative Committee shall vote on the nominees by each committee member indicating the order of preference, if there is more than one nominee, and the disapproval of individual nominees. The numerical results of each member's ordered preferences, recorded anonymously, shall be reported by the committee to the appointing agent.

9.0  
**REVIEW OF THE FACULTY FOR  
REAPPOINTMENT, PROMOTION,  
AND THE AWARD OF TENURE**

9.1  
**Notification of Standards and Procedures**

9.1.1

At the time of initial appointment, each faculty member shall be advised in writing by the President of the substantive standards outlined in Section 6 above and of the procedures generally employed in decisions affecting reappointment, promotion, and tenure.

9.1.2

Special additional criteria may be adopted by departments, by vote of their tenured faculty and with the approval of the school faculty, and by schools by vote of their faculty. Such additional criteria shall not conflict with the *Faculty Manual*. Departments and schools shall consult with the Faculty Senate Council to determine whether such additional standards conform to the *Faculty Manual*. Following certification of the Faculty Senate Council, copies of such special additional criteria shall be provided the Dean and the President.

9.1.3

Each faculty member shall be advised in writing by the Chair of any additional criteria at the time of initial appointment, at the time of their adoption, and before any major review.

9.2  
**Review of the Faculty**

In accord with established University policies, a systematic annual evaluation is made of every faculty member, tenured and untenured. Such evaluations are implemented by the Chair observing the guidelines, standards and rights established in Article XII, Sections 12.3 and 12.4 of the *Faculty Charter*. Reappointment, promotion, merit salary increases, and the award of tenure are based on such reviews. Upon completion of this evaluation, in accordance with the procedures described below, the Chair discusses the results with each faculty member and, in the event of unsatisfactory performance, the Chair shall counsel the faculty member as to how to correct any deficiencies. In the extreme case where there appear to be grounds for termination for cause, the provisions of Section XX of the University Faculty and Tenure Policy shall be observed. Each Dean reports annually to the President when the review of all members of the faculty has been completed consistent with established University procedures.

9.3

**Types of Review**

The Regular Faculty of each school and department undertakes two types of review of the performance of its members:

*Annual Reviews* of each individual's accomplishments for the purposes of salary increases; and

*Special Reviews* for the purposes of reappointment, promotion, and the award of tenure.

The Research and Educator Faculty of each school are subject to Annual Reviews and Special Reviews for the purposes of reappointment and promotion.

9.4

**Faculty Files**

The file of the candidate shall be the basis for the deliberations at each state of the reviews.

Each faculty member shall be responsible for maintaining a current statement of his professional activities, arranged according to customary practices and university requirements. This file shall include evidence of: a) educational attainments; b) awards and fellowships; c) funded research projects; d) publications, papers, performances and other scholarly contributions to the profession; e) services to the profession in scholarly bodies and in university agencies; and f) public service to the community relating to scholarship and the profession.

Prior to any faculty consultation or vote, candidates shall have an opportunity to make current their files in the office of the Chair, as described in Bylaw 12.5.

The Chair shall make available to the appropriate voting faculty all relevant materials from the files of each candidate.

9.5

**Annual Reviews**

Each tenured and untenured member of the faculty shall be reviewed annually by the appropriate faculty based upon a systematic evaluation of the past year's work.

9.5.1

For untenured faculty, the Chair shall discuss the results of the Annual Review with each faculty member, and, following this discussion, the Chair shall prepare a written statement summarizing the review. This statement shall be placed in the file and shall be made available to the faculty member who may prepare a response to be included in the file.

9.5.2

The Annual Review is complete when the Dean advises the Provost of recommended salary increases.

9.6

**Special Reviews**

A more complete review is required: i) in the year prior to reappointment of a faculty member holding a tenure earning appointment; ii) when promotion to associate professor or professor is to be considered; and iii) in the year prior to the award of tenure. Each **Special Review** shall be conducted as follows:

9.6.1

**Teaching Evaluation**

The file of candidates for reappointment, promotion to associate professor, and tenure shall include the an assessment of classroom teaching made by the appropriate voting tenured faculty on the basis of classroom visitation by peers and, where appropriate, an interpretation of the results of formal student evaluations by the Chair. The faculty of each college and school is authorized to develop procedure governing the peer review and classroom visitations by faculty who are evaluating the teaching of non-tenured members.

9.6.2

**External Letters**

The file of a candidate for tenure or for promotion to full professor shall include at least three written evaluations of the scholarly work of the candidate solicited from scholars specializing in the field of work who hold tenured positions at comparable universities.

Such letters are solicited by the Chair following consultation with the candidate and the appropriate voting faculty. The content of letters requesting written evaluations shall be prepared with the approval of the appropriate voting faculty and shall be shown to the candidate. Letters of evaluation are confidential, but such letters may be seen by anyone directly concerned in making the promotion or tenure decision.

Copies of each letter used to solicit external reviews shall be included in the candidate's file. The Chair shall supply the voting faculty and the Dean with a list of external reviewers, indicating how and why each was selected. If outside letters are solicited from reviewers recommended by the candidate, the nature of any relationship shall be indicated. Candidates shall be permitted to identify persons who are thought to be unsuitable external reviewers and the reasons for that judgment.

Exceptions to the need for written external evaluations of the candidate's scholarly work may be made when such letters would not add materially to the candidate's file.

9.6.3

**Evaluation Committee**

After consultation with the appropriate voting faculty, the Dean, upon recommendation of the department, shall appoint an Evaluation Committee consisting of at least five tenured faculty superior in rank to the candidates. They shall be chosen because their research and scholarly activities enable them to assess the candidates'



contributions to knowledge. The committee should include faculty from cognate departments or schools, but the Chair of the Committee and a majority of its members should be from the department of the candidate. When there is good reason to appoint a majority or Chair of the Evaluation Committee from outside the department or school, the Dean shall advise the candidate, the Senate Council, and the President of the justification.

#### 9.6.4

##### **Formal Written Evaluation.**

The Evaluation Committee shall examine the complete work of the candidate. On the basis of this examination, the Committee shall prepare a detailed written evaluation of the candidate's contribution to knowledge and to the profession. The Committee shall then state whether, in its judgment, reappointment, promotion, or award of tenure is justified. The candidate, the appropriate voting faculty, and the Chair shall be entitled to examine the report. Any of these can, for cause, ask the Committee to reconsider its evaluation.

#### 9.6.5

##### **Candidate's Statement**

Candidates may present a written career assessment providing the rationale of their work and the significance of their contribution to knowledge and the profession.

#### 9.7.

##### **Faculty Vote**

The appropriate voting faculty shall be assembled to consult on the candidate. Notice of the meeting shall be in writing, shall provide adequate notice of the date and agenda of the meeting, and shall include the names of candidates under consideration.

