

TUSKEGEE UNIVERSITY



FACULTY HANDBOOK

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PREFACE

The Tuskegee University Faculty *Handbook* is designed to provide faculty members at Tuskegee University basic information regarding their employment at the University. This *Handbook* is not meant to be a source of all of the relevant information on all aspects of University life; rather, it presents in a single volume policies and procedures most pertinent to the employment of faculty. Several other manuals and handbooks must be referred to in order to gain a fuller understanding of the total operations of the University, e.g., *Academic Regulations and Procedures for Undergraduates*, *Tuskegee University Statutes*, *Staff Statutes*, *Tuskegee University Catalog*, *Graduate Bulletin*, *Student Handbook and System of Judiciaries*, and *Selected Administrative Policies and Procedures*. This *Handbook* does not create an express or implied contract for any University employee. This *Handbook* may be revised from time to time at the discretion of the administration or as necessitated by changes in University policies, operational guidelines, and requirements.

This *Handbook* contains policies set by the Board of Trustees and discusses practices and procedures for carrying out those policies. The *Handbook* will be revised periodically by the central administration in consultation with the Faculty Senate to reflect changes in the policies, procedures, and practices of the University.

Tuskegee University is committed to equal opportunity in employment and education and does not discriminate on the basis of sex, race, color, religion, national origin, sexual orientation, or disability. For information concerning the University's equal opportunity (EO) policies and related matters, the Director of Human Resources is located in Kresge Center.

Tuskegee University is accredited by the Commission on Colleges of the Southern Association Colleges and Schools (1866 Southern Lane, Decatur, Georgia 30033-4097: Telephone Number 404-679-4501) to award doctoral, master's, and bachelor's degrees.

Table of Contents

PREFACE	2
1. TUSKEGEE UNIVERSITY MISSION	6
Institutional Mission and Purpose.....	6
Special Elements of the University Mission	6
Land Grant Mission	7
2. ORGANIZATION OF THE FACULTY	8
The University Faculty	8
The Faculty Senate	8
Jurisdiction and Powers of University Faculty	9
Meetings of the University Faculty.....	9
Faculty of the Major Educational Units.....	10
Organization of the Graduate Faculty	11
3. APPOINTMENTS TO THE FACULTY.....	13
Academic Ranks and Titles	13
Part-time Faculty	14
Emeritus Faculty Appointments	15
Minimum Requirements for Ranking and Promotion	16
Policies on Recruitment and Appointment.....	18
Recruitment of Faculty with Tenure	19
Hiring of Non-academic Administrators with Faculty Rank	19
Appointment of Deans and Heads of Departments.....	19
Recruitment and Employment of Non US Citizens	19
4. EMPLOYMENT PRACTICES.....	21
Employment of New Personnel.....	21
Changes in Employment Status.....	21
Faculty Duties and Responsibilities	21
Teaching Load/Release Time	22
Research and Research Grants	23
Leave of Absence with Pay	23
Leave of Absence without Pay.....	24
Educational Leave with Pay	24
Leave from the Classroom for Administrative Appointments	24
Provisions for Attendance at Professional Meetings	24
Conflicts of Interest in Government Sponsored Research	25
Employment of Relatives	25
Political Activity of Faculty Members.....	25
Equal Employment and Nondiscrimination	25
Discrimination and Harassment (Including Sexual Harassment)	26

Drug-Free Workplace	27
Americans with Disabilities Act (ADA).....	27
Drug Testing.....	28
5. SALARIES AND COMPENSATION.....	29
Promotion Increase.....	29
Opportunities for Summer Employment from University Basic Budget.....	29
Summer Employment on Outside Funds.....	29
Overload Teaching.....	30
Regulations Concerning Outside Employment for Compensation.	30
Principles Governing Outside Financed Research, Employment, Consultation and Related.....	30
Employment on Restricted Budget Contracts.....	31
6. FRINGE BENEFITS.....	32
Group Medical Insurance Plans.....	32
Worker's Compensation.....	32
Business Travel Accident Insurance.....	33
Vacation.....	33
Sick Leave.....	33
Bereavement Leave	34
Military Leave for Periods of Two Weeks or Less	34
Military Leave for Periods Greater than Two Weeks	34
Maternity Leave	34
Family and Medical Leave.....	34
Retirement Program.....	35
Tuition Waivers for Dependents, Spouses, and Employees	35
7. PROCEDURES FOR DISCIPLINARY AND GRIEVANCE MATTERS AND TERMINATION.....	37
Procedures for Disciplinary and Grievance Matters and Terminations Including Due Process.....	37
Disciplinary Sanctions Short of Dismissal.....	37
Dismissals for Cause of Appointees.....	38
Demonstrated Incompetence or Dishonesty in Teaching or Research.....	38
Neglect of Duty or Insubordination.....	39
Personal Misconduct.....	39
Termination Resulting from Program Terminations or Curtailments	39
Terminations Resulting from Financial Exigency.....	39
Separation or Retirement for Medical Reasons	39
Terminal Salary or Notice for Dismissed Faculty	40
Grievance Procedures	40
Procedural Standards in Faculty Dismissal Proceedings	41
Non reappointment Procedures for Probationary and Term Appointments	42
Termination of Appointment.....	43
8. FACULTY EVALUATION, PROMOTION AND TENURE.....	44
College/School Promotion and Tenure and University Academic Personnel Services Committees	44
Policy on Faculty Evaluation.....	44
Important Dates.....	45

TU Faculty Handbook

Annual Review	47
Policies and Criteria Governing Promotion.....	49
Criteria/Characteristics of Professional Development.....	50
Procedures Relative to Promotion in Rank... ..	50
Academic Freedom and Tenure	50
Criteria for Tenure Decisions.....	51
Policies and Criteria Governing Tenure	51
Important Dates for the Tenure and Promotion Process.....	53
Post Tenure Review	54
 9. ACADEMIC REGULATIONS.....	 56
Academic Calendar	56
Class Attendance	56
Student's Responsibility	57
Accommodations for Students with Disabilities -- Americans with Disabilities Act (ADA).....	57
Instructor's Responsibility	57
Office Hours	59
Examinations and Evaluations	59
Grading Policy.....	59
Reporting of Grades	59
Explanation of Grades.....	59
 APPENDICES	 63

1. TUSKEGEE UNIVERSITY MISSION

Institutional Mission and Purpose

Tuskegee University is a national, independent, and coeducational institution of higher learning that has a historically unique relationship with the State of Alabama. The University has distinctive strengths in the sciences, architecture, business, engineering, health, and other professions, all structured on solid foundations in the liberal arts. In addition, the University's programs focus on nurturing the development of high-order intellectual and moral qualities among students and stress the connection between education and the leadership Americans need for highly trained leaders in general, especially for the workforce of the 21st Century and beyond. The results we seek are students whose technical, scientific and professional qualities have not only been rigorously honed, but also sensitively orientated in ways that make them public-spirited graduates who are both competent and have a strong commitment to public service and to excellence.

The University is rooted in a history of successfully educating Black Americans to understand themselves against the background of their total heritage and the promise of their individual and collective future. The most important of the people we serve are our students. Our overall purpose is to nurture and challenge them so they grow to their fullest potential. Serving their needs is the principal reason for our existence. A major outcome we seek is to prepare them to play effective professional and leadership roles in society and to become productive citizens in the national and world community. Tuskegee University continues to be dedicated to these broad aims.

Over the past century, various social and historical changes have transformed this institution into a comprehensive and diverse place of learning whose fundamental purpose is to develop leadership knowledge, and service for a global society. Committed deeply to academic excellence, the University admits highly talented students and challenges them to reach their highest potential. The University also believes strongly in equality of opportunity and recognizes that exquisite talent is often hidden in students whose finest development requires unusual educational, personal, and financial reinforcement. The University actively invites a diversity of talented students, staff, and faculty from all racial, religious, and ethnic backgrounds to participate in this educational enterprise.

Special Elements of the University Mission

Instruction (Teaching)

- We focus on education as a continuing process and lifelong endeavor for all people.
- We provide a high quality core experience in the liberal arts.
- We offer superior technical, scientific, and professional education with a career orientation.
- We stress the relationship between education and employment, between what students learn and the changing needs of a global workforce.

Research

- We preserve, refine, and develop further the bodies of knowledge already discovered.
- We discover new knowledge for the continued growth of individuals and society and for the enrichment of the University's instructional and service programs.
- We develop applications of knowledge to help resolve problems of modern society.

Service

- We serve the global society as well as the regional and campus community and beyond through the development of outreach programs that are compatible with

TU Faculty Handbook

the University's educational mission, that improve understanding of community problems, and help develop relevant alternative solutions.

- We engage in outreach activities to assist in the development of communities as learning societies.

Land-Grant Mission

The above three elements of our mission, together with certain acts of the United States Congress and the State of Alabama, define Tuskegee University as a land-grant institution. Originally focused primarily in agriculture, the University's land-grant function currently embraces a wide spectrum of liberal arts, scientific, technical, and professional programs.

2. ORGANIZATION OF THE FACULTY

The University Faculty

The University's President is the chair and executive officer of the faculty; the Provost is the President's executive officer in academic matters.

The faculty of Tuskegee University is organized by colleges/schools and by programs as follows:

Andrew F. Bremmer College of Business and Information Science (CBIS)
College of Agriculture, Environment and Nutrition Sciences (CAENS)
College of Arts and Sciences (CAS)
College of Engineering (CE)
College of Veterinary Medicine (CVM)
School of Nursing and Allied Health (SONAH)
Robert R. Taylor School of Architecture and Construction Science and Management (TSACS)
School of Education (SOE)
Graduate Studies and Research (GSR)
Library Services

University faculty members hold membership in both a college/school and the organized University faculty as a whole. The faculty at the University is represented by a Faculty Senate.

The Faculty Senate

The Faculty Senate is the representative body of the Tuskegee University faculty that acts as an advisory body to the President and the Board of Trustees. It was created by a vote of the faculty in response to the establishment of the current system of governance at Tuskegee University. The method of election and representation in the Faculty Senate, its organization, functions, and powers, as described in the Constitution of the Faculty Senate, are limited by the authority vested in the Board of Trustees, by the University Charter and By-Laws (1975, and amended in 1985, 1988 and 2016) and by the authority delegated to the University President by the Board of Trustees.

The purposes, functions, and responsibilities of the Faculty Senate are as follows:

1. To facilitate communication among the faculty from various colleges/schools and departments And between administrative officers and faculty members.
2. To provide a medium for the incorporation of faculty judgment in legislating educational policies, procedures, and regulations of the University.
3. To exercise the powers, duties, responsibilities, and privileges hereinafter specified.

At Tuskegee University, the faculty as a whole has responsibility for fundamental areas such as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process (as set forth in the Statement on Government of Colleges and Universities and approved by the American Council on Education and the Association of Governing Boards of Universities and Colleges). The faculty delegates these responsibilities to the Faculty Senate that serves as its executive body.

Senators are elected from each college/school for a maximum of three years. The senators elect a chair, vice chair, executive secretary, and chairs of the various standing committees who serve for a maximum of two years. The procedures for these elections are described in the Constitution of the Faculty Senate. The election for the Faculty Senate Chair is held in April.

Recommendations of the Faculty Senate are forwarded to the Provost for his/her action and then to the President for his/her decision, and finally to the Board of Trustees.

The Faculty Senate reports its actions to the faculty at meetings of the faculty, in memoranda, and other publications. These actions are subject to veto by the faculty as specified in the Constitution of the Faculty Senate. This constitution places the following limitation on the actions of the Senate:

By a simple majority of faculty members present and voting at a regular or duly called meeting of the University faculty where the quorum requirements have been met, the faculty can veto any action of the Senate.

The full text of the Constitution of the Faculty Senate is available on the Tuskegee University website under the Faculty Senate web page.

Jurisdiction and Powers of University Faculty

Subject to the powers vested in the Board of Trustees and the President and delegated to the Provost, the University faculty has primary jurisdiction over matters of policy, procedure, and regulations directly concerned with instruction, research, and academic-related service.

The University faculty shall make its recommendations to the President, through the Provost. Approval of the President and the Board of Trustees shall be necessary for a recommendation to go into effect.

The University faculty is concerned with policies, procedures, and regulations pertaining to matters dealing primarily with the educational program of the University and faculty personnel policy such as:

1. Development, expansion, and enhancement of the three pillars of academia (Teaching, Research, and Service)
 - a. Improvement of instruction and guidance
 - b. Development of scholarship and research among the faculty and students
 - c. Service to the University and the community at large
2. Admission, enrollment, recruitment, retention, and graduation of students
3. Measurement and evaluation of student performance and growth
4. Requirements for certification, degrees, and diplomas
5. Promotion of the general welfare of faculty and students
6. Determination of faculty tenure, promotions, rank, and post-tenure status
7. Development of general administrative policy as appropriate
8. Review of programs

The faculty is responsible for the viability of the University in that they must assure compliance with the requirements and standards of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) and other accreditation bodies. As part of this process, the faculty shall be involved in periodic reviews of programs of study offered by the University. All programs (undergraduate, graduate, and online or distance education programs) shall be evaluated for their effectiveness to ensure quality and sustainability.

Meetings of the University Faculty

The President of the University is the chair and executive officer of the University faculty. In the absence of and by the authority of the President, the Provost shall serve as the chair.

Faculty meetings are devoted primarily to discussions essential to legislative actions involving matters such as curriculum and admissions and graduation requirements, academic standards, and the like; consideration of broad educational issues, particularly in relation to the University; review of plans for faculty study and discussion of reports of study; visiting speakers and programs for professional development; and informational reports and necessary action on matters of routine administration.

There shall be at least two regular meetings of the University faculty each academic year set by the President. Special meetings of the University faculty shall be held upon the initiative of the President at such times as he/she may designate, upon the recommendation of the Faculty Senate, or upon the presentation of a petition by the faculty signed by not less than one-third of the members of the faculty who are privileged to vote requesting the meeting and setting forth the proposed agenda.

The elected secretary of the Faculty Senate will serve as the secretary of the faculty as well. The secretary will record the minutes of the general faculty meetings (including the All University Conference) and make them available to the faculty upon request.

The agenda for faculty meetings shall be prepared by the President and shall include the following:

1. President's Business.
2. Committee Reports: Each faculty committee or Faculty Senate committee shall submit to the President through the Provost at least two weeks prior to the date of each faculty meeting the full text of any report that must be presented to the faculty. The President, through the Provost, will notify the chair of the committee within a week of the meeting if it will be possible to include the report on the agenda for the coming meeting. If the report is to be included on the agenda, the chair of the committee shall distribute copies of the report to all faculty members three days prior to the meeting.
3. Other Faculty Business: Business which the faculty of major educational units, individual faculty members, or groups of faculty wish included on the agenda shall be submitted and processed as outlined in item No. 2 above.
4. Agenda for Special Faculty Meetings: The agenda for special faculty meetings shall include only the material related to the purpose of the meeting.
5. Quorum: A simple majority of the full-time faculty must be present at a meeting in order to constitute a quorum. A quorum at the beginning of the meeting shall be necessary for the transaction of business.
6. Procedure: Legislative procedure not specifically stated in this document, or prescribed by two-thirds vote of the members present after a quorum is declared shall follow the procedures set forth in *Robert's Rules of Order*.

Faculty of the Major Educational Units

The following constitute the major educational units of the University: Andrew F. Brimmer College of Business and Information Science; College of Agriculture, Environment and Nutrition Sciences; College of Arts and Sciences; College of Engineering; College of Veterinary Medicine; School of Nursing and Allied Health; Robert R. Taylor School of Architecture and Construction Science and Management; School of Education; Library Services, and such other units as may be added by the President from time to time, with the approval of the Board of Trustees.

Membership in the faculty of the colleges/schools and library services includes the dean, director or head, personnel engaged in teaching or research, and personnel appointed to faculty status by the President.

The concerns of faculty of the colleges/schools generally fall within the following areas:

1. Recommending requirements for admission to the unit subject to the approval of the
2. Faculty Senate, the University faculty, the Provost, and the President.
3. Recommending, modifying, and abolishing courses and curricula including change of credit hours for the unit is subject to the approval of the Faculty Senate, the University faculty, the Provost, and the President.
4. Promoting scholarship and research among the faculty.
5. Recommending the schedule of studies offered.
6. Recommending such regulations and procedures for their own area as shall not conflict with the regulations and procedures established by the Board of Trustees, the University faculty, or any regulation or procedure which has been approved by the President.
7. Submitting to the President recommendations for the improvement of the educational program of the unit.
8. Exercising, subject to the approval of the President, disciplinary action in regard to
9. members of the faculty.
10. Developing scholarship among students.
11. Guiding and counseling students, and giving support to, with appropriate coordination, other student development services.
12. Improving instruction.
13. Recommending to the University faculty and the President candidates for degrees, diplomas, and certificates.
14. Assuming appropriate responsibility for controlling expenses for the unit.

Each college/school shall prepare its own schedule of faculty meetings for the year. The faculty shall meet at such other times as the dean or director may elect. A request for a meeting signed by one-half of the voting members of the faculty of a unit shall be honored by the dean or director and a meeting called at a convenient time within a thirty-day period after the receipt of the request.

Organization of the Graduate Faculty

The Provost shall appoint a faculty member to the graduate faculty upon the recommendation of the dean of the college/school or the head of the division and/or department in which the person is engaged, and upon approval of the Dean of Graduate Studies. Only those faculty members who hold at least the rank of assistant professor and who meet applicable accrediting bodies' requirement for instruction and are approved to teach graduate courses or to supervise the research of graduate students, will be eligible for membership in the graduate faculty.

In addition to the above, the following administrative officers, and such other persons having the minimum qualifications for graduate faculty membership as the President may appoint, shall be members of the graduate faculty:

1. President
2. Provost
3. Assistant/Associate Provosts
4. Deans of colleges/schools
5. Dean of Graduate Studies
6. Director of Library Services (*Ex-officio*)

All members of the graduate faculty shall have the right to vote, except the ex-officio members. The Dean of Graduate Studies is the chair and executive officer of the graduate faculty. The secretary of the graduate faculty shall be a member of the graduate faculty and shall be appointed by the chair. The roster of the graduate faculty is periodically updated and posted on the University website.

The duties of the Dean of Graduate Studies are those of a presiding officer in similar deliberative bodies. The secretary shall record and distribute the minutes to all members of the graduate faculty and the President and perform other duties as are common practice for this office.

A regular meeting of the graduate faculty shall be held at least once during the regular academic year. Special meetings of the graduate faculty shall be held at such times as the chair may designate. A petition setting forth a proposed agenda and requesting that a special meeting be called, if signed by not less than two-thirds of the members of the graduate faculty, shall be honored by the chair and a meeting called at an appropriate time within a thirty-day period after receipt of the petition.

A simple majority of the members of the graduate faculty shall constitute a quorum for all regular and special meetings. A quorum shall be necessary for the transaction of business.

The agenda for graduate faculty meetings shall be prepared by the chair. Legislative procedures not specifically stated in this document or prescribed by a simple majority vote of the members present after a quorum has been declared shall follow the procedures set forth in *Robert's Rules of Order*.

The minutes shall be kept in standard form including time, place, persons present, persons absent, agenda, reports, action taken, and such other materials as the chair of graduate faculty may direct. Copies of the minutes of each regular and special meeting shall be distributed to all members of the graduate faculty.

3. APPOINTMENT TO THE FACULTY

Academic Ranks and Titles

Teaching faculty appointments to the University are of four kinds: tenured, tenure-track, non-tenure track, and special appointments. Academic rank is accorded to qualified individuals whose primary assignment is in the three academic pillars of teaching, research, and service. The following general considerations apply to appointment or promotion to tenured and tenure-track faculty ranks: assistant professor, associate professor, and professor, and the equivalent ranks of the librarian. Non-tenure track faculty serving the University in a teaching capacity hold instructor, lecturer, adjunct, visiting faculty, clinical faculty, research, and research-extension faculty appointments. In all cases of special appointments, the employee will be informed in writing as to which academic rank and/or title is considered the primary appointment.

(a) Tenured and Tenure-Track Teaching Appointments

Tenure-track appointments include all full-time teaching positions and professional library staff with the title of assistant professor, associate professor, or professor. These instructional faculty are normally associated with faculty primarily engaged in the instructional programs. With the exception of the academic deans, the chief academic officer, direct reports to the President, and the President, only persons designated as faculty and holding a full-time academic teaching appointment or who are professional library staff are eligible to hold a tenure-track or tenured appointment. Only faculty who are on tenure track may apply for promotion to a higher rank simultaneously with a consideration for tenure.

(b) Non-tenure Track Teaching Appointments

The University reserves the right to appoint individuals on a year-by-year contract or multiple-year contracts (not to exceed three years). Tuskegee University gives primary consideration to the highest earned degree in the discipline. In most cases, the minimum academic credential is a master's degree and at least 18 graduate hours in the teaching discipline, and visiting scholars are required to have qualifications that are equal to the qualifications of other faculty. Multiple year contracts may be considered for renewal, but they are not automatic or guaranteed; the individual has no right to renewal. In this nontenured/non-tenure track position, the faculty member will not be eligible to earn tenure, regardless of the number of years during which service is rendered. Non-tenure track faculty members may formally request the Provost through the department head and dean to be considered for appointment to a rank through the standard tenure-track process. If such a position becomes available, the standard process of hiring a tenure-track faculty position will be followed. Non-tenure track appointments

may be full-time or part-time and carry the following titles:

Instructor – The title of instructor is an appointment that is not within the tenure sequence. The faculty member should have at a minimum a master's degree or first professional degree and professional experience in the discipline. Appointment to the rank of instructor is a temporary position for individuals primarily engaged in the instructional program. To be considered for reappointment, the individual must demonstrate competence and teaching effectiveness in the knowledge base, a satisfactory level of performance in committee work, student advisement, and a willingness to cooperate in promoting University objectives. An individual holding the rank of instructor must meet the requirement for promotion to the rank of assistant professor within two years to be eligible for appointment to a tenure track. Instructors may be reappointed on an annual basis depending on the needs of the college/school.

Lecturer - The title of lecturer, whether part-time or full-time, denotes a teaching appointment that is not within the standard promotion sequence. Lecturers are not tenured or on tenure track and may be appointed for no more than one year at a time. Persons who hold staff status may also be designated as a lecturer.

Adjunct – The title of adjunct is limited to part-time faculty who normally are practitioners in a profession, whose main base is at another institution, or whose role within the institution is primarily in administration or some other non-faculty appointment. This is not a tenured or a tenure-track position. The adjunct title may be used with any of the professorial ranks.

Visiting Faculty – The visiting faculty include positions such as visiting instructor, visiting lecturer, visiting professor, visiting researcher, and visiting scholar. This title denotes a faculty member who is normally based at another institution of higher education or who is normally employed by a company or agency who temporarily transfers his/her home base to Tuskegee University. The visiting title may be used with any of the professorial ranks. It is not a tenured or a tenure-track appointment.

Clinical Faculty Appointments – Clinical faculty appointments are made in health profession programs where the majority of the time and commitment is devoted to the training of health profession students in a clinical or hospital environment. Clinical faculty members are expected to engage in and demonstrate scholarly activities to fulfill the tripartite mission of teaching, research, and service as outlined in the faculty handbook. The clinical faculty participate in a broad range of scholarly activities focused on clinical innovations in teaching/instruction, student engagement and mentorship, clinical service, committees, and clinical research such as case reports, retrospective studies, etc. The academic ranks and related titles are clinical instructor, clinical assistant professor, clinical associate professor, and clinical professor. Clinical faculty members are reappointed on an annual basis. Annual evaluations, as with all faculty, will be assessed on scholarly productivity. Clinical faculty members are eligible to switch to another track (one time) and become eligible for a tenure-track appointment upon formal request by the faculty member to the Provost after approval of the Department Head and the Dean. The tenure clock is reset at the time of switching between tracks if such a position becomes available, and the process of hiring for an open tenure-track faculty position will be followed. If so appointed, the required probationary period will be the same as that required of other faculty members appointed to a position on the tenure track.

Research and Research-Extension Faculty Appointments – These faculty members are primarily engaged as principal investigators or researchers on sponsored research and research-extension projects. Research and research-extension faculty members may be appointed for fixed terms; the length of the term will ordinarily coincide with the duration of the research or research-extension grant or contract held by the University under which such appointments are made. Terms of research and research-extension appointments may be renewed without limitation, but no length of service in a research capacity can be expected to lead to tenure.

The following titles are used for research faculty appointments: research professor, research-extension professor, research associate professor, research-extension associate professor, research assistant professor, and research-extension assistant professor. Research faculty members are eligible to switch

to another track (one time) and become eligible for a tenure-track appointment upon formal request by the faculty member to the Provost after approval of the department head and the dean. The tenure clock is reset at the time of switching between tracks. If such a position becomes available; the normal process for hiring for an open tenure-track faculty position will be followed. If so appointed, the faculty member's required probationary period will be the same as that required of other faculty members appointed to a position on the tenure-track.

(c) Joint and Special Appointments – These appointments may be made between/among different academic units and other units of the University. The contract will designate which appointment is the primary appointment. Special appointments are typically made for a period of one year or less, and the term of service in this status will not normally exceed three years in a full-time status as teaching faculty. Eligible persons holding special appointments may be placed in a tenure-track position at the discretion of the University. When this occurs, the previous service at Tuskegee University in a full-time teaching appointment may be considered as part of the subsequent probationary period; persons in this status will be expected to serve an additional period of not less than three years on probation.

Special appointments may be made between/among nonacademic units such as the George Washington Carver Agricultural Experiment Station, Cooperative Extension Program (CEP), Centers of Excellence, National Center for Bioethics in Research and Healthcare, and other interdisciplinary centers or administrative units. The contract will designate which appointment is the primary appointment. Special appointments are not eligible for tenure.

