

Appendix A

Faculty Senate Bylaws

FACULTY SENATE BYLAWS

OKLAHOMA STATE UNIVERSITY-OKLAHOMA CITY

ARTICLE I: NAME

The name of this organization shall be the Oklahoma State University-Oklahoma City Faculty Senate.

ARTICLE II: PURPOSE AND FUNCTION

SECTION 1: PURPOSE

The purpose of the Faculty Senate is (a) to consider all matters referred to it by the administration, other campus organizations, and faculty members, and (b) to initiate studies and make recommendations on its own to appropriate groups.

SECTION 2: FUNCTION

- A. The function of the Faculty Senate shall be to act as the official faculty voice in an advisory capacity to the administration. Such advice shall include, but not be limited to, the following areas:
1. Educational policies and programs;
 2. Admission, courses, curricula, schedules, graduation, and academic standards;
 3. Student affairs, such as orientation and guidance, extracurricular activities, inter-collegiate athletics, conduct, health, safety, security, and welfare;
 4. Faculty employment qualification, tenure, promotions, salaries, retirement, and other factors affecting faculty morale and welfare;
 5. Institutional facilities and resources.
- B. The Faculty Senate shall act in an advisory capacity to other campus organizations in matters pertaining directly to instruction.

ARTICLE III: MEMBERSHIP, ELECTION, AND REMOVAL OF SENATORS

SECTION 1: ELIGIBILITY

Faculty members who have teaching as their primary responsibility, whether as fulltime or part-time faculty, are eligible for election to the Faculty Senate. This excludes faculty who serve in administrative positions of associate division head or above and staff members who also teach classes in addition to their primary responsibilities.

SECTION 2: REPRESENTATION

- A. Each academic division shall have two senators representing the faculty of that division. These senators must be fulltime faculty members as qualified in Section 1 of this Article.
- B. For the purpose of Senate representation, all part-time faculty members shall constitute the equivalent of one academic division, which shall have two senators representing the part-time faculty of Oklahoma State University-Oklahoma City.
- C. The duties of Faculty Senators are primarily, (but not limited to):
1. Communicate to Faculty Senate the needs and concerns of the faculty in their division.
 2. Report to their division in a timely fashion the concerns, discussions, and decisions made in Faculty Senate meetings.
 3. Represent Faculty concerns, discussed at Faculty Senate, with campus committees (as appropriate).
 4. To be a member of at least one Faculty Senate committee. The expectation is to be engaged, do research, and help to resolve the issues referred to their committee.

SECTION 3: ELECTIONS AND TERM OF OFFICE

- A. Each academic division, as defined in Section 2 of this Article, shall hold an election each spring via a secret ballot to elect senators. One

- senator from each division will serve a two-year term commencing in academic years beginning with even-numbered years; the other senator from the division will serve a two-year term commencing in academic years beginning with odd-numbered years. All faculty members eligible for election to represent their divisions in the Faculty Senate shall have the right to vote for senators from their divisions.
- B. The Rules and Procedures Committee of the Faculty Senate shall determine the exact procedures for the Senate elections, supervise them, and publicly announce the elected senators.
 - C. Election of the representatives of the part-time faculty members shall be conducted by secret ballot and supervised by the Rules and Procedures Committee.
 - D. Each term of a faculty senator shall consist of two years, which begins the day after the OSU-OKC Graduation, held at the end of the spring semester. Newly elected officers and senators shall attend the April Faculty Senate meeting, although their term officially begins the day after OSU-OKC Graduation. This allows the new Faculty Senate to “watch and learn” the process.
 - E. In the event a senator is unable or unwilling to fulfill his/her elected term of office or is removed from office prior to the expiration of his/her term, the Rules and Procedures Committee shall supervise the election of a representative to serve in the vacated office until the expiration of the term.
 - F. Officers and senators are ethically obligated to attend all Faculty Senate sessions. A written attendance record shall be kept and made public in the event that a specific senator seeks re-election.

SECTION 4: REMOVAL OF SENATORS

- A. A recall election may occur under the following conditions:
 1. At least thirty (30) percent of a senator’s constituents must sign a petition calling for his or her removal, said petition to be certified as valid by the Rules and Procedures Committee of the Faculty Senate, or
 2. If a senator is absent from Faculty Senate meetings three times during the academic year, the secretary will send a notice of removal and a Special Election will take place.
- B. The Rules and Procedures Committee of the Faculty Senate shall announce the recall election at least one week (7 days) before the election takes place. They will determine the exact procedures for the recall election, supervise them, and publicly announce the results, a process that must be completed no later than fourteen (14) calendar days after the recall petition has been certified.

SECTION 5: SPECIAL ELECTION OF SENATORS

In the event that a Senate seat becomes vacant, the Rules and Procedures Committee of the Faculty Senate shall determine the exact procedures for a special election to replace the senator, supervise that election, and publicly announce the results. This entire process must be completed no later than fourteen (14) calendar days after nominations close for that election.

ARTICLE IV: SENATE MEETINGS

SECTION 1: ATTENDANCE OF NON-SENATORS

- A. All Faculty Senate meetings shall be open to all faculty, staff, administrators, and students. Faculty senators and officers shall be seated in a designated area to clarify eligibility for voting in that body. All persons who wish to address the Faculty Senate may do so when recognized by the Faculty Senate president.
- B. Any senator may make a motion to close quarters to include only faculty senators by a procedural vote as recognized by the chair. If the majority of the Faculty Senators present vote to close quarters, the chair shall have the authority to request everyone but the Faculty Senate to leave the meeting.

SECTION 2: MEETING SESSIONS AND QUORUM

- A. The Faculty Senate shall meet in session a minimum of one (1) time per month during the academic year, August through April. Senators and officers will serve through the day after the OSU-OKC Graduation. At the discretion of the Executive Committee, a required May meeting may be called to complete business.
- B. A quorum shall require two (2) officers and greater than fifty (50) percent of all senators.

SECTION 3: CONDUCT OF BUSINESS

- A. Each faculty senator shall have one (1) vote. No proxy voting shall be permitted.
- B. Any senator in attendance at a Faculty Senate session may ask for a vote to be taken by roll call or by secret ballot, and the first such request for a given vote must be granted. The secretary, assisted by the vice-president when available, shall distribute, collect, and tabulate

any written ballots.

- C. Robert's Rules of Order Newly Revised, shall govern the conduct of Senate business.
- D. The agenda for each Faculty Senate session shall include the following items:
 - 1. Determination of quorum and call to order
 - 2. Approval of agenda
 - 3. Approval of minutes
 - 4. Report regarding recommendations and resolutions to president
 - 5. Reports of Faculty Senate committees
 - 6. Report of representative to OSU-Stillwater's Faculty Senate
 - 7. Report of representative to President's Cabinet
 - 8. Unfinished business
 - 9. New business
 - 10. Adjournment
- E. The ability to amend the agenda (add to or subtract from) will be limited to an officer or senator.
- F. SPECIAL NOTE: Campus reports and announcements shall be submitted electronically to the faculty at least three (3) business days before the next meeting of the Faculty Senate and shall be considered approved at that meeting unless an objection is made.

ARTICLE V: FACULTY SENATE OFFICERS

SECTION 1: OFFICERS

The officers of the Faculty Senate shall consist of a president, vice-president, and secretary.

SECTION 2: ELIGIBILITY

- A. To hold the office of president, one must be eligible to serve as a senator on the Faculty Senate and must have served at least three (3) consecutive academic years as a fulltime tenure-track faculty member before assuming the responsibilities of the office.
- B. To hold the office of vice-president, one must be eligible to serve as a senator on the Faculty Senate and must have served at least two (2) consecutive academic years as a fulltime tenure-track faculty member before assuming the responsibilities of the office.
- C. To hold the office of secretary, one must be eligible to serve as a senator on the Faculty Senate and must have served at least one (1) academic year as a fulltime tenure-track faculty member before assuming the responsibilities of the office.

SECTION 3: ELECTION AND TERMS OF OFFICE

- A. The election of the vice-president and the secretary shall be held by secret ballot. The election should occur in March so the elected officers shall be publicly announced no later than one (1) week prior to the regularly scheduled April meeting of the Faculty Senate. In case of a tie, a run-off election may occur after that date but before the regular April meeting of the Faculty Senate.
- B. The Rules and Procedures Committee of the Faculty Senate shall conduct the election of the Faculty Senate officers according to the procedures listed in Article VIII, Section 3.
- C. The Vice President shall automatically succeed to the office of President after serving one (1) term as Vice President.
- D. A term of office for Faculty Senate president and vice-president shall be one (1) year and the term of office for secretary shall be two (2) years. Terms of office shall begin the day after OSU-OKC Graduation.
- E. The president and vice-president shall not be re-elected to a second consecutive term of office, but they may serve again in those offices after the expiration of one (1) term in which someone else has held those offices.
- F. The secretary may serve a maximum of two (2) consecutive terms of office but may be subsequently reelected only after being out of that office for one (1) year.

SECTION 4: OFFICERS' DUTIES

- A. The president shall:
 - 1. Represent the needs and concerns of the faculty, as reported and discussed in Faculty Senate meetings, and have administrative responsibility for the Faculty Senate during his/her term.
 - 2. Prepare, in consultation with the other Faculty Senate officers, the agenda for the Faculty Senate meeting at least one (1) week before the scheduled meeting.
 - 3. Chair the Rules and Procedures Committee.
 - 4. Call and preside at all meetings of the Faculty Senate.

5. Enforce parliamentary procedures.
 6. In meetings, the president shall not vote on any matters brought before the Senate unless there is a tie.
 7. Attend, report, and discuss Faculty Senate issues and concerns at each President's Cabinet meeting, Division Heads meeting, and other meetings requiring Faculty Senate representation, or send a designee.
 8. Represent faculty concerns, discussed at Faculty Senate, with campus committees (as appropriate).
 9. Report to the Faculty Senate all matters discussed in the President's Cabinet.
 10. Present in writing any recommendations of the Faculty Senate to the appropriate individual or group.
 11. Introduce newly elected officers and senators at the April Faculty Senate meeting. Remind them that their term begins the day after OSU-OKC Graduation.
 12. At the request of the president or vice-president of Academic Affairs, meet with the aforementioned to discuss topics of concern or interest to the administration. For the purpose of Senate representation, the Senate president may invite one or more senators from the electorate to attend.
- B. The vice-president shall:
1. Act as the presiding officer in the absence of the president.
 2. Be responsible for special projects of the Faculty Senate.
 3. The vice-president may vote on any matters brought before the Senate, except when they are acting in place of the president.
 4. Be an ex-officio member of all standing committees of the Faculty Senate.
 5. Attend any meetings in place of the president, if they are unable to attend.
 6. Represent Faculty concerns, discussed at Faculty Senate, with campus committees (as appropriate).
 7. Chair the Faculty Senate's Academic Policy Committee.
- C. The secretary shall:
1. Maintain a current record of all faculty members eligible to be elected as senators as well as current Faculty Senate members.
 2. Record minutes at each Faculty Senate meeting, including the names of all senators who are present and all who are absent, and record the votes of senators for each motion made.
 3. Maintain a file of the minutes of each Faculty Senate meeting.
 4. Distribute minutes of the previous Faculty Senate meeting to all faculty members, department heads, division heads, and Oklahoma State University-Oklahoma City administrative officers at least three (3) business days prior to the next scheduled Faculty Senate meeting.
 5. In conjunction with president, develop and distribute the Agenda at least three (3) business days prior to the next scheduled Faculty Senate meeting.
 6. Represent faculty concerns, discussed at Faculty Senate, with campus committees (as appropriate).
 7. Maintain all other records pertinent to the business of the Faculty Senate.
 8. Conduct all necessary correspondence for the Faculty Senate as directed by the president.
 9. The secretary may vote on any matters brought before the Senate.
 10. Chair the Finance & Ops Committee.

SECTION 5: REMOVAL OF OFFICERS

A Faculty Senate officer may be removed from office before his or her term expires under the following procedures:

1. At least thirty (30) percent of all full-time faculty members eligible to be elected as a senator must sign a petition calling for the removal of an officer.
2. A special committee comprised of the other two officers and two senior senators shall announce the recall election at least one week (7 days) before the election takes place. They will determine the exact procedures for the recall election, supervise them, and publicly announce the results, a process that must be completed no later than fourteen (14) calendar days after the recall petition has been certified.

SECTION 6: SPECIAL ELECTION OF OFFICERS

- A. In the event that the office of president becomes vacant, the vice-president shall automatically succeed to the office of president and then be eligible to serve his or her own term as president following the end of that year.
- B. In the event that the office of vice-president becomes vacant before February 1, the Rules and Procedures Committee shall conduct a special election to fill that office. As soon as the announcement of vacancy occurs, nominations will be open. This process must be completed no later than fourteen (14) calendar days after the announcement that a vacancy exists. If the office of vice-president becomes vacant after February 1, the vacancy shall not be filled until the regular election of officers in March.
- C. In the event that the office of secretary becomes vacant before January 1, the Rules and Procedures Committee shall conduct a special election to fill that office. As soon as the announcement of vacancy occurs, nominations will be open. This process must be completed no later than fourteen (14) calendar days after the announcement that a vacancy exists.

ARTICLE VI: EXECUTIVE COMMITTEE

SECTION 1: MEMBERS

- A. The Executive Committee of the Faculty Senate shall consist of the three current officers and the immediate past president.
- B. The immediate past president is strictly an advisory position to the Executive Board. They do not vote on any matters brought before the Senate unless they are also senator. They may sit with Faculty Senate and the officers, only if specifically invited by the Executive Board for advisement. To be part of the Executive Committee, the Immediate past president must complete their term as president in the previous academic year.

SECTION 2: AUTHORITY

The Executive Committee shall have the authority of the Faculty Senate to transact business of an emergency nature between Faculty Senate meetings and during the summer months of May through August. Any such emergency business shall be placed on the Agenda of the next scheduled Faculty Senate meeting for discussion.

ARTICLE VII: ELECTED FACULTY SENATE REPRESENTATIVE

FACULTY SENATE REPRESENTATIVE TO THE OSU-STILLWATER FACULTY SENATE

The Oklahoma State University-Oklahoma City Faculty Senate representative to the OSU-Stillwater Faculty Senate shall:

1. Communicate the needs and concerns of the faculty as discussed in OSU-OKC Faculty Senate meetings. Report concerns, discussions, and decisions made in OSU-Stillwater Faculty Senate meetings.
2. Attend all meetings of OSU-Stillwater Faculty Counsel.
3. Present the Oklahoma State University-Oklahoma City Faculty Senate's recommendations to the OSU-Stillwater Faculty Senate.
4. Report to Oklahoma State University-Oklahoma City Faculty Senate the issues discussed by the OSU-Stillwater Faculty Senate.
5. Forward the minutes from OSU-Stillwater Faculty Senate to Oklahoma State University- Oklahoma City Faculty Senate; before the Faculty Senate Meeting.
6. Not vote on any matters brought before the Senate unless the representative is also a senator.

ARTICLE VIII: STANDING AND AD HOC COMMITTEES

SECTION 1: STANDING COMMITTEES LISTED

- A. The following four (4) standing committees of the Faculty Senate shall be:
 1. Rules and Procedures Committee
 2. Faculty Committee
 3. Finance and Operations Committee
 4. Academic Policies and Student Affairs Committee
- B. Recommendations from committees shall be brought back to the eligible faculty members for discussion and approval.

SECTION 2: MEETING GUIDELINES

Each standing committee is required to provide three (3) business days' notice of a standing committee meeting to the general faculty, along with an agenda or issues to be discussed. Non-senator participation at such meetings will follow the by-laws as outlined under "Article IV, Section 1: Attendance of Non- Senators."

SECTION 3: RULES AND PROCEDURES COMMITTEE

The Rules and Procedures Committee shall:

1. Consist of the president of Faculty Senate as chair and an unspecified number of senators selected by the Faculty Senate.
2. Review the bylaws each year and recommend revisions or amendments to Faculty Senate.

3. Review and/or clarify all proposed amendments to the bylaws.
4. Prepare and distribute ballots to all eligible faculty members on all proposed amendments or revisions of the bylaws, count the ballots, and announce the results at the next scheduled Faculty Senate meeting.
5. Recommend creation or abolition of Faculty Senate committees.
6. Recommend procedures for establishing new university committees, task forces, boards, and councils.
7. Recommend procedures for faculty participation in the government of the university, including the planning, management, and evaluation of divisional and departmental affairs.
8. Recommend procedures for faculty participation in the planning, operation, and evaluation of university programs not under the supervision of any division.
9. Recommend procedures for faculty participation in administrative organization and reorganization at all levels, including creation and reorganization of divisions and departments of the university.
10. Recommend procedures for faculty participation in selecting administrative personnel.
11. Recommend procedures for faculty liaison with Boards of Regents, Student Government Association, and other work groups that require faculty representation.
12. The Rules and Procedures Committee shall conduct and supervise all Faculty Senate elections, whether regular, recall, or special in nature.
13. The Rules and Procedures Committee shall determine the exact procedures for elections to the Faculty Senate and for all recall and special elections because of the circumstances that will be unique to each one.
14. The Rules and Procedures Committee shall implement the following procedures for the regular election of Faculty Senate officers each spring:
 - A. Make a formal request to all eligible faculty members for nominations.
 - B. Nominations will be accepted until the close of the February meeting, either verbally or in writing.
 - C. Regular elections must be announced and opened 30 days.
 - D. Results will be announced at least a week before the April meeting.
 - E. If there is a need for a run-off election, it shall prepare, distribute, and collect the necessary ballots.

