

MEMORANDUM

TO: President Edward T. Foote II

FROM: Dr. John Knoblock
Chairman, Faculty Senate

DATE: April 23, 1987

SUBJECT: Faculty Senate Legislation #87004(A, B) -
Charter Amendment and Bylaw on Educator Faculty

The Faculty Senate, at its meetings of February 23, March 23 and April 13, voted to approve Faculty Senate Legislation #87004(A, B) -Bylaw on Educator Faculty. The text of the legislation is attached.

This legislation is now forwarded to you for your action.

JK/b

Attachment

cc: Provost Luis Glaser

Faculty Senate Action #87004
Class A Legislation, Charter Amendment

2.1

The Educator Faculty shall consist of three 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; and
- 3) Lecturers.

Educator Faculty shall not hold tenured or tenure-earning appointments.

Positions in category two may be established by vote of the faculty of each school. The number of such educator faculty in a school shall be limited to ten percent of the regular faculty in that school. Upon recommendation of the faculty of the school a higher limit for a particular school may be established by a special Bylaw.

Class B Legislation, Bylaw

1.5

The Educator Faculty shall consist of three 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; and
- 3) Lecturers.

Educator Faculty shall not hold tenured or tenure-earning appointments.

Educator Faculty in category one holding appointments in the School of Medicine are subject to a salary ceiling.

Positions in category two may be established by vote of the faculty of each school. The number of such educator faculty in a school shall be limited to ten percent of the regular faculty in that school. Upon recommendation of the faculty of the school a higher limit for a particular school may be established by a special Bylaw.

Appointment as a Lecturer may be held for no more than three years after which it must be terminated or changed to a category two Educator appointment.

CAPSULE: Faculty Senate Legislation #87004(A,B) -
Charter Amendment and Bylaw on Educator Faculty

RESPONSE BY THE PRESIDENT:

DATE: _____

APPROVED: _____

OFFICE OR INDIVIDUAL TO IMPLEMENT OR PUBLISH: _____

EFFECTIVE DATE OF LEGISLATION: _____

NOT APPROVED AND REFERRED TO: _____

REMARKS (IF NOT APPROVED):

Proposed New Section 1.5 of By-Laws
(Draft of October 4, 1988)

Replacement for Legislation #87004(B)

1.5

Educator Faculty -- Purpose

This Section establishes a category of University Faculty known as Educator Faculty. Its purpose is to extend to all persons in that category recognition for the important role they play in carrying forward the University's academic mission and to assure regularity and fairness in the standards and procedures governing their appointment, reappointment, promotion and termination. Educator Faculty are not only expected to perform their work with competence, but continually to improve their performance, stay abreast of the latest learning relevant to their tasks, engage with their colleagues in that intellectual dialogue that is of the essence of the University and to join fully in a broader commitment to enhancing the academic quality and reputation of the institution.

1.5.1

Categories of Educator Faculty

Educator Faculty shall consist of four categories of appointments:

- 1) Faculty serving in the clinical programs of the University 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) 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) Faculty serving in the libraries of the University who hold the rank of Library Professor, Library Associate Professor or Library Assistant Professor;
- 4) Lecturers

1.5.2

Conditions and Limitations

No Educator Faculty may be appointed in any School unless the Regular Faculty of the School shall have voted to authorize the making of such appointments. This authorization may designate the departments in which the appointments are to be made and the number of such appointments in each department.

The number of category two Educator Faculty appointed in any School shall not exceed a number equal to ten percent (10%) of the Regular Faculty of that School. The number of category three Educator Faculty appointed in the Richter Library shall not exceed a number equal to forty-five percent (45%) of the University Faculty in Richter Library. A higher limit may be established for a particular

School or for the Richter Library by a special By-Law to the Faculty Charter enacted upon the recommendation of the Regular Faculty of that School, or, with respect to Richter Library, the University Faculty in that Library.

Educator Faculty shall not hold tenured or tenure earning appointments. Faculty with Educator appointments, however, may request to be considered for appointment to the Regular Faculty of the University under the provisions of Section 1.8 of this By-Law.

All Educator Faculty shall be subject to Annual Reviews as provided for in Sections 9.3 and 9.5 of these By-laws and to a Special Review any time promotion to the rank of Professor or Associate Professor is considered.

Educator Faculty holding appointments in the School of Medicine shall be subject to a salary ceiling.

1.5.3

Clinical Faculty and Lecturers -- Term of Appointment

Educator Faculty in categories one (Clinical) and four (Lecturers), except in the Law School, shall be awarded a renewable one year contract. In Schools having category two Educator Faculty, however, no person may be appointed to and hold the rank of Lecturer for more than three years, after which the appointment must either be terminated or changed to a category two Educator Faculty appointment.

Notice of a decision not to renew a contract awarded under this Section must be given three months prior to the expiration of that contract, otherwise the contract will be deemed renewed for the ensuing year.

1.5.4

Category Two and Library Faculty -- Probationary Period

During the probationary period defined below, Educator Faculty in categories two (Teaching) and three (Library) and in category one in the Law School (Clinical), shall be awarded an initial one year contract. Thereafter such faculty may be awarded a two year contract followed by a three year contract. Under special circumstances a faculty member may be awarded an additional one year contract to be followed by one or more two year contracts or a three year contract, as appropriate. The decision to award an additional probationary contract shall be preceded by a Special Review.

If an Educator Faculty is not to be awarded an additional probationary contract, the following provisions for notice shall be observed:

- a) For a decision not to award an additional one-year or a two-year contract, at least three months' notice;
- b) For a decision not to award a three-year contract, at least six months' notice.

No justification for a decision by the University not to award an additional probationary contract need be communicated to the faculty member concerned. All

such decisions, however, shall be based solely upon the considerations set-forth in Section 1.5.8(b) below.

The probationary period shall be six years commencing with the September in which the initial appointment is made or, if made in any other month, commencing with the first September following the date of appointment. Persons with appropriate experience at other comparable institutions, however, may be awarded up to three years credit toward the probationary period by the President following a recommendation by the Dean made in consultation with the Chair. During the first year of appointment a faculty member may waive credit for applicable prior service at another institution.

1.5.5

Category Two and Library Faculty: -- Regular Contracts

Upon completion of the probationary period, category two (Teaching) and category three (Library) Educator Faculty and category one Educator Faculty in the Law School (Clinical), may be awarded an indefinite term contract subject to termination as provided in Sections 1.5.6 and 1.5.7 below. The decision to award such a contract shall be made only upon completion of a Special Review conducted during the last year of the faculty member's probationary period.

Notwithstanding the requirement for a probationary period, a person whose record of achievement and experience merit such action may, at the time of initial appointment to any category of Educator Faculty eligible to receive such contracts, be awarded an indefinite term contract.

If it is decided not to award an indefinite term contract following the probationary period, notice of the decision shall be given on or before expiration of the faculty member's current contract and that member's appointment shall terminate at the end of the ensuing academic year.

