



MARQUETTE
UNIVERSITY

HANDBOOK FOR
FULL-TIME
FACULTY

FROM THE PRESIDENT

Marquette University, since opening its doors in 1881, has constantly pursued intellectual excellence with explicit attention to religious faith and moral values, encouragement and development of leadership skills, and the promotion of justice and faith through service to others. We want to help our students become leaders in our contemporary world, exemplary in their chosen academic and professional fields, and, most important, marked in their personal and professional lives by the Jesuit values we share with them.

To remain faithful to this heritage and achieve our goals, we first and foremost depend upon talented and dedicated faculty members. Throughout our history, we have succeeded in attracting and retaining outstanding educators, and I am pleased that you are a member of our Marquette community. I thank you for the countless ways in which you enable the university, amid our vibrant and challenging urban environment, to provide quality undergraduate, graduate, and professional education in an atmosphere of care and faith.

This handbook is designed to be a helpful source for answering questions you may have about Marquette University and its policies, helping make your work here satisfying and productive. May God bless all of us abundantly in our commitment to the advancement of knowledge within our respective disciplines and to the students whose lives we will positively guide both inside and outside the classroom.

Best,

Michael R. Lovell
President

MARQUETTE UNIVERSITY

Office of the Provost

FACULTY HANDBOOK

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MISSION STATEMENT

Marquette University is a Catholic, Jesuit University dedicated to serving God by serving our students and contributing to the advancement of knowledge. Our mission, therefore, is the search for truth, the discovery and sharing of knowledge, the fostering of personal and professional excellence, the promotion of a life of faith, and the development of leadership expressed in service to others.

Excellence

Our students, whether traditional or non-traditional, undergraduate, graduate or professional, come to Marquette University to share our commitment to the pursuit of excellence in all things as a life-long endeavor. They come to join a community whose members - faculty, staff, students, trustees, alumni and friends alike - believe that education must encompass the whole person: spiritual and moral as well as intellectual, the heart as well as the mind. And they come seeking the educational, professional and cultural advantages of a university located in the heart of the city. We, in turn, take seriously our responsibility to foster and support excellence in teaching and research, to keep a Marquette education accessible to a diverse population of students, and to offer personal attention and care to each member of the Marquette community.

Faith

As a Catholic university, we are committed to the unfettered pursuit of truth under the mutually illuminating powers of human intelligence and Christian faith. Our Catholic identity is expressed in our choices of curricula, our sponsorship of programs and activities devoted to the cultivation of our religious character, our ecumenical outlook, and our support of Catholic beliefs and values. Precisely because Catholicism at its best seeks to be inclusive, we are open to all who share our mission and seek the truth about God and the world, and we are firmly committed to academic freedom as the necessary precondition for that search. We welcome and benefit enormously from the diversity of seekers within our ranks, even as we freely choose and celebrate our own Catholic identity.

Leadership

As a Jesuit university, Marquette embodies the intellectual and religious traditions of the Society of Jesus. Through an academically-rigorous, values-centered curriculum, our students receive a firm grounding in the liberal arts, preparation for work in a world of increasing complexity and diversity, and formation for life as ethical and informed leaders in their religious, cultural, professional and civic communities. They work with and learn from faculty who are true teacher-scholars, whose research not only advances the sum of human knowledge, but also informs their teaching, and whose commitment to students is fundamental to their intellectual and professional lives.

Service

Through both our academic and co-curricular programs, Marquette strives to develop men and women who will dedicate their lives to the service of others, actively entering into the struggle for a more just society. We expect all members of the Marquette community, whatever their faith tradition, to give concrete expression to their beliefs by giving of themselves in service to those in need.

All this we pursue for the greater glory of God and the common benefit of the human community.

STATEMENT OF AFFIRMATIVE ACTION

Marquette University has proclaimed on a number of occasions, both public and private, that historically as a Christian and Catholic institution it is dedicated to the proposition that all human beings possess an inherent dignity in the eyes of their Creator and equality as children of God. The University entirely and consistently disowns, as a matter of principle, any unlawful or wrongful discrimination against the rights of others. It tolerates no such discrimination in its internal affairs and deplores such discrimination wherever it may exist. The University is committed to the principle of equal opportunity in admissions, financial aid, employment, and housing regardless of race, color, gender, age, sexual orientation, religion, disability, veteran's status or national origin. The University is also committed to the principle of affirmative action.

While Marquette does not discriminate in any manner contrary to law or justice in its educational program or activities, including employment and admissions practices, it cherishes its right and duty to seek and retain personnel who will make a positive contribution to its religious character, goals, and mission.

As Marquette is a religious educational institution with Jesuit orientation, sponsorship, and support, it reserves the right to maintain its heritage and destiny as a Christian and Catholic witness in higher education. As a religious educational institution, the University may grant preference to Jesuits in its employment practices.

The Affirmative Action Office, located in Straz Tower room 185H, is a resource for employees and students on issues related to the university's equal employment opportunity and affirmative action policies and programs. Members of the Marquette University community may contact the Director of Affirmative Action with a concern relative to affirmative action, to seek information or counsel or to file a complaint regarding employment discrimination, with the exception of areas related to disability or veteran's status which should be reported to the Director of Human Resources. The university is committed by law, and in spirit, to affirmative action in all its employment policies and practices.

**ORGANIZATION OF THE UNIVERSITY AND
FACULTY PARTICIPATION IN UNIVERSITY GOVERNANCE**

I. Organization of the University

Marquette University is governed as an independent private corporate entity of the State of Wisconsin, conducted under the auspices, and consonant with the educational principles, of the Society of Jesus.

The governing board of the University consists of no fewer than twenty-five nor more than forty Trustees, of whom no fewer than eight nor more than eleven must be members of the Society of Jesus including the President of the University.

The bylaws of the corporation provide for the following University officers in addition to the Chairperson and Vice Chairperson(s) of the Board: President, Corporate Vice President, Secretary, Treasurer, Assistant Secretary, and Assistant Treasurer. The bylaws also provide for an Executive Committee of the Board of Trustees, composed of the Chairperson and Vice Chairperson(s) of the Board, the President, and at least four other members of the Board who are elected by the full board.

The standing orders for the Board provide for six standing subcommittees: Academic Excellence; Advancement and Public Affairs; Enrollment and Marketing; Finance and Audit; Governance and Administration; and Student Experience and Athletics. Full legal jurisdiction in all that pertains to the University is vested in the Board of Trustees. With the usual powers and functions belonging to such bodies, the Board of Trustees is a self-perpetuating body which possesses all financial, fiduciary, and academic authority.

The President of the University is chief executive officer and reports to the Board of Trustees. The Provost reports directly to the President. Vice Provosts and Deans report to the Provost in the Academic Division. The primary operational areas of the University include: Administration; Finance; General Counsel; Public Affairs; Student Affairs; and University Advancement. A more detailed organizational outline, including the names of University staff officers and specific departments within each operational area, can be found on the Marquette website.

II. Faculty Participation in Academic Governance

The University recognizes the importance of meaningful faculty participation in its governance and acknowledges its value. Faculty engagement enhances communication, collegiality, and helps both to improve the quality of decision-making and to ease the way for subsequent implementation. In order to facilitate wide faculty participation, the University will provide opportunities for faculty representation and responsibility commensurate with the faculty's role in the University community generally. In particular, it recognizes that faculty involvement in academic or administrative areas in which they have particular experience and expertise is essential to the vitality and efficient operation of the University as a whole. The faculty, in turn, recognizes its ordinary responsibilities to serve on committees and in posts at the department, college, school, and university levels.

University officers will make all reasonable efforts to afford appropriate faculty representatives and bodies the time and material necessary for careful consideration of issues and appointments submitted to them. University officers will also take all necessary steps to ensure that the views of faculty members involved in such proceedings shall be privileged.

Faculty participation endows the University naturally with particular experience and expertise. It is essential for the vitality of the University to ensure a wide faculty representation in its bodies and its formulation of policies.

1. University Academic Senate

The University Academic Senate is a deliberative body with responsibilities for academic policy formulation of an all-University character and for the review and evaluation of academic programs and planning. Its conclusions on academic policy, academic planning, and program evaluation represent the official collective stance of the Academic Division, and they will be reported as such by the Provost, to the appropriate higher authorities. Recommendations of the Academic Senate are subject to the approval of the President and the Trustees.

The University Statutes for the University Academic Senate can be found in this *Faculty Handbook* in Section II-B.

2. Departmental Organization

The chairpersons of all departments are appointed by the Provost and the appropriate academic Dean following deep and effective involvement of the appropriate faculty in the selection process.

Advisory committees are established within each department as a medium for faculty participation in departmental direction. In some departments the committee in question is strictly an advisory committee, in others it is an executive committee; the choice in either case is left to departmental determination.

STATUTES OF THE UNIVERSITY ACADEMIC SENATE

Approved by Scott R. Pilarz, S.J., President on August 27, 2013

Approved by University Academic Senate on August 26, 2013

PREAMBLE

The Marquette University Board of Trustees, President, Provost and administration endorse shared governance as a process in which the faculty has an essential role as participants in deliberations regarding academic and administrative areas that affect the academic mission of the University. Overall, shared governance improves communication, collegiality, and decision-making about the academic mission and about the effective and efficient use of University resources in keeping with strategic initiatives. Shared governance operates through the UAS, its standing committees and task forces as well as advisory boards and other representative groups.

Faculty members and their administrative colleagues have distinctive responsibilities and outlooks in pursuing academic excellence. Faculty members participate in shared governance at the department, college, school and university levels through boards and committees that are responsible for academic issues. In shared governance, administrators consult with such faculty bodies in a timely manner and give serious consideration to their recommendations before decisions and actions are taken. When a decision varies from faculty recommendation, administrators will promptly discuss this with the relevant academic group prior to the decision being implemented. In rare instances when time will not allow a discussion, administrators will provide notification with rationale to the relevant academic group prior to implementation of the decision. Faculty members acknowledge that the ultimate responsibility for the operation of the University resides with the Board of Trustees and the President.

The University Academic Senate (UAS) is the primary vehicle for university-wide shared governance and commits itself to fostering a culture of collaboration and participation. As a deliberative body, the shared governance responsibilities of UAS include:

- academic planning
- review and evaluation of programs, Centers and Institutes
- overseeing and evaluating the work of UAS boards and committees
- acting on recommendations proposed by UAS boards and committees
- appraising initiatives and policies relevant to the faculty and the academic mission of the university
- responding to faculty, administrative and student concerns

ARTICLE 1 – RIGHTS AND RESPONSIBILITIES

The University Academic Senate (UAS) fulfills its role of leadership and governance on behalf of the faculty through participation in decisions on the academic life of the University and obtaining the information needed to fulfill its responsibilities.

Section 1.0 Definition of Rights and Responsibilities

- 1.01** The UAS approves the following for recommendation to the Provost:

- a) Major curricular changes, including initiation or termination of degrees, programs, majors, and revision of the University core curriculum.
 - b) Organizational changes, including establishing or eliminating Schools, Colleges, Centers and Institutes, Marquette-sponsored study abroad programs and on-line programs;
 - c) Changes to the UAS Statutes, policies and/or procedures, including changes in the structure and descriptions of the committees and boards which report to the UAS
 - d) Changes in the University norms for faculty appointment, promotion and tenure, and faculty evaluation policies
 - e) Changes in the University's student evaluation of teaching forms.
- 1.02** In collaboration with the Provost, the UAS
- a) Discusses and evaluates decisions with major impact such as the strategic plan, academic planning, enrollment, tuition, and the University budget.
 - b) Provides input on the work of academic programs, Centers and Institutes; and the work of other boards/committees that report to UAS,
 - c) Provides input on campus and facilities planning, resource allocation, information technology, campus security, institutional research, academic calendar, academic programming, compensation, and employee benefits.
- 1.03** In a situation in which the UAS believes it has been insufficiently consulted, the UAS:
- a) Will document the issue in the public record.
 - b) Will request a special meeting between the UAS Executive Committee and the Provost.
 - c) May request a special meeting between the UAS Executive Committee and the President.
 - d) May take a vote of no confidence.

Section 2.0 The Executive Committee (amended by UAS on January 23, 2017)

The Executive Committee is comprised of the Presiding Chair of the UAS, the Provost who serves as Co-Chair, the UAS Vice-Chair, the UAS Secretary, the Chair of Faculty Council, one Dean elected by and from the Dean members of the UAS, and two faculty Senators elected annually by the UAS members. At least three different schools/colleges must be represented on the Executive Committee.

- 2.01** The Executive Committee sets the agenda for UAS meetings
- 2.02** In accordance with shared governance, the UAS Executive Committee will be invited to discuss and evaluate new permanent appointments to major academic administrative positions with the Provost and/or President prior to offer being extended.
- 2.03** In time sensitive situations, the Executive Committee may act on behalf of the UAS
- 2.04** At least once each semester the Executive Committee shall meet with the President of the University.

Section 3.0 Revision of Rights and Responsibilities

- 3.01** Every fourth year the University Academic Senate shall review the statutes and bylaws, supervised by the Executive Committee with advice from the Provost.
- 3.02** Any change in the statutes of the UAS requires a two-thirds vote, concurrence of the Provost and approval of the President within three months of the UAS vote. Any proposal for revision of the statutes must be given at the regular meeting preceding the meeting in which a vote may be called.

ARTICLE 2 – MEMBERSHIP

Section 1.0 **Definition of Members** (amended by UAS on September 21, 2015, April 18, 2016 and May 2 2016)

Membership on the University Academic Senate shall consist of the following: Twenty-eight elected faculty members; the Dean of the Klingler College of Arts and Sciences; two out of the ten Deans from the other nine schools and colleges and the Raynor Library; three elected students; the Vice Provost for Academic Affairs; the Vice Provost for Graduate and Professional Studies and Dean of the Graduate School; and the Provost; for a total of 37 Senators

1.01 University Academic Senate Faculty Members

- a) The twenty-eight faculty representatives shall be elected to the Senate for terms of three years.
- b) Senators may be re-elected without limit.
- c) All full-time regular faculty, and full-time participating faculty (including Instructors and Librarians) who have completed at least two-and-one-half years of continuous service in rank at Marquette University, are eligible for election.
- d) Twenty-one faculty members shall be elected by and from the faculty of the schools and colleges they represent as follows:
 1. Two Senators from each School or College except the Klingler College of Arts and Sciences. (16 Senators)
 2. Four Senators by and from the faculty of the Klingler College of Arts and Sciences (4 Senators)
 3. One Senator from the full-time participating faculty librarians (1 Senator)
- e) The Committee on Committees and Elections (COCE) shall organize the election of seven Senators as follows:
 1. Four Senators at-large from regular faculty
 2. Two Senators at-large from participating faculty
 3. One Senator at-large from the part-time faculty who has taught at least one undergraduate course each semester at Marquette University continuously for the previous two-and-one-half years.

1.02 University Academic Senate Dean Members

- a) Two Senators shall be elected by the Dean's Council (with the exception of the Dean of the Klingler College of Arts and Sciences) for one year terms and may be re-elected without limit.
- b) The Dean of the Klingler College of Arts and Sciences is automatically a Senator.

1.03 University Academic Senate Student Members

- a) Two Senators shall be from the full-time undergraduate student body. Each shall serve a one-year term. The Marquette University Student Government shall organize and supervise the appointment process for the undergraduate members.
- b) One Senator shall be from the professional or graduate student body. The Senator shall be selected by a committee of representatives from student associations or other appropriate student-led organizations with the assistance of the Graduate School.

Section 2.0 **Terms of Service and Voting Privileges**

2.01 The terms of service for each member of the UAS shall begin and end at the annual organizational meeting in May in the year of the term onset and expiration. Terms of service shall be three years except were otherwise specified.

2.02 Each member may cast one vote on each issue.

Section 3.0 Resignation, Absence or Sabbatical

- 3.01** A Senator will cease to be a member of UAS if he or she submits a resignation in writing to the UAS Presiding Chair.
- 3.02** A Senator who has three or more absences within a year will meet with the UAS Executive Committee regarding fulfilling his/her term on the UAS.
- 3.03** A Senator on sabbatical will be replaced for a semester if the sabbatical is for one semester or a year if the sabbatical is for a year.