Part-time Faculty

A person who meets the qualifications stipulated for full-time faculty may be appointed on a part-time basis. Any faculty member whose duties are less than full-time will be designated part-time. Employment is for a designated period of time and the contracts are not automatically renewed. Part-time titles are designated as stated in the section on Academic Ranks and Titles in this *Handbook*. The dean of the college/school, with the approval of the Provost, determines the assignment of part-time faculty in line with the faculty duties and responsibilities outlined in this *Handbook*. The dean will state clearly the specific duties the part-time faculty member is expected to perform. For each three-hour class taught by the part-time faculty member, at least one office hour will be scheduled to meet with students. Additionally, it is expected that part-time faculty members will make themselves available to accommodate students who request appointments. Part-time faculty do not have voting privileges.

Regulations Regarding Appointment and Rank

A faculty member's status on the Tuskegee University faculty will be determined by his/her assignment/appointment, including rank, as designated in the faculty contract. The voting privilege in faculty meetings is accorded to:

1. Administrative officers who hold membership in the Tuskegee University faculty
2. Full-time members of the faculty

Any change in the tenure clock must be initiated by the faculty member. If the faculty member is unable to initiate the request due to disability, incapacitation, etc., then the request may be initiated by the department head to the dean and on to the Provost. In every case, any decision made regarding a change in the tenure clock will be communicated to the faculty member. In an effort to create a more rational and fair system for determining the tenure review date for mid-year hires, the tenure clock does not start until the beginning of the following academic year. For example, for a faculty member who started his/her employment on August 15th, 2017, the tenure clock began immediately. Therefore, the mandatory tenure review year is 2023-2024. If the faculty member began employment on January 2, 2018, the tenure clock did not start until the 2018-19 academic year (August 15th, 2018); thus, the mandatory tenure review year is 2024-2025.

Emeritus Faculty Appointments

Emeritus status can be honored in two categories: emeritus faculty (professor) and dean emeritus.

Both honors are bestowed by the Board of Trustees.

The following criteria must be met for the emeritus faculty:

- (a) Upon recommendation by the dean of a college/school and the Provost and approval by the President, the emeritus title may be conferred upon tenured full professors who have retired and served Tuskegee University in an exemplary manner for at least ten years.
- (b) Submission of a nomination form demonstrating scholarly contributions can be completed by a faculty member and submitted to the dean of the college/school from which the nominee retired, to the Provost, the President, and on to the Board of Trustees for approval.

The following criteria must be met for dean emeritus:

- (a) Must have demonstrated distinguished scholarly contributions to the advancement of the University over a minimum of a continuous 10-year period of time.
- (b) Must have reached the full professor rank.
- (c) Submission of a nomination form demonstrating scholarly contributions can be completed by a faculty member and submitted to the dean of the college/school from which the nominee retired, to the Provost, the President, and on to the Board of Trustees for approval.

Persons with the emeritus title are extended the following privileges: (1) inclusion in the faculty list printed in the Tuskegee University Catalog or other official publications; (2) library and online privileges; (3) participation in the tuition waiver program for their children; and (4) desk and office space and laboratory space as available and needed for the continuance of professional endeavors in an academic atmosphere. Additionally, emeriti faculty members shall retain the right to participate in the fringe benefit programs, of which they are legally eligible and for which the Provost will have certified their status as faculty emeriti.

Minimum Requirements for Ranking and Promotion

In order to be a faculty member at any rank, an individual must hold at least an earned master's degree and satisfy all published credentials for the faculty members' rank. The rank of each faculty member is determined on the basis of the criteria required for each rank. Thus, no faculty member shall be discriminated against regardless of age, sex, marital status, handicap, color, religion, national origin, or sexual orientation for appointment or promotion to the rank for which he/she is eligible. New faculty members hired by Tuskegee University may be granted a rank consistent with the criteria expressed in this *Handbook*. It is the responsibility of the dean/unit head of the academic area concerned and the Provost to ensure that the faculty member hired meets the criteria for the rank granted at the time of hiring and should be based on documented credentials and experience.

The Instructional Faculty: Instructor, Assistant Professor, Associate Professor, and Professor

The criteria listed below are minimum requirements for each faculty rank. When determining acceptable credentials of its faculty, Tuskegee University gives primary consideration to the highest earned degree in the discipline. In most cases, the minimum required academic credential is a master's degree and at least 18 graduate hours in the teaching discipline. The expectation is that faculty appointees will exceed these minimum requirements. In addition to the criteria listed below, a faculty member being considered for these ranks must meet the appropriate professional and/or academic competence requirements for promotion to these ranks stated elsewhere in this handbook. Based on the Faculty Credential Guidelines of SACSCOC (<https://sacscoc.org/app/uploads/2019/07/faculty-credentials.pdf>), the requirement for teaching is "a minimum of 18 graduate semester hours in the teaching discipline." Faculty should also have an online teaching certification from the Tuskegee University Office of Distance Education and Online Learning (ODEOL) prior to offering an online course.

Rank	Minimum Education	Minimum Experience Requirements
Instructor	Master's degree in professional discipline or directly related field Or First professional degree	One year of academic and/or professional experience after the degree
Assistant Professor and Clinical Assistant Professor	Highest degree in discipline or directly related field Or Master's degree in professional discipline or directly related field plus appropriate professional certification Or First professional degree (DVM, Ph.D., DNP, Ed.D.)	Three years of college-level academic experience after the degree Three years of residency training after the degree; or three years of college-level teaching/academic experience after the degree; or three years of clinical experience after the degree
Research Assistant Professor or Research-Extension Assistant Professor	Doctorate or terminal degree in discipline or related field	Demonstrated research and research potential
Associate Professor and Clinical Associate Professor	Highest degree in discipline or directly related field Or First professional degree (DVM, Ph.D., DNP, Ed.D.) plus specialty board certification	Four years of college-level academic experience after the degree; or four years of business and industry experience after the degree; or a total of six years of college or business and industry experience after the degree Four years of college-level teaching/academic experience after the degree; or four years of clinical experience after the degree; or a combined total of six years of college and clinical experience after the degree
Research Associate Professor or Research-Extension Associate Professor	Doctorate or terminal degree in discipline or related field	Minimum of four years engaged in funded research or research-extension activities; demonstrated evidence towards an independent program and/or leadership of an interdisciplinary/integrative program

Professor and Clinical Professor	Highest degree in discipline or directly related field	Seven years of college-level academic experience after the degree; or four years of business and industry experience after the degree; or a total of 10 years of college or business and industry experience after the degree
Or		
	First professional degree plus specialty board certification, and academic service as an associate professor for at least four years	Seven years of college-level teaching/academic experience after the degree; or a combined total of 10 years of college and clinical experience with at least two years of college experience after the degree
Research Professor or Research-Extension Professor	Doctorate or terminal degree in discipline or related field	Minimum of seven years as a principal investigator in funded research or research-extension activities; evidence of having produced a significant body of research or research-extension publications, impacts, and resource.

Meritorious Ranking

Meritorious ranking of faculty is an action by the President to address unusual needs of the University where the normal consideration for promotion/appointment to a faculty rank by the Academic Personnel Services Committee of the Faculty Senate cannot adequately address a situation because of limitations in the established policies and standards of the University. Meritorious ranking by the President of the University is intended to deal with relatively new faculty members who join the University in special circumstances. Meritorious ranking is not intended as a "back door" alternative to ranking that cannot be achieved by meeting reasonable standards and expectations of the established criteria.

In case of exceptional merit, as measured by international, national, regional, or state standards and acclaim, a faculty member who has achieved exceptional distinction in one of the requirements for a rank may be considered for meritorious ranking. In such cases, the college/school promotion and tenure committee makes the recommendation to the University Academic Personnel Services Committee; and the Academic Personnel Services Committee passes its recommendation to the Provost, who submits the entire file, along with recommendations to the President. The initiative for the recommendation of meritorious ranking may occur at any level including that of a dean, the Provost, or the President.

Policies on Recruitment and Appointment

It is the policy of Tuskegee University to seek for its faculty positions the best qualified persons who are judged to be so in a competitive employment search. The University has established general procedures for the recruitment and selection of faculty members although the application of these procedures varies somewhat among academic units. The college/school promotion and tenure committee, search committees and department heads are charged with the responsibility of recruiting and making recommendations to the dean for filling budgeted positions. The recruitment process usually involves the following activities:

1. Announcements of positions are made in professional journals, at professional meetings and circulated to colleges/schools and universities, laboratories, research centers, etc.
2. A review of the applicant's credentials is conducted by heads of departments,

- deans, and the Provost to ensure that the faculty has the required qualifications to fulfill the academic responsibilities as required by accrediting agencies.
3. Personal interviews are scheduled with the department head, dean, Provost and President. The applicant's visit to the campus usually includes a tour of the campus and the surrounding community as well as the opportunity to meet with the faculty in informal settings.
 4. Recommendations are made by the search committee in the department to the department head, and the department head makes recommendations to the dean.

Specific guidelines for advertising faculty position vacancies follow:

1. All faculty position vacancies should be advertised.
2. The advertisement procedure for faculty position vacancies are as follows:
 - a. Every faculty position is clearly defined in a job description that outlines expected duties and responsibilities.
 - b. Step one - All faculty position vacancies will be advertised for a minimum of two weeks. This advertisement will consist of sending announcements for positions to appropriate persons/units as follows: each college/school dean, library, auxiliary enterprise, vice president, and the Office of Human Resources. The position may be filled at the end of the two-week period, if an acceptable candidate has applied.
 - c. Step two - List position vacancies on the Tuskegee University website and/or in other appropriate electronic and print media on campus.
 - d. Step three - List position vacancies with the Alabama Employment Agency and, as needed, place advertisements with periodicals, newspapers and appropriate journals. These advertisements are to be financed using department or college/school funds as necessary.
 - e. All faculty position vacancy advertisements that are used to solicit applications or nominations and are not paid advertisements must contain the following equal employment opportunity text:

Tuskegee University is an equal opportunity employer and does not discriminate on the basis of race, color, national origin, ethnic origin, sex, age, disability or status as a protected veteran. This statement of non-discrimination applies to educational programs, educational activities, employment, access and admission.

Recruitment of Faculty with Tenure

In exceptional circumstances, faculty can be hired with tenure on an authorized budgetary line provided they fulfill the requirements set out in the section on Faculty Evaluation, Promotion, and Tenure. In addition, the person must have been a tenured faculty member at another equivalent accredited academic institution for which appropriate documentation must be submitted by the faculty member as part of the hiring process. The President makes the appointment based on the recommendations of the head of the department, dean of the college/school and the Provost. A post-tenure review shall be initiated after three years for faculty hired with tenure and in the normal five-year post-tenure review intervals thereafter.

Hiring of Non-academic Administrators with Faculty Rank

An individual hired for a full-time administrative position or full time non-academic administrative duties may be granted an appropriate faculty rank in an academic unit consistent with the requirements set out in the section on Minimum Requirements for Ranking and Promotion.” The President shall only make the appointment with faculty rank after receiving positive recommendations from the head of the department, dean of the college/school, and the Provost. Administrators hired with a faculty rank must follow the same process as faculty hires. Non-academic administrators are not eligible to be hired as tenured or tenure-track faculty unless the administrator meets the minimum academic requirements for tenure in an existing unit. In cases where “special and unusual” expertise is essential to the operation of a Tuskegee University program, a dean or administrator must make a recommendation to the President before the appointment is made. There must be an approved budget line in the academic unit in which the appointment is made.

Appointment of Deans and Heads of Departments

A. Terms

Academic Dean: An academic dean is head of a division, college, school, or other similar academic unit and has administrative responsibility for that unit. An employee may serve in the capacity of an academic dean for an initial term lasting a maximum of five years. At the President's discretion, following the expiration of the initial, five-year term, such employee may serve in the capacity of academic dean for up to two, additional, five-year terms. Such additional appointments shall be in writing and signed by the President.

Department Head: An academic department head or academic unit head is required to lead, manage and develop the department to ensure it achieves the highest possible standards of excellence in all its activities. An employee may serve in the capacity of academic department head or academic unit head for an initial term lasting a maximum of three to five years unless extended by the President. At the President's discretion, following the expiration of their initial term, an employee may serve in the capacity of an academic department head or academic unit beyond five years. Such an appointment shall be in writing and signed by the President.

The President may consult with appropriate academic officers when determining whether to authorize service of an academic dean or academic department head for an additional period of time.

B. Definitions

A candidate for the position of the dean of an academic unit must have the credentials sufficient to qualify for the rank of tenured full professor. Internal candidates must already hold a full professor appointment in one of the departments of the unit. External candidates must have held a tenured full professor position for which appropriate documentation must be submitted as part of the decision process. The dean of an academic unit shall be appointed as a tenured full professor, if not already one.

A candidate for the position of the head of an academic department unit must have the credentials sufficient to qualify for the rank of tenured full professor, but appointment to Head of a tenured associate professor may be considered on a case-by-case basis. Non-tenured faculty may not hold the position of department head.

If an individual who was granted tenure at the time of appointment as a dean or head of the department returns to full-time teaching as a regular faculty member, a post-tenure review shall be initiated after three years of returning to full-time teaching and continue with the normal five-year post-tenure review intervals thereafter.

Recruitment and Employment of Non-US Citizens

Only persons lawfully entitled to work in the United States will be eligible for employment at Tuskegee University. Generally speaking, all persons in the U.S. are either citizens or aliens (noncitizens). The normally accepted proof of U.S. citizenship — birth certificate, baptismal certificate, naturalization certificate, or passport — will be accepted at facevalue.

After a hiring determination has been made, noncitizens will need to furnish proof of their legal right to remain and work in the United States. Hiring of persons who are not U.S. citizens will comply with regulations of the United States Citizenship and Immigration Services (USCIS) and other laws applicable to employees generally such as Fair Labor Standards, Internal Revenue, and Social Security Acts. A copy of "Documentary Requirements for Aliens in the United States" (FORM N-97) is available at the Office of Human Resources. This will help hiring units to identify the various immigration documents that can be

presented by noncitizens - (a) nonimmigrant classifications, (b) employment eligibility, and (c) employment authorization.

4. EMPLOYMENT PRACTICES

Employment of New Personnel

The faculty hiring process originates and is processed in the Office of the Provost. All employees are employed pursuant to a formal contract. All requests for personnel action for new faculty candidates must be initially approved by the respective department head, dean, budget officer, the Provost, and the President. The dean of the respective college/school will prepare the proposed employment contract for the review of the Provost, and final approval of the President. The contract shall be prepared only after a complete dossier evaluation and inclusion of the evaluation and dossier in the faculty member's file.

It is the policy of the University that no candidate for employment reports to work unless a contract, outlining the terms and conditions of his/her employment, has been signed by the President, the Provost, the dean (or the administrative unit head), and the candidate.

The University will be under no obligation to pay any individual who reports to work prior to his/her being officially employed by the University.

Changes in Employment Status

All requests for modifications in the employment status (hiring, termination, salary changes, transfers, resignations, extended sick leave, etc.) of University faculty must be communicated promptly to the appropriate general officer and the Vice President of Human Resources prior to the proposed modification in employment status such that appropriate action may be taken. These proposed modifications in employment status should be reported on the Personnel Action Form (PAF) that is available online at <https://www.tuskegee.edu/discover-tu/human-resources/employee-forms> or in the Offices of Human Resources, deans and the Provost. Final action for changes in employment status requires the approval of the President. The decision of modification in the employment status must be communicated to the faculty through the respective dean or administrative department head.

Faculty Duties and Responsibilities

Full-time faculty members owe their primary loyalty and support to Tuskegee University of which they are a part and from which they in turn receive their support. As a consequence, it is expected that their time and efforts will be directed toward pursuing the goals and objectives of the University, e.g. teaching, advising students, pursuing scholarly work, serving on University committees, performing certain necessary administrative tasks, and such other duties as necessary to carry on the work of the University. As an essential part of his/her contract with the University, a full-time faculty member agrees to render full-time service during the academic year. A full-time faculty member will advise his/her immediate supervisor of any activities in which he/she may be engaged which will or may result in rendering less than full-time service to the University. Provisions are made in the Faculty Handbook for faculty to engage in outside activities both for remuneration and for no compensation. The University encourages all faculty members to engage in such activities that will enhance the faculty member's professional development and the University's standing in the community. However, the pursuit of such activities is not expected to interfere with the individual's carrying out his/her responsibilities to Tuskegee University. In no case shall a faculty member hold another full-time position while employed full time at Tuskegee University.

Assessment of faculty duties and performance are reflected in the annual performance review.

Specifically, the duties of a full-time faculty member (tenure, tenure-track, non-tenure) include:

1. Teaching courses as assigned.
2. Guiding, tutoring, and counseling students, and giving support to, with appropriate participation in, other student development services.
3. Augmenting institutional academic and research/development through innovation and external funding.

4. Keeping abreast of the skills that enhance the University's core values and facilitate excellence in teaching, research, and service.
5. Aligning duties in classroom/labs toward the highest possible retention rate of students.
6. Serving on committees as required.
7. Improving instruction through the use of modern and appropriate materials, procedures, methods of evaluation, and the like.
8. Keeping accurate class records and making timely reports of grades, attendance, and the like.
9. Attending faculty meetings (general, departmental, college/school) and at least one half of University Convocations are required of all faculty members. Faculty members are encouraged to share in the informal life of the campus community such as attending lectures, athletic events, concerts and the like to the end that maximum constructive relationships are developed among faculty, staff, and students.
10. Carrying on such auxiliary duties as may be within the province of the specific position or as mutually agreed upon (e.g., public service).
11. Assisting in the recruitment and registration of students.
12. Keeping regular office hours and mentoring students.
13. Promoting the institutional mission at official internal/external University business/activities.
14. Performing other duties as may be assigned by the department head or the dean.

Teaching Load/Release Time

A full-time faculty member at Tuskegee University is expected to be actively engaged in a variety of activities including teaching, pursuing scholarly activities, serving on committees, advising students, performing administrative tasks, and related duties.

The teaching load policy at Tuskegee University recognizes that credit hours taught, number of different preparations, laboratories, class sessions, number of students taught, and level of classes all influence the adequacy of a teaching load. The normal teaching load is 12 credit hours per semester for full-time faculty teaching in the undergraduate program. For graduate programs, the normal teaching load is 9 credit hours per semester. Normally these teaching loads should include no more than three separate class preparations each term. Laboratories for which the faculty member is fully responsible will be considered in the teaching load. If a faculty member has less than a normal load for one semester, then a heavier load would be assigned the next semester without extra compensation. Credits for team-taught courses will be prorated among the faculty members teaching the course.

Release time from teaching responsibilities up to nine semester hours (six semester hours in the graduate program) may be approved under the following conditions:

1. Faculty may be released for up to six semester hours for administrative work as the head of a major academic unit below that of the deanship; consideration may be given for additional release time based on unusual conditions in the unit. Deans of academic units can be released 100 percent from teaching responsibilities as may be necessary. Committee work, student counseling, incidental academic counseling and supervision, and other administrative-related work are considered to be normal and associated expectations for a faculty member unless these require substantial, regular, and extended work, in which case consideration is made in developing the faculty member's schedule and release time is set by the department head and approved by the unit dean.
2. Faculty may be released for up to six semester hours of sponsored research provided the instructional program is not adversely affected and no basic budget funds are required to cover the courses.
3. Faculty may be released for special projects, assignments that may require longer than anticipated time.
4. Research and research-extension faculty may be released from research or research-extension activities for 20 to 40 percent time to teach courses and be compensated from teaching funds, if approved by the department head, dean and principal investigator of the funded research or research-extension grant, and the guidelines of the funding agency are not violated. In special cases, an additional course can be taught as an overload and paid from

teaching funds if approved by the department head, dean and principal investigator of the funded research or research-extension grant and the guidelines of the funding agency are not violated.

In certain limited situations a faculty member may be permitted to teach fewer than six credit hours per semester.

While applying for grants, faculty may include release time in the grant. Faculty are then required to request the full amount of the faculty member's salary. In this case, an additional Full-time Equivalent (FTE) faculty member may be added to the department in order that the normal teaching activities of the department are to be carried out.

Faculty requests for release time other than that included in a research grant may be made to the respective dean preceding any semester. The dean will make an appropriate recommendation to the Provost, who will make the final decision regarding the request. The following procedure should be followed when faculty members are to be placed on release time:

1. The percent of release time should be agreed upon by the faculty member, department head and college/school dean, and approved by the Provost.
2. Approved release time should be conveyed to the Grants and Contract Accounting by the college/school dean or the major unit head prior to the actual beginning of the arrangements if reimbursement for the release time is to come from outside funds or is to be used to meet cost-sharing obligations.
3. The Office of Grants and Contract Accounting will verify whether or not adequate funds are available from outside sources as indicated above. This notice should include the percent of release time spent on other than normal responsibilities.

Research and Research Grants

Tuskegee University encourages faculty research and urges faculty members to submit proposals for funded research as well as to conduct research whether or not funded. When research is funded, a faculty member shall not be paid for more than 100 percent of his/her time claimed by the University, and salary supplements on the grant for the duration of a grant shall not be allowed. If an investigator is to be compensated from a grant for research done during the summer months or other free periods, the compensation must conform to the regulations of the granting agency and the University.

Full-time faculty may serve as a paid consultant for a research grant held by another faculty member of the University as long as the arrangement adheres to the limit of one day per week set forth in Salaries and Compensation and does not violate the guidelines of the funding agency.

Leave of Absence with Pay

Leave of absence with pay may be of two types: (a) those made necessary by illness, temporary employment elsewhere in a Tuskegee University-sponsored activity, or other personal circumstances; and (b) sabbatical leave for the purpose of creative study, travel, and or research.

Application for either type of leave should specify the period requested and the reason for seeking leave. In the case of application for sabbatical leave, a full description of activities to be undertaken during the leave period should be included.

Tuskegee University has a firm commitment to sabbatical leaves, but such leaves are granted at the discretion of the University. Ordinarily, eligibility for sabbatical leave requires consecutive service at the rank of assistant professor or higher for seven (7) years. Applications for sabbatical leave may be either for an academic year of two semesters at half salary, or for one semester at full salary. Postponement of an approved sabbatical leave for the convenience of the professor does not accumulate credit toward future sabbatical leave; however, credit toward such may be accumulated when sabbatical leaves are postponed in the interest of the University. Ordinarily, sabbatical leave may not occur more often than once in eight (8) years.

Application for sabbatical leave should be submitted by the faculty through the head, the dean, the

Provost, to the President, at least one full semester prior to the leave period requested. The applicant shall be notified of the decision no later than a month of the request.

Leave, especially sabbatical, places on the faculty member a contractual obligation to return to the University upon expiration of the leave period. In any case, all faculty members on leave should observe the same rules of adequate notice of resignation that would apply if they were not on leave.

For non-tenured faculty members, a period of leave counts as a part of the probationary period. When, however, the leave is of such a nature that the individual's development as a faculty member while on leave cannot be judged, or when the leave is for purposes other than scholarly, the individual is allowed, on his/her request, to have the tenure decision postponed for a period equal to the length of the leave. Such an agreement must be in writing prior to the leave.

Leave of Absence without Pay

Application for leave of absence without pay shall be honored by the University whenever it can do so without serious impairment of its educational functions. Application for leave should be submitted to the President through the Provost, the dean (or administrative head of the unit) and the head of department at least one semester in advance. The applicant will be notified of the decision no later than a month of the request.

Unpaid leave of absence shall be granted normally for one or two years, but may be extended, at the discretion of the University for a maximum of three years. Consecutive leave beyond three years shall be granted only for extraordinary cause.

Application for extension of an absence beyond the approved period of leave shall be made no later than one semester prior to the expiration of the leave period.

Educational Leave with Pay

The University is committed to providing opportunities for continued professional development of its faculty. Provided outside gift or grant money is available, educational leave with pay for no more than one year may be approved for faculty under the following circumstances:

1. Tenured faculty who do not have the highest degrees in their disciplines or who because of changing requirements in their fields of specialization may need to acquire a specialized degree or additional training.
2. Tenured faculty who need continuing education in an area of priority to the University's educational programs.
3. Non-tenured faculty with excellent performance reviews who are All But Dissertation (ABD) and at the point of writing a dissertation.

Applications must be made to the President through the Provost, the appropriate dean (or head of the administrative unit), and the head of the department, to be considered for such opportunities.

Leave from the Classroom for Administrative Appointments

Tenured faculty members serving full-time in administrative positions may retain their academic tenure for up to 10 years, contingent upon post-tenure review. Exceptions may be made based on evidence that the person involved has maintained significant involvement in teaching in the discipline and scholarship in accordance with the three pillars of teaching, research, and service during the period in which they held administrative appointments.

Provisions for Attendance at Professional Meetings

Attendance at professional meetings is a method of promoting the professional development of the individual and the best interests of the University. This privilege should be allocated equitably.

Payment by the University from the basic budget of any or all costs of attending professional meetings stipulated in this Handbook is subject to the following considerations:

1. Travel is limited by the amount of available funds included in the budget for this purpose and the allocation thereof by the proper authorities within each college/school of the University.
2. Economy rates are required.
3. Requests for travel are approved in advance by the department head and the dean.
4. Requests for travel abroad (whether paid or unpaid by the University on University-related business must also be approved in advanced by the department head and the dean and submitted to the Provost for approval, vetted through Tuskegee University Global Office (TUGO), and the approved request forwarded to the Office of the President before travel.
5. Debriefing upon returning from trips abroad is done through the TUGO and the dean/unit director.

Tuskegee University shall assume full responsibility for legitimate expenses involved (if not provided through other sources) when a member of the faculty attends a professional meeting if:

1. The faculty member has been properly appointed to represent Tuskegee University.
2. The faculty member received approval before travel from institutional officers.
3. The faculty member is to appear upon the program of a learned society.
4. The faculty member holds a responsible office in a learned society.