1.5.6

Termination For Unsatisfactory Performance

If, during the course of any contract, there is evidence of unsatisfactory performance by a member of any category of Educator Faculty, a Special Review may be initiated by the voting faculty, the Chair or the Dean to determine whether the faculty member's contract shall be terminated. A decision to terminate a contract shall be effective as follows:

- a) For any probationary or one-year contract, six months following notice of termination.
- b) For any indefinite term contract, one year following notice of termination.
- c) For any contract where the reason for termination raises a threat of immediate serious injury to the University, as specified in the notice of termination.

1.5.7

Termination of Contracts Because of Changed Needs

The contract of any Educator Faculty may be terminated at any time or the award of an additional probationary contract may be withheld, if it is determined, in accordance with the following procedures, that because of changes in the demand for, or in the organization or content of, the academic program or activity to which the faculty member is assigned, the member's services are no longer needed. Such a determination may be made only after consultations with the appropriate faculty, the chair and the dean and between the Provost and the Council of the Faculty Senate. In their consultations the Provost and Council shall explore fully all the equities of the situation and shall consider all alternatives to action under this Section in order to best serve the interests of both the University and the faculty member involved. Consultations with the appropriate faculty shall require a vote thereof.

If it is decided to terminate or otherwise discontinue the services of an Educator Faculty member under the authority of this Section, notice of the decision shall be given before the end of the academic year in which it was made and shall take effect at the end of the ensuing academic year.

1.5.8

Considerations Governing the Award, Renewal and Termination of Contracts

Except as provided in Section 1.5.7 above, all decisions on whether to award, renew or terminate Educator Faculty contracts shall be made as follows:

a) The decision to make an initial appointment to the Educator Faculty shall be made in accordance with the procedures set-forth in Sections 8.1 through 8.3 of these By-Laws.

b) The decision to (i) renew a one-year contract under Section 1.5.3, (ii) to award an additional probationary contract under Section 1.5.4, (iii) to award an indefinite term contract under Section 1.5.5, or (iv) to terminate a contract because of unsatisfactory performance under Section 1.5.6, shall be made in accord with the procedures, standards and criteria governing the Special Reviews established under Section 1.5.9 below.

1.5.9

Standards and Procedures for Special Reviews

The standards and procedures for Special Reviews of Educator Faculty shall be developed as follows:

a) Upon the approval of the Regular Faculty of each School with Educator Faculty, the Dean of the School (or the Director of Libraries) shall submit to the Faculty Senate for its approval a proposed set of standards and criteria and a proposed set of procedures to govern all Special Reviews of Educator Faculty appointed, in the case of each Dean's proposals, to their School and, in the case of the Director's proposals, to the Richter Library.

b) The procedures proposed shall approximate as closely as possible the procedures established in Sections 9.6 through 9.10 of these By-Laws and the standards and criteria proposed shall be appropriate to the role played by Educator Faculty in the School or Library and to the purpose of the Special Review: promotion, award of probationary contracts, award of indefinite term contracts, contract renewals or the termination of contracts because of unsatisfactory performance.

c) Upon approval of the proposed standards and procedures by the Faculty Senate, they shall be submitted to the President for final approval. Any amendment to the approved standards and procedures shall be made in the manner of their initial adoption as specified above.

Faculty Senate Action #87004
Class A Legislation, Charter Amendment

2.1

The Educator Faculty shall consist of three 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; and
- 3) Lecturers.

Educator Faculty shall not hold tenured or tenure-earning appointments.

Positions in category two may be established by vote of the faculty of each school. The number of such educator faculty in a school shall be limited to ten percent of the regular faculty in that school. Upon recommendation of the faculty of the school a higher limit for a particular school may be established by a special Bylaw.

Class B Legislation, Bylaw

1.5

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Educator Faculty shall not hold tenured or tenure-earning appointments.

Educator Faculty in category one holding appointments in the School of Medicine are subject to a salary ceiling.

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Appointment as a Lecturer may be held for no more than three years after which it must be terminated or changed to a category two Educator appointment.



Department of English
P.O. Box 248145
Coral Gables, Florida 33124
(305) 284-2182

TO: Dr. David Wilson
Dean, College of Arts and Sciences

FROM: Patrick A. McCarthy *Pat*
Professor of English

DATE: 31 March 1989

I have read the Provost's memorandum concerning proposed changes in the Charter. Below, I have listed a few reservations about the changes.

page 3, sect. 1.5: I think there must be something missing from the first sentence, which at present does not make grammatical sense. Perhaps the missing word is "serve," as in "The Educator Faculty shall consist of those physicians who serve in the clinical departments. . . ." Also, I want to make certain that the intent of this legislation is to restrict Educator Faculty members to the Schools of Medicine and Nursing.

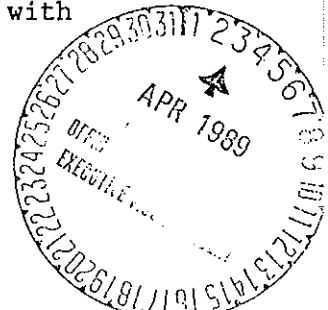
page 4, sect. 1.6: I don't understand the function of the phrase "except in the School of Law." Does this mean that there are Clinical Professors in the School of Law who are not Associated Faculty members? Certainly it doesn't mean that all Associated Faculty members have the title of Clinical except in the School of Law, since the modifying titles that follow the parenthetical example would appear in schools other than Law. Frankly, I'm utterly baffled by the phrasing here, and I suspect that someone who was revising this section on a word processor has inadvertently incorporated parts of two drafts.

page 5, sect. 1.8.3.: "Members of the Regular Faculty" (plural) cannot become "a tenured Professor" (singular). The final phrase should be changed to "tenured Professors," or else the beginning of the sentence should be revised to change the plurals to singulars.

page 10, sect. 3.4, second paragraph (beginning "An Educator appointment"): The statement that such an appointment "may be terminated at the close of any academic year" is contradicted by the dates given below. Is the intention to provide Educator Faculty members with the same prior notice as Regular Faculty? One way or the other, the contradiction should be resolved.

page 11, sect. 3.6.3.; also page 14, sect. 4.4.1 (and perhaps elsewhere): "Consult with" is substandard usage, and should be replaced either with "confer with" or, simply, "consult."

page 16, sect. 6.3: For "meant" read "means."



page 22, sect. 9.6.1: The last sentence uses "faculty" inconsistently, first as a singular noun ("The faculty of each college and school is authorized . . ."), then as a plural noun ("faculty who are evaluating the teaching of non-tenured members").

page 22, sect. 9.6.2., first paragraph: If this requires that all external letters on tenure and promotion come from tenured faculty members, some people in the arts might not be able to use evaluators whose opinions would be especially valuable. A nationally known director of a theater group might be the best evaluator for someone in Theater Arts; likewise, a museum director or an art critic for a nationally known journal could assess the work of a painter or sculptor. I imagine that there are scientists with major reputations who are associated with institutions other than universities: would they be precluded from serving as evaluators? I think this section has not been thought through very clearly.