Section 4.0 Replacing Terminated or Resigned Members

In the event that a Senator is unable to complete the term, the Senator shall resign as close to the beginning of the period of unavailability as is practicable. Senators representing a College or School shall be replaced by that body. For Senator-at-Large positions, the vacancy shall be filled by the COCE. The person succeeding the vacated position shall serve the balance of the term.

ARTICLE 3 – OFFICERS

Section 1.0 The Presiding Chair of University Academic Senate

The Presiding Chair of the UAS shall be a full-time, tenured faculty member elected annually at the final meeting of the UAS in the year preceding his/her term. The Presiding Chair receives a one course buyout per year. The term of office shall not exceed three consecutive years.

The Presiding Chair shall:

1. Formulate the draft agenda for full UAS meetings
2. Convene and lead the meetings of the Executive Committee and the full UAS
3. In extreme circumstances, the Chair is empowered to act on behalf of the UAS until such time as the Chair can convene the Executive Committee
4. Serve as a member of University Leadership Council (ULC)
5. Attend a Dean's Council meeting along with the UAS Vice-Chair at least once a semester
6. Meets with the Board of Trustees Committee on Academic Excellence once a year

Section 2.0 The Vice-Chair of University Academic Senate

The Vice Chair of the UAS shall be a full-time, tenured faculty member elected annually at the final meeting of the UAS in the year preceding his/her term. The Vice-Chair receives a one course buyout per year. The term of office shall not exceed three consecutive years.

The Vice Chair shall:

1. Serve as ex-officio member of the Faculty Council and on the Faculty Council Executive Committee.
2. Preside over the UAS in the absence of the Presiding Chair.
3. Serve as a member of University Leadership Council (ULC)
4. Attend a Dean's Council meeting along with the UAS Chair at least once a semester
5. Meets with the Board of Trustees Committee on Academic Excellence once a year

Section 3.0 The Secretary of University Academic Senate

The Secretary of the UAS shall be a full-time faculty member elected annually at the final meeting of the UAS in the year preceding his/her term and may be re-elected. The Secretary receives a one course buyout per year.

The Secretary shall:

1. Oversee the accuracy of and corrections to the UAS meeting minutes, which will be recorded by the Executive Administrative Assistant to the Provost.
2. Work with the Provost's office to ensure proper distribution of meeting materials, meeting arrangements, posting of UAS documents to the website, and supplemental activities.
3. In cooperation with the Provost's office, provide the UAS an annual summary of conclusions/recommendations made by the UAS, and any decisions or actions made on those conclusions/recommendations.
4. Provide any necessary information and coordination for the COCE in holding elections for the UAS.
5. Preside over the UAS in the absence of the Presiding Chair and Vice Chair.

Section 4.0 The Provost as Co-Chair of University Academic Senate

The Provost is the Co-Chair of the UAS ex-officio.

The Provost shall:

1. Provide important University information including his/her own perspective and that of the President and the Board of Trustees on matters pertinent to the UAS
2. Represent the deliberations of the UAS to the President and the Board of Trustees.
3. Provide necessary business items to the UAS,
4. Assist in setting the UAS agenda with the Presiding Chair and the Executive Committee.

The Provost's office shall provide administrative assistance to the Chair and the UAS Executive Committee for the business and meetings of the UAS.

A Vice-Provost, designated annually by the Provost, shall serve in place of the Provost in the event of her/his absence.

ARTICLE 4 – STANDING COMMITTEES

Section 1.0 Standing Committees that Report to the UAS

1.01 The Faculty Council (amended by UAS on January 26, 2015)

The Faculty Council (FC) performs three different roles in the university's shared governance structure:

1. It monitors academic governance issues, provides a forum for discussing and vetting matters of immediate academic and professional importance, and draws upon the collective experience and knowledge of the faculty as a consultative body for the Senate.

Responsibilities:

- a. Establishes and monitors formal procedures for faculty involvement in academic and administrative decisions affecting the faculty and fulfilling the University mission.
- b. Provides a forum for discussion on matters of immediate concern to any faculty member
- c. Gathers input and advice from faculty on matters that might require in-depth discussion and interviews with various constituencies, especially in response to UAS requests.
- d. Refers matters for continued discussion or long-range planning to the appropriate UAS committee(s).

- e. Collaborates with the UAS and the Provost to identify matters of vital and timely importance and organizes, publicizes and hosts forums as needed during the year open to the entire University community for discussing and communicating these matters.
 - f. Organizes, publicizes and hosts at least one forum with the President of the University each calendar year open to the entire faculty
 - g. Monitors the state of shared governance and the effectiveness of communication and collaboration between the faculty and various levels of the administration.
 - h. Annually reports to the UAS the state of shared governance with strategies for enhancement.
2. It pursues long-range planning and vision of the academic mission of the University as it transcends individual programs, schools and colleges. Its business may be initiated by the UAS, the Provost, other UAS bodies, or individual faculty.

Responsibilities:

- a. Provides consultative input and reporting to the Senate.
 - b. Provides a forum for discussion and in-depth study of issues not feasible on the Senate floor.
 - c. Reviews and analyzes University academic policies and practices such as academic standards, grading policies and guidelines for initiating and terminating academic programs.
 - d. Contributes to long-range strategic planning by evaluating issues such as instructional delivery models and technical support, balancing of faculty lines, teaching loads and expectations, and student support and opportunity frameworks.
 - e. Provides consultation to and for the University Board of Undergraduate Studies and the University Board of Graduate Studies as requested by the UAS or by either Board.
3. It provides consultation to the Senate and a forum for discussion of long range planning regarding overall faculty welfare that may be initiated by the UAS, the Provost, other UAS bodies, or individual faculty. Faculty welfare issues range from faculty development, mentoring, training and evaluation to University and academic support services, compensation and fringe benefits.

Responsibilities:

- a. Provides a regular forum for discussion of issues and planning regarding faculty welfare.
- b. Provides review, analysis and recommendations to the UAS on policies and issues regarding faculty welfare.
- c. Serves as liaison to the Joint Committee on Employee Welfare by designating one member to serve.

Membership: Thirteen voting members: twelve elected to three-year terms and two ex-officio members. Arts and Sciences faculty will elect 2 members, while each of the other colleges and the librarians will each elect 1 member. Ex-officio members will be the vice-chair of the UAS and the chair of the Subcommittee on Part-Time Faculty. Each year FC members will elect a vice chair. The vice chair will automatically become the chair the following year. Elected members will be selected according to the rules of each unit.

Faculty Council Executive Committee: The Faculty Council Chair, Vice Chair and UAS Vice Chair will constitute the Faculty Council Executive Committee to schedule meetings and set agendas. The Faculty Council Chair will attend UAS meetings and along with the UAS Vice Chair serve as a liaison to the UAS.

1.01.1 Faculty Hearing Committee (amended by UAS January 26, 2015)

The Faculty Hearing Committee (FHC), an independent subcommittee of the Faculty Council, hears grievances of two types:

1. The FHC is an advisory body in cases of contested appointment, non-renewal, suspension, or termination of faculty for absolute or discretionary cause. In such cases, it will follow the Procedures for Cause, Chapter 307 of the Statutes on Faculty Appointment, Promotion and Tenure, whereby it reports direct to the University President.
2. The FHC considers written complaints, other than the above, in which a faculty member alleges that an administrative decision affecting the complainant is unfair, unjust, or in violation of established policies, procedures, or statutes of Marquette University. Such grievances include but are not limited to allegations of irregularities regarding teaching evaluations, annual reviews, salary determinations, reprimands, reappointments, dismissals, tenure, and promotion. However, among grievances concerning denial of promotion and/or tenure or the termination of an untenured faculty member, only those that allege procedural irregularities in the promotion and tenure or termination processes fall under the purview of the FHC. In such cases, it will follow the Faculty Grievance Procedures, Section III.D of the Faculty Handbook, whereby it reports to the Provost.

Membership: Seven tenured, full-time faculty members, elected through the COCE to three-year terms. Five members shall constitute a quorum.

*Confidentiality: Deliberations, records or minutes of the Faculty Hearing Committee regarding grievances presented to it in due course as contemplated by the Faculty Handbook, as well as any information presented to the Committees in conjunction with those issues, will remain confidential with respect to third parties, subject to legal process recognized by the State of Wisconsin. Confidentiality may also be suspended in the event of legal action against the University.

1.01.2 Subcommittee on Part-time Faculty (amended by UAS on January 26, 2015)

The Subcommittee on Part-time Faculty (SPTF), a subcommittee of the Faculty Council (FC), provides a forum for discussing and addressing matters of particular concern to the part-time, non-tenure-track faculty. Discussion topics may be initiated by the UAS, the Provost, other UAS bodies, or individual faculty.

Responsibilities:

1. Provides a regular forum for discussion of issues regarding part-time faculty welfare and practices.
2. Provides review, analysis and recommendations to FC on policies and issues regarding part-time faculty.
3. Provides an annual report to FC to be incorporated in the FC annual report to the UAS.

Membership: Six faculty members, at least two-thirds of whom are part-time faculty members, appointed to three-year terms. Appointment will be made by the UAS Executive Committee via recommendation of the Subcommittee Chair.

1.02 Committee on Diversity and Equity (amended by UAS on January 26, 2015)

The Committee on Diversity and Equity is responsible for ensuring, promoting, facilitating, and monitoring diversity and equity opportunities at Marquette University. Its business may be initiated by the UAS, the Provost, other UAS bodies, individual faculty, academic staff, or undergraduate, graduate, or professional students. The Committee on Diversity and Equity defines the terms diversity and equity in the following manner: Diversity refers to the experience of each member of the University community; with the understanding that each individual possesses unique social identities and that some of these social identities can intersect. Our commitment to diversity also includes cultivation of a climate that respects and values individual differences. Thus, the principles of diversity and inclusion refer to

characteristics of each social identity* (including the intersection of multiple identities) as well as systemic factors that lead to an inclusive community and environment.

Equity is the full embrace of equality and fairness. The term equality is defined to mean that an individual should receive fair and similar treatment within a given community. Fairness means just treatment of all persons within the University community with an acknowledgment that persons with certain social identities have historically been oppressed within society.

Therefore, it is important to recognize that personal, cultural, institutional, and organizational discrimination and stigmatization along social identities creates and sustains privileges for some while creating and sustaining oppression for others. Further, the Marquette University community embraces the ethic of *cura personalis*, and shares a commitment to moving beyond tolerance to embracing diversity.

***Note:** In keeping with Marquette University's Catholic Jesuit mission and with respect for all individuals, social identity is meant to be inclusive. Examples include but are not limited to race, ethnicity, national origin, immigrant status, gender, sex, sexual orientation, gender identity, age, physical ability, cognitive ability, mental illness, religious beliefs, physical appearance, income or economic background, military status, geographic location, marital status, education, parental status.

Responsibilities:

1. Promotes diversity and equity opportunities at Marquette University. The term promote includes but is not limited to the following activities: building alliances across social identities; instilling values and providing tools that enable members of the University community to work together to eradicate all forms of individual and institutional discrimination and oppression; practicing mutual respect for social identities; and exploring differences and similarities in a safe and nurturing environment.
2. Ensures that diversity and equity opportunities are available at Marquette University. The term ensure includes but is not limited to the following activities: supporting and planning ongoing activities related to diversity and equity; facilitating analysis of gaps, needs and opportunities.
3. Monitors diversity and equity opportunities at Marquette University. The term monitor includes but is not limited to the following activities: synthesis and critical analysis of reports related to faculty hiring, retention, promotion, and salary.
4. Provides an annual report to the University Academic Senate.
5. The Committee may: Undertake campus-wide assessment of diversity or equity, as directed by the President of the University, or other university official. The term assessment includes but is not limited to the following activities: collaboration with administration to obtain the data necessary to analyze and report comparisons with prior data and internal and external benchmarks.

Membership: Includes six faculty members representing a broad range of disciplines and two participating faculty members, one from the library and one adjunct. All members are appointed by the Provost with recommendations offered by the committee. The Marquette University Student Government will select one undergraduate student and the Graduate Student Association will select one graduate student and one professional student to serve on the Committee. The Associate Provost for Diversity and Inclusion, the Director of the Gender and Sexuality Resource Center and the Ombudsman will be ex-officio members of the Committee. Voting members are appointed for three-year terms. The chair is a faculty member elected by the members of the Committee. Student member responsibilities only include those responsibilities outlined in UAS statutes Section 1.02, "1" and "2".

1.05 *Committee on Committees and Elections*

The Committee on Committee and Elections (COCE) reports to the UAS.

Responsibilities:

1. Selects the non-elected faculty members of such University committees as assigned to it by the UAS or the Provost. Nominations shall be sought from faculty, Deans, the Provost, and other sources (including Vice-Presidents) as the COCE deems appropriate.
2. Plans and supervises such elections as assigned to it by the UAS or the Provost.
3. Provides an annual written report to the UAS.

Membership: One faculty member with five consecutive years of service from each of the colleges, schools, and Raynor Memorial Libraries that request direct representation, selected according to the rules of each unit and appointed by the Provost. The Klinger College of Arts and Sciences may have a member serving from each of the three areas (Humanities, Natural Sciences, and Social Sciences). Members are appointed for three-year terms and the committee shall elect its own chair.

1.06 *Operational Policies of Standing Committees and their Subcommittees that Report to the UAS* (amended by UAS on January 26, 2015)

- 1.06.1** At their discretion, committees and subcommittees may create ad hoc task forces or appoint temporary members for such periods and for such duties as they deem warranted, such as to address specific tasks and projects.
- 1.06.2** Each committee and subcommittee shall elect its own Chair and shall function in accordance with the general bylaws adopted by the University Academic Senate. Standing and Subcommittee members shall meet UAS membership criteria (Statutes Article 2, Section 1.01), except as otherwise specified. All committee chairs must be current, full-time faculty employees of Marquette University, with the exception of the Subcommittee on Part-time Faculty, which may be chaired by a current, part-time faculty employee. (amended March 10, 2008 by UAS)
- 1.06.3** When a vacancy arises for elected positions, other than at the end of a term, the candidate receiving the next highest number of votes in the election to the position vacated shall be appointed to the vacancy and, if that candidate should be for any reason unavailable, such vacancies, however created, shall be filled as the body or unit represented determines, except that as to the faculty elected-at-large positions, the vacancy shall be filled as the Committee on Committees and Elections shall determine. For vacancies arising in appointed positions, a successor shall be appointed and approved by the Chair of the committee. By whatever procedure the committee vacancy is filled, the person succeeding to the vacant position shall serve for the time of the vacancy (e.g. sabbatical) or the remainder of the term of the representative replaced. The person requiring replacement for their term will notify the chair of the committee and the chair of COCE of their intent to return or vacate for the remainder of their term. Committee chairs will inform the office of the Provost who will work with COCE on identifying a replacement.
- 1.06.4** A simple majority of each committee or subcommittee shall constitute a quorum except as otherwise specified herein.
- 1.06.5** Members shall serve terms of three years, except in the case of Senator members to standing committees and subcommittees, whose terms shall be annual. Terms begin and end August 15th of each year.
- 1.06.6** Committees and subcommittees that contribute no business to UAS and are not utilized by the UAS for a period of three years shall be reviewed by the Executive Committee for dissolution, with the exception of the Faculty Hearing Committee.
- 1.06.7** Each standing committee shall report directly and regularly to UAS. UAS meeting time shall be allocated for such reporting.

Section 2.0 Standing Committees/Boards that Report to the UAS and Provost

2.01 *University Committee on Faculty Promotions and Tenure* (amended by UAS on October 19, 2015)

The University Committee on Faculty Promotions and Tenure reports to the UAS on policy matters and to the Provost regarding recommendations on promotion and tenure.

Responsibilities:

1. Reviews and evaluates the proposal for promotion of regular faculty including recommendations of the faculty rank and tenure local committees (area, college or school).
2. Submits votes on promotion and tenure decisions, with a chair's summary of the confidential discussion provided to the Provost.
3. Conducts regular review and revision of the Statutes on Faculty Appointment, Promotion and Tenure for approval by the University Academic Senate.
4. Reviews new or revised departmental or college specific norms for congruence with University criteria.