Conflicts of Interest in Government Sponsored Research

Tuskegee University endorses the joint statement of the ACE-AAUP entitled “On Preventing Conflicts of Interest in Government Sponsored Research at Universities.” The Office of the Vice President for Business and Fiscal Affairs shall be available to provide advice, guidance, and advance consultation in matters of possible conflict of interest arising from government-sponsored research or service as a government consultant or advisor.

Employment of Relatives

It is the policy of Tuskegee University to seek for its faculty positions the best qualified persons, who are judged to be so in a competitive employment search preceding each appointment and promotion.

No faculty member, head of the department, dean or administrative officer shall have immediate hiring authority over a relative or shall vote, make recommendation, or in any way participate in the decision on any matter which may directly affect the appointment, tenure, promotion, demotion, transfer, salary, or any other status or interest of a relative. Each employee shall be expected to fulfill the spirit of this policy by voluntarily absenting him/herself from participation in personnel decisions in which a relative is involved.

Political Activity of Faculty Members

A faculty member who wishes to become directly involved in a political activity should confer with the college/school dean if the faculty member intends to spend a substantial amount of time upon the political activity. This includes running for political office, serving in office, managing campaigns, or assisting a candidate who is running for political office.

The dean of the college/school and the University’s Provost shall determine if the amount of time involved requires a leave of absence or other change in the employment status of the faculty member.

Statement of Nondiscrimination

Tuskegee University does not discriminate on the basis of race, color, national origin, ethnic origin, sex, sexual orientation, age, disability or status as a protected veteran in employment or the rights, privileges, programs, and activities generally accorded or made available to students at the school, administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs. This statement of non-discrimination applies to educational programs, educational policies, admissions policies, educational activities, employment, access and admission, scholarship and loan programs, and athletic and other school-administered programs. Inquiries regarding compliance with Title VII of the Civil Rights Act of 1964,

Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 or other civil rights laws should contact one of the following designated individuals:

For questions and complaints or to report an incident under Title IX, contact:

Interim Title IX coordinator

Marc Cardinalli (*pending appointment of a permanent director*)

C/o The Office of General Counsel

322 Kresge Center

Office: 334-727-8872

Mobile: 740-727-0020

To schedule an appointment to make an in-person report, contact Constanza Hoffman at:

choffman@tuskegee.edu

For questions and complaints related to disability, access, removal of barriers, or reasonable accommodation for otherwise-qualified individuals under the ADA or section 504, contact:¹

Director, ADA Compliance

Steven B. McCrary

Tompkins Hall, Room 301

Ball Room Level

Office: 334-727-8186

Mobile: 615-604-1225

smccrary@tuskegee.edu

Section 504 coordinator/Disability Access and Accommodation

Ardelia Lunn

Wellness Center Building

Office: 334-727-8147

alunn@Tuskegee.edu

For inquiries or complaints under Titles VI and VII concerning race, color, national origin, ethnic origin, sex, age, or protected veteran status, contact:

Director of Human Resources

Dr. Sharon Burnett, Executive Vice President and acting Chief Personnel Officer (*pending appointment of a permanent director*)

101 Kresge Center

Office: 334-727-8510

hr@tuskegee.edu

To receive further information concerning notice of non-discrimination, visit the U.S. Department of Education at <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-3481.

Discrimination and Harassment (Including Sexual Harassment)

I. Prohibitions against Discrimination, Harassment, and Retaliation

Tuskegee University policy prohibits discrimination on the basis of race, color, national origin, ethnic origin, sex, age, disability, genetic information, pregnancy, marital status, parental status, economic status, sexual orientation, gender identity, or protected veteran's status in employment or educational programs and opportunities. This statement of nondiscrimination applies to educational programs, educational policies, admissions, educational activities, employment, access, and athletics. Inquiries regarding compliance with

¹ Assistance will also be provided by the Vice President for Facilities and Construction, who will assist with complaints from otherwise qualified individuals concerning removal of barriers to access and make recommendation(s) to resolve problems.

Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the age discrimination act of 1975, and the Americans with Disabilities Act of 1990 should be directed to the Title IX Office or Human Resources. The University also prohibits harassment, violence, including sexual and dating violence, hazing, and physical and cyber-bullying. This nondiscrimination policy covers all employees, including volunteers, University employment, educational opportunities, programs, and benefits, admissions, training, student housing, and health services and treatment in all Tuskegee University programs and activities. All faculty, students, and staff are subject to the University's Title IX policy as well as prohibitions under federal law. Faculty complaints under Title IX must be directed to Human Resources or the University's Title IX office. A complaint involving sexual violence or sexual assault can also be made to the Campus Police Department

Tuskegee University is committed to providing an environment for employees, students, and campus visitors that is free from illegal discrimination and harassment based on race, color, religion, ethnicity, national origin, sex, sexual orientation, age, disability, or veteran status. Illegal discrimination and harassment violate state and federal laws and University nondiscrimination and anti-harassment policy. Illegal discrimination and harassment may lead to discipline up to and including termination, as well as civil and criminal legal liability. All members of the University community (including faculty, staff and students) are personally responsible for understanding that discrimination and harassment based upon protected status or protected classification as identified above are prohibited, and that all members of the community are required to comply with this policy. Any member of the campus community who violates this policy is subject to sanction, up to and including termination. Once it receives actual notice of conduct by a member of the University community that may implicate this policy, the University will take appropriate action to investigate what occurred, and where warranted, implement remedial action and take disciplinary action, up to and including termination. Retaliation against persons who oppose or participate in a complaint of discrimination or harassment is strictly prohibited. University policy also prohibits retaliation, which is defined as any action that has the effect of punishing a person for engaging in legally protected activity, such as alleging discrimination or harassment, making a discrimination or harassment complaint, or participating in a discrimination or harassment investigation or hearing.

II. Definitions

A. Harassment

Harassment is unwelcome verbal or physical behavior that is directed at a person based on a protected status or characteristic, when these behaviors are sufficiently severe and/or pervasive to have the effect of unreasonably interfering with an individual's educational opportunities, benefits, or experience, working conditions and/or living conditions by creating an intimidating, hostile, or offensive environment. Examples of conduct that can constitute harassment if based on an individual's protected characteristic include but are not limited to:

- Unwelcome jokes or comments about a legally protected characteristic (e.g., racial or ethnic jokes);
- Disparaging remarks to a person about a legally protected characteristic (e.g., negative or offensive remarks or jokes about a person's religion or religious garments);
- Displaying negative or offensive posters or pictures about a legally protected characteristic;
- All communications, including those conveyed electronically, such as by e-mail, telephone or voicemail, text messaging, or social media or other internet use, that violate this Policy.

B. Discrimination

Discrimination is adverse treatment of an individual based on a protected characteristic or protected status rather than individual merit or other legally-acceptable reason. Examples of conduct that can constitute discrimination if based on an individual's protected characteristic or protected status include but are not limited to:

- Singling out or targeting an individual for different or less favorable treatment (e.g., more severe discipline, lower salary increase, denying or limiting an opportunity to participate in an educational opportunity or receive an educational benefit) because of their protected characteristic
- Failing or refusing to hire or admit an individual because of their protected characteristic

- Terminating an individual from employment or an educational program or educational opportunity based on their protected characteristic.

C. Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when either:

- The conduct is made as a term or condition of an individual's employment, education, living environment or participation in a University community.
- The acceptance or refusal of such conduct is used as the basis or a factor in decisions affecting an individual's employment, education, living environment, or participation in a University community.
- The conduct unreasonably impacts an individual's employment or academic performance or creates an intimidating, hostile or offensive environment for that individual's employment, education, living environment, or participation in a University community.

Sexual harassment is defined by law and includes requests for sexual favors, sexual advances or other sexual conduct when (1) submission is either explicitly or implicitly a condition affecting academic or employment decisions; (2) the behavior is sufficiently severe or pervasive as to create an intimidating, hostile or repugnant environment; or (3) the behavior persists despite objection by the person to whom the conduct is directed. The University considers such behavior, whether physical or verbal, to be a breach of its standards of conduct and will seek to prevent such incidents and take corrective action when sexual harassment occurs

Types of Sexual Harassment

There are two types of sexual harassment: *quid pro quo*, and hostile environment.

Quid pro quo (meaning “this for that”) sexual harassment occurs when it is stated or implied that an academic or employment decision about a student or employee depends upon whether the student or employee submits to conduct of a sexual nature. *Quid pro quo* sexual harassment also occurs when it is stated or implied that an individual must submit to conduct of a sexual nature in order to participate in a University program or activity. So, for example, if an employee is made to believe that a promotion is likely if the employee goes on a date with the employee’s supervisor, the employee is possibly being subjected to “quid pro quo” sexual harassment.

Hostile environment sexual harassment occurs when unwelcome conduct of a sexual nature creates an intimidating, threatening or abusive working or educational environment and is so severe or pervasive that it affects a person’s ability to participate in or benefit from a University program or activity. While a person engaging in harassing behavior may have some form of power or authority over the person being harassed, that is not always the case. Harassment can take the form of peer-on-peer harassment, meaning harassment among supervisory personnel, faculty, staff, or students. A subordinate can also harass a supervisor, or a student can harass a staff member or faculty member. All such harassment is prohibited and subject to sanction, including suspension or expulsion for students, termination for employees, including faculty, and for third parties, exclusion from campus, campus events and entry upon other university property.

D. Retaliation

Retaliation is any attempt to seek retribution against an individual or group of individuals involved in filing a complaint or report under this policy, filing an external complaint, participating in a disciplinary process, or opposing in a reasonable manner an action believed to constitute a violation of this policy. Retaliation can take many forms, including abuse or violence, threats, and intimidation. Actions in response to a good faith report or response under this policy are considered retaliatory if they have a materially adverse effect on the working, academic or University-controlled living environment of an individual; or if they hinder or prevent the individual from effectively carrying out their University responsibilities. Any individual or group of

individuals can engage in retaliation and will be held accountable under this policy.

III. Reporting Harassment or Retaliation

A. Prompt Reporting Required

Persons who believe they have been targets of discrimination, harassment or retaliation should report the incident(s) immediately to appropriate administrative officials as set forth below in section (III) (C). Delay in reporting to these University officials makes it more difficult to investigate fairly and adequately the incident and may contribute to the repetition of offensive behavior.

B. Confidentiality

The University will do everything consistent with enforcement of this policy and with the law to limit the dissemination of information related to any complaint or investigation to individuals with a need to know and exercise reasonable efforts to protect the privacy of the individuals involved and to ensure that the complainant and respondent are treated fairly. Information about individual complaints and their disposition is considered confidential and will be shared only on a “need to know” basis.

C. Reporting Channels for Complaints

Employees and students should report complaints of discrimination and harassment to Office of Title IX, Campus Police, local law enforcement, the U.S Department of Education, and/or to the Office of Human Resources. Employees who believe for any reason that they cannot effectively communicate their concerns through any of these channels should notify the Provost and Vice President for Academic Affairs.

D. Procedures for Handling Complaints of Harassment

Individuals who believe they are targets of unlawful discrimination or harassment in their working or academic environments or educational programs or activities are encouraged to respond to the alleged harasser directly, by objecting and by requesting that the unwelcome behavior stop. Individuals may also seek assistance or intervention, short of filing a complaint, from their supervisor or other University complaint-receiving officials. It is not necessary to confront the harasser prior to seeking assistance or intervention from University authorities.

The complaint-receiving official will explain the options available and will counsel the complainant. If the complainant, after an initial meeting with the complaint-receiving official, decides to proceed, the complainant will be requested to provide a written statement describing the complaint.

Complaints of discrimination and harassment will receive prompt attention. Complaints may be resolved through the informal or formal procedures described below, and appropriate action will be taken. Informal means are encouraged as the beginning point, but the choice of where to begin normally rests with the complainant. However, if the complaint-receiving official believes that the matter is sufficiently grave because it seems to be part of a persistent pattern, because of the nature of the alleged offense, or because the complainant seeks to have a sanction imposed, then the complaint-receiving official will initiate a formal procedure, or take other appropriate action.

E. Disciplinary Sanctions

A conclusion that discrimination, harassment, and/or retaliation in violation of University policy or the law has occurred shall subject the offender to appropriate disciplinary action and may result in suspension, discharge, expulsion or dismissal. University disciplinary procedures and possible sanctions are described in the Code of Student Conduct in the *Student Handbook*, the *Staff Handbook*, and the *Faculty Handbook*. Sanctions imposed will be determined on the basis of the facts of each case and the extent of harm to the University’s interests.

Drug-Free and Alcohol-Free Workplace

Tuskegee is subject to the Higher Education Act of 1965, which, as a condition for maintaining eligibility for federal funding, requires Tuskegee to have a drug and alcohol abuse prevention policy that prohibits student and employee drug and alcohol use, sale or possession on the institution's property or as part of any of the institution's activities, whether on or off campus, as a condition of continued eligibility for federal funding. Section 120 of the HEA requires federal funding recipients to prohibit all drug and alcohol use on institutional property or as a part of any institution activity, whether on or off campus, and provide sanctions for its use (including sanctions against employees) as a condition of accepting federal funds. One such sanction under (a) (1) (E) is termination. Some federal grants and other sources of federal funding also have drug-free requirements. Employees will be given a copy of the approved policy on requirements for a drug-free and alcohol free workplace upon request.

Americans with Disabilities Act (ADA), as amended

Tuskegee is committed to the principles of equal access and opportunity for persons with disabilities in compliance with the Americans with Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973. This policy applies to all University students, faculty, staff, and applicants for University employment. The University will not discriminate on the basis of disability against a qualified person with a disability in regard to job application, recruitment, hiring, advancement, compensation, training, termination, or other terms, conditions or privileges related to employment. The University will make a reasonable accommodation for a qualified person with a disability to allow the performance of the essential functions of a job unless an accommodation would result in undue hardship or provide a direct threat to the health and safety of the employee with a disability or other persons. For information, see the Handbook appendices.

Drug Testing

Tuskegee University may require present and future employees to undergo tests designed to detect the presence of alcohol and/or drugs (e.g., blood tests or urinalysis) where it has reason to believe that an employee may be under the influence of or impaired by alcohol and/or drugs. With reference to drug testing, the University will follow government controlled substances regulations. The University may utilize services of other departments to administrate its drug testing policy, e.g., Human Resources, Safety and Security, Counseling, Student Health Services, Alcohol and Drug Task Force, Offices of the Provost and Dean of Students, etc.

5. SALARIES AND COMPENSATION

Within the limits of budgetary resources, the University should make all necessary efforts to maintain faculty salaries and benefits at a level competitive with those of comparable universities in the southeastern region and other Historically Black Colleges and Universities.

The normal faculty appointment is for an academic year, defined as August 15th to May 15th of the following year. A faculty member on a contract based on the academic year will receive his/her first paycheck on the first working day in September and the last paycheck on the first working day in June.

Faculty salaries are determined annually based on performance as described in this Handbook under Appointments to the Faculty, especially the sections on faculty evaluation, promotion and tenure policies, and criteria governing promotion.

Adjustments in pay are normally made annually, and may be based on performance, general adjustments, or some combination of both. A salary schedule is published annually for the several faculty ranks. A renewal contract should be received by April 15th. After receiving a contract at any point in the academic year, a faculty member is expected to return the signed contract within 10 days. If the contract is not returned within 15 days of issuance, the University will treat the failure to return the contract as a resignation.

Promotion Increase

Promotion to a higher academic rank is accompanied by a salary increase of a fixed amount. The amount of the promotional increase is determined annually by the administration, with Board of Trustees' approval and is made known to the faculty. This increase is separate from, and in addition to, the merit increases and annual cost of living increase. Research and Research-Extension Faculty who are partially funded through basic budget, are also eligible for the salary increase prorated according to the percentage of salary paid from the basic budget.

Opportunities for Summer Employment from University Basic Budget

When an academic year appointee performs duties compensated by the University for the period after the academic year and prior to the beginning of the subsequent academic year (August 15th), the formula for computing salary is normally one-tenth of the salary of the immediately preceding academic year salary for each full month of service; there are situations in which the summer salary will be less than one-tenth per month.

The limit of additional salary that academic year appointees may receive from the University's unrestricted funds are two-tenths of the academic year salary. An academic year appointee may earn an additional one-ninth of the academic yearly salary if the funds are provided by outside support and if the arrangement has been approved in the regular grants approval procedure and by the appropriate agency.

Summer school employment is not guaranteed. It is available for selected faculty as recommended by the Provost, respective dean, and department head based on budgetary limitations, courses offered, and faculty expertise.

Summer Employment on Outside Funds

A number of Tuskegee University faculty are supported part-time during the academic year and full-time in the summer on outside-funded research, demonstration, outreach, or other activities.

The academic year at Tuskegee University covers nine months, from August 15th of one year to May 15th of the next. The salary is paid in ten monthly installments. Based on the Tuskegee University academic year calendar, a faculty member on an academic-year appointment can work for three months in the summer without conflicting with his/her academic-year obligations to Tuskegee University.

All academic-year faculty are eligible for three months' full-time employment on outside funded projects provided this arrangement does not conflict with guidelines of the granting agency. Approval for the three

months' full-time employment must be granted by appropriate administrative officials of Tuskegee University, and funds on the grant for three months' employment must be available. Additionally, if the faculty member's salary is to be paid at the rate of one-ninth of the academic-year salary, funds must be available from external sources. This is possible without loss of regular academic year salary. No time off during the three-month summer period shall be allowed, except for normal University holidays such as the Fourth of July.

Tuskegee University supports the involvement of its faculty in special activities and projects that can add to their experience and status and contribute to their discipline, students, and colleagues, provided this does not interfere with the work they perform for the University. This is in keeping with the long-term tradition of Tuskegee University. Provisions of this policy will enable faculty to pursue outside-funded project objectives leading to the achievement of these goals. At the same time, it is anticipated that this provision will not permit faculty members to work more than 100% time in the three-month summer period.

The following procedure should be followed when academic year faculty members are to work for three months in the summer on outside-funded projects:

- The faculty member must write three-month summer employment on the outside-funded project into his/her proposal, which must be approved through normal channels on campus. If the summer period monthly rate will be one-ninth of the academic year salary, funds must be available on the grant/contract,
- A properly executed PAF must be submitted by the unit head or department head and approved by the dean in advance of summer employment through normal channels to the Grants and Contract Accounting Office for approval,
- The Grants and Contract Accounting Office will verify whether or not adequate funds are available from outside sources for this purpose and submit request to the Budget Office,
- The Budget Office will forward the approved PAFs to the Provost for preparation of three-month contracts.

Overload Teaching

A faculty member who is required to teach an overload in any semester may be paid additional compensation based on the University's policy as delineated in the University's employment practices as it relates to teaching load/release time. The dean will recommend overload assignments to the Provost. The Provost will make the decision on compensation if it is determined that a faculty member is carrying an overload.

Regulations Concerning Outside Employment for Compensation

Faculty members who have accepted full-time employment by the University have thereby agreed to devote the time and energy necessary to perform the duties of their respective assignment to the best of their ability.

It is recognized that participation of University faculty in certain activities of a professional, civic, or other nature may greatly enhance the professional standing of the individual and the University, and therefore, should be encouraged. However, since these activities consume time and energy and often carry with them compensation, the principles set forth here are designed so as to regulate this participation to ensure that it does not violate contractual obligations or retard the work of the individual or the University.

Principles Governing Outside Financed Research, Employment, Consultation and Related Activities

Faculty members who wish to engage in activities for financial remuneration should declare their intention through their academic or departmental unit before the work is begun and secure a written agreement with the department head, which must be approved by the dean and reported to the Provost and the President. This declaration should state clearly the nature of the duties, the time, which they will consume, and the time at which they will occur. The University generally permits such outside activities for the equivalent of one day per week during the academic year.

Full-time faculty may serve as paid consultants for a research grant held by another faculty member of the University as long as they adhere to the principles governing financed research, employment, and related activities.

The name of the University may not be used for propaganda purposes or for personal gain.

All outside employment exceeding one day per week allowed during the academic year must be declared; extensive outside employment may require full- or part-time leave from the University. Failure to disclose outside employment may be considered a breach of contract resulting in a recommendation from the college/school dean to the Provost/President for action.

Where the contract between the individual and the University specifically provides for participation in outside activities for compensation, the contract shall have precedence over any principles herein with which it is in conflict.

Employment on Restricted Budget Contracts

Persons employed at Tuskegee University are usually hired on basic budget contracts and are subject to the established University faculty and staff compensation plans. However, some positions for a temporary or undetermined period, supported by specific outside funding, and requiring certain expertise are considered special appointments and may be filled on a restricted budget contract. Continuation in contract and employment is contingent on specific outside funding and the financial exigencies of the University.

6. FRINGE BENEFITS

Tuskegee University's offers a comprehensive benefits package which includes medical, dental/vision, life, dependent life, retirement planning, long-term disability, short-term disability, and accidental death and dismemberment insurance for employees and their families (see Employee Benefits Summary [www.tuskegee.edu/TU Revised Benefits Summary.pdf](http://www.tuskegee.edu/TU%20Revised%20Benefits%20Summary.pdf)).

Eligible regular employees may participate in the benefits program. The Office of Human Resources enrolls new participants, issues plan booklets and summary descriptions, and aids employees seeking benefits under their coverage. Full details of coverage and benefits of each program are provided in the documents which may be obtained from the Office of Human Resources or on the website at www.tuskegee.edu/employment.

Employees are provided an opportunity annually to review their benefits package during open enrollment from September 1st – 30th with the election year beginning October 1st. Employees must notify the Benefits Manager within thirty (30) days of any mid-year family status “qualifying event” changes.

Group Medical Insurance Plans

An employee is eligible to participate in the group health insurance plan the first of the month following Thirty (30) days of employment. Premiums are on a pre-tax (salary reduction) basis with both the employee and University contributing to the cost. Tuskegee's current Medical Insurance Plans offers Four Tiers of Coverage which include prescription coverage: (1) employee only; (2) employee + spouse; (3) employee + child; (4) employee + family.

All employees are encouraged to participate in this and other health coverage. An updated and complete list of vendors and plan descriptions can be obtained from the Office of Human Resources.

Continuation of coverage as provided by the Consolidated Omnibus Budget Reconciliation Action of 1986 (COBRA) will be available for employees, spouses/dependents after certain “qualifying events” occur; e.g., termination of the employee's employment, employee's eligibility for Medicare, death of the employee, divorce, or when a child no longer qualifies as a dependent on the plan. Full details and enrollment procedures for all benefit options are available in the Office of Human Resources.

Worker's Compensation

Tuskegee University carries worker's compensation insurance, which is maintained in accordance with the laws of the State of Alabama. This coverage is provided without cost to all employees. Worker's compensation provides for the payment of (1) cost of medical treatment for injuries arising out of and in the course of employment, and (2) a percentage of loss of wages.

If an employee experiences a job-related injury, the following procedures should be followed:

1. Report the accident immediately to his/her supervisor.
2. A letter should accompany the injured employee to the nearest medical facility or doctor for treatment. The first two steps should be followed if the injury is not considered serious; otherwise, report to the nearest medical facility.
3. After treatment, the "Employer's First Report of Injury" form should be completed, signed by both the immediate supervisor and the department head, and submitted to the Office of Business and Fiscal Affairs, Room 204, Kresge Center. This should be done within 24 hours after the accident occurs. All other forms should be completed by the attending physician or an appropriate person at the medical facility and transmitted directly to the Office of the Business and Fiscal Affairs.

If an employee is removed from the payroll because of inability to work the insurance company compensates the employee, in part, for salary and wages not paid by the University. It is now a practice of the insurance carrier to send this compensation directly to the employee. Safety is a primary concern of the University. If a job injury occurs, medical treatment should be sought immediately. Departments are to ensure that employees are not paid by both the University and the insurance carrier.

Business Travel Accident Insurance

All full-time employees are covered by travel accident insurance, without charge, while traveling on authorized business of the University. Benefits are payable on all travel accidents occurring while on official business outside the city of regular employment or residence.

Vacation

Members of the faculty, except heads of administrative offices, receive vacation days as follows:

1. Christmas and spring holidays as indicated in the University calendar.
2. Established holidays of the University as stated in the University calendar.

Heads of academic departments and programs are administrators with staff functions. Vacation periods for heads of departments and program directors are determined in collaboration with the dean/unit head.

Sick Leave

All faculty members appointed on a full-time basis are entitled to sick leave during the fiscal year; a faculty member must be under contract in order to be eligible for sick leave pay. Sick leave is earned at the rate of one working day per month and may be accumulated up to a maximum of 75 working days. An employee will be REQUIRED to furnish notice to their supervisor and satisfactory proof of illness, injury or disability any time sick leave is taken. This notice requirement applies without regard to whether the faculty member has arranged for coverage of his/her.

Sick leave is granted only when an employee is unable to render service because of sickness or disability.

Sick leave is defined to mean the absence of an employee from work for one of the following reasons:

1. Because of an illness or injury which has incapacitated the employee from performing duties, or

2. Because of an appointment with the physician, dentist, or optometrist.

Credit for sick leave accumulates during an employee's leave of absence with pay.

Employees who transfer from one department to another take with them the balance of unused sick leave.

In case of serious and prolonged illness of a faculty member beyond the sick leave to which an employee is entitled, the dean/unit head may make a recommendation to the President for consideration. **UNUSED SICK LEAVE WILL NOT BE COMPENSATED.** This leave must be recommended by the department head and agreed to by the college/school dean.

Bereavement Leave

In case of death or serious illness to the immediate family, an employee may be granted a personal leave of absence with pay not to exceed a total of five working days in one fiscal year. The immediate family will be limited to the following: husband, wife, children, parents, sister, brother, grandparents, grandchildren, parents-in-law. The immediate supervisor may require the employee to furnish a doctor's certificate when such leave is granted for illness. This leave must be recommended by the department head and agreed to by the college/school dean.