Three paragraphs later, there is a provision for exceptions to the requirement that candidates for promotion or tenure have outside evaluations. I think it is a serious mistake to allow such exceptions.

page 22, sect. 9.6.3: I have two problems with this section. First, a purely practical problem: What do we do in the case of tenure involving someone who was initially appointed to the rank of Professor without tenure? This section says that the Evaluation Committee must consist of "at least five tenured faculty superior in rank to the candidates," but there are no members of the faculty superior in rank to a full professor.

The second objection has to do with the appointment of the Evaluation Committee, which I regard as unnecessary in most cases. Is there some reason to add this step?

Those are all of my objections--at least, all that emerged from one quick reading of the document. I trust that you'll share these concerns with the Provost.

SENATE COUNCIL MEETING

JUNE 27, 1988

- PRESENT: Dr. George Alexandrakis, Chairman-Elect, Dr. William Awad, Dr. Daniel Baden, Dr. Eugene Clasby, Dr. Bruce Forman, Mr. Charles Hicks for Ms. Susan Seiler, Dr. John Knoblock, Chairman, Dr. Linda Neider, Dr. Alan Swan, Dr. Frederick Tims, and Dr. Kamal Yacoub.
- EXCUSED: Dr. Lydia DeSantis, Dr. Basil Honikman and Ms. Susan Seiler.
- ABSENT: Dr. Ralph Bardgett and Dr. Peter Luykx.
- GUESTS: Dr. Norman Altman and Dr. Paul Sugrue.

Call to Order and Approval of Minutes

The meeting was called to order at 2:00 P. M. by Dr. Knoblock. The minutes of the general meeting of June 6, 1988 were approved as presented. The Executive Session minutes were approved with a minor revision.

University Disability Income Plan

Dr. Awad introduced Dr. Norman Altman, a member of the School of Medicine's School Council, to discuss what he perceives as inequities in the University's Disability Income Plan. He distributed a summary and recommendations for the Council's consideration. It was *moved*, and seconded, that this matter be forwarded to the Employee Benefits Committee for inclusion in the August agenda. The *motion was unanimously approved*.

Replacement Legislation # 87004 - Educator Faculty

Dr. Alexandrakis presented the proposed replacement legislation for educator faculty. The following changes were made in Section 1.5: 1) title - amended to read "Educator Faculty -- Purpose"; 2) second sentence - delete first, semicolon following academic mission, and second; and 3) third sentence - amended to read "...Educator Faculty not only will perform ... but continually improve their performance, delete will in next two phrases.

Following extensive discussion it was *moved*, and seconded, to authorize a subcommittee of the Council to draft an interpretation of Section 1.5.7 to be incorporated into the minutes of the next Senate Council meeting. The *motion carried*. The Council agreed to separate the criteria of the termination from the process. The remainder of the sections remained unchanged.

Proposed New Section 1.5 of By-Laws
(Draft of June 15, 1988)

Replacement for Legislation #87004(B)

1.5

Educator Faculty -- Purpose of the ~~By-Law~~

By-law section
This ~~By-Law~~ establishes a category of University Faculty known as Educator Faculty. Its purpose is, ~~first~~ to extend to all persons in that category recognition for the important role they play in carrying forward the University's academic mission; and ~~second~~ to assure regularity and fairness in the standards and procedures governing their appointment, reappointment, promotion and termination. It is the University's expectation that Educator Faculty will not only perform their work with competence, but ~~will~~ *will* continuously improve their performance, ~~will~~ stay abreast of the latest learning relevant to their tasks, ~~will~~ *will* engage with their colleagues in that intellectual dialogue that is of the essence of the University and will join fully in the broader faculty commitment to enhancing the academic quality and reputation of the institution. *Continually*

1.5.1

Categories of Educator Faculty

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- 3) Faculty serving in the libraries of the University who hold the rank of Library Professor, Library Associate Professor or Library Assistant Professor;
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Conditions and Limitations

No Educator Faculty may be appointed in any School unless the Regular Faculty of the School shall have voted to authorize the making of such appointments. This authorization may designate the departments in which the appointments are to be made and the number of such appointments in each department.

The number of category two Educator Faculty appointed in any School shall not exceed a number equal to ten percent (10%) of the Regular Faculty of that School. The number of category three Educator Faculty appointed in the Richter Library shall not exceed a number equal to forty-five percent (45%) of the Univer-

sity Faculty in Richter Library. A higher limit may be established for a particular School or for the Richter Library by a special By-Law to the Faculty Charter enacted upon the recommendation of the Regular Faculty of that School, or, with respect to Richter Library, the University Faculty in that Library.

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All Educator Faculty shall be subject to Annual Reviews as provided for in Sections 9.3 and 9.5 of these By laws and to a Special Review any time promotion to the rank of Professor or Associate Professor is considered.

Educator Faculty holding appointments in the School of Medicine shall be subject to a salary ceiling.

1.5.3

Clinical Faculty and Lecturers -- Term of Appointment

Educator Faculty in categories one (Clinical) and four (Lecturers), except in the Law School, shall be awarded a renewable one year contract. In Schools having category two Educator Faculty, however, no person may be appointed to and hold the rank of Lecturer for more than three years, after which the appointment must either be terminated or changed to a category two Educator Faculty appointment.

Notice of a decision not to renew a contract awarded under this Section must be given three months prior to the expiration of that contract, otherwise the contract will be deemed renewed for the ensuing year.

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Category Two and Library Faculty -- Probationary Period

During the probationary period defined below, Educator Faculty in categories two (Teaching) and three (Library) and in category one in the Law School (Clinical), shall be awarded an initial one year contract. Thereafter such faculty may be awarded a two year contract followed by a three year contract. Under special circumstances a faculty member may be awarded an additional one year contract to be followed by one or more two year contracts or a three year contract, as appropriate. The decision to award an additional probationary contract shall be preceded by a Special Review.

If an Educator Faculty is not to be awarded an additional probationary contract, the following provisions for notice shall be observed:

- a) For a decision not to award an additional one-year or a two-year contract, at least three months' notice;
- b) For a decision not to award a three-year contract, at least six months' notice.

No justification for a decision by the University not to award an additional probationary contract need be communicated to the faculty member concerned. All such decisions, however, shall be based solely upon the considerations set-forth in Section 1.5.8(b) below.

The probationary period shall be six years commencing with the September in which the initial appointment is made or, if made in any other month, commencing with the first September following the date of appointment. Persons with appropriate experience at other comparable institutions, however, may be awarded up to three years credit toward the probationary period by the President following a recommendation by the Dean made in consultation with the Chair. During the first year of appointment, a faculty member may waive credit for applicable prior service at another institution.