Membership: The chairpersons of the faculty rank and tenure local committees noted above. The Vice Provost for Faculty Affairs, or a substitute as designated by the Provost, shall serve as Chair and non-voting member.

Note: No candidate for promotion shall be entitled to appear before or participate in the deliberations of the Committee.

2.02 *University Board of Undergraduate Studies* (amended by UAS October 21, 2013 and September 21, 2015)

The University Board of Undergraduate Studies is a standing committee of the University Academic Senate. The Board addresses undergraduate educational affairs that affect more than one college, school, or program and serves as a forum for the discussion of the development, coordination, integration, and improvement of all undergraduate education.

Responsibilities:

1. Recommendations on new degrees or majors, minors, and the discontinuance of degrees, majors, or minors.
2. Regular review of established policies and recommendations which include the formulation of new policies or the revision of existing policies.
3. Reviews regularly reports on institutional undergraduate learning assessment results, including reports from the Core Curriculum Review Committee and others as appropriate.
4. Participation in long-range academic planning at the undergraduate level.
5. Appraisal of the quality of undergraduate education through participation with the University Board of Graduate Studies in the periodic internal and external academic reviews of each department.
6. Provides an annual report to the UAS.

Recommendations of the Board on policy, student assessment evidence, and planning are forwarded to the Provost for approval and reported to the UAS for information.

Recommendations of the Board on curricular matters such as credit hour and substantive content changes to the Core of Common Studies, on new degrees or majors, and on discontinuance of degrees or majors are forwarded to the UAS for approval.

Membership: The Board is composed of one faculty member who regularly participates in undergraduate teaching (tenure preferred) from each area (Humanities, Natural Sciences and Social Sciences) of the Klingler College of Arts & Sciences and from each college and school that has an undergraduate program selected according to the rules of each unit and appointed by the Provost and two undergraduate students, selected by Marquette University Student Government. The faculty members shall serve three-year terms and the student members a one-year term. In addition, one faculty UAS Senator will be elected by the UAS to an annual term to serve as liaison to the UAS. The Assistant Vice President of Student Development will be an ex-officio non-voting member. The Vice Provost for Academic Affairs serves as an ex-officio non-voting member. *The Core Curriculum Review Committee Director will be an ex-officio non-voting member. The Chair of the board will be a faculty member elected by the voting members.

2.02.1 *Core Curriculum Review Committee* (amended by UAS on April 18, 2016)

The Core Curriculum Review Committee working with the Director of the Core Curriculum shall be responsible for the development, maintenance, assessment, and evaluation of the University Core of Common Studies.

Responsibilities:

1. Approves new courses for the Common Core.
2. Reviews periodically core courses in the core knowledge areas with recommendations for improvement.
3. Designs assessment processes for the common core.
4. Reviews annually the evaluation of student learning assessment evidence for core learning outcomes.
5. Makes recommendations regarding the improvement of student learning in the common core.
6. Reports to the University Board of Undergraduate Studies (UBUS) on a regular basis and forwards any recommended changes in credit hour and knowledge requirements for UBUS approval.

Membership: Faculty members, preferably tenured with undergraduate core experience, selected according to the rules of each unit and appointed by the Provost. Seven voting representatives from the Klingler College of Arts and Sciences: one each from English, History, Math, Philosophy, Theology, the Natural Sciences (Biology, Chemistry, Physics), the Social Sciences (Political Science, Psychology, Social and Cultural Sciences). Seven voting representatives from each of the other colleges with undergraduates: Business Administration, Communication, Education, Engineering, Health Sciences, and Nursing. One voting representative with expertise in teaching courses in Cultural Diversity in any college or unit currently offering courses in diversity, nominated by the college and appointed by the Provost. One Library liaison as a voting member also appointed by the Provost. The committee also includes one undergraduate student representative to be appointed by Marquette University Student Government as a voting member. The Director of the University Common Core serves as the non-voting Chair of the Committee. Faculty members serve a three-year term and the student member serves a one-year term.

2.03 *University Board of Graduate Studies* (amended by UAS on May 2, 2016)

The University Board of Graduate Studies (UBGS) formulates plans and policies for all graduate and professional education and serves as a forum to discuss continuous improvement of the graduate and professional programs.

Responsibilities:

1. Formulates policy on admission requirements, academic standards and procedures, theses and dissertations, probation and dismissal of students for academic reasons, and degree requirements.
2. Reviews reports on institutional graduate and professional learning assessment results.
3. Appraises the quality of the graduate and professional programs.
4. Makes recommendations for changes in existing graduate programs, expansion of programs, introduction of new programs, and termination of programs; and for approval of individual students' Interdisciplinary Doctoral Programs.
5. Forwards decisions to create a new graduate degree, major, or certificate or to discontinue an existing graduate degree or major to the University Academic Senate for approval and recommendation to the Provost.
6. Submits recommendations on University and College wide changes in graduate and professional programs, student policies and regulations and other matters to the Provost.
7. Serves as needed as a hearing body for graduate student appeals.
8. Provides an annual report to the University Academic Senate.

Membership: The voting members, selected according to the rules of each unit and appointed by the Provost, are comprised of one faculty member (tenured preferred) that teaches in graduate programs from each area (Humanities, Natural Sciences, and Social Sciences) of the Klingler College of Arts & Sciences and from each College and School that offers graduate or professional education. In addition, one graduate student, also a voting member, shall be selected by the Graduate Student Organization. Faculty members shall serve three-year terms and the student member a one-year term. In addition, one faculty UAS Senator will be elected by the UAS to an annual term to serve as liaison to the UAS. *Vice Provost for Graduate and Professional Studies shall be a non-voting member. The Chair of the Board will be a faculty member elected by the voting members.

2.04 *Committee on Research* (amended by UAS May 4, 2015)

The Committee on Research (COR) reports to the Provost and UAS. The Committee affords faculty participation in decisions concerning research.

Responsibilities:

1. Formulates policy concerning the conduct of research and makes recommendation to the UAS for approval.
2. Decides the Summer Faculty Fellowships and Regular Research Grants.
3. Selects and recommends to the Provost the Way Klingler Young Scholar Awards and Haggerty Research Award.
4. Reviews and evaluates the University's research effort and to makes recommendations for its improvement and expansion.
5. Serves as a hearing body, at the discretion of the Vice President for Research and Innovation, for cases of misconduct in scholarship.
6. Provides an annual written report to the UAS.

Membership: The voting members, selected according to the rules of each unit and appointed by the Provost, shall be comprised of one tenured faculty member engaged in scholarship from each area (Humanities, Natural Sciences and Social Sciences) of the Klingler College of Arts & Sciences and from each college and school that offers graduate or professional education. Faculty members will serve a three-year term. The Vice President for Research and Innovation and the Director of Research and Sponsored Programs are both non-voting members. The chair of the Committee will be a faculty member elected by and from the voting members of the Committee

2.05 *Committee on Teaching* (amended by UAS on September 21, 2015)

The Committee on Teaching (COT) reports to the UAS and the Provost. The Committee addresses and advances the practice and scholarship of teaching and learning at Marquette University.

Responsibilities:

1. Promotes quality teaching and learning through the development of recommendations to the UAS regarding policies and practices related to teaching.
2. Identifies and implements methods to recognize and promote the scholarship of teaching.
3. Manages the selection process for faculty teaching awards and grants including the Faculty Awards for Teaching Excellence and the Way Klinger Interdisciplinary Teaching Award.
4. Collaborates with the Center for Teaching and Learning to provide seminars and resources for faculty development.
5. Reviews and recommends policies to provide a supportive academic teaching and learning environment including educational technology.
6. Provides an annual report to the UAS.

Membership: One faculty member, preferably tenured with a demonstrated commitment to teaching, from each College or School that desires representation. Each member shall be selected according to the rules of each unit and appointed by the Provost. The Marquette University Student Government will select one undergraduate student and the Graduate Student Organization will select one graduate student to serve on the Committee. Faculty members will serve a three-year term and student members a one-year term. The Vice Provost for Academic Affairs and the Director for the Center for Teaching and Learning shall serve as non-voting members. The Chair of the Committee will be a faculty member elected by and from the voting members of the Committee.

2.06 *Committee on Academic Technology* (amended by UAS on September 21, 2015 and September 19, 2016)

The Committee on Academic Technology is appointed by the Provost. This Committee is advisory to the Provost and the Chief Information Officer on all academic technology matters for the teaching and research of faculty and the learning environment of students.

Responsibilities:

1. Provides input to promote optimal integration of technologies in teaching and research.
 - a) Recommends technology-related policies for the use of computing and digital resources by faculty and students.
 - b) Provides input to IT Services concerning various academic technologies implementation and uses to promote optimal integration of technologies on campus.
 - c) Advises on selection of academic technology at the University.
2. Collaborates with the Associate Provost for Educational Technology, Dean of Libraries, and the Chief Information Officer to identify emerging and current digital technologies that could enhance teaching and research.
3. Contributes to strategic planning for academic technology at the university.
4. Prioritizes IT-related technology projects that fit the University's academic technology plan.
5. Collaborates with the Center for Teaching and Learning to provide faculty training in e-learning and use of academic technologies.
6. Presents recommendations, as appropriate, to the Academic Senate for additional faculty review.
7. Provides a written annual report to the Academic Senate.

Membership: One faculty member from each of the colleges that desire direct representation; selected according to the rules of each unit and appointed by the Provost and two students, an undergraduate student appointed by MUSG and a graduate student

appointed by GSO. The Klingler College of Arts and Sciences may have a member serving from each of the three areas (Humanities, Natural Sciences, and Social Sciences). Faculty members are appointed for three-year terms and students, one year terms. In addition, the Vice Provost for Academic Affairs (or designee), the Chief Information Officer, the Associate Vice Provost for Educational Technology, the Director of the Center for Teaching and Learning, and the Dean of Raynor Libraries (or designee) will serve as ex-officio (non-voting) members. The committee shall elect a faculty chair. The Vice Provost will serve as co-chair to support the chair and facilitate the work of the committee.

Section 3.0 Standing Committees/Boards that Report to the Provost:

3.01 *University Library Board* (amended by UAS on October 19, 2015)

The University Library Board is advisory to the Dean of Libraries on matters pertaining to the provision of library services by Raynor Memorial Libraries as they affect the teaching and research of faculty and the learning environment of students.

Responsibilities:

1. Works with the Dean of Libraries to help educate faculty and students on trends in libraries and advises the Dean on policies dealing with Raynor Memorial Libraries services, collections, and facilities on behalf of faculty and students.
2. Provides an annual written report to the UAS.

Membership: Eight faculty members, two from each of the following four disciplinary areas: Humanities, Social Sciences, Health Sciences, and Natural Sciences and Engineering, and one undergraduate student and one graduate student. In addition, serving as non-voting members are the Dean of Libraries, Associate Dean for Scholarly Resources and Collections, and Associate Dean for Administration, and the Director of the Law Library or member of the Law Library faculty. The Provost will solicit recommendations from the Committee on Committees and Elections and deans for eight faculty members whose term will be three years. The Marquette University Student Government will select one undergraduate student and the Graduate Student Organization will select one graduate student to serve on the Board as voting members for one academic year. The Board elects its own chairperson from among the appointed faculty members.

3.02 *Sabbatical Review Committee*

Responsibilities:

1. Reviews sabbatical plans and reports to the Provost its approval of those plans that reasonably promise to contribute to university and faculty development.
2. Recommends applications for competitive sabbatical fellowships.
3. Reviews reports of sabbatical work done, requiring additional documentation as appropriate, and communicates to the Provost its evaluation of the work and acceptance of the report.
4. Considers the nature and purpose of the sabbatical program and makes recommendations to the Provost for its enhancement.

Membership: Eight tenured members of the regular faculty representing a variety of scholarly disciplines and no more than three from the Klingler College of Arts and Sciences. Its members are selected by the Committee on Committees and Elections and appointed by the Provost. Members are appointed for three-year terms. The chair is elected by the members of the Committee.

3.03 University Board for Student Media

The Board for Student Media is the committee of the University Academic Senate that oversees Marquette University's student media. These include the *Marquette Tribune*, *Marquette Journal*, Marquette Radio, MUTV, Student Interactive Media and any future ventures conducted under the direction of Student Media.

Responsibilities:

1. Establishes and oversees policies regarding student media operations.
2. Establishes and oversees the Student Media Budget.
3. Establishes and maintains advertising, news, and editorial policies.
4. Hears complaints and appeals about student media and makes recommendations as appropriate to the Dean or Provost.
5. Reports annually on the Student Media to the UAS.

An executive committee of the board, comprising the Chairs of the Board, the Advertising Policy Committee, the Budget Committee, the Editorial Policy Committee, and the Student Media Business Manager and advisers provide oversight on the budget on behalf of the full Board the Executive Committee shall meet with the Dean of the College of Communication at least once per semester to review the budget and related matters.

Membership: Eleven voting members and eight ex-officio, non-voting members. The voting members include: three Diederich College of Communication faculty, one from each of the mass media departments -- Strategic Communications, Digital Media and Performing Arts, and Journalism and Media Studies and a Marquette alumnus who has professional experience in print and/or broadcast media appointed by the Dean of the Diederich College of Communication; a representative of the Marquette Jesuit faculty; a faculty member from outside of the Diederich College of Communication nominated by the Committee on Committees and Elections; a representative of Marquette administration appointed by the Provost; a staff person from the Diederich College of Communication or other department who manages and maintains the equipment and technology appointed by the Provost and the Dean of the Diederich College of Communication; and three students all with a background in communication, two undergraduate students, nominated by the Marquette University Student Government who do not hold an MUSG office or a staff position on student media and the third, a graduate student, nominated by the Graduate Student Organization. Ex-officio (non-voting) members will be the Advertising Adviser, the Student Media Faculty/Staff Advisor(s) and the heads of the student media units. The chair will be elected by voting members of the Board from among the faculty representing the Diederich College of Communication. The Chair is normally a tenured faculty member. Terms of nominated and elected members of the Board and the Chair will be three years. Terms of Board members will be staggered for orderly annual transitions. Student term lengths will be for one year.

3.04 University Assessment Committee (amended by UAS on October 19, 2015 and December 14, 2015)

The University Assessment Committee addresses and advances effective assessment of student learning at Marquette University.

Responsibilities:

1. Assists and collaborates with the Provost and Vice Provosts to ensure ongoing systems of assessment including the:
 - a) Development, implementation, and maintenance of the framework for university assessment systems.
 - b) Development, implementation, and maintenance of learning assessment processes at the institutional level.
 - c) Review of institutional and program level learning assessment reports.

- d) Recommendation of changes and modifications in the assessment processes as indicated.
2. Advises faculty, department, and colleges on assessment procedures and methods.
3. Recommends to and collaborates with the Center for Teaching and Learning to provide assessment workshops and seminars to aid faculty in assessment strategies.
4. Forwards recommendations of the Committee to the UAS for feedback and to the Provost for approval.
5. Provides a written annual report to the UAS.

Membership: Membership on the committee reflects the institutional wide scope of assessment. The Committee shall consist from the Klingler College of Arts and Sciences of one faculty member from the humanities, social sciences and natural sciences and for other college and school that request direct representation one faculty member with expertise in assessment selected according to the rules of each unit and appointed by the Provost. In addition, the committee shall have Provost appointed representatives from the Raynor Memorial Libraries and Division of Student Affairs as well as ex officio, the Director of the Core of Common Studies as committee members with full voting privileges. The Marquette University Student Government will select one undergraduate student and the Graduate Student Association will select one graduate student to serve on the Committee as voting members. Faculty members will serve a three-year term and student members a one-year term. A representative from the Office of Institutional Research and Assessment shall serve as some ex- officio, non-voting member. The Committee shall be chaired by the Assessment Director.

3.05 The Senate shall create other standing committees and *ad hoc* committees as needed.

Note: The Office of the Provost will maintain accurate records of membership and chairpersonship of the designated committees.