SECTION 4: FACULTY COMMITTEE

The Faculty Committee shall:

1. Consist of vice-president of Faculty Senate as chair, immediate past president of the Faculty Senate, and three senators selected by the Faculty Senate.
2. Formulate and recommend policies governing faculty status, including appointment, tenure, employment, working conditions, workloads, research activities, and similar concerns of the faculty members.
3. Be available to consult and advise Faculty Senate president on matters which require application or interpretation of policies concerning the faculty not otherwise provided for within these bylaws.
4. Review and/or clarify all proposed revisions pertinent to faculty issues and policies for Faculty Handbook. Prepare and distribute ballots to Faculty Senate on proposed revisions to the Faculty Handbook, count the ballots, and announce the results at the next scheduled Faculty Senate meeting.
5. Formulate and recommend policies and long-range plans as needed, concerning benefits, retirement, insurance, recreation facilities, tuition fees for faculty, staff and dependents.

SECTION 5: FINANCE AND OPERATIONS COMMITTEE

The Finance and Operations Committee shall:

1. Consist of secretary of Faculty Senate as chair and an unspecified number of senators selected by Faculty Senate.
2. Review the publicly available financial records of Oklahoma State University-Oklahoma City and the short-term and long-term priorities of the administration regarding finances and operations of the institution.
3. Make recommendations to the administration of the faculty's short-term and long-term priorities regarding finances and operations of the institution.
4. Formulate and recommend policies and long-range plans pertaining to campus facilities, safety and security including the design, construction, and naming of new campus buildings; the control of campus traffic and parking; safety and security; the assignment of space and equipment for office, classroom, and laboratory, together with maintenance and repair thereof; and physical plant.
5. Annually review contingency plans for handling campus emergencies.

SECTION 6: ACADEMIC POLICIES AND STUDENT AFFAIRS COMMITTEE

The Academic Policies and Student Affairs Committee shall:

1. Consist of an unspecified number of senators selected by Faculty Senate.
2. Formulate and recommend policies regarding admission, retention and graduation
3. requirements; university catalogs and the academic calendar; incentives and academic awards to encourage scholarship; instructional standards and procedures, on and off campus; student employment and credit hour load regulations; new curricula, programs, and collaborative agreements; academic counseling, tutoring and honors program.
4. Formulate and recommend policies regarding acquisition, distribution, and use of technology.
5. Formulate and recommend policies regarding faculty development issues.
6. Formulate and recommend policies and long-range plans concerning the library and other learning resources.
7. Formulate and recommend policies, procedures, and long-range plans pertaining to student concerns and activities common to all divisions of the university, such as those relating to guidance, awards, discipline, health, employment, loans, intramural athletic activities, and the distribution of scholarships and financial awards and assistance.
8. Make recommendations concerning changes in student regulations.

SECTION 7: AD HOC COMMITTEES

The Faculty Senate president shall have the authority to create ad hoc committees to work temporarily on special problems or projects.

ARTICLE IX: REFERENDUMS

SECTION 1: GENERAL INFORMATION

Faculty members who are eligible to be elected as senators may initiate a referendum, which shall require a popular vote of all eligible faculty members to pass.

SECTION 2: PROCEDURES FOR REFERENDUM INITIATIVES

The following procedures shall be used for all referendum initiatives:

1. A petition signed by at least thirty (30) percent of all eligible faculty members shall be required for a referendum on any issue. The Rules and Procedures Committee shall have the authority to certify any such petition as valid.
2. If a referendum petition is certified as valid, the Rules and Procedures Committee shall conduct the secret ballot vote by all eligible faculty members and announce the results at the next regularly scheduled meeting of Faculty Senate.

ARTICLE X: AMENDMENTS TO THE BYLAWS

SECTION 1: JURISDICTION OVER ALL PROPOSED AMENDMENTS

All proposed amendments to Faculty Senate bylaws must originate or be submitted to the Rules and Procedures Committee of Faculty Senate.

SECTION 2: FACULTY SENATE ROLE

- A. Any proposed amendments to Faculty Senate bylaws recommended by the Rules and Procedures Committee shall be submitted to Faculty Senate for consideration at least one (1) week before the next scheduled meeting of the Faculty Senate.
- B. Any proposed amendments to Faculty Senate bylaws must receive a majority of the votes cast by senators.

SECTION 3: FACULTY RATIFICATION

- A. Any proposed amendments to the bylaws recommended by Faculty Senate shall be sent in written form to all eligible faculty members for their consideration at least one (1) month before the date of the general ratification vote selected by the Faculty Senate.
- B. Amendments to the bylaws must receive a minimum two-thirds (2/3) majority of the votes cast by eligible faculty members.

Appendix B

Statement of Policy Governing Appointments, Tenure, Promotions, and Related Matters of the Faculty of Oklahoma State University - Oklahoma City

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STATEMENT OF POLICY GOVERNING APPOINTMENTS, TENURE, PROMOTIONS, AND RELATED MATTERS OF THE FACULTY OF OKLAHOMA STATE UNIVERSITY--OKLAHOMA CITY

Preface

It is fundamental that institutions under the governance of the Board of Regents for Oklahoma Agriculture and Mechanical Colleges ("Board of Regents"), such as Oklahoma State University-Oklahoma City, use various professional and administrative standards. Accordingly, it is the policy of the Board of Regents that the activities at these public institutions should be conducted in a manner that will attempt to balance the rights of the individual faculty member with the public's legitimate needs and interests. Policy statements of the Board of Regents are to be applied and interpreted in that spirit. Any use of grammatical gender references shall be interpreted as applying equally to males and females.

The Board of Regents strongly supports the concept of faculty counsel on matters that affect faculty. One primary purpose of this policy statement is to make effective formal procedures to ensure and provide for meaningful faculty counsel on the matters addressed herein.

It is intended that faculty and administrators shall adhere to the standards set forth in this policy statement. It is not intended that minor variances, which are not substantially prejudicial to rights of individual faculty members or contrary to the intent of the policy, should serve as the sole basis for complaints or claims of erroneous treatment or action. Additionally, it is not intended that these minor variances in circumstances and conditions or events be interpreted as establishing authority to disregard the standards set forth in this policy statement.

This broad policy statement is intended to be stable and a source of reliable information and guidance to faculty, administrators, and interested members of the public. However, in approving this policy statement for OSU-Oklahoma City, the Board of Regents is not waiving or restricting its lawful power, duty, and responsibility to act at any future time to establish policies, regulations, and procedures and to implement other decisions of the Board. If there is a need to consider permanent changes to this policy statement, it is recognized that although it is not to be regarded as mandatory, there is almost always substantial public benefit in consulting with Board of Regents staff, institutional administrators, appropriate faculty, and others before enacting revisions. The Board of Regents ordinarily will request assurances from recommending administrators of prior meaningful coordination and discussion of revisions of this policy statement with the president of the OSU-Oklahoma City Faculty Senate before the Board of Regents votes on such proposed revisions.

While the Board of Regents recognizes the value of appropriate participation of faculty, administrators, and others in the formulation of professional standards, policies, and procedures, it also recognizes that circumstances may arise where the collective judgment of the Board of Regents requires the Board to act without such participation in discharging its lawful responsibilities. In such instances, the Board will make every reasonable effort through the official public record and the institutional administration, to inform affected personnel of the Board's actions and invite those personnel to provide input for subsequent consideration by the Board.

References to the Board of Regents in this policy statement may include participation or representation by the Board's staff when so designated or authorized by the board.

This policy statement shall become effective December 11, 2020 and shall continue in effect until amended by the Board of Regents. This policy statement shall not apply to any pending personnel actions commenced under earlier policies, and neither shall it affect any vested substantive rights of any faculty hired prior to its effective date of adoption.

**Revised and Approved by the Board of Regents
December 11, 2020**

Governing Philosophy

Sound, clearly stated, and sufficiently flexible policies and procedures governing appointments, tenure, promotions, and related matters are vital to the effective performance of faculty members and administrators¹. These standards are to be implemented in a reasonable manner². In implementing the standards in this policy statement, the president is authorized to decide procedural questions on uncertain points. Prior to making such decisions, the president may consult with the Faculty Senate president, the Executive Vice President of Oklahoma State University, the president of Oklahoma State University, the Board of Regents Office of Legal Counsel, or others.

The opportunity for faculty members to participate in efforts to improve policies is critical. The Faculty Senate ordinarily shall be consulted in the process of reviewing suggestions for improvements in this policy statement, as referenced in the Preface to this Policy Statement. Recommendations for improvements made by the Faculty Senate shall be transmitted to the president of OSU-Oklahoma City. Any changes in this policy statement must be approved by the Board of Regents.

¹ A copy of all present and future implementing Institutional Policy and Procedure Letters which relate to matters dealt with in this policy statement shall be authorized by the president and be on file and available to faculty members in the library and in the office of every academic division within the Institution. Throughout this document, the phrase "this policy statement" refers to "the Statement of Policy Governing Appointments, Tenure, Promotions, and Related Matters of the faculty of OSU-Oklahoma City". All documents generated on the Oklahoma City campus by the appropriate administrative staff to aid in the implementation of these policies shall be consistent with the standards in this policy statement. If there are any inconsistencies between the documents generated by administrative staff and declarations in this policy statement, the standards in this policy statement shall be the controlling Institutional policy.

² Whether implementation of standards is "reasonable" is inherently a judgment based on prevailing circumstances, known facts, and rational conclusions. As used in this policy statement, the determination of whether a matter is "reasonable" is to be based on:

- a. an evaluation of known facts,
- b. use of applicable procedures and professional standards,
- c. consideration of prudent public institutional interests, and
- d. the exercise of sound judgment.

For example, an administrative action is "reasonable" if there is a rational or thought-out basis for the administrative action that is developed in a manner consistent with the above decisional criteria; the action should be the product of professional judgment, not contrived nor materially tainted through personal actions born of malice, illegal discrimination, or intentional falsehood. In a disputed situation under this policy statement, reasonableness is ultimately determined by the actions or policies of the Board of Regents for the Institution if it is not resolved at an earlier point within Institutional administrative channels.

It is acknowledged and recognized that the powers reserved to the Board of Regents in this Policy Statement, including, but not limited to, that referenced in Section 1.3.2 shall be controlling over any arguably contradictory language.

General Provisions

1.0 -- Professional Standards and Matters of Academic Appointment Administration

1.1 -- Professional Standards

1.1.1 -- Qualifications

Oklahoma State University-Oklahoma City (hereafter OSU-Oklahoma City) requires that detailed academic qualification standards for each rank, function, or specialty be specified by the appropriate unit administrator³. In those cases in which work assignments vary greatly within a given department/division or are split between departments/divisions it will be necessary to specify qualifications for individual positions. In establishing these qualification standards, the department head/division head shall obtain appropriate faculty counsel⁴. When approved by the relevant division head and the Vice President for Academic Affairs (hereafter VPAA), a copy of the standards shall be given to each faculty member and such standards shall be applied by all administrative areas involved until duly amended.

1.1.2 -- Professional Development

Faculty, as professionals, are responsible for their own development consistent with department, division, and institutional goals. It is the policy of OSU-Oklahoma City in the reappointment of faculty members, and especially in the case of reappointments granting tenure, that demonstrated high quality performance in assigned responsibilities be documented. Basic competence in itself is not sufficient to justify reappointment, as that is a prerequisite for the initial appointment.

Division heads are expected to encourage the professional development of each faculty member. Division heads should familiarize each faculty member with the performance standards established for reappointment, promotion, and tenure. The division heads should endeavor to provide an environment conducive to the achievement of expected performance.

1.1.3 -- Job Description and Terms and Conditions of Employment

The faculty is responsible for seeking and transmitting knowledge in an atmosphere of impartial scholarship. Members of the faculty have the responsibility to follow the Board of Regents existing approved policies on outside activities to avoid conflicts of interest prohibited by Oklahoma statutes and, particularly, to develop and maintain normal student/teacher relationships which are healthy, honorable, and beneficial to students in the pursuit of legitimate educational objectives. Members of the faculty must not exploit students for their private advantage.

It is the policy of OSU-Oklahoma City that each faculty member's job description and the applicable standards, criteria, and procedures used in making decisions relating to renewal, tenure, and promotion shall be available to the faculty member in written form. These items shall be provided to each faculty member in the form of the initial letter of offer; written policy and procedure statements of the department, division, and OSU-Oklahoma City; and formal appraisal and development statements.

1.1.4 -- Professional Ethics

The faculty of OSU-Oklahoma City endorses the American Association of University Professors' 1966 statement on Professional Ethics. An edited version of this statement is found in the Statement of Professional Ethics, Appendix A.

1.1.5 -- Retention and Advancement

It shall be the personal responsibility of the faculty member to satisfy applicable qualifications for reappointment, tenure, or promotion. An OSU-Oklahoma City Policy and Procedures Letter shall be developed and approved by the President to state applicable documentation standards.

1.1.6 -- Review of Faculty

1.1.6.1 -- Annual Review of Faculty

Review of faculty activities and accomplishments shall be conducted by the unit administrator every year for every faculty member, regardless

³ The term, "unit administrator," as used throughout this policy statement refers to those individuals holding the title of department head or division head.

⁴ Depending on the unit's organizational structure, "appropriate faculty counsel" referred to throughout this policy statement shall involve obtaining a recommendation from:

- a. the entire department or division faculty; or
- b. members of a special or permanent committee selected by procedures which have been approved by a majority of the faculty of the department/division involved, submitted to the division head for review, and transmitted to the VPAA for retention in a permanent file; or where necessary;
- c. the OSU-Oklahoma City Faculty Senate

of rank or tenure status. A written report of activities and accomplishments shall be submitted by the faculty member. This report shall include a work and professional development plan. Unit administrators are expected to encourage the professional development of each faculty member.

Unit administrators shall familiarize each faculty member with the performance standards of the unit. The unit administrator shall endeavor to provide an environment conducive to the achievement of expected performance. The unit administrator shall submit a written evaluation that gives detailed descriptions of the faculty member's accomplishments or deficiencies. The faculty member's written report, together with the unit administrator's evaluation, shall serve as the supporting documentation for any merit pay raise or other salary adjustment. The completed annual review documentation shall be placed into the permanent record of the faculty member and shall be added to an accumulation of performance documents that shall be used in any further review. A complete set of annual review documents shall be available for any peer committee evaluation, particularly evaluations at the times of reappointment, tenure, and promotion. If a major element of performance is judged to be unsatisfactory by the unit administrator, the following steps shall be taken:

- (a) A detailed written plan for corrective action shall be specified by the unit administrator.
- (b) If requested by the faculty member, the unit administrator shall obtain appropriate faculty counsel to determine whether the appraisal is justified, and if so, what measures to improve performance are warranted. If the judgment of unsatisfactory performance is not supported by the faculty group, the matter shall be forwarded to the Division Head for resolution.

Personal misconduct may be the basis for disciplinary action that is separate from the professional performance appraisal system (see Section 1.12).

1.1.6.2 – Cumulative Review of Tenured Faculty

For each tenured faculty member, a cumulative review shall take place every five years. A review conducted to grant promotion qualifies as a cumulative review. The review shall be based on discussion and substantive documentation provided by the faculty member. The review processes shall include written feedback to the faculty member as well as a provision for response. Written feedback shall be a detailed description of the faculty member's accomplishments or deficiencies. The cumulative review requires individual development plans for each faculty member. Faculty members are responsible for their own development consistent with unit, Division, and University goals. Any formal development plan should respect academic freedom and professional self-direction, and it should be flexible enough to allow for subsequent alteration.

The results of the Cumulative Post-Tenure Review (CPTR) may be used by appropriate administrators as a basis for providing support which will assist faculty members in carrying out their professional goals and responsibilities. Any disciplinary action that may follow the cumulative review must adhere to all prescribed procedures in force within this policy document. In the event that unsatisfactory performance has not improved within the timelines set in the individual development plan, any dismissal action shall be based up on those grounds for dismissal specified in the "Policy Statement to Govern Appointments, Tenure, Promotions and Related Matters of the Faculty of Oklahoma State University – Oklahoma City."

If a faculty member believes that the results from a cumulative review are based on unlawful discrimination, inadequate consideration, or legitimate exercise of academic freedom, they may request a review of the matter utilizing the Dispute Resolution Procedure in this policy document.

1.2 -- Recommendations for Faculty Appointments, Reappointments, Non-Reappointments, and Promotions

1.2.1 -- Role and Responsibility of the OSU-Oklahoma City Reappointment, Promotion, and Tenure Screening Committee

A prerequisite of a strong faculty is an active involvement in decisions affecting its own membership. Such active involvement is especially critical in appointments to and separations from the faculty. Accordingly, an OSU-Oklahoma City Reappointment, Promotion and Tenure Screening Committee will be formed annually composed of ten (10) members as follows:

- A. five (5) faculty members appointed by the OSU-Oklahoma City Faculty Senate--one minimum from each of the top three academic rankings and two randomly selected from the general faculty⁵,
- B. two (2) department heads from different divisions selected by the OSU-Oklahoma City Academic Affairs Leadership Team,
- C. one (1) division head selected by the OSU-Oklahoma City Academic Affairs Leadership Team
- D. the previous Faculty Senate President for one year following the year as chair⁶, and
- E. the Faculty Senate President who will serve as the Committee chairperson in a non-voting capacity; except in the case of a tie.

⁵ No more than three (3) faculty per division may serve at the same time as voting members of the Committee.

⁶ The previous Faculty Senate president may be called upon to chair the committee in the event that the current Faculty Senate president is to be considered for reappointment, promotion, or tenure.

The Committee members shall serve for a three-year term, unless that person is to be considered for reappointment, promotion, or tenure. The committee shall review all recommendations submitted by the division head, shall prepare its own recommendation, and shall forward all information to the VPAA for review and action.

1.2.2 -- Roles and Responsibilities of the VPAA, President, and the Board of Regents

The VPAA shall carefully review all recommendations and shall give great weight to the recommendations of the Reappointment, Promotion, and Tenure Screening Committee in making his/her decisions. If he/she deems necessary, the VPAA may consult with department and/or division heads and request recommendations from other academic administrators before taking action.