1.5.5

Category Two and Library Faculty: -- Regular Contracts

Upon completion of the probationary period, category two (Teaching) and category three (Library) Educator Faculty and category one Educator Faculty in the Law School (Clinical), may be awarded an indefinite term contract subject to termination as provided in Sections 1.5.6 and 1.5.7 below. The decision to award such a contract shall be made only upon completion of a Special Review conducted during the last year of the faculty member's probationary period.

Notwithstanding the requirement for a probationary period, a person whose record of achievement and experience merit such action may, at the time of initial appointment to any category of Educator Faculty eligible to receive such contracts, be awarded an indefinite term contract.

If it is decided not to award an indefinite term contract following the probationary period, notice of the decision shall be given on or before expiration of the faculty member's current contract and that member's appointment shall terminate at the end of the ensuing academic year.

1.5.6

Termination For Unsatisfactory Performance

If, during the course of any contract, there is evidence of unsatisfactory performance by a member of any category of Educator Faculty, a Special Review may be initiated by the voting faculty, the Chair or the Dean to determine whether the faculty member's contract shall be terminated. A decision to terminate a contract shall be effective as follows:

- a) For any probationary or one-year contract, six months following notice of termination.
- b) For any indefinite term contract, one year following notice of termination.
- c) For any contract where the reason for termination raises a threat of immediate serious injury to the University, as specified in the notice of termination.

1.5.7

Termination of Contracts Because of Changed Needs

The contract of any Educator Faculty may be terminated at any time or the award of an additional probationary contract may be withheld, if, after consultations with the appropriate faculty, the Chair and the Dean and ~~between the Provost and the Council of the Faculty Senate,~~ it is determined that because of changes in the demand for, or in the organization or content of, the academic program or activity to which the faculty member is assigned, the member's services are no longer needed. ~~In their consultations~~ the Provost and ^{Senate} Council shall explore fully all the facts and equities of the situation and shall consider all alternatives to action under this Section in order to best serve the interests of both the University and the faculty member involved. Consultations with the appropriate faculty shall require a vote thereof.

faculty vote
rec. of Dean
disc. between
Prov. & SC

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If it is decided to terminate or otherwise discontinue the services of an Educator Faculty member under the authority of this Section, notice of the decision shall be given before the end of the academic year in which it was made and shall take effect at the end of the ensuing academic year.

1.5.8

Considerations Governing the Award, Renewal and Termination of Contracts

Except as provided in Section 1.5.7 above, all decisions on whether to award, renew or terminate Educator Faculty contracts shall be made as follows:

a) The decision to make an initial appointment to the Educator Faculty shall be made in accordance with the procedures set-forth in Sections 8.1 through 8.3 of these By-Laws.

b) The decision to (i) renew a one-year contract under Section 1.5.3, (ii) to award an additional probationary contract under Section 1.5.4, (iii) to award an indefinite term contract under Section 1.5.5, or (iv) to terminate a contract because of unsatisfactory performance under Section 1.5.6, shall be made in accord with the procedures, standards and criteria governing the Special Reviews established under Section 1.5.9 below.

1.5.9

Standards and Procedures for Special Reviews

The standards and procedures for Special Reviews of Educator Faculty shall be developed as follows:

a) Upon the approval of the Regular Faculty of each School with Educator Faculty, the Dean of the School (or the Director of Libraries) shall submit to the Faculty Senate for its approval a proposed set of standards and criteria and a proposed set of procedures to govern all Special Reviews of Educator Faculty appointed, in the case of each Dean's proposals, to their School and, in the case of the Director's proposals, to the Richter Library.

b) The procedures proposed shall approximate as closely as possible the procedures established in Sections 9.6 through 9.10 of these By-Laws and the standards and criteria proposed shall be appropriate to the role played by Educator Faculty in the School or Library and to the purpose of the Special Review: promotion, award of probationary contracts, award of indefinite term contracts, contract renewals or the termination of contracts because of unsatisfactory performance.

c) Upon approval of the proposed standards and procedures by the Faculty Senate, they shall be submitted to the President for final approval. Any amendment to the approved standards and procedures shall be made in the manner of their initial adoption as specified above.

STATUS OF LEGISLATION

6/27/88

87018(B)	Amendment to Honor Code	Approved	4/29
87019(C)	60 Credit for Graduation (Memo from ETF)	Not approved	6/6
87020(B)	Committee on Lowe (Memo from ETF)	Not approved	5/31
87021(C)	Bylaw on Grievance Committee	Pending	4/29
87022	No Legislation		
87023(C)	General Education Requirements	Pending	4/29
87024(B)	BS in Psychobiology	Approved	5/25
87025(B)	MS in Physical Therapy & Master of Physical Therapy	Approved	5/25
87026(C)	Transfer between Schools & Colleges	Approved	4/29
87027(C)	Policy on Good Academic Standing. (Memo from ETF.)	Not approved	5/27
87028(B)	Disestablishment of Guidance Center	Pending	5/06
87029(C)	Change of Name from Master of Music in Music Engineering Technology to Master of Science in Music Engineering Technology (MSMET)	Approved	5/25
87030(B)	Approval of Name of International Fibrous Concrete Institute	Pending	6/20
87031(B)	Specialist in Music Education	Approved	5/25
87032(C)	FM Revision - Research Personnel	Approved	5/31
87033(C)	Course Numbering System	Approved	5/25

SENATE COUNCIL MEETING

JUNE 6, 1988

PRESENT: Dr. George Alexandrakis, Chairman-Elect, Dr. William Awad, Dr. Daniel Baden, Mr. Ralph Bardgett, Dr. Eugene Clasby, Dr. Lydia DeSantis, Dr. Peter Luykx, Dr. Linda Neider, Ms. Susan Seiler, Dr. Alan Swan, Dr. Frederick Tims, and Dr. Kamal Yacoub.

ABSENT: Dr. Basil Honikman and Dr. Harry Mallios.

GUESTS: Provost Luis Glaser, Dr. Paul Lazarus, Dr. John Masterson, and Dr. Paul Sugrue.

CALL TO ORDER

The meeting was called to order by Vice Chairman Swan at 3:30 P.M. He then requested that Dr. Alexandrakis chair the meeting.

BYLAW ON EDUCATOR FACULTY

The proposed replacement legislation for Educator Faculty was discussed with the Provost. He suggested that he meet with Legal Counsel, the Chairman and Vice Chairman to revise the language of some sections of the document. Dr. Awad suggested that an introductory paragraph be added under Section 1.5 explaining the reason for establishing the Educator Faculty track and what the general requirements and expectations will be for those faculty members. It was moved by Dr. Clasby, and seconded, to delete "only" in line four of Section 1.5.4 and to incorporate suggested modifications to the remaining language. The motion carried with one opposed. The first sentence of Section 1.5.6 was revised to read "If during the course of any contract, ...". Section 1.5.7 was revised as follows: "Any Educator Faculty contract may be terminated prior to its expiration ...if, upon the recommendation of the appropriate faculty, dean and chair, and after consultation by the Provost with the Council of the Faculty Senate, it is determined that ..." It was agreed to delete the remainder of the last sentence, paragraph 2, beginning "or upon expiration by its terms ...". It was agreed that if after consultation with Mr. Dee and the Provost the changes to the document are minor, a Senate meeting would be called. If there are substantive changes, the document will need approval of the Council before forwarding it to the Senate for action.