BYLAWS OF THE UNIVERSITY ACADEMIC SENATE

Approved by Academic Senate on May 14, 2007

ARTICLE 1—MEETINGS

Section 1.0—Meeting Schedule and Agenda

The Presiding Chair shall call a regular meeting for each month of the academic year. The meeting shall ordinarily be held on the third Monday of each month, except that no meeting shall be called on a Monday on which classes are not held. The Presiding Chair will prepare the agenda for all meetings, in consultation with the Executive Committee, standing Committee Chairs and with the advice of Senate members. Committees and subcommittees of the UAS shall also normally meet on a monthly basis during the academic year.

Section 1.01—Annual Organizational Meeting

The annual organizational meeting of the Senate shall be held at the regular meeting time in May. Notice in writing shall be sent to all members, including both those who were members prior to such meeting and those newly elected, at least one week before such meeting. At a time in the meeting to be indicated by the Presiding Chair, newly elected members shall join the Senate and those whose term of office expires at the meeting shall leave the Senate, except that the Presiding Chair shall retain the office until a new Presiding Chair has been elected. The new members and the continuing members shall elect the new Presiding Chair for the following year at this meeting.

Section 1.02—Annual Orientation Meeting

Ordinarily there shall be an orientation meeting of the University Academic Senate in August or September to apprise all senators of the responsibilities and procedures of the UAS and to set goals for the year. This may be a special meeting or a portion of a regularly scheduled meeting.

Section 2.0—Order of Business

Pursuant to *Robert's Rules of Order*, the order of business for meeting agendas will observe the following general format, except when deviation is necessary and agreeable to the majority of members:

- (1) Reading the Minutes of the previous meeting [and their approval].
- (2) Provost's Report.
- (3) Reports of Boards and Standing Committees.
- (4) Reports of Special (Select) Committees.
- (5) Special Orders.
- (6) Unfinished Business and General Orders.
- (7) New Business.

Section 3.0—Meeting Access

The UAS shall normally conduct its business in meetings open to members of the general university community and it may grant non-members of the UAS the privilege of speaking at such meetings if and to the extent it sees fit, provided that the UAS may in any particular case decide to conduct its business in executive session at which only its members may be present. Meetings of the other standing committees, subcommittees and boards reporting to the UAS shall normally be held open only to members and to all faculty and administrators. These bodies shall also retain the right to conduct business in executive session at which only members may be present.

ARTICLE 2—CONDUCT OF BUSINESS

Section 1.0 – Quorum

A majority of the members shall constitute a quorum.

Section 2.0 – Rules of Order

Standard American parliamentary practice, as specified in *Robert's Rules of Order*, shall govern all meetings except as otherwise specified in these bylaws.

Section 3.0 – Voting Rights

Each member of the UAS including the Chair shall have one vote on each issue. A member may vote in person. The same voting rights shall apply to UAS committees and subcommittees except as otherwise specified.

Section 4.0 – Executive Session

The Executive Committee has the authority to schedule an executive session into the agenda of any UAS meeting. The UAS will go into executive session on recommendation by the Chair if there is no objection or on motion by a member if supported by a majority vote. The motion to go into executive session is privileged. Attendance during the executive session will be limited to voting members of the Senate and the Senate staff, and discussion in the executive session will be confidential. A motion to permit any others to attend the executive session will require a two-thirds vote. The same policy shall apply to UAS committees and subcommittees except as otherwise specified.

Section 5.0 – Election Procedures

College/School Senator, at-large elections for Senators and standing committee members, and elections for Senate officers will be overseen by the Committee on Committees and Elections.

Section 5.01—College/School Elections (*revised by UAS on March 10, 2008)

- a. College elections shall be coordinated by the individual college in consultation with the COCE.
- b. A call for nominations (of self or others) will be communicated directly to all faculty in each college/school holding an election.
- c. Ballots must contain at least two candidates per slot to be elected.
- d. Brief biographical information and a statement from each candidate shall be supplied to the electorate with the ballot.
- e. Re-election is unlimited.
- f. Elections may be held online.
- g. Election statistics (number of ballots cast, number and names of candidates, number of votes received by each candidate) shall be provided to the COCE to verify the election. Results shall be provided to the UAS Executive Committee prior to the April UAS meeting.

Section 5.02—At-large elections to UAS and Faculty Hearing Committee. (Revised by UAS on March 10, 2008, October 18, 2010 and January 26, 2015)

- a. A call for nominations (of self or others) will be communicated directly to all faculty electronically in Fall. The Secretary and the two elected faculty senators on the Executive Committee will coordinate and facilitate the call for nominations, input from Committee chairs as to expected vacancies, and number of nominees still required. The results of the nominating process will be communicated to the COCE by January 31, who will verify and compose the ballot and administer the election in February.
- b. Ballots must contain at least two candidates per slot to be elected.

- c. Brief biographical information and a statement from each candidate shall be supplied to the electorate with the ballot.
- d. Re-election is unlimited.
- e. Only part-time faculty constitute the electorate for part-time positions. All full-time regular and participating faculty constitute the electorate for all other at-large elections.
- f. Elections may be held online.
- g. The COCE shall report the number of total ballots cast in each election and the winners to the Executive Committee. The COCE shall maintain a list of vote totals by candidate for the purposes of replacing representatives who may leave their terms early. Results shall be reported to the UAS Executive Committee prior to the April UAS meeting.

Section 5.03—Officers, Senator Representatives to the Executive Committee, and Senate Representatives on University Board of Graduate Studies (UBGS) and University Board of Undergraduate Studies (UBUS) (*revised by UAS on January 26, 2015)

- a. At the April UAS meeting, each continuing and incoming senators shall receive a survey from the Executive Committee. The survey will allow each senator to indicate their willingness and availability for service as a UAS officer, on the Executive Committee and as senator representatives on UBGS and UBUS. Each senator will rank order their preferences and be allowed the opportunity to indicate a request for excuse from service. Reasons for exclusion may include service on other demanding university committees, role as department chair, being a first-year senator, etc. The survey shall also include a section for making nominations of other senators for Officers of the UAS, Executive Committee, senator representatives on UBGS and UBUS. Executive Committee members will then contact each nominee to determine the individual's willingness and availability to accept the nomination.
- b. The Executive Committee shall review the surveys and construct a ballot for a) the officers of the Senate; b) the two faculty representatives to the Executive Committee, and c) the senator representative to UBGS and UBUS. The election shall occur at or before the May UAS meeting. The electorate shall be the entire UAS.

Section 6.0 - Amendments to Statutes and Bylaws

A change in statutes or bylaws of the UAS requires a two-thirds vote. A proposal to amend the statutes or bylaws must be given at the regularly scheduled meeting prior to the meeting at which a vote may occur. (Revised March 10, 2008 by University Academic Senate)

STATUTES ON FACULTY APPOINTMENT, PROMOTION AND TENURE

(with Amendments 1980, 1987, 1988, 1991, and 1994, 1998*, 2003)

CHAPTER 301 - FACULTY TITLES FOR MEMBERS OF MARQUETTE UNIVERSITY

Section 301.01 - The Regular Faculty

1. Those appointed to the Regular Faculty shall devote the major and substantial portion of their professional work to teaching and research or administration under the auspices of the University. Regular Faculty are normally full time and shall be appointed to one of the following academic ranks: Instructor, Assistant Professor, Associate Professor, Professor. All of these ranks are on a tenure track. A person holding a basic administrative appointment may be appointed to one of these ranks without being placed on a tenure track. Such persons are not members of the Regular Faculty.
2. The title of a member of the Regular Faculty shall be based as appropriate upon the member's rank and the department in which the member is assigned that rank.
3. Members of the Regular Faculty may hold more than one faculty appointment in the University; these several appointments need not be at the same rank.
4. Regular Faculty who are not assigned to a department shall receive a title based upon the member's rank and his/her area of competence.

Section 301.02 - The Participating Faculty (Amended by UAS on September 19, 2016)

Participating Faculty are officers of instruction who assist the University in teaching and research in varying degrees. The appointment may be full-time or part-time. Participating Faculty are not on a tenure track and are not entitled to continued reappointment.

1. Adjunct Faculty
 - a. Members of the Adjunct Faculty shall be appointed for specific tasks, such as teaching, research, or clinical work. Adjunct Faculty shall be appointed to one of the following academic ranks: Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor, or Adjunct Professor.
 - b. An Adjunct Faculty member's title shall be based upon the member's rank and the unit in which the member is assigned rank.
 2. Artistic Faculty
 - a. Members of the Performing Arts Faculty shall be appointed for such tasks as teaching, research and other duties relating to the education of performing arts students. Performing Arts Faculty shall be appointed to one of the following academic ranks: Artistic Assistant Professor, Artistic Associate Professor, and Artistic Professor.
 - b. An Artistic Faculty member's title shall be based upon the member's rank and the unit in which the member is assigned rank.
 3. Clinical Faculty
 - a. Members of the Clinical Faculty shall be appointed for such tasks as teaching and other duties relating to the education of students preparing for clinical practice. Clinical Faculty shall be appointed to one of the following academic ranks: Clinical Instructor, Clinical Assistant Professor, Clinical Associate Professor, or Clinical Professor.
 - b. A Clinical Faculty member's title shall be based upon the member's rank and the unit in which the member is assigned rank.
 4. Research Faculty
 - a. Members of the Research Faculty shall be appointed to conduct research projects, establish independent research programs, direct graduate research, and assume other duties relating to the education of students. Research Faculty shall be appointed to one of the following
-

- academic ranks: Research Assistant Professor, Research Associate Professor, or Research Professor.
- b. A Research Faculty member's title shall be based upon the member's rank and the unit in which the member is assigned rank.
5. Legal Writing Faculty
 - a. Members of the Legal Writing Faculty shall be appointed for such tasks as teaching, research and other duties relating to the education of law students. Legal Writing Faculty shall be appointed to one of the following academic ranks: Assistant Professor of Legal Writing, Associate Professor of Legal Writing, Professor of Legal Writing.
 - b. A Legal Writing Faculty member's title shall be based upon the member's rank and the unit in which the member is assigned rank.
 6. Visiting Faculty
 - a. Members of the Visiting Faculty shall be appointed to temporarily serve as full-time faculty members of this University. Visiting Faculty shall be appointed to one of the following academic ranks: Visiting Instructor, Visiting Assistant Professor, Visiting Associate Professor, or Visiting Professor.
 - b. A Visiting Faculty member's title shall be based upon the member's rank and the unit in which the member is assigned rank.
 7. Clinical Supervisor
A "Clinical Supervisor" is a person assigned to observe, advise, and supervise students in clinical situations.
 8. Laboratory Supervisor
A "Laboratory Supervisor" is a person placed in charge of instructional laboratory work.
 9. Librarian
A Librarian is appointed to the libraries of the University to support the teaching and research activities of the University. A Librarian acquires, arranges, describes, and preserves books, journals, and other materials in a variety of formats for the University Libraries. A Librarian interprets resources and makes them readily available to Marquette students, faculty, staff, and the broader community.
 10. Research Associate
A Research Associate is a person appointed to participate in the research activities of a college, program, department, or other appropriate unit of the University. The appointment may be made on a continuing basis at the discretion of the Provost.
 11. Lecturer
A Lecturer is an officer of instruction, engaged to teach on a part-time basis for a limited, prescribed time period.
 12. Resident Scholar
A Resident Scholar has status as an officially appointed member of a college, program, department, or other unit of the University. The status is granted only to persons who have distinguished themselves as scholars and is a non-compensated position. A Resident Scholar shall continue his or her scholarly activities under the aegis of the appointing unit. The full title of a given Resident Scholar will include the name of the appointing unit, *e.g.*, Resident Scholar in Philosophy.
 13. Postdoctoral Fellow
A Postdoctoral Fellow is a person who has earned the doctorate (or its foreign equivalent) or the appropriate legal, medical, or dental degree but who is not an applicant or candidate for a degree in the University. Postdoctoral Fellows shall engage in research or teaching under the direction of a department of this University.
 14. Professor of Practice Faculty
Members of the Professor of Practice Faculty shall be appointed for such tasks as teaching and other duties relating to the education of students preparing for professional practice. Professor of Practice Faculty shall be appointed to one of the following academic ranks: Assistant Professor of Practice, Associate Professor of Practice, and Professor of Practice.

A Professor of Practice Faculty member's title shall be based upon the member's rank and unit in which the member is assigned rank.

From time to time, other titles (*e.g.*, Coordinator) may be assigned as appropriate to members of the Participating Faculty.

Section 301.03 - Emeritus Status (rewritten on November 21, 2016)

Tenured faculty, academic administrators, and full-time participating faculty who over their careers have meaningfully contributed to the University should ordinarily be able to retire with promotion to the rank of emerita or emeritus absent extraordinary circumstances.

The presumption of conferral applies to a tenured faculty member who has served the University for at least five years in recognition of that faculty member's contributions in teaching, scholarship, and/or service.

The presumption of conferral applies to an academic administrator (dean or above) who has served the University for at least five years in recognition of that academic administrator's leadership and administrative contributions.

The presumption of conferral applies to a full-time participating faculty member who has served the University for at least seven continuous, full-time years (including the year of retirement) in recognition of that faculty member's contributions in teaching, scholarship, and/or service.

In all cases, the rank of emerita or emeritus shall be appended to, and shall not alter, the candidate's academic rank (and title, as appropriate) at the time of application.

The required process, procedures, standards and deadlines are set forth in the guidelines that may be found on the [Provost's website](#). Retroactive applications will ordinarily not be considered, but exceptions may be considered at the discretion of the Provost.

CHAPTER 302 - FACULTY APPOINTMENTS AND PROMOTIONS

Statement of Intent

In its promotion and tenure policies and procedures, Marquette University seeks to ensure the excellence of its faculty and, at the same time, to ensure equity for each faculty member considered. A crucial part of this consideration is the statement of criteria and norms which follows in these statutes. These norms and criteria are offered as guides, and this in two senses: first, to the individual faculty member, so that he or she may better know what the University expects; second, to those who must advise and decide on promotion and tenure cases. For the latter, the criteria and norms are precisely guides to judgment in what is a vital judgmental process, encompassing the stated norms and criteria, but not limited to them.

Teaching and Scholarship, considered as the central tasks of the faculty, are in no sense opposed to each other, even though they may be carried out by different actions. Teaching is kept creative by means of scholarship; scholarship gains impetus and direction from the demands of teaching.

Section 302.01 - Authority for Appointments and Promotions

All appointments, reappointments, and promotions of faculty members of Marquette University are made by, or under the duly-delegated authority of, the President of the University upon recommendation of appropriate faculty and administrators, on the basis of merit and special fitness of

the individual for the service demanded by the position and in accord with approved University policies.

Recommendations for promotion to a higher rank, or for tenure, may be initiated by the department chairperson, dean, or by the individual. An evaluation of the recommendation under the approved criteria and special norms shall be carried out by the appropriate department chairperson, the individual's colleagues in the department, promotion and tenure committees, or other individuals competent in the field. An individual may pursue a promotion to a higher rank or for tenure regardless of the findings in such evaluations.

Section 302.02 - General Criteria for Appointment and Promotion

1. Essential Criteria

The central task of the faculty is to keep knowledge living, and therefore growing, in their students and themselves. Excellence in teaching and scholarship constitutes the essential criteria for appointment and promotion.

a. Teaching

Since excellent teaching is creative, both in teacher and student, there can be a variety of signs of excellence in teaching, such as: presenting subject matter with the clarity that arises from a deepening grasp of the central facts and their vital interplay; exhibiting enthusiastic commitment to seeking, possessing, and sharing knowledge; bringing subject matter, when appropriate, to bear on the human situation; consciously creating the atmosphere that will draw students on to development and use of their powers of invention and discovery; creating the desire in students for further education.

b. Scholarship

Beyond advanced degrees earned, there must be other evidence of scholarship, such as: published research or creative works of quality, significant research in new areas and methods of instruction, and other marks of scholarship, such as respect of competent colleagues, professional recognition, direction of and significant participation in research and in scholarly symposia, and being at home in the scholarly publications of one's field.

2. Other Criteria

The following criteria shall also be considered in determining appointments and promotions. These criteria will not substitute for deficiencies in teaching and scholarship.

a. Participative Criteria

1. Active involvement in learned societies in the field of one's competence.
2. Initiative and responsibility in achieving the objectives of the department, college or school, and the University; service on college or University committees or active participation in special academic projects.

b. Personal Criteria

1. Character and personality which assure a contribution to the missions of the University.
2. A respectful attitude toward the religious beliefs of others.
3. Observance of the rule of law as the basis of constitutional government, and the fundamental human and political rights of others.