#### 9.7.1

After systematic examination of the file, including any Evaluation Committee report, and after deliberation, the voting faculty shall determine by ballot for each candidate whether to recommend reappointment, promotion or tenure. The ballots shall be counted by two designated members of the voting faculty and the results of the ballot announced to the electorate. Following this announcement, the Chair shall prepare a written statement of the views of the voting faculty which shall be circulated to the voting faculty prior to its transmission to the Dean.

#### 9.7.2

Absentee ballots shall not be counted unless they have been submitted prior to the meeting called to consider candidates for tenure, promotion, and appointment. The electorate shall be informed of the numerical results of the ballot.

9.8

**Role of the Chair.**

9.8.1

The Chair shall prepare and forward a written summary of the recommendation of the voting faculty and a numerical tally of the ballot with the file of the candidate.

9.8.2

The Chair shall not participate in the ballot of the voting faculty, but shall provide a separate recommendation supported by a written evaluation of each candidate. The Chair should make reference to the performance of the candidate in terms of the Annual Reviews and any prior Special Reviews.

9.8.3

The Chair shall forward with the file of the candidate all materials that were considered, the recommendation of the Chair, and the written summary of the voting faculty.

9.8.4

Subsequent to the meeting of the voting faculty, the voting faculty and each candidate shall be informed promptly by the Chair of the relevant recommendations of the voting faculty and of the Chair.

9.9

**Actions of the Dean**

In a departmentalized School, the Dean shall, after reviewing in a written statement the file of each candidate, make a recommendation to the President with regard to each candidate.

9.9.1

**School Advisory Boards**

In departmentalized schools where Deans do not perform the role of the Chair in the Annual and Special Reviews, the Dean shall establish an Advisory Board to assist in the review of candidates from each department of the School.

The members of the Advisory Board must be tenured full professors selected to reflect the diversity of disciplines in the School. Chairs and Assistant or Associate Deans are not eligible to serve on Advisory Boards.

The Advisory Board shall examine all the material forwarded by the Chair. It shall prepare a written report explaining the reasons for its recommendations. This report shall be included in the candidate's file along with all other material and forwarded to the Dean.

9.9.2

The Dean shall forward the files of all candidates together with the recommendations of the Chair and the voting faculty, and the report of the Advisory Board.

9.9.3

The Dean's recommendation and written statement shall be included in each candidate's file along with all other material and forwarded to the Provost.

9.10

**Provost Actions**

*[This section, with Section 2.1, constitutes a separate Senate action, Legislation #87005.]*

The Provost, as delegated by the President, makes all reappointments and promotions. After reviewing each candidate's file, the Provost shall notify each candidate of his decision to reappoint or promote. When the Provost decides against promotion and there is a positive recommendation from the voting faculty, the Provost should explain his reasons in writing and the candidate should be counseled by his Chair or Dean on what should be done to secure promotion.

10

**Trustee Authority in Tenure**

Tenure may be earned only by a considered action of the University. The Board of Trustees is the final authority for the award of tenure. The award or denial of tenure shall be directly communicated to the candidate by the President immediately following the completion of the tenure process. If the Board denies tenure to a faculty member in the final year of the probationary period, the faculty member shall receive at least twelve (12) months notice prior to the expiration of the appointment.

BYLAW ON FACULTY STATUS, TITLES,  
APPOINTMENT, REAPPOINTMENT, PROMOTION  
AND THE AWARD OF TENURE

**Faculty Senate Actions,  
Consolidated Version**  
87001, 87005, 87006, 87008, 87014  
Class B Legislation

1.0  
**DEFINITIONS**

1.1

The General Faculty shall consist of the University Faculty and the Associated Faculty.

1.2

The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

1.3

The Regular Faculty shall consist of all faculty having tenured or tenure-earning positions and holding the rank of Professor, Associate Professor, or Assistant Professor.

1.4

The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

1.5

*[This paragraph shall define the educator faculty and is the subject of a separate action.]*

1.6

The Associated Faculty are all faculty with professorial titles prefixed by Clinical, except in the School of Law, (e.g., Clinical Professor of Surgery) or by Adjunct, Visiting, or Affiliated, and all Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

1.7

The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair or Dean, and ratification of Amendments to the *Faculty Charter*.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the General Faculty may vote only once on a single question. Persons holding joint appointments must designate a school or department in which to exercise their voting rights on university matters. Persons holding appointive administrative position may not vote on any matter which is subject to review or other action by their office.

1.8

Change of Type of Faculty Appointment

1.8.1

Any member of the Research or Educator faculty may initiate a request to be considered for appointment to the Regular Faculty of the University. The decision on that request must be made in accordance with the standards and procedures applicable to initial appointment to the Regular Faculty as set forth in the *Faculty Charter* and these Bylaws, including Sections 6 and 8. If the requested appointment to the Regular faculty is made, but without an immediate grant of tenure, the period served as a member of the Research or Educator faculty may, if requested by the faculty member and approved by the President, be credited toward the probationary period for Regular Faculty appointments as provided in Sections 3.6 and 3.6.1 of these Bylaws.

1.8.2

Any member of the Regular Faculty of the University, during their probationary period as defined in Section 3.6 of these Bylaws, may initiate a request to be considered for appointment to the Research or Educator Faculty. The decision on that request shall be made by the President upon recommendation of the Regular Faculty of the department and the Dean of the School.

1.8.3

Members of the Regular Faculty who have become members of the Research or Educator Faculty under the provisions of Section 1.8.2 may not subsequently be appointed to the Regular Faculty except as a tenured Professor.

2.0  
**THE FACULTY**

2.1  
**Appointive Authorities**

[*This section, with section 9.10, constitutes a separate Senate action, Legislation #87005.*]

The power to appoint and remove both administrative officers and members of the General Faculty is vested in the Board of Trustees. The Board of Trustees shall appoint the President of the University.

The President, by authority of the Board of Trustees, shall select the Provost, the Deans, and the administrative officers and shall appoint the General Faculty of the University. The President is the presiding officer of the General Faculty.

The Provost, as delegated by authority of the President, shall make appointments to the General Faculty and promote members of the General Faculty to higher ranks.

All appointments to the General Faculty and promotions to higher ranks shall be made in accordance with the procedures set forth in the *Faculty Charter*, Section XII, and in this Bylaw.

2.2  
**Faculty Status**

2.2.1

All University Faculty shall be deemed to have full-time status. Unless on sabbatical or other approved leave, University Faculty shall be deemed to be "in residence." University Faculty members may request reduced teaching and research loads for reduced pay while retaining all rights and privileges. Associated Faculty may have either full-time or part-time status as established by their contracts with the University.

2.2.2

While under contract all members of the University Faculty in residence shall be entitled to an average of one working day of consultation per week, either on a part-time or self-employed basis, unless a written exception allowing additional time is issued by the President.