Proposed New Section 1.5 of By-Laws
(Draft of May 16, 1988)

Replacement for Legislation #87004(B)

1.5
Educator Faculty

1.5.1
Categories of Educator Faculty

Educator Faculty shall consist of four categories of appointments:

1) Clinicians serving in the clinical programs of the University 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) 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) Faculty serving in the libraries of the University who hold the rank of Library Professor, Library Associate Professor or Library Assistant Professor;

4) Lecturers

1.5.2
Conditions and Limitations

No Educator Faculty may be appointed in any School unless the Regular Faculty of the School shall have voted to authorize the making of such appointments, which authorization may designate the departments in which the appointments are to be made.

The number of category two Educator Faculty appointed in any School shall not exceed a number equal to ten percent (10%) of the Regular Faculty of that School. The number of category three Educator Faculty appointed to the Richter Library shall not exceed a number equal to forty-five percent (45%) of the University Faculty in Richter Library. A higher limit may be established for a particular School or for the Richter Library by a special By-Law to the Faculty Charter enacted upon the recommendation of the Regular Faculty of that School, or, with respect to Richter Library, the University Faculty in that Library.

In Schools having category two Educator Faculty, no person may be appointed to and hold the rank of Lecturer for more than three years, after which the appointment must either be terminated or changed to a category two Educator Faculty appointment.

Educator Faculty shall not hold tenured or tenure earning appointments. Faculty with Educator appointments, however, may request to be considered for

appointment to the Regular Faculty of the University under the provisions of Section 1.8 of this By-Law.

Educator Faculty holding appointments in the School of Medicine shall be subject to a salary ceiling.

1.5.3

Appointments During the Probationary Period

During the probationary period defined below, Educator Faculty may be awarded an initial one year contract followed by a two year and then a three year contract. The decision to award all such contracts shall be made by the President after receiving the recommendations of the Dean and the Chair. These recommendations and the President's decision shall, in the case of a two or three year contract, be based solely upon the considerations set-forth in Section 1.5.8 below and shall be made only after a Special Review undertaken:

a) in the case of the two year contract, not later than three months prior the end of the initial one year contract;

b) in the case of the three year contract, not later than the end of the first year of the prior two year contract.

The probationary period shall be six years commencing on the first September following the date of the faculty member's initial appointment, provided, however, that 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 by the Dean made in consultation with the Chair. Persons granted credit for prior service shall have their probationary period appropriately reduced, but in no case shall a probationary period be established for less than three years. During the first year of appointment, a faculty member may waive credit for applicable prior service at another institution.

There shall also be a Special Review any time promotion of an Educator Faculty to the rank of Professor or Associate Professor is considered.

All Educator Faculty shall be subject to Annual Reviews as provided for in Section 9.3 and 9.5 of these By-Laws.

1.5.4

Notice of Termination During the Probationary Period

If it is determined that a member of the Educator Faculty should not be awarded an additional probationary contract, the following provisions for notice shall be observed:

a) In the case of a decision not to award a two-year contract, at least three months' notice;

b) In the case of a decision not to award a three-year contract, at least six months' notice.

No justification for a decision by the University not to award a two or three year contract need be communicated to the faculty member concerned. All such decisions, however, shall be based solely upon the considerations set-forth in Section 1.5.8 below.

1.5.5

Contracts Following the Probationary Period

In the final year of an Educator Faculty member's probationary period a Special Review shall be conducted to determine whether that member is to be awarded an Annually Renewable Three-Year Term Contract (hereinafter called a "renewable three year contract"). The decision to award such a contract shall be made by the President after receiving the recommendations of the Dean and the Chair and shall be based solely upon the considerations set forth in Section 1.5.8 below.

Notwithstanding the provisions regarding the probationary period contained in Section 1.5.3 above, a person whose record of achievement and experience at comparable institutions merits such an appointment, may receive an initial appointment to the Educator Faculty under a renewable three year contract.

Each year following the year of initial award, all renewable three year contracts shall, upon completion of the Annual Review provided for in Sections 9.3 and 9.5 of these By-Laws, be renewed for the ensuing three-year period unless a decision is made to terminate the faculty member's appointment pursuant to the five-year review requirement of Section 1.5.6 below.

If it is decided not to award a member of the Educator Faculty an initial renewable three year contract following completion of the probationary period, notice thereof shall be given on or before expiration of the probationary period and that member's appointment shall terminate at the end of the ensuing academic year.

1.5.6

Five Year Review

Every five years commencing with the fifth year following the initial award of a renewable three year contract, there shall be a Special Review to determine whether that contract shall be renewed for the ensuing three year period. The decision to renew shall be made by the President upon the recommendation of the Dean and the Chair and shall be based solely on the considerations set-forth in Section 1.5.8 below. If a decision is made not to renew the contract, the faculty member shall be promptly notified of that fact and the appointment shall terminate upon expiration of the two years then remaining under the current contract.

1.5.7

Termination for Unsatisfactory Performance

If at any time prior to the expiration of a probationary contract or of a renewable three-year contract, there is evidence of unsatisfactory performance on the part of a member of the Educator Faculty, an early Special Review of that faculty member may be initiated by the voting faculty, the Chair or the Dean for

the purpose of determining whether the faculty member's appointment shall be terminated. The decision to terminate because of unsatisfactory performance shall be made by the President after receiving the recommendations of the Dean and the Chair and shall be based solely upon the considerations set-forth in Section 1.5.8 below.

The termination of an Educator Faculty contract because of unsatisfactory performance shall be effective as follows:

a) in the case of a probationary contract, six months following the giving of notice of termination.

b) in the case of a renewable three year contract, one year following the giving of notice of termination.

c) in all cases, whether under a probationary or a renewable three-year contract, where the reasons for termination raise a threat of immediate serious injury to the University, as specified in the notice of termination.

1.5.8

Considerations Governing the Award and Termination of Contracts

All decisions by the President on whether to award a member of the Educator Faculty; (i) a two or three year probationary contract, (ii) an initial renewable three-year contract following the probationary period, or (iii) to renew such contracts following each five year review, shall be based solely upon the following considerations and none other:

a) the standards and other criteria governing the conduct of Special Reviews as established in accordance with Section 1.5.9 below; or,

b) a determination after consultation with the Council of the Faculty Senate that because of changes in the academic program or other academic activity to which the faculty member was assigned, the member's services are no longer needed. Such consultations shall fully explore the equities of the situation, including consideration of alternatives to termination that would serve the interests of the University and the faculty member involved.

A decision whether to terminate an Educator Faculty member's contract prior to its expiration because of unsatisfactory performance shall be based solely upon the standards or other criteria governing the Special Review initiated for that purpose.