Section 302.03 - Specific Norms for Appointment and Promotion of Regular Faculty

3. To Instructor

a. An appointment to instructor shall be on an annual basis up to a maximum of 5 years.

b. Qualification

1. Possession of the academic master's degree or substantial progress toward the terminal degree. In the Schools of Dentistry and Law, possession of the first professional degree.
2. An interest in and ability to teach.
3. Evidence of scholarly interests.
4. An association with learned societies in the pertinent field.
5. Possession of those qualities indicated in Section 302.02(2)(b) of the General Criteria for

Appointment and Promotion.

4. To Assistant Professor
 - a. Subject to exception, possession of the earned doctorate or the typical terminal degree in the professions in which the doctorate is an uncommon or non-existent degree; or three years of college teaching or other professional experience; or possession of the first professional degree in the fields of law and dentistry.
 - b. An interest in and ability to teach.
 - c. Evidence of some achievement in scholarship, in accordance with Section 302.02(1)(b) of the General Criteria for Appointment and Promotion.
 - d. Evidence of advancing scholarship, according to Section 302.02(1)(b) of the General Criteria for Appointment and Promotion.
 - e. Possession of those qualities indicated in Section 302.02(2) of the General Criteria for Appointment and Promotion.

5. To Associate Professor
 - a. Possession of earned doctorate or other appropriate professional degree or qualification.
 - b. Normally, seven years of college teaching or other appropriate professional experience; or college teaching with earned doctorate for four years.
 - c. Evidence of increased effectiveness in teaching; in situations where those holding this rank must direct graduate work and research, suitability for direction of such work.
 - d. Evidence of advancing scholarship, according to Section 302.02(1)(b) of the General Criteria for Appointment and Promotion.
 - e. Initiative and sense of responsibility in achieving the objectives of the department, college or school, and the University; service on department, college and University committees.
 - f. Possession of those qualities indicated in Section 302.02(2) of the General Criteria for Appointment and Promotion.

6. To Professor
 - a. Possession of earned doctorate or other appropriate professional degree or qualification.
 - b. Normally, ten years of college teaching or other appropriate professional experience; or college teaching with the earned doctorate for seven years.
 - c. Distinguished fulfillment of the teaching and scholarship requirements of the previous ranks.
 - d. Established reputation among scholars; or notable contribution as a scholar in public service.
 - e. Possession of those qualities indicated in Section 302.02(2) of the General Criteria for Appointment and Promotion.

Section 302.04 - Substitutive Norms for the Appointment and Promotion of Regular Faculty

7. For the Requirement of the Doctorate or of the Usual Professional Degree:

The practical impossibility of a faculty member to proceed to the required degree. This fact must be evidenced by definite and sound reasons subject to the review of appropriate faculty and administrators. To qualify under this substitutive norm, the faculty member must exhibit many of the qualities usually associated with possession of the degree in question.
8. For the Requirement of Scholarship:
 - a. Excellence in public service assignments during the period of university employment for those being promoted, which are closely related to the faculty member's area of academic competence, and which demand a level of activity and grasp of his or her area comparable to that demanded for research and writing.
 - b. Excellence in administrative assignments which directly further the scholarly ends of the University.
9. A faculty member raised in rank according to the immediately preceding provisions may, in exceptional cases, hold a double rank: one in a department of instruction and one in the

University, which need not be the same.

Section 302.05 - Special Norms for the Appointment and Promotion of Adjunct, Clinical, Research, Legal Writing, Professor of Practice and Visiting Faculty*

1. To Instructor
 - a. A license or certificate if appropriate to the profession.
 - b. Possession of any degree required by the profession.
 - c. Aptitude for teaching and interest in scholarship.
 - d. Possession of those qualities indicated in Section 302.02(2)(b) of the General Criteria for Appointment and Promotion.

2. To Assistant Professor
 - a. All pertinent qualifications indicated for Instructors.
 - b. Subject to exception, possession of the earned doctorate or the typical terminal degree in the professions in which the doctorate is an uncommon or non-existent degree; or possession of the first professional degree in the fields of law and dentistry.
 - c. Normally, five years of experience as an instructor (Adjunct, Clinical, Research or Visiting, as appropriate) or other suitable professional experience.
 - d. Demonstrated competence in teaching.

3. To Associate Professor
 - a. All pertinent qualifications indicated for Assistant Professors.
 - b. Normally, nine years of teaching or other professional experience.
 - c. Effectiveness in teaching and suitability for supervising work of graduate students.
 - d. Professional recognition as demonstrated by such achievements as board certification (if appropriate), election to a learned society in the relevant professional field, scholarly publications of quality, and/or other appropriate criteria.

4. To Professor
 - a. All pertinent qualifications indicated for Associate Professors.
 - b. Normally, twelve years of distinguished teaching or other appropriate professional experience.
 - c. Established reputation among the leaders of the profession or discipline or notable contribution as a professional person in public service.

*Ordinarily, Legal Writing and Research Faculty are not appointed to the rank of Instructor. – Visiting Faculty, given the very temporary nature of their appointment, are not eligible for promotion in rank.

Chapter 303 - Originating Unit Procedures

Section 303.01

Each academic unit of the University authorized to initiate and recommend promotion and tenure shall formulate a systematized and reasonably detailed statement of the internal procedures to be employed by that academic unit in determining its recommendations. Where substitutive norms under Section 302.04(2) are recognized by the academic unit, the statement shall delineate the quality and nature of the activities that may be substituted for scholarship.

Section 303.02

Such statement shall be submitted to the Office of the Provost for its information; and the unit shall promulgate the statement to all of its Regular Faculty.

Section 303.03

Revisions of such statements may be effected and promulgated from time to time by an equivalent procedure, as the originating unit may deem appropriate.

Section 303.04 - University Committee on Faculty Promotions and Tenure Policy on Hiring at Advanced Rank With Tenure*

1. Rationale

Members of the University Committee have articulated dilemmas faced by their colleges when hiring faculty in highly competitive areas during late spring and early summer. In some cases, these individuals did not become available until late spring when the regular search process has ended. Moreover, when hiring these individuals for endowed chairs or as department chairs, conferral of tenure is often a consideration. In the experience of the college representatives, serious conflicts can surface as follows:

- a. In some cases, it is difficult for candidates to obtain teaching evaluations from their administrative files;
- b. The colleges are competing to attract these individuals and do not wish to unduly burden them;
- c. External reviews of scholarship are often necessary but difficult to secure in timely fashion, and
- d. There is usually pressure from the dean to hire the individual.

2. Process

In view of these issues, the University Committee determined to recommend a process to the Provost. After considerable discussion, Committee members noted that, in addition to an established research record, Marquette University requires better teaching than might otherwise be required at institutions conferring tenure. The University Committee therefore outlined the following process for hiring candidates at advanced rank with tenure:

- a. A dossier must be prepared for the candidate, either by the Associate Dean of the college, the department chair, or the chair of the local promotion and tenure committee;
- b. The candidate must provide complete curriculum vitae as part of that dossier;
- c. Apart from the candidate's curriculum vitae, the dossier must contain supporting evidence concerning teaching, research and service. Though the dossier need not be inclusive of the wide variety of materials otherwise supplied to the University Committee as part of the regular promotion and tenure process, the supporting materials should be *commensurate* with the evidence usually provided for promotion to the particular rank sought:

*Approved by Dean's Council on November 9, 2000. – Approved by the Academic Senate on April 17, 2001

1. Teaching evidence can include student commentary on teaching scores, an indication of teaching awards, letters from students or peers, a presentation before interested faculty where teaching competence can be demonstrated, or some combination thereof;
2. Research or scholarship evidence can include external reviews, journal rankings, an extramural funding record, reference letters from other scholars who are noted in the area, membership in learned societies where membership is achieved only through recognized research, and graduation rates for doctoral or master's candidates, or some combination thereof;
3. Service contributions should be acknowledged and noted;
- d. The dossier must be submitted to the department and college promotion and tenure committees, consistent with individualized college procedures (some colleges have only one committee), which committees normally will vote on the candidate;
- e. A recommendation to hire at advanced rank with tenure must issue from a majority of the departmental and college promotion and tenure committees;
- f. The dean of the particular college must append his or her recommendation to hire the candidate;
- g. The entire file must be submitted to the Provost, who will make a recommendation to the President.

It was the consensus of the University Committee on Faculty Promotions and Tenure that the candidate's burden to supply these materials can be alleviated if the advertisement clearly requires that candidates supply evidence of these criteria at some point in the hiring process. It was a further consensus that the University Committee need not be involved in this process. However, it is critical that the local or departmental committee be involved in the final stages, as noted.

CHAPTER 304 - APPOINTMENT, REAPPOINTMENT, PROMOTION AND TENURE

Section 304.01

Appointment, reappointment, and promotion of the full-time Regular Faculty are made by, or under the duly-delegated authority of the President, and shall take effect at the commencement of the first semester of an academic year unless otherwise indicated.

Appointments shall terminate at the close of that academic year, unless a contract of reappointment has been sooner concluded, in which event the prior appointment continues, in recess, until the reappointment becomes effective.

These provisions apply irrespective of the schedule upon which compensation is payable. When any such appointment, reappointment, or promotion becomes effective in the course of the first semester of an academic year, it shall be deemed, for purposes of computing length of service, to operate retroactively to the commencement of that semester, and to constitute a full year's appointment; otherwise, such initial period of service shall be disregarded for such purposes.

Section 304.02

Tenure is a faculty status that fosters an environment of free inquiry without regard for the need to be considered for reappointment. Tenure is reserved for Regular Faculty who are recognized by the University as having the capacity to make unique, significant, and long-term future contributions to the educational mission of the University. Tenure is not a reward for services performed; it is a contract and property right granted in accordance with this Chapter**

A full-time member of the Regular Faculty, except one appointed without the terminal degree in the pertinent academic discipline, not previously tenured shall be granted tenure with tender and acceptance of the eighth consecutive annual reappointment to the full-time Regular Faculty, following the member's original appointment. Tenure is effective upon commencement of services under such reappointment.

For those faculty who lack the terminal degree pertinent to their academic discipline at the commencement of their full-time Regular Faculty service, tenure is granted with tender and acceptance of the ninth consecutive annual reappointment to the full-time Regular Faculty, following the original appointment.

A person is considered to possess the terminal degree either when the degree has been formally conferred (*i.e.*, the date on the diploma) or when, prior to formal conferral, the Provost at Marquette has been officially notified by the degree-granting institution that all the requirements for the degree have been fulfilled.

Section 304.03***

A faculty member originally appointed at the rank of associate professor or professor, unless sooner tenured, shall be granted tenure with tender and acceptance of the sixth consecutive annual reappointment at such rank to the full-time Regular Faculty, following the original appointment. Tenure is effective upon commencement of services under such reappointment.

** Adopted August 16, 1993. – Effective August 16, 1994. – Amended AS February 25, 1998, and by UAS
August 25, 2008, **September 15, 2008 and *September 21, 2015.

Section 304.04

A faculty member promoted to the rank of associate professor or professor, and not sooner tenured, shall be granted tenure upon the assumption of duties at the rank, unless expressly stipulated otherwise in the official notice of promotion. In the latter case, and unless sooner tenured, such faculty member is granted tenure with tender and acceptance of the third consecutive annual reappointment to the full-time Regular Faculty at such rank, following the effective date of promotion. Tenure is effective upon commencement of services under such reappointment.

Section 304.05

Tenure shall not be conferred upon assistant professors who are not at the same time promoted to associate professor, other than in exceptional cases. A faculty member originally appointed at, or promoted to, the rank of assistant professor may have tenure conferred upon him or her regardless of further promotion but in the discretion of the appointing authority for faculty of tenured rank, upon or after completion of five consecutive years of service as a member of the full-time Regular Faculty. Tenure is effective upon commencement of services under the first ensuing reappointment at such rank following conferral of tenure.

Section 304.06

Time spent on approved leave of absence shall not interrupt the continuity of a faculty member's service for purpose of promotion and tenure. However, no academic year which includes a leave of absence for a period of a semester or more shall be included in computing years of service for these purposes. Two consecutive semesters of leave, if in different years, will count only as one year's absence.

Section 304.06-1*

Guidance for faculty member who becomes the parent of a child (either by birth or adoption), and one-year extension of the time period for conferral of tenure can be obtained from University Policy and Procedures ([UPP-4-03 /Leaves of Absences](#)).

Section 304.07

Unless tenured, no faculty member is entitled to reappointment. All such appointments are at the sole discretion of the University, which shall notify in writing any non-tenured member of the Regular Faculty whose reappointment is not to be tendered or tendered conditionally of that fact according to the following schedule:

1. Such written notice shall be received on or prior to March 1 during the first year of service;
2. Such written notice shall be received on or prior to December 15 during the second year of service;
3. Such written notice shall be received on or prior to July 1 during third and subsequent years of service.

Section 304.08**

Persons shall receive tenure only by virtue of a positive judgment on the part of the University that tenure is conferred.

1. Persons appointed at junior rank with the terminal degree must be officially considered for tenure no later than the first semester of the seventh year of appointment.
2. Persons appointed at junior rank without the terminal degree must be officially considered for tenure no later than the first semester of the eighth year of appointment.
3. Persons appointed without tenure at senior rank must be officially considered for tenure no later than the first semester of the fifth year of appointment.

Adopted August 16, 1993. – Effective August 16, 1994. – Amended AS by UAS February 25, 1998, and by UAS *July 27, 2007 and **September 21, 2015

4. Persons promoted to senior rank but without tenure must be officially considered for tenure no later than the first semester of the second year in which the promotion is in effect. The latest year in which each of these persons must be considered is designated as the time-bound year. A person who is not successful in a bid for tenure during his or her time-bound year is to receive timely notice that the upcoming year is a terminal year. In this situation there is no reconsideration for tenure, except that a faculty person who was appointed effective no later than September 1, 1980 can be reconsidered in the University promotion and tenure process in a terminal year following his or her time-bound year.

Section 304.09

Excepting cases of intervening termination for cause and cases of leave of absence or retirement as provided below, every tenured member of the Regular Faculty, and every non-tenured member of the Regular Faculty not otherwise notified as provided in Section 304.07, will be tendered an annual reappointment, at a rank and compensation not less favorable than those which the faculty member then enjoys, provided:

1. To the extent that a faculty member may be compensated directly or indirectly from sources not controlled by the University, the University shall have no responsibility to maintain such compensation or its equivalent; and
2. To the extent that a faculty member may be compensated beyond the normal compensation of his or her regular academic rank and department by reason of administrative or special assignment, the University shall have no responsibility to maintain such compensation or its equivalent unless, in its own sole discretion, it elects to continue such administrative or special assignment; and
3. Whenever, pursuant to budgetary* or policy determinations, general reductions in faculty size or compensation are required, applicable throughout the University or to one or more schools, departments, or disciplines, the University shall be entitled to apportion such reductions consistently with such determinations; but, subject to principles of tenure and rank, such reductions shall be apportioned on an equitable basis; and
4. Nothing in this section shall be construed so as to derogate from the policy of the University to grant increments of compensation individually, in its sole discretion and on a basis of merit, and no faculty member shall be contractually entitled to claim any right to such increment under these provisions.

Section 304.10

A tender of reappointment shall specify the proposed rate of salary compensation, and shall be deemed to include, unless expressly provided to the contrary, entitlement to participate in all fringe benefit programs provided by the University, so far as the faculty member may be eligible therefore under stipulations of the respective programs.

Section 304.11

A faculty member may accept such tender of reappointment, or any amended tender, by delivering a signed, unconditional acceptance to the office of the administrative superior within three calendar weeks after submission of the original tender, unless the time for negotiation of terms or conditions has been extended mutually in writing. The University may, after such period, revoke its tender of reappointment and, unless reappointment for the ensuing year shall thereafter be tendered and accepted, the University shall not be obligated to reappoint the faculty member for the next or any subsequent year, regardless of tenure.