Military Leave for Periods of Two Weeks or Less

Tuskegee University faculty members who participate in military reserve programs should request military authorities to schedule their training periods during the summer months only or during periods in which the University is not in session. Occasionally, an exceptional situation may prevent the faculty member from carrying out military responsibilities other than at a time when school is in session. In this case, the time will be granted as military leave with pay. This leave must be recommended by the department head and agreed to by the college/school dean.

Military Leave for Periods Greater than Two Weeks

Persons who are drafted into the armed forces should formally request a leave of absence for military service. Persons who voluntarily go on military duty may request a leave of absence under the same provisions of leave of absence without pay. This leave must be recommended by the department head and agreed to by the College/School Dean.

Maternity Leave

Pregnancy and childbirth will be treated as any other temporary leave of absence under the Family Medical Leave of Absence. The length of leave granted will be based on individual medical need and recommendation of the department head. Following completion of pregnancy-related leave, an employee will be offered reinstatement to the original position or one of like status and pay. The conditions related to pregnancy leave, i.e., salary, accrual of seniority and other benefits, reinstatement rights, etc., will be in accordance with the University's general leave policy. Pregnancy leave is taken without pay beyond accumulated sick leave accrued by the employee. This leave must be recommended by the department head and agreed to by the college/school dean.

Family and Medical Leave

In keeping with the requirements of the Family and Medical Leave Act of 1993 (FMLA), an eligible employee may take up to 12 work weeks of family and/or medical leave in any 12-month period for one or more of the following purposes: (a) To care for a newborn child, a recently adopted child, or a recently placed foster child; (b) to care for a spouse, child, or parent who has a serious health condition; or (c) because of a serious health condition that makes the employee unable to perform the essential functions of the job. Notice of the need for FMLA leave must be provided to the employee's department head, dean, and the Office of Human Resources either in advance or as soon after leave begins as possible. The employee must also comply with the University's policies for requesting leave unless unusual circumstances prevent him or her from doing so, and the employee must respond to questions from the Office of Human Resources designed to determine if a particular leave request is appropriate. The notice to the employer may be in writing.

Retirement Program

Tuskegee University has a retirement plan with TIAA-CREF. This plan, as established by the Tuskegee University Board of Trustees, covers all full-time salaried members of the faculty and staff other than those categories of employees as excluded in the plan description. Employees classified as students are excluded from participation in the plan. Participation is required and is a condition of employment for all eligible full-time salaried employees upon the completion of three years of service.

Self-enrollment is a required first-step. The appropriate enrollment forms must be completed and submitted to the Office of Human Resources. Contributions may be made under Section 403(b) of the Internal Revenue Service Code on a before-tax (salary reduction) or after-tax (salary deduction) basis. For a complete explanation, see the Tuskegee University Defined Contribution Retirement Plan document.

Employees participate in the retirement plan by paying a percentage of the wages earned. Contributions are matched by the University on a monthly basis except for months in which no salary is paid. The Office of Human Resources provides detailed information on the percentage to be paid by the employee and the percentage of contributions that is matched by the University.

There is no mandatory retirement age for faculty members. Normal retirement age is defined as the last day of the fiscal year in which age 65 is attained. Full details and enrollment procedures for all benefit options are available in the Office of Human Resources.

Tuition Waivers for Dependents, Spouses, and Employees

With the approval of their immediate supervisor, department head, and dean, employees may enroll in regular University courses (1) either outside, or (2) within the regular working hours schedule with an adjusted work schedule of equivalent hours, or at reduced pay with the approval of the department head and the Director of Human Resources.

Persons employed full-time by Tuskegee University may not register for undergraduate courses in excess of six semester hours or graduate courses in excess of four semester hours per term for the regular academic year. Full-time employees may not register for more than three semester hours during the summer session (graduate or undergraduate). It does not matter whether at Tuskegee University or another institution.

Any employee pursuing more than six hours of undergraduate work or four hours of graduate work either at Tuskegee or elsewhere requires special permission from the supervisor and the appropriate general officer and may be required to have his/her work status reduced to less than full-time. The supervisor, general officer, Director of Human Resources, and the President make the final decision on whether a staff person's workload shall be reduced.

A department head, with the approval of the dean, Provost and Director of Human Resources, may allow a full-time employee time off with pay to attend the University's classes during the regular working day, provided the courses are part of a training program approved by the department to improve the employee's performance in the position.

Educational Assistance. Up to 50% tuition waivers are available to all eligible current employees, and up to 50% tuition waivers are available to all eligible dependents for enrollment in courses at Tuskegee University. Application for the waiver must be made prior to registration, at a date to be determined by the Financial Aid Office, or this assistance will be forfeited for the academic period under consideration. The aid is available to University personnel for class loads not to exceed six semester hours' undergraduate work or four semester hours of graduate work during the academic year. Summer school is not eligible for educational assistance.

Eligible dependents and spouses may receive up to a 50% tuition assistance for either full- or part-time study for academic credit when they enroll at the University, provided the following conditions are met:

1. She/he must enroll on the undergraduate or graduate level for either full- or part-time study for academic credit.

2. She/he must reside in the parents' or spouse's household or in the University dormitories.
3. She/he must not have established a separate household by marriage.
4. She/he must have been listed on qualifying employee's Federal Income Tax declaration for the previous year and will be listed as a dependent for the current reporting period.

A recipient may not receive both an institutional award and a tuition waiver. Employees and dependents may only receive a University award or a waiver. In the event that a tuition waiver is issued and, subsequently, an institutional award is given for tuition, the waiver may be withdrawn.

These educational benefits apply to qualified persons who are employed at the beginning of the semester. The benefit is available only during the employment period of qualifying personnel and when the services of qualifying personnel are contracted for at least a period of one academic or fiscal year. Persons employed after the semester begins do not become eligible until the succeeding semester.

If the employee resigns within the study period, the employee and/or dependent forfeits this benefit and may have the last amount of such assistance deducted from the final paycheck, or otherwise be obliged to repay the University the amount of the aid granted.

Applications for these grants should be made to the Director of Financial Aid.

Housing

The University endeavors to assist its entire regular faculty in securing suitable living quarters. Assistance on housing is provided through Auxiliary Services.

Admission to Athletic and Cultural Events

Employees and their spouses are invited to attend cultural programs sponsored by the Lyceum Series and they are admitted free upon presentation of identification cards. Employees may attend some athletic events without charge and in conformance with existing regulations upon presentation of identification cards. Children and spouses are not eligible for this benefit.

Parking on Campus

All motorists, other than visitors, operating a motor vehicle on campus must register their vehicles with the Tuskegee University Police Department within 10 days after their arrival on campus.

A parking decal is issued for each vehicle and must be promptly and properly placed in view in accordance with the guidelines issued by the Tuskegee University Police Department. A late fee is assessed for vehicles not registered during the 10-day grace period. In the event a decal is lost, or the registered vehicle is traded, a new decal can be obtained for a fee.

Information on the cost of registration, fees for decals, placement of decals on vehicles, and late fees is located in the Tuskegee University Police Department.

7. PROCEDURES FOR DISCIPLINARY AND GRIEVANCE MATTERS AND TERMINATIONS

Procedures for Disciplinary and Grievance Matters and Terminations Including Due Process

Due process at Tuskegee University is a system of procedures designed to produce fair and reasonable judgments in those situations in higher education, which may yield a serious adverse decision about a faculty member or an administrator (respondent). In general, due process seeks a clear, orderly, and fair way of rendering decisions by providing procedural safeguards or procedural guarantees. Due process furnishes the structure for a wise and fair administration of justice in institutions of higher learning. Complaints or charges requiring due process may be originated by an individual or group (accuser) from outside or from within the academic community, yet the process itself involves the academic community. It may be initiated in the interest of the academic community or the public to insure accountability under these policies. It may be initiated by a faculty member against an administrator(s) or the University in guaranteeing the protection of the faculty member's academic freedom and rights. This process presupposes that the accuser has not found acceptable recourse from the respondent or the immediate supervisor of the respondent.

The Grievance Committee of the Faculty Senate will review matters pertaining to grievances and disciplinary matters. In tenure and promotion decisions, the judgments of the Grievance Committee will be confined to examining the reasonableness of the process, rather than the reasonableness of the decision. In particular, it should consider if the total process meets the requirements set forth in the next paragraph. In cases other than tenure and promotion, judgments will be made on the basis of both substantive and procedural issues.

Essential elements of procedural due process at Tuskegee University include:

1. Adequate notice of the charges or basis of action,
2. An impartial decision maker,
3. An opportunity to make an oral presentation to the decision maker,
4. An opportunity to present evidence or witnesses to the decision maker,
5. A chance to confront and cross-examine witnesses or evidence to be used against the individual,
6. The right to have a representative present the individual's case to the decision maker, and
7. A decision based on the record with a statement of reasons for the decision.

Examples of due process violations include evaluations of teaching, service, or scholarship that are unsupported by any substantial evidence and also promotion or tenure recommendations that are arbitrary or capricious. In no case, however, may the Grievance Committee make its own evaluations of teaching, service, or scholarship or make its own promotion or tenure recommendations. Rather, the essential role of the Grievance Committee is to look for prejudicial failures of due process. "Prejudicial" failures of due process amount to more than harmless error but rise to the level of deficiencies in the process that might have resulted in an opposite recommendation in the case at hand.

Disciplinary Sanctions Short of Dismissal

Traditionally in higher education, faculty personnel policies have been developed on the theory that dismissal from the University is the only sanction for which explicit provisions need to be made. However, in certain circumstances, lesser sanctions than dismissal need to be considered, especially when the offense of the faculty person is not so grave as to require the consideration of dismissal. Among the sanctions that may be utilized as lesser sanctions in cases of demonstrated irresponsibility or professional misconduct are the following:

1. Oral reprimand
2. Written reprimand
3. Restitution
4. Loss of prospective benefits for a stated period
5. A fine

6. A reduction in salary for a stated period
7. Suspension from a service for a stated period, without prejudice
8. Withholding salary for a period of time

Dismissals for Cause of Appointees

A dismissal is defined as the termination for a cause of a tenured faculty appointment or of a probationary (or term) appointment prior to the end of the specified term. A dismissal is not to be confused with a non-reappointment or nonrenewal of the employment of a faculty member. No faculty member may be finally dismissed for cause without an opportunity for a hearing under due process, and following that, exhaustion by the faculty member of the right to appeal an adverse decision under procedures established by this section.

Among the reasons considered adequate cause in faculty dismissal proceedings are the following:

1. Demonstrated incompetence or dishonesty in teaching or research
2. Substantial and manifest neglect of duty or insubordination
3. Personal conduct which substantially impairs the individual's fulfillment of his/her University responsibilities
4. Curricular and/or program changes which discontinue or substantially curtail the faculty member's discipline of instruction or program
5. Financial exigency or distress
6. Medical disability which substantially impairs the individual's fulfillment of His/her University responsibilities
7. A violation of the University's Title IX policy

The burden of proof in establishing cause for dismissal by a preponderance of the evidence rests upon the University. A faculty member against whom dismissal proceedings have been initiated has the right to a prompt hearing consistent with the University's grievance policies and procedures.

Demonstrated Incompetence or Dishonesty in Teaching or Research

Demonstrated incompetence in teaching or research refers to the failure of the faculty member to meet expected levels of performance in teaching or research at Tuskegee University in accordance with outlined job responsibilities.

Dishonesty in teaching refers to the faculty member committing an act of fraud or plagiarism in performing or reporting on his /her teaching or research activities.

Neglect of Duty or Insubordination

Insubordination refers to the documentation of repeated willful disregard of expressed or implied direction from a superior administrative official to whom the faculty member reports.

Neglect of duty refers to substantial and documented performance of the faculty member who fails to meet University expectations or who shows a willful disregard of University policies and procedures.

Personal Misconduct

Personal misconduct as a reason for dismissal refers principally to the faculty member's having conducted himself/herself in such a way that he/she is thus substantially unable to fulfill his/her institutional responsibilities. The emphasis on this reason as a ground for dismissal is on the effectiveness of the performance of the faculty member, not the misconduct itself.

Termination Resulting from Program Terminations or Curtailments

When termination of an appointment with continuous tenure, or of a non-tenured appointment before the end of the specified term, is based upon discontinuation or curtailment of a program or department of instruction, dismissal procedures will not apply, but affected faculty members shall be able to have the issues reviewed by the faculty, or by an appropriate faculty committee (such as the faculty's Grievance

Committee), with ultimate review of all controvertible issues by the Board of Trustees. In every case of discontinuation of a program or department of instruction, the faculty member concerned will be given a notice or severance salary not less than as prescribed under terminal salary or notice of dismissed faculty. Before terminating an appointment because of the abandonment of a program or department of instruction, the University will make every effort to place affected faculty members in other suitable positions. If an appointment is terminated because of the discontinuance or curtailment of a program of instruction, the released faculty member's position will not be filled by a replacement within a period of two years, unless the faculty member has been offered reappointment and a reasonable time within which to accept or decline the position.

Terminations Resulting from Financial Exigency

When termination of an appointment with continuous tenure, or of a non-tenured appointment before the end of the specified term, is based upon a finding of financial exigency as determined by the Board of Trustees, dismissal procedures will not apply, but faculty members shall be able to have the issues reviewed by the faculty, or an appropriate faculty committee (such as the faculty's Grievance Committee), with ultimate review of all controvertible issues by the Board of Trustees. In every case of financial exigency, the affected faculty member concerned will be given a notice of severance salary not less than as prescribed under terminal salary or notice for dismissed faculty. If an appointment is terminated before the end of the period of appointment because of financial exigency, the released faculty member's position will not be filled by a replacement within a period of two years, unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline the position.

Separation or Retirement for Medical Reasons

When there is clear and convincing evidence to indicate that a faculty member, for medical reasons, is unable to perform his/her duties and will be unable to do so for the foreseeable future, termination of a tenured appointment or of a non-tenured or special appointment may occur before the end of the period of appointment. The decision to terminate will be reached only after there has been appropriate consultation and the faculty member or his/her representative has been informed of the basis of the proposed action and has been afforded an opportunity to present his/her position and to respond to the evidence. The dean or the Provost may request the faculty member to provide a statement of good health from a doctor. It is the responsibility of the faculty member to demonstrate that he/she is in good physical and mental health to carry out assigned duties. If the faculty member requests, the evidence will be reviewed by the appropriate committee of the Faculty Senate before a final decision is made by the President. The faculty member will be given severance salary not less than described in Terminal Salary or Notice for Dismissed Faculty regulation.

Terminal Salary or Notice for Dismissed Faculty

If the appointment is terminated, the faculty member will receive salary or notice in accordance with the following schedule: at least three months, if the final decision is reached by March 1st (or three months prior to the expiration) of the first year of probationary service; at least six months, if the decision is reached by December 15th of the second year (or after nine months but prior to 18 months) of probationary service; at least one year, if the decision is reached after 18 months of probationary service or if the faculty member has tenure. The provision for terminal notice or salary need not apply in the event that there has been a finding that the conduct which justified dismissal involved moral misconduct. On the recommendation of the faculty hearing committee or the President, the governing board, in determining what, if any, payments will be made beyond the effective date of dismissal, may take into account the length and quality of service of the faculty member.

Grievance Procedures

Any member of the Tuskegee University faculty may bring a grievance, as defined below, before the appropriate committee of the Faculty Senate (called hereinafter the Grievance Committee). Grievances must be presented in writing within fifteen (15) working days after the faculty member knew or by reasonable diligence could have known of the facts giving rise to the grievance, and if not so presented, may be waived. The request for a hearing should be in writing and transmitted directly to the Chair of the Faculty Senate with copies to the Provost and the President. If no hearing is requested, the faculty member must clearly state the desired outcome of the grievance. The Grievance Committee may request additional information or documentation in order to appropriately determine an objective outcome.

For the purposes of this *Handbook*, a grievance is defined as a claim or dispute between the University and a faculty member, which concerns any of the following matters:

1. Issues of ethics and academic freedom
2. Dismissal for cause
3. Complaints of a civil rights nature

The Committee will not be concerned with nonrenewal of non-tenured appointments unless the nonrenewal involves a question of (1) an infringement of academic freedom or (2) failure to follow stated *Faculty Handbook* procedures concerning this process.

A faculty member may withdraw a request for a hearing at any time prior to a hearing of the Faculty Senate Grievance Committee. To ensure fairness to all persons who may have been charged, such a request for a withdrawal will be acceptable only if accompanied by a statement retracting all charges made in the original statement of grievance. The withdrawal of a request for a hearing shall not preclude the Provost or the President, in their discretion, from investigating the charges contained in the request or related matters.

Upon receipt of a written request for a grievance hearing, the Grievance Committee will convene to discuss whether or not a hearing is warranted. The Committee shall have complete authority concerning whether it will hold a hearing. In making that decision, the Grievance Committee may require only the written grievance submitted by the faculty member; it may be necessary to solicit additional information and determine appropriate action; or it may decide to hold a preliminary hearing to determine whether or not the grievance will be heard. The faculty member presenting a grievance (the grievant) shall have a written reply by the Committee within twenty (20) working days from the time the grievance is received. This reply shall contain the Committee's recommendation concerning the grievance.

When the Committee has decided that a grievance should be heard, it may hear the grievance itself or may ask the Chair of the Faculty Senate to appoint an ad hoc committee composed of five (5) full-time faculty members. Following completion of the hearing conducted by the Grievance Committee or an ad hoc Committee, the Committee shall make a written report containing its findings of fact, conclusions, and recommendations to the Provost who may either accept the recommendation(s) of the report or reject it. If the recommendation is rejected, the Provost and the Grievance Committee should communicate in an effort to reach an agreement. If agreement cannot be established, both the Committee and the Provost should send individual recommendations to the President for his/her action. If the Provost accepts the recommendation, either in its original or final modified form, the final recommendation shall be submitted to the President for his/her action.

Except as disclosures are reasonably necessary in the investigation, hearing and final disposition of a grievance, and as hereafter noted, the grievant, members of hearing bodies, and others having knowledge of a grievance are expected to preserve the confidentiality of the grievance, provided that any individuals accused in a grievance of misconduct shall be informed of the grievance and given an opportunity to respond to the charges. If a grievance is filed or is pending during the time that the grievant's promotion and tenure is being considered, the President, at his/her discretion, may require disclosure of the grievance and the findings to the individuals who are considering the promotion or tenure. The fact that a grievance is pending may not be used as grounds for delaying consideration of promotion or tenure beyond such a time that such consideration is required by University rules.

Procedural Standards in Faculty Dismissal Proceedings

Preliminary Proceedings Concerning the Fitness of Faculty Member

When reason arises to question the fitness of a college/school or University faculty member who has tenure or whose term appointment has not expired, the appropriate administrative officers should ordinarily discuss the matter with the faculty member in personal conference. The matter may be terminated by mutual consent at this point, but if an agreement is not reached, a standing or ad hoc committee elected by the faculty will convene. This committee is charged with the function of rendering confidential advice in such situations and should formally inquire into the situation to affect an adjustment if possible. If adjustment

is not affected, the committee should determine whether formal proceedings to consider dismissal should be instituted. If the committee recommends that such proceedings should begin, or if the Provost (even after considering recommendation of the committee favorable to the faculty member) expresses his/her conviction that a proceeding should be undertaken, action should be commenced under the procedures that follow. Except where there is a disagreement, a statement with reasonable justification for the grounds proposed for the dismissal should be jointly formulated by the Provost and the faculty committee. If there is disagreement, the Provost or his/her representative shall formulate the statement.

Commencement of Formal Proceedings

The formal proceedings should be commenced by written communication addressed to the faculty member by the Provost of the University, informing the faculty member of the statement formulated and informing him/her that, if he/she so requests, a hearing to determine whether he/she should be removed from his/her faculty position on the grounds stated will be conducted by a faculty committee at a specified time and place. In setting the date of the hearing, sufficient time should be allowed the faculty member to prepare his/her defense. The faculty member should be informed in detail or by reference to published regulations of the procedural rights that will be accorded to him/her. The faculty member should state in reply whether he/she wishes a hearing and, if so, should answer in writing the statements in the Provost's letter, not less than one week before the date set for the hearing.

Suspension of a Faculty Member

Suspension of the faculty member during the proceedings involving him/her is justified only if immediate harm to himself/herself or others is threatened by his/her continuance. Unless legal considerations forbid, any such suspension should be with pay.

Hearing Committee

The committee of faculty members to conduct the hearing and reach a decision should be the Faculty Senate Grievance Committee.

Committee Proceedings

The Committee should proceed by considering the statement of grounds for dismissal already formulated and the faculty member's response written before the time of the hearing. If the faculty member has not requested a hearing, the committee should consider the case on the basis of the obtainable information and decide whether he/she should be removed; otherwise, the hearing should go forward. The committee, in consultation with the Provost and the faculty member, should exercise its judgment as to whether the hearing should be public or private. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter set forth in the Provost's letter to the faculty member should be received.

The Provost should have the option of attendance during the hearing. He/she may designate an appropriate representative to assist in developing the case, but the Committee should determine the order of proof, should normally conduct the questioning of witnesses, and, if necessary, should secure the presentation of evidence to support the case. The faculty member should have the option of assistance by counsel, whose functions should be similar to those of the representative chosen by the Provost. The faculty member or his/her counsel and the representative designated by the Provost should have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member should have the opportunity to be confronted by all witnesses adverse to him/her. Where unusual and urgent reasons move the hearing Committee to withhold his/her right, or where witnesses cannot appear, the identity of the witness as well as his/her statements should nevertheless be disclosed to the faculty member. Subject to these safeguards, statements may, when necessary, be taken outside of the hearing and reported to it. All of the evidence should be duly recorded. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

Consideration by Hearing Committee

The Committee should reach its decision in conference on the basis of the hearing. Before doing so, it should give opportunity to the faculty member or his/her counsel and the representative designated by the Provost to argue orally before it. If written briefs would be helpful, the Committee may request them. The Committee may proceed to a decision promptly, without having the record of the hearing transcribed where

it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. Publicity concerning the Committee's decision may properly be withheld until the governing body of the University has given consideration to the case. The Provost and the faculty member should be notified of the decision in writing and should be given a copy of the record of the hearing. The Committee shall submit a final report to the President, who may either accept or reject the report. The decision of the Committee shall be in writing and shall include findings of fact, conclusion, and recommendations. The decision of the President shall be final. In any case in which the President overrules the hearing body, he/she shall submit a full report in writing supporting the reasons for doing so to the next meeting of the Board of Trustees. Any release to the public should be made through the President's Office.

Consideration by the Board of Trustees

The President should transmit to the governing body the full report of the hearing committee, stating his/her action. If the governing body chooses to review the case, its review should be based on the record of the previous hearing.

Publicity

Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officers should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision should include a statement of the hearing Committee's original action, if this has not previously been made known.

Non-reappointment Procedures for Probationary and Term Appointments

Regardless of the stated term or other provisions of an appointment, written notice of non-reappointment should be given to every probationary and term appointment in advance of the expiration of his/her appointment as follows.

Notice of non-reappointment or of intention not to recommend reappointment should be given in writing in accordance with the following timetable:

1. For terminations during the first year of appointment: no later than March 1st. But if the termination will occur in the middle of an academic year, at least three months prior to termination.
2. For terminations during the second year of appointment: no later than December 15th. But if the termination will occur in the middle of an academic year, at least six months prior to termination.
3. For terminations after the second year of appointment: no later than 12 months before the expiration of the appointment. If notice is received in the seventh year, this does not extend the appointment by 12 months or require 12 months' notice.
4. These notice requirements do not extend the seven-year probationary period.

Moreover, a faculty member's probationary period cannot be extended because that faculty member did not receive notice of termination, separation, expiration, or non-reappointment. A seven-year probationary appointment expires after seven years, whether the faculty member receives written notice or not.

When a decision not to renew an appointment has been reached, the faculty member involved will be notified of that recommendation or decision in writing by the President or his/her designate. Written reasons for non-reappointment or denial of tenure are not usually provided; however, a faculty member who is not recommended for reappointment or tenure may be given an explanation of the action in an informal conference with his/her Dean. If the faculty member requests the reasons in writing, they will be given. The faculty member may request a review of the decision by the President.

Insofar as the faculty member alleges that the decision against renewal by the appropriate faculty body was based on inadequate consideration, the committee which reviews the faculty member's allegation will determine whether the decision was the result of adequate consideration in terms of the relevant standards of the University. The review committee will not substitute its judgment on the merits for that of the

faculty body. If the review committee believes that adequate consideration was not given to the faculty member's qualifications and University need, it will request consideration by the faculty body, indicating the aspect in which it believes the consideration may have been inadequate. It will provide copies of its findings to the faculty member, the faculty body, the President, and other appropriate administrative officers.

In all cases, term/probationary appointments shall automatically terminate at the conclusion of the probationary period on the date stipulated in the appointee's contract unless a written notification of continued appointment as a temporary faculty member, adjunct, or lecturer is received by the appointee from the President.

Termination of Appointment

A faculty member may terminate his/her appointment effective at the end of an academic year, provided that he/she gives notice in writing at the earliest possible opportunity, but not later than April 1st, or 15 days after receiving notification of the terms of the appointment for the coming year, whichever date occurs later. The faculty member may properly request a waiver of this requirement of notice in case of hardship or in a situation where he/she would otherwise be denied substantial professional advancement or other opportunity. The University has a right to file for breach of contract against faculty who give untimely resignations.

When an appointment ends or is terminated, the University reserves the right to withhold payment of all or part of an employee's terminal check until all personal accounts with the University are settled. A clearance sheet and an exit interview form must be filled out to ensure that all University materials and equipment furnished to an employee have been returned to the University. The interview form will also give the employee an opportunity to indicate the reason for ending or terminating the appointment.