1.5.9

Standards and Procedures for Special Reviews

The standards and procedures for Special Reviews of Educator Faculty shall be developed as follows:

a) The Dean of each School with Educator Faculty and the Director of Libraries shall each separately submit to the Faculty Senate for its approval a proposed set of standards and criteria and a proposed set of procedures to gov-

ern all Special Reviews of Educator Faculty appointed, in the case of each Dean's proposals, to their School and, in the case of the Director's proposals, to the Richter Library.

b) The procedures proposed shall approximate as closely as possible the procedures established in Sections 9.6 thorough 9.10 of these By-Laws and the standards and criteria proposed shall be appropriate to the role played by Educator Faculty in the School or Library and shall be specifically addressed to the purpose of the Special Review, whether that be promotions, contract renewals, award of initial renewable three-year contracts, or the termination of contracts because of unsatisfactory performance.

c) Upon approval of the proposed standards and procedures by the Faculty Senate, they shall be submitted to the President for final approval. Any amendment to the approved standards and procedures shall be made in the same manner.

Course Numbering System

Dr. Knoblock presented as a *motion* to the Council a recommendation from the General Education Committee with regard to the course numbering system. The recommendation included numbering remedial courses below the 100 level and setting University-wide standards for courses. These changes would be implemented in 1990 when the revised General Education Requirements are enacted. The Provost requested that a language be added to distinguish between the requirements for 400 and 500 level courses. The *motion as amended carried*.

Charter Amendment on the Graduate School

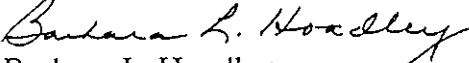
Dr. Knoblock reviewed the proposed changes to Senate Legislation #87007(A) and agreed to make several recommended editorial changes.

Educator Faculty

Dr. Knoblock suggested that he request the Senate to grant authority to the Council, within certain limits, to act in the matter of the Educator Faculty.

Change of Meeting Date

The Council agreed to Dr. Knoblock's request that the May 9 Senate Council meeting be changed to May 5 at 9:00 A.M.


Barbara L. Hoadley
Secretary to the Faculty Senate

Action I, Bylaw Section 1.5, except sections 1.5.4(e) and (f), are unanimously recommended by the Senate Council. Sections 1.5.4 (e) and (f) are recommended by a vote of 5 to 4. Section 1.8.1 and 1.8.2 are recommended by the Council with regard to Educator Faculty. The Chair notes that a corresponding provision applying to the Research Faculty is required. Section 1.8.3 was not considered by the Senate Council, but needs to be considered as to policy. Actions II-IV are modification required if the provisions of Action I are adopted. Action V is a transition rule required if Actions I-IV are adopted and is recommended by the Senate Council.

**PROPOSED 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

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.

1.5.1

Educator Faculty shall not hold tenured or tenure-earning appointments. Faculty with educator appointments may request to be considered for appointment to the Regular Faculty of the University under the provisions of section 1.8 of this Bylaw.

1.5.2

Educator Faculty in category one holding appointments in the School of Medicine are subject to a salary ceiling.

1.5.3

Positions in category two may be established in a school by vote of the faculty of that school. The number of such educator faculty in a school shall be limited to ten percent of the regular faculty in that school. Upon recommendation of the faculty of the school a higher limit for a particular school may be established by a special Bylaw to the *Faculty Charter*.

1.5.4

Educator Faculty in category three in Richter Library shall not exceed forty-five percent (45%) of the University Faculty in Richter Library. Educator faculty in category three in all libraries of the University shall be subject to the following special provisions:

a) All Educator Faculty shall be awarded one of the following types of contract:

i) Probationary contracts for a term of one, two or three years. The probationary period for Educator Faculty before the award of a long-term contract shall not exceed six years. Persons with appropriate experience at comparable institutions may be awarded up to three years credit toward the probationary period by the Provost following a recommendation of the Dean upon consultation with the Chair. Persons granted credit for prior service under this section shall have their probationary period appropriately reduced, but in no case shall a probationary period of less than three years be established.

ii) A long-term contract for a term of five years. Upon completion of the probationary period, a long-term contract shall be awarded unless a decision is made not to reappoint. Persons with appropriate experience may be awarded a long-term contract at the time of initial appointment.

b) 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:

i) In the year of expiration of either probationary or long-term contracts, there shall be a Special Review to determine whether a probationary appointment shall be renewed, whether a long-term contract shall be granted, or whether a long-term contract shall be renewed. If in any year prior to the expiration of the probationary period, consideration is given to awarding a long-term contract and the decision is against doing so, that decision shall not prejudice renewal of any probationary contract.

ii) There shall be a Special Review any time promotion to the rank of Library Professor or Library Associate Professor is considered.

c) 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:

i) During the probationary period, notice of three months plus one month for each year of service;

ii) During the final year of the probationary period, notice of one full year;

iii) After the award of a long-term contract, notice of one year plus one month for each year of service up to a limit of two years.

d) The standards and procedures for the Special Reviews required by paragraph (b) above shall be developed as follows:

i) Within six-months of the effective date of these Bylaws, the Director of Libraries and the Dean of each affected School shall each separately submit to the Faculty Senate for its approval a proposed set of standards and procedures for carrying out Special Reviews of Library Faculty appointed, in the case of the Director's proposals, to the Richter Library and in the case of each Déan's proposals, to the library of their School.

ii) These procedures shall approximate, as closely as possible, those established in Sections 9.6 through 9.8.4 of these Bylaws and the standards proposed shall be appropriate to the role played by Educator Faculty in the libraries of the affected School.

iii) Upon approval of the proposed standards and procedures by the Faculty Senate, they shall be submitted to the President for final approval. Any amendment to these approved standards and procedures shall be made in the same manner.

e) Educator Faculty holding long-term contracts in Richter Library and meeting the provisions of Section 7.2.4 of this Bylaw shall have the right to vote on the appointment, reappointment and promotion of all Educator faculty in that library.

f) Educator Faculty holding long-term contracts in the library of the School of Law and meeting the provisions of Section 7.2.4 of this Bylaw shall have the right to vote on the appointment, reappointment and promotion of Educator faculty in that library. For these purposes only, the library of the School of Law shall be deemed a department with the Head of the Library performing the role of a Chair as defined in section of 9.8 of these Bylaws.

1.5.5

Appointment as a Lecturer may be held for no more than three years after which it must be terminated or changed to a category two Educator appointment.

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.

II. AMENDMENT TO FACULTY SENATE LEGISLATION #87001

[**Boldface** indicates additions to the language.]

2.5.2

The term "Adjunct" is prefixed to the title of persons who collaborate in some special way in the academic work of the University. **Persons holding adjunct titles may not teach more than an occasional course at the University.**

III. AMENDMENT TO FACULTY SENATE LEGISLATION #87003

[**Boldface** indicates additions to the language.]

Charter Section 2.1

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.