* See Chapter 305 Prologue

Section 304.12

Nothing in these articles shall be construed so as to derogate from disability, leave of absence, or retirement policies which may be adopted from time to time.

CHAPTER 305 - CHRONIC SHORT-FALLS

*Revised by UAS April 20, 2009

Prologue

A chronic shortfall of income involving authorized expenditures might so jeopardize the University as to require the termination of faculty, including tenured faculty. A judgment to this effect would not be made by the Trustees and the President unless reasonable additional income options and other expenditure cuts were exhausted and without appropriate consultation both within and outside the University. Before a decision were made that reductions sufficient to cause the termination of tenured faculty were required, the Provost would seek and receive pertinent recommendations, including recommendations from the Faculty Council hereinafter "FC", to be transmitted to the President. The following is a statement of policy and procedures to be in force within the Academic Area in the event that a state of financial exigency required the termination of faculty. Recommendations in this regard made by the Provost will be made in conformity with these policies and procedures.

Section 305.01 - General Considerations

1. If faculty terminations are required, they might be made "across the board," with no units dropped. Or they might be made selectively within certain units, with no units dropped.
2. Or they might involve the phasing out of one or more units, with or without terminations elsewhere. This will depend on what plan makes the best sense in order to solve the problem confronting us [the University].
3. Before any decision to terminate faculty is made, there shall be a careful review of all the options open to the Area. The review shall be conducted by the Provost, in consultation with the FC and the University Academic Senate. The FC may seek faculty input. The Provost shall also consult with chairpersons, who shall consult formally with faculty. Action by the administration shall await the receipt of a written report of such discussions and of pertinent recommendations from the units consulted, unless the exigency precludes any reasonable delay.
4. For a reasonable period of time (*e.g.*, three or four years) after a declaration of financial exigency, there shall be no substantial expansion of academic programs unless such programs can of themselves make a financial contribution to the University.

Section 305.02 - Criteria for Decision Making

1. Personnel cuts are to be made only if other financial measures are unreasonable. Only those cuts are to be made which are required to solve the financial problems at hand.
2. Whenever reasonable, any necessary personnel cuts shall be achieved by attrition or through early retirements. The University shall take steps to make early retirement more attractive in such event.
3. In the absence of compelling programmatic considerations to the contrary (*e.g.*, the need to retain a faculty person with a given specialty for the sake of program integrity), terminations shall proceed according to the following hierarchy:
 - a. Non-tenured faculty are to be cut before tenured;
 - b. Among the tenured, those with less seniority are to be cut before those with greater seniority.

Seniority is to be defined in terms of both academic rank and length of University service. In this context seniority shall normally be determined by adding together the numbers obtained by multiplying the number of years served in each academic rank, including any during which the

faculty was on a leave of absence approved by the University, at Marquette by a weighting factor for that rank (*i.e.*, 1 for years as Instructor, 2 for years as Assistant Professor, 3 for years as Associate Professor, and 4 for years as Professor).

4. Appropriate concern for the University's Affirmative Action policy shall be observed. Reasonable measures shall be made to see that the proportion of women and minorities in any given department or college is not lessened because of terminations required by financial exigency.

Section 305.03 - Procedure for Termination

1. Those designated for termination are to be given appropriate notice as indicated in Section 304.07 or an appropriate financial settlement.
2. For a period of three years following termination, any tenured faculty member who is terminated because of financial exigency will be given the first opportunity for the position from which he or she was separated in the event that that position is reinstated. To the extent to which it is reasonable to do so, this same consideration will be extended to non-tenured faculty who have been separated from the faculty because of financial exigency.
3. When tenure claims seem to conflict with Affirmative Action principles, the decisions shall be subject to review and recommendations by the Director of Affirmative Action.
4. Persons adversely affected by the decisions for termination depending upon tenure status may appeal to the Faculty Hearing Committee a subcommittee of the Faculty Council, which will function in their regular manner with reference to such appeals.
5. Efforts shall be made to find alternative positions at the University for those faculty, especially if they are tenured, designated for termination. As far as is reasonably possible, the costs of retraining for these positions are to be borne by the University.

CHAPTER 306 - CAUSE FOR NON-RENEWAL, SUSPENSION, TERMINATION

Section 306.01

The cognizant appointing authority of the University may initiate and execute procedures by which a faculty member's reappointment may be denied or revoked, or any current appointment may be suspended or terminated, for cause as defined therein. Cause may be either absolute or discretionary.

Section 306.02

Absolute cause shall include:

1. Resignation: this shall constitute absolute cause only from and after its effective date; or
2. An intentional failure or refusal to perform a substantial part of any assigned duties; or
3. Death or permanent and total disability.

Section 306.03

Discretionary cause shall include those circumstances, exclusive of absolute cause, which arise from a faculty member's conduct and which clearly and substantially fail to meet the standard of personal and professional excellence which generally characterizes University faculties, but only if through this conduct a faculty member's value will probably be substantially impaired. Examples of conduct that substantially impair the value or utility of a faculty member are: serious instances of illegal, immoral, dishonorable, irresponsible, or incompetent conduct. In no case, however, shall discretionary cause be interpreted so as to impair the full and free enjoyment of legitimate personal or academic freedoms of thought, doctrine, discourse, association, advocacy, or action.

CHAPTER 307 - PROCEDURES FOR CAUSE*

Revised by UAS April 20, 2009

Section 307.01

Written and accepted resignations from the faculty shall be effective according to their terms, and shall not be subject to any rights of reconsideration or review at the instance of either party without the concurrence of the other. Unless expressly provided to the contrary, all right to rank, tenure, salary, and benefits shall terminate as of the effective date of the resignation.

Section 307.02

In all cases of non-renewal, suspension, or termination for absolute or discretionary cause (except resignation), a faculty member's entitlement to salary and fringe benefits shall continue, irrespective of any suspension from duties:

1. For a period of at least thirty days after the cause arises;
2. Where notice is required under Section 307.03, after service of such notice;
3. Where a formal hearing has been requested as provided in Section 307.07, until the University has made a final decision following the report of the hearing, whichever is longer;
4. In the cases provided in Section 306.02(2), such entitlement may be terminated as of the day following the commencement of such cause;
5. Salary entitlement shall, in cases of disability, be limited by the provisions of the University's disability program.

In the discretion of the cognizant appointing authority, the faculty member's duty assignment may be either continued to a time not beyond the time at which his/her salary and benefits terminate, or may be suspended or terminated earlier.

Section 307.03

In all cases of non-renewal, suspension, or termination for absolute or discretionary cause, except Section 307.02(1) and (3), death, and permanent, total disability, the appropriate appointing authority of the University shall notify the faculty member in writing of the University's action. The notice shall include:

1. The statute allegedly violated; the date of the alleged violation; the location of the alleged violation; a sufficiently detailed description of the facts constituting the violation including the names of the witnesses against the faculty member.
2. The nature of the University's contemplated action, with a specification of the date or dates upon which such action is to become effective with respect to faculty status, duties, salary, and benefit entitlements, respectively.
3. Such notice shall be personally delivered and service shall operate from date of such delivery; if in the exercise of reasonable diligence, it is not possible to personally serve the faculty member, it may be served by certified mail addressed to the faculty member's last known place of residence, and service shall operate from date of mailing.

Section 307.04

A faculty member shall, within ten days of the service of such notice, file with the appointing authority a written objection to all or part of the University's charges or its contemplated action unless an extension is granted for good cause. The failure to timely respond shall be deemed an acquiescence and acceptance of the action according to its terms. Neither such action nor its causal basis shall thereafter be subject to any rights of reconsideration or review at the instance of either party. Whenever such objection shall be expressly limited to one or more parts or aspects of the alleged cause or contemplated action, rights of reconsideration or review shall be limited accordingly.

Section 307.05

Whenever a timely objection shall be filed, the cognizant appointing authority shall accord the faculty member fair opportunity to be specifically advised, in one or more conferences, of the alleged cause for the University's contemplated action; and to negotiate such reconsideration or amendment of the contemplated action as may be agreed upon. Either party may enlist the aid and counsel of other persons who may participate in the process of such conference and negotiation, provided that every such person is fully identified to the other in advance with respect to his/her capacity and scope of authority, and provided that every such conference shall be deemed a conference for purposes of settlement. All statements made in such conferences are privileged and may not be used for any purpose in any other proceeding.

Section 307.06

Either party may elect to refer any or all issues to the FC for the purpose of having one or more disinterested mediators appointed, who, promptly upon appointment, shall confer with the parties, investigate the matters at issue, and recommend to the respective parties an appropriate resolution of the issues between them.

Section 307.07*

Faculty Hearing Committee Procedures: Contested Appointment Non-renewal, Suspension or Termination of Tenured Faculty Member

1. In accord with Part II-D-3 of the Marquette University Faculty Handbook, the Faculty Hearing Committee (hereinafter the FHC) serves as the advisory body in cases of contested appointment non-renewal, and suspension or termination (hereinafter dismissal) of a tenured faculty member for absolute or discretionary cause.
2. A faculty member who has been awarded tenure at Marquette University may only be dismissed upon a showing of absolute or discretionary cause, as these terms are defined by the Handbook for Full-Time Faculty (hereinafter University Statutes), Section 306.02 (absolute cause) or 306.03 (discretionary cause). Dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights guaranteed them by the United States Constitution.
The contested dismissal of a faculty member with tenure shall be preceded by: (a) notice of grounds as provided in Section 307.03 (to which the faculty member has filed a written objection as provided by Section 307.04); (b) discussions between the said faculty member and appropriate administrative officers from the University and the College or Department in order to explore settlement as provided in Section 307.05; and (c) elective mediation under the auspices of the FC as provided in Section 307.06.
3. When such a dispute has been pending and unresolved for at least 120 days, the University Administration shall issue a "Notice of Pending Dispute" to the subject faculty member and to the Chair of the FHC. Such notice will inform the FHC in writing of the failure to resolve the matter and of the Administration's intent to proceed with dismissal. At that time, the Administration will also transmit to the chair of the FHC a copy of the notice of grounds filed under Section 307.03, as well as any and all evidence upon which the Administration has made its decision.
4. Within 90 days of receipt of any Notice of Pending Dispute, the FHC will schedule a hearing to determine the existence of cause and to make findings of fact and conclusions.
5. Following receipt of the Notice of Pending Dispute, the faculty member may waive the right to proceed before the FHC by submitting an explicit written statement to the Chair of the FHC and to the Administration, indicating his or her intent to waive any right to appear and present evidence. If the faculty member waives the right to appear but denies the charges or asserts that

*Adopted by Faculty Hearing Committee on 10/19/80. – Revised 10/00. – Approved by Academic Senate on November 15, 2000

- the charges do not support a finding of adequate cause, the FHC will evaluate all available evidence and rest its findings of fact and conclusions upon the evidence of record.
6. As constituted, the FHC shall be composed of seven tenured faculty members elected by the faculty as a whole under the supervision of the Committee on Committees and Elections. Members shall be elected for three year terms. The FHC shall elect a chair and a vice chair. Five (5) members of the Committee shall constitute a quorum, and the action of a majority of the members present at any session duly convened shall be the action of the Committee, except when the FHC is convened to conduct a hearing on the contested dismissal of a tenured faculty member for absolute or discretionary cause, as noted in paragraph 8 below.
 7. In the case of a hearing on the contested dismissal of a tenured faculty member, a quorum of five (5) members of the FHC shall constitute a hearing, but any findings of fact and conclusions must be rendered by all members of the FHC. On final disposition of any pending case, no abstentions will be allowed. Any member of the FHC who is absent during a scheduled session or hearing must study the evidence before participating further in FHC deliberations. Members of the FHC who deem themselves disqualified for bias or interest will remove themselves from the case. In addition, either party may petition the FHC for recusal of a particular committee member on grounds of bias or interest. Removal of a member for bias or interest is at the discretion of the FHC. Replacement member(s) to the FHC will be selected from the duly constituted list of alternates maintained by the FC.
 8. Notice of a hearing before the FHC must be personally served upon the faculty member and the University Administration at least twenty (20) days prior to any hearing by the FHC on pending charges. Within ten (10) days after such notice, each party may submit additional statements summarizing the issues and the evidence theretofore produced. As noted in paragraph (6), if the faculty member denies the charges or asserts that the charges do not support a finding of absolute or discretionary cause, the FHC will evaluate all available evidence and rest its findings and conclusion upon the evidence of record.
 9. All hearings conducted by the FHC shall be closed, unless both parties agree otherwise. Adjournments may also be granted at the request of any party, within the discretion of the FHC.
 10. The subject faculty member will be afforded an opportunity to obtain necessary witnesses and documentation or other evidence and is entitled to examine the evidence submitted to the FHC by the University Administration. The Administration also will cooperate with the FHC in securing witnesses from the University and making available documentary or other evidence. Likewise, the Administration will be entitled to examine documentary or other evidence submitted to the FHC by the subject faculty member.
 11. During these proceedings, the subject faculty member may be represented by legal counsel or may appear with an academic advisor. Likewise, the Administration may appear or be represented by its legal counsel. Furthermore, at the request of the Administration, the faculty member, or the FHC, a representation of the AAUP will be permitted to attend the proceedings as an observer.
 12. A tape recording will be made of any hearing before the FHC. If requested, a verbatim transcript of the tape recording will be made available to the FHC and to the faculty member without cost to the faculty member.
 13. The burden of proof that absolute or discretionary cause exists to dismiss a tenured faculty member rests with the University. It will be satisfied only by clear and convincing evidence in the record considered as a whole. The University Administration must appear at the hearing by a designated representative, and it must make the initial showing.
 14. At the hearing, the subject faculty member and the University Administration will have the right to confront and ask questions of all witnesses. Any member of the FHC also shall have the right to question a witness. Where the witnesses cannot or will not appear, but the FHC determines that the interests of justice require their statements, the FHC will identify such witnesses and provide interrogatories to such witnesses. Thereafter, the FHC will provide copies of the interrogatories, together with any response, to the University Administration and the subject

- faculty member.
15. The faculty member or the Administration also shall be permitted to introduce testimony of qualified professionals at the hearing, including those from outside the University. Any compensation due such professionals remains the obligation of the party who calls that witness.
 16. If either the University Administration or the subject faculty member willfully fails or refuses to give relevant evidence that is exclusively within its control, the issue shall be resolved against the party who so fails or refuses to give evidence. With respect to student academic or disciplinary records, however, it is understood that the University Administration must observe the Federal Educational Rights and Privacy Act (FERPA), and does so without prejudice to its case.
 17. The FHC will not be bound by legal rules of evidence and may admit any evidence that is deemed probative of the issues involved in the proceedings.
 18. Following the hearing, the FHC will meet as a whole to discuss the evidence and will issue findings of fact and conclusions based upon all matters of record. In the event the findings of fact and conclusions are not unanimously supported by members of the FHC, the FHC shall articulate the dissenting views. If the FHC concludes that an academic penalty less than dismissal is warranted by the evidence, its findings of fact and conclusions will set forth a recommendation to that effect together with supporting reasons. In all events, the FHC's findings of fact and conclusions shall issue as soon as is reasonably possible, but not more than ninety (90) days following termination of the proceedings.
 19. The FHC will issue its findings of fact and conclusions, together with any supporting reasons, to the President of Marquette University and, either personally or by certified mail, to the subject faculty member.

Section 307.08

So long as the periodic compensation and benefits provided by the faculty member's appointment are both continued, and during such further periods of negotiation, mediation, hearing, or review as the parties may mutually stipulate, both parties shall diligently continue in good faith to attempt a mutually-acceptable resolution of the issues between them by one or more of the procedures described in the three preceding sections, and neither shall, during such period, resort to or encourage litigation, demonstration, or tactics of duress, embarrassment, or censure against the other; provided that this paragraph shall not be construed so as to require the University to continue the faculty member's duty assignment during such period.

Section 307.09

To the extent that none of the foregoing procedures produces a resolution of the issues arising out of a timely objection to a faculty member's non-renewal, suspension, or termination, at or prior to the time specified in the preceding paragraph, the University shall, for a period of six months thereafter, or until the final determination of any judicial action which may be commenced within such period to test the validity of the non-renewal, suspension, or termination, hold itself ready to reinstate the faculty member, with unimpaired rank, tenure, compensation, and benefits, to the extent that the faculty member's entitlement thereto may be judicially adjudged or decreed, or conceded by the University in such interval. Whenever entitlement to retroactive compensation is so determined, such compensation shall be reduced by any amount otherwise earned by the faculty member in the same period.