8. FACULTY EVALUATION, PROMOTION AND TENURE

The promotion and tenure process begins at the department level with the department head, then continues through the college/school promotion and tenure committee to the university level (University Academic Personnel Services Committee). Faculty preparing for promotion and/or tenure should first consult with their respective heads to ensure they are aware of important guidelines. The University-wide deadlines for promotion and tenure review will be posted on the Faculty Senate website and the University calendar.

Considering the uniqueness of each college and school, further details of the guidelines for promotion and tenure for each individual college and school are listed in the Appendices of the *Faculty Handbook*.

College/School Promotion and Tenure and University Academic Personnel Services Committees

Membership on the college/school promotion and tenure committee consists of a minimum of three tenured faculty members. In case the college/school does not have three tenured faculty members, then the committee may consist of a minimum of two tenured faculty members. These members are elected by the college/school. The dean may appoint up to two additional tenured members to serve on the committee. The committee elects the chair and informs the dean of the selection. Members will serve three- year staggered terms.

The dean cannot be a member of the college/school promotion and tenure committee, as the dean in his/her capacity makes an independent evaluation on tenure and promotion applications following the timeline as referenced in this Handbook under Important Dates for the Tenure and Promotion Process. After review of the promotion and tenure applications, recommendations are made to the dean of the college/school and submitted to the University Academic Personnel Services Committee.

All members of the University Academic Personnel Services Committee must be tenured. The Faculty Senate elects the chair of this committee from among its members. The chair selects two members from the Faculty Senate. Additional members of committee are elected by colleges/schools not already represented.

Policy on Faculty Evaluation

First-Year Review

At the end of the first year, a review of the performance of the faculty shall be conducted by the department head who prepares the report and submits to the dean. The dean reviews and makes a written recommendation to the Provost. The faculty member should show evidence that he/she is moving toward fulfilling expectations of successful scholarly progression in consultation with and guidance from the department head. This review will determine if the faculty member is “on track” and will provide the basis for a professional development plan of continuous improvement that is implemented during the second year and reviewed the third year. The department head should discuss results of the review with faculty member and provide a formal letter that identifies deficiencies and recommendations. This review will be utilized by the faculty member in consultation with the department head to develop a succinct professional development plan for implementation during year two and beyond.

The review and professional development plan shall include elements of teaching, research, and service, including efforts toward student retention and success such as:

Instructional efficacy:

- ☐ Courses taught (traditional and online), student learning outcomes in each course
- ☐ Pedagogical advances (e.g., course revisions, instructional innovations, online course shell development)
- ☐ Faculty and student evaluations
- ☐ Graduate student supervision, as applicable and considering the number of graduate students

Research area/ scholarly niche/creative work:

- ☐ Grants and contracts that impact scholarly work as opposed to block or institutional grants
- ☐ Patents and royalties in those disciplines that reflect excellent scholarly work but are not immediately publishable
- ☐ Proposals submitted and outcomes
- ☐ Pending action/ grants and/or contracts awarded
- ☐ Scholarly products:
 - o peer-reviewed external journal publications
 - o peer-reviewed internal Tuskegee University journal publications
 - o professional exhibits (as applicable)
 - o local/national/international conference presentations
 - o newspaper articles, non-peer reviewed publications (electronic or hard-copy)
 - o publications in conference proceedings, abstracts
 - o books and book chapters

Service:

Departmental/college/school/University-wide service, community/regional/national/global engagement. This list is not intended to be comprehensive.

Important Dates

The following process/important dates are for faculty members who have joined in the first semester (fall) of the academic year. The probationary period for faculty who join in the second semester (spring) of the academic year will start from the following fall semester.

First-Year Review Important Dates:

By the end of the second week of October of second-year	Faculty member under tenure-track appointment submits first-year review report and supporting documents to the department head.
By the end of the first week of November	The department head prepares the report and submits to the dean. The dean reviews and makes a written recommendation to the Provost.
By the end of the third week of November	The dean and the department head meet with the faculty member to receive feedback on his/her report and guidance on a professional development plan.
By the end of the second week of January	The faculty member submits a professional development plan to the department head for approval.
By the end of the fourth week of January	The department head provides feedback/approval of the professional development plan.

A terminal contract may be issued if the first-year review results in a less than satisfactory performance in the three elements of teaching, research, and service as determined by the department head and the dean. First-year reviews shall be rated on a scale of one to eight, on which eight represents the highest level.

Third-Year Review

The third-year review is conducted and prepared by the department heads and submitted to the dean. The dean reviews and makes a written recommendation to the Provost.

The review should be completed by the end of the fall semester of the third year, but definitely by the end of the spring semester of the fourth year. This review shall be an objective assessment of the first-year professional development plan based on the elements of teaching, research, and service as outlined under First-Year Review Important Dates. A less than satisfactory assessment for the three-year period may result in the issuance of a terminal contract. The faculty member is expected to maintain a consistent level of professional development in teaching, research, and service towards promotion and tenure beyond the third year.

Important Third-Year Review Dates:

By the end of the second week of October of the third year	Faculty member under tenure track submits third-year review report and supporting documents to the department head.
By the end of the first week of November of the third year	The department head completes the review in light of the professional development plan that was submitted as a result of the first-year review and submits the evaluation to the dean.
By the end of the fourth week of November of the third year	The department head informs the faculty member of the decision of the third-year review. The faculty will receive a continuing contract during the following year if his/her performance has been assessed as satisfactory. Otherwise the fourth year will be his/her terminal year.

If the faculty member receives a satisfactory third-year review, the contract will be renewed. If the faculty member receives an unsatisfactory third-year review, a terminal contract will be issued for the fourth year.

Applications for Tenure during the Final Year of the Probationary Period

A tenure-track faculty member who applies for tenure during the final year of his/her probationary period shall not be entitled to or receive an additional year of employment if not awarded tenure.

Annual Review

Annual reviews of faculty are performed by the department heads, reviewing demonstrated scholarly development in the elements of teaching, research, and service as defined in the first-year review.

Policies and Criteria Governing Promotion and Tenure

Promotion is recognition of a productive faculty member's contribution in all or minimally two of the three pillars upon which academic institutions depend: teaching, research, and service. The college/school consisting of the department head, the dean, college/school personnel services committee, and the University Academic Personnel Services Committee carry out the promotion process. The Provost reviews recommendations of these committees and makes recommendations to the President who makes final decisions.

The criteria employed in evaluating faculty performance includes formal training, experience, professional development, teaching/job effectiveness, research and creative work, international and other service to the University, and University needs. Formal training throughout this section refers to training in the applicant's specialty.

The teaching/job effectiveness of faculty members is monitored by department heads and deans/unit heads. Appropriate procedures for this may vary from department to department, but the rating should be convertible to a numerical scale.

Teaching/job effectiveness shall be rated on a scale of one to eight, on which eight represents the highest level.

The applications for promotion or ranking of persons with prior teaching/job experience shall indicate the applicant's rating, and there shall be an explanation of how the rating was obtained. Promotion to the rank of associate professor shall require a rating of five or higher. Appointment by promotion to the rank of professor shall require the rating of six or higher, unless there are compensatory factors in the form of outstanding performance in other areas. In no case shall a person with a rating less than five be appointed or promoted to the rank of professor.

Promotion to any academic rank shall require evidence of service to the University. Consideration will be given for participation in a variety of activities, both on the campus and in the community, with the community being understood in the widest sense and including the national and international arena. Examples of such activities include the following:

1. Faculty sponsorship of student activities: (e.g., volunteer student organizations, debating society, scholastic and honor societies, professional clubs, departmental organizations, social clubs, etc.)
2. Consultantships: (e.g., to professional organizations and societies, educational institutions, industry, governmental services.)
3. Service on University and other committees: This category includes service in the state and region as well as those in the campus community. It may also include the holding of office in professional societies.
4. International service: A faculty member whose primary or major contribution is

in international service may excel in any one or a combination of the following: administration, institution building program, conducting research, training counterparts, short-term training of foreign nationals – either in or out of the country, and extension training related to overall implementation and acceptance of international activity. Responsibilities and accomplishments in international service may be evaluated by describing programs initiated, overall performance and productivity under these programs, uniqueness of international contribution, program acceptance (locally, nationally, internationally), communication of results (in reports and professional publications), short- or long-term impact of Programs, special recognitions received, unusual difficulties and problems Encountered and success in handling the situation, and unique situations associated with the international assignment.

5. Participation in distance education/online instruction, including developing course shells and teaching.

This is neither an exhaustive list of items that will qualify, nor are these items necessarily sufficient for tenure. Everything is case by case.

A faculty member who accepts an international assignment remains a member of the respective academic unit. Established practices with respect to evaluation, promotion, salary increases, etc., continue to apply. The college/school Dean, department head or the faculty member's immediate supervisor, will perform annual performance appraisals, make salary adjustment recommendations, and initiate promotion and tenure proceedings. Similarly, service credit towards tenure while the faculty member is on international assignment is accumulated in the same manner as for those assigned to on-campus activities.

“University needs” refers to the requirement that the University operates an educational program consistent with its statement of purpose and within its financial resources and meeting accrediting requirements.

When evaluating applications for ranking of faculty members with no prior experience at Tuskegee University, consideration shall be given to services performed at their previous place(s) of employment.

Faculty members seeking to advance in rank are required to establish and maintain a continuing record of professional development in the listed categories (Criteria/Characteristics of Professional Development) outlined below as follows:

- ☐ Assistant Professor - Applicants are required to qualify in any one of the 10 categories listed below. For categories three and/or four, there should be at least one publication (papers in an appropriate non-refereed journal or book chapters representing the result of research, scholarly works, professional accomplishments, or creative activities).
- ☐ Associate Professor - Applicants are required to qualify in at least three of the following 10 categories. These must include one of the following four categories: one, two, five, or six. In category two, the minimum number of publications should be two, one as first/corresponding author in the last five years. For categories three and/or four, there should be at least five publications, three as first/corresponding author.
- ☐ Full Professor - Applicants are required to qualify in at least four of the following 10 categories. These must include one of the following four categories: one, two, five, or six. In category two, the minimum number of publications as first/corresponding author should be five since the last promotion but within the last five years. For categories three and/or four, there should be at least 10 publications as first/corresponding author.

Criteria/Characteristics of Professional Development

1. Publication of a book (without subvention by the author) representing the results of Research, scholarly works, professional accomplishments, or creative endeavors. Evidence must be provided that the book has gone through a peer-review process before publication.
2. Publication of papers in appropriate refereed journals with a well-defined peer-review process, representing the result of research, scholarly works, professional accomplishments, or creative activities.
3. Publication of papers in an appropriate non-refereed journal, or book chapters representing the result of research, scholarly works, professional accomplishments, or creative activities. This category also includes books edited by the applicant.
4. Publication of bulletins, pamphlets, abstracts, or the inclusion in appropriate conference proceedings of scholarly efforts representing the results of research, professional accomplishments, or creative activities; Documented evidence of presentation of papers or the results of scholarly activities at recognized professional meetings seminars, symposiums, workshops, et cetera.
5. Preparation of computer software or similar programs, which have been accepted by a refereed source.
6. Documented or demonstrative evidence of professional development through outstanding and singular performance in the arts by:
 - a. The performance by a recognized agency of one's original music, drama, Choreography, libretto, or other composition of high quality or
 - b. The performance by the individual of music, drama, dance, or other aesthetic renditions, or
 - c. The creation of a painting, sculpture, architectural design, or other fine or practical arts, and their presentation at exhibitions.
7. Preparation of effective instructional materials, e.g., laboratory guides, audiovisual tutorial programs, and computer-assisted programs to be used by students (standard course outlines are not acceptable in this category), distance education course shells.
8. Documented evidence of significant leadership or participation in the activities or recognized scholarly or professional organizations (membership alone is not acceptable in this category).
9. Documented evidence of strengthening the academic programs through participation in grants and contracts, research projects/grants, and international program projects/grants.
10. Board certification.

Procedures Relative to Promotion in Rank

The rank of each faculty member shall be determined solely on the basis of the criteria required for each rank. The process involves several steps as per the timeline provided in this *Handbook*. It shall be the responsibility of the dean/unit head to notify all faculty members of the important dates of the process within one week of the start of the academic year. Faculty members applying for promotion are required to submit the standard Application for Promotion form along with a formal dossier on teaching/job performance, to his/her department head. This dossier should include documented evidence of professional development, research, professional activities, scholarship, service to the University, and any other information deemed pertinent by the applicant. The dossier should be prepared with the realization that volume does not necessarily imply substance.

The head of the department of which the applicant is a member shall submit the application to the dean of the college/school after providing his/her recommendations based on assessment of the applicant's teaching effectiveness. The application will be forwarded to the college/school promotion and tenure committee by the dean of the college/school after providing his/her recommendations based on assessment of the applicant's teaching, research, service, and any other specific requirements of the college/school. Action on all applications will be taken by the college/school promotion and tenure committee. All applications whether recommended or not are transmitted by the chair of the

college/school promotion and tenure committee to the dean of college/school. The dean will in turn transmit the applications by the deadline given under Important Dates to the chair of the University Academic Personnel Services Committee who will acknowledge the receipt in writing.

All applications whether recommended or not by the Academic Personnel Services Committee are forwarded to the Provost. If the Provost is in accord with the recommendations, they are transmitted to the President, as a joint recommendation, on behalf of the Provost and the Academic Personnel Services Committee, along with the original recommendation from the college/school promotion and tenure committee and other supporting documents.

In each case, the President's final decision shall be forwarded to the dean through the Provost. It shall be the duty of the dean to ensure that the faculty member is informed in writing of the final action. If certification is awarded for a rank less than originally sought, or is denied, the dean shall explain the action, in conference, to the faculty member.

Academic Freedom and Tenure

Tuskegee University complies with the "1940 Statement of Principles on Academic Freedom and Tenure" as presented by the American Association of University Professors (AAUP) and published in the AAUP's Policy Documents and Reports. The University also complies with SACSCOC Comprehensive Standard 3.7.4 (Academic Freedom).

Criteria for Tenure Decisions

Appointments with tenure are granted only to full-time faculty members with the rank of assistant professor or higher in the academic areas and the professional library staff. In determining an applicant's eligibility for academic tenure, the professional competencies outlined below are evaluated. Faculty members applying for tenure should provide documented evidence as per the requirements mentioned in the Application for Tenure.

1. **Teaching/Job Effectiveness:** The applicant's teaching/job effectiveness is rated on a scale of one to eight. Appointment with tenure requires a rating of five (5) or higher. The applicant should submit tangible evidence relative to teaching, job effectiveness, written reports by colleagues, student evaluations, and etc. The department head and the unit dean shall provide an evaluation of the teaching/job effectiveness of the candidate.
2. **Professional Development:** Applicants are required to establish, maintain, and/or demonstrate promise of professional growth through achievements since employment at Tuskegee University in at least three of the categories outlined under Criteria/Characteristics of Professional Development. Publications must be in the past five years of the faculty member's application for tenure. Required number of publications should be at least equal to those required for promotion to the rank of Associate Professor.
3. **Service to the University/Community:** Applicants are required to demonstrate evidence of service to the University and/or larger communities. Some of the factors considered include advisory service to students, supervision of graduate students, and the faculty member's prospects for synchronizing with long-range needs of the University.

Policies and Criteria Governing Tenure

Tenure Appointments. It is understood that academic tenure is an arrangement under which faculty appointments in an institution of higher education are continued until retirement age, physical disability, dismissal for cause, or termination on account of financial exigency or change of instructional program. A tenure appointment at the University is linked to the department in which the person was employed at the time tenure is granted. Persons holding joint appointments will receive tenure in the primary unit. Eligibility

for tenure consideration is limited to faculty appointments of assistant professor or greater.

A tenure appointment at the University is not a guarantee of lifetime employment; a tenured faculty member may be dismissed as discussed elsewhere in this Handbook.

Tenure may not be awarded to non-tenure-earning faculty. No faculty member shall be appointed beyond their stated probationary period at Tuskegee University unless a formal recommendation for the award of tenure, in accordance with the University policies, procedures, and needs shall have been submitted and properly approved.

At Tuskegee University tenure is not automatically conferred; tenure is a privilege, not a vested right of a faculty member.

Faculty members are required to complete a prescribed probationary period before a tenure decision is made. This probationary period is defined as a “period of professional service during which a faculty member does not hold tenure and is observed by colleagues for the purpose of evaluating his/her professional performance.” As a general rule, the percentage of the full-time teaching faculty with tenured appointments will be limited in accordance with specific policies of the Board of Trustees.

Tenure is a status granted by the Board of Trustees upon recommendation of the President. Only the President of the University may give notice of tenure. Notification of tenured appointments will be made in writing; thereafter, such persons will receive an annual notice of change in rank, salary, and/or other conditions of employment as appropriate from the President. Achievement of tenured appointments does not necessarily imply advancement to a higher rank, nor does a probationary appointment preclude advancement to a higher rank.

In rare cases, in which special and unusual expertise is essential to the operation of one or more of Tuskegee University’s programs, a person may be hired with tenure. In such cases, the dean or administrator who makes the recommendation for such action must provide appropriate justification to the Provost and the Academic Personnel Services Committee and obtain their approval. The President’s approval is also required.

Probationary Appointments. A probationary appointment of some specific length is required of all persons holding tenure-track appointments. The maximum probationary period for new faculty at Tuskegee University is six (6) years, with a decision regarding tenure normally being made by the end of the faculty’s sixth year of employment. Denial of a tenure application in the sixth year of employment can be appealed in cases of extenuating circumstances. The appeal must be submitted no later than thirty (30) days after the denial of tenure notification is received.

Because a tenure-track appointment is a probationary appointment, a faculty member who is denied tenure is not given a statement of reasons for the denial of tenure. The appointment following the denial of tenure (seventh year of employment) shall be a terminal appointment. The subsequent contract or other notice of appointment given to faculty members who have served the probationary period shall state explicitly whether the appointment is with tenure.

Persons with probationary teaching or special appointments will be notified of their status with the University in writing by the President; this notification will include a statement of salary, rank, and/or other conditions of appointment, and the term for which the appointment is made.

Tuskegee University shall be under no obligation to renew probationary appointments or special appointments, and holders of such positions shall have no presumption of tenure, presumption of performance, or expectation of automatic reappointment.

The faculty member will be advised, at the time of initial appointment, of substantial standards and procedures generally employed in the decisions affecting renewal of appointment and tenure. The faculty member will be advised of the time when decisions affecting renewal or tenure are ordinarily made, and

will be given the opportunity to submit material which he/she believes will be helpful to an adequate consideration of his/her circumstances.

Procedures Relative to Tenure Decisions

The process involves several steps as per the timeline provided in this Handbook. It shall be the responsibility of the dean/unit head to notify all faculty members of the important dates of the process within one week of the start of the academic year. Faculty members applying for promotion are required to submit the standard Application for Promotion form along with a formal dossier on teaching/job performance, to his/her department head. This dossier should include documented evidence of professional development, research, professional activities, scholarship, service to the University, and any other information deemed pertinent by the applicant. The dossier should be prepared with the realization that volume does not necessarily imply substance.

It is the responsibility of the faculty member who is being considered for tenure to ensure that his/her dossier is prepared for review during his/her sixth academic year of employment (or the year before his/her probationary period ends, as appropriate). The head of the department of which the applicant is a member shall submit the application to the dean/head of the unit after providing his/her recommendations based on assessment of the applicant's teaching/job effectiveness. The application will be forwarded to the college/school promotion and tenure committee by the dean after providing his/her recommendations based on assessment of the applicant's teaching, research, service, and any other specific requirements of the college/school. Action on all applications will be taken by the college/school promotion and tenure Committee. All applications whether recommended or not, are transmitted by the chair of the college/school promotion and tenure committee to the dean of the college/school. The dean will in turn transmit the applications by the deadline given under Important Dates to the chair of the University Academic Personnel Services Committee who will acknowledge the receipt in writing. All applications whether recommended or not by the University Academic Personnel Services Committee are forwarded to the Provost. If the Provost is in accord with the recommendations, they are transmitted to the President, as a joint recommendation, on behalf of the Provost and the Academic Personnel Services Committee, along with the original recommendation from the college/school promotion and tenure committee and other supporting documents.

If the evaluation of an applicant by the Provost is different from that of the University Academic Personnel Services Committee, the chair thereof shall be so informed. If the differences cannot be resolved, the Provost may request a meeting with the Academic Personnel Services Committee. The joint meeting shall take place within thirty (30) days after the University Academic Personnel Services Committee has submitted its recommendations to the Provost. If the joint meeting results in resolution of the differences, a joint recommendation shall be sent to the President; otherwise, each recommendation shall be accompanied by a supporting statement.

The University may recognize full-time teaching or academic experience at other accredited institutions of higher education. Accordingly, a teacher who has served three (3) or more years teaching full-time at another institution may normally expect to serve a probationary period for up to four (4) years at the University.

In all cases, the President's final decision shall be forwarded to the dean/unit head through the Provost. It shall be the duty of the dean/unit head to ensure that the faculty member is informed in writing of the final action.

Non-Approval and Appeal for Promotion and Tenure

If the applicant or applicant's dean/unit head believes that certification was denied because of insufficient information, the application may be resubmitted to the college/school promotion and tenure committee with additional supporting material. The college/school promotion and tenure committee must then reconsider the application. The applicant may appear personally before the college/school promotion and tenure committee, as may the dean/unit head and department head, to present his/her view of the matter. The application must then be resubmitted to the Provost, whereupon the procedure described above for the original evaluation will be followed with the additional provision that the applicant

may appear personally before the college/school promotion and tenure committee conducts the evaluation.

Important Dates for the Tenure and Promotion Process

By the end of the first week of November	Faculty member submits application and supporting documents to the department head.
By the end of the second week of November	The department head submits applications and supporting documents to the dean of the college/school.
By the end of the third week of November	The dean of the college/school submits the applications and supporting documents to the chair of the college/school promotion and tenure committee.
By the end of the third week of January	The dean submits the applications and the Supporting documents to the chair of the University Academic Personnel Services Committee after completion of review by the college/school promotion and tenure committee.
By the end of the third week of February	The University Academic Personnel Services Committee completes the evaluation of the applicants. The chair of the University Academic Personnel Services Committee submits applications and supporting documents to the Office of the Provost.
By the end of the third week of February	The Department Chairs/Deans submit their Teaching/Job Effectiveness assessments of the candidates. The chair of the University Academic Personnel Services Committee submits applications and supporting documents to the Office of the Provost.
By the end of the third week of March	The Provost completes evaluation of the applicants and submits applications and supporting documents to the Office of the President.
By the end of the second week in April	President informs the Board of Trustees; Board acts on recommendations, and then the President informs the Provost of the decisions.
By the end of the third week of April	The Provost communicates the decisions

to respective college/school deans.

By the end of the fourth week of April

The dean notifies the faculty member of the decision in writing.

Additional Policies and Procedures

There are additional policies and procedures applicable to specific departments and schools, including school-specific supplementary criteria for appointments, reappointments, and promotions that have been reviewed by the Faculty Senate and approved by Provost's Office, the President, and the Board of Trustees consistent with overall University policy.

Considering the uniqueness of each college and school, further details of the guidelines for promotion and tenure are listed in the Appendices of this *University Faculty Handbook*. These may also be obtained from the college/school faculty handbook, the head of the department or school dean, or from the school's website.

Post-Tenure Review

Purpose

Post-tenure review is performed every five years to determine that the performance of the faculty who were granted tenure is consistent with reasonable expectations as defined by the traditional elements (teaching, research, and service) of the professoriate of a University.

Process

- ☐ Each college/school academic personnel post-tenure committee consisting of tenured faculty members designated by the department heads and deans of the unit, will conduct a review of the aggregate performance of each tenured faculty member after every five years. The review will be based on a report by the faculty member addressing accomplishments in scholarship, teaching, and service, as appropriate.
- ☐ The summary ratings in teaching, scholarship, and research will be as follows: exceeds expectations; meets expectations; and does not meet expectations/unsatisfactory. Post-tenure review effectiveness is rated on a scale of one to eight. Meets expectations requires a rating of five (5) or higher.
- ☐ The tenured faculty member must meet expectations in all three elements of teaching, research, and service. If the tenured faculty member performs unsatisfactorily in the fifth year of the post-tenure review based on the compilation of the annual reviews, the department head makes recommendations to the dean for review by the college/school promotion and tenure committee.
- ☐ In response to an unsatisfactory post-tenure assessment, the department head and dean/director, in collaboration with the faculty member will develop a faculty development plan and implement a plan of action for the next five-year period designed to enhance performance by the tenured faculty member. Documented improvement in performance must be evidenced in the next review which will take place in the second year of the next five-year review period and subsequent to the implementation of the plan of action (professional improvement plan).
- ☐ If a tenured faculty member receives unsatisfactory ratings in two consecutive post-tenure reviews (fifth-year post-tenure review and two years into the next review period), it will result in a

comprehensive review by a committee of peers outside the academic unit appointed by the Provost. An unsatisfactory outcome from the committee review may lead to tenure being revoked.

Important Dates

Post-Tenure Review (Every Five Years)

By the end of the second week of October of the fifth year with tenure	Faculty member submits a report that should include teaching, research, and service activities since the last review and supporting documents to the Department Head.
By the end of the first week of November	The department head completes the review and submits his/her evaluation/recommendations to the dean.