Educator Faculty shall not hold tenured or tenure-earning appointments. The Regular Faculty of each school shall vote to establish positions in category two in that School. The number of Educator Faculty in a school shall be limited to ten percent of the regular faculty in that school. Upon recommendation of the faculty of the school a higher limit for a particular school may be established by a special Bylaw to the *Faculty Charter*.

IV. AMENDMENT TO FACULTY SENATE LEGISLATION #87003

[**Boldface** indicates additions to the language.]

Charter Section 2.2

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*. **By special Bylaw voting rights may be extended to Educator Faculty in the libraries of the University in matters of the appointment, reappointment, and promotion of other Educator Faculty in the libraries.**

V. SPECIAL PROVISIONS

No later than May, 1990, all librarians in the University, not members of the Regular Faculty, who are eligible to become Educator Faculty shall be appointed to that Faculty upon expiration of their existing contracts. Each such person may, at that time, elect to receive credit for prior service in determining the length of their probationary period. Any such person who has served six or more years shall automatically be awarded a long-term contract.

SENATE COUNCIL MEETING

AUGUST 31, 1987

- PRESENT:** George Alexandrakis, Anthony Allegro, William Awad, Garrett Brass, Basil Honikman, John Knoblock, Chairman, Theona McQueen, Harold Strauss for Linda Neider, Donald Randolph, Susan Seiler, Alan Swan, Frederick Tims, and Kamal Yacoub.
- EXCUSED:** Janice Hayes, and Linda Neider.
- GUESTS:** Eugene Clasby, George Gilpin, and Luis Glaser.

CALL TO ORDER

The meeting was called to order at 2:00 P.M. by Dr. Knoblock. Excused absences were approved for Drs. Hayes and Neider. The minutes of the meetings of March 6, March 30, April 6, April 20, May 11, June 11, and June 18 were approved as submitted.

PROPOSED CHARTER AMENDMENT

Professor Susan Seiler presented the Library's proposed language for a charter amendment concerning Educator faculty. Discussion followed. It was *moved* by Dr. Swan, seconded by Dr. Alexandrakis, to amend the proposed language to apply to persons performing library functions wherever they are housed in the University. The *motion carried*. The Chairman suggested that the Council prepare a working draft to be sent by September 14 to the various school libraries for comment. It was *moved* by Dr. Brass, and seconded, to delete the first paragraph in 1.5.4 and to allow general University rules to apply for the transfer from educator to tenure or vice versa. The *motion carried*. It was *moved* by Dr. McQueen, seconded by Dr. Swan, to strike the remainder of the last sentence of paragraph two beyond "one year's notice" and to amend the language to read "Faculty whose contracts are not renewed shall be entitled to one year's notice plus one month's notice for each year's service, beyond six years, up to a limit of two years' notice." The *motion carried*. Paragraph four was amended to include "in Richter Library" following "Library Educator Faculty" and at the end of the sentence. Section 1.5.4 was *approved as amended*. The *motion* to recommend to the Senate the Charter Amendment and Bylaw language, *as amended, carried*.

Faculty Senate Action #87004
Class A Legislation, Charter Amendment

2.1

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 in the Library whose major function is to provide library services and who hold the rank of Educator Professor, Educator Associate Professor, or Educator Assistant Professor; and

4) Lecturers.

Educator Faculty shall not hold tenured or tenure-earning appointments.

Positions in category two may be established by vote of the faculty of each school. The number of such educator faculty in a school shall be limited to ten percent of the regular faculty in that school. Upon recommendation of the faculty of the school a higher limit for a particular school may be established by a special Bylaw.

Class B Legislation, Bylaw

1.5

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; and

3) those faculty in the Library whose major function is to provide library services and who hold the rank of Educator Professor, Educator Associate Professor, or Educator Assistant Professor; and

4) Lecturers.

1.5.1

Educator Faculty shall not hold tenured or tenure-earning appointments.

1.5.2

Educator Faculty in category one holding appointments in the School of Medicine are subject to a salary ceiling.

1.5.3

Positions in category two may be established by vote of the faculty of each school. The number of such educator faculty in a school shall be limited to ten percent of the regular faculty in that school. Upon recommendation of the faculty of the school a higher limit for a particular school may be established by a special Bylaw.

1.5.4

In Library positions in category three, faculty members may, at the time of initial appointment and in consultation with the Director of Libraries, choose either a tenure earning or Educator track. At the end of three years, the appointee may elect to change from an Educator to the Regular or from a Regular to Educator appointment.

Conditions of employment and review for Educator faculty during the first six years of service shall be the same as for Regular faculty. In the sixth year of appointment, Educator faculty shall be evaluated on the question of award of long-term contracts. The term of contracts beyond the sixth year shall be five years. Educator faculty under long-term contract shall be subject to Annual Reviews and to Special Reviews in the fourth term of their contracts. Faculty whose contracts are not renewed shall be entitled to one year's notice plus one month's notice for each year's service beyond six years.

Educator faculty shall have the right to vote on the appointment, reappointment and promotion of Educator faculty and on the appointment and reappointment of Regular faculty. Educator faculty shall have the right to vote in the evaluation of the Director of Libraries.

The number of Educator Faculty shall be limited to 45 percent of the University Faculty.

1.5.5

Appointment as a Lecturer may be held for no more than three years after which it must be terminated or changed to a category two Educator appointment.

1.5.4

Library Educator faculty described in paragraph (c) of section 1.5 shall either receive an initial appointment for a probationary period of six years or, where their experience and other qualifications merit, a long-term five year contract. The number of Library Educator faculty in the Richter Library shall not exceed 45% of the University Faculty in that Library. All Library Educator faculty shall be subject to the Annual Review provided for in Sections 9.3 and 9.5 of these Bye-laws. In addition:

(a) Library Educator faculty appointed for a probationary period shall be evaluated in the sixth year of that period, or at an earlier point in that period if their performance warrants, for the purpose of determining whether they shall be awarded a long-term five year contract. That evaluation shall constitute a Special Review and shall be made according to the standards and procedures developed as provided in paragraph (b) below. If, in the case of a Review held in the sixth year, it is decided that a long-term contract shall not be awarded, the Library Educator faculty involved shall be given one years' notice of termination. If at any time prior to the above mentioned Special Review, evidence of unsatisfactory performance exists, an early substantive review may be initiated, in the case of an appointment to the Richter Library, by the Director of Libraries or, in all other cases, by the Dean or Head Librarian of the affected School. If as a result of an early review it is decided to terminate the probationary appointment, notice thereof shall be given three months plus one month for each year of service prior to termination.

A Library Educator faculty with a probationary appointment may, at any time during the first five years of the probationary period, initiate a request to be considered for an appointment to the Regular Faculty of the University. The decision on that request shall be made in accordance with the standards and procedures applicable to an initial appointment to the Regular Faculty without tenure as set forth in the University Charter and these Bye-laws, including Sections 6.6.1 through 6.6.3 and Sections 8.1 and 8.2. If the requested appointment to the Regular faculty is made, the period served as a member of the Library Educator faculty shall be credited against the probationary period for Regular Faculty appointments as provided in Sections 3.6 and 3.6.1 of these Bye-laws.