CHAPTER 308 - LEAVES OF ABSENCE

Section 308.01

An ordinary leave is approved time off from the job, without a break in employment, for valid medical, personal, family, military or other reasons. Specific information on each type of leave is available in [University Policies and Procedures \(UPP 4-03\)](#).

Leaves of absence for periods not exceeding one year may be granted upon application of the faculty member and concurrence of the University, but shall not ordinarily be subject to extension or renewal beyond one year. A faculty member on leave of absence shall be entitled only to such compensation or benefits as may be stipulated under the terms of the leave, or under the provisions of the disability or other benefit program for which he/she may be qualified; but his/her entitlement to rank, tenure, compensation and benefits upon termination of leave and return to active status shall not be prejudiced by the fact of leave, except as otherwise provided below.

Section 308.02

In case a faculty member shall be so disabled as to be temporarily incapable of performing a substantial part of his/her assigned duties, the cognizant appointing authority of the University may propose to place the faculty member on temporary indefinite disability leave for so long as such disability may continue, but not exceeding one year, relegating the faculty member, during such leave, to his/her benefits under the University disability program in lieu of contract salary.

Section 308.03

Whenever, prior to the expiration of one year of disability leave, the faculty member shall establish that he/she has recovered sufficiently to permit resumption of his/her duties on a full-time basis, he/she shall be entitled to reinstatement in active, regularly-salaried status, without prejudice to his/her rank or tenure; but reassignment to his/her former duties may be deferred as necessary to accommodate departmental adjustments over the period of leave.

Section 308.04

Whenever a faculty member shall be disabled, as above defined, for a period in excess of one year, or shall fail to resume his/her duties upon the expiration of any other period of leave granted by the University, his/her reappointment, or reinstatement in active, regularly-salaried status, shall be at the discretion of the University.

Section 308.05

Whenever a faculty member shall be notified of a proposal to place him/her in disability leave status, or whenever his/her application for reinstatement in active, regularly-salaried status shall be denied, or shall not have been acted upon after a reasonable time for consideration of the application has passed, the faculty member may, if aggrieved, have recourse, on the issue of his/her disability, to the procedures of negotiation, mediation, and hearing described in 307.03 through 307.09; but the faculty member's right to compensation and benefits during the progress of such procedures shall be initially determined under the University disability policy, subject to retroactive readjustment, where appropriate, in accordance with the outcome of such procedures.

CHAPTER 309 - EFFECTIVE DATES, RETROACTIVITY

Section 309.01

Except to the extent provided in Section 309.02, these articles shall be effective upon and after the date of their official promulgation; provided that all then-current appointments, and appointments and reappointments which have been accepted prior to such date of promulgation for the next academic year, shall be deemed to be amended conformably to these articles, unless either the University or the faculty member, by express notice to the other given within 30 days of such date of promulgation, declines to apply these articles to such contract.

Section 309.02

These articles shall operate retroactively so as to credit prior service of all persons holding faculty appointments as of the date of official promulgation. However, any full-time Regular Faculty member not previously tenured and with less than seven years of continuous service as a member of

the full-time Regular Faculty at the time of official promulgation, who would be entitled to have tenure granted under the provisions of these articles, shall be granted tenure only upon the tender and acceptance of reappointment as a qualified Regular Faculty member for the second consecutive academic year which commences following such promulgation, or if tenure be specifically withheld by the express terms of such reappointment, then upon tender and acceptance of reappointment for the third consecutive academic year which so commences. In each case, tenure shall be effective upon commencement of services in the academic year following qualification.

CHAPTER 310 - FACULTY RELIGIOUS

Commencing with the next academic year following conclusion of formal agreements for provision of Jesuit services between the University and the Marquette Jesuit Community or its agency, these articles shall apply without discrimination to Jesuit and other religious faculty members, except as different terms may be stipulated in the various contracts by which their services are provided to the University.

FACULTY BENEFITS

FACULTY INSURANCE BENEFITS

Information on employee benefits such as group medical and dental insurance and life insurance can be obtained from University Policies and Procedures ([UPP-4-14 /Fringe Benefits Eligibility and Summary of Coverage](#)) and [Marquette University Handbook for Employees](#) pages 37-39.

Premium contribution requirements are payroll deducted. Although most faculty members are contracted for an academic year of 9 months and/or summer session(s), premium contributions are taken on a 12-month basis. If salary is paid on a 10-month basis, the normal monthly premium deductions are prorated to accommodate the 12-month benefit protection. Benefit coverage for a faculty member in his/her terminal year expires the final day of the terminal contract month.

Copies of the relevant benefit plan are available through Human Resources. Information is also available on the Human Resources Home page: <http://www.marquette.edu/hr/>

OTHER BENEFITS

Accident Coverage for Travel on University Business

Information on travel accident insurance can be obtained from University Policies and Procedures ([UPP-4-14 /Fringe Benefits Eligibility and Summary of Coverage](#)). Details and plan summary may be obtained from Human Resources.

Convention Attendance

Information on repayment of authorized expenses in conjunction with convention attendance can be obtained from University Policies and Procedures ([UPP-1-09 /Travel](#)).

Moving (Relocation) Expenses

Information on travel accident insurance can be obtained from University Policies and Procedures ([UPP 1-10 /Relocation Expenses Assistance](#)).

Policy on Research, Training and Service Projects

Faculty seeking extramural support for research, training, and service projects are advised to consult the Office of Research and Sponsored Programs (ORSP). University, state and federal policies for research, including projects sponsored or funded by federal agencies, foundations, corporations, and other sources of extramural support can be found at: <http://www.marquette.edu/orsp/>. Faculty are also advised to consult University Policies and Procedures ([UPP-2-01 /Sponsored Projects Manual](#)).

Leaves of Absence

Information on ordinary leave of absence not including sabbatical leave can be obtained from University Policy and Procedures ([UPP-4-03 /Leaves of Absences](#)).

Sabbatical Leave Program

Information on sabbatical leave can be obtained from the Office of the Provost web page at: <http://www.marquette.edu/provost/sabbatical-handbook.php> or contact the Office of the Provost.

Tuition Benefit Program

Information on the Tuition Benefit Program can be obtained at University Policies and Procedures ([UPP 4-09 /Tuition Benefit Programs](#)).

Faculty Children Exchange Program (FACHEX)

Information on the Faculty Children Exchange program can be obtained from the Office of the Provost web page at: <http://www.marquette.edu/provost/fachex-program.php> or University Policies and Procedures ([UPP 4-09 /Tuition Benefit Programs](#)).

Definition of Retiree

Information on retiree benefits is available through Human Resources and University Policies and Procedures ([UPP 4-18 /Definition of “Retiree” and Summary of Retiree Benefits](#)).

Emeritus Faculty

The rank of emeritus carries certain privileges, examples of which are: listing on the official rosters of the faculty of the University, the college, and the department; faculty privileges in the University libraries; notice of all activities open to the faculty of the University, the college, and the department.

RIGHTS AND RESPONSIBILITIES*

*Revised by UAS April 20, 2009

Academic Freedom

Academic freedom is prized as essential to Marquette University and to its living growth as a university. Professorial academic freedom is that proper to the scholar-teacher, whose profession is to increase knowledge in himself/herself and in others. As proper to the scholar-teacher, academic freedom is grounded on competence and integrity.

When scholar-teachers carry on their academic lives in educational institutions, integrity requires both respect for the objectives of the institution in which they choose to carry on their academic lives and attention to the task of reevaluating these objectives as a necessary condition of living growth in human institutions.

The University, because it prizes academic freedom, proposes the following safeguards* to that freedom:

- a. The teacher is entitled to full freedom in research and in the publication of results, subject to the adequate performance of his/her other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- b. The teacher is entitled to freedom in the classroom in discussing his/her subject. This freedom must be integrated with the right of the students not to be victimized and the rights of the institution to have its accepted aims respected.
- c. The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he/she speaks or writes as a citizen, he/she should be free from institutional censorship or discipline, but his/her special position in the civil community imposes special obligations. As a man/woman of learning and an educational officer, he/she should remember that the public may judge his/her profession and institution by his/her utterances. Hence, he/she should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he/she is not an institutional spokesperson.

Faculty Appeals Procedure**

Sensitive to the needs of its faculty and in the interests of justice in all that it does, the University invites any faculty person who has what he or she considers to be a significant and reasonable grievance to make use of the appeals procedures available at Marquette University. Faculty who have a grievance in any matter are free to make their objection to the pertinent Chairperson, and, if not satisfied at this level, to appeal to the Dean. If necessary, appeals beyond the Dean may be made to the Provost.

In addition, it is understood that faculty may elect to appeal an administrative decision to the Faculty Council, although normally this would not occur until after the grievance had been brought through the administration, at least to the level of the Provost. To respond to faculty grievances, the Faculty Council has as one of its standing subcommittees the Faculty Hearing Committee. The Faculty Council is advisory to the Provost and will, therefore, make its recommendations on a grievance matter to the Provost. The President will be sent copies of such recommendations. The Provost will insist upon appropriate cooperation from pertinent University administrators in connection with any given appeal.

Adapted from the Statement of Principles of Academic Freedom officially endorsed in 1941 by the American Association of Colleges and the American Association of University Professors.

**Detailed procedures are available either from the chairperson of the Committee on Faculty or from the chairperson of the Committee on Faculty Subcommittee on Faculty Appeals.

University Closing

Information on the policy concerning university closing can be obtained from University Policies and Procedures ([UPP 6-05 /Severe Weather](#)).

Faculty Responsibilities +*

Except for official sabbaticals or leaves of absence, released time provided by research grants or administrative appointments, special ad hoc arrangements that permit teaching to be concentrated in one term during a particular academic year or other official exemptions, faculty are expected to participate fully in the teaching program of the University during each regular term of the academic year. Teaching loads, which may vary from time to time, are determined by the dean of each college or school in consultation with the faculty, the department chairperson and the provost.

It is expected that classes will be held at the time and place specified, for the full time assigned. The absence from class of an instructor should be a rare occurrence. If an absence is anticipated, arrangements should be made for a substitute. In emergencies, the Chairperson of the Department should be notified. All instructors are expected to begin and end their classes promptly and according to the scheduled times. Formally scheduled final examinations are to be given only during the time periods officially announced.

University faculty are teacher-scholars whose research and publications are expected to continue throughout their active careers. Teaching loads at the University generally reflect the assumption that a significant part of the faculty member's time will be devoted to research.

Another aspect of faculty activity is service to the department, the college or school, and the University. Service as administrators and committee members is an important part of faculty status.

Faculty members are expected to spend a suitable number of hours per week on campus and to accommodate themselves to the reasonable scheduling of courses, laboratories, clinics, faculty meetings and committee assignments. Moreover, faculty members are also expected to be easily available to their colleagues. During certain specified hours each week every faculty member should be in his/her office, where he/she can be available to students and members of the administration. Both his/her office and teaching hours should be posted and recorded with the Department and the Dean.

Faculty members are expected to attend Convocations, Baccalaureate Exercises, and Commencement Exercises.

Non-University Employment

Given the practically limitless potential for perfecting one's work as a faculty member, it is understood that faculty "workload" is not usually considered in terms of a fixed number of hours. Mastery of a discipline, and the teaching and research that are both the road to mastery and the manifestations of it, demand all the resources and commitment that faculty can bring to them.

Faculty members have substantial discretion in ordering their day to day professional obligations. Aware that many of the professional activities of its faculty represent significant contributions outside the University, and appreciative of its own institutional need for its faculty to achieve reputations that reflect credit on it, the University encourages all external activity that is consistent with the faculty member's University responsibilities and his or her fullest professional development as a teacher and scholar. It is the University's expectation that full time faculty will give primary attention and loyalty to their University responsibilities and duties. The University trusts that the

* Revised with expanded explanatory language, August 2003

+ Revised with expanded explanatory language, August 2003

professional integrity of the faculty will ensure that no occasion will arise for action upon charges of neglect of duty.

For professional activities outside the University, therefore, unless otherwise defined by specific appointment, the University understands in general that one day per seven-day week, averaged on a reasonable basis, is the maximum additional time that can be accommodated for faculty under full-time University contract. Outside professional activities shall not be understood to reduce the faculty member's responsibilities to the University. The University expects that the faculty member will consult with his or her Chairperson and Dean in advance of any significant commitment. Faculty engaged in outside professional activities must comply with all other applicable University policies (e.g. conflicts of interest, restrictions on use of University resources).

It is expected that a member of the full-time faculty will not be engaged to teach full time or part time at any other educational institution while under contract to Marquette University and not on an official leave of absence for purposes of teaching elsewhere. For purposes of this paragraph, educational institution should be broadly understood to include traditional educational institutions as well as less traditional institutions such as for-profit institutions and distance learning providers. Accordingly, no full-time member of the faculty is free to teach at any other educational institution while under contract to Marquette University without explicit clearance in writing from his/her Dean.

Religious Activities

Information on religious activities can be obtained from the [Marquette University Handbook for Employees](#) page 58-59.

Political Activity

In the interest of communication, full-time and part-time members of the faculty who wish to engage in direct political activity (*e.g.*, running for political office, managing a campaign, directing group action in behalf of a political candidate or issue) are expected to inform the Provost before engaging in this work.

Visas/Work Eligibility for Foreign Faculty

Foreign faculty play a vital role in the diverse nature of the University teaching community. It is important that they maintain proper work eligibility status prior to and during their terms of teaching. Department heads should check with appointed international faculty to make sure that work eligibility matters are well in hand. If assistance is required for the faculty member to obtain the proper work eligibility status, the Office of the General Counsel should be contacted. Work eligibility proceedings will be coordinated through that Office. The responsibility for maintaining proper work eligibility status rests on the individual faculty member.

Misconduct in Scholarship Policy and Grants Management

Honor in scholarship is one of the hallmarks of academia. This tradition runs especially deep in Jesuit institutions of higher education which uphold rigorous standards of ethics and values. Instances of documented misconduct in scholarly research are rare, but, nevertheless, do exist among the more than 2,000 colleges and universities nationwide. Misconduct in scholarship is injurious to a university's teaching, research, and public services missions and cannot be tolerated. Accordingly, Marquette University has adopted a policy in this matter, and this policy applies to all faculty, administrators and non-students.

At Marquette, "misconduct in scholarship is defined as fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are accepted within the scholarly community for proposing, conducting or reporting research. It does not include honest error or honest difference in interpretation of judgments of data." (Misconduct in Scholarship and Grants Management Policy.)

Please contact Marquette University's Office of Research and Sponsored Programs for more information on Marquette's policies and procedures in regard to misconduct in scholarship.

Racial Abuse and Harassment Policy

Information on the university policy concerning Racial Abuse and Harassment can be obtained from the [Marquette University Employees Handbook](#) pages 29-30.

Marquette University Title IX Sexual Harassment, Discrimination and Sexual Misconduct Policy may be found in the [Marquette University Employees Handbook](#).

Marquette University Title IX Sexual Harassment, Discrimination and Sexual Misconduct Policy may be found online at: http://www.marquette.edu/osd/policies/sexual_misconduct_policy.shtml. Should you have any questions regarding this policy please contact Christine Harris Taylor, J.D., LL.M., Title IX Coordinator at 414.288.3151, or Christine.taylor@marquette.edu.

Americans with Disabilities Act (ADA) Workplace Accommodations

Information on the university policy on workplace accommodations for Americans with disabilities is located in the [Marquette University Employees Handbook](#).

Drug-Free Workplace Policy

Information on the university policy on providing a drug free work environment can be found in the [Marquette University Employees Handbook](#).

Employee Assistance Program (EAP)

Information on the university employee assistance program can be found in the [Marquette University Employees Handbook](#)

Use of Copyrighted Material

Reproduction of copyrighted material without prior permission of the copyright owner may be illegal, and Marquette University does not permit the use of such material without proper clearance. Questions related to the use of any such material may be directed to Office of the General Counsel.