By the end of the third week of November	The dean completes the review and submits his/her evaluation/recommendations to the college/school post-tenure review committee.
By the end of the second week of January	The college/school post-tenure review committee provides its evaluation to the dean and the department head.
By the end of the third week of January	The department head provides feedback to the faculty member. In case of a satisfactory review (meets/exceeds expectations), no further action is necessary until the following fifth-year post-tenure review.
By the end of the third week of February	In case of an unsatisfactory review, the faculty member will develop a five-year professional development plan in consultation with the department head and the dean and submit for review and approval.
By the end of the second week of March	The five-year professional development plan is approved by mutual agreement of the faculty

9. ACADEMIC REGULATIONS

Each faculty member is issued the *Tuskegee University Academic Regulations and Procedures for Undergraduates* and *Graduate Handbooks* at the time of employment. It is the responsibility of the faculty member to become familiar with all of the regulations. Only a few of the most important regulations are given in this *Handbook*.

Academic Calendar

The official academic calendar is published by the Office of the Provost. This calendar should be used to assist in the scheduling of assignments and exams. It shows the dates when the term begins and ends, the date for mid-semester grading, and the last day for students on class rosters to claim space, drop/add dates, etc.

Class Attendance

Faculty members are expected to meet their classes punctually. Regular classes during the academic year begin 10 minutes after the scheduled period. Class periods on MWF are held for 50 minutes and on TTH class periods are held for 75 minutes. The starting times on MWF are 8:10, 9:10, etc. and on TTH the starting times are 8:10, 9:40, etc. Class periods beyond 5:00 p.m. may be scheduled for longer periods to accommodate the needs of undergraduate students and other groups of students, including students enrolled in continuing education courses designed for adult learners and courses for graduate students.

Class hours for the summer session will be found in the *Summer Schedule of Courses*. Variations from the approved schedule must be approved by the college/school dean and the Provost.

If, for some valid reason, the instructor cannot meet a class, he/she should contact the department head so that the students can be notified. In the event that the instructor knows that he/she will be absent from class, prior arrangements should be made to ensure that the course outline is met through other appropriate means.

Student's Responsibility

1. A student is expected to attend all regularly scheduled University classes. College/school work proceeds at such a pace that regular class attendance is necessary to receive proper instruction.
2. The student is responsible for purchasing books and other required material during the first week of class.
3. The student is responsible for all material covered and assigned in each course for which he/she is registered. Absence from class does not relieve him/her of this responsibility.
4. The student is expected to be present for all laboratory periods, scheduled examinations, and other activities that may require special preparation.
5. The student is responsible for initiating any request to make up an examination, a laboratory exercise, or other work missed because of class absence. If the instructor requests a statement concerning the reason for the absence, the student should obtain appropriate documentation. The instructor reserves the right to accept or reject the documentation.

Accommodations for Students with Disabilities - Americans with Disabilities Act (ADA)

Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act (ADA) require that universities, and all faculty and staff therein, make reasonable accommodation for all students with disabilities in all programs and activities, both academic and nonacademic. If such reasonable accommodation is denied to any disabled student, the institution may be held in violation of the law.

Tuskegee University has reasonable accommodations and services, which include buildings that are handicapped accessible. Services may include extra time for exams, special seating arrangements, a class note taker, extended time for papers/projects, frequent one-on-one conferences, and/or alternate format materials (i.e. taped recorded classes, taped texts, etc.). Accommodations and services are designed to meet each individual's need.

Faculty are not obligated to provide accommodation for a student's disability needs unless the student provides proof from the Tuskegee University Counseling Center of a disability for which the accommodation requested is appropriate. While such proof should ideally be provided at the beginning of the semester, accommodation requests can be submitted at any time during a semester. The accommodations begin on the date the letter is signed by both the instructor and the student and are NOT retroactive.

No requirement exists that accommodation be made prior to completion of the approved University process.

Instructor's Responsibilities

1. The instructor is expected to maintain grade records for all registered students.
2. Specific policies regarding class attendance are the prerogative of the individual faculty member. The instructor is responsible for ensuring that each student receives a written statement regarding the attendance policy and any specific expectations concerning attendance and grades. This statement could be a part of the course syllabus.
3. The instructor is responsible for providing the student with a course syllabus, information on the examinations, and other class requirements that will provide a basis for evaluating student performance. The instructor may choose to modify course requirements during the semester. Modifications will be announced in class or any media approved by the instructor.
4. The instructor is expected to give at least two evaluations, one of which should occur prior to the midterm grading period. The instructor should also provide students the

results of the evaluations before the last day for dropping classes. These evaluations will also be computed in the final grade.

5. The instructor is required to evaluate the performance of students and inform them of the results in a timely manner.
6. The instructor is required to give a final evaluation in each lecture course. In most cases, this will be a final examination. However, in several courses this could be a paper or project. If the final evaluation is a final examination, it must be given in accordance with the established schedule released by the Registrar unless prior approval has been granted by the dean and the Registrar.

Office Hours

Each faculty member is required to establish and publish his/her office hours, and these hours should be convenient for the students. A minimum of six hours per week, distributed throughout the week, should be scheduled and posted on the faculty member's office door. The faculty member should inform the students of the office hours and the location of his/her office. Faculty members are not expected to hold office hours during the final examination period, but should inform their departments where they may be contacted. All faculty members are expected to be on campus during the full work's day during the registration period.

Examinations and Evaluations

Each faculty member should give enough evaluations and/or examinations to make an effective judgment about the performance of students. Faculty members should give at least two evaluations and provide the students their results before the last day for dropping classes. A final evaluation is required in each lecture course. If the final evaluation is a final examination, it must be given in accordance with the established schedule released by the Registrar unless prior approval has been granted by the dean and the Registrar.

Final examinations or similar evaluative material that has not been returned by faculty members should be retained by faculty members for one entire semester after the final grade has been assigned.

Grading Policy

The method for evaluating students should be clearly defined in the course outline. Usually, the ~~policy~~ **procedure** will include assignment of grades using the following scale: 90% and above A; 80%-89%, B; 70%-79%, C; 60%-69%, D; and below 60%, F.

Reporting of Grades

Faculty members are required to report final grades to the office of their respective deans as required by the Registrar. It is extremely important for faculty to meet the deadlines so that the Registrar may make the various reports in a timely fashion. Failure to report grades on time will result in a financial penalty of up to \$300 per day for each day that grades are late. Faculty members are required to report all grades in accordance with the instructions released by the Registrar, including mid-semester grades and graduating senior grades.

Faculty members are expected to maintain grade records for all registered students. Faculty members may use any written or electronic system they choose for keeping such records. The University expects each faculty member to leave all grade records with the department head or dean at the end of employment at the University. Failure to leave the grade records and other University properties will result in the faculty member not receiving the final paycheck until all properties have been deposited with the appropriate University officials.

Explanation of Grades

All students are expected to maintain a cumulative grade point average of at least 2.00 in their studies. Grade point averages are expressed in two decimal places. The grades and their corresponding grade point values are as follows:

A – Excellent	4 grade points a credit hour
B – Good	3 grade points a credit hour
C – Average	2 grade points a credit hour
D – Poor, but passing	1 grade point a credit hour
F – Failure	0 grade point a credit hour
P – Pass	Not included in GPA computations
I – Incomplete	Not included in GPA computations
NG –No Grade	For continuous registration
M- No Grade	Place Holder
S – Satisfactory	Not included in GPA computations
U – Unsatisfactory	Not included in GPA computations
W – Withdrawal	Not included in GPA computations

The grading system for noncredit courses follows: S = Satisfactory; U = Unsatisfactory; I = Incomplete.

The Grade “I” (Incomplete)

The grade “I” (Incomplete) is given when work in the course has been substantially completed but the student has missed an examination or has failed to perform some other requirement of a course because of illness, emergency, and other justifiable circumstances. The student or his/her designee must initiate the request before the instructor records the final grade, and documentation of the circumstances must be presented to the instructor to be considered for the “I” grade. The “I” grade is not given unless the student has satisfied the minimum attendance requirements set by the instructor and is otherwise doing “D” work or better in the course. Administrators cannot be involved in assigning the “I” grade.

In reporting the “I” grade, the instructor is required to submit with that grade the final letter grade which the student would receive should he/she fail to complete the requirement for which the “I” was assigned, such as “I”/”C”, “I/F”, and so on. The alternate letter grade then becomes the final grade for the course if conditions for the “I” grade are not satisfied. The Registrar will record the designated grade in the permanent record, and it will be included in the grade point average computation. In the absences of an alternate grade, the “I” grade becomes permanent.

The instructor is required also to enter on his/her grade report sheet the specific reason(s) for the “I” grade and to record the requirements to be fulfilled for its removal. The dean is to obtain this information for the permanent record so that if the instructor is unavailable to supervise the removal of the Incomplete, the student’s department head will be able to take responsibility for supervision and recording the grade change.

Re-enrollment in the course is not required to remove the “I” grade. A student may also remove the “I” without being enrolled at the University. However, the student who is enrolled must complete the work for which the “I” grade was given in accordance with the following schedule: if the “I” grade was recorded during the first semester, the work must be completed by the third week in April; if the “I” grade was recorded during the second semester, the work must be completed by the third week in November, or the work may be completed in the summer. If this is the case, the work must be completed by the third week in July. Following the completion of the work, the instructor has six business days to deposit the grade in the Office of the Registrar.

“I” grades for those courses required for graduation cannot be changed after the last day of submission of grades for the graduating seniors as specified in the academic calendar. If a student has an “I” grade in a required course after the last day to submit grades, that student will not be eligible for graduation.

Failure to remove the “I” grade during the next semester of enrollment will result in the posting of the alternate letter grade on the transcript. The time limit does not apply to courses listed as internships, projects, fieldwork, and clinicals.

The Grade “F”

The “F” grade is assigned when a student fails a course.

The student who receives the grade of “F” in a required course must repeat the course until it is passed. Courses will not be offered off-schedule to accommodate a student who receives the grade of “F”. The student must wait until the course is offered again in the regular schedule. Each “F” grade earned (including two, or more, in the same course) is included in the computation of the grade point average until removed, at which time only the passing grade is included in the computation. All grades earned, however, remain on the student’s permanent record.

A student who makes a grade of “F” in a free elective course will not be required to repeat the course. Instead, he/she may take another free elective course. In either case, both grades will remain a part of his/her permanent record and will be computed in his/her grade point average.

The Grade “M” (Place Holder)

An “M” grade is a “placeholder” for final grades completed but not submitted per the established and official calendar due dates to the Office of the Registrar. The said letter “M” display (flagged) in batch verification is not calculated in the students overall Cumulative Grade Point Average (CGPA). The faculty instructor is responsible for explaining to students why grades were not posted, and reporting it to the Registrar (See Reporting of Grades above).

Replacement Grades

A student who makes a “D” or “F” grade in a course may repeat the same course for a higher grade. The highest grade only is computed in the grade point average. If a higher grade is not earned, each “D” or “F” grade (whichever is applicable) earned in the same course is included in the computation. All grades earned, however, remain on the permanent record.

Change of Grades

After the final grades are deposited in the Office of the Registrar, they are no longer the property of the instructor. Grades cannot be changed because the instructor or dean wishes to revise or make a second judgment on them. A decision to change a grade cannot be based on a second examination or assessment of new work. In the event an instructor makes an error in reporting a grade, the instructor must give written justification for the change to his/her college/school dean. Upon the recommendation of the dean, the instructor must also secure approval of the Provost and record the new grade in the Office of the Registrar.

Appeal of Academic Decisions

A student has the right to appeal decisions regarding his/her academic performance or academic requirements. Before initiating a petition for appeal, the student should attempt to resolve the problem directly with the instructor(s), person(s) concerned, and/or departmental faculty.

All appeals of academic decisions, including requests for review of instructors’ grades, must be initiated not later than thirty (30) calendar days after the decision was made. A student who is not in residence should mail the written statement to the College/School Dean.

Student Academic Honesty

When an instructor has reason(s) to believe that a student has been dishonest or has aided in dishonest acts, he/she immediately informs the student and follows up with a written statement of the charges to the student, the head of the department, and dean of the college/school in which the student is enrolled.

A Committee on Academic Honesty consisting of one faculty member from each college/school, and three students will be appointed by the Provost upon the recommendation of the college/school deans and the Dean of Students to hear charges of academic dishonesty. The chair of the committee will be appointed by the Provost.

The written statement of the charges will be transmitted by the dean to the chair of the Committee on Academic Honesty for a hearing. Separate charges or other offense(s) connected with dishonest incidents will be a part of the hearing, e.g., damage or destruction of property, threats or abuse – verbal or physical. The committee will observe due process and concern itself with establishing facts and rendering a decision of not guilty or guilty. The student will be given an opportunity to appear before the committee. Action considered appropriate will be recommended to the student's college dean, who will inform the student of the findings and recommendations of the Committee, and of the dean's decision in the case.

Grades for examinations and courses are the responsibility of the instructor, reflecting a professional judgment on a student's academic competence and accomplishment. If the result of the hearing would affect the grade of an examination or assignment for the course, the instructor will enter an "I" grade until the verdict of guilty or not guilty has been given. The chair of the Committee on Academic Honesty will give prompt notice of the committee's action to the student's dean, who will relay the information to the instructor and the student.

A student who has been adjudged not guilty will be entitled to an examination and/or grade within five (5) working days after the instructor has been notified of the verdict. Similarly, a student who has been adjudged guilty will be awarded an appropriate grade within this specified period.

Tuskegee University maintains the right to suspend or dismiss a student who has been judged guilty of academic dishonesty by the Committee.

Honesty in academics, as well as in other matters, is expected of everyone at Tuskegee University. It is the obligation of all to adhere to this standard. Individuals are expected not to cheat or be dishonest, not to create the appearance of being dishonest, and not to contribute to or condone the dishonesty of others. Dishonesty, such as cheating, plagiarism, forgery, or knowingly furnishing false information to officials of the University will not be tolerated. The penalty could include failure in the course and possible dismissal or suspension from the University.

Appendices

The following schools and colleges have set forth specific criteria for tenure and promotion in addition to the criteria outlined in this *Handbook*. Faculty in these schools and colleges should consult the guidelines given in the appropriate appendix when preparing applications for tenure and promotion.

Promotion and Tenure Guidelines for Individual Colleges and Schools

1. College of Agriculture, Environment and Nutrition Sciences
2. Robert R. Taylor School of Architecture and Construction Science and Management
3. School of Education
4. College of Engineering
5. School of Nursing and Allied Health
6. College of Veterinary Medicine

Additional Policies

7. Disability and Reasonable Accommodation
8. Title IX

Tuskegee University
College of Agriculture, Environment and Nutrition Sciences (CAENS)

Guidelines for Tenure-Track and Research-Extension Faculty: Promotion and Tenure Criteria

The general criteria for promotion and tenure for faculty members in CAENS are outlined in the approved *Faculty Handbook* (most recent version) by the Tuskegee University Board of Trustees. During the hiring process, the faculty member must present all academic credentials for internal review through the department head and the Dean. The academic credentials and years of experience will determine the appropriate rank of the faculty member.

Criteria for Promotion in Rank and Tenure for CAENS Tenure/Tenure Track Faculty

CAENS Tenure/Tenure Track Faculty members seeking to advance in rank and meet tenure requirements are required to establish and maintain a continuing record of professional development and are expected each year to:

- maintain a top quality teaching portfolio as measured by department head and student evaluations,
- publish in peer-reviewed journal articles, books or patents (minimum of one to two per year),
- present at professional meetings, publish technical reports/proceedings/bulletins, publish book chapters, publish instructional materials, receive professional certifications and/or publish abstracts in professional society publications (minimum of three per year),
- submit proposals for funding (minimum of one proposal per year), and
- render an acceptable performance (based on documented evidence) in two of the following categories: advising undergraduate students, providing leadership for student Research-extension activities, advising graduate student research, facilitating student publications and student Research-extension presentations, and assuming leadership in professional organizations.

The evaluation committee will take into consideration the scope quality and quantity of professional development activities in each of the categories listed above separately and collectively. Exceeding the minimum expectations in multiple areas as determined by measurable outcomes is encouraged and expected.

Criteria for Promotion in Rank for CAENS Research-Extension Faculty

Research-extension faculty appointments are those whose primary assignments are in the area of research and extension. These are not tenure-track appointments. The following titles are used for research-extension faculty appointments: research-extension professor, research-extension associate professor, research-extension assistant professor, scientist, senior scientist, visiting scholar, research assistant, and research associate. Research-extension professors, research-extension associate professors, research-extension assistant professors, scientists, senior scientists, and visiting scholars are research-extension faculty employed primarily as the principal investigator or co-principle investigator on sponsored research projects or one who would conduct such projects.

In CAENS research-extension faculty are paid predominantly for research or research-extension activities from grants. Research-extension faculty appointments are usually for 11-12 months of the year (nine months plus two or three months). Research-extension faculty are hired specifically for and expected to carry out research and or extension activities and obtain grant funding in their respective areas. Nonetheless, research-extension faculty may teach (generally the equivalent one or two courses per semester (20-40%)) with the teaching portion of the faculty's salary to be paid from non-research/extension funds. The key criteria for measuring research-extension faculty productivity are publications, grants obtained, and outcomes from funded grants. Research-extension faculty members seeking to advance in rank (for all ranks – research-extension assistant professor, research-extension associate professor, or research-extension professor) are required to establish and maintain a continuing record of professional development as follows:

Applicants are expected each year to:

- publish in peer-reviewed journal articles, books or patents (minimum of one to two per year),

- present at professional meetings, publish technical reports/proceedings/bulletins, publish book chapters, publish instructional materials, receive professional certifications and/or publish abstracts in professional society publications (minimum of three per year), submit proposals for funding (minimum of one proposal per year), and
- render an acceptable performance in two of the following categories: teaching (courses), advising undergraduate student research, advising graduate student research, facilitating student publications and facilitating student research presentations (e.g., research or extension).

The evaluation committee will take into consideration the scope quality and quantity of professional development activities in each of the categories listed above separately and collectively; exceeding the minimum in multiple areas is encouraged and expected.

Tuskegee University
The Robert R. Taylor School of Architecture and Construction Science and Management (TSACS)

GUIDELINES FOR FACULTY: TENURE AND PROMOTION CRITERIA

INTRODUCTION

The Robert R. Taylor School of Architecture and Construction Science and Management (TSACS) is comprised of the five-year, professional Bachelor of Architecture (B.Arch.) degree and two four-year Bachelor degrees, the Bachelor of Science in Construction Science and Management (B.Sc.) and the Bachelor of Arts in Design (BA). TSACS offers minors in African American Studies with a concentration on the Tuskegee architects and the Built Environment and in Historic Preservation.

The faculty play key roles in developing, expanding, and enhancing the University's three pillars of academic scholarship – *Teaching, Research, and Service*. To elevate the scholarly footprint of faculty, TSACS uses additional criteria in the University's promotion and tenure process to evaluate and assess faculty development. The criteria below were implemented to strengthen and better access to faculty performance for promotion and tenure in both departments.

PROMOTION AND TENURE CRITERIA

For the tenure and promotion process, candidates must submit – *in addition to the minimum requirements* under Faculty Evaluation, Promotion and Tenure of the latest *Faculty Handbook* – a set of standards that represent national norms and thresholds expected for faculty at Tuskegee University and at peer institutions. The guidelines for promotion and tenure are used for tenure-track faculty members moving through the professorial ranks – *assistant professor, associate professor, and professor*. The tenure-track faculty have a first-year review and a formal tenure mid-review at the end of the third year to give faculty preliminary and critical feedback. Visiting faculty, instructor, and adjunct faculty have non-tenure-track positions and are ranked based on his or her level of education and experience. The academic credentials and years of experience will determine the appropriate rank of the faculty member.

The promotion and tenure process for tenure-track faculty are recognized as:

- Demonstrated evidence of a *teaching effectiveness* plan at the assistant, associate, and professor levels. The teaching/job effectiveness of architecture faculty members is monitored by the Department Head and Dean. Teaching/job effectiveness is rated on a scale of one to eight, on which three represents the minimum acceptable level of performance, and eight represents the highest level. The faculty candidate must produce –
 - a well-thought-out teaching methodology including the faculty candidate's development of a least one new professional elective course or seminar in his or her teaching discipline; and
 - an effective student evaluation process, including critical analysis by students to enhance learning outcomes and high ratings by students of teaching effectiveness.
- Established evidence of scholarly *professional development* at the appropriate professor ranks –
 - *Assistant Professor*: applicants are required to qualify in any two of the 10 categories. The applicant must be the author or co-author of at least one refereed architecture/ construction related journal/essay/book chapter.
 - *Associate Professor*: applicants are required to qualify in any three of the 10 categories. Applicant must be the first author of at least one of two architecture/construction related publications. Promotion to the rank of associate professor shall require a teaching effectiveness rating of five or higher.

- *Professor*: applicants are required to qualify in any four of the 10 categories. Applicants must be the first author of at least three of the five architecture/construction related publications. Appointment by promotion to rank the professor shall require the teaching effectiveness rating of six or higher unless there are compensatory factors in the form of outstanding performance in other areas.
- Recognized evidence of *professional grantsmanship* at the appropriate professor rank.
 - All faculty candidates must demonstrate scholarship in research grants, grant writing, and creative activities as well as interdisciplinary cooperation between academic units.
 - To complete this scholarship, the faculty candidate must have submitted at least three external research grants per year and have been awarded at least one of the three grant submissions.
- Documented evidence of an *external review* at the appropriate professor rank.
 - The Dean and department head will direct the external peer evaluator to focus the evaluation on the quality and significance of the faculty member's academic scholarship as well as offer insight into the candidate's potential contributions in the three main categories of evaluation –*Teaching, Research, and Service*. TSACS requires external peer review by three evaluators for tenure. These evaluators shall be people outside of Tuskegee University who are nationally acknowledged experts in the faculty candidate's field and can comment on the quality and reputation of the candidate's academic and scholarly work.
 - The faculty candidate will be able to identify one external reviewer; he or she will be informed in writing of the nature and limits of permissible communication with the external reviewers. External reviewers should be in, or closely aligned with, the field or discipline of the candidate. External reviewers selected from academia should hold an academic rank higher than that of the faculty candidate and must be tenured.
 - Reviewers who agree to serve should be asked to provide an up-to-date curriculum vitae when they accept the request to review. Evaluators should be given explicit directions as to what aspects of the candidate's professional activities should be addressed in their review; they should also be clearly informed of the deadline for the receipt of the review letter.
 - Payment for writing a review is not a universal practice; payment or its absence should not in any way affect the evaluator's opinion.

Overall, professorial ranks are recognized scholars who have a cumulative and sustained record of excellence in teaching effectiveness, peer-reviewed research publications, peer-reviewed architecture/construction creative works appropriate to the discipline, grantsmanship, external reviews, and substantial service appropriate to the discipline. Faculty applicants must follow the criteria for *service* outlined in the *Faculty Handbook*.

Guidelines for Faculty: Tenure and Promotion Criteria

INTRODUCTION

The School of Education is comprised of two departments (The Department of Elementary and Secondary Education and, the Department of Physical Education) and offers the Bachelor of Arts degrees in Elementary Education, General Science Education, English Language Arts Education, Mathematics Education, and Physical Education.

Faculty members in the School of Education have credentials appropriate to their respective disciplines. The majority of the School's full-time faculty are on tenure track and are expected to pursue scholarly activities in support of the overarching mission of the University and School.

PROMOTION AND TENURE CRITERIA

The general criteria for promotion and tenure for faculty members in the School of Education are outlined in the recent Board of Trustees' approved *Faculty Handbook*. During the hiring process, the faculty member must present all academic credentials for internal review through the Department Head and the Dean. The academic credentials and years of experience will determine the appropriate rank of the faculty member.

In addition to the general criteria, faculty members must demonstrate specific requirements as set forth by the Alabama State Department of Education (Code #:290-3-3.02). This requirement is referred to as the: "Real-World Experiences in P-12 and Recent Professional Experiences."

Faculty members should render a minimum of 10 clock-hours of on-going, structured real-world experiences in a P-12 school setting(s) to complement and add to their past educational experiences. Faculty members who are teaching methods courses or supervising interns for teaching field programs and have not been employed in a P-12 setting within the most recent five-year period shall use either of two options to meet the professional experience requirement: (1) substitute teach, co-teach, or guest teach in an appropriate P-12 classroom, or (2) teach methods courses that include model lessons or demonstration classes in P-12 schools (Code#: 290-3-3-.02 (7) (i), (j)).

Tuskegee University
College of Engineering (COE)

Guidelines for Faculty: Tenure and Post-Tenure Criteria

TENURE AND PROMOTION STANDARDS

In addition to the general requirements stated in the *Faculty Handbook* (2017 Version), the College of Engineering (COE) emphasizes the following for granting tenure:

1. Securing funding for research
2. Publishing in refereed journals
3. Participating in retention activities

(Approved by all COE Department Heads in a meeting on April 24, 2017)

POST-TENURE REVIEW STANDARDS

(1) Teaching: normal teaching load

- Normal teaching load
- Head of Department's evaluation of teaching effectiveness (a minimum of five out a maximum of eight)

(2) Research:

- Submission of at least one proposal (as principal investigator or co-principal investigator)/year
- One research paper in a peer-reviewed journal or international, national, or regional conference during the period of review
- One presentation at an international, national, or regional conference during the period of review

(3) Service

- Documented evidence of student retention activities (tutorials, one-on-one sessions in addition to normal office hours)
- Committee work

(Approved by all COE Department Heads in a meeting on March 15, 2017)

Tuskegee University
School of Nursing and Allied Health (SONAH)

Guidelines for Faculty: Promotion and Tenure Criteria

INTRODUCTION

The School of Nursing and Allied Health (SONAH) fosters the general purposes of the University, which are teaching, research, and service. Faculty appointments, reappointments, tenure, and promotion in the School are carried out in accordance with those criteria and guidelines stated in the *Tuskegee University Faculty Handbook* as published in 2013 and as revised in 2017. As a practice-based discipline, nursing and allied health regulatory agencies mandate time intensive laboratories, clinical instruction with small faculty-to-student ratios, and travel to acute care and community facilities for experiential learning.