Any member of the Regular Faculty of the University who is serving as a librarian may, at any time during the first five years of their probationary period as defined in Section 3.6 of these Bye-laws, initiate a request to be considered for appointment to the Library Educator faculty. The decision on that request shall be made by the Provost after receiving the recommendation, in the case of a person serving in the Richter Library, of the Director of Libraries and, in all other cases, of the Dean of the affected School.

(b) Library Educator faculty that have been awarded long-term five year contracts shall be subject, in the fourth year of each such contract, to a Special Review to determine whether they shall be awarded another long-term five year contract. The standards and procedures for that Review shall be developed as follows. With respect to librarians in the Richter Library, the Director of Libraries shall, within six-months of the effective date of these

Bye-laws, submit to the Faculty Senate for its approval a proposed set of standards and procedures for carrying out all Special Reviews of Library Educator faculty in Richter. At the same time the Dean of each affected School shall submit to the Senate proposed standards and procedures for carrying-out Reviews of the Library Educator Faculty in their School. All standards and procedures proposed shall approximate as close as possible the standards and procedures set-forth in Sections 9.6 through 9.8.4 of these Bye-laws. Upon approval of the proposed standards and procedures by the Faculty Senate, they shall be submitted to the Provost for approval. Amendments to the approved standards and procedures shall be made in the same manner.

If as a result of any Special Review it is decided not to reappoint a Library Educator then serving under a long-term five year contract, the latter shall be given notice of termination equal to one year plus one month for each year of service up to a limit of two years'.

The Library Educator faculty serving under long-term five year contracts in the Richter Library shall have the right to vote on the appointment, reappointment and promotion of all Library Educator Faculty serving in that Library and on the appointment and reappointment of the Regular Faculty of that Library. Library Educator faculty serving in any other Library, shall only have such right to vote as is conferred upon them by the Regular Faculty of the School of which that Library is a part, and the right to vote on the appointment, reappointment and promotion of faculty shall, in all events, be limited to voting on Library Educator faculty serving in the same Library.

Faculty Senate Action #87004
Class A Legislation, Charter Amendment

2.1

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 in the Library whose major function is to provide library services and who hold the rank of Educator Professor, Educator Associate Professor, or Educator Assistant Professor; and

4) Lecturers.

Educator Faculty shall not hold tenured or tenure-earning appointments.

Positions in category two may be established by vote of the faculty of each school. The number of such educator faculty in a school shall be limited to ten percent of the regular faculty in that school. Upon recommendation of the faculty of the school a higher limit for a particular school may be established by a special Bylaw.

Class B Legislation, Bylaw

1.5

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; and

3) those faculty in the Library whose major function is to provide library services and who hold the rank of Educator Professor, Educator Associate Professor, or Educator Assistant Professor; and

4) Lecturers.

1.5.1

Educator Faculty shall not hold tenured or tenure-earning appointments.

1.5.2

Educator Faculty in category one holding appointments in the School of Medicine are subject to a salary ceiling.

1.5.3

Positions in category two may be established by vote of the faculty of each school. The number of such educator faculty in a school shall be limited to ten percent of the regular faculty in that school. Upon recommendation of the faculty of the school a higher limit for a particular school may be established by a special Bylaw.

1.5.4

In Library positions in category three, faculty members may, at the time of initial appointment and in consultation with the Director of Libraries, choose either a tenure earning or Educator track. At the end of three years, the appointee may elect to change from an Educator to the Regular or from a Regular to Educator appointment.

Conditions of employment and review for Educator faculty during the first six years of service shall be the same as for Regular faculty. In the sixth year of appointment, Educator faculty shall be evaluated on the question of award of long-term contracts. The term of contracts beyond the sixth year shall be five years. Educator faculty under long-term contract shall be subject to Annual Reviews and to Special Reviews in the fourth term of their contracts. Faculty whose contracts are not renewed shall be entitled to one year's notice plus one month's notice for each year's service beyond six years.

Educator faculty shall have the right to vote on the appointment, reappointment and promotion of Educator faculty and on the appointment and reappointment of Regular faculty. Educator faculty shall have the right to vote in the evaluation of the Director of Libraries.

The number of Educator Faculty shall be limited to 45 percent of the University Faculty.

1.5.5

Appointment as a Lecturer may be held for no more than three years after which it must be terminated or changed to a category two Educator appointment.

Faculty Senate Action #87004
Class A Legislation, Charter Amendment

2.1

The Educator Faculty shall consist of four categories of appointments:

a) 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);

b) 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;

c) those faculty in the libraries of the University whose major function is to provide library services and who hold the rank of Library Professor, Library Associate Professor, or Library Assistant Professor; and

d) Lecturers.

Educator Faculty shall not hold tenured or tenure-earning appointments.

Positions in category two may be established by vote of the faculty of each school. The number of such Educator Faculty in a school shall be limited to ten percent of the Regular Faculty in that school. Upon recommendation of the Regular Faculty of the school a higher limit for a particular school may be established by a special Bylaw.

Class B Legislation, Bylaw

1.5

The Educator Faculty shall consist of four categories of appointments:

a) 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);

b) 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; and

c) those faculty in the libraries of the University whose major function is to provide library services and who hold the rank of Library Professor, Library Associate Professor, or Library Assistant Professor; and

4) Lecturers.

1.5.1

Educator Faculty in all categories shall not hold tenured or tenure-earning appointments.

1.5.2

Educator Faculty in category one holding appointments in the School of Medicine are subject to a salary ceiling.

1.5.3

Educator Faculty positions in category two may be established by vote of the Faculty of each school. The number of such Educator Faculty in a school shall be limited to ten percent of the Regular Faculty in that school. Upon recommendation of the voting faculty of the school a higher limit for a particular school may be established by a special Bylaw.

1.5.4

Library Educator positions in category three, shall enjoy the same conditions of employment and review as the Regular Faculty. In the sixth year of appointment, Educator Faculty shall be evaluated on the question of award of long-term contracts. The term of contracts beyond the sixth year shall be five years. Educator Faculty under long-term contract shall be subject to Annual Reviews and to Special Reviews in the fourth term of their contracts. Faculty whose contracts are not renewed shall be entitled to one year's notice plus one month's notice for each year's service beyond six years up to a limit of two years' notice.

Library Educator Faculty shall have the right to vote on the appointment, reappointment and promotion of Library Educator Faculty and on the appointment and reappointment of Regular Faculty. Library Educator Faculty shall have the right to vote in the evaluation of the Director of Libraries or of the Dean of the School in which they serve.

The number of Library Educator Faculty in Richter Library shall be limited to 45 percent of the University Faculty in Richter Library.

1.5.5

Appointment as a Lecturer may be held for no more than three years after which it must be terminated or changed to a category two Educator appointment.