2.2.3

[This section, with section 3.2.2, constitutes a separate Senate action, Legislation #87006.]

A member of the General Faculty shall be compensated from University approved sources, but not necessarily by the University. The fact that the salary of a member of the Regular Faculty is paid from non-University sources does not affect the faculty member's tenure status.

### 2.3

#### **Joint Appointments**

Members of the University Faculty may hold appointments in two or more schools or in two or more departments within a school. Such appointments imply financial support from both academic units and should be made to promote interdisciplinary or inter-professional teaching and research. Recommendations on salary, merit increases, promotion, and tenure, and assignment of teaching and research responsibilities shall be determined by both of the units involved. The holder of a joint appointment shall be entitled to vote in both units, but may not vote twice on the same question. All Participating Faculty in the Graduate School of International Studies shall hold joint appointments. In all joint appointments, one unit shall be designated as the "unit of primary administrative responsibility" for such matters as salary, promotion, tenure, and teaching assignment. Persons holding joint appointments must designate the unit of primary administrative responsibility as the school or department in which to exercise their voting rights on university matters.

### 2.4

#### **Secondary Appointments**

Members of the General Faculty may hold secondary appointments in departments or schools where they have a professional interest and in which they occasionally work. Holders of secondary appointments do not have tenure in, nor need they be compensated by, the secondary unit. Limited voting privileges may be extended by the secondary department in accordance with the provisions of Section 8.2 of the *Charter*.

### 2.5

#### **Titles of Associated Faculty**

#### 2.5.1

##### **Visiting Faculty**

The term "Visiting" is prefixed to the title of persons who are expected to teach and/or engage in research or clinical activities at the University of Miami for a limited period of time only. Faculty members may be appointed with the visiting title for no more than two consecutive one-year terms.

#### 2.5.2

##### **Adjunct Faculty**

The term "Adjunct" is prefixed to the title of persons who collaborate in some special way in the academic work of the University.

2.5.3

**Instructors**

The title "Instructor" shall be used only for persons being trained to become members of the University Faculty. Persons who are expected to be appointed to the University Faculty but who have not completed the requirements for a terminal degree in their field must be appointed as Instructor. The President shall make the final determination of "terminal degree" in any field or discipline.

2.5.4

**Affiliated Faculty**

Qualified staff members of hospitals and medical research institutions with which the University has an affiliation agreement may receive appointments as Affiliated Faculty of the Schools of Medicine and Nursing. Such appointments may be continued until normal retirement, subject to annual renewal by the University and continuing employment in the affiliated institution. Affiliated Faculty are not paid by the University, although the University may provide compensation to the institution for the services of such individuals.

2.6

**Emeriti Faculty**

Emeritus status is automatically conferred at the time of retirement upon all University Faculty holding tenure at the University. The President may be petitioned for the award of emeritus status to retired members of the General Faculty and academic administrative personnel who have not held tenure. The names of emeriti faculty are listed in a separate section of the appropriate Bulletin.



2.7  
**Privileges and Benefits  
of Associated and Emeriti Faculty**

[This section constitutes a separate Senate action, Legislation #87008.]

Associated and Emeriti faculty members are entitled to the following privileges and benefits:

- 1) Any discounts which University Faculty members are eligible to receive including identification cards, bookstore purchases, football tickets, etc.;
- 2) Membership in the Faculty Club, Lowe Museum, and Credit Union;
- 3) Purchase of parking stickers; and
- 4) Purchase of prescription medicines through the University Health Center.

Associated Faculty who teach nine or more hours in any calendar year are considered full-time. Members of the Associated Faculty are entitled to fifty percent (50%) personal tuition remission at the University of Miami after one academic year of continuous employment at the University except in the doctoral programs of the Graduate School and the programs in the Schools of Medicine and Law. Benefits are limited to seven credit hours per semester and four credit hours per summer session.

2.7.1

Full-time visiting faculty are entitled to remission of tuition for themselves and their dependents at the University of Miami consistent with tuition remission policy and are eligible for participation in the group insurance plans but not in the retirement plan.

2.7.2

Adjunct faculty and Instructors who are both full-time and salaried by the University are entitled to participate in the insurance and retirement programs.

2.7.3

All members of the University Faculty are entitled to the benefits and privileges listed in the Benefits and Privileges section of this *Manual*.

### 3.0 APPOINTMENTS

#### 3.1 General Policy

The University wishes to maintain the highest possible standards of teaching, scholarship and patient care at the University of Miami, to ensure faculty members full academic freedom, and to enable the University to rely on the continuous service of an able faculty.

To ensure teaching and scholarship of high quality in an atmosphere of academic integrity and mutual confidence, it is the policy of the University to provide stability and continuity of appointment for the faculty member at the University.

#### 3.2 Kinds of Appointments

Each member of the General Faculty shall be appointed to one of the following categories:

##### 3.2.1 Appointments to the Regular Faculty

Appointments to the Regular Faculty provide either for tenure with initial appointment or for tenure consideration during a probationary period if appointment is not terminated during that period.

##### 3.2.2 Regular Appointments With Limited Financial Support

*[This section, with section 2.2.3, constitutes a separate Senate action, Legislation #87006.]*

Regular appointments with limited financial support may be made only in the School of Medicine. "Limited financial support" defines the minimum level of salary support which the University is obligated to provide tenured members of the faculty. The dollar amount of the minimum level of salary support is calculated by a formula established by the School Council of the School of Medicine and approved by the Dean of the School of Medicine and the President. The amount of limited financial support may not be decreased except in times of declared financial exigency.

The President of the University shall determine annually which sources and amounts of funds the School of Medicine may consider sufficiently secure to be used in providing limited financial support for tenured members of the faculty. In making this determination, the General and Educational budget of the School of Medicine shall be considered the most secure source. Other secure sources may include, but are not limited to: Veterans Administration Medical Center; Profes-

sional Income Plan; and Dade County (Jackson Memorial Hospital/Public Health Trust). Research grants and contracts are not considered sufficiently secure to warrant their use in fulfilling the obligations associated with tenure with limited financial support.

### 3.2.3

#### **Appointments not Involving Tenure**

Faculty members holding Research, Educator or Associated appointments shall not be eligible for tenure.

### 3.3

#### **Term Appointments**

Term appointments are issued for a defined period of time specified in the letter of appointment. Appointment to the Associated Faculty is automatically terminated at the conclusion of the period specified in the letter of the appointment. Research and Educator Faculty have term appointments. Regular faculty with probationary appointments are not considered to have term appointments.