Final institutional review of personnel actions may be conducted by the President⁷. Appointments, reappointments, promotions, and terminations must be approved by the Board of Regents except as authorized by Board of Regents policies (e.g., Board of Regents Policy Manual and Rules, §3.03 (revised June 22, 2018)).

1.3 -- Periods of Appointment and Tenure for Ranked Faculty⁸

1.3.1 -- Types of Appointments

All faculty positions are of two types, permanent or temporary. All permanent faculty positions shall be filled by appointments of qualified persons with the rank of Instructor, Assistant Professor, Associate Professor, or Professor. The initial appointment of any person to the rank of Instructor or above, including part-time appointments shall be based on a recruiting search which is consistent with applicable state and federal equal employment opportunity standards and Board of Regents-approved affirmative action guidelines. When deemed professionally appropriate and financially feasible by the VPAA, national searches will be used. All initial appointments to the rank of Instructor or above are of two kinds:

- A. probationary (appointments potentially leading to tenure), or
- B. appointments with tenure (applicable only to appointments with the initial ranks of Associate Professor or Professor if specifically approved by the Board of Regents).

1.3.2 -- Tenure

Tenure is a continuous appointment granted following evaluation by the faculty member's academic department and/or division, the OSU-Oklahoma City Reappointment, Promotion, and Tenure Screening Committee, and the VPAA; recommendation by the President; and approval by the Board of Regents. Tenured appointments shall not be terminated except under extraordinary conditions as stated in section 1.13, Termination of Appointments.

Tenure is a means by which to assure academic freedom (see Section 1.8). Academic freedom is indispensable to the success of OSU-Oklahoma City in fulfilling its obligations to its students, to the State of Oklahoma, and to society in general. The decision to grant tenure is a judgment made with appropriate faculty counsel. Except for prestigious scholars initially appointed as Associate Professor or Professor with tenure, the decision to grant tenure is normally made toward the end of a probationary period. Tenure is a major undertaking and shall not be granted unless the faculty member has demonstrated by consistent performance that the academic department will benefit from making a career-long commitment to the faculty member.

Academic appointments normally coincide with the beginning of the academic year. For faculty appointed after September 1, the period of probation for tenure consideration or for renewal of appointment will commence at the beginning of the following academic year. The probation period for faculty appointed on or after January 1 will commence at the beginning of the following academic year. Except for extenuating circumstances (see Section 1.3.9), the period of probation for tenure consideration shall never exceed a total of **six** years of continuous appointment with OSU-Oklahoma City.

Review for the granting of tenure shall occur only at the following times:

- A. when a prestigious teaching scholar is initially considered for appointment to the rank of Associate Professor or Professor;
- B. when an untenured ranked faculty member is reviewed for promotion to the rank of Associate Professor or Professor;
- C. when an untenured ranked faculty member is reviewed for a reappointment or promotion which, if awarded, will extend the number

⁷ At all times in this Policy Statement, references to final decisions being made by the president, or to recommendations being made by the president to the Board of Regents are not intended to imply or assume that the Executive Vice President of OSU or the President of OSU, as may be appropriate, do not have roles to play in such actions. Recommendations regarding the initial appointment, reappointment, promotion, tenure, and termination of faculty inherently involve a recommendation being made by the President to the Executive Vice President of OSU and to the president of OSU, who have authority over what matters are recommended to the Board for action.

⁸ The term, "ranked faculty," as used in this document applies only to instructors, assistant professors, associate professors, and professors who have appointments potentially leading to tenure or who are tenured.

- of years in ranked faculty positions at OSU-Oklahoma City beyond a total of seven years; or
- D. when a person has completed at least one year of satisfactory service at OSU-Oklahoma City following an initial appointment as an untenured Associate Professor or Professor.

1.3.3 -- Appointment as Instructor

Appointment to the rank of Instructor shall be for such time as is specified, but such appointments shall not exceed one academic year at a time during a probationary period not to exceed six years. When individuals have been appointed as Instructor for their sixth year of probationary service, they shall be evaluated for tenure and informed in writing by April 1 of the sixth year of either:

- A. the award of tenure effective with the beginning of the seventh year, or
- B. the nonrenewal of the appointment and expiration effective at the end of the appointment.

If a nontenured Instructor is promoted to a higher rank, the period of probation for tenure shall commence with the beginning of the initial appointment as an Instructor, unless the faculty member requests and is granted an extension of the probationary period (see Section 1.3.9).

When a nontenured Instructor is promoted to Assistant Professor, evaluation for tenure shall occur the sixth year of service. The initial term of appointment as Assistant Professor will vary depending on the number of years served as Instructor, as follows:

- A. with five years of service as Instructor, promotion would result in a one-year initial appointment as Assistant Professor;
- B. with four years of service, a two-year appointment;
- C. with three years of service, a three-year appointment; and
- D. with one or two years of service, a four-year appointment.

In the case of promotion to assistant professor after only one year as an Instructor, a second probationary term of two years is permitted. In the other cases described above, a terminal one-year reappointment as assistant professor will be made when tenure is not to be granted.

1.3.4 -- Initial Appointment as Assistant Professor

Initial appointment to the rank of Assistant Professor shall normally⁹ be for a period of four years. The candidate shall be fully qualified as an instructor and hold a master's degree in the field or a related field (as defined by the Office of the Vice President for Academic Affairs) from an accredited institution of higher education. Reappointment for a two-year period may be made. Promotion to Associate Professor or reappointment as an Assistant Professor after six years of probationary service as an Assistant Professor shall confer tenure.

1.3.5 -- Initial Appointment as Associate Professor

Initial appointment to the rank of Associate Professor shall normally¹⁰ be for a period of five years. Any recommendation for promotion prior to this length of service in rank will be regarded as extraordinary and will require exceptional justification. The candidate must be fully qualified as an assistant professor and have extensive teaching experience. Reappointment as Associate Professor or promotion to Professor shall confer tenure. A special tenure review may be made after one year of service at OSU-Oklahoma City (see Section 1.3.2). In extraordinary circumstances, tenure may be expressly granted at the time of initial appointment.

1.3.6 -- Initial Appointment as Professor

Initial appointment to the rank of Professor shall confer tenure unless a probationary period, not to exceed three years, is specified at the time of appointment. The candidate must be fully qualified as an Associate Professor, hold a doctorate degree in the field or a related field (as defined by the Office of the Vice President for Academic Affairs) from an accredited institution of higher learning, and be eligible for tenure. Any recommendation for initial appointment or promotion prior to this length of service in rank and/or prior to meeting educational requirements will require exceptional justification.

1.3.7 -- Change from Academic Status

Academic tenure is not affected by change to administrative or other active status. Please note that further progression through the academic ranks is frozen upon changing to an administrative status. Appointment to an administrative or other position shall not confer tenure in that position.

1.3.8 -- Nonpermanent and Special Appointments

When persons are appointed to nonpermanent or special positions, special titles (see Section 1.7) shall be used. In such cases, the period of appointment shall be clearly stated and should be designated as temporary on the "Employment Action Form"; this administrative form is to be

⁹ For faculty whose initial term of appointment begins at other than the beginning of the academic year, the period of appointment shall be adjusted to expire at the end of an academic year to be consistent with the provisions of Section 1.3.2, paragraph 3. Thus, the term of the first probationary appointment may vary from the stated period in Sections 1.3.4 and 1.3.5.

¹⁰ Id.

attached to an OSU-Oklahoma City Policy and Procedures Letter explaining its proper use. The letter confirming the appointment should state that appointment to temporary positions will not lead to tenure nor count as part of a probationary period potentially leading to tenure.

1.3.9 -- Extensions of Appointment and Probationary Periods

A period of appointment and the probationary period of a faculty member may be extended up to three years for extenuating circumstances, e.g., a leave of absence without pay, an extended sick leave, significant changes in published criteria for tenure, or significant changes in job description associated with transfer or promotion. Upon written request by the faculty member and recommendation by the department and/or division head, such an extension may be granted upon approval by the VPAA, the President, and the Board of Regents.

1.4 -- Origination of Appointments and Assignments

1.4.1 -- Appointment to Faculty Positions

The department and/or division head has the principal responsibility for initiating all authorized faculty appointments (see Section 1.2). The department and/or division head with the advice of faculty shall carry out this responsibility by:

- A. filing a "Request to Hire Form" (an administrative form to be attached to an OSU-Oklahoma City Policy and Procedures Letter explaining its use) following definition of faculty needs;
- B. searching for and obtaining information about prospective faculty members;
- C. evaluating candidates; and
- D. recommending suitable, qualified individuals for appointments, with supporting evidence concerning the candidate's qualifications.

Temporary appointments may be made without a national search and the position shall carry a title reflecting its temporary nature (see Section 1.7.6).

1.4.2 -- Letter of Offer

No offer is binding on OSU-Oklahoma City until a formal recommendation has been presented to and officially approved by the Board of Regents in accord with the policies of the board.

A statement of the proposed basic terms and conditions of every appointment shall be available in writing and be in the possession of both OSU-Oklahoma City and the prospective faculty member before the appointment is made. Where applicable, this statement will make reference to the substantive and procedural standards generally used in the decisions affecting renewal and tenure and any special standards adopted by the appropriate department and/or division. Any other authorized agreements pertaining to conditions of appointment, reappointment, promotion, and tenure shall be part of this written statement.

1.4.3 -- Amendments

If basic changes in assignment or conditions of appointment (other than revisions to fringe benefits, retirement plans, and this policy statement) become necessary during the period of appointment, the changes must be discussed in advance and communicated to the affected faculty member in writing by the department and/or division head. Unresolved disputes regarding basic changes in assignments or conditions of appointment are resolved using the Dispute Resolution Procedures, Appendix E.

1.5 -- Promotions in Rank

The process of review for promotion in rank shall be initiated by the Office of the Vice President for Academic Affairs. Prior to the initiation of the review, the consent of the faculty member shall be obtained. Faculty members should be provided sufficient notice to enable them to assemble and submit materials believed helpful to a full review. Individual faculty members have the right to be reviewed for promotion at their own request provided they have not undergone such a review within the previous two academic years.

Following consideration of appropriate faculty counsel, the department and/or division head will decide whether or not a faculty member is to be recommended for promotion by the department and/or division. This decision should be in keeping with the established qualification guidelines of the department and/or division. The faculty member shall be informed by the department and/or division head if a recommendation for promotion is not being sent forward and shall be provided counsel by the department and/or division head regarding how he/she might meet criteria for promotion in a subsequent consideration.

The VPAA shall review each promotion recommended by the department and/or division head and by the OSU-Oklahoma City Reappointment, Promotion, and Tenure Screening Committee. The Committee's recommendation to the VPAA will be accompanied by the original recommendations and counsel of the department and/or division head. In the process of review, the VPAA may seek additional counsel from suitable faculty committees. Copies of any written counsel provided by such faculty committees will become part of the recommendation package. If the VPAA's recommendation differs from that of the department and/or division head or the Committee, the reasons shall be specified in writing and provided to the faculty member.

Persons holding temporary or special titles may apply for advertised ranked positions. Before the VPAA recommends any such promotions,

he/she should seek appropriate faculty counsel.

Promotions must be recommended by the President and approved by the Board of Regents before becoming effective. The affected faculty member shall be informed by the appropriate department and/or division head that a recommendation for promotion will be presented by the President to the Board of Regents. Normally, recommendations for promotions are submitted to the Board of Regents for consideration during its June meeting. When approved, the Board of Regents specifies the date on which the promotion shall become effective.

1.6 -- Reappointment and Non-Reappointment

1.6.1 -- Recommendation to Reappoint/Not to Reappoint

Recommendations to reappoint or not to reappoint shall originate with the department and/or division head after obtaining appropriate faculty counsel (see Section 1.2). Normally, such recommendation shall be in response to a routine notice from the office of the VPAA. A faculty member being considered for reappointment shall be provided sufficient notice to assemble and submit materials believed helpful to a full consideration of the question.

Recommendations for both reappointment and non-reappointment of ranked, probationary faculty members are forwarded to the OSU-Oklahoma City Reappointment, Promotion, and Tenure Screening Committee and to the VPAA for review and action. In the process of review, the Committee and the VPAA may seek counsel from suitable OSU-Oklahoma City faculty committees. Following review, all recommendations, accompanied by a statement of approval or disapproval, are forwarded to the President for recommendation. Copies of the written counsel provided by the department and/or division, faculty committees, and the OSU-Oklahoma City Reappointment, Promotion, and Tenure Screening Committee should accompany recommendations from the VPAA to the President.

The affected faculty member shall be informed by the appropriate department/division head that:

- A. a recommendation for reappointment will be presented to the Board of Regents, or
- B. OSU-Oklahoma City does not intend to continue the appointment beyond a specified date.

1.6.2 -- Non-Reappointment

Nonrenewal of a temporary or nontenured appointment shall not be regarded as a termination. If a decision is made not to recommend reappointment of a faculty member on a probationary appointment, the following schedule for notification should be observed:

- A. Adjunct appointments and all other forms of non-tenure track special appointments will end by their own terms at the conclusion of the appointment period without any expectation of future appointment or advance notification requirement.
- B. For Instructors, notice shall be given no later than April 1 of the year in which the appointment is scheduled to expire.
- C. For Assistant Professors or higher, notice shall be given at least twelve (12) months before the expiration of an appointment period.

Faculty in ranked tenure-track positions shall be provided the reasons for non-renewal in a confidential document from either their specific department/division or the Office of the VPAA. If the affected faculty member believes that the reasons for non-renewal are based on unlawful discrimination or inadequate consideration, he/she may request a limited review of the matter using the Dispute Resolution Procedures, Appendix E.

1.6.3 -- Special-Title Positions

Faculty positions with special titles are not considered permanent. Appointment of persons to nonpermanent special positions is usually for a stated period of time and does not imply an obligation to reappoint. Normally, additional notice of the end of the term of this kind of appointment need not be provided.

1.7 -- Special Appointments and Titles

1.7.1 -- Regents Professor

This title may be awarded to Professors who have made outstanding contributions in their discipline through resident teaching and/or research or other scholarly activities, and/or extension activities. Persons appointed with this title should be recognized on campus and at the national level for past and continuing scholarly accomplishments. Evidence of accomplishments may be their record of publication in nationally recognized journals, or as authors of monographs, scholarly books and/or textbooks, creative activities, or outstanding performance as classroom teachers. Teaching excellence must be documented by department and/or division heads, peers, and students or indicated by previous teaching awards granted by student or faculty groups. Outstanding performance in extension activities will also be considered. The title of Regents Professor is an honorary title and does not involve additional financial support beyond any annual merit increase(s) in salary. The term of Regents Professorships shall be four years, and the honorary appointment may be renewed. Such an appointment is effective July 1 following formal approval. Approved procedures for nomination and recommendation for appointment to this title are stated In Policy and Procedure Letter 2-0905.

1.7.2 -- Regents Service Professor

Appointment to this title may be made for administrators who have rendered distinguished service to OSU-Oklahoma City and desire to be relieved of administrative duties and return to resident instruction, extension, or research positions. Recommendations shall be made by the division head of the appropriate academic area to the VPAA and then to the President. Appointment shall be for a period of four years and is subject to renewal.

1.7.3 -- Endowed or Supported Chairs

After receiving appropriate faculty counsel, the department and/or division head may recommend that a person be appointed to an endowed or supported chair in recognition of past and continuing scholarly accomplishments in the appropriate discipline. Persons holding endowed chairs will be subject to the rules and procedures governing other faculty members of the same rank.

1.7.4 -- Emeritus Faculty

Upon retirement, faculty members shall carry as emeritus the rank they were holding when retired, shall retain all professional rights, and shall be accorded privileges specifically authorized by the Board of Regents.

1.7.5 -- Part-time Faculty Appointments

Professional persons may be granted appointments as part-time instructors. Part-time faculty appointments are temporary appointments for specific periods of time and with no expectation of reappointment. Part-time faculty appointments do not count toward tenure. No notice of non-renewal of a part-time faculty appointment is required, as the appointment ends by its own terms at the end of the appointment period. Such appointments do not require a national search and are recommended by the department and/or division head after obtaining appropriate faculty counsel. Such persons shall not be awarded tenure but may be granted professional rights and privileges afforded to the faculty. When part-time faculty appointments are made, any rights and privileges granted shall be specified on the employment action form and in the letter confirming the appointment. If institution-wide faculty voting privileges are to be granted, concurrence must be obtained from the Faculty Senate.

1.7.6 -- Temporary Faculty Appointments and Titles

In response to special short-term and/or emergency needs, OSU-Oklahoma City may make temporary appointments. When such appointments are made, the special titles of Visiting Instructor, Teaching Associate, Lecturer, Distinguished Scholar, Artist, or "Professional" in Residence, etc. shall be used. Appropriate search procedures should be used prior to making such appointments, but the process may vary depending upon the nature of the position. Department and/or division heads, after receiving appropriate faculty counsel, shall be responsible for recommending appointments to temporary positions.

In those few instances when OSU-Oklahoma City is confronted with an emergency situation in the areas of extension or instruction, a person can be appointed on a temporary basis for a term not to exceed one year, even though all of the recruitment procedures normally followed in making such an appointment may not have been met. In such cases, the department and/or division head shall implement normal recruitment procedures to fill the position at the end of the initial temporary appointment. When temporary appointments are made, the letter confirming the nature of the appointment should specify the term of appointment and state the conditions relating to reappointment. Persons holding temporary positions may not be awarded tenure and do not have institution-wide faculty voting privileges but may be awarded other professional rights and privileges afforded the faculty. OSU-Oklahoma City is not required to provide notice of non-reappointment to persons holding temporary positions, but their appointments cannot be terminated before the end of the term of appointment except for those causes stated in Section 1.13.

The titles described in this section are important to OSU-Oklahoma City in its management of the fluctuating demands of externally funded programs. Tenured and tenure track faculty may be released from assigned duties as grants and contracts are obtained. To facilitate this process, the department and/or division head may request authorization to establish and fill temporary positions with persons awarded one of the special titles listed below. He/she may also request variations from the specific conditions and terms of appointment for persons appointed to one of the titles in this section. When determined to be in the best interests of OSU-Oklahoma City, the VPAA may approve such variations in specific individual cases.