PROMOTION AND TENURE CRITERIA

The general criteria for promotion and tenure for faculty members in the SONAH are outlined in the recently approved *Faculty Handbook* (most recent version) by the Tuskegee University Board of Trustees. During the hiring process, the faculty member must present all academic credentials for internal review through the Department Head and the Dean. The academic credentials and years of experience will determine the appropriate rank of the faculty member.

SONAH faculty members must demonstrate annual scholarly activity (scholarship) in all three of the academic pillars, but must demonstrate exemplary productivity in two of the three components of teaching, research, and service for progression toward promotion and tenure. The guidelines below are used for faculty members moving through the professorial ranks. Scholarship is recognized as:

- demonstrated evidence of teaching/instruction effectiveness based on high ratings in student evaluations/feedback, enthusiastic engagement of students to enhance learning and learning outcomes, the development of innovative teaching modules, having a full teaching load including classroom instruction and/or clinical teaching, and other forms of feedback from peers, clients, and external stakeholders.
- demonstrated evidence of the expansion of knowledge through scientific presentations at local, national, and international conferences, including internal/on-campus seminars and workshops. *Faculty members are expected to maintain a standard of two to three scientific presentations annually with at least one at either a national or international conference* moving through the professorial ranks.
- demonstrated evidence of scientific discovery through research and scientific investigation. The scholarship includes grantsmanship (the number of grants submitted and the number of grants successful), patents and patent applications, abstracts, publications in academic journals, conference proceedings, book chapters, textbooks, lay publications, and other forms of scientific writings, and the development of interdisciplinary research methods and collaborative efforts. *Faculty members are expected to be productive with a minimum of two to three publications per year with at least one first-author publication in refereed journals.*
- demonstrated evidence of service through mentoring and advising of students, thesis advising and guidance of graduate students, graduate committees, membership and leadership on College and University committees, client satisfaction, feedback from clinical service, advisory boards, external review boards, service in professional organizations in disciplines, service on local, national, and international professional organizations, and community engagement.
- demonstrated professional development through certification programs resulting in enhancing educational and research programs, through leadership workshops and training programs, and other creative methods to improve professional knowledge, competence, skills, and performance.

In addition to the general guidelines in the 2017 *Faculty Handbook*, all tenure applications must go through an external review process. As part of the review procedures, faculty members can submit the names of persons for external letters of support who can make an independent assessment of the faculty member's scholarly contributions. The Dean will lead the external review process.

CLINICAL-TRACK FACULTY PROMOTION EXPECTATIONS BY RANK

In the Tuskegee University School of Nursing & Allied Health Clinical Title Series are highly valued: "Clinical education is an essential and critical component of baccalaureate nursing education, representing almost 50% of all instructional activities. The quality of clinical learning is strongly dependent upon the effectiveness of the clinical teacher. Clinical faculty are the best qualified to instruct students in the practice areas because they have the most current knowledge. Faculty members who primarily engage in clinical practice, who provide clinical services, and who can supervise the clinical experiences of students both on and off campus, greatly augment and complement the tenure-track faculty, and enrich the development of thoughtful and competent practitioners."

As these guidelines suggest, expectations for promotion for clinical-track faculty are closely tied to clinical practice and instruction as it relates to teaching, service, and research/scholarly endeavors. The typical designated effort for clinical-track faculty is 80% teaching, 10% outreach/service, and 10% research scholarly endeavors, although exceptions can be made. In cases where the typical percentage is not assigned, percent of designated effort will be taken into account. It is the expectation that the faculty member is consistently (over a minimum of two years) meeting all of the criteria of the rank to which he/she aspires.

Tuskegee University
College of Veterinary Medicine (CVM)

Guidelines for Faculty: Promotion and Tenure Criteria

INTRODUCTION

The College of Veterinary Medicine (CVM) is currently comprised of four departments (Biomedical Sciences, Clinical Sciences, Graduate Public Health, and Pathobiology), and offers the professional medical degree (Doctor of Veterinary Medicine-DVM) and five graduate degrees (Ph.D. in Interdisciplinary Pathobiology, shared Ph.D. degree in Integrative Biosciences, Master of Science in Veterinary Science, Master of Public Health, and the Master of Science in Public Health).

The CVM consists of faculty with advanced training and education in Biomedical Research and the Health Professions (Veterinary Medicine and Public Health). Therefore, faculty credentials will vary based on the discipline of expertise. However, all faculty whether tenured, tenure-track, or clinical-track faculty are expected to demonstrate scholarly activity in the tripartite mission of the College and the University which are teaching, research, and service. Adjunct faculty members are ranked based on their level of education and experience and serve in the role as visiting faculty, supplementing the educational program.

PROMOTION AND TENURE CRITERIA

The general criteria for promotion and tenure for faculty members in the CVM are outlined in the recently approved *Faculty Handbook* (most recent version) by the Tuskegee University Board of Trustees. During the hiring process, the faculty member must present all academic credentials for internal review through the department head and the Dean. The academic credentials and years of experience will determine the appropriate rank of the faculty member.

CVM Faculty members must demonstrate annual scholarly activity (scholarship) in all three of the academic pillars, but must demonstrate exemplary productivity in two of the three components of teaching, research, and service for progression toward promotion and tenure. The guidelines below are used for faculty members moving through the professorial ranks. Scholarship is recognized as:

- demonstrated evidence of teaching/instruction effectiveness based on highly rated student evaluations/feedback, enthusiastic engagement of students to enhance learning and learning outcomes, the development of innovative teaching modules, having a full teaching load including classroom instruction and/or clinical teaching, and other forms of feedback from peers, clients, and external stakeholders.
- demonstrated evidence of expansion of knowledge through scientific presentations at local, national and international conferences including internal/on-campus seminars and workshops. *Faculty members are expected to maintain a standard of two-three scientific presentations annually with at least one at either a national or international conference* as they move through the professorial ranks.
- demonstrated evidence of scientific discovery through research and scientific investigation. The scholarship includes grantsmanship (the number of grants submitted and the number of grants successful), patents and patent applications, abstracts, publications in academic journals, conference proceedings, book chapters, textbooks, lay publications, and other forms of scientific writings, and the development of interdisciplinary research methods and collaborative efforts. *Faculty members are expected to be productive with a minimum of two-three publications per year with at least one first-author publication in refereed journals.*

- demonstrated evidence of service through mentoring and advising of students, thesis advising and guidance of graduate students, graduate committees, membership and leadership on College and University committees, client satisfaction feedback from clinical service, advisory boards, external review boards, service in professional organizations in disciplines, service on local, national, and international professional organizations, and community engagement.
- demonstrated professional development through certification programs resulting in enhancing educational and research programs, leadership workshops and training programs, and other creative methods to improve professional knowledge, competence, skills, and performance.

In addition to the general guidelines in the 2017 *Faculty Handbook*, all tenure applications must go through an external review process. As part of the review procedures, faculty members can submit the names of persons for external letters of support who can make an independent assessment of the faculty member's scholarly contributions. The Dean will lead the external review process.

Tuskegee University Reasonable Accommodation Policy

Statement of Nondiscrimination

Tuskegee University (“Tuskegee”) is committed to providing equal access to individuals with disabilities, including physical access to programs and reasonable accommodations for members of the university community. Tuskegee does not discriminate on the basis of race, color, national origin, ethnic origin, sex, sexual orientation, age, disability or status as a protected veteran in employment or the rights, privileges, programs, and activities generally accorded or made available to students at the school, administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs. This statement of non-discrimination applies to employment, educational programs, educational policies, admissions policies, educational activities, access and admission, scholarship and loan programs, and athletic and other school-administered programs. Tuskegee is committed to creating an accessible and inclusive campus experience for all members of the campus community.

Section 504 of the Rehabilitation Act of 1973² and the Americans with Disabilities Act of 1990 (ADA), as amended, provide that no qualified individual with a disability be denied access to or participation in services, programs, and activities. Employees and applicants with a disability may be eligible for reasonable accommodations that will allow them to perform the essential functions of their position or participate in the hiring process for an open position. A reasonable accommodation is a modification or adjustment to a job, employment practice or the work environment. Accommodation requests and inquiries regarding compliance with Section 504 or the ADA, including requests for reasonable accommodation, should be directed to one of the designated individuals listed below as soon as the otherwise-qualified employee becomes aware of the need for a reasonable accommodation. In no event should the employee wait more than thirty days to request an accommodation. In addition, for questions order complaints related to disability, access, removal of barriers, or reasonable accommodation for otherwise-qualified individuals under the ADA or section 504, contact:

Director, ADA Compliance

Steven B. McCrary
Tompkins Hall, Room 301
Ball Room Level
Office: 334-727-8186
Mobile: 615-604-1225
smccrary@tuskegee.edu

Section 504 coordinator/Disability Access and Accommodation

Ardelia Lunn
Wellness Center Building
Office: 334-727-8147
alunn@Tuskegee.edu

Tuskegee will not:

- Treat any employee, student, or applicant adversely due to a disability, record of a disability, perceived disability, or because of a relationship with an individual who has a disability;
 - Inquire if an applicant for employment or educational program has a disability except as required by federal laws and regulations; however, in the application process, the university may invite applicants who require accommodations to disclose the need for such accommodations on a confidential basis;
 - Use any qualification standards or selection criteria that would have the effect of screening out individuals with disabilities, unless the standards or criteria are directly related to and necessary for the job or academic program;
- or

² The Rehabilitation Act of 1973 prohibits discrimination on the basis of handicap by the federal government, federal contractors and by recipients of federal financial assistance.

- Release information regarding disability-related requests except as necessary to process the request; medical information will be collected and maintained in accordance with a reasonable accommodation process.

Applicability

This policy applies to all employment and educational practices and actions, as well as student classroom accommodations and academic adjustments by faculty members. It includes, but is not limited to, recruitment, application, examination and testing, hiring, training, teaching, grading, disciplinary actions, rates of pay or other compensation, advancement, classification, transfer and reassignment, discharge, and all other terms and conditions of employment and educational status. It also includes access to programs, services, housing, and activities which may occur outside the classroom or office environment but which are an integral part of the university experience. This policy also applies to public access to university programs, services, and other offerings to the extent that such are made available by Tuskegee to the general public.

To be protected under the ADA, an individual must have, have a record of, or be regarded as having a substantial, as opposed to a minor, impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, and performing manual tasks, walking, caring for oneself, learning or working. The obligation to provide reasonable accommodation applies only to known physical or mental limitations.³

An individual with a disability must also be qualified to perform the essential functions of the job with or without reasonable accommodation, in order to be protected by the ADA. This means that the applicant or employee must:

- Satisfy all job requirements related to educational background, employment experience, skills, licenses, and any other qualification standards that are job related; and
- Be able to perform those tasks that are essential to the job, with or without reasonable accommodation.⁴

Definitions

A. Academic Adjustments

Modifications to academic requirements made to ensure that requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified applicant or student with a disability. Academic requirements that are essential to the instruction being pursued by the student or to any directly related licensing requirement will not be subject to modification. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.

B. Accommodation documentation

Documentation that outlines the accommodations, academic adjustments, and/or auxiliary aids recommended to enable an employee or student to work or complete an academic program.

C. Auxiliary Aids

Actions taken or materials provided to ensure that qualified students with disabilities can receive the benefits of the educational program, regardless of impaired sensory, manual, or speaking skills. Auxiliary aids may include audio or described taped texts, sign or oral interpreters, captioning or other effective methods of making orally delivered materials available to students with hearing impairments, readers for students with visual impairments, classroom equipment adapted for use by students with manual impairments, and other similar services and actions. Auxiliary aids do not

³ <https://www.eeoc.gov/facts/ada17.html>.

⁴ [Id.](#)

include personal services or equipment, such as attendants, readers for personal use, or individually prescribed devices unrelated to the course of study.

D. “Disability” defined

A disability is defined as

- A physical, mental, or medical impairment resulting from anatomical, physiological, genetic, or neurological conditions which prevent the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or;
- Having a record of such an impairment, or;
- Being regarded by others as such an impairment.

E. Essential Function

Essential functions are the basic job duties that an employee must be able to perform, with or without reasonable accommodation. A duty may be considered an essential function if:

- The position exists to perform that function;
- There are a limited number of employees available who could fulfill that function, and/or;
- The function is highly specialized.

Other indicators of essential functions include:

- The university’s judgment as to which functions are essential,
- A written job description prepared before advertising or interviewing for a job,
- The actual work experience of present or past employees in the job,
- The time spent performing a function, and/or
- The consequences of not requiring that an employee perform a function.

The above is not an exhaustive definition of essential function. In determining whether a duty is essential, it is also relevant to consider the amount of time spent performing the function, consequences of not allowing someone to perform the function, written job description, work experience of people who are performing the job or who have performed the job in the past, and terms of any applicable collective bargaining agreements.

F. Interactive Process

The method by which an employee and employer explore whether reasonable accommodations can enable the employee to perform the essential functions of a position. The interactive process should involve open dialogue that allows for full participation by both employer and employee. In the academic context, the interactive process can also be an appropriate avenue for students and instructors to reach agreement concerning academic adjustments and/or auxiliary aids necessary to allow the student to complete academic requirements.

G. Qualified Employee with a Disability

An individual with a disability who can perform the essential functions of the position, with or without reasonable accommodation.

H. Qualified Student with a Disability

A student with a disability who meets the academic and technical standards requisite to admission or participation in the education program or activity, with or without the provision of academic adjustments and/or auxiliary aids.

I. Reasonable Accommodations

Actions taken which permit an employee or applicant with a disability to perform the activities involved in the position held or sought in a reasonable manner provided that such actions do not impose an undue hardship or eliminate essential functions of the job. These include, but are not limited to, provision of an accessible worksite, acquisition or modification of equipment, support services for persons with impaired hearing or vision, job restructuring, and modified work schedules.

J. Undue Hardship

It is not necessary to provide a reasonable accommodation if doing so would cause an undue hardship.⁵ Undue hardship means that an accommodation would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the business.⁶ Among the factors to be considered in determining whether an accommodation is an undue hardship are the cost of the accommodation, the employer's size, financial resources and the nature and structure of its operation.⁷ Whether a requested accommodation poses an undue hardship must be based upon an individualized assessment of current circumstances regarding the position and accommodation. When a department is concerned that a requested accommodation will pose an undue hardship, it must proceed according to the procedures in this policy.

K. Direct threat

The ADA permits an employer to require that an individual not pose a direct threat to the health and safety of the individual or others in the workplace. A direct threat means a significant risk of substantial harm. The determination that an individual poses a direct threat must be based on objective, factual evidence regarding the individual's present ability to perform essential job functions. If an applicant or employee with a disability poses a direct threat to the health or safety of himself or others, Tuskegee will consider whether the risk can be eliminated or reduced to an acceptable level with a reasonable accommodation.

L. Reporting requirement

Any employee who requires a reasonable accommodation to perform the essential functions of his or her job is responsible for contacting the Director for ADA Compliance or Section 504 coordinator using the contact information listed above as soon as the employee becomes aware of the need for the accommodation. Tuskegee will not be responsible for failing to provide an accommodation if none is requested. Tuskegee will reasonably accommodate otherwise qualified employees with disabilities who are able to perform the essential functions of their job with or without a reasonable accommodation as defined by law accept undue hardship.

Procedures

Application for Employment Process

- Applicants who require reasonable accommodations with respect to applying, interviewing, or any other aspect of the hiring process should contact Tuskegee's Office of Human Resources or the Director of ADA Compliance to make appropriate arrangements. Human Resources will not disclose confidential information regarding the applicant's disability, and will only share information as necessary to implement the request.
- Interviews, testing, and/or any other steps in the application process that require an applicant's presence on campus should be held in locations that are accessible to individuals with mobility impairments. If interviews

⁵ <https://www.eeoc.gov/facts/ada17.html>.

⁶ Id.

⁷ Id.

are scheduled in a location that is not accessible to an applicant with a disability, the search committee will relocate the interview to a location that can be accessed by the applicant.

- If the applicant has not given timely notice of the need for an accommodation for an interview, the search committee will reschedule the interview if this does not create an undue hardship with respect to the search process.
- Interviewers may not ask questions or make comments related to an applicant's disability. Interviewers may ask if or how applicants can perform the essential functions of a position, with or without reasonable accommodations. If the applicant mentions during the interview that he or she has a disability that requires accommodation, the interviewer should state that the university provides reasonable accommodations, but should not inquire further as to the applicant's disability.
- After a job offer is made to the applicant, the applicant may be required to submit to a medical examination or answer job-related health questions if examinations or questions are required for all individuals performing the same job. If the results reveal that the applicant is unable to perform the essential functions of the position with or without reasonable accommodations, the offer may be rescinded only after consultation with office of General Counsel and the ADA Compliance Director.

Process for employee accommodation

Employees with disabilities who do not require reasonable accommodations are entitled to privacy with respect to their disabilities. If a supervisor or manager suspects that an employee's disability might be the cause of work-related or behavioral issues, the employee should not be questioned with respect to a disability or possible disability. To request a reasonable accommodation, an employee or applicant should proceed as follows:

1. Accommodation request

An employee who needs a reasonable accommodation should submit a request in writing to the Director of ADA Compliance. No special form is required. The Director of ADA Compliance may work with other University departments and personnel, including the Department of Human Resources, to ensure that an employee with a disability can perform or continue to perform (if the disability occurs after employment) his or her job responsibilities, a reasonable accommodation requires a current statement of need from a treatment provider.

2. Documentation

Tuskegee will not provide an accommodation without verification of the disability of a professional medical or mental health provider and medical documentation. Medical information is treated as confidential and will be shared with University administrators only on a need to know basis. If the medical documentation provided is insufficient, the employee will be notified by email so he or she can submit or otherwise provide additional documentation.

The individual may suggest a reasonable accommodation based upon her own life or work experience. In addition, the employee and/or the employee's current treatment provider should recommend any reasonable accommodation the employee wants the University to consider. The University may request that the employee sign a release allowing the University to directly communicate with the employee's treatment provider for clarification or other assistance with respect to the requested accommodation. The employees not required to sign the release, but doing so will assist University with identifying and implementing a reasonable accommodation.

3. Interactive process

Accommodation decisions must be made on a case-by-case basis, because the nature and extent of a disabling condition and the requirements of the job will vary. The principal test in selecting a particular accommodation is that of effectiveness, i.e., whether the accommodation will enable the person with a disability to perform the essential functions of the job.⁸ It need not be the best accommodation or the accommodation the individual with a disability would prefer, although primary consideration should be given to the preference of the individual involved. However, as the employer,

⁸ <https://www.eeoc.gov/facts/ada17.html>.

you have the final discretion to choose between effective accommodations, and you may select one that is least expensive or easier to provide.

The employee requesting a reasonable accommodation is responsible for participating in the interactive process, which includes providing any input the employee wishes the University to consider when making a determination concerning a reasonable accommodation. An employee who fails to disclose a disability, provide input concerning reasonable accommodation, or to request a specific accommodation cannot fault the University if an accommodation is not provided.

Even though the employee is responsible for providing input concerning the accommodation and engaging in an interactive process, Tuskegee will determine what constitutes a reasonable accommodation. Tuskegee also reserves the right to request additional independent medical examinations, evaluations and other appropriate information at the University's expense.

3. Types of reasonable accommodation available to otherwise-qualified employees

A reasonable accommodation is a modification or adjustment to a job, employment practice or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity. Reasonable accommodations are only available to otherwise-qualified employees who are able to perform the essential functions of their job with or without reasonable accommodation. Reasonable accommodations may include, but are not limited to, changing the physical location of an employee's job, e.g., from an upstairs classroom requiring the use of stairs, to a ground floor classroom that does not, restructuring non-essential job responsibilities and duties, and modifying the employee's work schedule.

4. Undue hardship

As noted above, in some instances, a requested accommodation may pose an undue hardship on the University which prevents the accommodation from being offered. The determination of whether an accommodation creates an "undue hardship" is contingent upon a number of variables and is the University's. Supervisors must contact the Office of Equity before disciplining, transferring, terminating or relieving an employee of job responsibilities due to disability or pregnancy.

Illegal Use of Drugs

Individuals who currently use drugs illegally are specifically excluded from the ADA's protections. Any employee, student, or volunteer who is currently using drugs illegally is not protected by the ADA and may be denied employment or fired on the basis of such use. The ADA does not prevent employers from testing applicants or employees for current illegal drug use, or from making employment decisions based on verifiable results. A test for the illegal use of drugs is not considered a medical examination under the ADA; therefore, it is not a prohibited pre-employment medical examination and the University will not have to show that the administration of the test is job related and consistent with business necessity. Illegal use of drugs will result in disciplinary action up to and including suspension or expulsion for students and termination for employees.

Disability grievance

Any faculty member who believes he or she has been subjected to unlawful harassment or discrimination on the basis of disability or denied access to accommodations required by law may file a grievance with the Director of ADA Compliance.

Tuskegee University Title IX Policy

Tuskegee University's Sexual Harassment, Sexual Assault, Sexual Misconduct, Relationship (Dating) Violence and Stalking Policy

Nondiscrimination Statement

Tuskegee University (Tuskegee) prohibits discrimination based on sex in employment and education programs and activities both on and off campus. This policy applies to students, employees, and volunteers; to conduct on school grounds, off-campus conduct that has a continuing effect on University grounds, and conduct at school-sponsored activities; to conduct occurring in or on school-owned, school-leased or school-controlled facilities; and through technology resources provided by or used on campus at Tuskegee or used by any member of the Tuskegee community to bully, harass, stalk, threaten or otherwise engage in conduct in violation of this policy.

Tuskegee policy prohibits any conduct that violates Title IX of the Education Amendments of 1972 and other laws⁹ prohibit discrimination on the basis of sex in employment and education programs and activities. Title IX protects all persons from sex discrimination, which includes sexual harassment and sexual violence. Tuskegee will process all sex discrimination complaints it receives, including complaints involving sexual harassment and sexual violence, regardless of where the conduct occurred, to determine whether the conduct alleged occurred in the context of an employment or education program or activity, or had continuing effects on campus. If alleged off-campus sexual harassment or sexual violence occurred in the context of an education program or activity or had continuing effects on campus, the complaint will be treated the same as a complaint involving campus conduct. This includes complaints of sexual assault or harassment by students, staff, faculty, administrators, volunteers, and third parties.

A. Title IX Coordinators

Complaints of sexual assault, sexual harassment or other conduct prohibited under this policy and inquiries concerning the application of Title IX and its regulations should be directed to the Tuskegee Title IX Coordinator or the co-Coordinator listed below:

Title IX Coordinator for Faculty/Staff/Students

For questions and complaints or to report an incident under Title IX, contact:

Interim Title IX coordinator

Marc Cardinalli (*pending appointment of a permanent director*)

C/o The Office of General Counsel

322 Kresge Center

Office: 334-727-8872

Mobile: 740-727-0020

To schedule an appointment to make an in-person report, contact Constanza Hoffman at choffman@tuskegee.edu

The Title IX coordinators' responsibilities include investigating or overseeing the investigation of all incidents of alleged sexual assault or harassment; ensuring that consistent standards and practices apply to all investigations;

⁹ Title IX of the Education Amendments of 1972, as amended, and its Implementing regulations, 34 C.F.R. Part 106 ("Title IX"); the Violence Against Women Reauthorization Act of 2013 (20 U.S.C. 1092(f)) (VAWA), also known as the Campus Sexual Violence Elimination Act (Campus SaVE Act); and Title VII of the Civil Rights Act of 1964, as amended.

being available to meet with students, employees, and volunteers who believe sexual assault or harassment has occurred; and assisting campus security or law enforcement as needed. Tuskegee reserves the right to utilize outside investigators for Title IX investigations and complaints. Complainants may also contact the U.S. Department of Education, Office for Civil Rights, (800)421-3481 or ocr@ed.gov.

B. Policy Definitions

Sex discrimination is an adverse action taken against an individual because of sex, including sexual harassment, sexual violence, domestic violence, dating violence, and stalking as prohibited by Title IX, Title IV, VAWA/Campus SAVE Act, and other laws and regulations. Both men and women can be targets of sex discrimination. Both male and female students and employees may be subjected to sex discrimination.

Sexual harassment is any unwelcome conduct of a sexual nature. This includes unwelcome verbal, nonverbal or physical conduct including but not limited to unwelcome sexual advances; requests for sexual favors; and other verbal, nonverbal, or physical conduct of a sexual nature, such as sexual violence, sexual advances, requests for sexual favors, and indecent exposure, where:

- a. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a student's academic status or progress, or access to benefits and services, honors, programs, or activities available at or through Tuskegee; *or*
- b. Such conduct is unwelcome; *or*
- c. Submission to, or rejection of, the conduct by a Tuskegee employee is explicitly or implicitly used as the basis for any decision affecting a term or condition of employment, or an employment decision or action; *or*
- d. Such conduct is sufficiently severe or pervasive to create a hostile educational or employment environment.

Sexual harassment also includes acts of verbal, non-verbal written) and physical aggression, intimidation or hostility based on sex or gender stereotyping, even if these acts are not sexual in nature.

Sexual Violence is a form of sexual harassment and means physical sexual acts, such as unwelcome sexual touching, sexual assault, sexual battery, rape, domestic violence, dating violence, and stalking (if based on sex), taken against an individual against his or her will and without consent or against an individual who is incapable of giving consent due to the use of drugs or alcohol, being a minor, or an intellectual or other disability. Sexual violence includes acts of physical force, violence, threats, and intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through drugs or alcohol, or taking advantage of another person's incapacitation, including voluntary drug or alcohol intoxication.