### 3.4

#### **Notice of Termination for Research and Educator Faculty**

Research Faculty members, faced with termination as a result of the cessation of external support, are entitled to a minimum of one month's notice with pay for each year of full-time continuous service as a Research Faculty member at the University up to a maximum of twelve months for twelve or more years of service. The Research Faculty member will be expected to perform normal faculty duties during the notice period and such pay will cease upon the availability of other grant support at the University or initiation of employment elsewhere. Notice so used may be re-earned at the rate of one month per year up to the maximum of twelve months.

Educator faculty in category two are entitled to notice by March 31 of their first year of service, by December 15 of their second year of service, and a full year of notice after the second year of service.

Faculty who change from a regular appointment to a research or educator appointment shall receive one month's notice for each year's service in the regular appointment.

### 3.5

#### **Terms in Writing**

All appointments shall specify, in writing, whether they are Regular, Research, Educator or Associated appointments and, in the case of untenured Regular Faculty, the expiration of the probationary period. All appointments shall specify rank and salary.

3.6

**Probationary Period for Regular Appointments**

The probationary period before the award of tenure is six (6) years at the University of Miami.

3.6.1

**Credit for Prior Service**

Persons with appropriate experience at other comparable institutions may be awarded up to three years credit toward the probationary period by the President following a recommendation of the Dean upon consultation with the Chair. Persons granted credit for prior service under section 3.6.1 shall have their probationary period appropriately reduced, but in no case shall a probationary period be established for less than three years.

3.6.2

**Waiver of Prior Service**

During the first year of appointment, faculty members may waive credit for applicable prior service at another institution.

3.6.3

**Early Award of Tenure**

A faculty member holding a regular appointment is normally considered for tenure during the sixth year of the probationary period, but in unusual circumstances may be awarded tenure at any other time during the probationary period. Faculty members wishing to be considered for tenure before the expiration of the probationary period should consult with the Chair or Dean. Any consideration of a faculty member for the early award of tenure shall have no prejudicial effect on reconsideration through the sixth year of the probationary period.

3.6.4

**Term of Probationary Appointments**

The University permits initial probationary appointments for terms of one, two or three years, provided that the term of the appointment is uniform within the School. A substantive review of the appointee shall occur as provided in Sections 9.6-9.10 below, and, if the conclusion is favorable, the appointment shall be renewed with the final review for tenure occurring in the sixth year. If sixth year review is unfavorable, the appointee shall be granted a one year terminal appointment. Where evidence of unsatisfactory performance exists during the term of any appointment, an early substantive review of the appointee may be initiated by the voting faculty, Chair or Dean.

3.6.5

**Definition Probationary Year**

The probationary period shall begin with the first September of the Faculty member's appointment. The first probationary year shall end on the following May 31.

### 3.6.6

#### **Notice of Termination of a Probationary Appointment**

During the probationary period, a regular appointment to the faculty may be terminated at the close of the term of the appointment by written notice, either by the University of intention not to reappoint or by the faculty member of intention not to return. Notice of termination by the faculty member shall be given prior to the expiration of the appointment.

Schools with probationary appointments for a term of one year shall observe the following notice requirements: Not later than March 15 during the first appointment; not later than December 15 during the second appointment. With the third and following appointments notice of a full year is required

Schools with probationary appointments for a term of two years shall observe the following notice requirements: Not later than December 15 of the second year of the first appointment and with the second and following appointments notice of a full year is required.

Schools with probationary appointments for a term of three year shall give notice of a full year.

The justification of a decision by the University not to reappoint need not be communicated to the faculty member, but shall be made in accord with established University standards.

### 3.7

#### **Term Appointments Following Retirement**

According to the University retirement plans, the official retirement age at the University of Miami is 65 years and the incumbent may complete the fiscal year in which the 65th birthday occurs. Faculty members terminate their regular employment with the University at the end of the academic year (June 1 to May 31) in which they reach age seventy (70). At the discretion of the President, faculty members may be requested to continue to serve full-time after that year on a year-to-year basis, provided the concerned department or school initiates the request. Faculty members may not be continued beyond the fiscal year in which they reach the age of 72 without the approval of the Board of Trustees. Faculty members under consideration for full-time appointment beyond the retirement age shall be notified of the decision as early as possible.

### 4.0

#### **TENURE**

### 4.1

#### **Administrators and Tenure**

### 4.1.1

Tenure at the University of Miami shall be awarded to persons only in their

capacities as faculty members in academic departments. In no case is tenure applicable of persons in their administrative capacities.

#### 4.1.2

Academic deans and academic directors are eligible for the award of tenure as faculty members in the academic departments of their specialization, but not in their administrative posts. No other persons engaged in administrative duties are eligible for the award of tenure nor shall the period of time during which such persons are employed in positions with administrative duties be counted toward the completion of the probationary period for tenure, unless each of the following conditions is satisfied:

1) During the period of employment in question such persons must devote more than fifty percent of their total work time to teaching, research, patient care or other activities of an academically-related nature.

2) The division of such persons' efforts between administrative duties and teaching, research, patient care or other activities of an academically-related nature must be specifically documented each semester, and must be certified by the appropriate academic dean who shall make such documentation part of the faculty personnel records of such persons.

### 4.2

#### Attainment of Tenure

##### 4.2.1

Tenure shall not be awarded to faculty members serving under any type of Research, Educator or Associated appointment. Regular appointments that are not accompanied by an initial award of tenure shall specify the expiration date of the probationary period.

##### 4.2.2

By April 15 of the year in which the probationary period would normally expire, the process should culminate in a tenure decision by the Board of Trustees, which is the final authority for the award of tenure. If the process of tenure consideration has not been completed by this date, the faculty member may ask the President, in writing, to direct that the process be completed immediately.

##### 4.2.3

Tenure shall not be awarded at the rank of assistant professor.

##### 4.2.4

Promotion to the rank of professor awards tenure at the time of promotion. A faculty member initially appointed to the rank of associate professor or professor is eligible for tenure at any time upon recommendation of the voting faculty of the department.

##### 4.2.5

The faculty member shall be advised in writing at the time of initial appointment, of the substantive standards and procedures generally employed in decisions

affecting reappointment and tenure. Any special standards adopted by the faculty member's department or school under the provisions of Section 9.1.2, below, shall also be communicated to the faculty member in writing by the Chair or the Dean.

#### 4.3

### **Meaning of Tenure**

#### 4.3.1

Faculty members having tenure shall have appointments continued from year to year without necessity for annual or other renewal thereof.

#### 4.3.2

Tenure implies that the faculty member shall accede to reasonable requests to redistribute efforts between teaching and research, to accept classes assigned, whether in day or evening hours, and, in an emergency and for the period thereof, to accept such other reasonable assignments as may be deemed necessary by the University.

#### 4.3.3

Tenure does not imply any promise of promotion or any regular increase in salary, but it does assure the faculty member of participation in any general change in the salary scale. It also assures the faculty member of provisions for general working conditions on the same basis as other faculty members in the same academic areas who have similar professional activities and duties.