1.7.6.1 -- Distinguished Scholars, Artists, and "Professionals" in Residence

When members of the academic community who possess nationally recognized skills and talents are invited to visit the campus for periods of one semester or more, but not exceeding two academic years, they may be granted a courtesy title of Distinguished Scholar, artist, or "Professional" in Residence.

1.7.6.2 -- Lecturer and Visiting Instructor

These titles may be used for persons employed to meet short-term teaching or extension needs. They may also be used for scholars with a terminal degree who wish to affiliate with OSU-Oklahoma City for professional development. Limited search procedures are usually adequate when appointment to any of these positions is made. Should such an individual be awarded a ranked title following an appropriately approved search, the time spent in the temporary position shall not count as part of the probationary tenure consideration period, unless specified in a letter confirming the appointment for the permanent position.

1.7.6.3 -- Lecturer

Appointment to the post of Lecturer shall be for a term of one year or less. Reappointments for a total period of not more than three years may be made. Time spent as a Lecturer shall not count toward tenure should a person holding a lectureship be given a tenure-track appointment.

1.7.6.4 -- Teaching Associate

Individuals who hold an earned terminal degree and/or who possess particular teaching skills related to the area of the work assignment may be appointed as Teaching Associates. Persons holding this title may be assigned some responsibilities in a function (teaching or extension) outside the function of their major responsibility. Appointments are to be made for a term of not more than one year and reappointments for a total of five years may be made. Post-doctoral fellows may typically be appointed as research associates.

1.7.7 -- Non-Faculty Academic Positions and Titles

When appointments to non-faculty academic positions are made, any rights, privileges and benefits granted shall be specified on the Employment Action Form and in the letter confirming the appointment. Items granted are to include employee medical insurance but not faculty voting privileges.

1.8 -- Academic Freedom

The institution endorses the general statement on academic freedom, as it applies to state universities, which is embodied in "Academic Freedom and Tenure (1940 Statement of Principles)" as drafted by the Association of American Colleges and the American Association of University Professors. An edited version of the statement is found in Appendix B, Statement on Academic Freedom.

1.9 -- Appointment to Administrative Positions

An appropriate search and faculty consultation ordinarily shall precede recommendation of appointment to administrative positions which entail direct or indirect supervision of faculty members or which have direct bearing on the work of the faculty. Such administrative positions include the President, vice presidents, associate vice presidents, division heads, associate and assistant division heads, department heads, the Registrar, the Director of Admissions, the Librarian, and other directors of comparable rank¹¹. The requirement for faculty consultation shall apply to all permanent appointments and to temporary appointments to fill a vacant position or to replace an administrator who will be absent for more than one semester.

1.10 -- Resignations

Resignations are terminations initiated by the faculty member. Faculty members may terminate their appointments effective at the end of an academic year provided that they give notice in writing at the earliest possible opportunity, but not later than May 15, or 30 days after receiving notification of the terms of their appointments for the coming year, whichever date occurs later. Faculty members may request a waiver of this requirement of notice in case of hardship or in a situation in which they would otherwise be denied substantial professional advancement or other opportunity.

1.11 -- Administrative Suspensions

An administrative suspension is a temporary removal for a specific time period of all or any portion of a faculty member's assigned duties for purposes of protecting the best interests of OSU-Oklahoma City and its components and/or for the safety and well-being of the persons affiliated with it. Suspensions are not to be imposed for purposes of discipline, nor are they to be interpreted as evidence of inadequate or inappropriate professional behavior by the faculty member.

When deemed appropriate, a suspension may include restrictions on use of OSU-Oklahoma City facilities or resources and may be imposed during the course of an authorized dismissal procedure or authorized sanction appeal. In no case shall suspensions exceed one calendar year. During a suspension, there shall be no reduction of salary or other benefits.

1.11.1 -- Procedures for Suspensions

Department heads or other related supervisory academic administrators¹² may summarily suspend a faculty member for up to 72 hours when it is judged that the safety and well-being of the faculty, the best interests of OSU-Oklahoma City or any of its components, or others is threatened by uninterrupted continuance.

A suspension may extend beyond 72 hours if approved by the President or designated representative. Recommendations for suspensions of greater than 72 hours shall be forwarded to the President by the appropriate division head and VPAA with endorsements regarding the need for the proposed action. The President, if concurring, will direct the extended suspension. The faculty member and department head shall be

¹¹ In the appointment of administrators, faculty consultation is included and shall be provided by faculty members of the departments and/or divisions involved.

¹² As used in this policy statement, "related supervisory academic administrators" shall include division heads and the VPAA.

informed in writing of the length, terms, and conditions of any implemented suspension.

Formal Dispute Resolution Procedures outlined in Section 2.4 and Appendix E, Dispute Resolution Procedures, do not apply to suspension actions unless because of unusual circumstances the VPAA finds it would be in the best interest of OSU-Oklahoma City to provide extraordinary administrative due process.

1.12 -- Disciplinary Actions

Academic freedom carries both rights and responsibilities. To foster and preserve freedom of inquiry and legitimate expression, orderly conduct of institutional functions and adherence to the ethical standards of the academic profession are essential (see Section 1.1.4 and the State of Professional Ethics, Appendix A). Accordingly, the faculty is subject to laws, policies, rules, regulations and procedural requirements which safeguard its functions, and which concurrently protect its rights and freedoms. Violations may result in actions by OSU-Oklahoma City ranging from simple admonitions to permanent dismissal. Department and/or division heads are normally responsible for initiating and implementing appropriate disciplinary action.

Administrators shall use common sense and mature judgment in considering possible disciplinary situations involving faculty. Information about possible misconduct from such sources as student and faculty complaints, direct observation, citizen complaints, signed letters, grand jury indictments, media stories, and police reports may indicate a need for administrative inquiry and evaluation to ascertain whether an OSU-Oklahoma City interest has probably been adversely affected or jeopardized. When it appears that corrective action is necessary, the severity of the action taken should bear a close relationship to the seriousness of the apparent misconduct.

1.12.1 -- General Procedures for Imposition of Disciplinary Actions

Any complaint to an OSU-Oklahoma City representative that is intended to lead to an inquiry regarding a faculty member's performance or behavior ordinarily should be submitted in writing bearing the complainant's signature to the faculty member's department and/or division head. The department and/or division head may also initiate a performance or conduct inquiry unilaterally without a written complaint. Other related supervisory academic administrators may also be authorized by the VPAA to make appropriate conduct investigations and initiate appropriate disciplinary action on oral or written complaints.

Disciplinary action should not be taken until:

- A. The alleged deficiency or misconduct by the faculty member has been investigated and reasonable cause has been established to believe that the deficiency exists or that the misconduct has occurred;
- B. The faculty member has been informed of the results of the investigation and the disciplinary action which is being considered and has been given appropriate time and opportunity to respond; and
- C. If the disciplinary action is to be more severe than a simple admonition or is to be recorded in the faculty member's personnel file, appropriate faculty counsel, unless waived by the individual faculty member, has been obtained.

It is recognized that impressions of possible problem situations may be re-evaluated and revised as more is known, discussed, or understood about an apparent problem and related evidence. It is therefore permissible to change or amend a proposed disciplinary action, even after it is initiated, if new evidence develops or a related supervisory academic administrator determines it to be necessary and appropriate under prevailing circumstances. If a proposed action that has already been initiated is modified, the faculty member who is being considered for disciplinary action will be notified of the reasons that led to the modification and given an opportunity to respond.

As described below, authorized disciplinary actions include simple admonitions, formal sanctions, and dismissals. Recognizing that these three types of disciplinary actions have significantly different impacts on the career of a faculty member, the procedures for providing adequate administrative due process necessarily differ.

1.12.2 -- Simple Admonitions

Admonitions are intended to inform faculty members that others find their performance or professional behavior to be unsatisfactory and/or inappropriate. Admonitions include administrative counseling; warnings; and gentle and friendly reproof against alleged fault, oversight, or minor misconduct. Appropriate faculty counsel is not required prior to issuing admonitions. Normally they are issued orally; written records of them are not included in a faculty member's personnel file unless a pattern develops, in which case the individual involved will be notified in writing. Anecdotal notes of administrative actions may be maintained by administrators separate from individuals' personnel files. Administrative appeal of admonitions is not provided.

1.12.3 -- Formal Sanctions

Sanctions are formal actions taken to prevent damage to the legitimate interests of OSU-Oklahoma City and its components and/or to prevent recurrence of unsatisfactory performance or unprofessional behavior. Authorized sanctions include such measures as written reprimands; required participation in counseling and/or corrective programs; and restrictions on use of institutional privileges, resources and services. Formal sanctions are to be imposed when, in the judgment of the department head and/or division head, simple admonitions will not adequately serve to prevent damage to OSU-Oklahoma City or to prevent recurrence of unsatisfactory or unprofessional performance or behavior.

1.12.3.1 -- Procedures for Imposing Sanctions

Sanctions are normally directed by department and/or division heads. When deemed appropriate by the VPAA, other related senior supervisory academic administrators may be authorized to conduct investigations and direct sanctions. Prior to imposition of a sanction, the investigating administrator shall provide the faculty member with a complete, detailed written statement of the complaint(s), report(s), or deficiency(ies) alleged against him or her. If practical, he/she should be given the opportunity to face and question those who have made the complaint(s). Following receipt of the written statement of the complaint(s), report(s), or deficiency(ies), the faculty member shall have seven calendar days to respond in writing to the matters being investigated. Unless waived by the faculty member, the investigating administrator shall seek appropriate faculty counsel during the process of conducting the inquiry and in considering appropriate sanctions. The investigating administrator shall provide the faculty member with written notice of any sanction(s) to be imposed. The written notice of sanction(s) should describe corrective actions on the part of the faculty member which could lead to removal of the sanction(s) and a statement of procedures for appeal, review, modification, and removal of the sanction(s).

1.12.3.2 -- Appeal of Sanctions

Upon receipt of the notice from the investigating administrator informing the faculty member of the intended imposition of sanction(s), the faculty member shall have seven calendar days during which to file a written appeal of the decision with the VPAA. Appropriate bases for appeal are:

- A. lack of reasonable cause for the sanction,
- B. substantial failure to follow proper procedures for imposing sanctions, and
- C. inappropriateness of the sanction(s) imposed.

The appeal should clearly state the basis for the appeal; the relief sought, and include all the information the faculty member believes is pertinent to the appeal. If the VPAA finds that there is an insufficient statement of the basis for the appeal, he/she shall inform the faculty member and his/her department and/or division head that the appeal has been denied and provide instructions for the implementation of the sanction. If the VPAA finds there is a sufficient statement of the basis for the appeal, he/she will designate himself/herself or another senior supervisory academic administrator to serve as an appeal review administrator whose responsibility it shall be to review the matter thoroughly and make a final recommendation regarding the sanction. The appeal review administrator shall use his/her best judgment to determine whether the sanction should be sustained, modified, or completely removed. Pending completion of an authorized appeal, a sanction shall not be enforced, but the VPAA may relieve the faculty member of all or part of his/her duties if such is deemed essential to the protection of OSU-Oklahoma City or its components (see Section 1.11). Relieving a faculty member of his/her duties during an authorized appeal shall be without any reduction in pay or other benefits. Prior to reaching a final decision on the appeal, the administrator reviewing it should attempt to confer with the investigating administrator, the faculty group that provided counsel, and the faculty member who filed the appeal. He/she may make additional investigation to determine and clarify facts related to the case and may seek additional counsel from the Executive Committee of the Faculty Senate. Normally, the appeal review administrator will complete the review and reach his/her decision within fourteen calendar days of his/her appointment as the review administrator. He/she shall communicate his/her recommendation to the VPAA who shall inform the faculty member and his/her division head of the final decision and provide instructions for its implementation. Formal Dispute Resolution Procedures outlined in Section 2.4 and Appendix E, Dispute Resolution Procedures, do not apply to formal administrative sanction actions unless, because of unusual circumstances, the VPAA finds it would be in the best interests of OSU-Oklahoma City to provide extraordinary administrative due process. If the sanction was initiated by the VPAA, the president will select an individual to perform this function.

1.12.3.3 -- Application for Transfer of Sanction Records (Tenured Faculty Only)

Records of sanction actions shall be retained in the faculty member's active personnel files unless transfer of such records is authorized. Tenured faculty members may request that references to a sanction action be transferred from active personnel files to an inactive, privileged-access file to be sealed and retained by the Office of the VPAA and used only in event of dismissal proceedings. Action on such an application is discretionary with the department and/or division head. The VPAA may be involved in the decision for transfer of files.

1.13 -- Termination of Appointments

Terminations are revocations of tenured appointments or nontenured appointments before the end of the appointment period. Nonrenewal of a temporary or nontenured appointment shall not be regarded as a termination. Terminations may be effected by OSU-Oklahoma City only for reasonable cause. In cases in which a faculty member is being terminated for cause, OSU-Oklahoma City recognizes those general fairness principles expressed by the American Association of University Professors, unless inconsistent with this policy statement.

There shall be substantial compliance with the procedural standards stated in this policy statement. The President is authorized to decide procedural questions on uncertain points. The President should refer to published statements of the American Association of University Professors¹³ as well as consult with the Office of Legal Counsel of the Board of Regents.

¹³ The relevant principles of the American Association of University Professors are stated in the following documents included in the [AAUP Policy Documents and Reports](#), 11th Edition (2015).

- A. "1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Statements," pg. 13-19.
- B. "Statement of Procedural Standards in Faculty Dismissal Proceedings," pg. 91-94.

1.13.1 -- Medical Disability

When a faculty member cannot continue to carry out essential assigned duties in a satisfactory manner because of medically related disabilities, he/she shall normally apply for long-term salary continuation under OSU-Oklahoma City's disability program (see separate Disability Policy). If a medically disabled faculty member is not eligible for long-term disability benefits or refuses to act or does not act after being requested in writing to apply for long-term salary continuation under OSU-Oklahoma City's disability program, termination for apparent medical reasons may be recommended.

Termination for apparent medical reasons must be based on convincing evidence that the faculty member cannot reasonably be trusted to complete essential assigned duties in a satisfactory manner. Formal recommendations of termination for medical reasons shall be initiated by the department and/or division head or other senior supervisory academic administrators only after receiving appropriate faculty counsel. A termination for apparent medical reasons shall normally be recommended only after there has been appropriate consultation with available medical experts and after the faculty member concerned, or someone representing the faculty member if identified and properly authorized to act for the faculty member, has been informed of the basis for the proposed action and has been afforded an opportunity to present the faculty member's position and to respond to the assertions and the evidence. If the faculty member or authorized representative so requests, the evidence will be reviewed by a Termination Hearing Committee (see Section 1.14 and Appendix C, General Termination Procedures) before a recommendation for termination is made by the President to the Board of Regents. Provided the Board finds such recommendation is based upon sufficient evidence, ordinarily to be disclosed in executive session, the recommendation may be approved by the Board in open session and authorization given to the administration to execute the termination.

1.13.2 -- Dismissals

Dismissals are permanent terminations for disciplinary reasons by OSU-Oklahoma City. Such action is the most severe form of discipline and is to be recommended only when other disciplinary action is administratively judged unlikely to:

- A. restore the fitness of faculty members to perform their professional responsibilities, or
- B. adequately protect OSU-Oklahoma City or its components from serious harm.

Dismissal or threat of dismissal shall not be used to restrain faculty members in their legitimate exercise of academic freedom.

1.13.2.1 -- Grounds for Dismissal

Dismissals must be based upon reasonable cause related either to a serious lack of satisfactory performance or to a lack of fitness and suitability to continue in the professional capacity of a faculty member. Dismissals may be recommended when one or more responsible administrators judge such action to be appropriate and necessary and may be approved by the Board of Regents (provided the President forwards such recommendation to the Board of Regents). Dismissal proceedings may be initiated for reasons such as:

- A. incompetence in performing or in meeting appropriately assigned responsibilities;
- B. neglect of duty as indicated by failure or continued failure to perform sufficiently in accordance with applicable terms and conditions of employment, which includes the standards or requirements described or referenced in this policy statement and in other approved procedures or policies of OSU-Oklahoma City or the Board of Regents;
- C. serious and apparently intentional misuse of OSU-Oklahoma City property and resources;
- D. academic dishonesty;
- E. acts of moral turpitude;
- F. deliberate and grave violation of the rights or freedoms of fellow faculty members, administrators, or students;
- G. willful obstruction or disruption of, or attempts to obstruct or disrupt, the normal operation or functions of OSU-Oklahoma City; or advising, or procuring, or actively encouraging others to do so;
- H. serious and repeated failure to adhere to the policies of OSU-Oklahoma City; or
- I. other improper conduct which is seriously injurious to the best interests of OSU-Oklahoma City or its components.

1.13.2.2 -- Dismissal Procedures

Procedures to be followed in cases of dismissal are presented in Appendix C, General Termination Procedures.

1.13.3 -- Termination under Financial Exigency

Termination of appointment may be based on genuine financial exigency. Policies and procedures to be used during a state of financial exigency are set forth in Appendix D.

1.13.4 -- Terminations Associated with Department or Program Discontinuance Not Mandated by Financial Exigency

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- C. "Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments," pg. 94-99.
 - D. "On Institutional Problems Resulting from Financial Exigency: Some Operating Guidelines," pg. 309-311
 - E. "Recommended Institutional Regulations on Academic Freedom and Tenure," pg. 79-91.

At any time a program is discontinued, adequate safeguards for faculty members shall be provided. Early and meaningful faculty involvement in decisions regarding program discontinuance shall be provided. Rights under academic tenure shall be protected in a manner consistent with the provisions of this policy statement. Every equitable effort shall be made to assist each faculty member to relocate to a suitable professional position within OSU-Oklahoma City. In such relocation, other employees will not be displaced. Reassignments should occur over an equitable period of time, and adequate notice and retraining for another position should be provided when feasible. Nontenured faculty members on temporary or probationary appointments should be given at least the notice that is specified in Section 1.13.5. If at all feasible, the individuals involved should be given even more liberal notice. Faculty members on temporary or probationary appointments who have been given such notice of termination shall be permitted to resign with notice to OSU-Oklahoma City less than that specified in section 1.10, unless serious disruption of programs would result and no short-term substitution is feasible. The division head and/or VPAA shall offer to send letters of explanation and vitae on behalf of such persons to other institutions to assist in efforts to find them suitable positions elsewhere.

Following the procedures specified below, a good-faith offer of the most suitable, available assignment within OSU-Oklahoma City shall be made to the maximum extent possible to all qualified, tenured faculty members involved in program discontinuance. Faculty members affected by the program discontinuance shall be involved as fully as possible in the making of decisions that affect their units. Special consideration shall be given to provide ample notice of changes; in most cases, at least three (3) months' notice shall be provided before any faculty member is reassigned. Persons to be reassigned may be offered special leave for study to upgrade their expertise or change their specialties as they and the VPAA mutually may see fit after advice from interested division heads. If such study will not be at OSU-Oklahoma City, the OSU-Oklahoma City should recommend funds, if available, to meet approved travel and tuition expenses elsewhere.

Before any decision becomes final, those whose life's work stands to be adversely affected shall have the right to administrative due process under provisions of this policy statement. If faculty members do not wish to accept the provision of the reassignment, they may submit a petition for resolution of dispute as specified in Section 2.0.

Termination of appointments of tenured faculty members associated with the discontinuance of programs shall be recommended only after the procedures described above have failed to produce reassignment provisions which should be reasonably acceptable to the affected faculty members.

If the faculty member so requests, the proposed termination shall be reviewed by a Termination Hearing Committee (see Section 1.14.2) before a recommendation for termination is made by the President to the Board of Regents. When a recommendation to terminate is to be made to the Board of Regents, the recommendations of this committee shall be forwarded with the recommendation of the President. If terminated in association with program discontinuance, the faculty member should be given appropriate notice or paid severance salary (see Section 1.13.5).

1.13.5 -- Terminal Notice or Salary

If an appointment is terminated for departmental or program discontinuances or institutional financial exigency, the faculty member shall receive notice of separation or equivalent salary as soon as practicable, but not less than three (3) months for Instructors, and not less than twelve (12) months for Assistant Professors, Associate Professors, and Professors.

In terminations for other causes, salary shall not continue for more than one month after the termination becomes effective unless special recommendations to this effect are made by the Termination Hearing Committee or the President and approved by the Board of Regents. On the recommendation of the Committee or the President, the Board of Regents, in determining what, if any, payments will be made beyond the effective date of termination, may take into account the length and quality of service of the faculty member in addition to the reasons and circumstances pertaining to the termination.

1.14 -- Termination Hearing Board

1.14.1 -- Membership

The Termination Hearing Board is a standing group consisting of not less than fifteen members, a third of whom shall be designated each year for a three-year term by the Faculty Senate from among full-time faculty members whose duties are primarily non-administrative. The Faculty Senate President shall not be eligible to serve on the Board. Terms of service shall begin August 1 and end July 31, except that if a hearing is in progress at the time, any retiring member of the Board who is on the Hearing Committee shall be continued on the Committee until the case in progress is closed. Board members will attend orientation and training programs provided by the Office of the VPAA before serving on a Hearing Committee.

1.14.2 -- Formation of a Termination Hearing Committee

Upon receipt of notice that a formally recommended termination for causes other than financial exigency will be contested, the Faculty Senate President will conduct the formation of a Termination Hearing Committee. The Committee will be composed of five voting persons: four selected by lot from the Termination Hearing Board and one appointed by the VPAA. The VPAA's appointee shall:

- A. not be a division head,
- B. have faculty rank and substantial experience performing administrative duties, and
- C. have attended the orientation and training provided board members.

Members deeming themselves disqualified for bias shall remove themselves from the case and a replacement shall be selected. Normally, a Board member shall not serve on two hearing committees at the same time. Each Hearing Committee shall select its own chairperson from among the members selected from the Termination Hearing Board. In the formation of a Termination Hearing Committee, the prospective members will be subject to challenges for cause by either side, and a maximum of one peremptory challenge may be used by each side. The Faculty Senate President shall exercise reasonable judgment in ruling on the validity of challenges for cause.

1.14.3 -- Duties of Membership

Once appointed, each member shall respect the integrity of the process of the Hearing Committee and will endeavor in good faith to carry out the neutral inquiry and reporting roles created for the hearing committee. Members shall give sufficient attention to the presentation of information so that both sides to the termination recommendation are accorded a fair opportunity to develop and express their positions under the procedures established for OSU-Oklahoma City (see Appendix C, General Termination Procedures, Sections C.5 and C.6).

1.14.4 -- Integrity of Process

Any decision to consider termination inquiries; the proceedings and the formulation of recommendations and reports, etc., by the Hearing Committee; and the consideration given by responsible administrators pertaining to any possible decision to recommend the termination of employment of a faculty member should operate solely on the basis of merit pertaining to the facts and circumstances of each individual case. Except as provided herein, members of the faculty who are not the subject of a specific termination consideration shall neither directly nor indirectly interfere with nor attempt to persuade or influence any person in a position to decide or participate in a decision as to:

- A. whether termination proceedings should be initiated,
- B. considerations of any organized Hearing Committee,
- C. the recommendation(s) or report(s) which might be prepared by any Hearing Committee related to a termination proceeding, or
- D. the decision(s) which responsible administrators might develop pertaining to termination considerations.

1.15 -- Financial Exigency

Appendix D sets forth OSU-Oklahoma City policy and general procedures for administrative use in the event of a formally declared state of financial exigency.

2.0 -- Dispute Resolution Policy¹⁴

2.1 -- Policy Statement

It is the policy of OSU-Oklahoma City that all full-time and part-time members of the faculty, including those holding temporary appointments, may in the genuine exercise of good faith petition for review of certain personal employment concerns defined in this document. OSU-Oklahoma City resources may be expended for examination of qualified concerns.

Persons holding a joint appointment (i.e., faculty and staff or administration combination) shall use the dispute resolution procedure germane to the nature of the dispute--for example, if the dispute is relevant to one's work assignment as a member of the faculty, the faculty dispute resolution procedure shall be used.

2.2 -- Definition

A qualified employment dispute under this policy statement is a faculty member's timely written objection to matters related to particular working conditions, but normally excluding suspensions, corrective sanctions, terminations, and actions taken as a result of financial exigency.

2.3 -- Grounds for Dispute

A "petition for resolution of dispute" may be filed after informal consultation with appropriate administrators has failed to resolve material issues concerning implementation of basic terms and conditions of employment or any of the following:

- A. disregard on the part of the department and/or division head or other member(s) of the administration of complaints relating to the basic terms and conditions of the appointment,
- B. a pattern of unfair compensation discrimination over a prolonged period of time (two years or more),
- C. illegal discrimination including sexual harassment, See Appendix Q
- D. denial of promotion without adequate consideration,
- E. denial of leave without adequate consideration,
- F. denial of reappointment without adequate consideration¹⁵,

¹⁴ As an historical reference, Dispute Resolution Policy was in the previous Oklahoma State University, Stillwater, "Appendix D" policies called "Grievance Procedures."

¹⁵ Procedures recommended by the American Association of University Professors are recognized as general guidelines for conducting investigations in connection with renewal or nonrenewal of faculty appointments to the extent that they are in consonance with the procedures stated herein.

- G. unreasonable work load or physical working conditions,
- H. unreasonable denial of access to OSU-Oklahoma City resources necessary for the faculty member's compliance with the basic terms and conditions of the appointment,
- I. unacceptable reassignment growing directly out of actions specified in Section 1.13.4,
- J. basic changes in assignment or conditions of employment if unrelated to corrective sanctions or health leave,
- K. unacceptable terms of a conflict of interest management plan, and
- L. other matters which the VPAA, in consultation with Faculty Senate Executive Committee members, authorizes.

Insofar as the affected faculty member asserts in writing that the decision against renewal by the appropriate administrator was based on inadequate consideration, the functions of the dispute resolution committee which reviews the faculty member's assertion should be the following:

- A. to determine whether the decision of the appropriate faculty body and the decisions of the appropriate administrators were the result of adequate consideration in terms of the relevant standards of the institution, with the understanding that the Committee should not substitute its judgment on the merits for that of the academic department; and
- B. to request reconsideration by the faculty bodies and/or administrators when the Committee believes that adequate consideration was not given to the faculty member's qualifications (in such instances, the Committee should indicate the respects in which it believes the consideration may have been inadequate).

2.4 -- Formal Dispute Resolution Procedures

Faculty members who believe they have a qualified employment dispute that warrants filing a petition will be expected to have already thoroughly discussed their complaint with their department and/or division head, the VPAA, and other appropriate administrators. Policies and Procedures for resolution of disputes are set forth in Appendix E, Dispute Resolution Procedures.

3.0 -- Faculty Leave

3.1 -- Health Leave

The faculty and administration of OSU-Oklahoma City are committed to providing quality educational experiences to the students who attend the institution. It is recognized that faculty members will occasionally be unable to perform regular duties due to personal illness, disability, maternity, paternity, or illness in their immediate families. These situations are hereinafter referred to as qualified conditions. The faculty members or someone representing them is responsible for notifying the department and/or division head of qualified conditions affecting their work commitment. In order to accommodate the faculty member's leave requirements while maintaining the University's commitment to its students, OSU-Oklahoma City has instituted a flexible health leave policy.

3.2 -- Sabbatical Leave

Sabbatical leave is recognized as one of the important methods by which an academic institution is able to maintain up-to-date, highly qualified faculty. The administration and faculty should endeavor to make effective use of sabbatical leaves to this end. Preferably, such study and/or involvement should take place in an off-campus setting. Upon recommendation of the president and approval by the Board of Regents, OSU-Oklahoma City may periodically grant leave to faculty members for study, research, or other activities directed toward professional growth. The faculty member is entitled to apply for sabbatical leave of absence from regularly scheduled duties for the purpose of improving professional competence and effectiveness of service to OSU-Oklahoma City. Members of the faculty may apply for a maximum leave of one calendar year (12 months) at reduced salary or a maximum leave of one-half year (6 months) at full salary. Under exceptional circumstances clearly warranting such action, a sabbatical leave may be broken into segments separated by periods of regular duty. While on leave, medical and life insurance benefits and contributions to TIAA/CREF are not reduced; other employee retirement system contributions will vary according to salary or compensation actually paid.

Conditions of approval shall be consistent with appropriate budgetary and other faculty arrangements so as not to disrupt the teaching programs or other vital operations of the department, division, or OSU-Oklahoma City. Requests for sabbatical leave shall be submitted to the VPAA through the appropriate department and/or division head.

To qualify for leave, the candidate must have served as a faculty member for six academic years since initial appointment. Sabbatical leave obligates the recipient to follow a program consistent with the purpose and conditions for which the leave was granted. Acceptance by the faculty member of sabbatical leave entails an obligation to serve OSU-Oklahoma City for one subsequent year, or to refund to OSU-Oklahoma City the salary benefit earned while on leave. A faculty member on sabbatical leave may accept a fellowship, personal grant-in-aid, or government-sponsored exchange lectureship for the period covered by the leave, if such acceptance promotes the accomplishment of the purpose of the leave.

3.3 -- Leave of Absence without Pay

Upon recommendation of the President and approval by the Board of Regents, a faculty member may be granted a leave of absence without pay for such period of time and conditions as stipulated. This is subject to applicable policies on participation in partisan political campaigns as

well. A leave of absence without pay shall normally not exceed one year in duration. Any extension beyond that time would be considered rare and exceptional. A request for leave without pay should be made as early as possible, preferably at least six months in advance.

APPENDIX A

Statement on Professional Ethics

(This is Appendix A within the Appendix B, Policy Statement to Govern Appoints, Tenure, Promotion and Related Matters of the Faculty of Oklahoma State University – Oklahoma City)

The Statement:

1. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
2. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
3. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.
4. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
5. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Retrieved from www.aaup.org, November 2020.

APPENDIX B

Statement on Academic Freedom

(This is Appendix B of Appendix B, Policy Statement to Govern Appoints, Tenure, Promotions and Related Matters of the Faculty of Oklahoma State University-Oklahoma City, General Provisions.)

Academic Freedom:

1. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
2. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they 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 they are not speaking for the institution.

Retrieved from www.aaup.org, November 2020.

APPENDIX C

General Termination Procedures

(This is Appendix C within Appendix B, Policy Statement to Govern Appoints, Tenure, Promotions and Related Matters of the Faculty of Oklahoma State University-Oklahoma City, General Provisions.)

C.1 -- Initiation

C.1.1 Termination of a faculty member shall be officially recommended only after an investigation has been conducted by an appropriately designated responsible administrative officer and appropriate faculty counsel has been received. OSU-Oklahoma City recognizes the seriousness of such situations and, therefore, reserves for its administrative officers and faculty committees the prerogative to be assisted by the Board of Regents Office of Legal Counsel throughout the decisional process, including any formal hearing. Groundless threats to terminate or demands to resign as an alternative to termination should not be made by any administrator or other official of OSU-Oklahoma City.

C.1.2 Any person who has substantial concern that a faculty member could be subject to termination under Section 1.13.1 or termination under Section 1.13.4 or dismissal on the grounds stated in Section 1.13.2.1 may present those concerns, substantiating evidence, and related information to the VPAA¹⁶ for evaluation and possible action. Although not mandatory, it is preferable that this communication be presented in writing and signed by the person submitting it. Following receipt of such communication, the VPAA may seek to obtain additional relevant information from other sources and shall make a preliminary judgment as to whether further inquiry is appropriate. This judgment is not intended to be a determination of the substantive merits of the concerns that have been raised about the faculty member. Rather, it solely is intended to be a determination as to whether further inquiry is justified in the case.

Should the VPAA be inclined not to initiate an inquiry, the President shall be so informed. The President, having received and reviewed all available relevant evidence, shall consider the complaint and make a judgment as to whether it is in the best interests of OSU-Oklahoma City to initiate an inquiry.

C.1.3 If an inquiry is to be conducted, the VPAA shall designate, with the approval of the President, an academic administrator (referred to as the investigating official) to serve as the individual responsible for conducting an initial investigation to develop facts for evaluation and possible action. This effort should include interviewing the affected faculty member, examining other witnesses and evidence, seeking appropriate faculty counsel, and preparing reasoned recommendations for action. Normally, the department or division head of the affected faculty member shall be designated as the investigating official, but when that is not practical or appropriate, the VPAA or another academic administrator may be so designated.

C.1.4 The VPAA shall provide the investigating official with all of the written information and the notes of oral statements which had been submitted with or were made in relation to the initial communication of concerns. The investigating official may request legal assistance for conducting the investigation from the Board of Regents Office of Legal Counsel. The investigating official may meet with the person(s) who communicated the original concerns and others to seek clarification and documentation. The investigating official should, thereafter, determine individuals to interview and evidence to examine. The investigating official should use his/her best reasonable efforts to meet with the affected faculty member in personal conference to explore relevant issues. In this conference, the faculty member shall be told of the reasons that the investigation is being conducted and the actions that are being considered. The faculty member shall be provided a copy of this Appendix C, the General Termination Procedures. If such a conference is conducted, the investigating official shall prepare a confidential written report of the conference, and it shall be provided to the affected faculty member within five (5) working days. If a personal conference cannot be arranged, the investigating official will deliver to the affected faculty member in person, or by mail to a current office or residential address, a written explanation of the purpose of the investigation, the factual issues for resolution, a request for response from the faculty member within five (5) working days, and a copy of this Appendix C, the General Termination Procedures.

C.1.5 The faculty member shall have at least five (5) working days following receipt of the investigating official's report of the initial conference, or letter of notification (no conference conducted), to propose a suitable disposition to resolve concerns or to present reasons that termination or other action(s) is unnecessary or unwarranted. Following receipt of the faculty member's written response, or the passing of five (5) working days, the investigating official may make a confidential interim report to the VPAA with interim recommendations which, if approved by the president, may resolve the current concerns. However, if a fully approved disposition is not achieved with this stage, appropriate departmental faculty counsel shall be sought (see Section C.2).

C.1.6 If no resolution of the concerns has been achieved, the appropriate department or division faculty body should meet jointly with the investigating official and affected faculty member to discuss the reasons that termination is being considered. Following this meeting, the faculty body may deliberate in the absence of both the investigating official and the affected faculty member. Within five (5) working days, the faculty body shall prepare and deliver to the investigating official both a written, non-binding evaluation of facts known to it and a reasoned recommendation. A copy of this advisory report shall be sent to the affected faculty member. If such a written advisory report is not received by the investigating official within such period, the investigating official may proceed further as set forth in this Appendix C, the General

¹⁶ If the VPAA is unavailable, the President may designate a division or department head to act for the VPAA.

Termination Procedures, below.

C.2 -- Administrative Review

C.2.1 After the initial investigation has been conducted and appropriate written faculty counsel has been received (or the time frame to receive such faculty counsel has passed), the investigating official shall provide the VPAA with all information that has been collected including that provided by those requesting the investigation, any provided by the faculty member or others, documentary evidence, and the advisory report of the appropriate faculty counsel. The VPAA shall review the information which has been collected. As may be deemed appropriate, the VPAA may consult with the affected faculty member's department head and/or division head or others, including the Board of Regents' Office of Legal Counsel.

C.2.2 Following the review, the VPAA and the President shall meet for the purpose of making a determination whether there is reasonable and sufficient cause for initiation of the formal termination procedure and whether it would be in the best interests of OSU-Oklahoma City to continue with the termination procedure.

C.2.2.1 If in the view of the President reasonable and sufficient cause has not been established for further examination, or if it is judged not to be in the best interests of OSU-Oklahoma City to continue with the termination procedure, the affected faculty member will be notified in writing by the VPAA that it is not the current intention to initiate the formal termination procedure. If the decision is that termination is not appropriate but that other action may be warranted, the matter shall be referred to a related supervisory academic administrator for consideration and action.

C.2.2.2 If in the judgment of the President reasonable and sufficient cause for initiation of the formal termination procedure is established and he/she believes that it is in the best interests of OSU-Oklahoma City to continue with the termination procedure, the President shall direct the VPAA to implement the formal termination procedural steps as provided in this Appendix C, General Termination Procedures, and to notify the Faculty Senate President, the affected faculty member, and the appropriate department/division head(s) of such action. This determination by the President shall not be viewed as a judgment as to the ultimate merits of the matters at issue but solely as a determination that the matter should go forward for further evaluation as set forth in the following paragraphs of this Appendix C, General Termination Procedures.

C.3 -- Formal Termination Procedure

C.3.1 If the President directs commencement of formal termination action, the VPAA shall designate an academic administrator to conduct the procedural actions required. This administrator shall be referred to in these proceedings as the "standards officer."

The standards officer shall provide written notice to the faculty member, the department head, division head, VPAA, President, and Faculty Senate President that a recommendation for termination is to be formally presented. In the notice, the standards officer shall specify the grounds for termination and the recommended date of termination. The notice to the faculty member shall be sent by certified mail or by witnessed hand delivery. It shall inform the faculty member of the provisions for formal review of the recommendation and that he/she must provide to the standards officer, within ten (10) working days of the receipt of the notice, a written statement declaring whether the termination recommendation will be disputed. The notice to the affected faculty member will inform him/her that he/she is immediately relieved of all academic duties but will not experience a reduction in pay or other benefits pending a recommendation by the Termination Hearing Committee and the President and a final decision by the Board of Regents¹⁷. If the faculty member chooses to dispute the standards officer's recommendation, the faculty member shall notify the standards officer, department head, division head, VPAA, President, and Faculty Senate President.

C.4 -- Consideration by the Termination Hearing Committee¹⁸

Upon receipt of notice that a formally recommended termination will be disputed, the Faculty Senate President shall provide the principal parties (the faculty member and the standards officer) with a list of the individuals initially chosen to serve as members of the Termination Hearing Committee. The Faculty Senate President shall also provide the members of the Committee with a copy of the notice of the recommended termination which has been disputed.

OSU-Oklahoma City shall provide appropriate facilities, assistance, equipment, and support to the Committee; shall help it obtain the cooperation of witnesses; and shall make available documentary and other evidence. The personnel records of the affected faculty member shall be accessible to the parties, the Committee, and review authorities and their representatives.

OSU-Oklahoma City considers the timely completion of termination hearings to be of great importance to the institution. Therefore, persons whose attendance is necessary for the completion of a termination hearing shall whenever possible be granted leave from regularly assigned

¹⁷ See Section 1.11, Administrative Suspensions.

¹⁸ See Section 1.14, Termination Hearing Board.

duties in order to attend scheduled hearing dates and to complete in a timely manner a written recommendation concerning the matter. The Termination Hearing Committee shall begin the hearing within thirty (30) calendar days, but no sooner than fifteen (15) calendar days, after the standards officer's notice of intent to recommend termination is delivered to the affected faculty member. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. The hearing shall be completed within thirty (30) days of its commencement, unless an extension of such time frame is approved in writing by the President. If the faculty member waives a full hearing but denies the charges against him/her or asserts that the charges do not support a finding of reasonable cause, the Hearing Committee will evaluate all available evidence and rest its recommendation upon the evidence in the accumulated record of the matter and its reasonable inferences. The Hearing Committee shall hold a joint prehearing meeting (or meetings) with the parties in order to:

- A. simplify the issues;
- B. effect stipulations of undisputed material facts or witness statements;
- C. provide for the exchange of documentary evidence or other information; and
- D. achieve such other appropriate prehearing objectives as will make the formal hearing fair, effective, and expeditious.

C.5 -- Hearing Procedures

The following procedures and guidelines should be followed during the hearing:

- A. The standards officer will establish the history of the appointment and that there is reasonable cause to terminate the appointment based on a quality of proof that is clear and convincing.
- B. In all presentations of evidence, the standards officer presents his/her case first, with the faculty member following.
- C. The parties shall be permitted to use licensed legal counsel who shall be allowed to participate in all appropriate portions of the hearings (including prehearings), including presentation of the faculty member's case to the Committee. The Committee shall consider such counsel's statements on procedural matters and may receive the opinion of its own counsel.
- D. The hearing shall be attended only by those individuals having an official connection with the proceedings as determined by the President after consultation with the chair of the Committee. Other individuals will be excluded from the hearing room.
- E. A confidential tape recording of the hearing shall be made by a recorder designated for the proceedings by the chairperson of the Committee and will be accessible to the principal parties involved, the Committee, the President, the President and Executive Vice President of OSU, the Board of Regents and its staff, and authorized representatives on a "need to know" basis. Either party may request that it be provided a copy of such tape recording, the cost of same to be borne by the party requesting the copy.
- F. A reasonable time limit should be established for opening and closing statements and shall be announced prior to or at the outset of the hearing.
- G. Length of hearing sessions may be established in advance; every reasonable effort should be made to conduct the hearing(s) as expeditiously as possible, with equal fairness to both parties.
- H. Through its chairperson, the Termination Hearing Committee shall require that the parties involved submit the following information to the Committee and exchange the same with the other party within 72 hours of the conclusion of the prehearing meeting(s):
 1. a list of witnesses whom they wish to present;
 2. a written exposition of all known relevant facts and/or opinions, as well as circumstantial evidence; and
 3. documents which they deem pertinent to the case.
- I. In cooperation with the chair of the Committee, the respective parties are responsible for arranging the presence of their own witnesses and will schedule them for appearance as close to the time of call as possible. Both parties may be permitted during the course of the hearing(s) to introduce additional documents and to present witnesses not on their original lists, subject to reasonable notice to the other party and the Committee's consent.
- J. After primary witnesses for both parties have been heard, such witnesses may be recalled for additional questioning on the request of the Hearing Committee, or on the request of one of the parties, if approved by the chairperson of the Committee. The Committee may call new witnesses whose testimony it deems relevant or helpful as well as request documents not otherwise introduced by either of the parties.
- K. All evidence and other information pertaining to the termination hearing shall be treated in a confidential manner, except for reporting authorized by this policy statement.
- L. Only information relevant to the termination action should be admitted into evidence. For the purpose of the Hearing Committee, questions of relevance shall be decided by the chairperson (subject to later review as provided or referenced herein). Physical evidence and testimony that is excluded from evidence shall be appropriately described by the offering party and appended to the hearing report for review.
- M. The Hearing Committee may grant adjournments to enable either party to investigate evidence against which a valid claim of surprise is made.
- N. The faculty member and the standards officer shall normally have the right to confront and cross-examine all witnesses at the hearing. When the prospective witnesses cannot or will not appear, but the Committee determines that the interests of fairness require formal admission of their statements, the Committee shall identify the witnesses, disclose their statements, and if reasonably possible arrange for answers to proposed interrogatories from such witnesses or to interviews by audio conference call.
- O. In the hearing of any allegations concerning incompetence, the evidence in support thereof may include that of qualified faculty members from OSU-Oklahoma City and/or other institutions of higher education.
- P. The Hearing Committee shall not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in evaluating the issues involved. Every reasonable effort shall be made to obtain the most reliable evidence available.

- Q. In its report, the Committee's findings of fact and recommendations shall be based solely on formally admitted evidence contained in the hearing record and reasonable inferences drawn there from. Members of the Committee shall not converse with nor listen to any person outside the formally convened Hearing Committee pertaining to the facts, circumstances, or the subject person(s) related to the purpose(s) for which such Hearing Committee has been appointed or organized.
- R. Neither the participants nor their representatives should cause publicity or make public statements about the case, except for such simple announcements as may be required covering the time of the hearing and similar matters.

C.6 -- Committee Report

The report of the Committee shall specifically cite the information upon which its advisory conclusions were based. The written report shall contain:

- A. a statement of the purpose of the hearing,
- B. issues considered,
- C. findings of fact, and
- D. advisory recommendations.

The Hearing Committee shall conclude whether reasonable cause for termination has been sufficiently established by clear and convincing evidence in the record, and it shall so report to the president. If the Hearing Committee concludes that reasonable cause for termination has been so established, but that an action other than termination should be considered, it shall so recommend, with supporting reasons. The Hearing Committee shall make its confidential report to the President of OSU-Oklahoma City with complete copies to the principal parties, their representatives, and related administrators. Said report shall also reference all information barred from admission into evidence by the chairperson of the Hearing Committee. The chairperson of the Hearing Committee shall inform the Faculty Senate President that the report of the Hearing Committee has been submitted to the President.

From the date the report is submitted to the President, the affected faculty member and the standards officer shall each have five (5) working days to present in writing any specific objections for consideration regarding the content of the report or the adequacy of the processes used by the committee to arrive at its advisory conclusions. The Committee shall make available to the president the taped record of the hearing for discretionary reference.

C.7 -- Review and Recommendation by the President

C.7.1 The President shall exercise reasonable care in reviewing the report of the Hearing Committee. If the President is unable to concur in the findings or recommendations of the committee, the report shall be returned to the Committee with specific concerns stated in writing. The Committee will then reconsider, taking into account the stated concerns and, if necessary, review any new evidence or other matters with the parties, if practical. The final report of the Committee shall be sent to the President and principal parties, with complete copies to their representatives and related administrators within five (5) working days of receipt by the chairperson of the President's specific written concerns.

C.7.2 The written decision of the President shall be sent to the President of the OSU-Oklahoma City Faculty Senate, the chairperson of the Termination Hearing Committee, and the principal parties, with copies to their representatives and related administrators. If the decision of the President is to recommend termination, the President shall submit a written recommendation for termination to the Executive Vice President of Oklahoma State University, and provide a written copy to the faculty member and standards officer, their representatives, the president of the OSU-Oklahoma City Faculty Senate, and appropriate academic administrators.

C.8 -- Review and Action by the Executive Vice President and President of OSU

The Executive Vice President of Oklahoma State University and the President of Oklahoma State University shall review the recommendation of the President, together with any additional information and documentation from the record of the matter deemed helpful to them in evaluating the recommendation for termination. The written decision of the President shall be sent to the Oklahoma City President, the President of the OSU-Oklahoma City Faculty Senate, and the principle parties, with copies to their representatives and related administrators. If the decision of the President is to recommend termination to the Board of Regents, the President shall inform the affected faculty member of the Board of Regents' published appellate procedures. The President may submit a formal recommendation for termination to the Board of Regents no sooner than ten (10) working days after the affected faculty member has been sent notice by the President that a recommendation for termination is to be made. A recommendation for termination to the Board of Regents shall include the full final report of the Hearing Committee and any other related allied papers, reports, or recommendations, as the President may deem appropriate. At any point in the procedure, prior to the time that the recommendation is formally considered by the Board of Regents, the affected faculty member may withdraw the challenge to the dismissal recommendation.

C.9 -- Review and Action by the Board of Regents

If the faculty member appeals the President's decision, the review shall be conducted according to the published appellate procedures of the Board of Regents. A copy of the procedures is available on request from the Office of Legal Counsel at the Board's Office located in the Student Union, Oklahoma State University, Stillwater. The appeal must be initiated by the filing of a petition by registered mail with the Board's Chief Executive Officer at the Board's office located at 220 Student Union, Oklahoma State University, Stillwater, Oklahoma, within fourteen (14)

calendar days of the OSU president 's decision.

C.10 -- Announcements

Except for such simple announcements as may be required, public statements about the proposed termination action by either the faculty member, standards officer, affected administrators, or other institutional personnel should be avoided until the proceedings have been completed. The results of the completed proceedings shall be provided to the Faculty Senate President who, after giving appropriate consideration to the privacy of the concerned individual, may share such information with the Faculty Senate and may publish the information in the minutes of the Faculty Senate.

APPENDIX D

Financial Exigency Policies and Procedures

(This is Appendix D within Appendix B, Policy Statement to Govern Appoints, Tenure, Promotions and Related Matters of the Faculty of Oklahoma State University-Oklahoma City, General Provisions.)

D.1 -- Rationale

Financial exigency is defined as a state of financial crisis which affects OSU-Oklahoma City as a whole to the extent that it may become necessary to terminate tenured appointments or other appointments prior to their normal expiration, and a state in which the survival of programs deemed essential to the mission of OSU-Oklahoma City is in doubt. In the event of financial exigency, it will be necessary for OSU-Oklahoma City to examine its mission closely in order to determine those programs which are considered essential for maintaining a viable institution. Considerations for retaining programs shall include compliance with affirmative action requirements, maintenance of academic excellence, and adherence to administrative due process and compensation and benefit program policies.

In a state of financial exigency, programs may be discontinued or allocated reduced resources. Comprehensive study shall be used to determine how to accomplish required reductions in maintenance and operations funding as well as to terminate appointments of faculty members, administrative and professional personnel, classified staff, and others.

Because the faculty shares responsibility for educational programs and curriculum, appropriate faculty committees shall be established to provide timely advice on educational planning, budgeting, and allocation of resources.

Termination of tenured or other appointments before the end of their terms is a painful and difficult matter. It affects not only those whose appointments are to be terminated, but everyone at OSU-Oklahoma City. Any termination of faculty services must be done fairly and humanely and in accordance with the administrative due process defined in this policy statement. In a state of financial exigency, when reductions have to be made across the Institution, every equitable effort shall be made to reorient and reassign tenured faculty within OSU-Oklahoma City so that as few as possible are adversely affected. This does not imply any duty to create employment artificially for the displaced faculty. Special efforts shall also be made to assist nontenured faculty.

By granting tenure, OSU-Oklahoma City recognizes the current and potential contributions of a faculty member to the institution. In most cases, a tenured faculty member will have given numerous years of productive and faithful service to OSU-Oklahoma City. Giving preferred status to tenured faculty during a state of financial exigency, therefore, is not merely providing protection of an individual's rights under academic tenure; it is practicing humaneness and responsible action within OSU-Oklahoma City by those charged with its administration.

D.2 -- Adjusting to the Condition of Financial Exigency

In the event of imminent financial exigency as determined by OSU-Oklahoma City administration with the advice and counsel of the Faculty Senate and approved by the Board of Regents, the OSU-Oklahoma City President will announce to all institution personnel that a state of financial exigency exists.

D.2.1 -- Faculty Participation

The faculty, through its representative body--the Faculty Senate, shall be involved in reviewing and recommending adjustments to financial exigency. Such involvement shall include participation in the decision-making process by both tenured and nontenured faculty as well as administrative and professional personnel and classified staff at the department, division, and institutional levels as provided for by the Institutional Task Force on Financial Exigency and committees described in the following sections.

D.2.1.1 -- Institutional Task Force on Financial Exigency

After announcing that a state of financial exigency exists at OSU-Oklahoma City, the President will activate an Institutional Task Force on Financial Exigency which will serve as an advisory body to the President. This Task Force shall consist of the officers of the Faculty Senate (President, Vice President, and Secretary), the chairperson of the Staff Council, the Vice President for Budget and Finance, two division heads and two department heads selected by the President, the Student Government President, and the VPAA serving as chairperson. Within a time limit specified by the President, members of the task force shall give priority above all other assignments to making recommendations to the President for adjustments to overcome the crisis situation.

The Institutional Task Force on Financial Exigency shall be actively involved in determining the extent of the crisis and in the planning of response relative to reorientation, reorganization, and realignments necessary for returning OSU-Oklahoma City to a stable financial state.

D.2.1.2 -- Non-Academic Committees on Financial Exigency

As directed by the President, the non-academic divisions of OSU-Oklahoma City (physical plant, student experiences, and administrative services) shall also establish their own committees on financial exigency. The responsibility of these committees shall include assessing the financial situation within their respective areas for alternative solutions to problems associated with financial exigency. The President shall designate a chair for each committee who shall report to the Institutional Task Force within a time limit specified by the President.

D.2.2 -- Guidelines for Adjustments

The Institutional Task Force on Financial Exigency shall review studies of OSU-Oklahoma City's financial obligations and its existing and potential financial resources. This information will be for the use of the president to determine the extent of financial stress within OSU-Oklahoma City and will provide a basis for recommending actions required to overcome the crisis condition. An effort shall be made to elicit ideas and suggestions from the general faculty relative to the action to be taken.

D.2.2.1 -- Reductions of Administrative and Other Support Services

Curtailment and/or consolidation of administrative and other supportive services shall receive serious consideration and, generally, should precede dismissal of tenured faculty actively engaged in teaching or extension.

D.2.2.2 -- Reduction in Instruction and Extension

The Institutional Task Force will review pertinent studies of OSU-Oklahoma City's programs and activities in the areas of instruction, research, and extension. The Academic Program Review documents prepared in consonance with Policy and Procedure Letter No. 2-0215 may be used as a source of information. Each program's achievements and centrality to the OSU-Oklahoma City mission, affirmative action goals, and income-generating ability shall be considered. A recommendation shall be made regarding programs in which decreased effort and financial support for instruction or extension should be seriously considered. This may, in some cases, necessitate the retention of programs with low enrollments and services and activities which are not cost efficient, but which are central to the concept of an institute of higher education and to the mission of OSU-Oklahoma City.

D.2.2.3 -- Termination of Programs and Services

The task force shall make prompt recommendations to OSU-Oklahoma City administration relative to programs and/or services which should be curtailed or discontinued, or positions which should be terminated. The following procedure shall be followed:

- A. Each academic division and the non-academic committees on financial exigency will review and provide prompt advice to the Task Force on which programs and/or services should be curtailed or discontinued within their respective areas or which positions should be terminated.
- B. The apparent and/or expected effect on OSU-Oklahoma City of the recommended curtailment, discontinuances, or terminations shall be examined and documented.
- C. Hearings shall be held inviting statements from persons in programs and/or services directly affected by the recommendations made by the committees.

D.2.2.4 -- Report of the Task Force

On the basis of pertinent information, advice, and other considerations, the Task Force shall submit to the President a prompt report specifying recommendations for overcoming the crisis situation.

D.2.3 -- Administrative Due Process Concerning Faculty Affected by Financial Exigency

Recommendations to eliminate positions or programs or to curtail programs and services shall not include termination of the appointment of a tenured faculty member in favor of retaining one without tenure in the same department, except in extraordinary circumstances.

In some cases, an arrangement for early retirement of a tenured faculty member by adding appropriate institutional funds to the individual's retirement income may be worked out with the consent of the faculty member. In other cases, a change from full-time to part-time service may be a feature, though not a complete solution, of an acceptable settlement.

In those cases where there is no realistic choice other than terminating the services of a tenured faculty member, appropriate notice or severance compensation must be given. Provisions for terminal notice or salary are stated in Section 1.13.5.

In all cases of termination of appointment because of financial exigency, the position of the faculty member concerned shall not be filled by a permanent replacement within a period of three years, unless the released faculty member has been offered reinstatement and a reasonable time in which to accept or decline it.

To every individual whose appointment is proposed to be terminated on the grounds of financial exigency, the VPAA shall give notice thereof and an explanation of the criteria used to develop the proposed action. If the affected faculty member makes a written request to the VPAA, he/she shall be entitled to a hearing by the committee described below. At the request of the faculty member involved, hearings on similar cases may be combined, although every case shall be examined on its individual merits.

The committee shall consist of five members: three faculty members designated by the Faculty Senate President, with the advice and consent of the Faculty Senate Executive Committee, and two members from the administration designated by the President. The President will name the chair. The verified report from OSU-Oklahoma City administration substantiating that a state of financial exigency exists shall be introduced and deemed conclusive as to the existence of financial exigency.

The committee shall hear statements from the affected faculty member(s), shall study evidence, and shall call witnesses to determine:

- A. the reasonableness of the educational and administrative judgments exercised in determining reduction/termination of programs and criteria used to identify which appointments are to be terminated, and
- B. whether criteria are being reasonably applied in each individual case.

The committee shall make a written report with advisory recommendations to the president. The president shall review the report and, if termination is deemed appropriate, make final recommendations on personnel actions to the governing Board of Regents for its consideration and decision.

D.2.4 -- Emergence from Financial Exigency

The Institutional Task Force on Financial Exigency shall be active during the entire period in which a state of financial exigency exists and during OSU-Oklahoma City's emergence there from.

The Task Force shall continually review the financial state of OSU-Oklahoma City and be actively involved in determining when a state of financial exigency no longer exists.

During OSU-Oklahoma City's state of financial exigency and its emergence there from, The Task Force shall be directly involved in decisions relative to the establishment of any new programs and positions, the reactivation or recognition of programs, and the reinstatement rights, if any, of individual faculty members whose appointments were terminated on the grounds of financial exigency.

When it has been determined that financial exigency no longer exists, OSU-Oklahoma City shall decide which programs to reactivate and reorganize and endeavor expeditiously to honor the applicable reinstatement rights of faculty members released under financial exigency by offering them a position with a reasonable time to accept or decline it. The Institutional Task Force on Financial Exigency will then be dismissed by the OSU-Oklahoma City President.

APPENDIX E

Dispute Resolution Procedures

(This is Appendix E within Appendix B, Policy Statement to Govern Appoints, Tenure, Promotions and Related Matters of the Faculty of Oklahoma State University-Oklahoma City, General Provisions.)

Faculty members who believe they have a qualified employment dispute that warrants filing a petition under Section 2.0 of this policy statement will be expected to have already discussed their objection with their department and/or division head and other appropriate administrators.

E.1 -- Filing of Dispute Resolution Petition

Faculty members who believe that they have a qualified employment dispute may submit a petition to the Faculty Senate President for examination of their objection. The petition shall set forth in detail the nature of the objection and the specific remedial action or relief sought, and shall identify the specific administrator(s) who should respond to the petition (the respondent(s))¹⁹. It shall contain all pertinent facts and/or opinions, any circumstantial evidence which the petitioner deems pertinent to the case, and a brief summary of the results of previous discussions on the issues involved. Objections related to specific personnel action(s) must be presented to the Faculty Senate President within thirty (30) calendar days of the date when the faculty member was formally notified of the action(s).

E.2 -- Initial Review and Recommendations

Upon receipt of a faculty member's petition for resolution of a dispute, the Faculty Senate President shall refer the petition to a review committee. The Faculty Senate President shall choose three committee members by lot from among full-time tenured faculty. The review committee shall study the dispute resolution petition and confer with the parties to the dispute. If a resolution is achieved, the review committee shall so report to the Faculty Senate President. After such inquiry, the committee shall recommend to the Faculty Senate President whether or not a formal dispute resolution hearing is warranted. If so, it shall identify the appropriate administration respondent(s)²⁰. Its recommendation shall be submitted to the Faculty Senate President, normally within fifteen working days after the filing of the petition by the faculty member.

E.3 -- Action by Faculty Senate President

Upon receipt of a recommendation from the review committee, the Faculty Senate President shall, within five (5) working days, inform the parties involved in the dispute that either:

- A. the review committee determines that a full hearing by a dispute resolution committee is not reasonably warranted, or
- B. a dispute resolution committee will be formed to conduct a formal hearing.

In cases judged not warranting a formal hearing by a Dispute Resolution Committee, the petitioner shall be provided written reasons for the ruling. The ruling may be appealed to the President, normally within five (5) working days. If the petitioner is granted a formal hearing, the ruling of the informal committee shall be included as evidence to come before the Dispute Resolution Committee. For cases in which a Dispute Resolution Committee is to be formed, the Faculty Senate President shall arrange a reasonable time and place for selection of the committee members which will afford all parties the right and opportunity to be present during the selection. The Dispute Resolution Committee shall normally be selected within twenty-eight (28) calendar days of the original filing of the petition by the faculty member. The Faculty Senate president shall randomly select faculty committee members.

¹⁹ While a faculty member using these Dispute Resolution Procedures may name any individual as the person against whom the grievance is being filed, the intent of the policy is that the administrative official personally responsible for the initial action about which the petition for resolution has been lodged reply to the petition and serve as the responding party. In the absence of evidence from the faculty member that related supervisory academic administrators were actively involved in the initial decision or act presented for review, the administrative official to a petition for dispute resolution shall be the first administrative official recommending the decision under review. For example, if a faculty member is not recommended for reappointment by the division head, the fact that the VPAA and President, after reviewing that recommendation as required by policy, do not interfere with the recommendation of the division head, does not automatically make either the VPAA or the President responding parties to the dispute resolution filing. Rather, the appropriate responding party would be the division head.

Conversely, however, where the President is the first administrative official deciding that reappointment will not be recommended, it would be appropriate for the President to serve as the responding party. In such cases, the President may appear personally before the review committee or may appoint another administrative official to serve in such capacity

²⁰ The faculty member must bear in mind that access to the Board's appellate procedure is not automatically granted and that the procedure may be revised by action of the Board of Regents. The "Board Appellate Procedures," Board Rule No. 30:1-1-10 states: "The hearing of appeals is mandatory only in cases involving termination of tenured professors. Appeals arising from other categories may be allowable, at the discretion of the Board." A copy of the procedures for appeal to the Board of Regents is available on request from the Board of Regents Chief Executive Officer or Legal Counsel at the Board's Office, located in the Student Union of Oklahoma State University in Stillwater.

E.4 -- Membership of the Dispute Resolution Committee

The Dispute Resolution Committee shall consist of six members as follows:

- A. A non-voting chairperson who is a member of the Termination Hearing Board (Section 1.14) and who is chosen randomly by the Faculty Senate president;
- B. One voting member who is a department or division head, who is unaffiliated with the other committee members, and who is appointed by the president from a list of three neutral candidates provided by the Faculty Senate president; and
- C. Chosen by random selection process, four voting faculty members as follows: one member from each of two of the groups listed below to which the petitioner belongs and two additional members who must be tenured faculty; if the petitioner belongs to three of the following groups, he/she shall be allowed to select the two groups from which one member from each group is chosen:
 - (1) men,
 - (2) women,
 - (3) racial/ethnic minorities,
 - (4) professors,
 - (5) associate professors,
 - (6) assistant professors,
 - (7) instructors, and
 - (8) special positions equivalent to that of the petitioner (if not included above).

The petitioner and the respondent(s) shall each be allowed to submit relevant questions to committee members and may challenge without showing cause one voting member selection for the committee and challenge for cause any other voting member selection. Challenges may be made after a full potential committee has been selected. The Faculty Senate President shall exercise reasonable judgment in ruling on the validity of challenges for cause. Members of the department or division involved in the dispute shall not be eligible to serve on the committee.

E.5 -- Dispute Resolution Committee Chairperson

The chairperson shall provide Committee members with a copy of the petition filed by the faculty member and schedule the first meeting of the Committee at the earliest convenient time when all affected parties can be present.

E.6 -- Dispute Resolution Consultant

At any step in the dispute resolution procedures, any of the parties to the dispute or the committee may request the Faculty Senate President -and/or the Affirmative Action Compliance Officer, if discrimination is alleged--to serve as a consultant in an advisory capacity without the power of decision in the disputed matter. Additional consultation and advice on special issues or rules of procedure may be provided to the committee by an available attorney from the Board of Regents Office of Legal Counsel and/or a faculty member chosen by the Faculty Senate President from faculty with experience on past Dispute Resolution Committees or some other specialized issue. Written functional guidelines for dispute resolution committees issued by the VPAA shall be followed.

E.7 -- Responsibilities of Service on the Dispute Resolution Committee

Members of the committee shall serve the best interests of OSU-Oklahoma City and act as neutral examiners of issues presented. Members shall avoid external discussions of the dispute with parties to the dispute resolution process and with others.

All members selected shall be expected to serve on the Committee except in cases of illness, necessary absence from the campus, service on a termination hearing committee or dispute resolution committee in the current academic year, or other extreme hardship. The Faculty Senate President shall decide whether a selected Committee member should be excused from service upon his request and may replace such a member by the same procedure used for the original selection.

E.8 -- Hearings Procedures

The following procedures and guidelines should be followed during the hearings. At each step in this process, the administrator or Committee involved should normally complete responsibilities within ten working days (based on the academic calendar).

E.8.1 The Dispute Resolution Committee shall normally hold its first session within ten working days after it has been formed by the Faculty Senate President. The committee shall hold a joint prehearing meeting (or meetings) with the parties in order to:

- A. simplify the issues;
- B. effect stipulations of undisputed material facts or witness statements;
- C. provide for the exchange of documentary evidence or other information; and
- D. achieve such other appropriate prehearing objectives as will make the formal hearing fair, effective, and expeditious.

E.8.2 Through its chairperson, the Dispute Resolution Committee shall require that the parties involved submit the following information to the Committee and exchange the same with the other party(ies) within seventy-two hours following the conclusion of the first session:

- A. a list of witnesses whom they wish to present;
- B. a written exposition of all relevant facts and/or opinions, as well as circumstantial evidence; and
- C. documents which they deem pertinent to the case.

E.8.3 A confidential tape recording of the dispute resolution hearing shall be made by a recorder designated for the proceedings by the chairperson of the Committee and will be accessible to the principal parties involved, the Committee, the President, the Board of Regents, and authorized representatives on a "need to know" basis.

Either party to the dispute may request that the Committee provide a typed transcript of the testimony. The cost of preparation of such a transcript shall be paid by the party making the request. Other involved parties may obtain a duplicate copy by paying the current fees for copying.

E.8.4 Length of hearing sessions may be established in advance; every reasonable effort should be made to conduct the hearing(s) as expeditiously as possible, with equal fairness to both parties.

E.8.5 The faculty member, having initiated the dispute resolution action, must establish by a quality of proof that is clear and convincing that the requested remedial action is justified and called for under the prevailing circumstances. The faculty member shall present his or her case first, with the respondent(s) following.

E.8.6 Both parties shall be permitted during the course of the hearing(s) to introduce additional documents and present witnesses not on their original lists, subject to reasonable notice to the other party and the consent of the Dispute Resolution Committee.

E.8.7 The Dispute Resolution Committee may call witnesses of its own to the hearing and request documents not otherwise introduced by either of the parties.

E.8.8 In cooperation with the chair of the Committee, the respective parties are responsible for arranging the presence of their own witnesses and will schedule them for appearance as close to the time of call as possible.

E.8.9 OSU-Oklahoma City shall provide appropriate facilities, assistance, equipment, and support to the Dispute Resolution Committee; shall help it obtain the cooperation of witnesses; and shall make available non-confidential documentary and other evidence. The personnel records of the petitioning faculty member shall be accessible to the parties, the Dispute Resolution Committee review authorities, and their representatives.

E.8.10 The parties shall be permitted to use licensed legal counsel who shall be allowed to participate indirectly in all appropriate portions of the hearings. The Committee shall consider such counsel's statements on procedural matters and may receive the opinion of its own counsel. Counsel will not question witnesses or make opening or closing statements.

E.8.11 The Dispute Resolution Committee shall not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in evaluating the issues involved. Every reasonable effort shall be made to obtain the most reliable evidence available.

E.8.12 The findings of fact and any recommendations in the Committee's report shall be based solely on relevant evidence contained in the hearing record and reasonable inferences drawn therefrom.

E.8.13 Except for such simple announcements as may be required covering the time of hearing and similar matters, public statements and publicity about the case by either the faculty member, affected administrators(s), or their representatives, shall be avoided so far as possible until the proceedings have been completed, including the submission of the advisory report of the Dispute Resolution Committee to the Faculty Senate President, the petitioning faculty member, and the respondent administrator(s).

E.8.14 The hearings and the report of the Dispute Resolution Committee shall normally be completed within forty-five (45) working days (based on the academic calendar) of the formation of the Committee. In any case in which the Committee deems this time schedule to be inadequate, the chairperson of the Committee shall notify the principal parties involved in writing of the amended time schedule.

E.9 -- The Report of the Dispute Resolution Committee

E.9.1 In preparing its report, the Dispute Resolution Committee shall specifically cite the information upon which its advisory conclusions were based. The written report shall contain:

- A. a statement of the purpose of the hearing(s),
- B. issues considered,
- C. findings of fact, and
- D. relevant advisory recommendations.

E.9.2 The Dispute Resolution Committee shall submit its report via the Faculty Senate President to the parties involved in the dispute, and:

- A. If the dispute is directed against a department and/or division head, the report of the Dispute Resolution Committee shall be submitted to the VPAA. If the VPAA concurs with the report of the Committee, the case will be resolved by the VPAA through the implementation of the committee's recommendations.

If the VPAA disagrees with the report of the committee, the VPAA shall return the report to the committee with the specific concerns stated in writing.

The Committee will then reconsider the case, taking into account the VPAA's concerns and reviewing new evidence with the parties, if necessary and practical. If the positions of both the VPAA and the Dispute Resolution Committee cannot be reconciled, the report of the Committee and the VPAA's written objections to the Committee's report shall be forwarded to the President for a decision and action.

- B. If the faculty member's petition is directed against the VPAA or against both the VPAA and another administrator, the Dispute Resolution Committee report shall be submitted to the OSU-Oklahoma City President for decision and action.

If the President concurs with the report of the Committee, the case will be resolved by implementation of its recommendations. If the President disagrees with the report of the Committee, the President will return it to the Committee with specific written concerns.

The Committee will then reconsider the case, taking into account the President's concerns and reviewing new evidence with the parties, if necessary and practical. If the positions of the President and the Committee cannot be resolved, the President's decisions will stand, subject to any available appeals to the Board of Regents²¹.

- C. If the faculty member's petition is directed against the President, the Dispute Resolution Committee report shall be submitted to the Executive Vice President of Oklahoma State University, Stillwater, for decision and action.

If the Executive Vice President concurs with the report of the Committee, the case will be resolved by implementation of its recommendations. If the Executive Vice President disagrees with the report of the Committee, the Executive Vice President will return it to the Committee with specific written concerns.

The Committee will then reconsider the case, taking into account the Executive Vice President's concerns and reviewing new evidence with the parties, if necessary and practical. If the positions of the Executive Vice President and the Committee cannot be resolved, the Executive Vice President's decisions will stand, subject to any available appeals to the Board of Regents²².

²¹ The faculty member must bear in mind that access to the Board's appellate procedure is not automatically granted and that the procedure may be revised by action of the Board of Regents. The "Board Appellate Procedures," Board Rule No. 30:1-1-10 states: "The hearing of appeals is mandatory only in cases involving termination of tenured professors. Appeals arising from other categories may be allowable, at the discretion of the Board." A copy of the procedures for appeal to the Board of Regents is available on request from the Board of Regents Chief Executive Officer or Legal Counsel at the Board's Office, located in the Student Union of Oklahoma State University in Stillwater.

²² *Id.*

Appendix C

Faculty Evaluation Document

PURPOSE

The purpose of the retention, promotion, and tenure (RPT) procedure is to provide the faculty member and the evaluator with an opportunity to work together in maintaining the high quality of instruction at Oklahoma State University- Oklahoma City. This RPT process will be used for all tenure track professional instructional personnel at Oklahoma State University-Oklahoma City.

To be eligible for the RPT process, one must hold a tenure-track faculty appointment. Staff, adjunct faculty, and staff who teach as adjunct faculty are not eligible to go through the RPT process. Faculty who assume an administrative position will maintain their faculty rank but will not be eligible to participate in the RPT process until they resume a tenure-track faculty role.

DEFINITIONS

The following terms are defined as specified for the Oklahoma State University – Oklahoma City RPT process.

Tenure Track Faculty	Those individuals, identified by letter of intent, whose duties include classroom instruction.
Supervisory Evaluator	Those individuals with supervisory responsibility. These individuals include department heads, division heads, and the Vice President for Academic Affairs or designee.
AAUP	American Association of University Professors (www.aaup.org)
VPAA	Vice President for Academic Affairs
Adequate Evidence	Documentation provided by the faculty member to support accomplishment of stated goals.
Fully Qualified	The faculty member was awarded the previous academic rank and is eligible to be considered for the next rank.

OVERVIEW OF PROCESS

This retention, promotion, and tenure (RPT) document establishes the process to evaluate all tenured and tenure track instructional faculty members for retention, promotion, and tenure (RPT). The RPT process includes preparation of a comprehensive evaluation package by the faculty member and review of that package by the faculty RPT committee. The following forms are used in the retention and RPT/CPTR processes:

- A – Classroom Observation
- B – End-of-Instruction Course Evaluation
- C – Faculty Self-Assessment Checklist
- E – Division Chair Letter

RPT

Tenure track instructional faculty members complete the RPT package for reappointment to instructor, promotion in rank and/or tenure. The RPT Package shall include:

- Tab 1: Forms required by Human Resources and Academic affairs
- Tab 2: Letters of recommendation from the division head (Form E), any relevant division committees (if any), colleagues, etc.
- Tab 3: Personnel Action form for proposed action
- Tab 4: Initial and current appointment documents
- Tab 5: Forms A, B, and C and supporting documents
- Tab 6: RPT policy documents
- Tab 7: CV

The RPT process is described in the Faculty Handbook and the associated forms are located on the RPT/CPTR SharePoint site. If the faculty member has difficulty accessing the required documents, the supervisory evaluator is responsible for furnishing each instructional faculty member with the Faculty Evaluation Document.

Annual Evaluation

All full-time faculty will be evaluated annually. Full-time faculty who are not scheduled to complete the RPT/CPTR packet will complete the

annual performance evaluation packet which includes the following:

- Form A – Classroom Observation
- Form B – End-of-Instruction Course Evaluation
- Form D – Annual Performance Evaluation

Annual performance evaluations are reviewed within the academic division.

CPTR

Tenured faculty will complete the cumulative post tenure review (CPTR) process every fifth year beginning with the fifth year after tenure is earned. The CPTR Packet shall include:

- Tab 1: Consisting of forms required by Human Resources and Academic affairs
- Tab 2: Letters of recommendation from the division head (Form E)
- Tab 3: Consisting of 5 consecutive years of annual performance evaluation packets (forms A, B, and D)
- Tab 4: Supplemental information

CPTR packets are reviewed by the RPT committee

All evaluation records become the property of Oklahoma State University-Oklahoma City and will be filed in the Office of Academic Affairs. Copies of completed faculty evaluations may be kept on file by the division head and an Employee Action (EA) form will be placed in the official file in the Personnel Office. The faculty member is entitled to retain a copy of the final appraisal comments.

The Office of Institutional Assessment will process Student Evaluation of Instructor (Form B) forms by division.

ANNUAL CALENDAR OF EVENTS

The Office of Academic Affairs will provide guidance for completion of the RPT process for all instructional faculty and evaluators. Training attendance is required during a faculty member's first year of employment at OSU-OKC and as desired or required afterwards.

A detailed calendar of events follows:

Academic year appraisal period	July 1 – June 30
End-of-Instruction Course Evaluation	Administered after the term is 75% complete by the Office of Institutional Assessment
Classroom Observation	July 1 – June 30
Assessment Package to be completed for those up for RPT/CPTR action.	Completed by the last Friday in January
Annual supervisory appraisal conferences to be completed for those up for RPT/CPTR action.	Completed by the 1st Friday in February
Departmental/Divisional RPT/CPTR Screening Committee review completed	Completed by the 2nd Friday in February
Assessment package due to chair of Institutional RPT/CPTR Screening Committee for review.	Completed by the 2nd Friday in February
Institutional RPT/CPTR Screening Committee review completed.	Completed by last Friday in February
Faculty alerted of RPT/CPTR decision	Completed by 1st Monday in April
Annual performance evaluation packet	Completed by 1 st Monday in May

CLASSROOM OBSERVATION (FORM A/ONLINE FORM A)

The classroom observation is designed to give the faculty member the benefit of review of in-class teaching/learning practices. This review is to help the faculty member continue to provide high-quality instruction. An added benefit of review is that successful practices can be observed by and used by other faculty.

Process

1. The current Form A (classroom and online) can be found in the RPT/CPTR SharePoint site.
2. Classroom Observation: Traditional
 - a. The classroom observation can occur during any week of the course/semester prior to the annual appraisal or RPT/CPTR appraisal for the designated evaluation period.
 - b. The faculty member will inform their respective Department Head, Division Head, or other designated supervisor of their lecture schedule for the semester and provide a list of class periods they would like to have evaluated.
 - c. The evaluator will be present at the beginning of the class and will stay for a minimum of 50 minutes. This can be negotiated by the faculty member being evaluated.
 - d. The evaluator will become aware of the course objectives through review of the course syllabus and/or in consultation with the faculty member before the visit.
3. Classroom Observation: Online
 - a. The classroom observation can occur during any week of the course/semester prior to the annual appraisal or RPT/CPTR appraisal for the designated evaluation period.
 - b. The faculty member will inform their respective Department Head, Division Head, or other designated supervisor of their lecture schedule for the semester and provide a list of sessions they would like to have evaluated.
 - c. The evaluator will review the faculty member's online course presentation or recording. Where necessary, faculty members are required to provide evidence of online classroom details when requested to help support the evaluator's review.
 - d. The evaluator will become aware of the course objectives through review of the course syllabus and/or in consultation with the faculty member before the visit.
4. The evaluator must agree to provide a fair, honest evaluation to the best of their ability. It is expected that the evaluator will provide constructive feedback to the faculty being evaluated.
5. A classroom observation will be conducted at least once during each academic year.
6. The evaluator will review the assessment with the faculty member within 7 working days of observation.
7. In the event of a less than satisfactory composite assessment, the faculty member may request to arrange for subsequent additional classroom visitation(s).
8. In the event of a less than satisfactory rating on any specific item, the evaluator will indicate the basis for the rating and specific recommendations for improvement, which will be discussed with the faculty member. A copy of the rating and recommendation will be provided within two weeks of the completion of the assessment.

STUDENT EVALUATION OF INSTRUCTOR (FORM B)

1. The student evaluation of instructors (End-of-Course evaluations) will be administered electronically (online) according to the following schedule:
 - 16-week semester courses – Administered during weeks twelve (12) through sixteen (16).
 - 8-week semester courses – Administered during weeks six (6) through weeks eight (8).
 - Short courses – Administered during weeks six (6) through weeks eight (8).
2. At the beginning of the evaluation period and at regular intervals throughout the evaluation period, all students enrolled in one or more courses at OSU-Oklahoma City will receive via their school student email accounts, instructions on how to access the secure online evaluation system to begin their evaluations. Weekly reminder emails will be sent only to those students who have not yet completed an instructor evaluation. Students taking multiple courses during a semester will also receive weekly reminders encouraging them to complete instructor evaluations on any courses yet remaining.
3. All teaching faculty (fulltime and adjunct) will receive via their OSU-Oklahoma City email accounts starting with an announcement at the beginning of the evaluation period and weekly thereafter, evaluation completion rate updates. Instructors are encouraged to use this information to remind their students, both online and on ground, that the evaluation process has started and will continue up to the end of the evaluation period.
4. To ensure fairness within the evaluation process, results will not be released until after the end of the semester and all final grades have been submitted.
5. Faculty evaluations are based on student responses to statement items specific to the teaching of the subject and their individual learning experiences. All instructor evaluations are based on a Likert scale rating system (5 = Strongly Agree; 4 = Agree; 3 = Undecided; 2 = Disagree; and 1 = Strongly Disagree). Students are also provided an opportunity to include additional comments if they so choose.
6. Evaluation results will be available after the close of the semester and all final grades have been submitted.

FACULTY SELF ASSESSMENT CHECKLIST - RPT/CPTR (FORM C)

This document helps provide the faculty member the opportunity to report on and provide evidence of their activities during the academic year. The tool is designed to allow the faculty the opportunity to evaluate themselves on a wide variety of criteria. Yet, the tool requires evidence supporting all faculty assertions in the document. With this supporting evidence, the true nature and time commitment required to be a member of academia should become quite clear and help support efforts to modify faculty workload.

Process

1. The faculty member will obtain the self-assessment checklist and any other necessary forms from the RPT/CPTR SharePoint site.
2. The faculty member will inform their respective Department/Division RPT Screening Committee of their lecture schedule for the semester and provide a list of class periods they would like to have evaluated (see Form A Instructions for more details).
3. The faculty member will request a copy of their student course evaluation results from the Office of Institutional Assessment for inclusion.
4. Faculty will gather and upload documentation supporting the assertions of achievement noted in the document to their personal SharePoint folder.
5. Faculty completes the RPT/CPTR Checklist and uploads to SharePoint.

FACULTY SELF ASSESSMENT CHECKLIST – Annual Evaluation (FORM D)

This document helps provide the faculty member the opportunity to report on and provide evidence of their activities during the academic year. The tool is designed to allow the faculty the opportunity to evaluate themselves on a wide variety of criteria. Yet, the tool requires evidence supporting all faculty assertions in the document. With this supporting evidence, the true nature and time commitment required to be a member of academia should become quite clear and help support efforts to modify faculty workload.

Process

1. The faculty member will obtain the self-assessment checklist and any other necessary forms from the RPT/CPTR SharePoint site.
2. The faculty member will inform their respective Department/Division RPT Screening Committee of their lecture schedule for the semester and provide a list of class periods they would like to have evaluated (see Form A Instructions for more details).
3. Faculty will gather and upload documentation supporting the assertions of achievement noted in the document to their personal SharePoint folder.
4. Faculty completes the Annual Evaluation Checklist and uploads to SharePoint.

Division Head Letter (FORM E)

The Division Heads will provide a letter to the RPT/CPTR Committee with a recommendation of whether reappointment, promotion, and/or tenure should be granted. Similarly, a letter will be provided for faculty undergoing post-tenure review. Inclusion of statements related to elements of the self-assessment forms (Forms C or D), course evaluations (Form B), teaching performance (Form A), soft skills (teamwork, problem solving, critical thinking, leadership, peer, and student service orientation), and personnel matters will be considered. When there is a potential for disclosure of personnel matters to the RPT/CPTR Committee, the Division Head may consult separately with the VPAA prior to submission of the required letter.

Appendix D

Notice of Intent to Engage in Professional Activity for Extra Compensation

OKLAHOMA STATE UNIVERSITY-OKLAHOMA CITY

Report Regarding Outside Professional Activities for Extra Compensation

During the _____ academic year, I plan to pursue the following outside professional activities (List date, client and nature of activities performed.):

<u>Dates</u>	<u>Employer/Client</u>	<u>Nature of Activities</u>
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Deadlines for submission of the Notice are prior to August 15 for fall semester, prior to January 15 for spring semester, or within 14 days of accepting outside activities during the semester. Note: Faculty who intend on engaging in outside activities for the entire academic year may submit one Notice for the academic year prior to the August 15 deadline.

I understand that any outside professional activities should not unduly interfere with my classes or typical responsibilities at OSU-Oklahoma City.

Signature: _____ Date: _____

Department Head: _____ Date: _____

Division Head: _____ Date: _____

VPAA: _____ Date: _____

- Received Academic Affairs
- Saved to W:
- Copy Returned to Faculty Member

Appendix E

Cumulative (Post-Tenure) Review of Faculty

OSU-OKLAHOMA CITY CUMULATIVE (POST-TENURE) REVIEW POLICIES AND PROCEDURES

POLICY

- 1.01 For each tenured faculty member, a cumulative review shall take place every five years. A review conducted to grant promotion qualifies as a cumulative review. The review shall be based on discussion and substantive documentation provided by the faculty member. Individuals designated to conduct the review shall be members of the institutional Reappointment, Promotion, and Tenure Committee. The review process shall include written feedback to the faculty member as well as a provision for response. Written feedback shall be a detailed description of the faculty member's accomplishments or deficiencies. The cumulative review requires individual development plans for each faculty member. Faculty members are responsible for their own development consistent with department, division, and University goals. Any formal development plan should respect academic freedom and professional self-direction, and it should be flexible enough to allow for subsequent alteration.
- 1.02 The results of a Cumulative Review of Tenured Faculty may be used by appropriate administrators as a basis for providing support which will assist faculty members in carrying out their professional goals and responsibilities. Any disciplinary action that may follow the cumulative review must adhere to all prescribed procedures in force within this policy document. In the event that unsatisfactory performance has not improved within the timelines set in the individual development plan, any dismissal action shall be based upon those grounds for dismissal specified in the December 11, 2020 "Policy Statement to Govern Appointments, Tenure, Promotions, and Related Matters of the Faculty of Oklahoma State University-Oklahoma City."
- 1.03 If a faculty member believes that the results from a cumulative review are based on unlawful discrimination, inadequate consideration, or legitimate exercise of academic freedom, he/she may request a review of the matter utilizing the dispute resolution procedure in Appendix D of this policy document.

Source: "Policy Statement to Govern Appointments, Tenure, Promotions, and Related Matters of the Faculty of Oklahoma State University-Oklahoma City," Section 2.0 (December 11, 2020).

PROCEDURE

- 2.01 **Faculty Subject to Cumulative Review**
A Cumulative Review shall take place for each and every tenured faculty member every five (5) years. A promotion review may be substituted for a cumulative review. The cumulative review may be rescheduled due to a leave of absence, sabbatical, administrative assignment outside the academic unit, or other extenuating circumstances as determined by the Office of Academic Affairs.
- The Office of Academic Affairs may waive the cumulative review for faculty who have given formal notice of their retirement or resignation.
- 2.02 **Cumulative Review Schedule**
The Office of Academic Affairs shall develop, maintain, and annually distribute to all tenured faculty members a schedule specifying the year during which each tenured faculty member is to undergo cumulative review.
- 2.03 **Cumulative Review Committee**
The OSU-Oklahoma City Reappointment, Promotion, and Tenure Committee shall be charged with conducting reviews for all tenured faculty.
- Source: "Policy Statement to Govern Appointments, Tenure, Promotions, and Related Matters of the Faculty of Oklahoma State University-Oklahoma City," Section 2.0 (December 11, 2020).*
- 2.04 **Review Criteria:**
The review criteria for post-tenure review is the same criteria used for the annual appraisal package (Form D) but should address the faculty member's performance since the last RPT or CPTR action.
- 2.05 **Documents and Information Used in the Review**
Faculty under review must provide the preceding five consecutive years of annual performance evaluation packets (forms A, B, and D), a letter of recommendation from the division head (Form E), and any supplemental information the faculty member may include.

The faculty member or the committee may request an interview for the purpose of discussing and clarifying the documentation.

2.06 Development and Disposition of the Cumulative Review Report

The committee shall prepare a written report that assesses the faculty member's overall performance during the review period in terms of the academic division's performance standards and expectations.

The committee shall submit its report to the faculty member under review. The faculty member shall be given ten (10) working days to respond to the report in writing. Following receipt of the response by the faculty member, if any, the committee shall promptly submit the committee's final report, and the response, if any, to the Vice President for Academic Affairs.

The Vice President for Academic Affairs shall be given ten (10) working days to respond in writing to the committee report and any responses by the faculty member.

A final copy of the committee's report, the faculty member's response, if any, and the response of the Vice President for Academic Affairs, shall be provided to the faculty member and the division head. These documents, along with those listed in 2.05, shall be included in the faculty member's personnel file.

2.07 Rewarding Faculty for Outstanding Performance

The cumulative review process should identify and recognize outstanding performance by faculty members. The report may be used by appropriate administrators as a basis for supporting faculty members in carrying out their professional goals and responsibilities and compensating those with outstanding performance.

2.08 Corrective Development Plan

For faculty members whose overall performance reflects substantial deficiencies, the division head and the faculty member shall develop a corrective plan to improve performance and address deficiencies. The plan should be individualized and flexible; taking into account the faculty member's intellectual interests, abilities, and career stage, as well as needs of the division and institution. The plan should establish clear performance goals, specify steps designed to achieve these goals, define indicators of goal attainment, establish a clear and reasonable time frame for the completion of goals, identify resources available for implementation of the plan, and state the consequences of failure to attain the goals. A copy of the corrective development plan shall be forwarded to the Vice President for Academic Affairs and another copy placed in the faculty member's personnel file.

2.09 Dispute Resolution

If a faculty member believes that the committee report, the corrective plan, or administrative actions taken as a result of the cumulative review are unfair or that they fail to honor the legitimate exercise of academic freedom, he/she may request a review of the matter utilizing the policies and procedures outlined in the "Policy Statement to Govern Appointments, Tenure, Promotions, and Related Matters of the Faculty of Oklahoma State University-Oklahoma City," (December 11, 2020).

Grounds for dispute may include unlawful discrimination, inadequate consideration, and others listed in Section 2.3 of the Dispute Resolution Policy.

2.10 Disciplinary Action

The purpose of the cumulative review is to promote faculty development. Any disciplinary action that comes after cumulative review shall adhere to all prescribed procedures in the "Policy Statement to Govern Appointments, Tenure, Promotions, and Related Matters of the Faculty of Oklahoma State University-Oklahoma City," Section 2.0 (December 11, 2020).

Original Policy: Recommended by the Academic Policy Committee of the Faculty Senate to the full Faculty Senate meeting on October 9, 2008. Final Revision: Spring, 2017.

2.04-2.05 modified to be consistent with approved changes to the Faculty Evaluation Document: Fall, 2019.

Approved by OSU A&M Board of Regents: December 11, 2020