Incapacitated means the victim is temporarily incapable of appraising or controlling his/her conduct due to the influence of a narcotic, anesthetic or other substance administered without consent or due to any other act committed upon the victim without consent.

Sexual violence and sexual misconduct can be carried out by employees, volunteers, students, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX. Both men and women can be victims of sexual violence.

Statutory rape is unlawful sexual intercourse with a minor, even if the intercourse is consensual.

Sexual Assault is a form of sexual violence and means (1) forcing or coercing an individual to engage in any non-consensual sexual contact, sexual conduct, or sexual penetration; or (2) an attempt to commit an unlawful act that places another person in reasonable apprehension of immediate, non-consensual, physical contact for sexual purposes.

Sexual Battery is a form of sexual violence and means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object.

Rape is a form of sexual violence that may or may not involve force or a threat of force, coercion, violence, or immediate bodily injury, threats of future retaliation, or duress. Rape means nonconsensual sexual intercourse or sexual penetration, which, in addition to intercourse, means nonconsensual oral or anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body. Any sexual penetration is sufficient to constitute rape. Sexual acts are considered non-consensual when they involve a person who is physically incapacitated, physically helpless, incapable of giving consent because s/he is incapacitated from alcohol and/or drugs, is under the legal age of consent, or due to a mental or physical disability is incapable of giving consent.

Acquaintance Rape is a form of sexual violence committed by an individual known to the victim. This includes a person the victim may have just met, such as at a party, been introduced to through a friend, or met on a social networking website. The fact parties are acquainted or previously had a consensual sexual relationship is not a defense to an allegation or charge of acquaintance rape.

Consent means intelligent, knowing, and voluntary consent and does not include forced or coerced submission. "Consent" shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender. Once consent is withdrawn or revoked, the sexual activity must stop immediately. Coerced submission includes submission based on fear, including but not limited to fear of period damage to reputation, force or personal injury

- Consent must be **voluntary** and given without coercion, force, threats, or intimidation.
- Consent can be **withdrawn or revoked**. Consent to one form of sexual activity (or consent to sexual activity on another occasion. The fact that two people are or were one sexual act) does not constitute consent to other forms of sexual activity (or other sexual acts). Consent to sexual activity given on one occasion does not constitute in a dating or sexual relationship does not constitute consent to engage in sexual activity. Consent cannot be given by a person who is **incapacitated**. A person cannot give consent if s/he is unconscious or coming in and out of consciousness. Examples of incapacitation include unconsciousness, sleep and blackouts. Whether an **intoxicated** person (due to using alcohol or other drugs) is **incapacitated** depends on the extent to which the person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments is impaired.
- Being intoxicated by drugs or alcohol does not diminish a person's responsibility to obtain consent from the other party before engaging in sexual activity. Factors to be considered when determining responsibility include whether the person knew, or whether a reasonable person in the respondent's position should have known, that the complainant could not give, did not give, or revoked, consent; was incapacitated; or was otherwise incapable of giving knowing, voluntary, or conscious consent.

Domestic violence is a form of sexual violence and means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.⁹ "Family or household member" means spouse, former spouse, person related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

Dating violence is a form of sexual violence, and means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

1. A dating relationship must have existed within the past 6 months;
2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.

"Dating violence" does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

Stalking means a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. For purposes of this definition,

- i. "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.¹²
- ii. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- iii. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

Cyberstalking means engaging in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, regardless of platform, directed at a specific person or persons, causing emotional distress to that person. Cyberstalking by and among members of the campus community is a policy violation whether the respondent utilizes University resources or not.

Hostile Educational Environment. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school.

C. Prohibited Conduct

Any conduct by an employee, student, volunteer, or third party that denies or limits the ability of a student or employee to participate in or receive the benefits, services, or opportunities of employment or any Tuskegee program or activity based on sex is prohibited. This includes any circumstance where:

1. An employment or educational decision or benefit is conditioned on submission to unwelcome sexual advances or conduct;
2. Submission to, or rejection of, unwelcome sexual conduct is used as a basis for denying employment or an opportunity to participate in or benefit from any school program or activity;
3. Conduct has the purpose or effect of unreasonably interfering with, denying or limiting a student's ability to participate in or benefit from any school program or activity or a term, condition or benefit of employment;

4. Conduct alters the educational environment to the degree that it adversely affects the student's ability to participate in or benefit from any school program whether or not that student is the target of the harassment;
5. There is a pattern and practice of sexual harassment;
6. A faculty member, administrator, volunteer, alumnus or other person in a position of authority engages in sex discrimination or sexual harassment of a student or employee; and/or
7. A student or a group of students engages in sexual harassment of another student or students.

The following are examples of behaviors that are prohibited under this policy. This is not intended to be an exclusive or exhaustive list:

8. Unwelcome sexual flirtations, advances or propositions;
9. Derogatory, vulgar or graphic written or oral statements regarding one's sexuality;
10. Unwanted or unwelcome touching, patting, pinching, embracing, or other contact with an individual's body;
11. Attempted or actual physical assault;
12. Any nonconsensual sexual act, including but not limited to, rape, sexual assault, sexual battery and sexual coercion;
13. Unwelcome sexual comments, innuendoes, suggestions or jokes;
14. Display of sexually suggestive pictures or objects;
15. Domestic violence, dating violence, sexual violence, and stalking, including cyberstalking;
16. Sending text messages, e-mails, or other electronic communications with nude or sexually suggestive photos, videos, or other images; and
17. Sharing or sending nude or sexually suggestive images over the Internet.

This policy specifically includes electronic communications, including, but not limited to, phone calls, text messages, e-mail, and communications using social media such as Instagram, Snapchat, Twitter, and Facebook.

D. Reporting sexual misconduct or filing a complaint

Where to report. Sexual assault, sexual harassment, sexual misconduct, discrimination, and other behavior prohibited by this policy should be reported to:

Interim Title IX coordinator

Marc Cardinalli, J.D. (*pending appointment of a permanent director*)

C/o The Office of General Counsel

322 Kresge Center

Office: 334-727-8872

Mobile: 740-727-0020

To schedule an appointment to make an in-person report, contact Constanza Hoffman at choffman@tuskegee.edu

A complaint or report may be verbal or written and does not need to take a particular form.

Students may also report any incident of sexual violence or sexual harassment that may create or contribute to the creation of a hostile environment to any instructor or school employee. Students, staff faculty, and volunteers may notify the head of their department or unit, their supervisor, or any member of the Office of Human Resources or Student Affairs with whom they are comfortable. Any instructor or other employee receiving a report of an incident of sexual violence or sexual harassment that may create or contribute to the creation of a hostile environment is responsible for reporting it to the Title IX Coordinator. Failure to comply with this policy shall be grounds for disciplinary action, up to and including termination.

What to expect. Once a complaint is made, a Tuskegee representative, typically the Title IX Coordinator or a member of Campus Police Services, will meet with the complainant, provide a copy of this policy, and explain:

1. The importance of seeking immediate medical attention for sexual assaults;
2. The importance of preserving evidence;
3. The right to report a crime to campus or local law enforcement;
4. The right to *not* report a crime to law enforcement or file criminal charges;
5. The right to simultaneously file both a criminal complaint with campus security or local law enforcement and an institutional Title IX complaint;
6. The right to assistance from University officials with filing a criminal complaint, if assistance is requested;
7. Internal options, including informal and formal resolution;
8. Available health care, victim advocacy, academic support, mental health, legal assistance resources and counseling services available both on and off campus, including the campus health center, the campus counseling center and sexual assault resource centers, and pastoral counselors, which can be found [here](#);
9. Even if a complainant asks Tuskegee not to take any action, the University is obligated to investigate the complaint;
10. Prohibitions against retaliation;
11. Interim measures that may be put in place, including a no-contact order pending the outcome of the investigation, providing support services, changing living arrangements or course schedules, assignments, or tests, and temporary removal of the respondent from the campus community pending the outcome of an investigation; and,
12. Options for avoiding contact with the respondent(s), including being allowed to change academic and extracurricular activities and living, transportation, dining, and working situations as appropriate.

When implementing interim protective measures and taking steps to separate complainants from respondents, Tuskegee will attempt to minimize the burden on the complainant.

Confidentiality. Tuskegee will make reasonable and appropriate efforts to preserve student complainants' and student respondents' privacy and to protect the confidentiality of information. Tuskegee will only disclose information regarding complaints under this policy on a need to know basis, primarily to persons who are responsible for its investigation and any reporting requirements.

Tuskegee cannot require the complaining or responding student to maintain confidentiality, as the U.S. Department of Education has stated that restricting the ability of either party to discuss the investigation (e.g., through "gag orders") is likely to deprive them of the ability to obtain and present evidence or otherwise to defend their interests.

Tuskegee strongly supports a complainant's interest in confidentiality in cases involving sexual violence. If a student complainant requests confidentiality, the Title IX Coordinator will determine whether Tuskegee can honor this request while providing a safe and nondiscriminatory environment for all students, including the student who reported the sexual violence. A request for confidentiality could preclude a meaningful investigation;

therefore, Tuskegee will consider whether there are circumstances present that demonstrate a risk that the respondent may commit additional acts of sexual violence or other violence. These include whether other sexual violence complaints have been received about the same respondent; whether the respondent has a history of arrests; whether the respondent has records from a prior school indicating a history of violence; whether the respondent threatened further sexual violence or other violence against the complainant or others; and whether the sexual violence was committed by multiple perpetrators. Other factors include whether the sexual violence was perpetrated with a weapon, and the age of the student subjected to the sexual violence.

If the complainant asks that the complaint not be pursued, Tuskegee will take reasonable steps to investigate and respond to the complaint consistent with the request not to pursue an investigation. If the complainant denies that a Title IX violation occurs and requests that no investigation be pursued, he or she cannot subsequently fault University or University personnel for not honoring this the request.

Even when a student asks that a complaint not be pursued or that information be kept confidential, Tuskegee reserves the right to provide over further student to support services and offer remedial action, such as changing living arrangements or course schedules, assignments, or tests as appropriate. For a complaint involving a respondent who is a faculty member, the University also reserves the right to reassign the complaining student to another academic section or to assign another faculty member evaluate the student's academic assignments, progress, completion, or success, if the student requests that this occur. A decision to reassign a student to another academic section or to assign another faculty member to evaluate the student's academic performance or success should in no way be considered a determination of guilt, culpability or wrongdoing by or against the respondent faculty member.

E. Investigation

Complaints under this policy will be investigated by the Title IX Coordinator or a designee (referred as the "Investigator"). Other University officials may assist in gathering facts during the investigation and information from Tuskegee Campus Police, local law enforcement officials, the district attorney, or others external to the University may be considered. Individualized support services must be offered as appropriate to either or both the reporting and responding parties involved in an alleged incident of sexual harassment, violence, or misconduct prior to an investigation or while an investigation is pending. Both parties will be given the same opportunity to present relevant evidence and witnesses, including character witnesses.

Tuskegee policy does not generally provide for the respondent having an opportunity to review the complainant's complaint. If the respondent is allowed to review the complainant's statement, the complainant may also review any statement by the respondent. No other witness statements or documents will be available for review by the parties during the investigation. During the investigation, Tuskegee will:

- (1) Gather sufficient evidence to reach a fair, impartial determination concerning whether sexual misconduct occurred;
- (2) Determine whether a hostile environment has been created; and
- (3) Determine whether the hostile environment must be redressed.

In cases of alleged domestic violence, dating violence, sexual assault, or stalking, proceedings under this policy shall provide a prompt, fair, and impartial investigation and resolution; and be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Notice of Investigation. At the outset of an investigation, the Investigator will advise the respondent of the allegations against him or her in writing. Once a Tuskegee decides to open an investigation that may lead to disciplinary action against a responding party, written notice of the allegations constituting a potential violation of the school's sexual misconduct policy should be provided to the respondent, including sufficient details, and

sufficient time to prepare a response before any initial interview. “Sufficient details” include the identities of the parties involved, the specific section of the code of conduct allegedly violated, and the precise conduct allegedly constituting the potential violation, and the date and location of the alleged incident.

Relevant Information for Investigation. At the outset of an investigation, the Title IX Coordinator/Investigator will notify the respondent of the allegations against him or her and request a written response. In addition, the Title IX Coordinator/Investigator may collect and consider the following types of information:

- Statements by the complainant and respondent about the alleged incident(s);
- Statements by witnesses to the alleged incident(s);
- Evidence about the credibility of the alleged victim and the alleged harasser;
- Evidence that the alleged harasser has been found to have harassed other victims;
- Evidence that the alleged victim has made false allegations against other individuals;
- Evidence as to whether the alleged victim's reaction or behavior after the alleged harassment;
- Evidence as to whether the alleged victim filed a complaint or took other action to protest the conduct soon after the incident occurred; and
- Other evidence of the harassment (*e.g.*, reporting conduct to parents, counselors or friends, or medical records)
- The fact of a current or previous consensual dating or sexual relationship between the parties will not imply consent or preclude a finding of sexual violence.

Evidentiary/fact relevance determinations. The Title IX Coordinator/Investigator has broad discretion in determining whether a proffered witness or documentary information would be relevant or helpful to a determination.

Evidentiary Standard. A "preponderance of the evidence" standard will be used.

Time Frame for Investigation and Completion of Report. There is no fixed time frame under which a school must complete a sexual misconduct investigation. While the report and investigation should be completed within 90 calendar days after notice of a complaint, the inability to meet this time frame does not affect the legitimacy, credibility or reliability of the investigation or report. A written decision must be completed and provided to the parties at the conclusion of the investigation.

Obligation to cooperate. All faculty, staff, volunteers, and students are required to cooperate in the investigation process. Refusal to cooperate will result in disciplinary action based on failure to cooperate in an official University investigation for employees and volunteers, and disciplinary action potentially leading to dismissal.

Opportunity to Participate. Both the complainant and the respondent will have the same opportunity to meet with the Investigator, to submit relevant documentary or other evidence, including character evidence, and to request that the investigator speak with relevant witnesses and evaluate written documents and statements. The Investigator may exclude any third party (including legal counsel, family members, or character witnesses) from such meetings and interviews. In addition, the reporting and responding parties will have timely and equal access to any information that will be used during informal and formal disciplinary meetings and hearings.

Pending criminal matters. The internal investigation will proceed whether a related criminal matter is pending or not. If there is an ongoing criminal investigation, Tuskegee will *not* wait for the conclusion of the criminal investigation or criminal proceeding to begin its own Title IX investigation. However, Tuskegee may temporarily delay the fact-finding portion of a Title IX investigation while the police or other law enforcement officials are gathering evidence, particularly if law enforcement officials, including the police and district attorney with

jurisdiction over the complaint, or other authorities request that the University stand down in order to facilitate the law enforcement investigation.

Opportunity to Respond to Report. Before a decision concerning responsibility is made or, for students, before there is a hearing, the investigation report should be provided to the respondent and to the complainant. Both parties must have an opportunity to respond to the findings, conclusions, and other information in the investigation report in writing before a decision of responsibility is made or, if there is a hearing, at a live hearing to determine responsibility.

F. Hearings for Student respondents.

The student sexual misconduct hearing process will protect both complainants and respondents and promote accountability. When the complaint involves students, the investigator's final report will be submitted to the Dean of Students for a determination as to whether to proceed with a hearing. If there is a hearing, both the complainant and respondent will be given the opportunity to present evidence and witnesses, as well as have an advisor of their choice present, though that advisor may not participate in any of the proceedings. The hearing panel shall have no authority to compel the attendance of witnesses. The following applies:

1. Both parties will be given similar and timely access to information that will be used at the hearing.
2. Any conflicts of interest between a party and the fact-finder or decision-maker at a hearing must be disclosed.
3. Both parties will be given the same opportunity to present relevant evidence and witnesses, including character witnesses.
4. If the respondent is allowed to review the complainant's statement, the complainant may also to review the respondent's statement.
5. The parties are prohibited from personally questioning each other at hearings.
6. If the institution allows attorneys to attend the disciplinary hearings, the attorneys for both sides must have the same opportunity to speak and participate.
7. If attorneys are allowed to attend in an advisory capacity both sides must have the same opportunity to provide advice.
8. Tuskegee will maintain documentation of all disciplinary hearing proceedings, including written findings of facts, transcripts, and any audio recordings.
9. The fact of a current or previous consensual dating or sexual relationship between the parties does not itself imply consent or preclude a finding of sexual violence.

For each policy violation alleged, the hearing panel must determine whether it is more likely than not that a violation of policy occurred and issue a written decision. For each policy violation charged, the written decision must include specific findings of fact and conclusions as to whether the facts support a finding of responsibility for violation of the Title IX sexual misconduct policy. The written decision will include, but not be limited to, whether the allegations were substantiated, and if so, recommended disciplinary sanctions and protective or remedial measures. If considered warranted in the judgment of the panel, the written decision may also include protective or measures for the respondent. The hearing decision will be provided to both parties, although the content of each letter may be modified subject to the limitations of FERPA and other federal or state privacy laws. In cases of alleged sexual assault, the result of the hearing and any sanction imposed with disclosed to both parties regardless of whether the hearing concludes an assault was committed.

The complainant and respondent will both be notified of the findings in writing within the same 24-hour period.¹⁰ The written decision will be relayed to the respondent and complainant, including any restrictions or sanctions. If

¹⁰ OCR recommends that a school provide written notice of the outcome of disciplinary proceedings to the reporting and

the complaint is against a faculty member or other employee, the hearing decision will be submitted to the EEO/Title IX Coordinator, who will make a recommendation concerning restrictions or sanctions to the Provost or Director of Human Resources. The Provost or Director of human resources or their designee will make the final determination as to any recommended actions or sanctions.

For matters involving student respondents only, as the decision-maker with respect to any disciplinary sanction imposed after a finding of responsibility, the Dean of Students may consider the recommendations of the panel as well as the impact of separating the student from his or her education. The disciplinary sanction decision must be made for the purpose of deciding how best to enforce Tuskegee's code of student conduct while considering the impact of separating a student from her or his education. Per the U.S. Department of Education's Interim [2017 Q & A](#), "Any disciplinary decision must be made as a proportionate response to the violation."¹¹

Any person who serves on a hearing board related to sexual misconduct will receive annual training on the University's policies and procedures related to sexual harassment and sexual violence.

For employee respondents

For employee respondents, including faculty, staff, and administrators, disciplinary processes in place for disciplinary misconduct, administered through Human Resources (for staff employees) and through Human Resources and Academic Affairs (for faculty members) shall be utilized. For faculty and staff, being found responsible for a violation of Title IX will subject the employee to discipline, up to and including termination of tenure and termination of employment.

Appeals

A student may appeal a decision to the Vice President for Student Affairs or a designee. The appeal must be submitted in writing within five business days of receiving written notification of hearing outcome.

Bases for appeal. The Vice President for Student Affairs will review the appeal on the record. An appeal will be heard where it is based on one or more of the following:

Improper hearing procedures that materially affected the outcome of the hearing; New evidence (not available at time of original hearing) has surfaced; or Imposition of an inappropriate sanction for the offense in question.

At his or her election, the Vice President for Student Affairs may have an in-person meeting with the appealing student as well as the non-appealing student. The complainant or respondent may file an appeal. Appeals filed after the deadline will not be considered.

Vice President for Student Affairs or designee other than the Dean of Students will issue a decision in writing to the appealing and nonappealing students no later than 30 days after the request for an appeal has been submitted. This deadline may be extended for good cause or in the event of complex or unusual circumstances. If this deadline is extended, the Vice President for Student Affairs or designee other than the Dean of Students shall notify the respondent and complainant of the delay in writing. The decision of the Vice President for Student Affairs shall be final.

responding parties concurrently. The content of the notice may vary depending on the underlying allegations, the institution, and the age of the students.

¹¹ In addition, its annual security report, Tuskegee shall list all of the possible sanctions that the institution may impose following the results of any institutional disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault, or stalking.

It is the responsibility of the respondent and the complainant to be aware of this policy. An appeal to the President of the University or to any University official other than the Vice President for Student Affairs shall not be heard and shall not be considered an appeal for purposes of this policy.

G. Sanctions and protective measures

Individualized services must be offered as appropriate to either or both the reporting and responding parties involved in an alleged incident of sexual misconduct. If a violation of this policy is proven by a preponderance of the evidence (*i.e.*, that it is more likely than not that sexual harassment occurred), immediate action, including protective measures, will be implemented to end the harassment and prevent its reoccurrence. For students, once a student is found responsible for a sexual misconduct violation, before a sanction is imposed, Tuskegee should consider: (1) how best to enforce its code of conduct; (2) the impact of separating a student from his or her education; and (3) whether the proposed sanction is a proportionate response to the violation. The recommended action will depend on the degree of control the school has over the harasser and the nature, frequency and severity of the substantiated sexual harassment. In all instances, the Title IX Coordinator will follow up and communicate with the complainant at the conclusion of the investigation.

Depending on whether the alleged harasser is a student, teacher, staff member, volunteer, or third party, sanctions can include a verbal warning, written reprimand, a no-contact order, short-term or long-term suspension, expulsion, or dismissal/termination. Counseling for the complainant and the respondent, as well as other protective measures, will also be considered as remedial action. In addition, the following protective measures may be imposed following a final determination of rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking:

Protective or remedial measures. Whether or not a complainant pursues a grievance, complaint, disciplinary action, or legal prosecution, he or she is eligible for protective or remedial measures. Available protective and remedial measures include, but are not limited to:

- a. Providing an escort to ensure that the parties can move safely between classes and activities;
- b. Ensuring the complainant and respondent do not share classes or extracurricular activities;
- c. Moving the respondent or complainant (if the complainant requests to be moved) to a different residence hall;
- d. Providing comprehensive, holistic victim services including medical, counseling and academic support services, such as tutoring;
- e. Arranging for the complainant to have extra time to complete or re-take a class or withdraw from a class without an academic or financial penalty; and
- f. Reviewing any disciplinary actions taken against the complainant to see whether there is a causal connection between the sexual violence and the misconduct that may have resulted in the complainant being disciplined.

Any sanction imposed on the respondent that relates directly to the complainant, such as a "no contact" order, transfer to different classes or housing, or a suspension will be disclosed to the complainant. Unless otherwise provided for by law, the complainant and respondent will not be notified of the individual remedies offered or provided other than no-contact orders. In cases of alleged sexual violence, the result of the hearing and any sanction imposed will be disclosed to both parties regardless of whether the hearing concludes an assault was committed.

I. Informal Resolution

If the complainant requests or agrees to mediation or informal resolution, he/she will not be required to work out problems directly with the respondent. Informal resolution processes may be used to resolve sexual

misconduct cases if both parties agree. The complainant has the right to terminate the informal process at any time and begin the formal stage of the complaint process.

J. Alleged student perpetrator's rights under the Family Educational Rights and Privacy Act (FERPA)

Under FERPA, an alleged student perpetrator may ask to inspect and review information about the allegations against him or her if the information directly relates to the respondent and is maintained as an education record. In such a case, Tuskegee will either redact the complainant's name and all identifying information before allowing the respondent to inspect and review the sections of the complaint that relate to him or her, or notify the respondent of the specific information in the complaint that is about the respondent. See 34 C.F.R. § 99.12(a).

K. Non-retaliation

Retaliation against a student, employee, or other individual who reports or complains about sex discrimination to an appropriate school official or participates in a report, investigation or proceeding involving a claim or allegation under this policy because he or she made a complaint, testified, or participated in an investigation or proceedings is prohibited.

L. Dissemination of policy

This policy must be distributed to:

1. Students
2. Administrators, faculty, other employees, and volunteers
3. Applicants for admission
4. Application for employment

This policy must be available:

1. On the school website
2. In hard copy at multiple campus locations
3. In both printed and electronic publications, including student, staff, and faculty handbooks, codes of conduct, and catalogs

M. Available Resources for Complainants and Respondents

Campus Resources

Tuskegee University Wellness Center

Services: 8:00 a.m. to 4:30 p.m. Monday through Friday.

Telephone number: (334) 727.8244

Student Health Services

Suite 71-235, John A. Kenney Hall

Phone: 334.727.8641 or 334.727.8642

Fax: 334.724.4437

Phone (Interim Director): 334-724-4746

Chapel (Clergy)

Dean Gregory Gray, Ph.D

Phone: 334.727.8702

Email: ggray@tuskegee.edu

Tuskegee University Police Department

Location: Tompkins Hall Suite-200

Emergency Number: 334.724.4911 (On-campus dial 4-911)

General Information: 334.727.8756

Confidential Hotline: 334.724.4583

Emergency Medical Services

334.724.4911 (On-campus dial 4-911)

Vice-President for Student Affairs

334.724.4746

Dean of Students

334.727.8421

Residence Life and Development

334.727.8915 or 8930

Housing

334.724.8100 or 4617

Off-Campus Resources

New Directions Behavioral Health

Toll Free: 800-624-5544

Web: www.ndbh.com

Login code: Tuskegee

Crisis Assistance

1.800.650.6522

www.acar.org

City of Tuskegee Police

334.727.0200

Macon County Sheriff

334.727.2500

References:

[U.S. Department of Education Q & A on Campus Sexual Misconduct](#)

The [Violence against Women Reauthorization Act of 2013](#), (VAWA), also known as the Campus Sexual Violence Elimination Act (Campus SaVE Act).

[Title IX of the Education Amendments of 1972](#), as amended.

[Title VII of the Civil Rights Act of 1964](#), as amended.

The [Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act](#), as amended
October 26, 2010 [Dear Colleague Letter](#) on harassment and bullying, issued by the U.S. Department of Education
April 24, 2013, [Dear Colleague Letter](#) on Title IX retaliation, issued by the U.S. Department of Education.

[Title IX Legal Manual](#). U.S. Department of Justice Civil Rights Division.

[Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties](#)

[Office for Civil Rights Dear Colleague Letter on Sexual Harassment](#)