#### 4.3.4

Tenure of a faculty member shall continue until death, resignation, retirement, termination for cause, or, in extraordinary circumstances, because of financial exigency or reorganization.

#### 4.4

### **Termination of Tenure Because of Declared Financial Exigency or Reorganization**

#### 4.4.1

If it appears that a tenure appointment may need to be terminated because of financial exigency or because of reorganization brought about by decline in enrollment, lack of funds to support an activity, or change of course offerings, the President shall consult with the Faculty Senate Council.

#### 4.4.2

The purposes of such consultation shall be to explain the reasons why reduction is necessary, to explore the equities of the situation, including consideration of the best interests of the University and due consideration for the faculty members involved, and to attempt to arrive at an alternative solution. If no alternative is practicable and a position must be so discontinued, such a position shall not be filled for a period of two years unless the released faculty member has been offered reappointment and has declined.

4.4.3

If the appointment of a faculty member with tenure is terminated by the University, one year's notice shall be given except in cases of termination for cause involving serious immediate injury to the University.

4.5

**Obligations of Tenure**

A faculty member having the rights and privileges of tenure shall in turn have the continuing obligation to maintain and improve professional competence to render efficient service to the University. Faculty members may accept an assignment to administrative duties and position without interrupting or impairing their tenure, but tenure shall apply only to their rank and service on the faculty, an administrative assignment being subject to change at any time by authority of the President.

4.6

**Retention of Existing Rights**

Nothing stated herein shall be interpreted to affect adversely rights acquired by faculty members under previously existing tenure policies at the University of Miami.

5.0

**ACADEMIC FREEDOM**

All members of the General Faculty are entitled to academic freedom as defined in the 1940 Statement of Principles of Academic Freedom and Tenure, as amended, formulated by the Association of American Colleges and the American Association of University Professors. This statement is reproduced on pp. xx of the *Manual*.



## 6.0 SCHOLARLY AND PROFESSIONAL QUALIFICATIONS OF THE FACULTY

### 6.1

#### Mission of the Faculty

The basic functions of a university are to preserve, augment, criticize and transmit knowledge and to foster creative capacities. Its chief instrument for performing these functions is the faculty, and its success in doing so depends on the quality of the faculty. The policy of this University is to enlist, develop and retain distinguished faculty members with outstanding qualifications.

### 6.2

#### Requirement for Scholarship

Scholarship embraces inquiry, research, and creative professional performance and activity. Scholarship is required for effective teaching and is the obligation of all members of the faculty. Scholarship may be judged by the character of the advanced degree, by contributions to knowledge in the form of publication and instruction, by reputation among other scholars and professional persons, and by the performance of students.

The scholarly function of a university requires the appointment of faculty members devoted to inquiry and research. Among the criteria for evaluating research are publication of books by nationally recognized presses, and of articles and reviews of a scholarly nature in books, periodicals and technical reports nationally recognized in the profession; the directing of scholarly work by students working on advanced degrees; the receipt of professional awards and fellowships; membership on boards and commissions devoted to inquiry; and the judgment of professional colleagues.

Scholarship may be demonstrated by significant achievement in an art related to a faculty member's discipline, such as creative works, original designs, or original procedure. National recognition of such activities is demonstrated: by commissions, awards and prizes from nationally recognized bodies; by performances with nationally recognized companies; by invited presentations, exhibitions, lectures and performances before nationally recognized bodies; by invitations to teach master classes or lead intensive workshops at nationally recognized institutions; and by reviews of performance and creative works in nationally recognized journals, magazines and newspapers.

Promotion, tenure, and merit salary increases should recognize these scholarly achievements. Whenever possible, Chairs shall reduce other duties for those faculty engaged in these activities.

### 6.3

#### Teaching

The educational function of a university requires the appointment of faculty who are effective teachers. Among the meant to evaluate teaching effectiveness are: 1) the informed judgment of colleagues; 2) the performance of students; and 3)

qualified student opinion. Promotion, tenure, and merit salary increases should recognize outstanding achievements in teaching.

6.4

**University Service and Administration**

Contributions to committee and administrative activities are recognized as furthering the University's educational function.

6.5

**Recognition of Degrees**

To ensure that faculty members are appropriately qualified, the University of Miami recognizes degrees from universities which are accredited within the United States by the appropriate accrediting association. Other degrees will be individually evaluated.

6.6

**Scholarly and Professional Qualifications  
for Each Rank of the Regular Faculty**

6.6.1

**Assistant Professor**

Appointment to the rank of assistant professor requires completion of professional training, in most fields marked by the Ph.D., and the clear promise of a successful career in teaching and scholarship. Appointment to the University Faculty requires a terminal degree. This requirement may be waived by the President upon recommendation of the Provost.

6.6.2

**Associate Professor**

Appointment to the rank of associate professor normally requires a record of substantial success in both teaching and scholarship. In unusual cases an outstanding record in one of these activities and an adequate record in the other may be considered sufficient.

6.6.3

**Professor**

Appointment to the rank of professor requires national recognition in the profession.

7.0  
**DEFINITIONS FOR PROCEDURES FOR THE  
APPOINTMENT, REAPPOINTMENT, PROMOTION,  
AND AWARD OF TENURE**

7.1

The *Faculty Charter* in section XII calls for consultation with the voting faculty of the department in recommendations from the department on faculty appointments, reappointments, promotions and award of tenure. Such consultations shall be conducted in accordance with this Bylaw.

7.2

**Definitions**

For purposes of Sections 7-10 of this Bylaw, the following definitions shall apply:

7.2.1

The term **department** means either a department or a school in the case of an undepartmentalized school.

7.2.2

In an undepartmentalized school the term **Dean** encompasses the role of the Chair.

7.2.3

The term **appropriate faculty** means the Regular Faculty of the department in which the appointment is made.

7.2.4

The **voting faculty** for tenure are those tenured faculty equal or superior in rank to the candidate and for promotion those tenured faculty superior in rank to the candidate.

7.2.5

A person under consideration for appointment, reappointment, promotion or tenure is termed a **candidate**.

7.3

**Voting Rights**

Faculty members who devote more than fifty percent personal effort to administrative duties other than departmental and whose duties may involve the review of candidates, shall not participate in the vote of a department with regard to any recommendation for promotion or the award of tenure.

8.0  
**INITIAL APPOINTMENT**

8.1

The entire Regular Faculty of a department are entitled to vote on each new appointment. In periods of recess, in summer sessions, and in departments with thirty-five or more members a committee of at least five members of the voting faculty shall be appointed, at the discretion of the Chair and in accordance with departmental bylaws, to vote on the candidate.