Use of University Resources in Consulting and Private Practice or Private Business

Marquette University encourages its faculty to engage in consulting, private practice, or private business when these activities enhance the scholarly development of the individual or are part of the efforts of the University to reach out to the community. Ideally, consulting and private practices which are an integral part of one's program of scholarship could result in publication and professional growth. However, in some instances, such activities may be an obstacle to scholarly productivity and thus against the long-range interests of both the individual and the University. When the resources of the University are used in these activities, the faculty member may be involved in a conflict of interest or may divert University resources from research and teaching.

This policy of encouraging consulting, private practice, and private business is affirmed by the University, allowing faculty to spend an average of no more than one day a seven-day week in such activities. With the exception of patents and certain software copyrights, which come under a specific policy, the University generally allows faculty to retain stipends, royalties, and other income which is the fruit of their scholarly work or consulting. When the consulting or private practice is *pro bono* and appropriate to the mission of the University, the University on occasion uses its funds to support these activities.

This statement does not deal with research sponsored by grant or contract. The conditions governing this research require prior approval by the University.

Annually, faculty are required to report their consulting and private practice in the faculty activity reports. These reports should be complete and should identify any University resources used. Please consult University Policy and Procedures ([UPP 1-04 / Proper Use of University Resources](#)) regarding the proper use of University resources. All activities and proposed use of resources must be reported in advance to the department chair and/or dean or director, whose responsibility it is to judge whether these activities are in the interests of the University and whether the proposed use of resources is appropriate. The University may require reimbursement of University paid costs and expenses in certain circumstances.

Private consulting, private practice and private business are not duties which faculty perform by reason of their contract to the University. Consequently, the University does not provide liability/property insurance for liability arising from such activities or from the use of University property/resources related to such activities. Individuals are encouraged to contact an insurance agent to discuss the appropriate type(s) and amount(s) of insurance for activities beyond the scope of his/her employment.

Conflict of Interest Policy Statement

Information on university policy concerning conflict of interest can be found in the University Policies and Procedures ([UPP 1-02 /Conflicts of Interest](#)).

Policy on Smoking

The university policy on smoking can be found in University Policies and Procedures ([UPP- 5-02 /Smoking](#)).

General Conduct

[Marquette University Handbook for Employees](#) (Pages 27 and 28)

University Electronic Course Management System

The university employs an electronic course management system. It is expected that all faculty will use the system to support course instruction. The minimal expectation for use is posting a syllabus for every course on the electronic course management course site.

FACULTY GRIEVANCE PROCEDURE*

(As proposed by the Committee on Faculty
Subcommittee on Faculty Appeals in May, 1990)

*Revised by UAS April 20, 2009 and April 18, 2011

PREAMBLE

The Marquette University Faculty Grievance Procedure is designed to establish a process for the prompt, efficient and just resolution of faculty grievances. Although formalistic in structure, it embodies a flexibility appropriate to the nature of individual grievances. Its processes are intended to complement informal approaches to resolving faculty complaints and not to substitute for them.

ARTICLE 1. GENERAL PROVISIONS

- 1.01 - Administration of Grievance Procedure. The Marquette University Faculty Grievance Procedure is administered by the Faculty Council's subcommittee Faculty Hearing Committees (hereinafter "the committee").
- 1.02 - Definition of "Grievance." As used in the Marquette University Faculty Grievance Procedure:
- (1) A "grievance" is a written complaint submitted under section 4.02 below alleging that an administrative decision affects the grievant and is either unfair, unjust, or in violation of established policies, procedures, or statutes of Marquette University.
 - (2) The term "grievance" includes a complaint lodged in response to a denial of promotion and/or tenure or the termination of an untenured faculty member, which alleges procedural irregularities in the promotion and tenure or termination processes.
 - (3) The term "grievance" does not include a complaint lodged in response to a denial of promotion and/or tenure or a termination of an untenured faculty member which challenges the validity of assessments made by a complainant's superiors or colleagues on the substantive merits of the complainant's bid for promotion and/or tenure or reappointment.
 - (4) The term "grievance" does not include a complaint about the suspension or termination of tenured faculty which, under provisions of the Faculty Statutes, is within the competence of the Faculty Hearing Committee.
- 1.03 - Definition of "Normal Channels of Authority." As used in the Marquette University Faculty Grievance Procedure, the term "normal channels of authority" means the Provost, the grievant's dean or director, and the grievant's department chair (if any), if the grievance complains about an administrative decision in the grievant's own academic unit. Otherwise, the term means the Provost and the dean or director of the unit in which the administrative decision complained about was made.
- 1.04 - Who May File Grievance. The Faculty Hearing Committee is a subcommittee of the Marquette University Faculty Council (hereinafter "FC"). Accordingly, any faculty member or librarian whose interests are represented by the FC may file a grievance with the committee under the procedures outlined in this document.
- 1.05 - Prejudice Not to Accrue by Filing Grievance. Submission of a grievance shall not in any way prejudice the grievant nor shall it cast any adverse reflection upon the grievant's professional standing within the university.

ARTICLE 2. INFORMAL RESOLUTION OF COMPLAINTS

- 2.01 - Some complaints may be more effectively addressed and resolved by informal means than by invoking the formal grievance procedure. The grievance procedure should not be construed as a substitute for informal attempts to resolve complaints nor should its existence be taken to minimize the potential effectiveness of informal processes.
- 2.02 - An attempt to informally resolve a complaint is not a prerequisite to invoking the formal grievance procedure.

ARTICLE 3. INITIATION OF A GRIEVANCE.

- 3.01 - A complaint becomes a grievance at the point it is reduced to writing and submitted to the administrator identified in section 4.02 below.
- 3.02 - The grievance document should identify the person filing the grievance and his or her employing unit. It should describe the nature of the complaint, the evidence in support of it, and the remedy sought. Supporting documentation (if any) should be attached.
- 3.03 - Prompt Submission of Grievances.
 - (1) If the formal grievance procedure is to be invoked, the grievant should initiate the process as soon as reasonably possible after he or she becomes aware of the basis for the complaint and after any efforts to resolve the matter informally under Article 2 above prove unsuccessful. Normally, a reasonable period of time within which to file a formal grievance is one month after learning the basis for it.
 - (2) If the grievant complains about a denial of promotion and/or tenure or about a termination of an untenured faculty member, the grievance document must be submitted under section 4.02 below within one month of the date on which the grievant became aware of the basis for the complaint.

ARTICLE 4. PROCESSING A GRIEVANCE WITHIN THE NORMAL CHANNELS OF AUTHORITY

- 4.01 - A grievance must first be pursued through the normal channels of authority before it may be filed with the committee.
- 4.02 - Grievances should initially be submitted to administrators in the normal channels of authority as follows:
 - (1) If the grievance arises from a denial of promotion and/or tenure, it should be submitted to the Provost.
 - (2) If the grievance arises from the termination of an untenured faculty member, it should be submitted to the grievant's dean or director.
 - (3) If the grievance arises from any other administrative decision in the grievant's academic unit, it should be submitted to the administrator in the normal channels of authority who made the decision complained about.
 - (4) If the grievance complains about a decision by an administrator in a unit other than the grievant's own academic unit, it should be submitted to the dean or director with jurisdiction over that unit.
- 4.03 - Timetable for Processing a Grievance within the Normal Channels of Authority.
 - (1) Upon submission of a grievance, it is desirable that the matter be resolved with the administrator who received the grievance within two weeks from the date of submission.

- (2) If the matter is not resolved by the conclusion of the second week and the grievant wishes to pursue the matter further, he or she must submit the grievance to the next higher administrator within the normal channels of authority within one week after the expiration of the two-week period identified in section 4.03(1) above.
- (3) The three-week cycle established by sections 4.03(1) and (2) above should be utilized at each successive level in the normal channels of authority until all levels have been exhausted.
- (4) If the grievance is not resolved within the normal channels of authority, it may then be submitted to the committee under section 5.01 below.

ARTICLE 5. PROCESSING A GRIEVANCE BEFORE THE FACULTY HEARING COMMITTEE

- 5.01 - The grievance procedure is initiated before the committee by filing a grievance document with the chair of the committee within three weeks after the matter was first submitted to the Provost under the provisions of Article 4 above.
- 5.02 - The grievance document filed with the committee should meet the requirements of section 3.02 above and should further describe the grievant's efforts to resolve the matter within the normal channels of authority.
- 5.03 - The grievant shall submit duplicate copies of the grievance document, together with any supporting materials, to the Provost and the chair of the FC at the same time as the submission to the committee chair.
- 5.04 - Upon receipt of a grievance the chair of the committee shall schedule the matter for a preliminary review before the committee as soon as possible. If prompt preliminary review involves the necessity of a meeting during the semester or summer break, it is in the sole discretion of the committee to schedule a meeting during the break or to wait until the university is back in regular session.
- 5.05 - The chair of the committee will invite the Provost to submit a written response to the grievance (with a copy of the response to the grievant) in advance of the committee's preliminary review. The chair of the committee will inform the Provost of meeting date at least one week prior.
- 5.06 - Preliminary Review of Grievance.
 - (1) At the preliminary review session(s) the committee will determine:
 - (a) Whether the matter complained about is grievable under the grievance procedure;
 - (b) Whether relief has been sought through the normal channels of authority as required by Article 4 above;
 - (c) Whether the grievance document states adequate cause to proceed further with the matter and, if so, what procedures will be utilized by the committee; and
 - (d) Whether the grievance has been mooted by subsequent action of the university and/or the grievant and, if so, whether a full investigation is nonetheless warranted.
 - (2) Unless otherwise directed by the committee, the preliminary review is conducted in an executive session and may be attended only by committee members.
 - (3) As part of the preliminary review the committee may request additional documentation from the grievant and/or the university. Each party is expected to provide information relevant to a material issue as is within his or her competence.
 - (4) A quorum of five committee members is required for the preliminary review.
 - (5) Following the preliminary review, the committee will proceed to a full investigation of

the grievance unless a majority of the committee present and voting decides that, under the criteria outlined in section 5.06(1) above, the matter should be terminated without a full investigation. A decision to terminate at this juncture concludes the committee's involvement in the matter.

- (6) Decisions reached upon preliminary review will be reduced to writing and transmitted to the Provost, to the chair of the FC, and to the grievant.
- (7) Preliminary review should be completed within three weeks of its commencement or as soon as possible thereafter.

5.07 - Full Investigation of Grievance. If the committee determines that a full investigation of the grievance is warranted, the committee shall initiate the investigation process as soon as possible and shall, subject to section 5.09(2), diligently pursue it to completion. In conducting a full investigation, the committee may utilize any procedures it deems appropriate to the nature of the complaint, including any of the following:

- (1) It may appoint one or more of its members to serve in a fact gathering capacity; provided, however, that all final determinations, of fact and otherwise, shall be made by the committee. A quorum of five committee members is required for all such determinations during the course of a full investigation.
- (2) It may hold a hearing in accordance with the following procedures:
 - (a) The hearing is closed to all persons except as the committee may otherwise direct.
 - (b) The grievant and the Provost (or his/her designee) has the right to be heard personally.
 - (c) Committee members may participate actively in the hearing to such extent as they deem appropriate.
 - (d) Technical rules of evidence do not apply at the hearing, but the committee will endeavor to assure that the hearing is conducted in a fair manner and that only reliable evidence is presented.
 - (e) The committee shall summarily determine all questions of procedure; and the findings, conclusions, and recommendations of the committee are not impeachable by reason of procedural irregularities, errors, or omissions.
 - (f) In addition to the above procedures, the committee may make such further procedural rules as it considers helpful and fair.
- (3) As part of the full investigation the committee may request additional documentation from the grievant and/or the university. Each party is expected to provide information relevant to a material issue as is within his or her competence.

5.08 - During the course of all proceedings described in Article 5 of the grievance procedure, each party is expected upon the call of the other or upon the request of the committee to provide information relevant to a material issue as is within his or her competence.

5.09 - Committee Report on Grievance.

- (1) Upon completion of an investigation under section 5.07 above, the committee will develop a written report stating its findings and recommendations. The report shall indicate the names of committee members assenting to it. Dissenting members may also submit a report.
- (2) The committee should submit its report on the grievance within six weeks of the date on which the preliminary review was completed or as soon as possible thereafter. In the event that completion of a full investigation would require the committee to meet during the semester or summer break, it is in the sole discretion of the committee to conduct the investigation during the break or to wait until the university is back in regular session. If the committee elects to delay its investigation until the university is back in session, it should submit its report within six weeks of the date on which the university

- returns to session or as soon as possible thereafter.
- (3) The chair of the committee shall cause copies of the report to be transmitted to the Provost, to the chair of the FC, and to the grievant.

5.10 - Submission of its written report concludes the involvement of the committee in the matter.

ARTICLE 6. ACTION BY PROVOST ON
COMMITTEE'S RECOMMENDATIONS.

- 6.01 - Within one week after receipt of the committee's report, the Provost shall notify the committee chair that the report has been received.
- 6.02 - Unless notified under section 7.01 below that the grievant has asked the FC to review the grievance, the Provost shall indicate the university's response to the committee's report by written communication to the committee chair, to the chair of the FC, and to the grievant, within four weeks of the date on which the committee's report was received.

ARTICLE 7. REVIEW OF GRIEVANCE BY THE FACULTY COUNCIL

- 7.01 - Within two weeks of receiving a committee's decision under section 5.06(6) not to proceed with a full investigation, or within two weeks after receipt of the committee's report under section 5.09(3) following a full investigation, the grievant may, if he or she disagrees with the committee's position, submit a written request to the chair of the FC requesting FC review of the grievance.
- 7.02 - A request under section 7.01 should include a copy of the grievance document originally submitted to the committee under section 5.01 above as well as the final report of the committee (including any appendices) filed under section 5.06(6) or 5.09(3) above. It should also explain why the FC should undertake a review of the matter.
- 7.03 - The grievant shall submit duplicate copies of the request to the Provost and the chair of the committee at the same time as the submission to the chair of the FC.
- 7.04 - Upon receipt of a request under section 7.01, the chair of the FC will convene the committee as soon as possible consistent with FC rules. A simple majority of the FC shall constitute a quorum. In order for the FC to grant the request for FC review of the grievance, three-fourths of the FC present and voting must agree to do so.
- 7.05 - If the FC agrees to review the grievance, it may fashion procedures for doing so that it deems appropriate under the circumstances. The procedures may include a review confined to the facts as found by the committee and included in its report, the appointment of its own fact gatherers, the conduct of its own hearing using procedures described in section 5.07(2) above, etc. The FC may not, however, refer the matter back to the committee.
- 7.06 - The chair of the FC shall transmit a report communicating FC rejection of the grievant's petition for FC review, or stating the FC's findings and recommendations upon completion of the FC review to the Provost, to the chair of the committee, and to the grievant.
- 7.07 - Within one week after receipt of the FC report, the Provost shall notify the FC chair that the report has been received.

- 7.08 - The Provost shall communicate the university's response to the reports of the FC and the Faculty Hearing Committee by written communication to the chair of the FC, to the chair of the committee, and to the grievant, within three weeks of receiving the report of the FC.

ARTICLE 8. CONFLICTS OF INTEREST

- 8.01 - A member of the FC or the Faculty Hearing Committee who was involved in the formal decision-making process that occasioned a grievance may not participate in the processing of the grievance under the Marquette University Faculty Grievance Procedure.
- 8.02 - A member of the FC or the Faculty Hearing Committee whose impartiality might be compromised by participating in the processing of the grievance ought to recuse himself or herself from consideration of the grievance.

ARTICLE 9. CONFIDENTIALITY

- 9.01 - Confidentiality is important to the success of any grievance procedure. Accordingly, it is expected that those who participate in the grievance process and thereby become privy to a grievant's allegations, the university's response, information obtained in the course of any investigation, the final reports of the committee and the FC, and the university's final report, should respect the confidentiality of matters disclosed to them.
- 9.02 - The confidentiality referred to in section 9.01 above is designed as a protection for the grievant. Thus, should the grievant choose to make public what would otherwise be deemed confidential, the university, the FC, or the committee may respond by disclosing related matters that ought, in fairness to the university, the FC, or the committee, be disclosed.

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