8.2

The voting faculty shall have an opportunity to review supporting materials of the candidate. In addition, when candidates are brought to campus, the voting faculty shall have a reasonable opportunity to interview and to attend a professional presentation by the candidate.

8.3

A Consultative Committee shall vote on the nominees by each committee member indicating the order of preference, if there is more than one nominee, and the disapproval of individual nominees. The numerical results of each member's ordered preferences, recorded anonymously, shall be reported by the committee to the appointing agent.

9.0  
**REVIEW OF THE FACULTY FOR  
REAPPOINTMENT, PROMOTION,  
AND THE AWARD OF TENURE**

9.1  
**Notification of Standards and Procedures**

9.1.1

At the time of initial appointment, each faculty member shall be advised in writing by the President of the substantive standards outlined in Section 6 above and of the procedures generally employed in decisions affecting reappointment, promotion, and tenure.

9.1.2

Special additional criteria may be adopted by departments, by vote of their tenured faculty and with the approval of the school faculty, and by schools by vote of their faculty. Such additional criteria shall not conflict with the *Faculty Manual*. Departments and schools shall consult with the Faculty Senate Council to determine whether such additional standards conform to the *Faculty Manual*. Following certification of the Faculty Senate Council, copies of such special additional criteria shall be provided the Dean and the President.

9.1.3

Each faculty member shall be advised in writing by the Chair of any additional criteria at the time of initial appointment, at the time of their adoption, and before any major review.

9.2  
**Review of the Faculty**

In accord with established University policies, a systematic annual evaluation is made of every faculty member, tenured and untenured. Such evaluations are implemented by the Chair observing the guidelines, standards and rights established in Article XII, Sections 12.3 and 12.4 of the *Faculty Charter*. Reappointment, promotion, merit salary increases, and the award of tenure are based on such reviews. Upon completion of this evaluation, in accordance with the procedures described below, the Chair discusses the results with each faculty member and, in the event of unsatisfactory performance, the Chair shall counsel the faculty member as to how to correct any deficiencies. In the extreme case where there appear to be grounds for termination for cause, the provisions of Section XX of the University Faculty and Tenure Policy shall be observed. Each Dean reports annually to the President when the review of all members of the faculty has been completed consistent with established University procedures.

### 9.3

#### **Types of Review**

The Regular Faculty of each school and department undertakes two types of review of the performance of its members:

*Annual Reviews* of each individual's accomplishments for the purposes of salary increases; and

*Special Reviews* for the purposes of reappointment, promotion, and the award of tenure.

The Research and Educator Faculty of each school are subject to Annual Reviews and Special Reviews for the purposes of reappointment and promotion.

### 9.4

#### **Faculty Files**

The file of the candidate shall be the basis for the deliberations at each state of the reviews.

Each faculty member shall be responsible for maintaining a current statement of his professional activities, arranged according to customary practices and university requirements. This file shall include evidence of: a) educational attainments; b) awards and fellowships; c) funded research projects; d) publications, papers, performances and other scholarly contributions to the profession; e) services to the profession in scholarly bodies and in university agencies; and f) public service to the community relating to scholarship and the profession.

Prior to any faculty consultation or vote, candidates shall have an opportunity to make current their files in the office of the Chair, as described in Bylaw 12.5.

The Chair shall make available to the appropriate voting faculty all relevant materials from the files of each candidate.

### 9.5

#### **Annual Reviews**

Each tenured and untenured member of the faculty shall be reviewed annually by the appropriate faculty based upon a systematic evaluation of the past year's work.

#### 9.5.1

For untenured faculty, the Chair shall discuss the results of the Annual Review with each faculty member, and, following this discussion, the Chair shall prepare a written statement summarizing the review. This statement shall be placed in the file and shall be made available to the faculty member who may prepare a response to be included in the file.

#### 9.5.2

The Annual Review is complete when the Dean advises the Provost of recommended salary increases.

9.6

**Special Reviews**

A more complete review is required: i) in the year prior to reappointment of a faculty member holding a tenure earning appointment; ii) when promotion to associate professor or professor is to be considered; and iii) in the year prior to the award of tenure. Each **Special Review** shall be conducted as follows:

9.6.1

**Teaching Evaluation**

The file of candidates for reappointment, promotion to associate professor, and tenure shall include the an assessment of classroom teaching made by the appropriate voting tenured faculty on the basis of classroom visitation by peers and, where appropriate, an interpretation of the results of formal student evaluations by the Chair. The faculty of each college and school is authorized to develop procedure governing the peer review and classroom visitations by faculty who are evaluating the teaching of non-tenured members.

9.6.2

**External Letters**

The file of a candidate for tenure or for promotion to full professor shall include at least three written evaluations of the scholarly work of the candidate solicited from scholars specializing in the field of work who hold tenured positions at comparable universities.

Such letters are solicited by the Chair following consultation with the candidate and the appropriate voting faculty. The content of letters requesting written evaluations shall be prepared with the approval of the appropriate voting faculty and shall be shown to the candidate. Letters of evaluation are confidential, but such letters may be seen by anyone directly concerned in making the promotion or tenure decision.

Copies of each letter used to solicit external reviews shall be included in the candidate's file. The Chair shall supply the voting faculty and the Dean with a list of external reviewers, indicating how and why each was selected. If outside letters are solicited from reviewers recommended by the candidate, the nature of any relationship shall be indicated. Candidates shall be permitted to identify persons who are thought to be unsuitable external reviewers and the reasons for that judgment.

Exceptions to the need for written external evaluations of the candidate's scholarly work may be made when such letters would not add materially to the candidate's file.

9.6.3

**Evaluation Committee**

After consultation with the appropriate voting faculty, the Dean, upon recommendation of the department, shall appoint an Evaluation Committee consisting of at least five tenured faculty superior in rank to the candidates. They shall be chosen because their research and scholarly activities enable them to assess the candidates'

contributions to knowledge. The committee should include faculty from cognate departments or schools, but the Chair of the Committee and a majority of its members should be from the department of the candidate. When there is good reason to appoint a majority or Chair of the Evaluation Committee from outside the department or school, the Dean shall advise the candidate, the Senate Council, and the President of the justification.

#### 9.6.4

##### **Formal Written Evaluation.**

The Evaluation Committee shall examine the complete work of the candidate. On the basis of this examination, the Committee shall prepare a detailed written evaluation of the candidate's contribution to knowledge and to the profession. The Committee shall then state whether, in its judgment, reappointment, promotion, or award of tenure is justified. The candidate, the appropriate voting faculty, and the Chair shall be entitled to examine the report. Any of these can, for cause, ask the Committee to reconsider its evaluation.

#### 9.6.5

##### **Candidate's Statement**

Candidates may present a written career assessment providing the rationale of their work and the significance of their contribution to knowledge and the profession.

#### 9.7.

##### **Faculty Vote**

The appropriate voting faculty shall be assembled to consult on the candidate. Notice of the meeting shall be in writing, shall provide adequate notice of the date and agenda of the meeting, and shall include the names of candidates under consideration.

#### 9.7.1

After systematic examination of the file, including any Evaluation Committee report, and after deliberation, the voting faculty shall determine by ballot for each candidate whether to recommend reappointment, promotion or tenure. The ballots shall be counted by two designated members of the voting faculty and the results of the ballot announced to the electorate. Following this announcement, the Chair shall prepare a written statement of the views of the voting faculty which shall be circulated to the voting faculty prior to its transmission to the Dean.

#### 9.7.2

Absentee ballots shall not be counted unless they have been submitted prior to the meeting called to consider candidates for tenure, promotion, and appointment. The electorate shall be informed of the numerical results of the ballot.



9.8  
**Role of the Chair.**

9.8.1  
The Chair shall prepare and forward a written summary of the recommendation of the voting faculty and a numerical tally of the ballot with the file of the candidate.

9.8.2  
The Chair shall not participate in the ballot of the voting faculty, but shall provide a separate recommendation supported by a written evaluation of each candidate. The Chair should make reference to the performance of the candidate in terms of the Annual Reviews and any prior Special Reviews.

9.8.3  
The Chair shall forward with the file of the candidate all materials that were considered, the recommendation of the Chair, and the written summary of the voting faculty.

9.8.4  
Subsequent to the meeting of the voting faculty, the voting faculty and each candidate shall be informed promptly by the Chair of the relevant recommendations of the voting faculty and of the Chair.

9.9  
**Actions of the Dean**

In a departmentalized School, the Dean shall, after reviewing in a written statement the file of each candidate, make a recommendation to the President with regard to each candidate.

9.9.1  
**School Advisory Boards**

In departmentalized schools where Deans do not perform the role of the Chair in the Annual and Special Reviews, the Dean shall establish an Advisory Board to assist in the review of candidates from each department of the School.

The members of the Advisory Board must be tenured full professors selected to reflect the diversity of disciplines in the School. Chairs and Assistant or Associate Deans are not eligible to serve on Advisory Boards.

The Advisory Board shall examine all the material forwarded by the Chair. It shall prepare a written report explaining the reasons for its recommendations. This report shall be included in the candidate's file along with all other material and forwarded to the Dean.

9.9.2  
The Dean shall forward the files of all candidates together with the recommendations of the Chair and the voting faculty, and the report of the Advisory Board.

9.9.3

The Dean's recommendation and written statement shall be included in each candidate's file along with all other material and forwarded to the Provost.

9.10

**Provost Actions**

*[This section, with Section 2.1, constitutes a separate Senate action, Legislation #87005.]*

The Provost, as delegated by the President, makes all reappointments and promotions. After reviewing each candidate's file, the Provost shall notify each candidate of his decision to reappoint or promote. When the Provost decides against promotion and there is a positive recommendation from the voting faculty, the Provost should explain his reasons in writing and the candidate should be counseled by his Chair or Dean on what should be done to secure promotion.

10

**Trustee Authority in Tenure**

Tenure may be earned only by a considered action of the University. The Board of Trustees is the final authority for the award of tenure. The award or denial of tenure shall be directly communicated to the candidate by the President immediately following the completion of the tenure process. If the Board denies tenure to a faculty member in the final year of the probationary period, the faculty member shall receive at least twelve (12) months notice prior to the expiration of the appointment.

## SPECIAL COUNCIL MEETING

August 25, 1988

PRESENT: William Awad, Basil Honikman, Bruce Forman, John Knoblock, Peter Luykx, Linda Neider, Susan Seiler, Frederick Tims, Kamal Yacoub.

EXCUSED: Daniel Baden, Alan Swan.

GUESTS: Luis Glaser, Paul Sugrue, Robert Warren.

### Call to the Order

The meeting was called to order at 2:00 P.M. by Dr. Knoblock.

### *Location for Faculty Senate Meetings*

Dr. Knoblock suggested LC 190 for the meetings this fall. After discussion Dr. Glaser suggested that possibilities in the Residential Colleges be investigated. It was agreed to have the next meeting in LC 190 and to wait until next week to investigate other alternatives.

### *Annual Report of Rank, Salary and Conditions of Employment Committee*

Dr. Knoblock informed the Council that Dr. Mary Ann Fletcher, Chair of the Senate Committee on Rank, Salary and Conditions of Employment, sent her committee's report since she was out of town and unable to present the report in person. It was suggested that the Council invite Dr. Fletcher to the its next meeting to present an oral report.

### *Report on the Bylaw on Faculty Appointment, Promotion and Tenure*

Dr. Knoblock and Dr. Swan met with the President to discuss the Bylaws. Dr. Knoblock informed that all the issues were resolved with the exception of the Educator faculty and the composition and mandatory value of the Advisory Board. They expect to have a final decision soon.

### *Retirement*

Dr. Knoblock and Dr. Clasby met with Ms. Diane Cook, treasurer, to discuss the Retirement plan. Some of the alternatives approved last spring were not viable. The actuaries suggested a modification to the new plan.

### *Designation of Distinguished Professor and University Professor*

After discussion Dr. Knoblock suggested appointing a committee to investigate the difference between the two titles, Distinguished Professor and University Professor; the procedures for nomination and appointment; and the term of the title. Dr. Neider *moved* that the University Professor title be a term title. No vote was taken. It was moved that the Chair appoint a committee to decide on three items: the title of the award, Distinguished or University Professor; the length of the



JUL 1988

M E M O R A N D U M

TO: Dr. George Alexandrakis  
Chairman, Faculty Senate

FROM: Edward T. Foote II *ETF*  
President

DATE: July 15, 1988

RE: Bylaw on Faculty Status, Titles, Appointment, Reappointment, Promotion and the Award of Tenure - Faculty Senate Actions, Consolidated Version 87001, 87005, 87006, 87008, 87014, 87034.

I have reviewed the above-referenced legislation which you have submitted to me for approval pursuant to Article 8.8 of the Faculty Charter. Having reviewed those proposals, I approve of them with the following exceptions:

1. References to Educator Faculty should be deleted until such time as we have agreed to the creation of that faculty position. The references to Educator Faculty to which I refer are found in paragraphs 1.5, 1.7, 1.8.1, 1.8.2, 1.8.3, 3.3, 3.4, 3.5, 4.2.1, and 9.3. Should we have missed any other references to Educator Faculty, those references would be likewise included in this objection.

2. In paragraph 2.3, given the fact that there are independent faculty in the Graduate School of International Studies, I disapprove the inclusion of the sentence which reads, "All Participating Faculty in the Graduate School of International Studies shall hold joint appointments."

3. In paragraph 2.5.2, I disapprove of the proposed language until such time as we have agreed on Educator Faculty. In the interim, the present definition of adjunct faculty should apply.

4. In paragraph 2.7, I recommend that the first sentence of the second paragraph be rewritten as follows, "Associated Faculty

teaching more than nine hours in any calendar year shall be considered full-time faculty."

5. As I understand, there have been discussions that the provisions of all of Section 3.0 and all of Section 4.0 should be approved in the form in which you have proposed, provided, that the provisions of those two sections not be incorporated or included in the Faculty Bylaws. I understand that those sections will be segregated into a separate section of the Faculty Manual to be appropriately designated.

6. In paragraph 3.4, the phrase "a minimum of" in line 2 must be deleted.

7. I do not agree that the Advisory Boards to the Dean should be memorialized in the form proposed in paragraph 9.9.1. Therefore, I do not approve the provisions of that paragraph.

8. Similarly, the reference to "the report of the Advisory Board" in paragraph 9.9.2 should be deleted.

The changes which you have proposed and which I have approved constitute the largest single amendment to our form of faculty governance. I congratulate you and the members of the Faculty Senate who have worked over the past year on this matter. With respect to the sections to which I have objected, I would be pleased to meet with you to further discuss those issues.

ETF:ckv

sm6/a

Suggested changes to Section 1.5

- 1) Educator Faculty -- Purpose of the Bylaw
- 2) This Bylaw section...
- 3) Its purpose is, first to extend
- 4) University's academic mission; and second
- 5) Educator Faculty will not only will perform...  
but will continuously continually improve...  
will stay abreast of, will engage with their...

Suggested changes to Section 1.5.7

- 1) Sentence 1 - capitalize Chair and Dean and between the Provost and the Council of the Faculty Senate it is determined that the member's services are no longer needed because of changes in...
- 2) Following their consultations, the Provost and Senate Council...
- 3) Process as follows: vote of faculty, recommendation of Dean, discussion between Provost and Senate Council
- 4) The Council's discussion regarding "equities", in the fourth line from the bottom of Section 1.5.7, means that financial considerations are not themselves a sufficient condition for the termination of one person over another person when they are equally well-qualified. Further, unless there is some real question of merit in terms of their skills or abilities, seniority shall prevail.

#### PENDING AND DISAPPROVED LEGISLATION

Dr. Alexandrakis reviewed the list of pending and disapproved legislation. He discussed the memorandum received from the President disapproving Legislation #87020(B) - Committee on Lowe. Dr. Knoblock read the President's response in disapproving Legislation #87019(C) - 60 Credit for Graduation. He asked Vice Provost Sugrue for a synopsis of the facts referred to by President Foote with regard to admission of transfer students. It was suggested by Dr. Clasby that a small committee, similar to the past Joint Referral Committee, be established to redraft disapproved legislation for resubmission to the President. Dr. Swan explained the intent of Legislation #87021(C) - Bylaw on Grievance Committee as meaning that recommendations from that Committee will automatically become effective unless expressly vetoed by the President. Legislation #87028- Disestablishment of the Guidance Center was discussed and several questions were raised concerning who would determine salary recommendations for the academic and service activities of the Guidance Center faculty. Vice Provost Sugrue reported that he has summarized the Deans' comments on Legislation #87023(C) - General Education Requirements. Several schools have requested exceptions, particularly to the writing requirement. It was suggested that technical problems presented by the schools be discussed with the Provost. The Chairman inquired about the status of Legislation #87001(B) - Bylaw on Faculty Appointment, Promotion and Tenure. It was agreed that since more than a year has passed, the concerns of the Council should be conveyed to the President in light of the Provost's recommendation to pass the legislation. Dr. Alexandrakis reviewed Legislation #87027(C) - Good Academic Standing. He informed the Council that the deleted *Bulletin* page concerning good academic standards would be re-inserted by order of the President. It was agreed to hear a report from the Provost regarding the matter.

# FACULTY POLICIES

## I. DEFINITIONS

- 1.1. The General Faculty shall consist of the University Faculty and the Associated Faculty.
- 1.2. The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.
- 1.3. The Regular Faculty shall consist of all faculty having tenured or tenure-earning positions and holding the rank of Professor, Associate Professor, or Assistant Professor.
- 1.4. The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

\*Faculty Senate Action #88011

1.5. The Educator Faculty shall consist of those physicians who are in the clinical departments of the School of Medicine or nurses in the clinical programs of the School of Nursing with such titles as "rank" of Clinical "name of department", (e.g. Professor of Clinical Surgery or Professor of Clinical Nursing). These titles are granted to physicians and nurses who choose to concentrate on clinical performance and its use as a teaching tool. Such faculty are full-time and, if salaried by the University, are subject to a ceiling.

- 1.6. The Associated Faculty are all faculty with professorial titles prefixed by Clinical, except in the School of Law, (e.g., Clinical Professor of Surgery) or by Adjunct, Visiting, or Affiliated, and all Lecturers and Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.
- 1.7. The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair or Dean, and ratification of Amendments to the Faculty Charter.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the General Faculty may vote only once on a single question. Persons holding joint appointments must designate a school or department in which to exercise their voting rights on university matters. Persons

**Faculty Senate Action #87014**  
**Class B Legislation**

[Legislation to replace Faculty Senate Legislation #87004 and to Amend Sections of Faculty Senate Legislation #87001(B) and #87003(A)]

**I. REPLACEMENT FOR LEGISLATION #87004(B)**

1.5  
**Educator Faculty**

1.5.1

The Educator Faculty shall consist of four categories of appointments:

- 1) those clinicians who serve in the clinical programs of the University, and whose title consists of a rank followed by a discipline prefixed by "Clinical" (e.g., Professor of Clinical Surgery, Professor of Clinical Nursing) or, in the School of Law, of a rank and discipline prefixed by "Clinical" (e.g., Clinical Professor of Law);
- 2) those faculty whose major function is to serve in teaching and educational support programs and who hold the rank of Educator Professor, Educator Associate Professor, or Educator Assistant Professor;
- 3) those faculty serving in the libraries of the University and who hold the rank of Library Assistant Professor, Library Associate Professor, and Library Professor; and
- 4) Lecturers.

1.5.2

All Educator Faculty shall be subject to Annual Reviews as provided for in Sections 9.3 and 9.5 of these Bylaws and to Special Reviews as provided below:

- a) for one year contracts not later than three months before the end of the contract;
- b) for two year contracts not later than the end of the first year of the contract;
- c) for three year contracts not later than the end of the second year of the contract.

There shall be a Special Review any time promotion of a member of the Educator Faculty to the rank of Professor or Associate Professor is considered.

1.5.3

If, as a result of a Special Review, it is determined not to reappoint or not to renew the contract of a faculty member, the following provisions for notice shall be observed: