

# Faculty Handbook

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## PREFACE: ABOUT THE HANDBOOK

This electronic version of the Handbook for Faculty was extensively developed in 2003. The online version of the Handbook is the official version of the handbook containing all

appropriate policies approved by the Faculty Senate and University administration. Questions about policy updates should be addressed to the Office of the Provost.

The Faculty Handbook informs faculty of major policies and regulations of the University. In addition, the Collective Bargaining Agreement contains policies that are in effect during a contract period.

Certain information in the Faculty Handbook is based on the University of Delaware Charter and the Bylaws of the Board of Trustees. If in matters that are covered by these documents there is a difference in wording, content, or interpretation between the Faculty Handbook and the Bylaws and Charter, the latter two documents will prevail.

Policies contained in the Faculty Handbook are official policies of the University and remain in full effect until changed by appropriate University actions. The Handbook is a revision of the official 1963 Handbook adopted by the Board of Trustees as University policy, and it has been approved for publication by the Board.

The Office of the Provost will update the online document as new policies and policy revisions are approved.

Faculty should also consult the following manuals and publications all of which are linked to the Handbook for Faculty:

- [University of Delaware Administrative Policy Manual](#) now including policies formerly found in the Personnel Policies and Procedures Manual, which has been discontinued)
- Faculty Advisement Handbook (new version coming soon)
- [Policy Guide for Department Chairs and Academic Program Directors](#)
- [Committee on Undergraduate Records and Certification \(CURC\) Guidelines](#) (explains petition procedures for students in academic difficulty because of extenuating circumstances)
- [Official Student Handbook](#)
- [Undergraduate and Graduate Catalog](#)
- [Collective Bargaining Agreement](#) between the University of Delaware and the American Association of University Professors

**AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER** The University of Delaware is committed to assuring equal opportunity to all persons and does not discriminate on the basis of race, color, gender, religion, ancestry, national origin, sexual orientation, veteran status, age, or disability in its educational programs, activities, admissions, or employment practices as required by Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Americans with Disabilities Act, other applicable statutes and University policy. Inquiries concerning these statutes and information regarding campus accessibility should be referred to the Office of Equity and Inclusion, 305 Hullen Hall, (302) 831-2835 (voice), (302) 831-4552 (TDD).

## FOREWORD: A MISSION STATEMENT FOR THE UNIVERSITY

The University of Delaware exists to cultivate learning, develop knowledge, and foster the free exchange of ideas. State-assisted yet privately governed, the University has a strong tradition of distinguished scholarship, which is manifested in its research and creative activities, teaching, and service, in line with its commitment to increasing and disseminating scientific, humanistic, artistic, and social knowledge for the benefit of the larger society. Founded in 1743 and chartered by the state in 1833, the University of Delaware today is a land-grant, sea-grant, and space-grant university. (Rev 4/24/19)

The University of Delaware is a major research university with extensive graduate programs that is also dedicated to outstanding undergraduate and professional education. University of Delaware faculty are committed to the intellectual, cultural, and ethical development of students as citizens, scholars, and professionals. University of Delaware graduates are prepared to contribute to a global and diverse society that requires leaders with creativity, integrity, and a dedication to service.

The University of Delaware promotes an environment in which all people are inspired to learn, and encourages intellectual curiosity, critical thinking, free inquiry, and respect for the views and values of an increasingly diverse population.

An institution engaged in addressing the critical needs of the state, nation, and global community, the University of Delaware carries out its mission with the support of alumni who span the globe and in partnership with public, private, and nonprofit institutions in Delaware and beyond.

(Approved by University Faculty Senate April 5, 1993; approved by Board of Trustees May 26, 1993; May 19, 2008)

## SECTION 1: ORGANIZATION OF THE FACULTY

### 1.1 Constitution of the Faculty of the University of Delaware

#### **Article I**

The voting membership of the University Faculty shall consist of the following: The President of the University, the University Secretary, all Vice Presidents, the Chief Business Officer of the University, all Deans, the University officer of graduate studies and the associate and/or assistant University officer of graduate studies, all Associate Deans, all Assistant Deans, the Directors of Academic Divisions of the University—including Admissions and Records, Cooperative Extension, Counseling and Student Development, Library, Research, Residence Life, International Programs and Special Sessions, Instructional Technology Center, and Continuing Education--University Physicians, full-time professional members in the Library and in the Center for Counseling and Student Development, Professors, Associate Professors, Assistant Professors, full-time Instructors and Lecturers, and such other administrative and professional members as may be approved by the Trustees. All officers of administration, as listed in the

University catalog, who by virtue of their position or academic rank are not voting members of the Faculty, shall be nonvoting members of the University Faculty. All part-time instructors shall be nonvoting members of the University Faculty.

## **Article II**

- A. There shall be established a University of Delaware Faculty Senate that, except as otherwise provided in this Constitution, shall function as the standing executive committee of the Faculty, and that shall, except during regular and special meetings of the University Faculty, exercise all the powers vested in the Faculty of the University of Delaware by the Board of Trustees, and that shall be empowered to determine the duties that it will delegate to faculty committees and to the faculties of the several colleges and divisions of the University.  
(Rev. fall 1988)
- B. There shall be established a College Faculty for each college consisting of the members of the University Faculty who hold appointments in that college. Only voting members of the University Faculty may vote in a College Faculty.

## **Article III**

- A. Each College shall hereinafter be called a Unit.  
(Senate 4/16/84)
- B. For the purpose of determining representation on the University of Delaware Faculty Senate (hereinafter called the Senate), the relevant members shall be the full-time members of the unit whose primary or secondary appointments are listed as faculty or professionals who have been granted active voting status by the unit. Any questions involving the assignment of a voting faculty member to a unit shall be resolved by the Senate (or a committee that it designates). (Rev. Fac. Sen., 9/15/97)

## **Article IV**

- A. The Senate shall consist of the elected Senate officers; the elected faculty senators of the units; the elected President of the University of Delaware Chapter of the American Association of University Professors; (Rev May 2019) the President of the University; the Provost; the Deans of the Colleges or Schools in which faculty have primary appointments; other senators appointed by the President and Provost from the University's Administration who hold faculty status; the Vice President for Student Life; two elected professional librarians; and six elected student senators (three graduate students and three undergraduate students) of the University. Each member of the Senate (hereinafter called a senator) shall have the right to vote. In no case shall the number of non-elected senators exceed fourteen. For each upcoming academic year, the Senate office must be notified by August 15 as to the names/positions of those chosen by the President and/or the Provost for that academic year. (Rev May 2019)  
(Rev. of titles, 11/15/93; rev. Fac. Sen. 2/10/97; 9/15/97) (Rev 11/18)
- B. Each unit, with the exception of the Graduate College and Honors College, shall elect a number of senators equal to the whole number part of the ratio of fifty (50) times the



number of voting faculty (defined in the Constitution, Section III, Item 2 above) for that unit to the number of such voting faculty of the University, with the added proviso that each unit shall be granted at least two (2) senators. Should application of this recipe yield other than fifty (50) elected senators, the Senate shall review and approve recommendations to adjust this total to yield fifty (50). (Rev. Fac. Sen. 9/15/97)

- C. The duly constituted undergraduate student government and the graduate student government will each elect two students from the full-time student body. In the absence of a duly constituted graduate student government, the Committee on Graduate Studies shall have the responsibility of arranging the election of the graduate student senators.
- D. The term of an elected faculty senator shall be two years commencing on September 1. The terms of approximately half of these senators shall expire each year. The student senators shall be elected by the group that they represent for a term of one year commencing on September 1. No elected senator shall serve more than three (3) consecutive terms. The Senate shall in its Bylaws provide for the definition of nonfeasance of elected senators and for their replacement, and for the replacement of any senator unable to serve.  
(Rev. fall 1988)
- E. The Senate or a committee that it designates shall be responsible every second year for recomputing the formula for faculty senators given in (2) and shall notify each unit by February 1 of that year of the number of faculty senators it is to elect in each of the following two years.
- F. Each unit shall nominate and elect its senators by secret ballot. Any vacancy shall be filled by the unit in this manner within thirty (30) days after the Secretary of the Senate gives notice of the vacancy.
- G. The Senate shall hold at least one regular meeting each month during the academic year (September through May). The Senate may by the vote of two-thirds of its membership increase the schedule of regular meetings. It shall hold special meetings (1) at the call of the President of the University, (2) at the call of the President of the Senate, (3) by majority vote of the senators present at any regular or special meetings, (4) by petition of twenty (20) percent of the voting membership of the University Faculty to the President of the Senate, or (5) by petition to the President of the Senate of at least twenty (20) percent of the senators. The President of the Senate (or in his or her absence the Vice President of the Senate) in the last three cases shall issue the call of the special meeting within a week of receipt of the request. The meeting shall be held within one week of the call. The call of a special meeting shall state the purpose or purposes of the special meeting and no business shall be transacted other than that specified in the notice of the meeting.  
(Rev. 7/1/76)
- H. At the first regular May meeting the Senate shall elect a president elect, and in alternate years, a vice president or a secretary from the full-time voting faculty of the University. The president elect shall assume the Office of President of the Senate in the second year of office. The vice president shall serve for two years and may be reelected for one additional, consecutive two-year term. The secretary shall serve for two years and may be reelected for

one additional, consecutive two-year term. The Secretary of the Senate shall also serve as Secretary of the University Faculty. (Rev. Fac Sen. 4/25/91; 9/15/97; 2/2003)

- I. The President of the Senate shall preside over meetings of the Senate, and the President Elect of the Senate shall preside when the President of the Senate is absent or chooses to participate in debate. If both the president and president elect are absent or have chosen to participate in debate, the vice president shall preside.  
(Rev. 2/5/90)
- J. The president elect of the Senate shall serve as Chairperson of the Coordinating Committee on Education and the following year shall assume the Office of President. The president elect will also assume the Office of President of the Senate in the event that the President of the Senate resigns or is no longer able to assume the responsibilities of that office.  
(Rev. fall 1988)
- K. The Vice President of the Senate shall prepare the agenda for each regular meeting of the Senate. He or she must include items presented by the President of the University or by a committee of the University Faculty. The agenda of the meetings of the Senate shall be distributed to the faculty at least one week before the meeting.
- L. The first item of business at any regular meeting of the Senate shall be the agenda. By approval of a majority of the senators present, items may be added to the agenda prepared by the vice president, and the order in which the items are to be considered may be changed.
- M. As part of the agenda of each regular meeting, there shall be time allocated for new business. No motion introduced under new business, except a motion to refer to committee, shall be acted upon until the next meeting of the Senate.  
(Rev. 10/1/90)
- N. In determining a quorum, only the elected members shall be counted, and a simple majority of the elected membership of the Senate shall constitute a quorum for the transaction of any business.
- O. Meetings of the Senate shall be open to all members of the Faculty as observers. Others may be invited to observe or to be heard in accordance with rules to be established by the Senate.
- P. The minutes of each meeting of the Senate shall be distributed to the University Faculty within ten (10) days following that meeting.
- Q. Robert's Rules of Order, Newly Revised, 1970, shall be followed by the Senate in the conduct of its business in all cases to which they are applicable and in which they are not inconsistent with this Constitution and any special rules of order the Senate may adopt.
- R. The Senate shall have the authority to establish such other committees of the University Faculty as are required to carry on its business and shall determine the methods of their selection. Each standing committee of the University Faculty existing prior to the establishment of the Senate shall continue to function until the Senate makes appropriate disposition of its duties.

- S. The chairperson of each standing committee of the University Faculty, unless he or she is an elected faculty senator, shall attend or delegate a member of his or her committee to attend ex officio.

#### **Article V**

Faculty members on all joint Trustee-Faculty committees shall be appointed by the President of the University with the consent of the Senate and the appropriate Faculty committees.

#### **Article VI**

Proposals may be made to the Senate or any other committee of the University Faculty by any member of the University Community.

#### **Article VII**

All chairpersons of the University Standing Committees shall make at least one written report annually to the University Senate that shall become part of the minutes of the regular meeting in May of the Faculty Senate.

#### **Article VIII**

- A. A general meeting of the University Faculty, presided over by the President of the University, or a deputy designated by the president, shall be held semi-annually. One quarter of the voting membership of the University Faculty shall constitute a quorum. The agenda shall be established and distributed by the President of the University with the advice of the Senate Executive Committee.
- B. Special meetings of the University Faculty, presided over by the President of the University, or a deputy designated by the president, shall be held upon the call of the President of the University, or a majority vote of the Faculty Senate, or a petition by fifteen percent of the voting members of the University Faculty. When informed of the Faculty Senate action or presented with a valid petition, the President of the University shall immediately call such a meeting that will be held within two weeks. The agenda of a special meeting will be confined to topics announced in the call for the meeting. One-quarter of the voting membership of the University Faculty shall constitute a quorum.
- C. Robert's Rules of Order, Newly Revised, 1970, shall be followed by the University Faculty in the conduct of its business in all cases to which they are applicable and in which they are not inconsistent with this constitution and any special rules of order the Faculty may adopt.
- D. At all regular and special meetings, the Faculty shall automatically resume and exercise all the powers vested in it by the Board of Trustees. An agenda shall be distributed to the Faculty not less than one week before meetings.

#### **Article IX**

This constitution may be amended in a meeting of the University Faculty by a two-thirds vote of a quorum of the faculty, conducted either in person or by such virtual or electronic means as the Senate shall establish for voting, provided previous written notice of intent to amend has been received by the Faculty one week prior to the meeting in which the proposed amendment

is to be considered. All proposed amendments will be presented in faculty meetings by the Faculty Senate Committee on Rules, which will give its recommendation for action by the Faculty. Proposed amendments are presented in writing by faculty members to the Committee on Rules for possible clarification and wording changes. No faculty member may be denied the privilege of having his or her proposed amendment presented to the Faculty by the Committee on Rules.

This Constitution may also be amended by a two-thirds vote of the senators present in a regular or special meeting of the Faculty Senate provided announcement of intent to amend has been made at a preceding regular or special meetings of the Senate. The amendment must be included on the agenda of the Senate meeting at which it will be considered, and that agenda must be circulated to the full faculty at least one week prior to said meeting. However, no changes to this Constitution shall be made by the Faculty Senate that change or eliminate the ability of the Faculty or Faculty Senate to call or conduct a general or specific meeting of the University Faculty, where the Faculty shall automatically resume and exercise all the powers vested in it by the Board of Trustees, and furthermore, this sentence shall be modified or deleted only at a general or special meeting of the University Faculty.

(Rev. fall 1988, 5/3/21)

## 1.2 Bylaws and Regulations of the University Faculty Senate

1. Quorum - defined in Constitution.
2. Order of Business - defined in Constitution.
3. Standing Committees (passed by Senate on December 14, 1970).

**There shall be the following standing committees of the Senate:**

- [Committee on Academic Appeals](#)
- [Academic Priorities and Presidential Advisory Committee](#)
- [Budget Committee](#)
- [Committee on Committees and Nominations](#)
- [Committee on Cultural Activities and Public Events](#)
- [Committee on Diversity and Inclusion](#)
- [Coordinating Committee on Education](#)
- [Executive Committee](#)
- [Committee on Faculty Rights and Responsibilities](#)
- [Committee on General Education](#)
- [Committee on Graduate Studies](#)
- [Committee on Instructional, Computing, and Research Support Services](#)
- [Committee on International Studies](#)

- [Library Committee](#)
- [Committee on Promotions and Tenure](#)
- [Committee on Research](#)
- [Committee on Rules](#)
- [Committee on Student and Faculty Honors](#)
- [Committee on Student Life](#)
- [Committee on Undergraduate Studies](#)

Committee reports are received (filed by being placed on the agenda). Following reception, the report may be adopted (endorsed) or recommendations for implementation may be made. Adoption of recommendations for implementation would adhere to prescribed rules of order. (This would include a motion to adopt or implement, cf. the latest addition of *Robert's Rules of Order*.) (Rev. 5/2021)

#### 4. Changes in Bylaws, Rules and Regulations

The Bylaws of the Senate may be adopted, amended, or repealed at any duly called meeting of the Senate by an affirmative vote of two-thirds of those voting yes or no, provided that due notice has been given of such proposed changes in the Bylaws. The rules and regulations of the Senate may be adopted, amended, or repealed at any duly called meeting of the Senate by an affirmative vote of a majority of those voting yes or no, provided that due notice has been given of such proposed changes in the rules and regulations. (Rev. fall 2012) (Rev. 2/2015)

#### 5. Regular Meetings

The Senate ordinarily shall hold its regular meetings in September, October, November, December, February, March, April, and May on the first Monday during which classes for the regular fall or spring semester are in session. The Faculty Senate Committee on Rules shall prepare in the spring semester a list of the dates for the following academic year and introduce them on the May Senate agenda for formal approval. There may be times when changing these meeting dates is required or preferable after they are set the preceding May, due to inclement weather or other unforeseen circumstances. In these cases, the Faculty Senate Executive Committee shall, by majority vote, determine the alternative date and promptly inform the senators and the Committee on Rules. Regular meetings of the Senate shall convene at 4 pm unless otherwise designated. Votes in the Senate for regular business are decided by a simple majority of those voting yes or no. For a motion to change the Bylaws, changes requiring two-thirds are decided by a two-thirds majority of those voting yes or no. (Rev. 2/2015; 5/2016)

#### 6. Special Meetings

A special meeting of the Senate may be called by the President of the Senate, the President of the University, or as stipulated in the Constitution.

#### 7. Summer Meetings

Section IV, Article 6, regarding special meetings covers the summer period.

#### 8. Procedural Regulations

- A. *Robert's Rules of Order*, Newly Revised, shall be followed by the Senate in the conduct of its business in all cases to which they are applicable and in which they are not inconsistent with this Constitution and any special rules of order the Senate may adopt.
- B. The President of the Senate shall appoint a Parliamentarian, subject to the approval of the Faculty Senate Executive Committee, whose function will be to advise and assist the President of the Senate with procedural matters and to assist the vice president with matters arising from the preparation of the agenda.  
(Rev. 2/03)
- C. A roll call vote may be requested for any issue. Whether a roll call vote is taken is determined by a majority vote of the present and voting senators.
- D. Specific operating procedures regarding debate limitations, order of speakers to be heard, permission of guests to address the Senate, etc., are established by precedent. Should the conditions of precedent not be sufficient for efficiency and fairness in the Senate, the Committee on Rules shall be directed to make specific recommendations as additions to these rules.

#### 9. Rights and Responsibilities of Senators

- A. Elected and non-elected senators shall have full privileges of the Senate, including the right to introduce and to second motions and to vote. They are obliged to attend all Senate meetings and to take part in committee work assigned by the chairperson.
- B. Because of the responsibility attendant upon membership in the Senate, department chairpersons shall arrange teaching, research, and extension schedules to permit attendance of senators at regular meetings of the Senate.
- C. That the Senate may function as an effective representative agent of the University faculty, elected senators shall promptly notify the Secretary of the Senate of any temporary inability to attend regular Senate meetings, or otherwise discharge their responsibilities. Any elected senator's absence from two consecutive regular meetings of the Senate without such notification shall constitute a nonfeasance of the office, and the seat of that senator shall be vacant. The Secretary of the Senate shall immediately notify the senator's unit of the vacancy, which shall be promptly filled by special election in a manner to be provided by the unit. The Secretary of the Senate shall also be responsible to notify units of the need to replace senators unable to serve because of protracted illness, leave of absence, or sabbatical leave.  
(Rev. 7/1/76)

#### 10. Election by Senators (in Constitution)

- A. By February 1 of each year, the Secretary of the Senate shall inform the units of the Senate of (1) the names of senators whose terms will expire during the current academic year, and (2) any changes in apportionment every other year, as stated in the Constitution. Appeals concerning the apportionment of Senate seats or the assignment of faculty to voting units for representation shall be directed to the Committee on Committees and Nominations.
  - B. The dean or director of each unit shall provide the Secretary of the Senate with a complete description of the method of election procedures established by the unit. Any changes shall be reported to the Secretary of the Senate prior to their implementation.
  - C. Results of elections shall be announced to the members of the units.
  - D. Vacancies created in the Senate for any reason whatsoever shall be filled by an election of the faculty involved. The Rules Committee is authorized to adjust the ending point of such a term in order to assure that adequate overlap of terms required in Section IV, Paragraph 3 of the Constitution is maintained for each unit. That term shall not count against him or her in subsequent elections to a regular term.
  - E. The undergraduate student body shall be represented by five student senators of which the same two will be voting members. The duly constituted undergraduate student government will arrange the election of the five senators from the full-time undergraduate student body with such procedures contingent upon approval of the Senate.
- (4/4/88)

#### 11. Eligibility and Election of Officers and Committee Chairs of the Senate (Rev 4/5/19)

Eligibility for nomination, appointment, or service as Senate Officers or committee chairs shall be restricted to full-time voting faculty who are not appointed to serve in an official capacity for the Offices of the President, the Provost, any Vice President, or the dean of any college, including but not limited to administrative officers of the University (including deputy, associate, assistant and vice provosts), academic deans (including deputy, associate and assistant deans), and department chairs or academic program directors (as defined in the [\*Policy Guide for Department Chairs and Academic Program Directors\*](#)). Faculty who serve in a temporary capacity for an administrative office as a member of a search committee, standing committee, or *ad hoc* committee shall not be deemed ineligible because of this service. (Rev 4/5/19)

In accord with Section IV, Article 7, of the Constitution, the Committee on Committees and Nominations, whose composition and charge are prescribed under the Standing Committee document, shall provide for the Senate a slate of nominees at the April meeting for review by the faculty senators before the election at the May meeting. The slate should have at least two eligible candidates for each office or position, and the name of any eligible candidate who wants to stand for election shall appear on the slate. Nominations to the slate from the floor are permitted. In the event that there are three or more nominees to an

office, and if in the balloting no individual receives a majority, the subsequent ballot will be between the two nominees receiving the highest plurality. The chair of the Committee on Committees and Nominations and the Faculty Senate Secretary shall oversee the voting including counting the votes and certifying their authenticity. The winner will be announced at the May meeting without specific vote totals; however, such totals shall be provided to nominees upon request to the chair of the Committee on Committees and Nominations or the Faculty Senate Secretary. (Rev. Fall 1988; 12/5/16)

## 12. Responsibilities and Powers of Officers

(in addition to those structured in Article IV of the Constitution)

The President of the Senate shall preside at meetings of the Senate. He or she shall also serve as chairperson and preside at meetings of the Executive Committee (the officers of the Senate). The term of the president and the members of the Executive Committee shall commence on July 1 of the year in which he/she will preside and end June 30. Outgoing and incoming Executive Committees are encouraged to meet during July and August to assure transfer of knowledge. (Rev. 10/20/16)

The President of the Senate may call special meetings of the Senate or of its Executive Committee.

The President of the Senate shall serve as the executive officer of the Senate and shall sign the official copies of all Senate actions. On all matters concerning publication or public explanation of Senate actions, the President of the Senate shall be the spokesperson and representative of the Senate.

The President Elect of the Senate shall serve as chairperson of the Coordinating Committee on Education and shall assume the Office of President in the following year. The president elect will also assume the Office of President in the event of the resignation of the president or the inability of the president to continue to fulfill the responsibilities of his or her office. (Rev. fall 1988; para. deleted Fac. Sen. 9/15/97)

When the President of the Senate is absent, the president elect shall act in his or her place. The Vice President of the Senate shall publish the agenda and relevant committee reports at least one week in advance of regular meetings and as early as practicable before special meetings. (Distribution shall be: agenda, including all committee reports, recommendations, and proposals to all senators and one per each ten faculty members of each department.)

The secretary shall keep the minutes of the Senate, including the call to meetings, committee reports as adopted and the record of all business transacted and shall distribute to the faculty a record of all these transactions at regular and special meetings, using the previously published agenda as the basis for this record, and duly noting any revisions, amendments, adoptions, or rejections voted by the Senate. The minutes will contain a record of relevant items in the discussion which preceded Senate actions. The secretary shall provide for the maintenance of an electronically recorded transcript of the meetings. (Rev. 10/5/87; 2/10/97)



The agenda of every regular Senate meeting shall include an item giving the opportunity for remarks by the President of the University and/or the University provost. (Rev. 5/2021)

Reports or recommendations from standing or ad hoc committees of the Senate shall, when included on the agenda for a Senate meeting, identify the chairperson of the committee, who shall be responsible to be present at the meeting, or to provide for the presence of an alternate. In the absence of the sponsoring committee chairperson or alternate, the presiding officer of the Senate shall declare the report or recommendation stricken from the agenda. (Rev. 7/1/76)

### 13. Responsibilities and Powers of Committees (in addition to those structured in Part C of the Bylaws)

Powers and duties of the standing committees are stipulated by the Senate. In addition to considering matters referred to them by the Senate, standing committees may initiate action on matters clearly within their province and request that they be placed on the agenda of the Senate meeting.

Special committees shall consider matters referred to them by the Senate.

Committee reports to be placed on the Senate agenda must be submitted to the officers of the Senate in advance of the Senate meeting at which consideration of the report is planned, and they shall be distributed with the agenda to members of the Senate.

While committees are encouraged to consult with administrative officials upon request, they do not thereby speak for the faculty or its Senate, unless their charge in the Standing Committee document so specifies. Committees shall ordinarily keep minutes of such consultations, and shall be responsible for timely reporting of their consulting activities to the Senate. Committee reports and papers are confined to routing through the Senate.

The Senate may choose to allow for a committee to submit a closed report to an administrative official when the need for its confidentiality is acceptable to the Senate.

### 14. Powers Delegated to the Several Colleges and Divisions

The Bylaws of the Trustees of the University include the following charges to the faculty:

The faculty shall:

1. Formulate rules and regulations for the government and the discipline of the student body.
2. Provide for the establishment of the curricula and courses in the several colleges and divisions.
3. Provide for the establishment of a program of extra-course education for students.
4. Determine educational and academic policies of admissions.
5. Determine the requirements for degrees and recommend candidates for diplomas, degrees, and certificates that shall be conferred by the President of the University under the authority of the Board of Trustees.

6. Recommend policies concerning awards, prizes, and scholarships.
7. Recommend educational and academic policies relating to the administration of the University Library.
8. Make recommendations for the conduct of formal exercises and public functions held under the auspices of the University.
9. Adopt regulations governing its own procedures with authority to enact, amend, and repeal its bylaws by a two-thirds vote of those present.
10. Determine the duties that it will delegate to faculty committees and to the faculties of the several colleges and divisions of the University.

Section II, Article I of the Constitution of the Faculty of the University of Delaware empowers the University Senate "to determine the duties which it will delegate to faculty committees and to the faculties of the several colleges and divisions of the University."

The University faculty recognizes the college faculties as the regular authorized representative agency of each college, having certain delegated functions as follows:

1. To seek the continual improvement of academic programs, standards, and achievements in the college.
2. To take an active role in the guidance, planning and administration of the instructional, research, and service activities of the college.
3. To serve as the official channel for the expression of college faculty opinion.
4. To consider and make recommendations concerning (policies governing) appointments, leaves, sabbaticals, promotions, tenure, and dismissal of faculty members.

#### Privileges Delegated to the Several Colleges and Divisions

The adoption of the Constitution by the Faculty indicates that the faculty has assented to grant the collective powers of the faculty granted by the Trustee Bylaws to the University Faculty Senate except during the conduct of a special meeting of the full faculty as provided in Section VIII, Paragraph 1 of the Constitution of the Faculty of the University of Delaware. Therefore, the University Faculty Senate retains for the faculty ultimate responsibility in the general areas of curriculum, admission, degree requirements, awards, etc. The committee structure of the Senate reflects the retention of the responsibility of the Senate in these areas. (Rev. fall 1988)

Final or ultimate responsibility is not, however, initial responsibility. The burden for curriculum design, admission policies, degree requirements, prizes, awards, and ceremonies must remain at the college level. Each college accepts initial responsibility in these areas. Decisions made at the college level would be presented through committee to the University Faculty Senate. Substantive changes in such decisions would be referred to the colleges in question.

Decisions regarding the selection of official designees or representatives of a college or division of the University at special ceremonies and celebrations shall be made at the college level.

#### 15. Privileges Delegated to the Several Colleges and Divisions

The Bylaws of the Trustees provide that the faculty shall have the privilege:

1. To make recommendations to the Board of Trustees concerning the establishment of any degree to be awarded or the disestablishment of any degree.
2. To consider matters of general interest to the University and make recommendations thereupon to the president for transmission to the Board of Trustees.
3. To consider and make recommendations for proposed changes in the University organization.
4. To make recommendations to the president, for transmission to the Board of Trustees, concerning the formation of policies governing appointments, promotions, tenure, dismissals, and salaries.
5. To propose to the president, for transmission to the Board of Trustees, upon the concurrence of two-thirds of those present, amendments to these regulations, provided such amendment or amendments have been proposed in writing at the preceding regular meeting of the University Faculty Senate. (Rev. fall 1988)

These collective privileges, like the collective powers described above, remain with the University Senate as delegated by the Faculty Constitution. However, each college and division are expected to initiate recommendations of general interest and to propose recommendations concerning policies governing appointments, promotions, tenure, dismissals, and salaries within their college. Ultimately such proposals would be presented, through committee, to the University Senate.

#### 16. Emergency Academic Regulations

On rare occasions, a significant disruption to the University of Delaware could occur, causing a temporary suspension of classes or extended closure of the University preventing academic work from progressing normally. This could occur for reasons such as a state of emergency declaration from the Governor's Office, a natural disaster, civil unrest, pandemic illness, or other unforeseeable events.

In the event of a significant disruption of academic activities during a University of Delaware academic session, the University provost, acting in consultation with the University Faculty Senate Executive Committee, shall convene an Emergency Academic Regulations Task Force to consider whether or not temporary emergency academic policies are needed. The task force will be co-chaired by the provost (or designee) and the President of the Faculty Senate (or designee). The task force must include the chairs of the committees on the Undergraduate Studies and Graduate Studies, the President (or designee) of the University of Delaware Chapter of the American Association of University Professors. Additional members may include student, faculty, and dean representatives, as well as representatives

from the Registrar's Office, Student Life, Student Financial Services, and other relevant representatives.

Examples of temporary measures may include changes to the academic calendar, registration, assignments and examinations, teaching format, grades, teaching evaluations, procedures for accepting theses, awarding of degrees, and modifications to the schedule for promotion and tenure.

All task force temporary recommendations that will affect the Faculty Handbook and Course Catalog must be considered and voted on by the Faculty Senate. The task force shall submit formal resolutions for immediate Faculty Senate discussion and vote. If the Senate Executive Committee determines it is not practicable for the Senate to consider the resolutions (in a timely fashion or a quorum is not reached), the Senate Executive Committee shall act on the Senate's behalf.

Any temporary measures approved by the Senate, or the Senate Executive Committee, shall be in force for the current academic term only.

### 1.3 Standing Committee System of the Faculty and its Senate

#### **GENERAL PROVISIONS REGARDING COMMITTEES**

Responsive to their roles as agents of the faculty and its Senate and also as prime contributors to them of information and recommendations, all committees are charged to report to the Faculty Senate at least once annually in writing. Committees may be charged further by the faculty or its Senate for special reports on prescribed subjects.

In the conduct of its business a committee may hold hearings and open meetings as well as joint meetings with another committee.

Faculty appointments to committees are to be for terms of two years, unless otherwise specified in the charge to a committee, staggered so as to ensure satisfactory continuity, but faculty members shall not normally serve for more than two consecutive terms on any one committee. The Committee on Committees and Nominations shall fill the unexpired terms of Senate committee members on leave, except in the case of a committee member who is able to return for a two-year period; in such cases a temporary replacement is permitted. (Rev. fall 1988)

Elections for the standing Committee on Committees and Nominations shall take place at the regular May meeting of the Senate so that this committee is fully constituted on September 1 of each year; and this committee shall prepare its nominations for other committees for action at the following regular May meeting of the Faculty Senate. Officers of the Senate (who with the chair of the Committee on Committees and Nominations form the Executive Committee) shall take office on July 1. Committee members and chairs shall take office on September 1 following their election or appointment. The Faculty Senate Executive Committee may appoint a temporary replacement to serve as a non-voting "Acting Officer" during the period of a vacancy. A replacement for a past president vacancy may be appointed by the Academic Priorities Review Committee. (Rev. fall 1988; 10/20/16)

A committee may subdivide itself into working subcommittees in performing its duties and may turn to the standing Committee on Committees and Nominations for the appointment of task forces, study panels, and the like as hereinafter provided, to expedite its work.

Each committee is to recognize where its work touches upon the responsibilities of individual colleges, departments, and divisions, and accordingly is to effect liaison with them so as to ensure adequate exchange of information and viewpoint.

No charge to or statement of authority or responsibility of any committee of the faculty or its Senate hereinafter occurring shall be construed to confer upon any committee of the faculty or its senate any powers, duties, responsibilities, or authorities contrary to or in conflict with the Bylaws of the Board of Trustees of the University of Delaware. The purpose of the committee structure here established is solely in keeping with Section 3.2.5.10 of the Bylaws of the Board of Trustees: "(The faculty shall): determine the duties which it will delegate to faculty committees and to the faculties of the several colleges and divisions of the University."

#### ACADEMIC APPEALS, COMMITTEE ON

This committee shall have the sole purpose of serving at Step 4 of the Student Grievance Procedure in reviewing cases appealed to it, determining whether or not a hearing is appropriate, conducting such hearings, and rendering a decision. (See also Student Grievance Procedure in Section 3.1.10, Conduct of the Academic Program.)

The committee shall consist of two graduate students and two undergraduate students chosen for one-year terms, and five members of the voting faculty appointed for four-year terms, one of whom shall be appointed as the chairperson. The faculty terms shall be staggered so that, if possible, at least three faculty members carry over each year.

(Rev. fall 1988)

#### ACADEMIC PRIORITIES AND PRESIDENTIAL ADVISORY COMMITTEE

This committee shall provide advice concerning long-term priorities for the University to the sitting Faculty Senate President, and when appropriate, to the Office of the Provost, and to the Office of the President.

This committee is charged with the responsibility of participating in Academic Program Reviews (APRs), which is the function of the Office of the Provost in conjunction with the Faculty Senate. The committee shall advise the provost on all matters pertaining to APR's including the selection of units for review. In May, the committee will obtain a list, from the Office of the Provost, of all programs scheduled for review in the coming year. This committee will maintain a written log of all APR's. This committee will meet at least once a year with the Office of the Provost to review APR reports for the current year and progress on addressing concerns raised in APR reports from the previous year.

The committee also shall provide historical perspective and recommendations to the Faculty Senate President on matters deemed to be of importance to the Senate, the faculty, or the academic well-being of the University.

This committee shall appoint a replacement for the past president should a vacancy occur. The replacement will be a former president of the University Faculty Senate.

The committee shall consist of the sitting Senate president, president elect, and three to five former Senate presidents appointed by the Committee on Committees and Nominations. Members shall serve two-year terms, with one former Senate president joining and one leaving each year, if feasible. The past president serving on the Faculty Senate Executive Committee will serve as chair of the committee.

The Committee shall meet as least once during the fall and spring semester, or more frequently if required. (Committee established 9/94); (Rev. 10/20/16) (Rev Feb 2017; Feb 2018)

## BUDGET COMMITTEE

The University Faculty Senate Budget Committee is charged with the responsibilities of

1. becoming fully informed on the financial and planning issues of this University. Specifically, it shall examine University budgets, financial statements, and other related documents used in developing budgetary plans.
2. reviewing and providing timely prospective advice, prior to finalizing budget turnaround decisions, concerning the University's annual budgets, the processes used to determine them, and their potential impact on the academic, research and outreach missions of the University to the president, provost, deans, and other officers of administration with responsibility for the University's annual budgets.
3. reviewing budgets of newly proposed or substantially revised academic programs to determine their viability in conjunction with the Coordinating Committee on Education.
4. communicating information about the University's annual budgets and their potential impact on academic programs to the University Faculty Senate and to the University faculty as a whole.

This committee is authorized to confer with other Senate committees and with University budget personnel as appropriate.

The Committee shall consist of seven faculty, the majority of whom shall be tenured. Faculty shall be from at least five of the eight colleges or schools governed by deans in which faculty have primary appointments. The Committee on Committees and Nominations shall appoint the faculty members for this committee for terms of **three years**. Appointments shall be scheduled such that the faculty member's terms will expire in a staggered manner. The Committee on Committees and Nominations shall appoint annually the chairperson from the seven faculty members. An eighth member of the committee shall be appointed annually by the provost as his or her designee, and this member shall serve to facilitate interactions between the committee and relevant administrative offices, but shall be a non-voting member of the committee. (FS Rev. 12/2013) (FS Rev 11-2020)

## COMMITTEES AND NOMINATIONS, COMMITTEE ON

This committee shall have general oversight of the committee system of the faculty. It shall regularly review the system and may make recommendations to the faculty or its Senate concerning faculty organization at all levels. It shall monitor the work of the Senate committees and receive and review the monthly and annual reports. It shall recommend the elimination of committees that no longer serve a valuable function. It is authorized directly to constitute on an interim basis such subcommittees, task forces, or study panels as may be requested by faculty committees to help carry out their work, in each case promptly recording through faculty or Senate minutes the membership and charges of such subgroups. Such subgroups which directly concern themselves with issues falling under the jurisdiction of the Vice President of Student Life shall include a substantial number of students to ensure the diverse representation of student interests, with voting status to be determined by this committee. It shall prepare for action by the faculty or its Senate, slates of nominees for vice president, secretary, three Senate designees nominated for membership to the Committee on Committees and Nominations, faculty members to the Board of Trustees committees, and standing committees of the faculty, except where nominations and elections are otherwise explicitly provided for, and also for such ad hoc or other committees as the faculty or its Senate may specify. Upon request from the President of the University, it shall propose faculty names for University bodies he or she is preparing to appoint, in the nature of staff assistance without implying a position of the faculty regarding such bodies.

(Rev. 5/10/93)

Except in cases where individuals are elected by the University Faculty Senate, this committee shall fill vacancies in faculty committees for the unexpired terms using the following options: 1.) replacement for the period of the vacated member's term or 2.) for the period of the vacated member's term and an additional full term not to exceed three years. Whenever a vacancy occurs in a position which was filled by a Senate election, the replacement will be chosen by a special Senate election. The committee is encouraged to solicit, receive, and hear suggestions regarding faculty committees from any member of the University community; adjudicate questions of interpretation of faculty committee functions, including questions of overlap of such functions; help formulate rules of committee operation or procedure upon request; and perform other consultative or supervisory functions that will promote the effectiveness of faculty committees according to their charges. (Rev. 4/94)

This committee shall annually canvass the faculty for individual faculty member's interest in serving on committees and may employ the members of the Senate to conduct the canvass on a personal basis. The willingness of nominees to serve on committees shall be ascertained before their names are submitted for action. The committee in preparing nominations shall have regard for equitable distribution with respect to academic ranks and with respect to disciplines and academic units of the University. The committee will strive for diversity in committee staffing, with special emphasis on assuring diversity in those committees that may handle student or faculty personnel matters. The committee may consult with deans and department chairpersons concerning workloads of faculty members and may otherwise consult with the president and other appropriate members of the University community regarding its

nominations. To ensure adequate information-flow between the Faculty Senate and the faculty committees, the Committee on Committees and Nominations shall take care that senators are adequately distributed over the family of committees with appropriate memberships therein. It shall designate one of the faculty appointed to the Committee on Student Life to serve also as a member of the Council on Judicial Affairs. The committee's nominations shall specify committee chairpersons. (Rev 5/2015)

This committee shall receive and transmit to the faculty or its Senate the nominations of the duly constituted undergraduate and graduate student governments for student memberships on faculty committees as specified. In the absence of a graduate student government, each Senate committee shall choose its own graduate student member(s) as required, unless otherwise specified.

The committee shall consist of one member who is elected for a two-year term from and by each unit as defined in the Constitution of the Faculty, and three faculty members-at-large, elected for two-year terms by the Faculty Senate. Following this election, the Faculty Senate shall select one of the faculty designees to act as chairperson for a two-year term and who will also serve as a member of the Executive Committee. If feasible, at least one committee member shall be a senator. (Committee Revised fall 1988; Rev 10/20/16)

#### CULTURAL ACTIVITIES AND PUBLIC EVENTS, COMMITTEE ON

It should be the objective of the Cultural Activities and Public Events Committee to foster, encourage, and coordinate throughout the University programs of local, national, and world significance that illuminate, explain, articulate, or are a creative part of the cultures of mankind. The committee shall work with any and all agencies of the University specifically to sponsor, direct, or advise on programs which bring to the University notable and creative figures in scholarship, presentations, art exhibits, and media productions, or any presentation that reflects upon the University's obligation to foster and contribute to the cultural life of the community and the world.

The Cultural Activities and Public Events Committee will meet and will have the specific responsibility of establishing a budget. The committee will select from its membership a fiscal agent who will have oversight of expenditures. The fiscal agent should have knowledge of the University accounting system and have direct access to secretarial support.

The Cultural Activities and Public Events Committee shall consist of: eight faculty members, two to represent art, two to represent the performing arts, two to represent visiting scholars and speakers, and two to represent films, one of whom shall be appointed as chairperson; two undergraduate students; a graduate student; and an appointee of the Vice President for Student Life. (Rev. 5/1/89)

#### DIVERSITY AND INCLUSION, COMMITTEE ON

This Committee shall review all University policies and practices pertaining to diversity and inclusion in the recruiting and retaining of students and faculty. The committee shall submit an annual report in May evaluating the status of policies and practices, including current data on



the recruitment and retention of underrepresented faculty and students. It shall recommend for consideration by the Senate statements of goals, policies and practices pertaining to (1) the recruitment, retention, promotion, and general well-being of underrepresented faculty; (2) teaching by faculty that contributes to an inclusive, dynamic campus community in which underrepresented populations are welcomed, represented, and engaged; and (3) encouraging faculty research that furthers knowledge of diversity in its many forms. As part of the charge (2), the committee will perform the ongoing review of new and revised courses seeking to fulfill the multicultural course requirement. This review will be conducted by a subcommittee of three members selected at the discretion of the chair. (Rev 2/2018)

The committee shall consist of eight faculty members who shall serve three-year terms, one of whom shall be appointed chair by the Committee on Committees and Nominations, one graduate student who shall serve a one-year term, and two undergraduates who shall serve one-year terms. The committee will also consult regularly with the Vice Provost for Equity in order to ensure open lines of communication between faculty and administration about diversity initiatives on campus. Initial appointments shall be staggered to ensure continuity on the committee. (5/21/90; title updated 2/98; 12/14/15; 2/2018)

#### EDUCATION, COORDINATING COMMITTEE ON

This committee shall oversee the broad educational affairs of the University in a larger context and will provide liaison and coordination among the various educational committees of the Senate and the Office of the Provost. It will examine educational proposals presented by other Senate committees and will provide leadership for University-level educational initiatives, which may include initiating proposals to be considered by the Senate.

It shall survey academic impacts, weaknesses, and strengths. It will help formulate and assess educational policies and practices and make recommendations. It will review the academic calendar proposed by the Office of the Provost. It will consult with the Senate Budget Committee to assess the financial impact of academic proposals and initiatives as appropriate. (Rev 5/2016, Rev. 12/2020)

This committee shall be made up of the President elect of the Senate who shall chair the committee; the provost or his or her designee; three faculty members appointed for three- year terms by the Committee on Committees and Nominations; one undergraduate and one graduate student; and the chairpersons of the following enumerated standing committees of the Faculty Senate.

1. Committee on Graduate Studies
2. Committee on Undergraduate Studies
3. Committee on Instructional, Computing and Research Support Services
4. Library Committee

(Rev. 11/4/91; editorial update 3/98; editorial update 12/99)

## EXECUTIVE COMMITTEE

This committee shall be composed of the elected officers of the Senate, who are the President of the Senate, the President Elect of the Senate, the Vice President of the Senate, the Secretary of the Senate, and the chairperson of the Committee on Committees and Nominations. (Rev. Fac. Sen. 9/15/97)

The committee is charged with receiving, filing, and considering agenda items for Senate meetings; informing the faculty of ongoing activities of the Senate and other University committees in order to encourage contributions to projects still in their formative stages; advising the President of the University on the agenda for meetings of the University faculty and other matters of mutual interest; and bringing to the attention of the Senate such information, recommendations, and resolutions as are deemed necessary for the performance of its constituted duties.

The Executive Committee shall meet at least once weekly during the academic year (September to May) and shall include on its agenda provision for appropriate written acknowledgment of all proposals, comments, questions, or other memoranda directed to and received by the Senate. It shall be the responsibility of the Secretary of the Senate to assure the efficient filing of all such correspondence, as well as of adequate minutes of Executive Committee meetings. (Rev. fall 1988)

## FACULTY RIGHTS AND RESPONSIBILITIES, COMMITTEE ON

This committee is charged to develop and review general policies in the areas of reappointment, dismissal, faculty evaluation and appraisal, academic freedom and other areas of personnel policy and conditions of faculty employment, and to prepare recommendations concerning such policies for transmission to the Trustees through the faculty or its Senate, and through the President of the University, in accordance with Trustee Bylaws.

This committee is charged with jurisdiction over faculty complaints which are not grievances as defined in the Collective Bargaining Agreement. Procedures for mediation and hearing of complaints are detailed in the [FRR Termination and Complaint Procedures](#) which were approved by the University Faculty Senate on May 3, 2021 and are maintained in the office of the University Faculty Senate.

The committee's decisions on complaints are presented as advisory opinions to the University provost.

This committee shall consist of seven faculty members, one of whom shall be designated chair and one of whom shall be an assistant professor.

Nothing in the charge to this committee shall be interpreted as overriding the Collective Bargaining Agreement or the laws of the State of Delaware governing collective bargaining. (Rev. 1/23/15, 5/2021)

## GENERAL EDUCATION, COMMITTEE ON

This committee shall recommend academic policies and standards for the General Education Program. It shall evaluate on a regular basis the implementation of the General Education Initiative and its goals. It shall also have the ability to develop and recommend new general education initiatives and to bring forward resolutions seeking to improve the ways in which the University fosters the goals of general education.

This committee shall consist of 16 members, including the provost or designee; a representative of the Center for Teaching & Assessment of Learning; a Division of Student Life representative; an Undergraduate Studies Committee representative; two faculty representatives from the College of Arts and Sciences (one representing humanities and social sciences, the other representing natural and mathematical sciences); one faculty representative from each of the remaining colleges or schools governed by deans in which faculty have primary appointments; one graduate student; and two undergraduate students. (Rev. 5/2022)

The faculty representatives will be different from faculty members serving on the Undergraduate Studies Committee, and they will be selected by the Committee on Committees and Nominations (COCAN). These representatives will serve two year terms, and they may be reappointed once. One of the faculty representatives will be designated chairperson of the committee by committee members during the first meeting of the committee each academic year. (Rev. 5/2022)

The chairperson of the committee may request the appointment of additional representatives of faculty or administrative offices relating to such matters as sustainability, diversity, inclusion, student life, and others if such appointments would assist the committee in developing or evaluating particular general education initiatives. These additional representatives shall not have voting privileges. (Rev. 5/2022)

## GRADUATE STUDIES, COMMITTEE ON

This committee shall review and consider matters relating to graduate education and shall receive and may stimulate and originate proposals for its development.

This committee shall formulate, for determination by the Faculty Senate, the policies for admission to graduate study. It shall have the power to act on the alteration, addition or deletion of individual graduate courses recommended by college committees and to delegate this authority to the individual colleges, Office of the University Registrar, or Office of Graduate College, as it deems appropriate. It shall have the power to act on modifications of approved graduate programs and shall make recommendation to the Faculty Senate on courses of study leading to graduate degrees and on matters of policy concerning graduate study. The committee shall have the authority and responsibility for general policies concerning the judicial system for graduate students. In the absence of a duly constituted graduate student government, each academic year it shall appoint the graduate student member of the Committee on Student Life. (Detailed procedures for instituting or modifying graduate degree programs are on file in the Senate Office and Graduate College.)

The Faculty Senate Committee on Graduate Studies shall periodically receive from the Vice Provost for Graduate and Professional Education/Dean of the Graduate College (hereafter Dean of the Graduate College) a review of the status of graduate education at the University of Delaware.

The Graduate Studies Committee shall, at its own discretion prepare its own recommendations pertaining to graduate education at the University of Delaware.

On the recommendation of the Dean of the Graduate College, this committee shall certify to the president students who have completed the requirements for advanced degrees and upon whom the faculty, with the approbation of the Trustees, is conferring such degrees; such certification shall be entered into the minutes of the faculty or its Senate.

1. The faculty members of the Graduate Studies Committee shall be selected by the Senate Committee on Committees and Nominations from among experienced scholars of the faculty, who shall possess established reputations in their fields, a strong commitment to the highest graduate standards, and experience with various types of graduate degree programs.
2. The chairperson of the Committee on Committees and Nominations shall annually solicit nominations for service on the Committee on Graduate Studies from the Dean of the Graduate College, the provost, and other sources.
3. The Committee shall consist of a chairperson, three faculty members from the College of Arts and Science (one from natural sciences and mathematics, one from arts and humanities, and one from social and behavioral sciences) and one representative from each other college offering a graduate program, serving for three-year terms to be arranged in sequence such that the terms of no more than four members shall expire in any academic year. In addition, there shall be one ex officio member: Dean of the Graduate College (or designee). There shall be three non-voting advisory members including: the Vice Provost for Libraries and Museums (to provide feedback on library support for new programs), the Associate Vice Provost for Graduate and Professional Education (unless chosen to be the voting designee for the Vice Provost for Graduate and Professional Education/Dean of the Graduate College), and the Registrar. There shall be two graduate student members appointed. In the absence of a duly constituted graduate student government, the Committee on Graduate Studies shall have the responsibility of arranging the election of graduate student senators. Members as they retire from the committee shall be replaced by members with the new period of tenure.
4. The chairperson of the Graduate Studies Committee shall be selected by the Committee on Committees and Nominations and shall be confirmed by the Senate for a two-year term. Nominations for this position shall be taken from a register maintained by the Faculty Senate Office of persons who have served at least one previous term of membership on the Graduate Studies Committee. (Rev. 2/2020)

## INSTRUCTIONAL, COMPUTING AND RESEARCH SUPPORT SERVICES, COMMITTEE ON

This committee will advise the Senate on policies, practices, and needs for educational resource facilities and computer technology. Working with the Vice President for Information Technologies, the Vice Provost for Libraries and Museums, and other individuals or units as appropriate, this committee will submit recommendations and reports to the Executive Committee of the Faculty Senate.

The Committee on Instructional, Computing and Research Support Services shall consist of one faculty member from each of the colleges of the University, one of whom shall be appointed as chairperson by the president of the Faculty Senate; an undergraduate student; a graduate student; a designee of the Vice Provost for Libraries and Museums, a designee of the Director of the Office of Educational Technology; a designee of the Director of Professional and Continuing Studies; a designee of the Center for Teaching and Assessment of Learning; and a designee of the Vice President for Information Technologies. (Committee added fall 1988; rev. 2/94, 4/10, 2/7/22)

## INTERNATIONAL STUDIES, COMMITTEE ON

The Committee on International Studies shall evaluate and review policies and practices pertaining to the global mission of the University of Delaware, such as (but not limited to) study abroad programs, international scholarship and partnership opportunities, World Scholars, international service learning and research programs, English Language and academic programs with an embedded global experience, as well as programs for international students studying at the University of Delaware. The committee shall inform the Faculty Senate about these activities and make recommendations to improve them if necessary.

The Committee shall consist of a total of 10 members, including seven faculty, one provost representative, one undergraduate student, and one graduate student. Faculty shall be from at least five of the eight colleges or schools governed by deans in which faculty have primary appointments. The Committee on Committees and Nominations shall appoint the faculty members for this committee for terms of three years. Appointments shall be scheduled such that the faculty member's terms will expire in a staggered manner. The Committee on Committees and Nominations shall appoint annually the chairperson from the seven faculty members. An eighth member of the committee shall be the Associate Provost for International Programs or his or her designee, and this member shall serve to facilitate interactions between the committee and relevant administrative offices but will not be a voting member of the committee. The committee will also include one undergraduate and one graduate student. (rev. April 2021)

## LIBRARY COMMITTEE

This committee shall consist of the Vice Provost for Libraries and Museums; one faculty member from each of the eight colleges or schools governed by deans in which faculty have primary appointments (with the exception of the College of Arts and Sciences which shall have three, one of whom shall be from a discipline in the Humanities); two undergraduate students; two graduate students and two elected librarians or members of the library professional staff

who may be the same librarians who serve as elected members of the Faculty Senate. All members of the committee are voting members. One of the faculty members shall be appointed chairperson. Meetings of the committee shall be open to all librarians (workload permitting) unless a closed session is deemed necessary by the chairperson or the Vice Provost for Libraries and Museums. (Rev. 2/2018, Rev. 12/2020)

The primary roles of the committee are to advise the Vice Provost for Libraries and Museums on both the needs and foci of the academic community and to provide feedback on the libraries' current and proposed activities. An important secondary role is to advise the Faculty Senate on policies and practices that relate to the libraries. (Rev. 3/2016, Rev. 5/2016)

### PROMOTIONS AND TENURE, COMMITTEE ON

This committee shall review proposed promotions and the granting of tenure to ensure compliance with the units' published criteria and shall either endorse or question recommendations. The committee shall also review adverse recommendations by departments, colleges, or other administrative units that are formally brought to its attention by individual faculty members and shall advise the appropriate departments and colleges in such cases. In all cases considered, the committee's formal recommendation shall be made known to all appropriate faculty and officers of the University, but unendorsed recommendations and the reasons thereof shall be made known only to the individual faculty member concerned, the department chairperson and/or dean of the college, and the provost. Whenever the committee discovers a violation of appropriate procedures, the committee will so inform the provost at the same time that it makes its recommendation to the provost on the said candidate's promotion and tenure. The committee shall recommend to the Senate, University-wide policies and procedures relating to promotion and tenure and shall advise the faculties of the colleges and departments and the President of the University on the formulations of these policies. It shall ensure that these University-wide policies and procedures are made known within each department and throughout the University, and that unit criteria are roughly comparable throughout the University. (Rev. 12/3/90, Rev. 5/96)

No individual serving on this committee may vote on candidates from his or her own department or participate in the discussion of such candidates. No individual may serve on this committee during the same year in which she or he serves on a college-level promotion and tenure committee. (Rev. 9/8/86, Rev. 5/96, corrected 7/97)

This committee shall consist of four tenured professors, two tenured associate professors, and one continuing track faculty member at the rank of associate professor or higher. The continuing track faculty member will be fully involved in deliberations and voting on all matters pertaining to continuing track faculty. Two of the six tenured faculty members shall be from the College of Arts and Sciences. At least one member of the committee shall be a woman and at least one member shall be a man. No administrative officers (including department chairs) should be appointed to serve on this committee. (Rev. Fall 1988, Rev. 5/96, Rev. 9/15)

## RESEARCH, COMMITTEE ON

This committee shall develop and recommend policies relating to research and patent matters at the University and shall hear comments and suggestions on such policies and on their implementation. It shall participate in the award of faculty research and development grants by the University, and it shall actively seek other means of encouraging research by staff and students. It shall have power to review research proposals submitted to it using inside or outside reviewers.

This committee shall consist of the Vice President for Research, Scholarship and Innovation and eight faculty members, one of whom shall be chairperson. Membership on this committee should be restricted to faculty members who have an established record of research and who continue to be actively engaged in a program of research. The faculty committee members should be chosen to be representative of the following general areas: four members should be chosen from the arts, humanities, and social sciences (faculty in colleges such as Arts and Science, Business and Economics, Education, Human Resources, Physical Education, and Urban Affairs could most likely be appointed to one of these positions); four members should be chosen from the natural sciences, engineering and mathematics (including faculty in Arts and Science, Agriculture, Marine Studies, and Nursing).

(Rev. fall 1988)

## RULES, COMMITTEE ON

Subject to the approval of the faculty or its Senate, this committee shall formulate, codify, and review rules and bylaws concerning the function of the Senate and the sessions of the University faculty, and it shall recompute faculty memberships in the Senate according to the Constitution of the Faculty. This committee shall also keep continuing records and oversight of the body of faculty, Senate actions, and related University regulations, and it may advise upon the bearing thereto of new legislation, including amendments to the Constitution.

This committee shall consist of the Secretary of the Senate, who shall be its chairperson, and four other members chosen from current and past members of the Senate who serve two-year staggered terms. Of these four appointed members, no more than two may be from the same college. (Rev. 4/6/92, Rev. 4/12/99)

## STUDENT AND FACULTY HONORS, COMMITTEE ON

This committee shall recommend the policies governing the granting of student honors and shall administer such policies as are adopted by the faculty or its Senate and approved by the Board of Trustees. It may also recommend to the president nominees for faculty honors and for graduate-student honors.

It shall consist of one member from each college, one of whom shall be chairperson; two undergraduate students and one graduate student; an appointee of the president; and a designee of the Director of the University Honors Program. (Rev. 5/2/83)

## STUDENT LIFE, COMMITTEE ON

Per the [University of Delaware Charter](#) and [Board of Trustees Bylaws](#), this committee shall review policies and regulations bearing upon the care, control, government, and discipline of all students. Duties include:

- Review proposals that relate to care, control, government, and discipline of all students proposed by any and all University community units before implementation. The committee shall decide whether a change in the substance or wording of a policy should have the approval of the full Senate, or should only require approval of the committee itself, with the Senate informed of its action. The Senate ultimately may choose to act upon items sent to it as information.
- Review and evaluate the University of Delaware Student Code of Conduct annually. The committee must review any proposal to change the Code of Conduct.
- Review and evaluate the Residence Life and Housing Program Plans annually for recommendation and approval by the Faculty Senate.
- As necessary, the committee shall provide advice to the Vice President for Student Life on other areas that affect the life of students including, but not limited: Enrollment Management (e.g., Student Financial Services, Admissions, etc.), UD Police, and Facilities, Real Estate, and Auxiliary Services (e.g., Dining Services, UD Bookstore, Transportation Services, Environmental Health and Safety, etc.). It may meet with the vice presidents/directors of these units responsible for these matters, at their request or at the discretion of the chairperson of the committee.

This committee shall consist of two designees of the Vice President for Student Life; one representative of the Office of Graduate and Professional Education, designated by the Dean of the Graduate College; five faculty members, one of whom shall be chairperson; four undergraduate students to be appointed by the Student Government Association; and one graduate student appointed by the Graduate Student Government. (Rev. May 2019)

## UNDERGRADUATE STUDIES, COMMITTEE ON

This committee shall review and consider matters relating to undergraduate education and shall receive, and may stimulate and originate, proposals for its development.

This committee may initiate and shall consider and formulate specific recommendations to the colleges or to the Faculty Senate on undergraduate curricular changes and interdepartmental programs. It shall have the power to act on the alteration, addition or deletion of individual undergraduate courses recommended by college committees which do not involve curricular revision, in each case consulting the deans and department chairpersons concerned, and to delegate this authority to the individual colleges and Office of the University Registrar as it deems appropriate. It shall, further, review the academic standards of the several undergraduate colleges and review and prepare recommendations concerning procedures of undergraduate advisement. (Rev. fall 1988)



This committee shall have the responsibility for setting policies concerning academic deficiency. This committee shall receive and review for policy consideration from the Undergraduate Records and Certification Committee an annual summary report of its activities. This committee shall recommend, for final determination by the Faculty Senate, the undergraduate educational and academic admission policies, and, in consultation with the Committee on Undergraduate Records and Certification, the policies of academic standing of undergraduates. The committee shall advise the Vice President for Enrollment Management, the Director of Counseling and Student Development, and the University Registrar in implementing these policies. (Rev. 3/13/89)

This committee shall consist of the University Provost or their designee; three faculty members from the College of Arts and Science (if feasible, one from natural sciences and mathematics, one from arts and humanities, and one from social and behavioral sciences) and one faculty member from each other undergraduate college, one of whom shall be chairperson; one representative from the Associate in Arts Program, one representative of the Committee on Graduate Studies; and three undergraduate students. Non-voting members of the committee, who do not count toward a quorum, shall be the Director of Admissions or their designee, the University Registrar or their designee, and the Vice Provost for Libraries and Museums or their designee. (Rev. 2/2020)

## SECTION 2: ACADEMIC PROGRAM ORGANIZATION

### 2.1 Academic Organization & the Roles of Academic Officers

The respective powers and duties of the faculty as a whole and of those faculty who are officers of the University are set forth in the [Bylaws of the Board of Trustees](#). These Bylaws delegate to the faculty as a whole the authority to provide for the establishment of curricula and courses and for the establishment of a program of extra-course education for students. In exercise of these powers the faculty has adopted a Senate and a set of committees with various functions. ([See Section 1 "Organization of the Faculty."](#)) Various designated administrative members of the faculty are assigned the authority and responsibility for the administration of the regular and extra-course educational programs for students.

The **President** of the University is the chief administrative officer of the University and has the responsibility for the appointment of the provost and vice presidents, and with the provost for the appointment of vice provosts, deans, and department chairpersons. The president represents the University and is its executive agent empowered with general supervision of the affairs of the University.

The **Provost** is the chief executive officer next in authority to the president. The provost's responsibilities include the supervision of the academic programs of the entire University and the development and administration of the University academic budget. In addition to the deans of the various colleges, he or she is assisted by the Vice Provost for Faculty Affairs, Vice President for Research, Scholarship and Innovation, Vice Provost and Dean of the Graduate

College, Vice President for Enrollment Management, Vice Provost for Undergraduate Education, Vice Provost for Equity, Vice Provost for Libraries and Museums. (Rev. 3/2013)

The **Deputy Provost** oversees University-wide undergraduate programs and student support services and coordinates University-wide functions and academic approval and assessment processes. He/she is assisted by the Associate Provost for International Programs, the Associate Provost for Institutional Research and Effectiveness, and the faculty directors of the Center for Teaching and Assessment of Learning, the Center for Premedical and Health Professions Studies, the Honors Program, Undergraduate Research and Experiential Learning, and University Studies. (Rev. 2/2013)

The **Vice President for Research, Scholarship and Innovation** is the chief research advocate serving to advance high-quality research and scholarship at UD by promoting an environment that fosters creativity, collaboration, community, and commitment to the highest ethical values. He/she coordinates the identification, application, and support for research activities by faculty and staff from government and non-government sponsors. He/she is assisted by the Associate Provost for Research and Regulatory Affairs, the Senior Associate Provost for Research Development, and the Assistant Provost for Research Administration. (Rev. 2/2013)

The **Vice President for Enrollment Management** oversees the financial management of the Provost Office including short-term and long-term budgetary planning. The Associate Provost also oversees the Admissions and Registrar's Offices (Enrollment Services). (Rev. 2/2013)

The **Vice President of Equity and Chief Diversity Officer** is administratively responsible for developing and administering the Office of the President's Diversity Initiative and works with faculty, staff, and administration to help the University achieve its goals to promote and enhance diversity as articulated in its strategic plan, *Path to Prominence*. (Rev. 2/2013)

The **Deans of the Colleges** have responsibilities for supervising and correlating the research, instructional, and educational activities of the colleges. The deans have primary responsibility for the curricula of the college, for faculty recruitment within the college, for the assignment of duties for all personnel within the college and for the quality of service rendered by those individuals, and they recommend to the provost on all salary increases, promotions, and on all appointments, non-reappointments, and terminations within the college. In addition, the deans have primary responsibility for allocations of funds within the college, subject to review by the provost. College deans are assisted by Associate and Assistant Deans, Department Chairpersons, Academic Program Directors, and Research and Public Service Center/Institute Directors.

**Associate and Assistant Deans** provide support to the deans in various capacities including academic, personnel, budgetary and student issues.

**Department Chairpersons (and School Directors)** serve both as the chief representative of the department (School) within the institution and as a departmental administrator, responsible for communicating and administering policies and procedures of the University and for developing and organizing courses of study. Together with the dean and provost, the chairperson is charged with the recruiting and professional development of staff. Chairpersons make recommendations to the dean for faculty appointments, promotions, leaves of absence, tenure,

salary increases, and terminations of service. The chairperson will be expected to consult in a formalized way with the appropriate departmental body on matters of faculty status. The chairperson should also establish appropriate vehicles for obtaining student opinion on curricular matters.

**Department Chairpersons (and School Directors)** are appointed by the president and provost for five-year terms upon the recommendation of the college dean. These appointments are renewable for like periods. The advice of a majority of the faculty, by a formal vote of the faculty, within the department or school is required for the appointment or reappointment of the chairperson or school director. After the conclusion of the formal vote of the faculty, the numerical result(s) of the vote of the faculty must be communicated to all the faculty eligible to vote and then to the dean of the college and by the dean to the provost upon the occasion of any recommendation for appointment or reappointment. Chairpersons are renewed annually by the college dean and serve at the pleasure of the president, the provost, and the dean. Therefore, the president and provost have the authority to replace a department chairperson at any time after consultation with the appropriate dean, if such action is in the best interests of the department or the University. Tenure as a faculty member is a separate right. (Rev. 3/2022, Rev. 5/08 Office of the Provost, AAUP, and Faculty Senate)

The chairperson is reviewed shortly before the expiration of his or her term, or sooner under special circumstances. A copy of the policy on chairperson review is available from the dean of each college.

In addition, there are academic units including centers and institutes that are headed by academic **Directors**.

## 2.2 Academic Units & University-wide Offices

Colleges and college-level units within the University are organized by schools, departments, institutes, and centers and offer both undergraduate and graduate degrees. A current list of the colleges and units of the University can be found on the [Faculty Senate website](#).

## 2.3 Administrative Council & Caucuses

There are several academic councils and caucuses that have direct bearing on the academic programs of the University.

**President's Senior Staff** is composed of the President, Provost, Executive Vice President and University Treasurer, Vice President for Administration, Vice President for Information Technologies, Vice President for Development and Alumni Relations, Vice President and University Secretary, and Assistant to the President and Director of Public Relations.

**President's Deans Council** is composed of the President, Provost, Deans of the seven colleges, Deputy Provost, and Vice President for Research, Scholarship and Innovation and Strategic Initiatives.

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***Provost's Executive Council*** is composed of the Provost, Deans of the seven colleges, Vice President for Research, Scholarship and Innovation and Strategic Initiatives, Vice Provost for Libraries, Vice Provost for Graduate and Professional Education, Vice President for Student Life, and Assistant Provost for Administration and Planning.

***Department Chairs Caucus*** is composed of all department chairpersons, school directors, and academic program directors.

***Assistant/Associate Deans Caucus*** is composed of all Assistant and Associate Deans and other administrators that have direct interaction with students.

Each of the vice presidents, vice provosts, and deans has one or more advisory councils to assist in meeting the responsibilities of their respective offices. The composition of these councils reflects the various personnel that constitute a specific office or college and those groups of students served by the specific office or college.

## 2.4 Program & Policy Boards, Committees & Commissions

### Faculty Board on Athletics

The Faculty Board on Athletics voting membership includes the President of the University, two faculty representatives (one man, one woman), the Director of Intercollegiate Athletics, a representative of the Alumni Association, one at-large representative who serves as an administrator, professional staff or faculty member at the University, a senior woman administrator, and two senior student representatives (one man, one woman). The faculty and alumni members are appointed by the Faculty Senate Committee on Committees and the Alumni Association, respectively. The student representatives are the male and female letter winners with the highest cumulative grade point averages after the junior year. The at-large and senior woman administrator representatives are appointed by the president.

The Director of Intercollegiate Athletics shall serve as Secretary of the Board. The Chairperson and Vice Chairperson shall be appointed annually by the Chairperson of the Board of Trustees from among the members of the Faculty Board on Athletics. Non-voting members shall include one male and one female coach representing aid/no-aid and team/individual sport programs, and four junior student-athletes (two female, two male) with the highest index at the end of their sophomore year. At least one of the four students will be a minority.

The Faculty Board on Athletics, under the direction of the Trustee Committee on Student Life and Athletics and the Board of Trustees, has responsibility for the University's intercollegiate athletics programs for men and women. The regular meetings of the Faculty Board on Athletics are held after each sport season during the academic year. Special meetings may be called by the President of the University or chairperson, as needed. The Faculty Board on Athletics reports its activities to the Board of Trustees and the Board of Trustees Committee on Student Life and Athletics.

### University Biosafety Committee

The Biohazard Committee proposes policies and procedures to provide for the safe use and handling of biologically hazardous materials in teaching and research and to assure protection of humankind, animals, and their environment from such materials.

Members are appointed by the provost from among faculty who are users of biologically hazardous materials; membership includes the Director of Environmental Health and Safety.

### **Center for International Studies Advisory Council**

The Center for Global Programs and Services Advisory Council advises the provost and Vice Provost for Academic and International Programs on matters relating to international research, education, and service at the University. To recognize such activities as an integral part of the institution's mission and to insure their quality, the Council formulates policy recommendations and reviews programs initiated by the Center for Global Programs and Services. The Council also serves as a major liaison among offices, departments, colleges, and divisions of the University to coordinate and facilitate the development of international programs.

The Council is chaired by the Director of the Center for Global Programs and Services, and its membership consists of representatives with interest in and responsibility for international programs. It meets at least twice each year during regular academic terms, and special meetings are called upon due notification of the membership.

### **Women's Caucus**

The Women's Caucus suggests and assists in the implementation of programs that stimulate thinking regarding the basic social changes occurring in today's society as newly defined roles for women and men emerge. When requested by the University Office of Equity and Inclusion, the Caucus cooperates in the analysis of the University's performance with respect to fulfilling equal employment obligations. As requested by appropriate department, college, or University committees, the Caucus presents their views on policies and procedures related to the evaluation and advancement of faculty, professional, and staff members. The Caucus keeps current the Women's Handbook and issues an annual report on the Status of Women in the University Community.

The Caucus reports to the president and consists of 16 members, the majority of whom are women: four faculty members, at least one of whom is of senior rank; one administrator from an academic unit; one member from Professional and Continuing Studies; two professionals; one person from Student Life; two staff; two graduate students; two undergraduate students; and the University Office of Equity and Inclusion.

### **Committee on Information Resource Planning and Management**

The Committee on Information Resource Planning and Management plans, serves as forum, recommends policy, establishes information structure, access and accountability, and reviews University information planning, structure, access and accountability, and integrity and recovery.

The committee is chaired by the Vice President for Information Technologies. The members of the committee are drawn from senior management of affected constituencies, are appointed, and may be removed, by the president. The members include one member from the Office of the Provost, one member from the President's Deans Council, two students (one undergraduate and another graduate), two faculty members recommended by the Faculty Senate President, one member from the Department Chairs' Caucus, ten college representatives as recommended by the college deans, Director of Libraries, Director of Instructional Technology Center, Chair of the Faculty Senate Committee on Computing, Instructional and Research Support, two members recommended by the Executive Vice President and University Treasurer, Director of Archives, Assistant Vice President for Institutional Research and Planning, one internal auditor, and directors of various Information Technologies units. Members are appointed for two-year terms. Generally, recommended members may serve no more than two consecutive terms. The committee meets a minimum of five times per year.

### **University Council on Student Diversity and Success**

The University of Delaware is committed to creating an educational community that is intellectually, culturally, and socially diverse, enriched by the contributions and full participation of people from many different backgrounds. Appointed by the provost, the Council on Student Diversity and Success assists the University in fulfilling its commitment to diversity by ensuring that the goals of the University-wide Student Diversity and Success Initiative are achieved. The Council is composed of faculty, administrators, and students, all of whom are committed to enhancing diversity and student success within the University.

The Council on Student Diversity and Success examines, advises, and reports to the provost on issues affecting undergraduate and graduate students' diversity and success from a University-wide perspective. The Council promotes, oversees, recommends, and monitors campus practices and programs that support and sustain increased minority student enrollment. It strives to enhance the academic success of minority and other underrepresented students by coordinating and enhancing existing services and creating new services. Annual student diversity and success action plans are developed by the Council in collaboration with University constituents and submitted to the provost for implementation and approval.

### **President's Commission to Promote Racial and Cultural Diversity**

The President's Commission to Promote Racial and Cultural Diversity (the Commission replaces the Minority Affairs Board) was created to guide the University in creating an educational community that is intellectually, culturally, and socially diverse, enriched by the contributions and full participation of people from different backgrounds. The Commission is charged to promote equity and diversity throughout the fabric of University life for the purpose of enriching the existing intellectual and social community.

The Commission reports to the president and is composed of an executive director, a chairperson, faculty, staff, and student members. Members are appointed by the president and serve staggered terms of office of three years; student members serve one-year terms.

### **Radiation Safety Committee**

The Radiation Safety Committee promotes the best practice in safe handling and use of radioisotopes and radiation producing devices throughout the University campus, regional campuses, affiliated institutions, and properties throughout the State of Delaware. The establishment of a Radiation Safety Committee is required by the federal government before an institutional program for the use of radioisotopes in research and development under a broad scope will be licensed.

Membership consists of faculty or professional staff experienced in handling radioisotopes, the use of radiation producing devices, the practice of radiation protection, or those who have a desire to institute practices of safety in regard to radiation, and includes the areas of agriculture, biological sciences, chemistry, engineering, health sciences, marine studies, nursing, physics, the Vice President for Research, Scholarship and Innovation, and the Radiation Safety Officer.

### **Risk Management Advisory Council**

The Risk Management Advisory Council administers and coordinates the Trustee's policy on risk management by (a) maintaining an effective liaison with University faculty, professional and salaried staff members, and students with the goal of having each individual assume personal responsibility for appropriate identification and management of risk; (b) taking the necessary steps to assure that risks are reduced in a cost effective manner at the University in areas that include occupational health and safety, property conservation, security, and environmental protection; (c) recommending policy and procedures and budgetary requirements to the president with respect to identification and management of risk; and (d) keeping the president informed as to the status of risk management and occupational health and safety at the University.

The Council is chaired by the Associate Vice President for Administrative Services. The membership of the Council, appointed by the president, is comprised of individuals representing various academic, administrative, and operational units concerned and involved in maintenance and implementation of risk management and safety at the University.

### **University Council on Teacher Education**

The University Council on Teacher Education advises the provost and the dean of the College of Education and Human Development on all matters relating to teacher education at the University. It formulates policy recommendations in keeping with its primary responsibility to assist the University in fulfilling its mandate for excellence and national leadership in the field of teacher education. Accordingly, it will review, at least



annually and more often if deemed necessary by the provost, the dean, or the Executive Committee of the Council, all teacher education programs offered by the University. In so doing, it will assess the need for these programs (and any others currently not offered) for the State, region, and nation and make appropriate recommendations. It will serve as a major liaison between the College of Education and Human Development and other colleges and divisions of the University also interested or involved in teacher training, bringing to the attention of relevant bodies particular needs or requirements in teacher education. Close cooperation in teacher education among all faculties will be encouraged and assisted by the Council in every possible way.

In practice, the work of the Council is carried out by its Executive Committee, which is composed of no more than two members from each participating college, typically the college's associate dean and teacher education coordinator. The Executive Committee is chaired by the Dean of the College of Education and Human Development, who is a nonvoting member of the group.

The Executive Committee will meet once each month during the academic year, or more often as required. It will consider issues and questions concerning teacher education, draft policy statements, set other agenda items for presentation to the Council at its semi-annual meetings and, in general, act on behalf of the Council between its sessions.

The Council will meet twice each year during regular academic terms; special meetings may be called upon due notification to the membership by the provost, the dean, or the Executive Committee of the Council.

## 2.5 Conduct of Administrative Searches

The following was a result of a joint administration-faculty committee (3-3-3 Committee on Administrative Searches), which met from December 2013-May 2014.

These stipulations pertain primarily to academic administrative positions whose titles include the word dean or provost but also pertain to other senior administrative positions that are directly concerned with academic matters.

- The process of selecting a candidate should always be transparent. Shared governance is a hallmark of the University of Delaware. In keeping with that tradition, there should be absolute transparency around the issues of who, what, when, where, and why in initiating a search for an academic administrative position.
- Every effort should be made to include/engage a representative group of faculty on the committee. Academic administrative positions directly affect the governance of an institution. As such, faculty input into academic administrative search decisions is critical. While no single group of faculty can ever represent the full spectrum of intellectual diversity and views of a University faculty, efforts need to be made to ensure multiple perspectives are represented. The individual responsible for convening the search should solicit advice/representation from faculty stakeholder groups (e.g., department/college faculty, Faculty Senate, AAUP, as appropriate) when populating search committees to ensure broad faculty representation.



Searches for positions that include the word provost in the title should always include consultation with the Faculty Senate.

- Confidentiality might be desired in the early stages of the process (until the selection of the final short-list of candidates). Often in administrative searches candidates will prefer that the process remains confidential, at least until the stage where final short-list of candidates is identified. Although there may be a desire for confidentiality during the early stages of an academic administrative search, once the final candidates are identified, the process should be open and engage the full academic community. The process always should be defined at the outset so that it is transparent to candidates and to the University community.
- The outcome of the process is that final short-listed candidates should be interviewed in an open and transparent manner that maximizes their engagement with the University community. The opportunity for final short-list candidates to engage with the University community in the final stage of the interview process allows for honest and open mutual assessment (University of the candidates and candidates of the University) and is in the best interest of both the University community and the successful candidate.

An open and transparent search for academic administrators is always preferred for the reasons articulated above; however, there may be rare instances when a completely confidential search may be considered. It is particularly important that a completely confidential search engage members of the University community (as appropriate to the search) in developing the context and criteria that will help drive the search to a successful outcome. This should be implemented as follows:

- Present the rationale for a completely confidential search. The desire for a completely confidential search process is first identified by the person convening the search. That individual is responsible for developing the rationale for a completely confidential search and broadly asking if such an approach would be acceptable to the affected faculty. The rationale and approach should be clearly articulated to faculty in the appropriate unit, especially in cases where a difference in opinion about the need for a completely confidential search may exist.
- Maintain transparency in the process for a completely confidential search. The faculty in the unit should be informed of the plan for a completely confidential search and have the opportunity to advise and comment on the search plan. In cases where the position title includes the word provost, advice and input should be solicited from the Faculty Senate. As with searches that are not completely confidential, it is expected that the search committee would include a representative and diverse cross section of the faculty, as appropriate. In addition, for a completely confidential search for a position title that includes the word provost, the Faculty Senate and the AAUP should both have a member designated on the search committee. This should be done in accordance to Faculty Senate/AAUP protocol. It is also expected that there would be broad involvement of the members of the University community (as appropriate to the level of the

completely confidential search) at the outset in order to solicit comments on specific individual candidate attributes. The search committee would use this information for context during the confidential search process.

- Non-academic senior administrative searches. These stipulations focus on those searches that include the word dean or provost in the position title. However, the spirit of inclusion and transparency embodied in these stipulations for academic administrators should be readily transferred to other non-academic senior administrative searches at the University of Delaware.

In the case of new administrative positions, the administration should consult with the Faculty Senate (in the case of University-wide positions, such as in the Office of the Provost) or faculty in the appropriate college (in the case of a dean's office) regarding scope and need for the position. This is in accordance with the guidance provided by the Board of Trustees in their bylaws (Section 3.2.5.12) stating that it is the responsibility of the faculty to consider and make recommendations for "the establishment or abolition of administrative offices that are directly concerned with academic matters." (Added 3/15/16)

## SECTION 3: CONDUCT OF ACADEMIC PROGRAMS

### 3.1 Instructional Program Policies

Instruction is the most fundamental of the educational responsibilities of the University. The University's primary mission is to foster the acquisition of knowledge and skills in its students. Research is of value in its own right, but it also contributes to excellence in the learning of University of Delaware students. Moreover, service activities within the wider community also complement the learning of students and constitute essential parts of the University's academic program. It is the stated objective of the University to foster the total intellectual, cultural, and ethical development of its students as citizens, scholars, and professionals. Learning outside the classroom must be considered an integral part of the educational program of the University.

#### 3.1.1 Freedom of Inquiry and Expression

The freedoms of inquiry and expression are vital to the educational mission of the University, and are central to shared governance and the discovery and dissemination of knowledge. Consequently, members of the University community are free to examine and to discuss all questions of interest to them and are free to express ideas publicly and privately. They are free to support causes by orderly means, including peaceful assembly or advocacy, which do not infringe upon the rights of others (see Sections [4.2.1](#), [4.2.3](#), [4.2.4](#) & C.B.A. Article II).

Members of the University community are allowed to invite, to hear, and to see speakers, creative performers, and artistic presentations of their own choosing. Guest appearances must not interfere with the University's regular instructional, research, and service programs. Except for ceremonial occasions, invited speakers and presenters should be prepared for a public discussion of their expressed views.

Invited speakers and presenters are accorded the full protection appropriate to a University community. Individuals or groups who engage in actions designed to obstruct or to prevent a speaker or presenter from speaking, presenting, or displaying any form of artistic expression are subject to discipline and to financial responsibility in the event of damage to property or person (see [Section 4.2.4](#)).

The institutional control of campus facilities is not to be used as a device of censorship. Sponsorship of guest speakers and presenters does not imply approval or endorsement of the views expressed, either by the sponsoring unit or the University. (Faculty Senate, 12/94)

### 3.1.2 Holding Classes

It is expected that all classes will meet as scheduled. Meeting with scheduled classes is each faculty member's first responsibility and is not to be compromised by other professional obligations. In the event of illness, the chairperson (or dean) should be notified in advance of the class so that alternative arrangements can be made. Authorization to miss classes for any other reason must be obtained in advance from the department chairperson (or dean).

### 3.1.3 Inclement Weather

It is the policy of the University of Delaware to remain open except under the most extreme weather conditions. The decision to excuse or dismiss employees from work due to extreme weather conditions rests with the Vice President for Administration in consultation with the president

Faculty and students are not expected to take unnecessary risks to meet their teaching and learning obligations due to inclement weather. When classes have not been cancelled, it is a matter of personal judgment whether traveling to campus is hazardous. Faculty should notify their department offices when weather precludes them from meeting their teaching obligations; similarly, students should notify their professors when inclement weather precludes them from class attendance. In such cases, students should be allowed to make up missed class time and, whenever possible, canceled classes should be rescheduled.

### 3.1.4 Examinations and Tests

Faculty exercise academic judgment in determining appropriate methods of evaluation in courses. However, the University sets the academic calendar and includes an examination week as the final week in a semester. Except in unusual circumstances, faculty are expected to use the examination week for evaluation and instructional purposes. Faculty should give the last examination in a course during that week according to the schedule issued by the Registrar's Office. Courses following very different instructional and evaluation formats (e.g., clinical experience, individual research, laboratory or student teaching) will not be restricted in this regard. If unusual circumstances exist, the department chair or dean will be informed of the method and timing of the final course assessment. Because the University does not operate with a formal honor system, faculty are responsible for proper monitoring of examinations and tests.

To minimize conflicts for students with other scheduled University courses and activities, a required examination, test, or quiz (excluding make-up examinations for individuals and regularly scheduled final examinations) may be given only during regularly scheduled class or laboratory hours associated with that course, with the sole exception of common examinations given for multi-section courses when these various sections have different scheduled meeting times. For these permissible common examinations, the following will apply:

Common examinations will be scheduled only Monday through Friday from 6:30 p.m. to 8:30 p.m., and Saturday from 9:00 a.m. to 5:00 p.m. (Rev. 4/2013, Rev. 2/19/21)

The Registrar's Office will ensure that there are no conflicts among the common examinations scheduled and will announce the dates and times of the common examinations in the course schedule. Departments will determine the examination dates and times sufficiently far in advance that they will be printed in the course schedule for that term. (Rev. 2/19/21)

In the few instances where it may be necessary for a student to schedule a course in conflict with a common examination, the instructor of the single section course will treat the student's absence from class on that day as excused.

Absences due to athletic participation or other extracurricular activities in which students are official representatives of the University will be recognized as excused when the student informs the instructor in writing during the first two weeks of the semester of these planned absences for the semester. Absences due to similar events that could not have been anticipated earlier in the semester will be recognized as excused absences upon advance notification of the instructor by an appropriate faculty advisor or athletic coach.

No examination, hourly examination, test, or quiz counting for 25 percent or more of the semester's grade for any class (except laboratory exams) shall be given during the last five class days of any regular semester. There shall be a break of at least 24 hours, designated Reading Day(s), at the beginning of Finals Week. No required examinations, tests, or quizzes may be given on Reading Day(s), to allow students to review for upcoming finals and to complete projects. Additionally, no student can be required to take any examination, test, or quiz on Reading Day(s). (Rev. Fac. Senate 11/1/93 applicable only to Spring and Fall semesters beginning Spring '94; Rev. Faculty Senate 5/3/99)

### 3.1.5 Student Dishonesty

Academic integrity is a fundamental responsibility of all members of the University community. Faculty and students of the University are expected to be honest and forthright in their academic endeavors. To falsify the results of one's research, to steal the words or ideas of another, to cheat on an examination or to allow another to commit an act of academic dishonesty corrupts the essential process by which knowledge is advanced.

It is the official policy of the University of Delaware that all acts or attempted acts of alleged student academic dishonesty be reported to the Office of Student Conduct. At the faculty member's discretion and with the concurrence of the student or students involved, some cases, though reported to the Office of Student Conduct, may be resolved within the confines of the course. All others will be adjudicated within the Undergraduate Student Judicial System. See

the [Student Guide to University Policies](#) for complete information concerning this referral process.

It is essential that every faculty member make it clear to students that academic dishonesty will not be tolerated. A brief discussion at the beginning of each term should affirm the importance of academic integrity and indicate that the instructor is aware of the problems of academic dishonesty and is sensitive to it, is willing to clarify as carefully as possible what constitutes plagiarism and will take action not only to prevent cheating but to bring charges against students suspected of violations. Alternative seating and/or alternative-form examinations should be used for all classes when examinations or tests are given (especially recommended are alternately colored examination papers or alternately colored answer sheets to discourage or prevent surreptitious exchange of forms). Proctors should be properly trained and supervised whenever they are employed in monitoring an examination. (Rev. 1/6/04)

### 3.1.6 Course Scheduling, Cancellation, and Assignments – Effective until August 2023

The University's Academic Calendar in fall and spring semesters will normally contain 68 instructional days followed by a final examination period of at least 6 days. In years when the holiday calendar makes this impracticable, the length of the semester may be reduced to a minimum of 65 days. The Registrar's Office will make all reasonable efforts to maximize the number of instructional days. (Rev. 9/12, Rev. 2/19/21)

#### **Weekly Timetable**

The University's weekly class schedule consists of the following standard meeting patterns:

	<b>Monday/Wednesday/Friday</b>	<b>Tuesday/Thursday</b>
Period 1	08:00 a.m. - 08:50 a.m.	08:00 a.m. - 09:15 a.m.
Period 2	09:05 a.m. - 09:55 a.m.*	09:30 a.m. - 10:45 a.m.*
Period 3	10:10 a.m. - 11:00 a.m.*	11:00 a.m. - 12:15 p.m.*
Period 4	11:15 a.m. - 12:05 p.m.*	12:30 p.m. - 01:45 p.m.*
Period 5	12:20 p.m. - 01:10 p.m.*	02:00 p.m. - 03:15 p.m.*
Period 6	01:25 p.m. - 02:15 p.m.*	03:30 p.m. - 04:45 p.m.
Period 7	02:30 p.m. - 03:20 p.m.*	

Period 8	03:35 p.m. - 04:25 p.m.
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\* Peak Times

	<b>Monday/Wednesday, Wednesday/Friday, Monday/Friday</b>	<b>Tuesday/Thursday</b>
Periods 1 & 2	08:40 a.m. - 09:55 a.m.	
Period 8*	03:35 p.m. - 04:50 p.m.	
Period 9	05:00 p.m. – 06:15 p.m.	05:00 p.m. – 06:15 p.m.
Period 10	06:30 p.m. – 07:45 p.m.	06:30 p.m. – 07:45 p.m.

Alternate 3-hour meeting pattern for courses meeting one day per week

Periods 9 - 10	05:00 p.m. – 08:00 p.m.
Period 11	06:00 p.m. – 09:00 p.m.

Departments are encouraged to follow this weekly schedule as much as possible to insure efficient use of classroom space. Classes scheduled within these parameters will be assigned to classroom space before those that are scheduled off sequence.

#### **Course Scheduling Guidelines are as Follows:**

Due to the limited availability of classrooms at certain times, the following guidelines apply:

Meeting patterns:

- Monday/Wednesday/Friday – for 50 minutes classes that meet three times per week
- Tuesday/Thursday, Monday/Wednesday, Monday/Friday, Wednesday/Friday - for 75 minutes classes that meet two times per week
- Evening classes beginning at 5:00 p.m. or 6:00 p.m. – for 3 hours once per week
  1. Of those courses taught between 8:00 a.m. and 5:00 p.m. at least 60 percent of each department's courses should be taught on Monday/Wednesday/Friday. No more than 40 percent should be offered on Tuesday/Thursday. Courses offered after 5:00 p.m. need not follow in the 60/40 mix.
  2. No more than 55 percent of courses can be scheduled in peak time.
  3. The absolute minimum enrollment for undergraduate courses is ten students and for graduate courses (500 level and above), six students. Courses without minimum enrollment should be canceled prior to the start of classes.

4. Dual listing will generally be permitted only between 400 and 600 level courses. The two course numbers should be symmetrical (e.g., QU407-QU607). The UDSIS course search will clearly inform students that courses are dual listed.
5. Spring 2021 forward, all classes must begin at the starting times listed above. Sections not meeting on the standard meeting times will not be included in the first pass when scheduling classrooms with the classroom scheduling software program.
6. Graduate level courses meeting one day per week must be balanced with another course meeting at the same time period on the approved meeting day. Example – A Monday section meeting from 9:05 a.m. to 12:05 p.m. must be balanced with a Wednesday and a Friday section meeting from 9:05 a.m. to 12:05 p.m. There should be a reasonable spread of graduate-level courses scheduled throughout the week.
7. Discussions or labs using general purpose classrooms cannot schedule three Monday discussions or labs until a Wednesday and a Friday discussion or lab is scheduled. Example – A discussion section offered on Wednesday at 10:10 a.m. must be balanced with a discussion section meeting on Monday and Friday at 10:10 a.m.
8. Courses being offered for the first time should be scheduled during off-peak times. If the Scheduling Office is having difficulty finding classrooms during the peak times for other courses, courses offered for the first time will be moved to off-peak times.
9. Selecting times that depart from standard times limits the ability to successfully schedule courses in classrooms and restricts students' flexibility. Scheduling a course at a non-standard time requires the approval of the chair and college dean. Such exceptions will be approved only on the grounds of the educational benefit served, subject to the availability of space and not on the basis of convenience.

Special room requests: Please refer to the following

website: [https://www.udel.edu/registrar/faculty\\_staff/formsec/specev.html](https://www.udel.edu/registrar/faculty_staff/formsec/specev.html)

Technology request form: Please refer to the following website:

<https://services.udel.edu/TDClient/32/Portal/Requests/ServiceDet?ID=232>

### 3.1.6 Course Scheduling, Cancellation, and Assignments – Effective September 2023

The University's Academic Calendar is created in accordance with section 3.1.7 (Class Meetings) of the faculty handbook and with the University's credit hour policy. Fall and spring semesters will normally contain at least 69 instructional days followed by a final examination period. (Rev. 9/12, 2/19/21, 5/2/22)

### **Weekly Timetable**

The University's weekly class schedule consists of the following standard meeting patterns:

	<b>Monday/Wednesday/Friday</b>	<b>Tuesday/Thursday</b>
Period 1	8:00 a.m. - 8:55 a.m.	8:00 a.m. - 09:20 a.m.
Period 2	* 9:10 a.m. - 10:05 a.m.	* 9:35 a.m. - 10:55 a.m.
Period 3	* 10:20 a.m. - 11:15 a.m.	* 11:10 a.m. - 12:30 p.m.
Period 4	* 11:30 a.m. - 12:25 p.m.	* 12:45 p.m. – 2:05 p.m.
Period 5	* 12:40 p.m. - 1:35 p.m.	2:00 p.m. - 3:40 p.m.
Period 6	* 1:50 p.m. - 2:45 p.m.	3:55 p.m. - 5:15-p.m.
Period 7	3:00 p.m. - 3:55 p.m.	
Period 8	4:10 p.m. – 5:05 p.m.	

\* Peak Times

	<b>Monday/Wednesday, Wednesday/Friday, Monday/Friday</b>	<b>Tuesday/Thursday</b>
Periods 1 & 2	* 8:40 a.m. – 10:00 a.m.	
Period 9	5:20 p.m. – 6:40 p.m.	5:30 p.m. – 6:50 p.m.



Period 10                      6:55 p.m. – 8:15 p.m.                      7:05 p.m. – 8.25 p.m.

Alternate 3-hour meeting pattern for courses meeting one day per week;

Periods 9 -                      5:30 p.m. – 8:30p.m.  
10

Period 11                      6:00 p.m. – 9:00 p.m.

Departments are expected to follow this weekly schedule as much as possible to ensure minimum contact time requirements are met and students are able to schedule courses with minimal conflicts. Classes scheduled within these parameters will be assigned to classroom space before those that are scheduled 'off sequence' to ensure efficient use of classroom space.

### **Course Scheduling Guidelines are as Follows:**

Due to the limited availability of classrooms at certain times, the following guidelines apply:

Meeting patterns:

- Monday/Wednesday/Friday – for 55 minutes classes that meet three times per week
  - Tuesday/Thursday, Monday/Wednesday, Monday/Friday, Wednesday/Friday - for 80 minutes classes that meet two times per week
  - Evening classes beginning at 5:30 p.m. or 6:00 p.m. – for 3 hours once per week
1. Course offerings should be reasonably distributed throughout the meeting patterns. Of those courses taught between 8:00 a.m. and 5:00 p.m. at least 60 percent of each department's courses should be taught on Monday/Wednesday/Friday. No more than 40 percent should be offered on Tuesday/Thursday. Courses offered after 5:00 p.m. need not follow in the 60/40 mix.
  2. No more than 60 percent of courses can be scheduled in peak time.
  3. The absolute minimum enrollment for undergraduate courses is ten students and for graduate courses (500 level and above), six students. Courses without minimum enrollment should be canceled prior to the start of classes.
  4. Dual listing will generally be permitted only between 400 and 600 level courses. The two course numbers should be symmetrical (e.g. QU407-QU607). The UDSIS course search will clearly inform students that courses are dual listed.
  5. Fall 2023 forward, all classes must begin at the starting times listed above. Sections not meeting on the standard meeting times will not be included in the first pass when scheduling classrooms with the classroom scheduling software program.
  6. Graduate level courses meeting one day a week must be balanced with another course meeting at the same time period on the approved meeting day. Example – A Monday section meeting from 9:10 a.m. -12:10 p.m. must be balanced with a Wednesday and a

Friday section meeting from 9:10 a.m. to 12:00 p.m. There should be a reasonable spread of graduate- level courses scheduled throughout the week.

7. Discussions or labs using general purpose classrooms cannot schedule three Monday discussions or labs until a Wednesday and a Friday discussion or lab is scheduled.  
Example – A discussion section offered on Wednesday at 10:20 a.m. must be balanced with a discussion section meeting on Monday and Friday at 10:20 a.m.
8. Courses being offered for the first time should be scheduled during off-peak times. If the Scheduling Office is having difficulty finding classrooms during the peak times for other courses, courses offered for the first time will be moved to off-peak times.
9. Selecting times that depart from standard times limits the ability to successfully schedule courses in classrooms and restricts students' flexibility. Scheduling a course at a non-standard time requires the approval of the chair and college dean. Such exceptions will be approved only on the grounds of the educational benefit served, subject to the availability of space and not on the basis of convenience.

Special room requests: Please refer to the following website:

[https://www.udel.edu/registrar/faculty\\_staff/formsec/specev.html](https://www.udel.edu/registrar/faculty_staff/formsec/specev.html)

Technology request form: Please refer to the following website:

<http://www.udel.edu/registrar/sched/equipfrm.html>

### 3.1.6.1 Guidelines for Scheduling Courses Administered through the Division of Professional and Continuing Studies (PCS)

The following guidelines should be followed in scheduling Continuing Education credit courses:

- In cooperation with the appropriate departments, the Division of Professional and Continuing Studies will schedule credit courses necessary to complete major requirements in the evening, part-time degree programs. These courses will be scheduled sequentially so that all major requirements will be available in the evening during a three-to-four-year scheduling cycle. In order to keep the University's commitment to part-time students so that degrees can be completed in a timely manner, some exceptions to the 6/10 rule may have to be made.
- On a regular basis, in cooperation with the appropriate departments, the Division of Professional and Continuing Studies will schedule elective and group requirements for completing evening degree programs. These courses will be expected to conform in general to the 6/10 rule, although for some specific requirements (such as foreign languages) exceptions may have to be made.
- When an evening section of a credit course is scheduled to meet on the Newark campus, the Division of Professional and Continuing Studies will not schedule the same course off-campus unless: a) the Newark section regularly meets its enrollment limit with full-time matriculated students; b) the Newark section regularly is closed to Continuing Education students; or c) the course is known to be in such great demand by students that several sections can be expected to exceed minimum enrollment limits.

- When several Continuing Education sections are offered at the same location with a smaller than average section size than those offered on the Newark campus, the Continuing Education sections should be combined to meet the average section size for the Newark sections.
- The Division of Professional and Continuing Studies will be responsible for scheduling and administering credit courses in locations other than on the Newark main campus. The exceptions to this policy will be:
  - credit courses scheduled for teachers and public-school administrators during the Summer Sessions, when tuition for these students is subsidized by the Department of Public Instruction; and
  - International Programs.

### 3.1.7 Class Meetings/Size – Effective until August 2023

Class meeting hours at the University of Delaware follow the normal standards adopted by most colleges and universities. For a three-credit course meeting three times a week (e.g., on Monday-Wednesday-Friday), there typically will be three, 50-minute weekly meetings for a minimum of 39 scheduled class meetings during the fall and spring terms (40 or 41 class meetings are normally scheduled). For a three-credit course meeting twice a week (e.g., on Tuesday-Thursday), there typically will be two, 75 minute weekly meetings for a minimum of 26 scheduled class meetings (27 or 28 class meetings are normally scheduled). Courses for other than 3 credit hours should likewise meet for the equivalent of 50 minutes per credit hour per semester week. Courses with laboratory components grant one credit for every two or three hours of laboratory work per week. Class meeting time during the winter and summer sessions should be equivalent to that scheduled in the fall and spring academic terms. (Rev. 3/2014, Rev. 5/2022)

Courses are offered and instructors are assigned at the discretion of each academic department chair in concert with the University Registrar's Office and sponsoring unit (Professional and Continuing Studies, Special Sessions, or the Center for Global Programs and Services). Fall schedules are composed in early spring; winter schedules during the summer; spring schedules in early fall; and summer schedules beginning in January. Once registration for each term is underway, department chairs will periodically be apprised of enrollment. If it is determined that enrollment is insufficient to justify a particular course section, then the decision to cancel that section should be made by the department chair in time that students can find substitutes: normally no less than two weeks before the start of the academic term in question, and the academic department should make every effort to notify the affected students as soon as possible. The absolute minimum enrollment for undergraduate courses is ten students and for graduate courses (500 level and above), six students. Exceptions to these minimums require the formal approval of the dean in each case.

Student attendance as a grading factor is a matter left to the discretion of the faculty. Students should be clearly informed of attendance policy in each class. Whatever attendance policy an individual instructor adopts, there are certain situations that should be considered "excused" absences including certain medical ones, religious holidays, participation in conflicting University events, and others (see "[University Attendance Policies](#)" in the UD Catalog). Severe

weather may cause an instructor or student to be absent if in their personal judgment traveling to campus is hazardous. In this event, faculty should notify their departmental offices when weather precludes them from meeting their teaching obligations; similarly, students should notify their professors when inclement weather precludes them from class attendance. In such cases, students should be allowed to make up missed class time and, whenever possible, canceled classes should be rescheduled.

Class lists are distributed at the beginning of each term by the Registrar's Office. Faculty should verify that those attending their class are on the most current list. Students should not attend a class for which they are not registered. Responsibility for registration lies solely with the student, but faculty should make them aware when they are not registered and not entitled to attend.

Course content and expectations should be clearly stated, through the provision of a written syllabus and through a review, at the outset of each class. Modification of those initial plans is at the discretion of the faculty, but such modifications should also be communicated to students in a clear and timely way.

### 3.1.7 Class Meetings/Size – Effective September 2023

Class meeting hours at the University of Delaware follow the university's credit hour policy with approved standard meeting patterns. For a three credit course meeting three times a week (e.g., on Monday-Wednesday-Friday), there typically will be three, 55 minute weekly meetings for a minimum of 41 scheduled class meetings during the fall and spring terms. For a three credit course meeting twice a week (e.g., on Tuesday-Thursday), there typically will be two, ~~75~~ 80 minute weekly meetings for a minimum of 28 scheduled class meetings. Courses for other than 3 credit hours should likewise meet for the equivalent of 55 minutes per credit hour per semester week. Courses with laboratory components grant one credit for every two or three hours of laboratory work per week. Instructional time during accelerated sessions, including the winter and summer sessions, must be equivalent to that scheduled in the fall and spring academic terms and comply with the Credit Hour Policy [[link to catalog policy](#)].-(Rev. 3/2014, Rev. 5/2022)

Courses are offered and instructors are assigned at the discretion of each academic department chair in concert with the University Registrar's Office and sponsoring unit (Professional and Continuing Studies or the Center for Global Program and Services). Fall schedules are composed in early spring; winter schedules during the summer; spring schedules in early fall; and summer schedules beginning in January. Once registration for each term is underway, department chairs will periodically be apprised of enrollment. If it is determined that enrollment is insufficient to justify a particular course section, then the decision to cancel that section should be made by the department chair in time that students can find substitute - normally no less than two weeks before the start of the academic term in question, and the academic department should make every effort to notify the affected students as soon as possible. The absolute minimum enrollment for undergraduate courses is ten students and for graduate courses (500 level and above), six students. Exceptions to these minimums require the formal approval of the Dean in each case. (Rev. 5/2022)

Student attendance as a grading factor is a matter left to the discretion of the faculty. Students should be clearly informed of attendance policy in each class. Whatever attendance policy an individual instructor adopts, there are certain situations that should be considered "excused" absences including certain medical ones, religious holidays, participation in conflicting University events, and others (see "[University Attendance Policies](#)" in the UD Catalog). Severe weather may cause an instructor or student to be absent if in their personal judgment traveling to campus is hazardous. In this event, faculty should notify their departmental offices when weather precludes them from meeting their teaching obligations; similarly, students should notify their professors when inclement weather precludes them from class attendance. In such cases, students should be allowed to make up missed class time and, whenever possible, missed instructional time should be rescheduled or delivered through added out of class or remote work.

Faculty should verify that those attending their class are on the current class roster. Students should not attend a class for which they are not registered. Responsibility for registration lies solely with the student, but faculty should make them aware when they are not registered and not entitled to attend. After the published deadline, a student may not be guaranteed registration in a class, even if the student had attended the class prior to the free drop/add deadline. (Rev. 5/2022)

Course content and expectations should be clearly stated, through the provision of a written syllabus and through a review, at the outset of each class. Modification of those initial plans is at the discretion of the faculty, but such modifications should also be communicated to students in a clear and timely way.

### 3.1.8 Exams and Grading

Final exams (counting 25% or more of the final grade) may not be given in undergraduate courses in the last five days of any regular semester, nor on posted reading days, but should be administered during the exam period scheduled by the Registrar's Office. At the midpoint of each semester, faculty will be provided grade rosters for freshmen in their classes and are expected to report meaningful mid-semester letter grades for each of these students. At the end of each term, grade rosters will be provided for all students in the class, and faculty are expected to report final grades in accordance with guidelines of the Faculty Senate and the Registrar's Office. Currently, Faculty Senate guidelines call for grades to be submitted no later than 72 hours after the last scheduled final exam. There are provisions for a grade of Incomplete in the event that a student fails to complete a course due to illness or other reason deemed adequate by the instructor. (See also [Grades](#).)

### 3.1.9 Grades

A system of letter grades of A, A-, B+, B, B-, C+, C, C-, D+, D, D-, F, L, LW, and Z is employed except for those courses approved for Pass/Fail grading. With some restrictions, students may elect the Pass/Fail option for one elective course each semester. Students electing the option are graded with the usual letter grade, but the grade of P is entered into the academic record for any letter grade of D- or higher. A cumulative index of 2.0 is required for graduation for undergraduates, and a 3.0 for graduate students. A grade of Z should be given when a student

unofficially withdraws from a class (stops attending and fails to complete sufficient graded requirements). For the complete University Grading Policy see: [Grading, Grade Rosters and Deadlines](#) (Rev. 11/18).

In the seventh week of the semester, each faculty member will be provided with grade rosters indicating the freshmen and other newly matriculated undergraduate students enrolled in his or her classes. Faculty are responsible for reporting a meaningful mid- semester letter grade (A, A-, B+, B, B-, C+, C, C-, D+, D, D-, F, L, LW, or Z) for each of these students in accordance with the Registrar's Office guidelines. (Rev. 5/6/85, Implemented fall 1991, Rev. 11/18)

On or around the last day of class for the term, grade rosters will be available online to faculty members. These grade rosters should be checked for completeness and discrepancies reported to the Registrar's Office. Faculty are responsible for reporting a final grade for each student at the end of the semester, in accordance with Registrar's Office guidelines. When a grade of F or Z is recorded for a student, the last date of attendance or date of last graded assignment will be required. In the event that a student fails to complete a course for illness or other reason deemed adequate by the instructor, the grade of I (Incomplete) may be given. The appropriate catalogs should be consulted concerning the various other grades used at the University.

Changes in grade, in most cases, are initiated by the instructor of the course. Occasionally, a change of grade may be initiated by a department chair but only when the course instructor has left the University and cannot be located or is deceased.

If a student has a grade grievance, the student must follow the specified procedure in the [Student Guide to University Policies](#), "Grade Grievance and Other Related Academic Complaints." In cases where a student has filed a grade complaint under these procedures, the decision of the ad hoc committee appointed by the Academic Appeals Committee of the Faculty Senate shall be final.

If a student is responsible for committing an act of academic dishonesty, the faculty may impose a grade penalty. See Section 3.1.5 of this document and the Student Guide to University Policies for more details. (Rev. 11/18)

Credit toward a baccalaureate degree is given for all courses in which a grade of D- or higher is earned by the student. In graduate programs, courses with grades lower than a C- cannot be counted toward a graduate degree. In both undergraduate and graduate degree programs, all grades are averaged to determine satisfactory completion of degree requirements. (Editorial rev. 5/98)

### [3.1.10 Grade Grievance and Other Related Academic Complaints](#)

The procedure to file a grade grievance and other related academic complaint is as follows:

A student with a complaint should, where appropriate, first try to reach agreement with the faculty member. Upon being notified of a student complaint, the faculty member must meet with the student to discuss the complaint within 10 working days (working days do not include holidays or other days that University offices are closed).

If the faculty member does not meet with the student within 10 calendar days, or if such a meeting would be inappropriate under the circumstances, or if the issue remains unresolved after a meeting between the student and the faculty member, the student may submit a written appeal to the chair of the faculty member's department, who will attempt to mediate the complaint. If the student does not know the faculty member's department, or cannot ascertain the department chair, the student should contact the Dean of Students for undergraduate students and the Assistant Dean for Graduate Studies for graduate students. The appeal must be submitted within 5 working days of the meeting between the student and the faculty member.

The department chair must issue a written decision on the appeal and a description of the proposed resolution, if any, no later than 15 working days after its submission.

A student may appeal a decision by the department chair to the dean of the college in which the department is organized. If requested, the department chair shall provide the name and contact information for the appropriate dean to the student. This appeal request must be submitted no more than 5 working days after the student's receipt of the department chair's decision.

The dean will establish a hearing panel within 15 working days of his or her receipt of the appeal or, if that is too close to the end of a semester or session, within 15 working days after the beginning of the next semester. This hearing panel shall consist of 5 members, including 3 faculty members, only 1 of whom may be from the same department as the faculty member in question. The other 2 faculty members shall be drawn from other departments within that college or, if the college has too few departments, from other colleges. The hearing panel shall also include 2 undergraduate student members (for an undergraduate student's appeal), or 2 graduate student members (for a graduate student's appeal), neither of whom may be enrolled in the faculty member's department.

The hearing panel shall:

- Solicit from the student and from the faculty member any pertinent written material and names of witnesses whom they would like to call to give testimony.
- Schedule a hearing and notify the student, faculty member and witnesses in writing of the date, time, and location of the hearing.
- Make available to the student and faculty member, at least 5 calendar days prior to the hearing, all material that has been furnished to the hearing panel and the names of any witnesses who may give testimony.
- Provide the student and faculty member with the opportunity to hear all testimony and examine all documents or other materials presented to the hearing panel.
- Provide the student and faculty member with the opportunity to question each witness.
- Allow the student and faculty member each to be assisted by an advisor of their choice from among the members of the University community. The advisor may help prepare the presentation before the hearing panel, raise questions during the hearing, and, if appropriate, help prepare an appeal. A department chair who has mediated or attempted mediation is not permitted to serve as advisor to either party.



- Permit the faculty member and student to make a summary statement at the conclusion of the hearing.
- Make a tape recording of the hearing that shall be kept in the dean's office for at least one calendar year after the hearing's conclusion.

Within 10 working days after the conclusion of the hearing, the hearing panel shall provide a written decision and proposed resolution, if any, to the student and the faculty member. The hearing panel shall also inform the Registrar's Office (for undergraduate students) or the Office of Graduate Studies (for graduate students) of the decision.

A student or faculty member who is not satisfied with the decision by the hearing panel may appeal to the [Academic Appeals Committee of the Faculty Senate](#). This appeal must be submitted within 30 calendar days after receipt of the hearing panel's decision. This committee, on reviewing the case, may uphold the decision of the college committee without a hearing or decide the appeal should be heard.

A student or faculty member who is not satisfied with the decision by the college committee (Stage 3) may make a final appeal to the Academic Appeals Committee of the Faculty Senate. This appeal must be submitted within 30 calendar days after receipt of the college committee's decision.

The Academic Appeals Committee, on reviewing the case, may uphold the college committee decision (Stage 3) without a hearing. However, if upon review this committee determines that an appeal is warranted because of flawed previous process, a disagreement with the previous decision, or the perceived need for further investigation, then the committee must conduct a hearing prior to rendering a final decision. For purposes of a hearing and depending upon the nature of the appeal, the Academic Appeals Committee chairperson may either appoint an ad hoc panel (consisting of three faculty members and two students) from among the current committee members or the committee, at its discretion, may serve as the entire hearing panel. In conducting the hearing, the committee should be cognizant of regulations affecting professional practice. If the grievant is a graduate student, the 2 student panel members should be graduate students, and if the grievant is an undergraduate student, the student panel members should be undergraduates. During the hearing, the student and faculty member may be assisted by an advisor they have chosen from the University community. The process set forth for the hearing panel (Stage 3) also shall govern this hearing.

The decision of the Academic Appeals Committee or, if applicable, the ad hoc committee, shall be final. The committee shall inform the Registrar's Office (for undergraduate students) or the Graduate College (for graduate students) of the decision.

No grade shall be changed as a result of a grade grievance complaint, except that the University Registrar's Office is authorized to change the student's grade in the following situations:

- When the student and the faculty member agree;
- If the department chair approves the student's appeal and the faculty member does not appeal that decision;



- If the dean approves the student's appeal based on the hearing panel's recommendation and the faculty member does not appeal that decision; or
- If the Academic Appeals Committee approves the student's appeal.

### 3.1.11 Informal Course-related Student Complaints

In general, it is UD policy that faculty members be apprised as promptly as feasible of informal course-related complaints that students have made to department chairs or program directors in face-to-face or in written, signed statements, whenever the chair/director judges the complaint substantial enough to warrant action. A chair or director shall not negatively sanction a professor on the basis of such complaints unless the chair/director has notified the faculty member about the complaints in a timely fashion as described below.

When the chair/director receives a face-to-face or written and signed complaint about an ongoing course (e.g., a complaint about inappropriate course requirements, about faculty in-class behavior, etc.), the chair/director should encourage direct communication between the student and the faculty member. If this does not prove feasible due to student reluctance, it is the responsibility of the chair/director to notify the faculty member promptly concerning any complaint that the chair/director considers substantial enough to warrant corrective action.

The general guideline for the chair/director is to honor a student's desire for confidentiality, but to notify the professor of the problem as soon as is feasible within this constraint, so that the professor can take action. (Many such complaints can be readily communicated to the professor without revealing particular student identities.) For a complaint that is well-grounded, this obligation of prompt notice should facilitate the faculty member attending to the problem while the course is still running, whenever feasible.

Faculty members are entitled to elemental due process: No professor should be negatively sanctioned by a chair/director on the basis of an unwritten student complaint about the professor's course concerning which the professor has not been notified and given an opportunity to be heard. The professor must be given an opportunity to confront the accusation so that the chair/director can judge fairly whether the complaint has any foundation.

If the complaint is about personal mistreatment of an individual student, see "[Grade Grievance and Other Related Academic Complaints](#)" in the Student Guide to University Policies. (Policy added 12/7/98, corrected 2/17/99)

### 3.1.12 Advisement and Registration

Faculty are expected to participate as assigned in academic advisement and registration, including senior checkout and degree clearance. While the responsibility for course selection rests with the student, faculty advisers should be familiar with University course and degree requirements and with electronic tools for advisement and be able to provide accurate information and thoughtful advice. Faculty are encouraged to meet with their advisees at least once a semester to mentor on academic success and education objectives, to assist in course selection for the next term and to assess progress toward the degree.

### 3.1.13 Student Class Attendance and Excused Absences

By action of the University faculty, the responsibility for defining attendance expectations is left to the individual faculty member, subject to the guidelines given below. Thus, it is of great importance that early in each course the instructor makes clear to the students what attendance expectations are, and how absences due to "relatively minor" illnesses, as described below, should be communicated. To be compliant with Federal financial aid regulations, the University requests that the instructor of record for each course identify, to the Registrar's Office, individual students who have never attended class or participated in any class activities by the last day to register or add courses each term or who fail to attend class after registering on the last day of the drop/add period. (Rev. 11/18, Rev. 12/2020)

Inclement Weather: In inclement weather, when classes are not cancelled, students who are unable to attend class should notify their instructors promptly, as described in the policies on [Holding Classes and Inclement Weather](#). (Rev. 12/2020)

Religious Holidays: It is the policy of the University of Delaware not to cancel classes on religious holidays. However, students and faculty are encouraged to exercise their own judgment pertaining to their attendance on religious holidays. (Rev. 12/2020)

In addition, faculty are encouraged not to schedule examinations or require the submission of special assignments on the following days: the evening before as well as the first two days of Rosh Hashanah, Yom Kippur, Diwali, Good Friday, the first two days of Passover, Eid al-Fitr, Eid al-Adha, and the evenings prior to these holidays. To facilitate planning for the potentially large number of absences on these days the University shall include the dates of these holidays in the academic calendar. Adjacent to each of these dates the academic calendar will include a reminder to consult the University policy on excused absences. The academic calendar will also include a link to a website that maintains interfaith calendars of primary sacred times for world religions. The address for this site is: <http://www.interfaith-calendar.org>.

Absences on religious holidays listed in University calendars are recognized as excused absences. Nevertheless, students are urged to remind the instructor of their intention to be absent on a particular upcoming holiday. (Rev. 12/2020)

Athletic Participation: Absences due to athletic participation or other extracurricular activities in which students are official representatives of the University, shall be recognized as excused absences when the student informs the instructor in writing during the first two weeks of the semester of these planned absences for the semester. Absences due to similar events which could not have been anticipated earlier in the semester will be recognized as excused absences upon advance notification of the instructor by an appropriate faculty adviser or athletic coach. (Rev. 12/2020)

Serious Illness/Death in the Family: Absences due to serious illness or death within a student's family, or other serious family emergency, are recognized as excused absences. To validate such absences, the student should present evidence to the Dean's Office of their college. The Dean's Office will then provide a letter of verification to all of the student's instructors for the term. (Rev. 12/2020)

Absences due to serious personal illness (e.g., hospitalization, surgery, mental illness, or protracted medical illness or convalescence) shall also be recognized as excused absences. To validate such absences, the student should present evidence of the illness to the Dean's Office of their college. Supportive evidence will be provided on the student's request by the Student Health Services, Center for Counseling and Student Development, or other health care provider directly to the respective dean. Students who experience long-term absences of a week or more should consult with their Assistant Dean; in such cases, it may be possible to negotiate with faculty for the opportunity to take an incomplete grade, or a withdrawal may be more prudent. The student's Assistant Dean will give guidance in these matters. (Rev. 12/2020)

Minor Illness: For relatively minor, short-term impacts on the health and wellness of students (e.g., colds and flu, where attendance in class is undesirable, or where a mental health challenge impedes attendance to class) or their immediate family, the University system depends upon reasonable communication between students and faculty. If possible, students should 1) report anticipated absences before the affected class or 2) provide supportive evidence from Student Health Services (SHS) or the Center for Counseling and Student Development (CCSD) or other health care provider if treatment is received, following the directions of the instructor provided at the start of the term (Rev. 5/96). SHS and CCSD staff members actively work with students on health concerns and provide excuses when appropriate. Students should not be referred for excuses if they were not treated by SHS or CCSD for the illness. Faculty are encouraged to be understanding of this one day/minor illness. (Rev. May 2019, Rev. 12/2020)

Military Duty: Absence due to short-term military duty in the National Guard or active reserve is recognized as an excused absence. To validate such an absence, the student should present evidence to the Dean's Office of their college. The Dean's Office will then provide a letter of verification to all of the student's instructors for the term. (Rev. 12/2020)

Students are not to be penalized if absent from an examination, lecture, laboratory, or other activity because of an excused absence. However, students are fully responsible for all material presented during their absence, and faculty members are encouraged to provide opportunities, when feasible, for students to make up examinations and other work missed because of an excused absence.

Authority for excusing all class absences rests with the instructor, subject to the abovementioned guidelines. (Rev. 4/87, Rev. 3/95, Rev. 5/99, Rev. 4/10, Rev. 5/11)

### [3.1.14 Use of Innovative Technology and Online Course Formats](#)

The University of Delaware is committed to the use of innovative and online technologies to enhance and extend learning in undergraduate and graduate programs, both on and off campus. The University has a long history of academic excellence founded on in-person instruction, which should remain the default modality. However, when appropriate to increase educational effectiveness, access, or equity, online modalities and other technologically enhanced methods of instruction are acceptable. As with in-person courses and programs, the development of online courses and programs must be based on sound educational principles. It

is up to the faculty member and their academic unit (e.g., department and/or college curriculum committees) to ensure the appropriate incorporation of effective online techniques. As are all courses and programs, online and hybrid courses and programs shall be reviewed and approved by the Faculty Senate if they have not been approved previously as in-person versions. Additionally, online course sections and programs shall be subject to the same periodic review and assessment by academic units as are in-person versions.

Student enrollment limits on online course sections shall be determined by the academic unit, as they are for in-person courses. Non-full-time faculty shall not be used to replace full-time faculty in the assignment of online instruction. Faculty shall not be required to teach online course sections unless an emergency situation as defined by the University of Delaware, local, regional, or national authorities arises which requires that a majority of courses within a specified region temporarily be taught fully online. Faculty must maintain responsibility and control over online course content and assessment. Third party contractors shall not be used for primary instruction or final assessment of student learning. (Rev. 5/2013, 2/2023)

### 3.1.15 Field Experiences and Service Learning

#### *Field Experience Programs*

Field experience courses are defined as those experiences sponsored by a faculty member/department in which students have a regular (set hours per week) and continuous involvement with ongoing work-related responsibilities in an off-campus organization or agency. A University-wide numbering system for field experience has been established using UNIV 2/3/462; Experiential Learning with variable credit hours. Each department will establish guidelines for the operation of field experience programs sponsored by faculty in the department. These guidelines should be based on the resolutions and recommendations approved by the University Faculty Senate and should allow for flexibility and creativity by individual faculty supervisors.

**Evaluation Procedures:** Prior written agreement will be established between the student and faculty sponsor as to the nature of the evaluation process. A regular reporting system will be established between faculty sponsor and student prior to beginning the field experience. The faculty sponsor will communicate the evaluation process to be used to the agency. The faculty sponsor will periodically contact the agency supervisor concerning student progress. The weight attached to input from the agency will be at the faculty sponsor's discretion.

**Credits and Grading:** The department/faculty will determine appropriate standards for learning obtained on the job, and students will not be denied the opportunity to earn credit solely because they receive payment from the agency. Students will spend an appropriate number of hours as determined by the department/faculty in a field placement for each credit earned. Each academic unit will define the grading policy for field experience courses in which students received credit for regular and continuous involvement in an off-campus organization or agency.

### *Service Learning Programs*

Service learning experiential courses are defined as those experiences sponsored by a faculty member/department in which students have a regular (set hours per week) and continuous involvement and faculty-directed reflection with ongoing service-related responsibilities in an off-campus organization or agency. A University-wide numbering system for service learning experience has been established using UNIV 2/3/462: Experiential Learning with variable credit hours. Each department will establish guidelines for the operation of service learning programs sponsored by faculty in the department. These guidelines should be based on the resolutions and recommendations approved by the University Faculty Senate and should allow for flexibility and creativity by individual faculty supervisors.

**Evaluation Procedures:** Prior written agreement will be established between the student and faculty sponsor as to the nature of the evaluation process. A system for faculty-directed reflection and a regular reporting system will be established between faculty sponsor and student prior to beginning the service learning experience. The faculty sponsor will communicate the evaluation process to be used to the agency. The faculty sponsor will periodically contact the agency supervisor concerning student progress. The weight attached to input from the agency will be at the faculty sponsor's discretion.

**Credits and Grading:** The department/faculty will determine appropriate standards for learning obtained in the service learning experience, and students will not be denied the opportunity to earn credit solely because they receive payment from the agency. Students will spend an appropriate number of hours as determined by the department/faculty in a field placement for each credit earned. Each academic unit will define the grading policy for service learning experiential courses in which students receive credit for regular and continuous involvement in an off-campus organization or agency.

#### *3.1.16 Teaching in Special Sessions and Professional and Continuing Studies*

In order to meet the needs of students and the goals of the department and college, faculty members may be requested to participate in teaching in the evening, off-campus, Winter Session, or Summer Session. When such teaching is in excess of a full teaching schedule, additional compensation is authorized in accordance with the University policy on extra compensation.

Supplemental teaching contracts are contingent upon sufficient enrollment (six students in a graduate level course, ten in an undergraduate course). If courses are conducted with fewer than those minima, teaching salary will be prorated accordingly.

For supplemental teaching limits, see "[Additional University Payments to Faculty](#)."

During the academic year (September 1 - May 31; excluding summer) faculty may receive additional compensation not to exceed the dollar value of twelve credits (plus Winter Supervised Study of up to nine student credit hours).

During Winter Session faculty may teach no more than two courses of 3-4 credits per course, plus Supervised Study. Such Winter teaching is included in the academic year limit above.

During Summer Session, faculty may again teach no more than two courses of 3-4 credits per course plus Supervised Study. This teaching may be distributed as the department sees fit across the various Summer Sessions. Faculty on academic year contracts may earn total additional compensation from all sources in summer not to exceed 3/9 of their basic academic year salary. Faculty on fiscal year contracts are limited to additional summer compensation for one month of summer work on sponsored research and total additional compensation for all activities (research plus teaching) not to exceed one-eleventh of the basic fiscal year salary.

Compensation for supervised study is limited in each Special Session to three students, and to three credits for each of those students. Students may enroll for higher credit levels, and faculty may supervise more students but can only receive compensation up to these limits.

Supplemental teaching payment rates are published as an appendix to the AAUP contract. They provide for annual recalculations based on average annual rates of pay for each rank.

For particulars of supplemental teaching situations in Professional and Continuing Studies, see the "Handbook for Credit and Noncredit Teaching" available from that office. For particulars of each [Winter and Summer Session](#), see the "Supplemental Teaching" item published online for those terms.

#### 3.1.17 Office Hours of Faculty

The posting of office and teaching hours by faculty members is a courtesy as well as a necessary convenience for students. It is anticipated that faculty will post and keep a reasonable number of office hours each week.

#### 3.1.18 Attendance at Convocations and Commencement Exercises

Faculty members are expected to attend the formal exercises of the University. Faculty members should contact their Dean's Office for information on the college's policy on the rental or purchase of new caps and gowns. The University Bookstore will assist faculty in the rental of caps and gowns or will help arrange a time payment purchase plan if necessary.

#### 3.1.19 Teaching by Professionals

Professionals are sometimes asked to teach for academic departments. Unless this activity is part of assigned responsibilities, they are eligible for overload payment at the appropriate rank. These instructional contributions should not interfere with their assigned responsibilities as professionals.

In most cases, professionals who teach do so on an occasional basis. In some cases, however, professionals make a continuing instructional contribution to particular academic programs.

Departments should give specific consideration to recommending a secondary faculty appointment to any professional who teaches 3 courses for credit in a 3-year period. A list of all such professionals will be generated annually and distributed to the department chairs, with copies to deans and provost's offices. Each case should be reviewed by the appropriate department chair, and the department chair should notify the dean of the recommended action and reason for that recommendation.

### 3.1.20 University of Delaware Policy for Copyright and Fair Use in Instruction

This Policy can be found in its entirety at the following library website:

<https://guides.lib.udel.edu/copyright/fair-use>

## 3.2 Open Research Policy

The generation and dissemination of knowledge are central to the mission of the University. The fundamental principle of open scholarly exchange is essential to this mission. Consistent with this mission and academic traditions, the University research community shall conduct research responsibly and disseminate research results.

Preference is given to research that is directly related to the educational endeavors of the faculty. Student participation in research is important.

The University does not accept restrictions on the dissemination of research results in the absence of compelling reason. Temporary delays are permissible with the approval of the Vice President for Research, Scholarship and Innovation for publication review and intellectual property consideration. Research agreements with other restrictions can only be accepted if the principal investigator (PI) seeks and obtains an exception. In rare cases, exceptions may be made for research activities under the following terms and conditions:

- Requests for such an exception must be made by the PI, and substantively reviewed and approved by the PI's department chair and dean. Students, and others whose careers may be adversely affected, are not expected to work on programs requiring exceptions.
- Requests for exceptions should only be made in cases when at least one of the following apply:
  - The work is a continuation of a significant and ongoing research effort;
  - The work is recognized by the sponsor as being important to the national interest;
  - The work is in the overall best interest of the University and its mission.
- Requests will be sent to the Vice President for Research, Scholarship and Innovation for review and comment.
- Requests must be approved by the provost.

Any exceptions which are made will be documented by the Vice President for Research, Scholarship and Innovation, and a list of such exceptions will be submitted to the Faculty Senate Research Committee and to the University Board of Trustees annually on or before the end of the spring semester.

This policy was revised to highlight the University's expectation of open research, and to clarify the process by which exceptions for limitations on research will be considered and endorsed by the Faculty Senate on May 3, 2010.



### 3.2.1 General University Research and Professional Development

The instructional budget of the University of Delaware provides funds to assist full-time faculty in individual research and professional development. The program for use of these funds is designated the General University Research (GUR) Program. Policies and procedures for applying for funding and the use of these funds are available on the Research Office ([OVPR](#)) web site.

### 3.2.2 University of Delaware Research Foundation

The University of Delaware Research Foundation, Inc., (UDRF) is an independent, nonprofit, tax-exempt organization for the support of research in all fields of science and engineering. UDRF awards grants to early-career, untenured, tenure-track faculty at the University. The program is announced annually through the Office of the Vice President for Research, Scholarship and Innovation; guidelines and application forms are available on the [OVPR](#) website.

### 3.2.3 Research Contracts and Grants Administration

[The Office of the Vice President for Research, Scholarship and Innovation](#) is responsible for the pre- and post-award administration of external grants to the University. Office staff assist faculty to identify funding sources, prepare grant proposals, develop budgets, and manage the legal and financial obligations of awarded grants, contracts, and fellowships.

### 3.2.4 Conflict of Interest in Research

The University of Delaware encourages its faculty and professional staff to seek public and private support of their research programs. The University also recognizes the value of outside consulting and of other professional and business interests that benefit University employees and the University. However, the University also insists that its employees avoid conflicts of interest (and the appearance of conflicts of interest) when they are involved in projects underwritten by gifts, grants, contracts, purchase orders, and/or other externally or internally sponsored agreements. To that end, the University requires that all faculty and professional staff read and comply with the policy, "[Conflict of Interest in Research Policy](#)" (Policy 6-11 in Policies and Procedures).

### 3.2.5 Misconduct in Research

The Federal Office of Science and Technology Policy (OSTP) defines research misconduct as "fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, performing, or reporting research results." It is the policy of the University of Delaware to abide by the OSTP policy in all University research. Any intentional distortion of research data or intentional distortions of information or conclusions derived from research data constitutes misconduct in research and is prohibited by [University Policy](#).

### 3.2.6 Patent Policy

The University has a policy, "[Intellectual Property Protection, Ownership, and Commercialization](#)" (Policy 6-6) that clearly states the rights and obligations of individuals, the University, and outside parties who may have contributed toward an invention. Every member



of the University faculty and professional staff is required to understand and comply with this policy.

Every potential invention or patentable discovery made by an employee of the University must be reported to the Vice President for Research, Scholarship and Innovation who will arrange to evaluate the potential invention or discovery under the terms of the policy. Faculty members are responsible for ensuring that students, postdoctoral fellows, research associates, and technicians working under their direction comply with the terms of the policy. The Office of the President for Research, Scholarship and Innovation provides advice and guidance on all patent matters.

### 3.2.7 Copyrights and Publishing

In accordance with established custom at institutions of higher learning, copyright ownership of textbooks, manuscripts, other print materials, etc., produced by the individual effort of the author, as well as any resulting royalties, accrue to the benefit of the author. If the University incurs some incremental costs during the preparation of the material, the author must reimburse the University for these expenses to obtain full equity in the copyright.

(See [Computer Software](#) for information pertaining specifically to copyrighting computer software.)

When material has been prepared under a specific written contract, grant, or assigned project agreement, ownership of the copyright will be determined by the terms of that contract, grant, or project agreement. ("Assigned project" refers to a University project covered by a written assignment under which the assignee is allocated time to carry out the work.)

Except for constraints imposed by funding agencies or the University, faculty members are free to publish results of their research and scientific investigations. Constraints, if any, imposed by the granting agencies or the University are indicated when the grants are made. It is the responsibility of the department chairperson or director to be aware, along with the faculty member, of any such contractual obligations. When in doubt, the faculty person, chairperson, academic director, or college dean should refer the question to the Vice President for Research, Scholarship and Innovation. Copyrighted theses and dissertations are the property of the authors. Individuals who wish to publish or reprint theses must receive appropriate clearance from the author(s) and the Vice President for Research, Scholarship and Innovation.

Additional information concerning these policies can be obtained from the Office of the Vice President for Research, Scholarship and Innovation or the [Research Section of the University of Delaware Administrative Policy Manual](#).

### 3.2.8 University of Delaware Policy for Copyright and Fair Use in Instruction

This Policy can be found in its entirety at the following library website:

[http://guides.lib.udel.edu/content.php?pid=163717&search\\_terms=copyright](http://guides.lib.udel.edu/content.php?pid=163717&search_terms=copyright)

### 3.2.9 Computer Software

The University has an established policy ([Policy 6-07](#)) defining the rights and obligations of the University, originators, and sponsors with regard to computer software. Administration of this policy is the responsibility of the University Provost, but day-to-day administration is delegated to the Vice President for Research, Scholarship and Innovation, with the understanding that no departures will be made from this policy without the University Provost's concurrence. A brief summary of the policy follows.

The objective of the policy is to preserve traditional University practices and privileges with respect to the publication of scholarly works while protecting the University's assets. The policy (1) aims to encourage faculty, students, and staff to develop software, and (2) establishes principles and procedures for equitably sharing income derived from material produced at the University in cases where the University has an interest in the software.

All rights in computer software remain with the creator of the work except in the following cases: (1) the work is a "work made for hire" under the provisions of copyright law, (2) the work is commissioned by the University, (3) creation of the work involves significant use of the University's personnel, funds, or facilities, or (4) other arrangements are required by the University's contractual obligations or by agreement between the University and the creator of the work.

In interpreting the work-made-for-hire clause, the University recognizes the obligation of faculty members to publish scholarly works and follows its long-standing practices regarding copyrights and royalties (or other income) pertaining to works resulting from author-initiated, individual effort. The University policy on [Copyright Processing and Funding](#) (Policy 6-07) states that: "In accordance with established custom at institutions of higher learning, copyright ownership of textbooks, manuscripts, other print materials, etc., produced by the individual effort of the author, as well as any royalties therefrom, accrue to the benefit of the author." A few exceptions to this general rule are given in the policy on [Copyright Processing and Funding](#) and the policy on Computer Software.

In cases where software may have market potential, the originator should notify the Vice President for Research, Scholarship and Innovation (or other official designated by the provost) when the commercial potential becomes apparent. To safeguard the individual's and University's interests, a copyright notice should be placed on the software when it is distributed to others, whether or not its marketability is apparent at the time.

The complete University of Delaware Policy on Computer Software is contained in the [Research Section of the University of Delaware Administrative Policy Manual](#) (Policy 6-09).

### 3.2.10 Audiovisual Works

The University will employ modern audiovisual technology in order to further its educational and research activities. (Audiovisual works are works that consist of a series of related images that are intrinsically intended to be shown by the use of machines or devices such as projectors, viewers, or electronic equipment, together with the accompanying sounds, if any, regardless of the nature of the material objects, such as films or tapes, in which the works are embodied.)

The goal of the policy is to help produce audiovisual works of the highest quality through the joint effort of University of Delaware faculty, professional staff, and technical specialists. The administration of the policy is the responsibility of the University Provost, but day-to-day administration may be delegated by the University Provost to an appropriate University official with the understanding that no departures from the stated principles of the policy will be made. A brief summary of the policy follows.

The objectives of the policy are (1) to extend University educational and research opportunities outside and within the traditional campus setting through audiovisual means; (2) to serve the best interests of the University, instructors, and the public by producing, using, and distributing only audiovisual works of the highest possible quality; (3) to foster a high level of cooperation between participating instructors and the audiovisual works production staff; (4) to encourage participation by instructors with professional qualifications most appropriate for each specific audiovisual work; (5) to preserve traditional University practices and privileges with respect to the generation and publication of scholarly works and the right of instructors to determine course content; (6) to foster the free and creative expression and exchange of ideas and comments; (7) to establish principles and procedures for equitably sharing income derived from audiovisual works produced at the University; and (8) to protect the University's assets and imprimatur.

All participation by faculty in the creation of audiovisual works shall be fully voluntary, and participation by full-time faculty shall not be a condition of employment. In no circumstance may an audiovisual work be used in faculty evaluation without the written permission of the faculty member who has participated in the making of that work.

Each audiovisual works project shall be governed by a written agreement signed by the participating instructor or off-campus personnel and the University. The terms of such an agreement shall be consistent with sections of the policy that are applicable to either University instructors or off-campus personnel.

The intellectual property rights in audiovisual works produced in accordance with the policy by University staff and with University facilities, including rights to copy, use, and distribute, shall reside in the University.

The full University of Delaware audiovisual policy ([Policy 4-15](#)) is available online.

### 3.2.11 Human and Animal Subjects in Research

To protect research subjects, any study involving human subjects must be performed under conditions that ensure subjects' rights and welfare through adequate safeguards and the informed consent of those involved. Such consent is valid, however, only if the subjects are first given a complete explanation of the procedures to be followed, their possible benefits and attendant risks and discomforts, and the purpose and objectives of the research. This is particularly important when the research does not directly benefit the subjects involved. Safeguards should be especially stringent when subjects are legally, physically, or otherwise unable to give consent.

The University requires review of research projects involving human subjects by the Institutional Review Board ([Policy 6-04](#)) to insure that (1) subjects' rights and welfare are adequately protected, (2) the methods used to obtain informed consent are adequate and appropriate, and (3) any risks and inconveniences to the subjects are outweighed by the potential benefits to them or by the importance of the knowledge to be gained.

Faculty, staff, and students who use or care for laboratory animals assume responsibility for the humane care and general welfare of the animals. Such responsibilities are outlined in [University Policy 6-13](#), the Guide for the Care and Use of Laboratory Animals (National Institutes of Health), and the "U. S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training." Researchers using animals are also expected to comply with the Public Health Services Policy on Humane Care and Use of Laboratory Animals by Awardee Institutions and the "University of Delaware Assurance of Compliance with PHS Policy on Care and Use of Laboratory Animals by Awardee Institutions." The appropriate University Animal Care and Use Committees review projects that use animal subjects.

The Vice President for Research, Scholarship and Innovation is the general administrator of all policies concerning the use of human subjects or animals in research. Additional information concerning these policies can be obtained from the Office of the Vice President for Research, Scholarship and Innovation.

### [3.2.12 Eligibility Guidelines for Principal Investigators](#)

This policy defines those University personnel eligible to serve as Principal Investigator or Co-Principal Investigator on sponsored research projects. The policy, in its entirety, along with the "Request for Approval to Serve as Principal Investigator" form is found on the [UD Research Office](#) site.

## [3.3 Safety Policies](#)

[Emergency Response/Fire--Other Emergencies \(7-6\)](#)

[Radioactive Material and Machines Capable of Producing Ionizing Radiation \(7-9\)](#)

[Hazardous Waste Disposal \(7-18\)](#)

[Control of Biohazards in Research and Education \(7-19\)](#)

[Eye Protection Policy \(7-23\)](#)

[Policy for Safe Use and Storage of Compressed Gas Cylinders \(7-24\)](#)

[Hazardous Chemical Information \(7-27\)](#)

[Occupational Exposures to Hazardous Chemicals in Laboratories \(7-37\)](#)

[Infectious Waste Management \(7-38\)](#)

[Personal Protective Equipment \(7-40\)](#)

[Hazardous Material Shipments/Transportation \(7-43\)](#)

[Campus Emergency Management System \(7-48\)](#)

### [Safety Responsibilities during Laboratory Principal Investigator Leaves/Absences](#) (7-50)

A complete list of safety policies can be found in the [University of Delaware Administrative Policy Manual](#) and safety information is available at the [Environmental Health and Safety](#) web site. Questions regarding the safety program should be directed to [your department safety committee](#) or Environmental Health and Safety at 831-8475.

## 3.4 Academic Program Review

The Academic Program Review (APR) provides academic departments and programs with the opportunity to assess the quality of their teaching, research, and service/engagement activities, as appropriate for the department and/or program. Further, the APRs evaluate the effectiveness of their use of resources and determine their progress toward meeting the unit's, college's, and University of Delaware's goals. If a department or program regularly undergoes an accreditation process, that accreditation can simultaneously be used to fulfill the department or program APR requirement. If all three areas are not addressed in the accreditation, the program or department must meet that requirement independently of the accreditation report.

The APR process includes both self-study and external review. It encourages planning within the unit and can strengthen the connection between the planning agendas and practices of individual units with those of their college and the University as a whole. Broadly, departments and programs may use APRs to improve their function via:

1. Assessment and progress in achieving the milestones of a unit's strategic plan. If a unit does not have a strategic plan, it can be used to build one.
2. Direction for hiring plans, budget setting, resource allocation, and development priorities.
3. Analysis of curriculum effectiveness and its impact on students.
4. Assessment of faculty productivity, as a whole, to allow a candid appraisal of the unit and consideration of areas of strength and improvement. Further it can re-evaluate workload policies and assignments of the department as a whole.
5. External review of the unit to assess past success and potential future directions.

Academic Program Review (APR) is a function of the Office of the Provost in conjunction with the University Faculty Senate and is coordinated by the Office of the Provost. The provost and the Faculty Senate must jointly select units for review. Units are scheduled to be reviewed once every seven years. The review process should be collaborative with frequent conversations between the department, college, and the Office of the Provost. The Office of the Provost, in conjunction with the Faculty Senate Academic Priorities and Presidential Advisory Committee, will keep a master list of units to be reviewed. The master list will be maintained and updated in a directory shared with the Office of Institutional Research and Effectiveness and will also be

posted on the Office of the Provost website. Prior to the beginning of each fall and spring semester, the Office of Institutional Research and Effectiveness confirms with the unit leader and the dean of the appropriate college their participation in the self-study in the following semester.

It is crucially important that all faculty members in an academic unit be able to easily verify all information about their own achievements in scholarship and those of their colleagues before such information is used to evaluate their academic unit. Therefore, neither Academic Analytics nor any other database which is not readily accessible by all faculty members at the University of Delaware shall be used in the evaluation of academic units, including as a component of the data used during an Academic Program Review process. (March 2019)

The Office of the Provost website will maintain guidelines on the recommended process which academic departments and programs should follow. It will be the responsibility of the Office of the Provost in conjunction with the Faculty Senate's Academic Priorities and Presidential Advisory Committee (APPA) to review these recommended procedures every two years. Other Faculty Senate responsibilities will also include: 1) The Committee on Committees and Nomination will select one reviewer from the University of Delaware Faculty, 2) Within 30 days of the provost's receipt of the external reviewers' report, APPA will receive and review the document and provide a written report to the provost, and 3) after the provost receives the external reviewers' report and response letters (including the APPA letter), he/she may schedule a meeting with APPA once a semester to review the reports (with emphasis on academic program assessment) and provide any independent recommendations. (Rev. 2/2020)

### 3.5 Faculty Involvement Related to Extraordinary Financial Circumstance

The University is obligated to continually review educational goals, programs, and activities in order to effectively allocate its resources. It is clear that the faculty has responsibilities in these areas. This is recognized by the Bylaws of the Board of Trustees in that the faculty has the delegated responsibility "to formulate and administer the academic and the educational policies of the University" (Section 3.2.1). Within this broad charge are the more explicit charges that the Faculty shall "provide for the establishment of the curricula and courses in the several colleges and divisions" (Section 3.2.5.1) and "It shall be the privilege of the faculty:

1. To make recommendations to the Board of Trustees concerning the disestablishment of any degree.
2. To consider matters of general interest to the University and make recommendations thereupon to the president for transmission to the Board of Trustees.
3. To consider and make recommendations for proposed changes in the University organization." (Section 3.2.5.12)

It is expected that the administration will seek and seriously consider faculty input before making substantial modifications in an educational program. This faculty involvement should

begin with the most immediately affected group and when appropriate, include committees of the faculty.

Moreover, when academic goals, programs, or activities are subject to drastic reductions or when individual faculty contracts are subject to termination because of declared University-wide "extraordinary financial circumstances," then the appropriate faculty committees have a special responsibility in representing the interests of the faculty in an assessment necessary to assure the maintenance of the academic quality and responsibilities that are the hallmarks of a university.

The specific committee of the faculty that has the overall responsibility of assessing the programmatic implications of the tentative actions to be taken in the name of "extraordinary financial circumstances" is the Coordinating Committee on Education working with its various subcommittees. In particular, when extraordinary financial circumstances have been declared, the Academic Priorities Review Committee has the specific charge of assessing the fiscal rationale of such proposed decisions and their impact on specific proposed reductions, dissolutions, or proposed terminations of individual faculty contracts as they relate to the overall goals of the University. (Editorial rev. 10/99)

Necessary considerations for these appropriate committees when acting on proposals involving University-wide "extraordinary financial circumstances" are delineated as follows:

An "extraordinary financial circumstance" is difficult to define, but in general it must represent more than a temporary operating or liquidity problem. Though not requiring bankruptcy to be declared, such a condition is one where survival of the institution as a whole is at issue, and in the absence of other feasible remedies, the well-being and future of the University require that drastic actions be taken. When the "extraordinary financial circumstance" is declared by the Board of Trustees it is expected that it will be demonstrated as bona fide.

When a curtailment of academic programs or activities is called for because of the "extraordinary financial circumstance," it is expected that the faculty will play a significant role in determining which academic programs and activities will be altered and to what extent. It is important that the curtailment be bona fide in relation to the financial emergency, not a subterfuge to dismiss controversial individuals or programs. The total adjustments must be suitable to maintaining the purpose of the University as an institution of knowledge and learning.

When it is determined that the "extraordinary financial circumstance" must be dealt with by reductions in faculty positions, and individual contracts must be terminated, it is expected that a University-wide plan of action will be developed. The departments or college faculties most immediately affected shall be a basic part of the group that develops "a plan of action." The Coordinating Committee on Education shall specify the procedures to be followed at the department and college levels in preparing this plan. The total plan of action for the University shall be examined by the Academic Priorities Review Committee and the Coordinating Committee on Education, which shall have primary responsibility for submitting a report and its recommendations to the Faculty Senate. (Editorial rev. 10/99)

A "plan of action" that specifies terminations or nonrenewal should first eliminate part-time, temporary, nontenured, and then tenured faculty, with length of service and academic rank being discriminating factors within each category. Only in extraordinary circumstances where a serious distortion of the academic program would otherwise occur will there be a modification of the termination procedure specified. It is expected that the plan of action will take into consideration affirmative action responsibilities, relocation possibilities within the University, retraining, and opportunities for voluntary early retirement.

If the elimination of a faculty position or academic department is part of the "plan of action," there is the presumption that that position, or department shall not be reinstated within a three-year period after elimination. If such a reinstatement is proposed within the three-year period, those terminated will be given first choice to be rehired.

New programs should not be instituted within the three-year period after instituting the "plan of action" unless it is clearly demonstrated in advance that they are self-sufficient and are not in need of University funding. Further, they must have educational merit and be consistent with stated University goals. (Rev. 11/1/76)

### 3.6 Travel Reimbursements

In cases in which professional travel is in accordance with the purpose of an approved sabbatical leave, reimbursement may be provided for professional meeting attendance and other related travel. Such reimbursements will be made according to standard University of Delaware policies and must be approved by the dean (not a designee). Reimbursement will not be provided for relocation to or return from the sabbatical site, or for living expenses. In general, reimbursement for professional travel for faculty on sabbatical leave should not exceed the costs that would have been incurred had the faculty undertaken the travel from Delaware. Exceptions may be approved by the dean.

## SECTION 4: PERSONNEL POLICIES FOR FACULTY

### 4.1.1 Faculty Appointment Policy

This policy shall apply to all academic units for the appointment to an academic rank. The policy shall be applicable to all full- and part-time positions, permanent and temporary positions, joint, secondary, affiliated, and adjunct positions, regardless of funding source.

- To appoint any person to an academic rank requires a positive recommendation from the faculty of the academic unit to which the person is to be assigned, and the rank shall be specified in the recommendation. (Rev. 4/24/19)
- There shall be a search committee for each new or vacant faculty position. The University of Delaware Recruitment Manual for faculty, professional, and salaried staff members sets forth the policy governing the establishment of search committees and the search procedures for filling faculty positions.
- The college dean and department chairperson act for the college and department faculty, respectively. It is understood that they consult with college or department



faculty according to college and department policies and procedures in making their recommendations. (Rev. 4/24/19)

The full-time teaching assignment at the University of Delaware is twelve credit contact hours or 18 teaching contact hours per week per semester for the academic year. In practice, however, the University adheres to a policy of "administered" teaching loads. Under this arrangement, department chairpersons and deans are encouraged to vary the teaching loads of individual faculty members so long as the total teaching obligations are met with the teaching personnel available. This flexible arrangement makes it possible for the chairpersons to make assignments of individual faculty members on a semester-to-semester basis to stimulate research and scholarship or to provide for unusually heavy committee assignments.

(Rev. Jan 2014)

#### 4.1.2 Secondary, Joint, Affiliated, and Visiting Faculty Appointments

The term Secondary Faculty appointment refers to an academic appointment made to a professional in the same or another department. If the person does not have a core faculty appointment (that is, they are a professional and don't have a faculty appointment to "return to"), then a faculty appointment for them would be "secondary."

The term Joint Faculty appointment refers to an academic appointment made to someone with a primary academic appointment in another unit. This joint appointment may be split funded between unit or funding might reside entirely in the home (primary) unit. In other words, if the person has a core faculty appointment, their additional faculty appointments are "joint" whether funded or unfunded. When a joint faculty appointment involves joint funding or workload, a Memorandum of Understanding (MOU) must be created among the units and deans involved. The MOU must specify that the chair/director of the home unit retains the sole responsibility and authority for the annual appraisal and planning process. The MOU should specify how input from the other unit will be obtained prior to decisions on appraisals, merit raises, and promotion and tenure decisions, and it should describe how workload will be assigned. In cases where there is no joint funding or workload assignments, a MOU is encouraged, but not required. Holding a joint appointment shall in no way abridge a faculty member's rights in their home unit.

Affiliated faculty are appointed as members of the academic staff for a limited period of time during the year(s) in which they are actively involved in the teaching and research program of the University. Persons holding appointment as Affiliated (Professor, Associate Professor, Assistant Professor, or Instructor) must make a contribution to the University in the form of teaching, research, or consultation.

Affiliated status is accorded only after the regular academic review and evaluation. Rank is established according to the same criteria as regular faculty, and the unit shall be responsible for determination of initial rank and promotions. Such determinations do not require the approval of the college or University promotion and tenure committees. Affiliated faculty are not eligible for tenure. No stipend is paid unless an additional appointment, such as an adjunct

appointment, also exists; terms of appointment are up to three years, and contracts are not automatically renewed.

Affiliated faculty receive University I.D. cards and have access to the Library; they may purchase parking permits and football tickets at faculty rates. They may not participate in the tuition fee waiver program. Although not members of the University voting faculty, some departments or colleges may give them voting rights in their own units; the practice varies.

Adjunct faculty (Professor, Associate Professor, Assistant Professor, or Instructor) are those persons who teach a course (or courses) at the University on a supplemental ("S") contract and who are not otherwise full-time faculty of the University. (Rev. 9/2013)

Visiting faculty include individuals, usually faculty, who come from another institution to the University for a specified period of time. The expectation is that these individuals will return to their home institutions at the end of their appointment period at the University of Delaware.

Benefits for visiting faculty include:

- Medical Insurance
- Dental Insurance
- Fee Waiver
- University I.D. card which will provide access to all facilities and associated privileges

(Rev. 12/5/16)

#### [4.1.3 Affirmative Action](#)

The University of Delaware is committed to assuring equal opportunity to all persons and does not discriminate on the basis of race, creed, color, gender, sexual preference, age, religion, national origin, disability, or veteran status, or membership or non-membership in the AAUP, in its educational programs, activities, admissions, or employment practices. The University has developed a three-step Affirmative Action plan to rectify imbalances of opportunity that still exist despite a policy of nondiscrimination. The first step is to reassert the principle of equal employment opportunity in statements and advertisements to the effect that "The University of Delaware is an equal opportunity employer that encourages applications from qualified minority groups and women." (Rev. 10/1/90)

The second is to reaffirm that those private organizations, such as contractors or subcontractors doing business with the University or those firms recruiting through the University, shall not discriminate against any person because of race, color, religion, sex, national or ethnic origin, age, handicapped, or veteran status.

The third is to develop and implement an affirmative action plan designed to improve the proportion of minority and women employees in the University's work force in general and in management and faculty positions in particular.

[Affirmative Action/Equal Opportunity Hiring and Recruitment](#)

#### 4.1.4 Conditions of Employment

All regular members of the teaching staff of the University are fully engaged for the whole year of fifty-two weeks. While normally members of the teaching staff are required to teach for only nine months annually, responsibilities of faculty to the University do not cease during the summer months. The summer period is provided for reading, study, research, and travel related to the professional development of the faculty member as well as for providing a reasonable period for relaxation.

All faculty are expected to meet general University expectations regardless of appointment terms as set forth in Faculty Workload Policies in ["Expectations of all Faculty."](#)

Newly hired faculty receive a letter of appointment from the appropriate college dean setting forth the type of faculty position and applicable terms of employment.

University employment requires appropriate U. S. Citizenship and Immigration Services (USCIS) I-94 form, VISA, or permanent resident status. Tenure, if earned with continued employment, is conditional on an approved work status to be in the United States. USCIS regulations supersede any local University tenure/employment decision should a conflict arise.

#### 4.1.5 Tenure Track Faculty

Faculty holding tenure-track positions are expected to perform the activities enumerated in the unit's approved promotion and tenure document (see the section on Expectations of Tenure Track Faculty, in "Faculty Workload Policies.") Tenure-track faculty are generally appointed for a nine-month period; however, they may receive extended appointments (9+1 or 9+2) or receive a fiscal year appointment.

#### 4.1.6 Non-Tenure Track Faculty

**Scope:** The following terms of employment apply to individuals holding primary appointments as full-time, non-tenure track faculty. These policies do not apply to individuals holding part-time, secondary, contingency, or adjunct appointments as non-tenure track faculty. These policies do not apply to faculty appointed to tenure-track positions.

Those faculty members of the University of Delaware employed on continuing renewable contracts will be known as continuing track (CT) faculty members. (Rev. 5/2016)

It is anticipated that, in the future, the focus of appointments will be to hire "tenure-track" faculty. Within the context of this primary commitment, non-tenure track faculty will be hired to supplement capacity in programs with special needs that justify these types of appointments.

**Appointments:** Continuing track or temporary, non-tenure track faculty: non-tenure track faculty appointments may be continuing or temporary. They are for a defined term and do not involve a tenure commitment. (Rev. 5/2016)

Individuals holding primary appointments as full-time, continuing track faculty are hired through regular University procedures governing new position approval, recruitment, and affirmative action. Continuing appointments must be supported from recurrent sources of

funds. Continuing track faculty are eligible for promotion in academic rank and sabbaticals. (Rev. 5/2016)

Temporary, full-time, non-tenure track faculty are hired through University procedures for temporary appointments and are appointed to one-year contracts. Unless specifically approved by the provost, these appointments are renewable for a maximum of two additional years. An exception to this maximum may be made for research faculty, as described below. Temporary, non-tenure track faculty are not eligible for promotion and sabbaticals. Continuation of the temporary position beyond one year is contingent on availability of funding, departmental needs, and performance, and notice of nonrenewal is not required. (10/13/05)

**Types of Non-tenure Track Faculty:** Continuing track and temporary non-tenure track faculty may be hired as instructional, clinical, public service, or research faculty. The workloads of instructional, clinical, public service, and research non-tenure track faculty are administered by the chairs/directors of the academic programs in which the appointments are made in a manner consistent with University guidelines, approved program procedures and collective bargaining requirements. (Rev. 10/01, Rev. 5/2016).

Instructional faculty have responsibilities for scheduled University course instruction and related student advisement as well as for instructional support activities.

Clinical faculty have major responsibilities in clinical supervision and instruction (including, for example, clinical nursing supervision, student teaching, internships, field placements, and practicums) and/or professional practice supervision (including, for example, HRIM and business practices) with the balance of workload involving regularly scheduled instructional and advisement responsibilities as well as related professional and scholarly contributions. CT faculty members who fulfill a special role in a clinical setting where they educate students by means of significant contact with patients may carry the modified title "Clinical [Assistant /Associate] Professor."

Public service faculty have major responsibilities for college- (or departmental/school based-) public service programs (including applied research, technical assistance, and community and professional development training and education) with on-going responsibilities for regularly scheduled undergraduate and/or graduate instruction and advisement, and with the balance of workload involving clinical and professional practice supervision, and related professional and scholarly contributions. CT faculty members who have prior professional practice in industry, business, or public service essential for the faculty role, may carry the modified title "[Assistant/Associate] Professor of Practice." (Rev. 5/2016)

The aforementioned criteria for assigning the two modified titles "Clinical" and "of Practice" must be assiduously maintained. (Rev. 5/2016)

Research faculty have major responsibilities for externally-funded and sponsored programs of research. Since the salary of research faculty derives largely or exclusively from grants and contracts, research responsibilities generally constitute all or most of the research faculty's workload. While research faculty do not have ongoing responsibilities for regularly scheduled undergraduate and graduate instruction and advisement, they may supervise undergraduate

and graduate students who participate in their research programs. Occasionally, research faculty may participate in scheduled instruction, on a voluntary basis, so long as that participation is consistent with their research responsibilities. External funding to support the appointment of research faculty must be continuous during the term of an appointment contract. Because appointments are made to fulfill external grant and contract responsibilities, the renewal limit on temporary appointments does not apply; renewals may be approved that are congruent with the terms of external contracts.

**Academic Rank:** Non-tenure track faculty must meet the minimum requirements for the academic rank of "instructor," which generally requires the master's degree or equivalent qualifications in an appropriate field of instruction with evidence of sustained effective teaching ability; for clinical positions, there must also be demonstrated evidence of appropriate practical field experience.

Upon successful peer review and contract renewal at the end of the third two-year contract, an Instructor will progress to the title of "Associate Instructor". (Rev. 5/2016, Rev. 7/27/16)

Upon successful peer review and contract renewal following the thirteenth-year review, an Associate Instructor will progress to the title of "Senior Instructor" upon beginning the rolling five-year contract. (Rev. 5/2016, Rev. 7/27/16)

Continuing track faculty may hold professorial ranks and are eligible for promotion according to approved departmental/school guidelines.

- Two- and four-year peer reviews should be required for contract renewal of newly hired CT faculty members.
- Units with CT faculty members must have clearly defined promotion criteria at all ranks for CT faculty as part of their approved Promotion and Tenure document.
- Clear criteria for CT faculty promotion must be included in all college and University Promotion and Tenure documents. (Rev. 2016)

**Term and Contract Renewal:** Individuals appointed as continuing track faculty (see "Appointments" above) will have a six-year probationary period comprised of three successive two-year appointments, subject to annual review and a recommendation for contract renewal by the chair/director/dean.

In the second and fourth year, a full peer review will be conducted. In the sixth year, on the basis of recommendations from the full peer review and chair/director/dean, and with the approval of the provost, individuals will receive either a seventh terminal year appointment or a three-year contract subject to annual review. In the second year of the three-year contract, the chair/director/dean will recommend whether the individual will be afforded a contract of four years in length to begin after the three-year contract. Subject to satisfactory annual evaluations, during the last year of a four-year contract, a fourth full peer review will be conducted. Subject to the recommendation of the peer review and chair/director/dean, and with the approval of the provost, the individual will receive a five-year contract on a "rolling" basis, subject to an annual review. Faculty on five year rolling contracts are subject to peer evaluation every five years. Contract renewal is subject to the notice provisions of the Faculty

Handbook, "Terminations and Non-Renewals." Note that CT faculty members being considered for promotion to Associate Professor or Professor must be externally evaluated (see section 4.4.2). (10/13/05), revised 12/09/05; 5/2016; 2/2018

Individuals hired on full-time, temporary appointments who are appointed subsequently as primary, full-time, continuing track faculty will have their previous time of service counted in the computation of subsequent contract renewal periods. No individual will receive a three- or five-year "rolling" contract without a full peer review. (Rev 4/24/19)

In the event of an unsatisfactory annual evaluation during the term of a multi-year contract, a full peer review may be conducted. If a peer review confirms the unsatisfactory performance set forth in the annual evaluation, the individual will receive one full year's notice in writing of contract termination (see "Terminations and Non-Renewals" in the Faculty Handbook).

In the event of programmatic and/or budgetary reductions, individuals serving on multiple year contracts will receive one full year's notice in writing of contract termination (see "Terminations and Non-Renewals" in the Faculty Handbook).

**Sabbaticals:** Faculty appointed as continuing track faculty (see "Appointments" above) are eligible for sabbaticals at the end of the sixth year of appointment if their appointment is renewed for a three-year appointment (as stipulated in "Term and Contract Renewal" above) and with review and approval through regular University procedures. Continuing track faculty are eligible for subsequent sabbaticals on the same schedule as tenure-track faculty. (Rev. 5/2016)

**Merit Pay:** Merit pay for non-tenure track faculty will be awarded on a basis consistent with the written workload agreement for such faculty. The annual evaluation of performance for purposes of merit pay will be consistent with the applicable department/college promotion and tenure criteria.

**Peer Reviews:** Peer reviews shall be consistent with the applicable department/college promotion and tenure criteria and consistent with the written workload agreement for each non-tenure track faculty member.

**Career Development and Salary Adjustments:** Salary adjustments for continuing track faculty parallel to promotional increments for associate professors are made upon contract renewal for three years at the end of the initial six-year probationary period and parallel to the promotional increment for full professors at the start of the first five- year "rolling" contract. However, individuals holding primary appointments as full-time, continuing track faculty (see "Appointments" above) will not be awarded promotional increments should there be a change in their academic rank. (Policy added in entirety 8/96, Vice President for Administration to reflect Collective Bargaining Agreement; Rev. 5/00 Vice President for Administration in consultation with AAUP; editorial correction 8/00, Rev. 5/2016)

**Stop the Review Clock:** The six-year probationary period shall be extended for one year upon a continuing track faculty member submitting a "Stop the Review Clock" electronic web form. This policy applies to continuing track faculty members who become the parent of a newborn or newly adopted child and is a primary or coequal caregiver of the child or who is granted a

leave of absence pursuant to the Family and Medical Leave Act of 1993 for a period of at least one semester. The faculty member will continue to perform faculty duties at full salary. The extension shall take effect upon submission of the "Stop the Review Clock" electronic web form by the faculty member to the chair/director. Submission of the "Stop the Review Clock" electronic web form must be made within one calendar year of the birth or adoption of the child or of the commencement of the FMLA leave. Apart from the birth or adoption of a child, a continuing track faculty member may extend the probationary period for any reason approved by the appropriate chair/director and dean, for example illness of the faculty member or of his/her immediate family, but may do so only twice, resulting in no more than two one-year extensions of the probationary period. A continuing track candidate who extends the probationary period under this provision shall be reviewed for contract renewal under the same academic standards as a candidate who has not extended the probationary period. The continuing track candidate shall not be penalized in any way for requesting and receiving extensions of the probationary period, whether or not the additional time is used. Extension of the probationary period does not affect the faculty member's right to apply for contract renewal prior to the terminal year, regardless of time in rank. Stopping the review clock for one year postpones any subsequent second-year or fourth-year review. (Rev. 4/24/19)

#### 4.1.7 Contingency Contracts

Appointments to the faculty of the University of Delaware are made on the expectation that the candidate has completed a terminal degree. In the case of appointment at the rank of Assistant Professor, a contingent contract may be written permitting initial appointment at the rank of Instructor if it states clearly that all requirements for the terminal degree will be fulfilled prior to reappointment at the rank of Assistant Professor. Contingent contracts are normally written for one year, but in extraordinary cases may be written for two years at the discretion of the department and dean. The salary differential in a contingent contract should not be less than \$1,000.

In those cases where a contingent contract is justified, the letter of appointment from the dean should include the following language:

**This contract is written for appointment at the rank of assistant professor contingent upon formal notification to the dean that all requirements for the doctorate (N.B.: or appropriate terminal degree), including the dissertation, have been completed by the beginning of the contract period. If this expectation is not met by the beginning of the contract period, the initial appointment will be at the rank of Instructor, at a salary of \$\_\_\_\_\_ (N.B.: an amount reduced from the original amount by not less than \$1000) for a term of one year. Upon formal notification to the dean that all requirements for the doctorate (N.B.: or appropriate terminal degree), including the dissertation, have been completed, your rank will be changed to assistant professor and your salary will be increased to the original annual rate for the remainder of the year. Should you not complete your doctorate (N.B.: or appropriate terminal degree) by May 31, 20-- (N.B.: end of first academic year), your contract will expire on August 31, 20-- (N.B., end of first contract year) and no further notice of non-renewal of appointment will be required. Should the requirements be completed prior to May 31, 20-- (N.B.: end of first academic year) and should a renewal appointment be proposed, the renewal appointment may**

**be at the rank of assistant professor and may be for a two-year period. Eligibility to be considered for tenure does not begin until the first full academic year of appointment as assistant professor.**

Promotions and increments, if awarded in subsequent years, will be in accordance with regular University policy. Only the initial contract may be written as a contingent contract, and all contingencies lapse at the end of the first year. (Rev. 3/13/95)

#### 4.1.8 Senior Research Fellow

Individuals appointed to the title of Senior Research Fellow offer a special expertise and distinction. The University assumes no financial obligation of any kind in connection with such an appointment; however, compensation may be provided from externally funded grants and contracts.

#### 4.1.9 Limited Term Researcher

Limited Term Researchers are appointed on externally funded grants and projects for a term of no more than three years. They receive all employee benefits and are compensated according to arrangements between the principal investigator, department chair/dean and the Office of Human Resources. Individuals holding the title of Limited Term Researcher normally hold the doctorate degree; however, researchers with a master's degree may also be considered for such appointment.

#### 4.1.10 Retirement and Emeritus Status

Upon retirement, full-time members of the faculty may be granted the title "emeritus" upon recommendation by the chair and faculty of the department, and by the dean of the college, and with the approval of the University Provost. All of the following criteria must be met:

- The faculty member has made distinguished contributions to teaching, scholarship, or service during tenure at the University of Delaware.
- The faculty member has attained the rank of Associate or Full Professor by the time of retirement.
- Service at the University of Delaware has been for at least eight years.
- The University and the faculty member desire a continued association after the faculty member's retirement.

The names of emeritus faculty are carried in the University catalog. In addition, they are invited to all convocations and formal exercises, and they continue to have faculty privileges at the University Library. (Rev. 01/02)

#### 4.1.11 Access to Personnel Records

On a requested basis, data in the individual's personnel files, with the exception of confidential employment references to or solicited by the University, shall be available for inspection by the individual faculty member with proper identification. Records must be reviewed in the presence of an official in the particular records office, and they may not be removed from the records office. Faculty members shall inform the appropriate administrative officer of a desire



to see their records prior to requesting such information at the appropriate records office and shall make an appointment with the personnel official concerned indicating the specific information desired to be reviewed. (Last editorial update 10/12/01)

#### 4.1.12 Salaries

**A good salary policy reflects basic canons of equity and fairness as well as a set of considerations that govern the institution's mission. The institution may properly recognize in its salary policies several factors, in addition to merit, that may result in salary differentials. Among these, the more important are differences in field, differences in function, and differences in market conditions. (American Council on Education, Equal Employment Opportunity Task Force Report)**

Initial salaries are influenced by the considerations listed above. Annual salary increases are awarded subject to the terms of the [Collective Bargaining Agreement](#) negotiated with the faculty union, the Delaware Chapter of the American Association of University Professors. (Rev. 7/1/75)

#### 4.1.13 Additional University Payments to Faculty

Additional University payments to faculty for special academic duties during the contract year are permitted as stated below. Faculty members who are given especially time-consuming or burdensome assignments within the University generally will be given relief from other duties rather than extra compensation.

No member of the faculty shall accept payment for tutoring any student in his or her own classes or in a course in the same department. Students for whom tutoring is desired should be referred to the Office of Academic Enrichment. Only in unusual circumstances and with the consent of the dean of the college should full-time, regular faculty undertake to tutor undergraduate students for pay.

University compensation beyond the terms of the basic contract will not exceed the equivalent of twelve credit hours of Professional and Continuing Studies credit activity from September 1 until spring commencement. (Rev. 11/93)

**Faculty Compensation from Sponsored Research:** Faculty members are not permitted to earn additional salary from research or service participation during the period from September 1 until spring commencement. Faculty members engaging in sponsored activity during these months have their teaching and general University responsibilities reduced to accommodate their participation in sponsored activity.

No faculty member may be employed to consult on a grant or contract of another faculty member for which the University is the disbursing agent.

**Limits on Summer Compensation:** Faculty members on academic year contracts may receive additional compensation for three months of summer work on sponsored research or summer teaching at a monthly rate not to exceed one-ninth of the base salary. The total compensation from all sources may not exceed three-ninths of the basic academic year salary for the summer months. Correspondingly, faculty on fiscal year contracts may receive additional compensation

for one month of summer work on sponsored research at a rate not to exceed one-eleventh of the fiscal year salary.

**Limits on Winter Session Compensation:** Faculty may receive additional compensation for teaching in Winter Session. Compensation may not exceed payment for two courses or its equivalent plus 9 credits of independent/supervised study for individual study. Faculty members may not receive additional payments for research during Winter Session. (Rev. 1990 - Office of the Provost)

#### 4.1.14 Academic Leaves of Absence

Leave of absence for one or more semesters without salary may be arranged for the purpose of engaging in faculty exchange, completion of degree requirements, scholarly work under foundation fellowships or grants, research, or public service, without prejudice to future promotions in rank or salary, provided that the period of absence is reasonable and does not work an unwarranted hardship upon the University. An individual who anticipates applying for leave should confer with his or her department chairperson or the dean of the college before initiating any negotiations. Leaves of absence without salary are not available to faculty who wish to take temporary employment elsewhere that affords no real intellectual advancement. Short leaves of a day or two that do not interrupt a regular schedule may be arranged informally with the department chairman or the dean concerned. For longer leaves, a formal request should be submitted to the president through the dean and the provost and are dependent upon administrative approval. (Rev. 11/93, Faculty Senate)

##### 4.1.14.1 Faculty Exchange Program

The University of Delaware actively supports a program of faculty exchanges between domestic and foreign universities. The benefits to the University from this program are manifold and include (1) wider experience for our faculty members teaching in new and different environments; (2) broader exposure for our students from visiting faculty members; (3) expanding reputation of the University in the quality of its students and faculty; and (4) increased opportunities for faculty to meet and work with colleagues in different institutions.

The costs to the universities involved are minimal and, certainly in the case of domestic exchanges, nil, since each institution will continue to provide salaries and fringe benefits for its own faculty members. This arrangement, furthermore, will greatly facilitate exchanges and provide for minimal interruption to individual careers, earnings, and accrued benefits, such as time toward sabbatical leaves, pensions, etc.

Faculty exchanges are not limited to exchanges with other universities and colleges but may be arranged with industrial firms, government agencies, businesses, and such, where both parties involved may benefit from the exchange.

**Guidelines:** Appointments of faculty being exchanged must be approved by departments and colleges of the institutions concerned. Each institution involved in the exchange shall continue to pay the salary and fringe benefits of its own faculty member, who will simply be considered on assignment elsewhere. Faculty exchanges shall normally be at the same or equivalent rank, with clear advantages in the exchange to both institutions. Faculty members shall retain

academic rank during the period of the exchange and may be designated as "Visiting Professor, Associate Professor," and such, at the host institution. Work assignments will be determined by the host institution and agreed to by all parties in advance of the exchange.

Upon final approval of the exchange by the department chair, the dean of the college, and the provost, a contract shall be initiated by the department chairperson at least six weeks before the visiting faculty member's expected arrival or commencement of activities on the campus. *This contract is necessary so that the visitor and the University will be covered by the University's liability insurance during the visitor's residence.* The contract shall indicate the visitor's rank, beginning and ending dates of residence at the University of Delaware, and department or other unit in which the visitor is engaged in teaching or research.

A copy of the contract will be supplied to the visitor upon arrival on campus.

To equalize appropriately differences in salary and cost of living between the University of Delaware and certain foreign institutions, it may sometimes be necessary to provide a small supplement to visitors in the form of travel funds or other assistance. Standard medical insurance coverage is available for foreign visitors who may need and request it. Family coverage, however, must be paid for directly by the visiting faculty member. Major medical insurance is not available to visitors. Applications for medical insurance must be filled out by the visitor in sufficient time to be effective at the time of arrival on campus. (Note: These supplementary awards are not a stipend; they are indicated in the "Comments" section of the contract.)

Institutions involved with the University in conducting faculty exchanges may also be interested in exchanging graduate students along with faculty at the same time. In general, the same conditions will apply, including the arrangements for continuing stipends, fringe benefits, etc., and all such exchanges must follow the same approval procedures and conditions.

#### [4.1.14.2 Family Leave](#)

A faculty member who becomes the parent of a newborn or newly adopted child or a child placed in foster care in the faculty member's home, and who wishes time off for childcare purposes, may choose to take a family leave of absence. Family leave may be granted for up to one year for each child, with a maximum of two years per faculty member. If the two-year maximum has been reached, and the faculty member wishes to take time off for the birth of a child or the placement of a child in adoption or foster care, then the faculty member may make use of any of the 12 weeks of family and medical leave in a 12-month period for which the faculty member is eligible under the Family and Medical Leave Act. Family leave is without pay. However, during any period of family leave, the University's contribution to the premiums for a faculty member's health insurance benefits will be continued at the level that existed prior to commencement of the leave for a period of up to one semester in any 12-month period. Time spent on family leave shall not be counted in determining eligibility for sabbatical leave. This policy is intended to establish a faculty member's entitlement to a minimum standard, not to replace other informal or flexible arrangements that may be worked out between a faculty member and his or her Department chair. Request for family leave, when possible, should be made one semester in advance by written request to the department chair or program director,

dean of the college, and the Office of the Provost. (Rev. 9/95, Office of Employee Relations to reflect Collective Bargaining Agreement)

#### *4.1.14.3 Parental Leave*

The University of Delaware recognizes the importance of having a parental leave policy that helps all faculty balance the responsibilities of work and parenthood. The University of Delaware encourages faculty to develop a dialogue with their chairs/directors so that their career paths can be maintained while assuming the added responsibilities of parenthood.

It is the policy of the University to comply with the Family and Medical Leave Act (FMLA) of 1993, which grants an eligible employee up to a total of 12 workweeks of unpaid leave in any 12-month period for certain circumstances. The following Parental Leave policy sets forth the options that are available to faculty. An eligible employee is entitled to up to a total of 12 work weeks of parental leave during a 12-month period for the birth or placement of a child for adoption or foster care. Due to the academic calendar, faculty may receive unpaid FMLA leave for an entire semester. This parental leave will count against the employee's total family and medical leave entitlement of 12 weeks in any 12-month period.

Faculty may have time off with pay if they are physically unable to work due to pregnancy, childbirth, miscarriage, abortion, or other related medical conditions. The University reserves the right to require a doctor's certification at any time for periods longer than six weeks.

If possible, faculty requesting time off for reasons associated with childbirth must notify their supervisor three months prior to the anticipated date of the leave. Faculty members are encouraged to follow professional advice concerning the length of time worked during pregnancy and the appropriate time to resume work after childbirth or related medical conditions. (Rev. 3/15/01, Office of Labor Relations through AAUP contract negotiations).

The University and the AAUP also recognize that childbirth and adoption can affect the teaching and service availability of a faculty member. Department chairpersons and faculty members must develop workload options that meet department and individual needs immediately following the birth or adoption of a child under the age of five by the faculty member. If the faculty member is the primary caregiver, he or she will be granted a one semester administered load that allows a choice of either partial or full relief from teaching and service during the semester of the birth or the adoption of a child under the age of five by the faculty member or immediately following the birth or adoption. (Rev. 9/2012) The provost or designee and the AAUP Contract Maintenance Officer are available to discuss such options with faculty and department chairs. (2013-2016 Collective Bargaining Agreement between the University and the AAUP, Article 9.16). (Rev. 10/1/15)

#### *4.1.14.4 Medical Leave*

It is the policy of the University to comply with the Family and Medical Leave Act of 1993, which grants an eligible employee up to a total of 12 workweeks of leave in any 12-month period for certain circumstances. An eligible faculty member is entitled to up to a total of 12 work weeks of unpaid medical leave during a 12-month period to care for an immediate family member (spouse, child, or parent) with a serious health condition, or when the faculty member is unable

to work because of his or her own serious health condition. This medical leave will count against the employee's total family and medical leave entitlement of 12 weeks in any 12-month period. Generally, such medical leave is unpaid.

- To be eligible for medical leave, the faculty member must have worked for the University for at least one academic year.
- The University may require that any period of medical leave be supported by certification issued by a healthcare provider. The certification must be provided in a timely manner. Subsequent recertifications may be required.
- Requests for medical leave should be made in writing, stating the reason for the leave, the requested starting date of the leave and the faculty member's anticipated date of return.
- All requests for medical leave, except for emergency situations, must be submitted as far in advance as possible, but in any event, at least thirty (30) days prior to the commencement of the leave in order to enable the University to provide for adequate staffing of the faculty member's position during the leave.
- A request for medical leave must be submitted to the faculty member's department chairperson or dean.
- Upon return from medical leave, the University will return the faculty member to his or her original teaching duties.
- During a period of approved medical leave, the University will continue the faculty member's hospital-medical-surgical and dental benefits up to 12 weeks. University contributions to benefit programs stop after 12 weeks of medical leave. If the faculty member voluntarily decides not to return from leave for reasons unrelated to personal or family illness or reasons unrelated to the birth, adoption, or placement in foster care of a child, the University may seek to recover its portion of health plan premiums paid for the faculty member during the leave. (Policy added 11/93, Office of Employee Relations; approved by Faculty Senate)

#### *4.1.14.5 Military Leave*

The University recognizes the need to have a policy that addresses the employment and re-employment rights for employees who elect to join the armed services, the National Guard, or the military reserves.

It is the policy of the University to comply with the Uniformed Services Employment and Reemployment Act of 1994 which grants military leave for all employees and, in most cases, reinstatement rights regardless of whether the service is voluntary or involuntary.

For the full policy, see the [Personnel Policy Number 4-53 Military Leave](#) in the [University of Delaware Administrative Policy Manual](#). (Text added in entirety 6/00, Vice President for Administration) (Last updated 03/11/2002)

#### *4.1.14.6 Research/Scholarship Semester for Tenure-track Assistant Professors*

To assist with their professional development and their progress towards promotion and tenure, tenure-track Assistant Professors are eligible for a semester at full pay devoted to

research and scholarship during the third or fifth year of probationary period of service. This research/scholarship semester will count as part of six-year probationary period for purposes of promotion and tenure.

Assistant Professors must apply to their chairpersons for the research/scholarship semester no later than January 1st of the second full year of service for a third year research semester and the fourth full year of service for a fifth year research semester.

The application must include a detailed proposal for the work to be conducted during the semester and demonstrate the direct significance of that work to meeting the promotion and tenure criteria of the unit. The department chairperson (or other appropriate administrative officer) will evaluate the academic merits of the proposed work in the context of the promotion and tenure criteria of the unit. Proposals may be rejected because of lack of merit.

Approval of the application for a research/scholarship semester will be conditional upon a two-year contract renewal for the Assistant Professor that will include the period of research/scholarship semester.

Approval of each application requires the positive recommendation of the chair and the dean, and a copy sent to the provost. Any exceptions to the policy require the approval of the provost. The department and college will be responsible for meeting the instructional needs from which each Assistant Professor is released from their own resources. A proposal may be rejected if the department and college are unable to otherwise meet the instructional needs from which the Assistant Professor is to be released.

Faculty members on a research/scholarship semester are not eligible for extra compensation for teaching in Continuing Education or other overload assignments.

All Assistant Professors who complete a research/scholarship semester must serve a full year after that semester.

The research/service semester is in lieu of a mini-sabbatical after three years of service (whereby the individual is eligible for a semester at half pay). Assistant Professors who take a mini sabbatical in their fourth year of service are not also eligible for the research/scholarship semester. The time-clock for eligibility for the next sabbatical will begin with the semester after completion of research/service semester. (Text added in entirety 03/11/2002).

#### *4.1.14.7 Sabbatical Leaves*

Sabbatical leave is granted by the University to full-time tenure-track or tenured assistant, associate, and full professors, to full-time, continuing non-tenure track faculty (see "[Non-Tenure Track Faculty](#)") and to administrators holding academic rank, with either or both of the following aims: (1) to provide time for research or other professional or creative activity; (2) to provide time for improvement of instructional materials and techniques or their administration. (Rev. Office of the Provost, 12/96)

Sabbatical leave is not automatic. The justification of a sabbatical leave is determined primarily on the basis of a written proposal outlining the nature of the program to be undertaken and the benefits to the individual and to the University that may reasonably be expected. The

department chair (or other appropriate administrative officer) meeting with a departmental committee to examine the proposals, shall determine their academic merits. Proposals may be rejected because of lack of merit or low priority or may be deferred because of staffing problems.

Faculty members on sabbatical leave are not eligible for extra compensation for teaching in Continuing Education or other similar assignments.

**Qualifications for Sabbatical Leave:** Apart from the merits of the written proposals, qualifications for obtaining sabbatical leave are as follows: (Rev. Fac. Sen. 4/95)

- The applicant shall have been a full-time member of the faculty (or a full-time administrator holding academic rank) for six full years to be eligible for sabbatical leave salary option "a" (see Compensation section); or for three full years for sabbatical leave salary option "b" (see Compensation section).
- The applicant shall hold a tenure-track or tenured appointment at the rank of assistant, associate, or full professor, or shall hold a full-time, continuing non-tenure track appointment. (Rev. Office of the Provost, 12/96)
- Leaves of absence without pay exceeding ninety days shall not be counted toward the minimum number of years for eligibility; neither shall they be counted adversely as in any way disqualifying a candidate's application for sabbatical leave or seriously affecting the recommendation for such leave.
- The credit toward a sabbatical leave does not begin to accumulate until the beginning of the next appointment semester after returning from a sabbatical leave. (Rev. Fac. Sen. 11/95) Research and extension personnel paid wholly from other than University funds are not eligible to apply for sabbatical leaves.

The award of Fulbright-Hays, Guggenheim, NSF, ACLS, or other extramural grants from appropriately accredited agencies shall not be construed as disqualifying a candidate for sabbatical leave; on the contrary, it may be taken, in part, as endorsing his application. Teaching appointments, especially abroad, shall also be regarded as a positive recommendation, except in the case of Fulbright-Hays lectureships, where faculty members may not agree to teach more than half-time while on sabbatical leave.

Occasionally, it may be necessary for the University to postpone the award of an acceptable sabbatical leave request for reasons that have nothing to do with the specific merits of the application itself. In the event of postponement or deferment of sabbatical leave by the University administration, the intervening period shall be counted toward the accrued time required for the next sabbatical leave application. On the other hand, if a faculty member delays the application until after the normal period has elapsed, he or she may not claim the intervening time toward another sabbatical leave request.

**Application Procedure:** Faculty must submit sabbatical applications using an [electronic form](#). Applications for sabbaticals are made through the department chair. Applications must include an outline of activities to be engaged in while on leave and a statement indicating how the leave will promote the faculty member's professional development and benefit the University of Delaware. Each case is considered individually, but in general, approval is limited to those



applications that present a well thought through plan of study, research, travel, or other activity clearly related to the faculty member's professional field and duties at the University of Delaware. (Rev. Office of the Provost 11/97).

Applications for full-year sabbatical leave should reach the department chair approximately twelve months before the leave period either in September or January, depending on when the one-year sabbatical will be initiated; notification of the action on the grant shall be made not later than the first Friday in December or May following the request for sabbatical. Applications for half-year sabbaticals should reach department chairs by either mid- September or the first Friday in February, depending upon the period for which the leave is requested, but in either case, approximately twelve months before the leave period; notification of the action shall be made not later than the first Friday in December or the first Friday in May following. The importance of early application and early notification for the University and for the individual faculty member cannot be overemphasized. Applications received with less than the lead time indicated may be accepted, but the disadvantages of risking later notification or lower priority rating should be recognized.

The department chair, in consultation with the appropriate committee, will evaluate the proposal and will indicate to the dean the rating of the project and the manner proposed to absorb or fill the vacancy thus created. The dean will study all aspects of the recommendations and make the final determination concerning the leave and copy the provost. The applicant shall be notified of the action at each level of administrative review. Any exceptions concerning the terms and conditions of a sabbatical leave require the approval of the provost.

**Sabbatical Periods:** Most faculty are on 9-month academic year appointments, with a September 1 contract renewal date. While the salaries of 9-month faculty are paid over the full 12 month period, workload is assigned only during the fall and spring semesters of the academic year. To make it convenient for faculty on 9-month academic year appointments, half the appointment year is interpreted as one semester. This enables faculty who select this option to teach during winter session without requesting a special waiver of the University policy against additional compensation for teaching during sabbaticals.

Faculty on 9-month appointments who select a full year sabbatical are eligible to earn up to 3/9ths from externally supported grants so long as that work is part of the approved sabbatical proposal.

Faculty on continuing 9 plus 1 and 9 plus 2 appointments may extend semester sabbaticals for one or two months during the summer respectively.

For faculty on fiscal year appointments with a contract renewal date of July 1, half year appointments may be either July 1 to December 31 or January 1 to June 30.



**Compensation:** The following sabbatical leave salary options are available to the University of Delaware faculty (Rev. 5/00):

Option A	After six appointment years of full-time service, one year at 75% of salary, or one-half an appointment year at full salary will be granted. (Revised via AAUP contract negotiation, 3/99)
Option B	After three appointment years of full-time service, one-half an appointment year at half salary will be granted.
Option C	Faculty holding named professorships or named chairs receive full salary for leave options (a.) or (b.)

Inasmuch as the faculty member on leave is still considered to be a full-time employee, all University of Delaware regulations and benefits shall apply to the recipient while on sabbatical leave. The University and the recipient shall both continue to carry on respective financial responsibilities for group life insurance, retirement (TIAA/CREF or Fidelity Investments), hospitalization and major medical insurance, and other benefits. However, if a recipient participating in the University Retirement Plan wishes, he or she may elect to reduce the premium in the same proportion and for the same period as the total salary is reduced while on leave. In all instances, however, the University premium payments will remain at their usual level.

The recipient of a sabbatical leave is required to return to the University of Delaware for at least one full year's service at the conclusion of a sabbatical earned after six years' service, or one-half year at the conclusion of a sabbatical awarded after three years' service. If a faculty member resigns during or at the completion of a sabbatical leave, he or she must return to the University the salary that was received while on that particular leave.

**Accountability:** Upon return, recipients of sabbatical leaves shall submit a written report to their department chair and dean (or appropriate administrative officer) summarizing their activities and accomplishments. Subsequent sabbatical leave requests may be evaluated, in part, on the basis of the achievements during previous sabbatical leaves. Therefore, any concrete indications of the value of the sabbatical leave (books or articles published, renewed requests for services, etc.) should be submitted as and when they become available for inclusion or notation in the faculty member's personnel file in the chair's office.

#### *4.1.14.8 Sick Leave*

The University has an informal policy with respect to sick leave for faculty. Individual cases are handled so as to impose the least possible hardship on the faculty member and his or her family within the resources of the University. Hospital confinement or sickness that exceeds three days should be reported in writing to the dean's office.

#### *4.1.14.9 Vacation Leave*

Faculty on academic year contracts do not earn vacation time. Faculty on 12-month fiscal year contracts earn vacation in the same manner as professional and salaried staff (see [University policy 4-60, "Vacation Accrual and Use"](#)).

#### *4.1.14.10 Retirement Leave*

Faculty are eligible for retirement leave as stipulated in Section 9.8 of the [Collective Bargaining Agreement](#).

#### *4.1.14.11 Emergency Involuntary Leave of Absence with Pay*

The University of Delaware seeks to protect the safety of its students, faculty, and staff. At the same time the University seeks to preserve and respect the academic freedoms necessary for the intellectual life of a university.

In striking the appropriate balance between these interests, the University recognizes the importance of establishing a procedural framework that respects the right of faculty members to receive attention and care for limited periods of time without foregoing their salaries or incurring reputational harm.

Except as provided in this policy, the vice president shall not be permitted to suspend a faculty member for non-disciplinary reasons unless the faculty member is given a prior opportunity to contest the action through the filing of a complaint with the Faculty Senate Committee on Faculty Rights and Responsibilities.

### **I. APPLICABLE DEFINITIONS**

As used in this policy, the following terms shall have the meanings indicated.

- A. "Faculty member" means any Professor, Associate Professor, Assistant Professor, Lecturer, or Instructor employed on a full-time, part-time, or temporary basis by the University of Delaware or any affiliate, college, department, school, or operating unit of the University.
- B. "Provost" means the Provost of the University; and "Deputy Provost" means the Deputy Provost or other person at the rank of Vice, Senior Associate, or Associate Provost designated by the Provost.
- C. "Vice President" means the Vice President for Finance and Deputy Treasurer or, should the Vice President for Finance and Deputy Treasurer be unavailable, such other University employee designated by the Executive Vice President.
- D. "Dean" means the dean of the college housing the faculty member.
- E. The "Consultative Panel" means the President of the Faculty Senate, the Vice President of the Faculty Senate, a designated representative from the AAUP, and the Deputy Provost; or, should any one of such panel's members be unavailable or unreachable, the remaining members of such panel so long as such panel consists of three members.
- F. "Emergency involuntary leave of absence" means a faculty member's involuntary and temporary suspension from the University for a definite period of time,

during which time the faculty member is not permitted to perform work-related duties on campus.

- G. "With pay" means entitlement to current salary plus any benefits to which the faculty member and his or her dependents are entitled by virtue of the faculty member's University employment.
- H. "AAUP" means the University of Delaware Chapter of the American Association of University Professors, and "Collective Bargaining Agreement" means the collective bargaining agreement entered into between the University and the AAUP and currently in effect.
- I. "Prior to imposition of the involuntary leave" means that the faculty member is entitled to a prior hearing by filing a complaint with the Faculty Senate Committee on Faculty Rights and Responsibilities, consistent with Section 4.1.15 of the Faculty Handbook, before the imposition of an involuntary leave of absence with pay.

## II. EMERGENCY INVOLUNTARY LEAVE OF ABSENCE WITH PAY

- A. The University may require a faculty member to take an emergency involuntary leave of absence with pay if, on the basis of observed conduct, there is credible evidence to believe that the individual has engaged, is engaging, or is likely to engage in behavior that represents an imminent danger of harm to self or others. Examples of behavior warranting action under this policy include, but are not limited to: (1) a suicidal threat or attempt; (2) ongoing substance abuse or addiction threatening immediate physical harm to self or others; (3) manifestations of severe emotional distress or other behavioral or emotional disorder threatening immediate physical harm to self or others; (4) engaging or threatening to engage in behavior that poses a high probability of substantial harm to self or others; (5) engaging or threatening to engage in behavior which would cause significant property damage, would directly and substantially impede the lawful activities of others, or would interfere with the educational process and the orderly operation of the University; or (6) engaging or threatening to engage in any other form of destructive behavior.
- B. Before an involuntary leave of absence is ordered, the vice president shall give the individual the option to take a voluntary leave of absence.

## III. PROCEDURES

- A. Under exceptional and urgent circumstances which meet the conditions specified in Section II.A of this policy, as determined and documented in writing by the vice president, the vice president may place a faculty member on emergency involuntary leave of absence with pay for an initial period that shall not last more than seven calendar days. Should the vice president determine that time permits, the vice president shall make every reasonable effort to confer with and seek the advice of the Consultative Panel in advance.
- B. As soon as possible after placing a faculty member on emergency involuntary leave of absence with pay and in no event longer than 24 hours after taking that action, the vice president shall convene the dean and the Consultative Panel by

telephone or in person; shall explain the action taken and the basis for such action; and shall seek input and advice.

- C. By no later than the end of each emergency involuntary leave of absence period, a meeting between the vice president and the faculty member shall occur to further evaluate the need for a continuation of the emergency involuntary leave of absence with pay. The AAUP Contract Maintenance Officer shall inform the faculty member of her/his due process rights and the procedure under this policy. At the faculty member's request, the AAUP Contract Maintenance Officer shall attend the meeting, and at the faculty member's request, the faculty member can be accompanied to the meeting with a University employee selected by the faculty member. At such meeting, the faculty member shall be (1) provided with the option of taking a voluntary leave of absence with pay for such period and upon such terms as the faculty member and the vice president shall agree upon, and (2) given an opportunity to provide the vice president with relevant materials or information pertinent to the situation; provided, however, that, should the vice president be informed that the faculty member is unable or unwilling to attend such meeting, the vice president, following consultation with the Consultative Panel, may dispense with such a meeting.
- D. The vice president may place a faculty member on a second period of emergency involuntary leave of absence, provided that the requirements in Sections III.B and III.C of this policy have been satisfied. If at least three members of the Consultative Panel determine that the decision to impose a second emergency involuntary leave with pay is not warranted, then the second involuntary leave with pay will be rescinded. With respect to any vote of the Consultative Panel taken in accordance with Section III.D of this policy, the deputy provost shall be a non-voting member if all four members of the Consultative Panel are present.
- E. Should a faculty member be placed on involuntary leave for any reason other than an emergency described in Section II.A of this policy, the faculty member shall be entitled to contest the involuntary leave through the filing of a complaint with the Faculty Senate Committee on Faculty Rights and Responsibilities. The complaint shall be adjudicated prior to imposition of the involuntary leave.

#### IV. FACULTY REVIEW

Should an emergency involuntary leave of absence with pay be imposed, the faculty member may seek review as follows:

- A. Any faculty member placed on emergency involuntary leave of absence may seek review of the substance of the decision by the vice president by filing a complaint with the Faculty Senate Committee on Faculty Rights and Responsibilities as provided in the Faculty Handbook. In accordance with the "Mediation and Hearing Procedures" established by the Faculty Senate Committee on Faculty Rights and Responsibilities, the provost shall render the final decision on such complaint.
- B. If the faculty member is a member of the AAUP bargaining unit and entitled to file a grievance under Article VIII of the Collective Bargaining Agreement, then in

addition to any other remedy the faculty member may file a grievance limited to allegations of procedural error under this policy.

#### 4.1.15 Terminations and Non-Renewals

**Terminations:** A clear understanding of the terms of the contract between the faculty member and the University is a prerequisite for a harmonious relationship. Within the terms of his or her contract, a faculty member at the University of Delaware is assured that an appointment will be terminated only for adequate cause-- incompetence, gross irresponsibility, or moral turpitude-- except for termination caused by extraordinary financial circumstances.

Faculty members shall be terminated for cause only after being afforded a hearing before the Senate Committee on Faculty Rights and Responsibilities. Faculty members shall be informed in writing at least four weeks prior to the hearing of the reasons for the proposed termination, shall have the opportunity to be heard in their own defense, and shall be permitted to be advised and represented by persons of their own choosing. This committee shall render its advisory decision to the appropriate administrative officer within 14 working days after the hearing. The complete procedures of the committee are given in a document titled [Committee on Faculty Rights and Responsibilities Termination and Complaint Procedures](#) which is kept on file in the Faculty Senate Office for consultation by interested individuals.

In the case of termination for cause, the burden of proof in the proceeding's rests with the party or parties bringing the charge. In the case of proposed termination for moral turpitude, faculty members may be temporarily suspended in the event that their continued presence at the University would constitute a clear and present danger to the health, morals, or safety of members of the University community until the final decision is rendered. Termination for cause shall become effective after one year's notice of the final decision to terminate; however, the effective date for termination involving gross irresponsibility or moral turpitude may be immediate.

**Non-renewals:** Proposals for the non-renewal of continuing faculty members' contracts, and the reasons for them, shall be reviewed by the faculty or an appropriate group of the faculty of the departments/units concerned. The written recommendation resulting from such review shall be taken into consideration by all the administrative officers concerned before a final decision is made. Continuing faculty members shall be given notice in writing of the decisions and the reasons for them.

In the event of a decision not to renew, the faculty member shall have an opportunity to request a timely reconsideration by the appropriate decision-making body or person. A faculty member who alleges that academic freedom has been violated by the decision-making body or person, or that the decision-making body or person did not give adequate consideration to the circumstances, may petition the appropriate faculty committee. Notice of nonrenewal shall be given in accordance with the following standards recommended by the Faculty Senate and approved by the administration.

- Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one- year appointment terminates during an academic year, at least three months in advance of its termination.
- Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.
- At least twelve months before the expiration of an appointment after two or more years in the institution with the exception of instructors and lecturers with one-year appointments, who shall be notified not later than December 15.
- Notice for temporary faculty is customarily given at the time of appointment in the form of an appointment letter which stipulates the term of the appointment, and that the appointment is temporary. Additional notice of non-renewal is not required. (10/13/05)
- **Tenure and Salary of Appointees to Positions Paid from Limited Term Grants:** Appointments to positions paid in whole or in part from limited term grants of funds for special purposes shall be subject to the following provision regarding termination of service and salary in event of cessation of funds from such special sources:

In case of persons not previously employed by the University, both the service and the salary shall forthwith terminate regardless of the rank or titles held.

The President of the University shall be permitted to omit at his or her discretion the above statement from the contracts of such faculty considered as regular members of the faculty whose salaries are paid in part from sponsored research.

### **Mediation and Hearing of Complaints by the Committee on Faculty Rights and Responsibilities:**

The Committee on Faculty Rights and Responsibilities is charged with mediating and hearing faculty complaints which are not "grievances" as defined in the Collective Bargaining Agreement. Disputes within the jurisdiction of the Committee on Faculty Rights and Responsibilities include, but are not limited to, the areas of reappointment, dismissal, faculty evaluation and appraisal, salary adjustment, sabbatical leave, fringe benefits, academic freedom, and other areas of personnel policy and conditions of faculty employment.

Before bringing a dispute before the committee by lodging a complaint, a faculty member is expected to have exhausted all other reasonable means of resolving the dispute. Such reasonable means will usually include discussions with the faculty member's department chairperson and/or college dean.

Procedures for mediating and hearing complaints are detailed in "[Committee on Faculty Rights and Responsibilities Termination and Complaint Procedures](#)", approved by the University Faculty Senate, May 3, 2021, available in the Faculty Senate Office. A flow chart summarizing the complaint process is attached to those procedures. The purpose of the procedures is the resolution of disputes in a fair and collegial manner.

An important feature of the committee's procedures is to encourage the resolution of disputes by mediation, without resort to a formal hearing. If a formal hearing becomes necessary, all parties to the dispute are required to attend that hearing, and to participate honestly and fully.

After the hearing, the committee shall write an opinion which shall include its conclusions about the dispute and any remedies the committee may recommend. This opinion shall be advisory to the University Provost, who has final authority in the disposition of all complaints. In addition, the committee may recommend to the University Provost revisions in or additions to portions of University policy relevant to the dispute.

Ultimate authority for its committees is vested in the Senate, which therefore has responsibility to oversee committee operations and modifications in committee procedures. The Committee on Faculty Rights and Responsibilities shall have the authority to initiate requests for amendment to the detailed procedures. These requests will be evaluated by the Committee on Committees and Nominations, which will determine whether the proposed changes are minor or major. Requests for minor changes may be decided by the Committee on Committees and Nominations. Requests for major changes require approval by the Senate. (Rev. 4/6/92, Rev. 5/2021)

#### 4.1.16 Resignations and Final Checks

Individuals resigning from a faculty position should submit a letter to the department chairperson no later than April 1 or 30 days after receiving notification of the terms of his or her continued employment for the following year, whichever date occurs later. Except by mutual agreement with the appropriate University administrator, resignations by the teaching faculty to become effective during the academic year cannot be accepted.

In the case of Agricultural Experiment Station and Cooperative Extension System personnel, resignations will be made by letter to the head of the department in the Experiment Station and to the Director of the Cooperative Extension System sixty days or more in advance of the date on which the resignation is to become effective. Any accumulated leave must be taken prior to date of resignation and at the convenience of the department concerned.

**Final Checks:** A faculty member's final check will be direct deposited into their checking account.

### 4.2 Academic Freedom and Standards of Conduct

#### 4.2.1 Academic Freedom Statement

Academic freedom is indispensable to effective teaching, excellent research/creative activities, exemplary service, and shared governance. Academic freedom is the right of faculty to examine and discuss all questions of interest to them, and to teach, publish, present, and speak, without censorship or external interference, even though their conclusions may be unpopular or contrary to public opinion (see 3.1.1). The methods, curricular choices, and grading procedures should be the prerogative of the faculty teaching a particular course, limited only by appropriate professional norms, the Faculty Handbook (see 3.1.8, 3.1.9, 3.1.10, 3.1.11, 4.2.14), and the Collective Bargaining Agreement (Article II). Academic freedom also encompasses the freedom to discuss any matter of institutional policy or practice, without institutional sanction. Respecting academic freedom means that faculty input should be sought on all academic matters germane to University life (see 4.5). Both within and outside the classroom, members

of the faculty should exhibit the accuracy, restraint, and tolerance for the opinions and ideas of others appropriate to educators and persons of learning.

Faculty members are entitled to full freedom in research and in the publication of results, but research for pecuniary return should comply with relevant University policies (see 3.2.4, 4.1.13, 4.2.6, 4.2.7).

Faculty are entitled to freedom in the classroom in discussing their subject but should be careful not to introduce content that has no relevance to the subject.

Classroom visitations for the purpose of teaching evaluations are compatible with academic freedom, but such visitation shall adhere to reasonable procedures contained in a written statement approved by a majority of department faculty.

The faculty is an individual, a member of a learned profession, as well as a member of an educational institution. When speaking as an individual, he or she should be free from institutional censorship or discipline, but his or her special position in the community imposes special obligations. As a person of learning and as an educator, a member of the faculty should remember that the public may judge his or her profession and institution by his or her utterances. Hence faculty should at all times be accurate, show respect for the opinions of others, and make every effort to indicate that he or she is not an institutional spokesperson. In relations with the public, they should make it clear at all times whether they speak as private citizens, as experts on the subject in question, or as institutional spokesperson. In speaking as private citizens, faculty should make clear that they are doing so. In this connection, use of University titles should be permitted for identification purposes only, and it should be made clear that institutional endorsement is not implied.

Members of the University community are free to examine and to discuss all questions of interest to them and to express opinions publicly and privately. They are free to support causes by orderly means including any means of peaceful assembly or advocacy that do not infringe upon the rights or freedoms of others. Members of the University community are allowed to invite, to hear, and to see speakers, creative performers, and artistic presentations of their own choosing. Guest appearances must not interfere with the University's regular instructional, research, and service programs. Except for ceremonial occasions, invited speakers and presenters should be prepared for a public discussion of their expressed views.

Invited speakers and presenters are accorded the full protection appropriate to a university community. Individuals or groups who engage in actions designed to obstruct or to prevent the speaker from speaking and the presenter from presenting or displaying any form of artistic expression are subject to discipline and to financial responsibility in the event of damage to property or person.

The institutional control of campus facilities is not to be used as a device of censorship. Sponsorship of guest speakers and presenters does not imply approval or endorsement of the views expressed, either by the sponsoring unit or the University. (Rev. May 2019)



#### 4.2.2 Professional Ethics Statement

It is University policy that "employees are expected at all times, to respect the rights of the University, its students, visitors, and other members of the University community. Inherent in this responsibility is the obligation to be courteous, respectful, honest, and to protect the University environment."

On April 3, 1995, the University Faculty Senate adopted the following statement on professional ethics, taken from the 1990 edition of the AAUP *Policy Documents and Report*.

##### I. Introduction

From its inception, the American Association of University Professors has recognized that membership in the academic profession carries with it special responsibilities. The Association has consistently affirmed these responsibilities in major policy statements, providing guidance to professors in such matters as their utterances as citizens, the exercise of their responsibilities to students and colleagues, and their conduct when resigning from an institution or when undertaking sponsored research.

1961	<i>Statement on Recruitment and Resignation of Faculty Members</i>
1964	<i>A Statement on Extramural Utterances (Clarification of sec. 1c of the 1940 Statement of Principles on Academic Freedom and Tenure)</i>
1965	<i>On Preventing Conflicts of Interest in Government-Sponsored Research at Universities</i>
1966	<i>Statement on Government of Colleges and Universities</i>
1967	<i>Joint Statement on Rights and Freedoms of Students</i>
1970	<i>Council Statement on Freedom and Responsibility</i>
1976	<i>On Discrimination</i>
1984	<i>Sexual Harassment: Suggested Policy and Procedures for Handling Complaints</i>

The Statement on Professional Ethics that follows sets forth those general standards that serve as a reminder of the variety of responsibilities assumed by all members of the profession.

In the enforcement of ethical standards, the academic profession differs from those of law and medicine, whose associations act to ensure the integrity of members engaged in private practice. In the academic profession the individual institution of higher learning provides this assurance and so should normally handle questions concerning propriety of conduct within its own framework by reference to a faculty group. The Association supports such local action and stands ready, through the General Secretary and Committee B, to counsel with members of the academic community concerning questions of professional ethics and to inquire into complaints when local consideration is impossible or inappropriate. If the alleged offense is deemed sufficiently serious to raise the possibility of adverse action, the procedures should be in accordance with the 1940 *Statement of Principles on Academic Freedom and Tenure*, the 1958 *Statement of Procedural Standards in Faculty Dismissal Proceedings*, or the applicable provisions of the Association's *Recommended Institutional Regulations on Academic Freedom and Tenure*.

## II. 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. In the exchange of criticism and ideas professors show due respect for the opinions of others. 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. (Added by Faculty Senate 4/95; renumbered 2/99) (Last editorial update 2/12/99.)

#### 4.2.3 Distribution of Published Materials on Campus

Freedom of expression is absolutely essential to the life of the University. To guarantee this freedom to every member of the University community, and in order to provide an atmosphere in which free and open debate prospers, the following policies govern the distribution of published materials on the campus. Published materials are printed or electronic, whether privately or professionally produced, that are not part of the curriculum.

- Members of the University community (all classifications of students, faculty, staff, and registered student organizations) may distribute published materials on campus with the understanding that doing so must be done in compliance with all applicable laws and University Codes of Conduct.
- The University encourages those who publish materials to identify themselves. However, if materials are published in a way that inaccurately attributes content to the University or others, the University may direct those who publish such materials to either correct the inaccuracy or identify themselves.
- Any member of the University community with sponsorship by a department or student organization may distribute published materials at any point on campus except in areas where such distribution may reasonably be limited. In areas restricted to members of the University community, identification may be requested.
- A person who is not a member of the University community may distribute published materials on the campus if she or he has obtained the sponsorship of a member of the University community, who has determined that the manner of distribution is in accord

with this policy and any applicable policies set forth by the University Student Centers and Residence Life and Housing. The name of the sponsoring member of the University community or registered student organization must appear with all materials distributed.

- If the time, manner, or place of distribution of published materials constitutes a violation of this policy or a disruption of normal University activity, a University official may so inform the distributors and request that distribution be discontinued. If the distributors refuse, the official shall advise them that they may face disciplinary action if they persist.
- The University will not limit the distribution of published materials on the basis of what is contained in such materials. (Rev. May 2019)

#### 4.2.4 Disruptive Behavior

A university in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication. The rules it has should be conceived solely for the purpose of furthering and protecting the rights of all members of the University community in achieving these ends. In such a community, criticism and dissent play an essential role, and must be tolerated and encouraged. On the other hand, a distinction must be drawn between those who would attempt to bring change through the use of nonviolent tactics, and those who would bring it through violence. Physical harassment, violence, or threat of violence to anyone on the University premises, destruction of or damage to property, obstruction, and disruptive behavior, however, are not acceptable tactics in such an environment, for they constrain others from pursuing their educational goals and are in conflict with the academic ideal that conflicts should be resolvable by reason and civil interchange. Disruptive behavior is defined as any act that prevents the accomplishment of any lawful activity, process, or function of the University. To ensure that these principles are workable in practice, the scholarly community must be organized so as to generate freely given consent and loyalty and provide for the relief of grievances. The views of all participants in the academic enterprise must enter into the process of consensus, and opportunities for change must be open. Nevertheless, the concept that a small group can impose its will on the majority by the use of force or intimidation is the very antithesis of what is proper in a university environment.

With respect to specific enforcement of the general policy against disruptive behavior, any faculty member so charged shall be entitled to a hearing before the Faculty Rights and Responsibilities Committee before formal action is taken by the University. He or she shall be entitled to the safeguards described in the [Academic Freedom Statement](#). Disposition of these cases by the committee may range from dismissal of the charges to a recommendation to the president that the faculty person's contract be terminated. Charges of disruptive behavior against a faculty member may be brought by any voting member of the faculty.

With respect to specific enforcement of the general policy against disruptive behavior, any student charged with such behavior is entitled to a hearing before the appropriate judicial body, with the safeguards and rights of appeal described in the [Student Rights and Responsibilities Statement](#). If the disruptive behavior by a student is, in the opinion of the Vice President for Student Life or the designated representative, of such nature as to prevent the

accomplishment of any lawful activity, process or function of the University, the Vice President for Student Life may direct the student to cease the behavior promptly. If the student does not cease the disruptive behavior promptly, the Vice President for Student Life may impose an enforcement suspension. Enforcement suspension is defined as an interim action, effective immediately, that removes the student from the University and prohibits his or her presence on the campus until the case is resolved in accordance with prescribed judicial procedures.

Disruptive behavior by nonmembers of the University will not be tolerated and will be subject to civil action.

It is the desire of the University community to maintain full control of its own affairs. The President of the University shall determine when it is necessary to call outside security forces to the campus to restore order. It is the policy of the faculty, under its responsibilities with respect to students, that the initiation of a call by the President of the University for outside security forces be done whenever possible with the prior consultation of the officers of the faculty senate when available. Such forces will be called only when there is clear and imminent danger of bodily injury or loss of life, significant danger to property, or other serious disruption of the University. The following principles shall guide the University community during such a crisis: (1) violence shall be avoided by clear warning and adequate opportunity to desist peacefully both before and at the time of confrontation by outside security forces; (2) outside security forces shall be explicitly enjoined at the time of their call to use the minimum necessary restrained force to secure the peace, being to the extent possible forces so trained, and being particularly enjoined to avoid to the utmost extent possible the use of firearms; (3) it shall be the responsibility of the faculty to decrease the dangers of violence by exemplary behavior and patient guidance; (4) it shall be the responsibility of the faculty, further, to engage in surveillance of any action by security forces (internal or external), to cooperate, where possible, in securing the peace, and to eliminate to the maximum extent feasible any unnecessary or unwarranted further interruption or disruption of normal University activities. (Policy approved by Faculty Senate and adopted by University of Delaware June 1, 1970, Rev. 5/2021)

#### 4.2.5 Sexual and Other Unlawful Harassment

The purpose of the policy set forth below is to promote an academic and work environment that is free from all forms of unlawful harassment and discrimination whether that discrimination or harassment is because of race, color, gender, age, religion, national origin, disability, veteran status, or any other characteristic protected by law. It is designed to ensure a safe and nondiscriminatory environment that protects both the constitutional and civil rights of students, faculty, and staff.

The University of Delaware is committed to protecting the rights and dignity of all employees and students and seeks to maintain an environment that is free from all forms of unlawful harassment and discrimination. The University will not tolerate any form of unlawful harassment and discrimination. Under law, unlawful harassment is a form of unlawful discrimination. Unlawful harassment and discrimination are a violation of federal and state law, including Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and the Delaware Fair Employment Practices Act. Nothing in this policy is meant to infringe

upon First Amendment or academic freedom protections set forth in the Handbook for Faculty and in the Collective Bargaining Agreement between the University of Delaware and the American Association of University Professors.

Unlawful harassment goes beyond the mere expression of views or thoughts (spoken or written) that an individual may find offensive. The conduct must be sufficiently serious to unlawfully limit an employee's or student's ability to participate in or benefit from the activities of the University. Further, prohibited conduct must be evaluated from the perspective of a reasonable person in the alleged victim's position, taking into account all of the circumstances involved in a particular matter.

### **Sexual Harassment**

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual, or (3) such conduct has the purpose or effect of unlawfully interfering with an individual's work or academic performance or unlawfully creating an intimidating, hostile, or offensive working or academic environment.

The following types of actions may constitute sexual harassment, whether the harasser is a co-worker, supervisor, student, or faculty member:

- demand for sexual favors accompanied by implied threats about the person's employment status, or implied promises of preferential treatment
- persistent, unwelcome flirtation, requests for dates, advances, or propositions of a sexual nature
- unwanted touching such as patting, pinching, hugging, or repeated brushing against an individual's body
- repeated degrading or insulting comments that demean an individual's sexuality or sex
- unwarranted displays of sexually suggestive objects or pictures
- sexual assault

### **Other Unlawful Harassment**

Other unlawful harassment includes any verbal or physical conduct toward another that is based on the other's race, color, sex, religion, national origin, disability, veteran status, or any other characteristic protected by law, and that (1) unlawfully creates an intimidating, hostile, or offensive learning and/or working environment or (2) unlawfully interferes with an individual's work or academic performance.

Threatening, intimidating, or engaging in hostile acts that create an unlawful, hostile environment based on an individual's race, color, gender, religion, national origin, disability, veteran status, or any other characteristic protected by law may constitute unlawful harassment, whether the harasser is a co-worker, supervisor, student, or faculty member.

## **Corrective Action**

Supervisory personnel are responsible for maintaining an academic and work environment that is free of unlawful harassment and discrimination. Immediate and appropriate corrective action will be taken when instances of unlawful harassment and discrimination occur. Supervisors should consult with the Office of Employee and Labor Relations in such cases.

## **Non-Retaliation**

It is a violation of University policy to retaliate in any way against students or employees because they have raised allegations of sexual or other unlawful harassment. Because a charge of unlawful harassment may have serious consequences, complainant(s) must bring the charge in good faith and in accordance with University policy. Person(s) against whom the complaint is lodged also bear a responsibility to abstain from retaliatory behavior toward the complainant(s) outside the established channels of redress. A complainant whose allegations are found to be false or to have been brought with malicious intent will be subject to disciplinary action.

**Lodging a Complaint:** Employees/students who believe that they are being subjected to unlawful harassment, including sexual harassment, should discuss the matter with their supervisor/advisor, if appropriate, or directly contact the [Women's Caucus](#), the Office of Equity and Inclusion, or the Office of Employee and Labor Relations (OLR) for confidential support, information, and possible informal resolution. Faculty members who believe they are being subjected to unlawful harassment, or are being accused of unlawful harassment, should contact the AAUP Contract Maintenance Officer. Complaints of unlawful harassment will be referred to the Vice President for Administration for further investigation and corrective action. Employees/students may contact the Vice President for Administration directly if they feel they have been subjected to unlawful harassment. Complaints will be investigated by the Vice President for Administration. (Rev. Office of Administration 8/25/98; Handbook updated 4/9/01)

**Procedures:** Upon receipt of an allegation of sexual or other unlawful harassment against a full-time faculty member, the Vice President for Administration will meet with the individual against whom the complaint has been made, his/her department chairperson or immediate supervisor, college dean or unit head and the AAUP Contract Maintenance Officer. (Rev. Fac. Sen. 2/10/97)

The AAUP will be notified if the complaint involves a faculty member(s) in any way. If the accused is a faculty member, the AAUP will be notified in time to allow consultation with the accused prior to the meeting. The Vice President for Administration will advise the accused that it is in his/her best interest to seek out the AAUP Contract Maintenance Officer for consultation prior to any meetings. (Rev. Fac. Sen. 2/10/97)

The Vice President for Administration will interview other individuals when needed in conjunction with the AAUP Contract Maintenance Officer, to ascertain the validity of the complaint. The investigation will proceed in a timely manner and every effort will be made to conclude the investigation within thirty working days of its inception. All reports of unlawful harassment are considered to be confidential. All individuals involved in reviewing an allegation

of sexual or other unlawful harassment maintain confidentiality to the fullest extent possible within the requirements of conducting a complete investigation. (Rev. Fac. Sen. 2/10/97)

If the Vice President for Administration, after deliberating with the parties named in paragraph one above, finds that there has been a violation of this policy, corrective action will be promptly taken. This may include one or more of the following actions depending on the severity of the offense:

- A verbal warning that a repetition of the reported impropriety will result in written action.
- Placement of a letter in the individual's personnel file indicating the nature of the improper behavior. The letter may include a notation about required counseling and any action that will be taken in the future should there be a repetition of the offensive behavior(s).
- Immediate removal of the individual from the classroom/work site and placement on leave of absence so that the individual can receive appropriate counseling. Return to teaching and/or professional duties will be guided by the individual's progress.
- Initiation of written action by the dean or appropriate vice president to dismiss the individual from the University's employ. For faculty, dismissal will follow the procedures set forth by the Faculty Senate Committee on Faculty Rights and Responsibilities.

The Vice President for Administration will, as soon as practicable, notify the complainant(s) when the investigation has been concluded and indicate the nature of any corrective action taken.

**Formal Redress:** A more formal means of redress from sexual or other unlawful harassment may also be sought through grievance procedures, as described below.

For faculty, a complaint may be brought before the Faculty Senate Committee on Faculty Rights and Responsibilities. A faculty member may also appeal the results of the previous procedures to the same committee. Upon review of a written appeal, the committee may elect to pursue the matter and make additional recommendations to the University Provost. A grievance may be commenced under the AAUP collective bargaining agreement if the previous procedures set forth above have not been properly followed.

For hourly employees and police officers, the grievance procedures are found in their collective bargaining agreements.

For professional and salaried staff, the grievance procedures are found in the [University of Delaware Administrative Policy Manual](#).

For students, the grievance procedures are found in the [Student Guide to University Policies](#). (Rev. 6/5/89, updated 11/15/93, revised Office of Employee Relations 2/96, Rev. Fac. Sen. 2/10/97, corrected 6/97, Last editorial update 4/10/01, Faculty Senate revision 5/05, Rev. 3/06, Rev. 5/21)



#### 4.2.6 Conflict of Interest and Ethical Conduct

What constitutes conflict of interest or unethical conduct on the part of those affiliated with a college or university has a moral as well as a legal base. The officers, faculty members, and other employees of the University are expected to maintain at all times relationships and practices in their University activities that are legally, ethically, and morally correct. It is essential that all employees of the University conduct University business and their private business and financial affairs that might impinge upon the University in a manner that stands the sharpest scrutiny by those who would seek to find wrongdoing. It is also essential that the University have on record a written statement of this expectation of its employees.

The best way to ensure propriety and avoid even the semblance of wrongdoing is for all employees to follow a practice of full prior disclosure in writing of any association, relationship, business arrangement, or circumstance that might suggest to disinterested and objective referees that decisions were made contrary to the best interest of the University and for personal gain or the gain of family, close friends, or non-University business associates at the expense of the University. Interests and actions that might otherwise be questionable may be judged to be entirely proper if the rule of full prior disclosure is followed.

Questions related to this policy should be directed to the Office of the Vice President for Administration.

#### 4.2.7 Consulting and Other Outside Employment

The first duty and responsibility of the faculty member is to render to the University the most effective service possible. At the same time, consultation and other activities of a highly professional nature are looked upon favorably and encouraged where these activities make a positive contribution to the University ([Policy 4-84](#)). No outside service or enterprise, professional or other, should be undertaken that might interfere with the discharge of this prime responsibility or bring the faculty member, as an expert or in any other capacity, into conflict with the interests of the University.

A faculty member must keep the department chairperson and the dean fully informed about the nature and extent of each arrangement that involves consulting or other compensated and/or unassigned outside professional activities. Chairs and deans share a responsibility with the faculty member to assure that outside activities do not interfere with the discharge of the faculty member's responsibility to the University and do not conflict with University policy. Under no circumstances should such outside employment or other activity exceed the equivalent of one day per week.

The University can assume no responsibility for private professional activities rendered by members of its faculty, and it must be made clear to those funding such activities that the work has no official connection with the University.

University facilities, equipment, or other resources may be used for outside consulting and unassigned professional activity only after written approval has been obtained from the chairperson of the faculty member's department, the dean, and the person responsible for operating the facility or equipment or otherwise responsible for the resource in question.

Appropriate compensation to the University for the use of the resource(s) must be part of the request for this approval; that is, the chairperson of the department, the dean, and the person otherwise responsible for the resource in question must approve the compensation amount.

In general, the practice of using University resources for outside consulting activity is to be discouraged. When it is approved as described above, the faculty member will pay the rate established by the University for the use of the facility, equipment, or other resource. Such compensation to the University must be made in a timely manner - within no more than 60 days of the time of use of the University resource.

The obligations of a faculty member to the University Patent Policy must be made known to any outside employer before a commitment for consulting services is made when there would be any possibility of a conflict of interests.

Teaching and teaching-related activities for remuneration that are undertaken for an institution, organization, or entity other than the University, such as serving as the instructor or developer of a traditional or online course offered by an institution, organization or entity other than the University, require the approval of the faculty member's department chair and dean and the provost. Because of the possibility of conflict with University Professional and Continuing Studies programs, the department chairperson or the dean should consult with the Director of Professional and Continuing Studies before any arrangements are contemplated. (Rev. 3/2014)

#### 4.2.8 Jury Duty

The University encourages faculty members to fulfill their civic duty by serving as jurors when called upon.

Faculty members called upon to serve as jurors will continue to receive salary during periods of absence necessitated by appearance at Court. Such individuals will keep their chairperson or dean advised of probable periods of absence.

Where teaching or research schedules are affected, the faculty members shall cooperate with their chairperson or dean in finding suitable substitutes for instruction of students or for the conduct of research that cannot be delayed.

If an individual faculty member must complete most of the teaching and research responsibilities in addition to the time spent as a juror, then the per diem payment shall be retained by the individual. In all other cases the monies received from the state, county, or city for such service as a juror will be remitted to the University Payroll Officer. Such reimbursement to the University will be only the per diem rate paid, not travel or meal allowances. (Approved by Faculty Senate 12/19/77)

#### 4.2.9 Faculty as Graduate Students

Part-time and full-time faculty cannot concurrently obtain a degree in the same program in which they are employed at the University.

#### 4.2.10 Academic Conflicts of Interest

Members of the same immediate family and those whose personal situation constitutes a family or other intimate relationship may be employed, on a full-time or part-time basis, so long as neither member is responsible for the supervision, direction, evaluation, or merit recommendation of the other. All such cases involving direct supervision should be reported to the provost, the Vice President for Administration, and the Executive Vice President and Treasurer.

While the University of Delaware does not prohibit the appointment, retention, or the holding of tenure of more than one member of the same family on the faculty, however, all faculty should avoid real or apparent conflict of interest, coercion, favoritism, or bias by not serving in evaluative roles involving someone who is an immediate family member or anyone with whom they have a consensual amorous relationship. Faculty members should not participate in instructional supervision or in other institutional decisions (initial appointment, retention, promotion, salary, leave of absence, etc.) involving a direct benefit to members of their immediate families or those with whom they have consensual amorous relationships.

There may be times when, for reasons of degree completion, a family member or someone in a consensual amorous relationship may have no alternative but to enroll in a faculty member's course. Whenever such a situation arises or is foreseen, the faculty member should report the situation promptly to the appropriate administrative supervisor (chair, director, or dean). The supervisor should take effective steps to insure the unbiased evaluation or supervision of the student.

This policy includes all full- and part-time faculty or other personnel who teach and supervise research, including graduate students and administrators with faculty status. Evaluative situations include, but are not limited to, supervising instruction, serving on thesis and dissertation committees, supervising independent studies, and serving on committees for awards.

#### 4.2.11 Employment of Members of the Same Family

Members of the same immediate family and those whose personal situation constitutes a family or other intimate relationship may be employed, on a full-time or part-time basis, so long as neither member is responsible for the supervision, direction, evaluation, or merit recommendation of the other. All such cases involving direct supervision should be reported to the provost, the Vice President for Administration, and the Executive Vice President and Treasurer.

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#### 4.2.12 Engagement in Political Activity

The position of the University of Delaware as a tax-assisted but nonpolitical institution imposes on all employees special responsibilities for the use of good judgment in political matters. The University also recognizes the constitutional right of its faculty members to assume the responsibilities of citizenship in governmental affairs, and such activity of itself shall not be a negative factor in the continuing University appraisal of faculty members' professional worth or competence. Faculty members proposing to run for election or accept an appointment to a public office, a position in a political party, or a campaign are expected to notify the President of the University in advance. The president will require only that the contemplated activity will not prevent the faculty member from meeting University responsibilities, and that it will not pose a legal conflict of interest. If the activity will preclude meeting University responsibilities or result in a legal conflict of interest, the president will require the faculty member to apply for leave of absence without pay. Under the Charter of the University, neither University facilities nor University equipment may be used to support political parties or candidates. (Rev. 7/1/76)

#### 4.2.13 Guidelines for Writing Letters of Recommendation

Writing letters of recommendation are a matter of personal judgment. Such requests require that forthright evaluations be made about colleagues or students. Therefore, only judgments that can be supported by demonstrable evidence should be part of such correspondence. Letters should address only the relevance of the person's qualifications for the position about which commentary is sought; reference to an individual's personal appearance, professional ambition, traits of character, marital status, number of children, etc. should be assiduously avoided. The following guidelines are offered when writing letters of recommendation.

1. **When a Student or an Employee (Present or Former) Asks for a Letter of Recommendation**
  - If a positive recommendation cannot be written, the individual should be so informed.
  - If the writer has some reservations about offering a positive recommendation, the person requesting the letter should be so informed. If a letter is still sought, then

opportunity should be provided for the individual to read the reference letter before it is sent.

- If the letter of recommendation must be kept confidential, then written permission must be obtained to waive any right of inspection. A copy should be kept on file and indication that such a waiver has been received included in the body of the letter.
- A faculty member or other employee may not be willing to recommend someone for a position but willing to write a letter of evaluation. If so, there should be written agreement that an alternative letter of evaluation is acceptable to the person requesting a reference letter. Again, evaluations must be based upon clearly documentable evidence.

**2. When an Individual or Agency Outside the University Asks for Commentary About a Colleague or Student**

- Only positive letters of reference should be written unless the questions asked are specific and refer to job-related activities. Unsupported hostile remarks about students, colleagues or former or current employees must be avoided. Reference letters can be frank as long as the proffered information is accurate and can be documented.
- Confidential letters of recommendation may be provided to outside groups as long as the individual about whom the reference letter pertains is willing to sign a waiver foregoing his or her right to inspect the letter. If such a waiver is not obtained, the requesting individual or agency should be informed that, consistent with University policy, a reference letter will not be forthcoming.

#### 4.2.14 Faculty Adoptions of Instructional Materials

The University Bookstore requires the countersignature of department chairs on textbook adoptions when the faculty member is both the author and instructor. The countersignature assures the textbook buyer that there is no potential for personal gain or an appearance of conflict of interest. This requirement should in no way be construed to mean that faculty must seek approval for use of textbooks, nor that the adoption of textbooks is restricted.

#### 4.2.15 Open Access Policy

The faculty of the University of Delaware is committed to disseminating the fruits of its research and scholarship as widely as possible and thus the faculty adopts the following policy:

Each faculty member grants to the University of Delaware permission to make available his or her scholarly articles and to exercise the copyright in those articles. More specifically, each faculty member grants to the University of Delaware a nonexclusive, irrevocable, worldwide license to exercise any and all rights under copyright relating to each of their scholarly articles, in any medium, provided that the articles are not sold for a profit. The policy applies to all scholarly articles authored or co-authored while the person is a member of the faculty, except for any articles completed before the adoption of this policy and any articles for which the faculty member entered into an incompatible licensing or assignment agreement before the adoption of this policy.

The University will automatically waive application of the license for a particular article or delay access for a specified period of time upon express direction by a faculty member or their designee.

Provision of each article shall be as convenient as possible for faculty. Each faculty member will, upon request, provide an electronic copy of the author's final version of each article to the University of Delaware Library in an appropriate format.

The University of Delaware Library will make the articles available to the public in an open access repository, UDSpace or its successor. The policy will be reviewed during the 2018-2019 academic year, and a report on utilization and dissemination will be presented to the Faculty Senate at that time. (June 2016)

### 4.3 Workload and Evaluation

#### 4.3.1 [Consistency between Workload Policy and Other Policies](#)

The University strives for consistency among the following policies:

- Workload assignment policies;
- Promotion and tenure policies and decisions;
- Faculty appraisals by the department chairperson or college dean, et. al.;
- Merit salary award policies;
- Initial contract and contract renewal decision policies.

Faculty holding tenure-track positions are expected to perform the activities enumerated in the unit's approved Promotion & Tenure document.

#### 4.3.2 [Approval of a Unit Workload Policy](#)

The members of the unit, in consultation with the unit administrator, and following their own by-laws, will prepare and adopt a workload policy that accurately represents the composition of each component of the workload.

Upon approval by the department of the workload policy, the unit administrator will forward the policy and make a recommendation to the dean with respect to the feasibility and appropriateness of the policy. The dean will either forward the approved policy to the AAUP Contract Maintenance Officer or return it to the unit for revision (see below). The AAUP Contract Maintenance Officer will review and either certify that the workload policy conforms to the bargaining contract provisions or return it to the unit for revision (see below). Following certification, the policy will be forwarded to the University Provost for review and action. Certification will be required before the policy is transmitted further. The University Provost will either approve a unit's workload policy or return it to the unit for revision (see below). Approval of a proposed workload policy by the University Provost constitutes the final step in the review process.

If the policy is not deemed feasible or appropriate at any stage of the review, it will be returned to the faculty of the unit with specific comments and suggestions. The faculty of a unit shall, after having considered such comments and suggestions, adopt a final workload policy.

A unit's final workload policy and plan can be returned by the appropriate administrator to the unit for revision if it is not congruent with academic program needs or does not comply with all University policies or the collective bargaining agreement. Academic program needs include course requirements of the academic unit, teaching availability of full-time faculty, the non-instructional responsibilities of the academic unit and the contributions of the unit within the college and the University. (Article XI, [Collective Bargaining Agreement, 2010-2013](#)).

Units may modify their policy at any time by the procedure outlined above. [Approved by the Office of the Provost and the AAUP Executive Committee, 05/02/2002]

#### 4.3.3 Faculty Workload Policies

"The University of Delaware exists to cultivate learning, develop knowledge, and foster the free exchange of ideas. State-assisted yet privately governed, the University has a strong tradition of distinguished scholarship, research, teaching, and service that is grounded in a commitment to increasing and disseminating scientific, humanistic, and social knowledge for the benefit of the larger society. Founded in 1743 and chartered by the state in 1833, the University of Delaware today is a land-grant, sea-grant, space-grant, and urban-grant University.

The University of Delaware is a major research University with extensive graduate programs that is also dedicated to outstanding undergraduate and professional education. UD faculty are committed to the intellectual, cultural, and ethical development of students as citizens, scholars and professionals. UD graduates are prepared to contribute to a global society that requires leaders with creativity, integrity, and a dedication to service.

The University of Delaware promotes an environment in which all people are inspired to learn, and encourages intellectual curiosity, critical thinking, free inquiry and respect for the views and values of an increasingly diverse population.

An institution engaged in addressing the critical needs of the state, nation and global community, the University of Delaware carries out its mission with the support of alumni who span the globe and in partnership with public, private, and nonprofit institutions in Delaware and beyond." (Mission Statement, approved 2008).

Faculty workload is assigned in support of the academic programs of our departments, schools, and colleges. Within this framework, all academic units must have written and approved workload policies. The procedures for development and approval of unit workload policies are stipulated in "[Approval of a Unit Workload Policy](#)."

A unit's workload policy must be congruent with academic program needs and in compliance with all University policies and collective bargaining guidelines.

Evaluation of academic program needs must include course requirements of the academic unit, teaching availability of full-time faculty, the non-instructional responsibilities of the academic unit, and the contributions of the unit within the college and the University.



It is recognized that, depending upon their responsibilities and priorities, academic units will vary in the relative balance of teaching, research, and service assignments to faculty.

**Periodic Review of Workload Policies:** Over time the needs of academic departments/units will change necessitating periodic review and possible modification of workload policies. Departments/units may modify their policies at any time following the procedures outlined in the Faculty Handbook. The recently approved [Collective Bargaining Agreement](#) (July 1, 2005-June 30, 2008), Article XI, 11.3 stipulates that: "beginning July 1, 2002, all academic departments must review their workload policies to maintain congruence with academic program needs (following procedures outlined in 11.2 above) as well as to assure compliance with all University policies and collective bargaining guidelines." It is further stipulated that: "By June 30, 2003, academic units and chairs must present their workload policies, whether revised or not, for review and approval by the appropriate dean, the AAUP Contract Maintenance Office, and the provost."

Workload policies must also be reviewed as part of the unit's regularly scheduled Academic Program Review and/or periodic review for accreditation or re-accreditation.

**Alignment of Workload with Other Policies:** The University seeks alignment and consistency between workload policies and other policies related to faculty contributions and evaluations.

As stipulated above in "[Consistency between Workload Policy and Other Policies](#)" the University strives for consistency among workload policies, promotion and tenure policies and decisions, faculty appraisals by the department chairperson or college dean, merit salary award policies, and initial contract and contract renewal decision policies.

**Expectations of All Faculty:** All faculty, whether tenure track or non-tenure track, must meet general University expectations. These expectations include participation in and contributions to:

- Regularly scheduled undergraduate and/or graduate instruction;
- Advisement, mentoring, and academic supervision of students;
- Faculty governance and the development and effective conduct of the academic program as defined by departmental and college by-laws;
- Other responsibilities expected of all faculty on the basis of approved departmental and college by-laws or as set forth by the College or University Faculty Senate or as otherwise stipulated in University policy.

The Administration and the AAUP will come to agreement on a unit-by-unit basis on the general University expectations that apply to faculty on non-administered workloads.

**Expectations of Tenure-Track Faculty:** Faculty holding tenure-track positions are expected to perform the activities enumerated in the unit's approved Promotion and Tenure document.

Research and publication are a significant part of each faculty member's total contribution as a member of the academic community. Faculty members must be engaged in some form of creative activity in their academic fields, and it is expected that creative activity will be evidenced by publication or other forms of scholarly output, which not only signifies the



completion of scholarly inquiry but makes it available to other scholars. The number and frequency of publications [or other forms of scholarly output] will vary with the individual, the field of study, and the proportion of time devoted to research; however, no faculty member can be excused from research and scholarly productivity on the grounds that all available time is devoted to other activities.

Conversely, teaching, advising, committee responsibilities, and community service are not to be neglected on the ground that research and publication have a higher priority. Each faculty member is expected to make a balanced contribution to the University.

**Administered Workloads:** Twelve credit contact hours or 18 teaching contact hours per week per semester constitutes a 100% workload for the semester for the academic year as described in the [Collective Bargaining Agreement](#), Article XI.

In practice, however, the University adheres to a policy of "administered" teaching loads, particularly in the case of tenure-track faculty. Under this arrangement department chairpersons and deans are encouraged to vary the teaching loads of individual faculty members so long as the total teaching obligations are met with the teaching personnel available. This flexible arrangement makes it possible for the chairpersons to make assignments of individual faculty members on a semester-to-semester basis to stimulate research and scholarship or to provide for unusually heavy committee assignments.

The policy of administered workloads carries a responsibility for the effective implementation by the departmental chairperson or other academic unit head. Workloads are to be administered to reflect an optimal utilization of the talents and contributions of the faculty in accord with the academic program needs of the department and the faculty's opportunities for continued professional development and achievement. Unit workload policies must stipulate how the policy of administered workloads will be implemented.

Administered workloads are not automatic but must accord with the actual contributions of the faculty members who are assigned such workloads. Thus, workload assignments to support research and scholarship must, over time, be reflected in research and scholarly productivity commensurate with that workload responsibility.

When a faculty member's administered workload assignment does not comport with his/her actual research and scholarly contributions, the chair may increase the teaching or service components of that faculty member's workload. In such an instance, the faculty member may request a review of his/her research quality and productivity and the chair will appoint an ad-hoc committee for that purpose. The composition of the review committee will be decided by the chair and its recommendation will be advisory. Alternatively, the chair may appoint such a committee, in the absence of any request from the faculty member. In all cases, the faculty member will have the opportunity to submit any evidence deemed appropriate to the committee's tasks. The recommendation(s) of the ad-hoc committee are advisory; the chair has final responsibility for any change in a faculty member's workload. (Approved by the provost and the AAUP Executive Council, 12/01/03)

**Workload Policy Statement and the Composition of Workload:** The workload policy statement must describe the expectations of faculty regarding teaching, scholarship and service, the composition of faculty workload in that unit, and the basis for that composition.


The composition of workload must be congruent with all University policies and Collective Bargaining guidelines. The composition must also be congruent with the mission and academic program responsibilities of the unit, the terms of appointment of the faculty member, and the contributions of the unit within the college and the University. For tenure-track faculty, the composition of workload also must be consistent with promotion and tenure guidelines. For these reasons and given that units implement a policy of administered workloads, the composition of workload varies among and within academic units.

The policy statement must include a description of the composition of workload that reflects the application of a consistent metric for assignments of annualized efforts in teaching, scholarship, and service. The metric must conform in all respects to University policies and the Collective Bargaining guidelines.

Workload policies must describe the following:

- The composition of the typical administered workload for tenure-track faculty, stipulating the correspondence by distribution of effort to the total workload of 12 credit hours or 18 teaching contact hours per semester;
- The conditions for variation from that typical workload for tenure-track faculty; that is, how the policy of an administered workload will be implemented;
- The composition of the typical workload for each type of non-tenure track faculty within the unit (instructional, clinical, public service), stipulating the correspondence by distribution of effort to the total workload of 12 credit hours or 18 teaching contact hours per semester;
- The conditions for variation from that typical workload, if any, for each type of non-tenure track faculty in the unit;
- The differences in workload responsibilities for faculty on different types of appointments (such as 9-month, 10-month, 11-month, 9 plus 1, 9 plus 2 appointments).
- The manner in which workloads will be administered for sponsored program responsibilities and assignments to other restricted sources of support, and for other special circumstances appropriate to the unit that might reduce instructional workload. A college approved instructional buy-out policy should be referenced as appropriate. (Approved by the provost and the AAUP Executive Committee, 06/13/02)

#### 4.3.4 Faculty Evaluation and Merit Assessment Option for Summer Work

While most full-time faculty have 9-month academic year appointments, all faculty have year-round responsibilities. The  ["Conditions of Employment"](#) section of the Faculty Handbook stipulates:

***All regular members of the teaching staff of the University are fully engaged for the whole year of fifty-two weeks. While normally members of the teaching staff are required to teach for only nine months annually, responsibilities of faculty to the University do not cease during the***

***summer months. The summer period is provided for reading, study, research, and travel related to the professional development of the faculty member as well as for providing a reasonable period for relaxation.***

Many faculty on 9-month academic year appointments utilize the summer to concentrate on programs of scholarship and research, both externally sponsored and unsponsored. Indeed, the books, articles, papers, technical reports, professional presentations, and other creative contributions produced are the result of continuing effort throughout the year and often across many years. These achievements are important elements of the faculty member's record of scholarly and research achievement, and they are reviewed and accorded weight in decisions on contract renewal, promotions and tenure, and merit allocations.

If specifically permitted by approved departmental workload policies, a faculty member on a 9-month academic year appointment has the opportunity to request that performance in a summer program of sponsored or unsponsored scholarship and research will be included in the annual faculty evaluation. The request from the faculty member to the department chair must be made on an annual basis during the workload planning process.

If the request is granted, the agreement must be documented as part of the individual's workload plan for the subsequent year. Documentation must include a statement of the summer program of scholarship and research and the expected products of that program, and it must stipulate the duration of the summer program up to three months.

A chair may turn down a faculty member's proposal on substantive grounds related to the content of the proposal, the appropriateness of the proposed program as part of the workload for the faculty member, or the department's needs and priorities. No request from a faculty member for inclusion of a summer research program in evaluation and merit can proceed without the chairperson's approval and the inclusion of this program in the faculty member's workload plan.

When it is a part of the individual's annual workload plan, this summer program of scholarship and research must be considered in computing the overall percentage distribution of faculty effort in teaching, research, and service for the year, with a weighting appropriate to the agreed duration of the summer program up to three months. For those with an approved summer program, the computed overall distribution of faculty effort must be accorded appropriate weight in the annual evaluation and in the application of the department's approved metric for merit allocation.

For example, a faculty member on a 9-month academic year appointment may have a workload distribution of 50% teaching, 40% research/scholarship, and 10% service. If the faculty member's request for a 2-month summer research program is approved and included in the workload plan, the revised workload distribution for purposes of evaluation would be 41% teaching, 51% research/scholarship, and 8% service.

The request by a faculty member on a 9-month academic year appointment for approval of a summer program of scholarship and research must be entirely voluntary and it must be renewed on an annual basis. The department chairperson or other academic administrator may

not assign such an obligation, nor may such an obligation be adopted by a department as a standard expectation of all faculty in that department. An approved summer program of scholarship and research must have no impact on the faculty member's workload assignments during the two academic semesters. Under no circumstances will the responsibilities associated with the approved summer program be transferable with responsibilities during the academic year. During the period of an approved summer scholarship and research program, the faculty member is not eligible to teach for compensation or carry out other responsibilities inconsistent with the approved program. (Approved by the provost and the AAUP Executive Committee 05/24/02).

#### 4.3.5 Evaluation of Faculty Members

##### **Purpose**

Annual evaluations provide administrators, faculty, professionals, and staff an opportunity to meet with their immediate supervisors for a personal review of activities and accomplishments and a planning session for future objectives and goals. Leadership at the unit level can have a most direct and significant effect.

Peer evaluations, which come less frequently, attempt to put wider resources into the review processes, resources that are represented by one's colleagues and their collective experience and wisdom. Since promotion and tenure recommendations are heavily dependent on peer evaluations, it is essential that candidates have early indications from their colleagues regarding their progress in the areas of teaching, research, **and creative activity**, and service. The chair's role in these latter activities is to facilitate and coordinate the processes and to provide leadership wherever appropriate.

##### **Annual Evaluation of Faculty**

The intent of the annual evaluation procedure is to:

- Provide the faculty member and the chair with an opportunity for personal review
- Provide an accurate means of planning and evaluation of a faculty member's professional growth and development
- Provide each faculty member and the University with timely and documented information concerning the faculty member's achievements and goals.

In addition to the above, these appraisals form the basis for merit pay increases. Annual appraisals are not intended to take the place of either development or committee evaluations for promotion or tenure or of the periodic peer review of faculty.

Each year, the department chair meets in person with each faculty member in the department, including permanent part-time faculty, to discuss the faculty member's development during that year and plans for the coming year. The period covered in this meeting is the twelve-month period of time since the last appraisal.

Prior to their annual meeting, the chair and the faculty member complete a draft of the Faculty Appraisal and Planning Form. During the discussion, the faculty member is shown a copy of the mid-ratings (median) for the entire department as established by the chair's preliminary

evaluation of the department's faculty. In some cases, the rating of an individual faculty member may be changed as a result of this discussion. After all faculty have met with the chair, final mid-ratings (median) for the entire department are calculated and recorded on each faculty member's form. If the faculty member takes exception to any of the chair's ratings, the faculty member's rating for that item is also recorded on the form. After the interview has been completed, the chair and the faculty member sign the final copy. The faculty member's signature does not indicate agreement or disagreement with the appraisal, but simply that it was discussed in detail with the chair.

The data required at the top of the form are self-explanatory. Full-time is checked if the person is full-time with the University and if all University responsibilities are being evaluated in the appraisal and planning form even though the individual may not be 100 percent funded by the department. Part-time personnel, or personnel whose appraisals and planning form covers only part of their University responsibilities, are designated by indicating the proportion that is devoted to the department and is being appraised. For faculty with joint appointments, their appraisals and plans are combined on one form, after the evaluating chair has consulted with the second chair. Otherwise, two separate forms, based on separate evaluations and requiring separate interviews must be prepared.

For each of the three areas (teaching, research and creative activity, and service), the percent of the faculty member's workload assigned to that area is indicated. These percentages are very important because readers, in interpreting these appraisals, weigh each area according to the percent of effort assigned to that area for the individual faculty member.

For each area or item, the chair writes a narrative appraisal of the faculty member's relevant activities and then rates the person's performance on that activity. The criteria to be used as the bases for these judgments are the criteria for performance of faculty members at each rank as codified under the promotion criteria accepted by the department, college, and University promotion and tenure committees, and by the Office of the Provost, and should take account of the individual faculty member's particular responsibilities

A 9-point scale for the ratings anchored at the end points with the terms unsatisfactory and outstanding is utilized. N/A (Not Applicable) should be used only in those cases where there is no requirement for that individual to engage in that particular activity. In other cases, N/R (Not Rated) may be used. For example, a new Ph.D. might be given N/R in research and creative activity because that individual's research program is too new to be evaluated meaningfully but should not be given N/A because assistant professors, even new ones, are expected to engage in scholarly activity.

Faculty members may add other materials to support their ratings on their activities, especially where they believe that a different appraisal should have been given. Chairs also may add materials they consider appropriate. Along with a copy of the Faculty Appraisal and Planning Form, copies of additional materials should be provided to the faculty member, the chair/department, the dean, and the provost.

It is recognized that no chair or any single individual can duplicate the judgment of several committees, nor can performance during a single year determine one's promotion, nor can

these procedures match the extensive and intensive evaluation that takes place when a person comes up for promotion. Faculty appraisal and planning sessions provide an opportunity: 1) for faculty members to inform their chairs more completely and accurately about their activities; 2) for chairs to give the faculty their best judgments on how well the faculty have fulfilled their responsibilities during the year prior to appraisal; and 3) for the faculty member and chair to discuss the faculty member's plans for the coming year. The intent is to determine mutually acceptable goals that develop the faculty member's strength or correct any weaknesses. (Rev 4/24/19).

### **Peer Evaluation of Faculty**

On recommendation of the Faculty Senate and approval by the administration, "faculty members at all ranks should be subject to periodic reviews at reasonable intervals of time." The recommended intervals are at least every two years for instructors and assistant professors, every three to five years for tenured associate professors, and every five to seven years for full professors. These reviews are to be conducted by duly established committees of faculty.

In addition, the department chairperson reviews annually each department member on a Faculty Appraisal Form. This review is discussed with the faculty member, and the form is signed by both the faculty member and the department chairperson.

**Principles Guiding the Peer Evaluation of Faculty Members:** Faculty members at all ranks should be subject to periodic reviews at reasonable intervals of time.

Reviews of individual faculty members will normally originate with the individual department. Such reviews should involve a substantial number of faculty members but not the chairperson.

Faculty members under review have the right to supply such evidence that they feel may be necessary to a fair evaluation of their merits. This should not preclude departments or others properly involved in the review process from soliciting and using other evidence, but in every such instance, the faculty member should be informed of the source of that evidence.

Appropriate administrative officers may make independent evaluations within the review process.

Upon completion of the review, the faculty member will be apprised of the results. Faculty members shall be required to include their contract renewal reviews as part of their dossier for promotion and tenure; this should include the evaluations or reviews conducted by the established committees of the faculty and by the corresponding administrative office (e.g., department chair). (Rev. 5.10.07)

Faculty members are fully entitled to the rights of appeal. Reviews of individual faculty would not be a substitute for competency hearings of tenured faculty. They may serve, however, as a basis for instituting such hearings. In the event of a competency hearing, due process would be observed, with the burden of proof residing with those instituting the hearing.

**Periods of Peer Evaluation:** Instructors and assistant professors should be reviewed at least every two years but normally no more often than once a year. Not later than the fall of the sixth year of service, assistant professors should be reviewed for promotion.

Tenured associate professors should be reviewed at least once within every three to five year period of service but normally not more often than every two years. Non-tenured associate professors should be reviewed in the year prior to their eligibility for tenure.

Full professors should be reviewed at least once every five to seven year period of service, but normally not more often than every two years.

**Departmental Responsibility:** The department chairperson organizes and coordinates reviews of faculty.

Reviews of instructors and assistant professors should be conducted with the participation of associate and full professors in the department. In no case should faculty members be reviewed without the participation of at least two members of their department, one of whom, if possible, must be a rank at least one step higher than the person under review.

Associate professors should be reviewed by professors in the department. In those departments where fewer than two professors are available to conduct such a review, the chairperson of the department may request professors from other related departments to serve on the review body.

Full professors should be reviewed by a committee of at least three of their peers. In small departments, professors from other related departments may be asked to serve at the request of the chairperson.

These provisions specify minimum requirements. A department may choose to constitute the whole department, or any other designated authority, to serve as a review body. A department may choose to include in the review body faculty members at the same rank or lower rank of the person being evaluated so long as such persons do not constitute a majority of the body.

**Submission and Evaluation of Documents and Other Evidence:** The faculty member under review should assemble a dossier of materials that he or she regards as appropriate and convincing evidence of his or her abilities in the three major areas of evaluation (see below). The faculty member should be notified of the date that the dossier is required by the chairperson. This date should be in sufficient time before the review date, which should also be specified.

The review body or the chairperson of the department may request additional evidence from: (a) the faculty member under review; (b) other sources within the University, such as experts in related fields, committee chairpersons, and colleagues; (c) similar sources outside the University. In all instances under (b) and (c), the faculty member should be informed that such evidence is being requested. If any evidence is requested in confidence, the faculty member must be told the source of such confidential information. He or she may then communicate to the review committee in writing his or her position as to the qualifications of that source.

The review body should evaluate the evidence and the faculty member's abilities in each of the three major areas. A report summarizing the reasons for or against a favorable judgment should then be forwarded to the dean of the college along with the chairperson's independent

evaluation. A copy of the report of the review body, of the chairperson, and of any other administrator may be delivered to the faculty member under review upon request.

**Administrative Evaluations:** Appropriate administrative officers, such as chairpersons, deans, provost, vice-provost, and president may review the dossier of each faculty member reviewed whenever a recommendation for sabbatical, promotion, and/or tenure is made by the department, or whenever there is a significant and substantial change in the status or conditions of employment of any faculty member. Further evidence may be solicited in accordance with the same procedures stipulated under "Submission and Evaluation of Documents and Other Evidence" above.

**Reporting Results of Reviews:** Each faculty member is entitled to a personal interview with the chairperson of the department and, upon request, a written report of his or her review. Wherever possible, the interview and report should carry specific indications where evidence has been satisfactory or, when it has not been, specific recommendations for improvement before the next review.

**Appeals:** A faculty member may appeal the decision of the review body by requesting another review within a semester of the first review, and he or she may request a new committee. This request may be rejected by the department but is subject to appeal to the appropriate college and University committees. (Rev. 6/95, Rev. 5/07)

#### 4.3.6 Categories of Faculty Activity

The three major areas of scholarly activity are (1) Teaching and Instruction; (2) Research and Creative Activities; and (3) Public, Professional, and University Service. Precise demarcation between the three major areas is often difficult and sometimes impossible; in any case, all activities of a faculty member must be considered as an integrated whole. Therefore, every department must maintain discipline- and departmental-specific descriptions of appropriate activities in each category of activity. Faculty activity in each of the areas may vary from year to year, or even semester to semester, according to the interests and abilities of the faculty member, and according to the needs of his or her department, college, or the University as agreed to by the chairperson and dean. (Rev. 4/24/19)

**Teaching:** Under this category, examples may include but are not limited to the following:

- Facilitating the acquisition of knowledge through course delivery
- Community engaged educational programs including extension presentations
- Supervision of academic service learning activities
- Clinical teaching
- Study abroad programs
- Distance education and off-campus educational initiatives
- Continuing education
- Contract courses or programs for specific audiences
- Educational programs for alumni
- Participatory curriculum development
- Academic advisement for undergraduate students



- Academic advisement of graduate students
- Teaching and mentoring of undergraduate student researchers
- Teaching and mentoring of graduate student researchers
- Attendance at venues of teaching professional development
- Assessments of course effectiveness (Rev. 4/24/19)

**Research and Creative Activities:** Under this category, examples may include but are not limited to the following:

- Dissemination of research (books, book chapters, and peer-reviewed journal articles), including basic and applied discovery, teaching pedagogy, and community-based, contractual, and patent discovery, etc.
- Creative activities such as plays (creation, production, and/or performance), poetry, fiction, music (composition and/or performance), art and dance exhibitions, etc.
- Presentation of scholarly work at appropriate colloquia, seminars, conferences, and lectures
- Grants and contracts awarded to conduct research
- Translational and application of research for community engagement
- Cooperative Extension and applied technical publications
- Creation of and contributions to software projects.

**Service:** Under this category, examples may include but are not limited to the following:

- University service, such as a) nonacademic advisement of students (advising student groups or providing career, professional, or personal advisement), b) departmental committees and special assignments, c) college senates, committees, and special assignments, d) University Senate committees and special assignments, e) service to the University of Delaware Chapter of the AAUP, f) administrative appointments, and g) participation in activities related to student affairs
- Integrated scholarly service including chairing sessions at professional meetings, serving as an officer or committee member of a professional organization, editorial duties, grant reviewing, professional consulting, expert testimony, and other similar activities
- Policy analysis
- Service to community-based institutions
- New business ventures based on scholarly knowledge
- Dissemination of results in public presentations and popular publications (Rev. 4/24/19)

**Workload Adjustments for Faculty Senate Responsibilities:** The Faculty Senate President shall receive a one course load reduction each semester. The other Senate officers (past-president, president elect, vice president, secretary, parliamentarian, and chair of the Committee on Committees and Nominations) and the chairs of the Undergraduate Studies, Graduate Studies, and the Promotion & Tenure Committees shall receive a one-course load reduction during the academic year of their service. These Faculty Senate officers and chairs should discuss these course reductions with their respective department chairs and deans. (Rev. 3/21)

#### 4.3.7 Alteration of Electronic Processes

Electronic processes that serve to evaluate the quality of academic activities (e.g., course evaluations, faculty appraisals) will rarely be modified, deleted, or replaced and then for only the most serious of errors. Such modifications require the approval of the provost, based on the recommendations of the appropriate college dean and department chair or unit director.

#### 4.3.8 Use of Databases in Evaluating Faculty Members

Since it is crucially important that all faculty members be able to verify easily all information about their achievements in scholarship before such information is used to evaluate them in comparison with other faculty members, neither Academic Analytics nor any other database which is not readily accessible by all faculty members at the University of Delaware shall be used in the evaluation of individual faculty members.

### 4.4 Promotion and Tenure

#### 4.4.1 Faculty Promotion and Tenure

The promotion and tenure procedure is a parallel structure allowing for faculty proposal, evaluation, and appeal, as well as administrative evaluation at each level of organization of the University.

This document governs the University process of review at every level. Departments, units, and colleges may make additions to and clarifications of this document to address their special circumstances. These elaborations, which must be approved by the University Committee on Promotions and Tenure and by the provost, will constitute the departmental document.

Departmental documents should also include the procedure for choosing the departmental promotion and tenure committee and should specify what constitutes discipline- and departmental- specific standards within all areas of teaching, research/creative activities, and service in the context of assigned workload. Faculty candidates for promotion and/ or tenure will be evaluated based on the criteria in their department's approved promotion and tenure guidelines. (Rev. 3/4/08, Rev. 5/2016, Rev. 3/5/19)

The promotion steps appear in the chart below.



The ultimate objectives of promotion policies at the University of Delaware are faculty excellence and procedural fairness. In order to preserve and enhance its reputation as an institution of higher education, the University must establish and maintain high standards of teaching, scholarly and artistic activity, and service. At the same time, it must treat each faculty member with decency and respect. Thus, these procedures seek to promote the individual's welfare and professional development while at the same time fostering the University's growth toward excellence.

The process rests firmly on peer evaluations, for the faculty itself is best able to establish and apply promotion criteria. Furthermore, the promotion system recognizes the uniqueness of the disciplines that comprise the University faculty. Indeed, departments have the major responsibility for establishing and administering guidelines and making initial promotion and tenure recommendations.

Such departmental decisions affect the University as a whole, and consequently, college and University committees, together with appropriate administrators at each level, also play an important role. They ensure that policies and decisions serve the interests of the University and are roughly comparable across its many divisions. (Note: this version of the policy was approved by the Faculty Senate on April 7, 1997. Faculty hired prior to that date may obtain a copy of the previous version of the policy from the [Faculty Senate Office](#). The application procedure and

deadlines will be as detailed below for all faculty applying for promotion and tenure). (Note Rev. 9/14/98.)

#### 4.4.2 Mentoring for Faculty Promotion & Tenure

All instructors/assistant professors are entitled to receive formal mentoring to support an orderly and timely progression to promotion. Each department and/or college shall maintain a formal mentoring protocol using available resources that is regularly appraised and updated for effectiveness. Chairs should consult with each assistant professor (mentee) in their unit to mutually identify a senior faculty mentor other than the chair. The minimum standard is one assigned mentor. The effectiveness of the mentor-mentee pairing should be evaluated by the faculty members at the end of each academic term. The main focus of formal mentoring is to support the mentee's familiarity with departmental and institutional culture, timelines, and interpretation of policies and departmental practices. Formal mentoring begins as early as possible, once a faculty member accepts the position; it becomes especially important surrounding career development opportunities such as workload planning, learning about the cultural aspects of promotion and appraisal, etc. There should be regular formal meetings of the mentor and mentee, ideally several times a semester but at minimum once per semester. The mentor should be recognized by the chair for this service during appraisal and review.

The need for mentoring for the purpose of career development and promotion does not end after the probationary period. Therefore, each department's and/or college's mentoring plan shall include formal mentoring protocols to provide advice for Associate Professors to support their advancement and growth. (Feb 2020)

#### 4.4.3 Minimum Standards for Promotion

Since the mission of the University encompasses teaching, scholarship and service, faculty members should strive for excellence in all three areas. Scholarship, whether in the form of research, publication, professional development, artistic creativity, or scholarship related to teaching or service is a significant part of each person's contribution to the academic community. Everyone must pursue some form of scholarly activity. How this work is made available to other scholars obviously depends upon the particular discipline, but promotion requires evidence that significant achievements have been and will continue to be made. (Rev. 3/4/08)

The University's obligation to scholarship notwithstanding, a major goal of any educational institution is to encourage and to demonstrate excellence in teaching. Hence, faculty members with teaching responsibilities must demonstrate high-quality teaching performance.

Service at all levels--department, college, university, community, profession, or nation--is also an integral part of the University's mission and must not be neglected on the grounds that scholarship and teaching have higher priority.

These considerations suggest University expectations for promotion to various academic ranks. Although departments may write specific criteria to fit their particular circumstances and needs, they must conform to the spirit of these standards. Unsatisfactory performance in any of

the three areas, for example, precludes promotion. To provide comparability across the University, then, the following minimum achievements should be met for promotion to each rank on each track:

#### *4.4.3.1 Promotion on the Tenure Track (Rev 5/2016)*

**Assistant Professor, tenure-track:** Apart from earning the doctorate or other appropriate terminal degree, the primary requirement is the demonstrated ability and desire to achieve excellence in scholarship and teaching and to make positive contributions in all three areas. For this rank, past achievements are not so important as evidence of future growth and accomplishment.

**Associate Professor, tenure-track:** Inasmuch as promotion within the University to this rank generally carries tenure--a binding commitment on the part of the University--the qualifications must be rigorous. At a minimum, the individual should show excellent achievement in scholarship or teaching and high quality performance in all areas. Furthermore, there should be unmistakable evidence that the individual has progressed and will continue to do so. A mere satisfactory or adequate record as an assistant professor is not sufficient; there must be very clear indication, based on hard evidence and outside peer evaluations, that the candidate has in fact attained high levels of accomplishment.

**Professor, with tenure:** This rank is reserved for individuals who have established reputations in their fields and whose contributions to their profession and the University's mission are excellent. There should be unmistakable evidence of significant development and achievement in teaching, scholarship and service since the last promotion. Once again, the candidate's claim to have met these requirements must be thoroughly and completely documented by outside peer evaluations and other materials.

#### *4.4.3.2 Promotion on the Continuing Track*

Faculty on the continuing track have a specific contracted primary area of responsibility (teaching, research, or service). Promotion of CT faculty members is to be based on excellence in one role, aligned with the preponderance of workload during the period at current rank. For promotion, CT faculty members will need to demonstrate at least high quality performance in other areas presented in their workload.

**Assistant Professor (CT):** Apart from earning the doctorate or other appropriate terminal degree, the requirement for appointment as assistant professor is the demonstrated ability to achieve excellence in the primary contracted area of responsibility, with the determination to make positive contributions to the other areas. For appointment to this rank, past achievements must provide evidence of potential for future growth and accomplishment in the contracted areas of responsibility.

**Associate Professor (CT):** For CT faculty seeking promotion to associate professor, the individual must show excellence in the primary contracted area of responsibility. There should be unmistakable evidence that the individual has progressed in the primary contracted area of responsibility during the time as an assistant professor, and that the applicant will, continue to make significant contributions. A merely satisfactory or adequate record in the primary

contracted area of responsibility as an assistant professor is not sufficient to warrant promotion. There must be clear indications, based on convincing evidence and external evaluations, that the candidate has attained high levels of accomplishment in the primary contracted area of responsibility, and has also significantly contributed to the other area(s). When the predominant role is teaching or service, appropriate external evaluations can be performed locally, but should be external to the academic unit.

**Professor (CT):** The rank of professor is reserved for truly outstanding individuals who demonstrate a reputation in the primary contracted area of responsibility, and significant, high-level contributions in the other area(s) since the last promotion. Demonstration of reputation generally requires strong evidence of significant levels of scholarship in the primary contracted area of responsibility. The candidate's claim to have met these requirements must be thoroughly and completely demonstrated by external evaluations and convincing evidence. When the predominant role is teaching or service, appropriate external evaluations can be performed locally, but should be external to the academic unit. (Rev. 5/2016)

#### 4.4.4 Candidate's Rights and Responsibilities

Faculty members have the right and responsibility to know all relevant departmental, college and University promotion criteria, policies, and practices. They should exercise this right at the earliest possible time and should plan their academic development and activities with the guidelines in mind.

A faculty member has the right to apply for promotion in any academic year (subject to the "Promotion Process Schedule"). However, tenure-track faculty in their terminal year may not apply for promotion. Candidates must compile a record sufficient to warrant promotion prior to starting this process. Each candidate will submit a promotion dossier to the department in accordance with the "Promotion Process Schedule." This dossier is the basis of promotion decisions, and it is the responsibility of the candidate to prepare an organized and cogent dossier, representing the case for promotion as well as possible. The organization of the dossier is described in "Promotion Dossiers." (Rev. 5/2016)

A candidate for promotion has the sole right to withdraw from the promotion process at any step. Otherwise, after review, the dossier is transmitted to the next level.

A candidate for promotion will be provided the written recommendations of each reviewing body--department committee, chairperson, college committee, dean, University Promotions and Tenure Committee, and provost. All recommendations by such bodies must be justified as completely as possible.

Keeping in mind the "Promotion Process Schedule" which requires that dossiers be submitted for departmental review, a candidate has the responsibility to consult with the department chairperson, promotion committees or any other appropriate person regarding the content and preparation of the dossier.

Other than letters from solicited peer reviewers and those individuals in the promotion ladder shown above, only materials approved by the candidate may be added to the dossier after its submission by the candidate. These materials might be recent publications or journal

acceptances and may be added to the dossier at any time during the promotion process. Candidates must document by means of a dated cover note as having given specific permission for any additions to the dossier after the September 1 submission deadline. (Rev. 5/2016)

Appeals are possible at every level but must be made to the committee or administrator whose decision is being appealed. Appeals are typically made on the grounds of procedural irregularities, the interpretation of evidence in the dossier, or the introduction of new evidence. An intention to appeal must be given to the appropriate body within five working days of notification of the decision. An appeal includes: (1) a letter documenting the basis of the appeal, usually written by the candidate; and (2) a scheduled meeting with the appropriate person or committee. It is strongly recommended that the candidate attend the appeal meeting. Representatives of the candidate can also attend and participate in the appeal meeting. Appeals must be handled within two weeks, except under extenuating circumstances. The University Faculty Senate Committee on Promotions and Tenure will hear no appeals beyond March 1, and the Office of the Provost will hear no appeals beyond April 15. Any appeals not heard by these dates must be carried over to the following academic year. (Rev. Fac. Sen 2/98, Rev. 5/2016, Rev. 11/18)

Any appeals by the candidate will also be added to the dossier, along with any rebuttals from the appropriate committee or individual in the promotion ladder.

#### 4.4.5 Statement on Workload

Workload shall be assigned with the expectation that the faculty member will have the opportunity to meet the criteria for satisfactory peer review, contract renewal, and promotion and/or tenure. An individual's assigned workload during the review period shall be considered in the promotion and/or tenure and peer review process in a manner consistent with the approved promotion and/or tenure and peer review criteria written by each department.

Candidates for promotion and/or tenure are required to report their assigned workload as part of their dossier so that all reviewers—including external reviewers—have a clear sense of their workload in the various areas of their effort and can judge their achievements fairly.

#### 4.4.6 Departmental Responsibilities

(In colleges, schools, or divisions without departments, all of the requirements for department action devolve upon the college, school, or division.)

The department bears the major burden of defining standards, specifying the procedures to be followed in deciding whether the standards are met, and judging the credentials submitted in support of each application for promotion. Minimum requirements for the satisfactory discharge of these department responsibilities include:

- After approval at all levels, any special interpretations specific to that discipline or unit must be published and distributed to all members of the department, to the appropriate committees and University officials, and to the University Faculty Senate through its Committee on Promotions and Tenure.

- Changes in promotion and tenure statements, which should be made only for compelling reasons, should first be sent to the appropriate college committee and dean. If approved, they should then be forwarded to the University Committee on Promotions and Tenure and to the provost, both of whom will review the proposals for compliance with this document and suggest revisions if necessary. Upon acceptance of the revised document, they will sign and date it to signify its approval. Proposed changes to existing statements must be submitted to the University Committee and provost by March 1 to become effective by September 1.
- The specific criteria upon which recommendations are based must be clearly set forth in the formal statement of promotion policies and procedures of the University, college, and department. The qualities and achievements taken into account by the department in making its decisions should be explicitly described. The kinds of evidence by which the attainment of the stated criteria is to be judged should also be specified in the published statement, as should the specific weight given the various criteria and the kinds of evidence to be submitted in support of there having been met.
- Department promotion and tenure procedures must be democratic. Although the application of this principle will obviously vary from department to department, certain ground rules must be observed. The department's promotion and tenure committee should be constituted and operated in such a fashion that due respect is given to the opinions and advice of all faculty. Units which elect to include untenured faculty in the review process should ensure that individual participation is voluntary and that the interests of those who wish to participate are protected (for example by using secret ballots). A majority of the committee should consist of faculty who are at or above the rank to which a candidate seeks promotion. (Departments lacking a sufficient number of faculty at the appropriate rank should solicit participation of faculty from kindred departments. Procedures for this solicitation must be specified in the department's document.) The committee should also consult with the department chairperson, who should offer counsel but neither participate in its final deliberations nor vote on its recommendation. The committee should meet formally and follow established procedures. The department committee shall include a separate document in the external letters section of the dossier, identifying the specific external reviewers who were nominated by the candidate versus those nominated by the department, and the criteria used to request letters from specific reviewers. (Rev 5/2013)
- The department's letter of recommendation, which must indicate the numerical vote, describe the committee's composition, and explain the reasons for the decision, must be transmitted in full and in writing to the candidate and be signed by all committee members. The recommendations of the department committee shall be addressed to the department chairperson and inserted into the dossier. When they arise, signed minority opinions will be forwarded as appendices to the committee's recommendations.
- The department chairperson will review the dossier submitted by the candidate, the report of the committee, and the stated criteria, and make a recommendation supporting or failing to support the candidacy. The chairperson should explain, in writing, the decision to the candidate and to the department committee. The



chairperson's recommendation is transmitted in full and in writing to the candidate and also inserted into the candidate's dossier. The chairperson's letter should include a description of the candidate's workload distribution during the time in rank, and how that workload relates to his or her recommendation concerning tenure and/or promotion.

#### 4.4.7 Promotion Procedures at the College Level

In order to assure that both candidates and the University are well served, each college or division will establish and maintain a Promotion and Tenure Committee.

A Promotion and Tenure Committee, elected by the faculty of the college (or its representatives), shall evaluate the merits of each candidate's dossier as well as review departmental criteria to insure reasonable uniformity. (In colleges, schools, or divisions lacking departments, this evaluation of the candidate's dossier will be the initial peer evaluation and will assume the responsibilities described for departments-see "[Departmental Responsibilities](#)." The college committee should be broadly representative of the major fields within its purview. Not every discipline can be represented, of course, but the committee should be sufficiently large to encompass a wide range of viewpoints.

Like departmental committees, a college Promotion and Tenure Committee should publish and distribute its policies and practices and make every effort to see that they are applied consistently from year to year. These policies must be approved by the University Committee on Promotions and Tenure and by the provost.

Faculty members may participate and vote on either the department or the college level, but not on both.

The results of the review by the college committee shall be promptly reported in full and in writing to the candidate, department committee, and department chairperson and be forwarded with the dossier to the dean or director. Fairness to the candidate and department requires that the committee explain its disagreements (if any) with recommendations made at an earlier stage.

Before reaching a final decision, the committee may consult with the candidate or department regarding additional evidence that might clarify the promotion dossier. The committee should allow a reasonable amount of time for this purpose.

The dean or director shall review the dossier and shall either endorse or recommend against the promotion in a written notification to the candidate, department committee, chairperson, and college committee. Before reaching a decision, the dean may solicit additional information from the candidate, the department promotion committee, the department chair, and the college committee regarding additional evidence that might clarify the promotion dossier. The dean or director shall also forward the dossiers and statements of action on them to the University Committee on Promotions and Tenure and to the provost.

Each college committee and dean will establish procedures and schedules (consistent with the "Promotion Process Schedule") for hearing appeals to their decisions. These procedures will be included in the college's document.

#### 4.4.8 University Committee on Promotions and Tenure

The constitution of this committee is defined in section 1.3. (Rev 5/2016)

This committee serves two major functions. It recommends to and consults with the provost concerning every candidacy for promotion and tenure. Just as departmental and college committees work in concert with chairs and deans, the University committee works with the provost to oversee the promotion process from a faculty point of view. The committee also, together with the provost, assists departments in developing or revising their criteria for promotion and tenure.

The committee receives from the deans and directors all promotion dossiers (except those withdrawn by candidates) and makes a recommendation on each. In reviewing applications for promotion, the committee judges the relevance and appropriateness of the credentials offered to support the request for promotion. In doing so, the committee exercises its best judgment as to the adequacy of the evidence in meeting the University, college, and department published criteria.

Before reaching a final decision, the committee may solicit additional information from the candidate, the department promotion committee, the department chair, the college committee, or the dean of the college regarding additional evidence that might clarify the promotion dossier.

Committee members may neither participate in the discussion of, nor vote, on candidates from their own department at the University level.

Following its review, the committee will forward the dossier, together with its recommendations to the provost and will notify, in full and in writing, the candidate, the department committee, the department chairperson, the college committee, and the dean or director of its recommendation and the reasons for it.

In addition, the committee shall receive, consider, and confer with the provost and with the initiating unit on any proposed new statement or criteria for promotion or on any proposed changes in existing statements. No statement or revision shall become effective until approved by the committee and the provost.

#### 4.4.9 Provost's Review of Promotions

The final review of applications for promotion is made by the provost. Before reaching a decision, the provost may solicit additional information from the candidate, the department promotion committee, the department chair, the college committee, the dean of the college, or the University committee regarding additional evidence that might clarify the promotion dossier. Before the provost rejects recommendations made by the University committee, he or

she must report to it the reasons for the rejection and will meet with the committee to try to resolve the disagreement.

Following consultation with the University committee, the provost forwards approved recommendations to the president for approval by the Board of Trustees. Should the provost fail to support an application for promotion, the provost will supply reasons for the decision which will be given to the candidate, the department committee, the department chairperson, the college committee, the dean or director, and the University Committee on Promotions and Tenure.

#### 4.4.10 Promotion Process Schedule

The time schedule for the promotion process is shown below. Whenever possible, these deadlines should be anticipated, and dossiers forwarded (with recommendations) at an earlier date. (Note: Candidates can be required by department policy to submit dossiers before September 1.)

30 April	Candidate notifies chair of intention to apply for promotion in writing. Departmental Promotion and Tenure Committee begins the process of soliciting peer evaluations.
1 September	Dossier to Department Committee and Chairperson.
1 October	Department's recommendation to the Chairperson.
15 October	Chairperson's recommendation to the College Committee and Dean.
1 December	College Committee's recommendation to the Dean.
2 January	Dean's recommendation to the University Promotions and Tenure Committee.
15 February	University Promotions and Tenure Committee recommendations to Provost.
15 March	Provost's recommendations.

Appeals are possible at every level (see Section 4.4.4 for more information regarding the appeals process and schedule.)

#### 4.4.11 Promotion Dossiers

It is the individual's responsibility to present the best case for promotion since he or she is most clearly involved in the outcome. It is extremely important that the dossier be well organized and carefully prepared because superfluous or confusing information may obscure more than it

enhances one's qualifications and achievements. Unless otherwise noted in the faculty appointment letter, all work in rank, even if conducted at other institutions of higher education, shall be considered for promotion and tenure. It shall be the faculty member's responsibility to include evidence of this work in his/her dossier and to clearly identify when and where this work was performed. (Rev. 5/10/07).

**All dossiers should be organized under the following headings in this order:**

I. Introductory Material

1. Contents and Guidelines

- a. [Recommendation for Promotion Form](#)
- b. A table of contents
- c. A copy of the University, college, and department promotion and tenure criteria

2. Application for Promotion

- a. Candidate's letter requesting promotion
- b. A curriculum vitae
- c. Candidate's statement (optional)

3. Two and Four Year Reviews for Faculty Seeking Promotion to Associate Professor

- a. Reviews conducted by the corresponding department committee
- b. Reviews or evaluations conducted by the department chair

4. Internal Recommendations

- a. The department committee's recommendation
- b. The chairperson's recommendation
- c. College committee's recommendation (if any)
- d. Dean or director's recommendation or endorsement
- e. University committee's recommendation
- f. Any appeal materials (appeals and rebuttals)
- g. External Recommendations

List of the external reviewers who were nominated by the candidate versus those nominated by the department, and the criteria used to request from specific reviewers

Procedure for choosing external reviewers (See Section 4.4.12) (Rev. 3/5/19)

Letters of evaluation from peer reviewers together with supporting material. These letters will be numbered sequentially for reference. (Rev. 5/2016)

5. Evidential Materials

a. Teaching

Teaching is an extremely important factor in promotion decisions, and one must incorporate into the dossier several kinds of evidence. Possibilities include:

- Teaching narrative with self-evaluation and teaching philosophy.

- In-person classroom observation and evaluation in course(s) taught by the candidate, done by University faculty and/or staff, chosen for their pedagogical expertise.
- A collection of recent syllabi, examinations, assignments, and/or other teaching materials. The candidate might annotate these materials to indicate what learning goals they address, how and why they are used, and their effectiveness.
- Attendance in teaching workshops, possibly with reflections on how the workshop informed and improved teaching.
- Incorporation of best practices (perhaps as evidenced in empirical studies) into the classroom.
- Evidence of student learning (e.g. standardized test results, samples of student work, pre/post assessment).
- Testimonials from a selection of former and current undergraduate and/or graduate students. The procedures for drawing the sample should be clearly described.
- Teaching awards (e.g., Faculty Senate Excellence in Teaching).
- Sample comments from student course feedback (collected using institutional measures). The means by which these samples were selected should be provided.
- Quantitative student course feedback (collected using institutional measures) properly tabulated and summarized. The procedures used in administering the feedback should also be described in context. Where available, comparable departmental measures should be provided. Student course feedback can reflect unconscious bias and may not reflect student learning. Such measures should only be considered in conjunction with other indicators of teaching quality. (Rev. 4/24/19)

b. Scholarship

Evidence of scholarly attainment including:

- Published Materials. Books, refereed and other articles, conference proceedings, works of art, recordings, and other permanent additions to the candidate's field are to be listed in the dossier. For all of these works, the candidate should make clear the extent to which the work has been peer reviewed. For collaborative works, the candidate's contributions (e.g., percent effort, specific activities performed, etc.) should be clearly indicated. Different fields have entirely different traditions that determine the order of names associated with these works (e.g.,

alphabetically or by seniority) and the significance of the order of the names should be clearly stated in the dossier. The rationale for the choice of journals chosen for publishing one's work should be clearly indicated, as well as the level to which the works have contributed to the field.

- Awards and prizes.
- Lectures/presentations/performances at other institutions or conferences, specifying if these were local, national, or international, and whether they were peer-reviewed or not.
- Unsolicited External Evaluations. There are other kinds of information that can be interpreted as external evaluations, although not of the same kind as derived through solicitation. This material, which should also be included in the dossier since it too describes the candidate's accomplishments, includes among others: articles citing the individual's work and the reasons for its importance; reprinting of articles or parts of books in collections of distinguished contributions to a subject, and so forth.
- Professional Activity Prior to University Employment. It is expected that for promotion, the candidate must offer clear evidence of substantial scholarly achievement made after the awarding of the doctorate or other appropriate terminal degree or postdoctoral work. The research involved for that degree or postdoctoral work was one of the reasons for initial employment; promotion, on the other hand, must consider evidence of scholarship accomplished subsequent to that performed for the degree or postdoctoral work. However, this requirement does not mean that publications based on the dissertation or postdoctoral work should be totally ignored. Additionally, new publications based on previously collected large datasets may have merit in certain disciplines. Through mentoring, departmental P&T guidelines, letter of appointment, and the peer review process, each department is responsible for making clear to new faculty members what work will (and will not) count toward the promotion and tenure decision. (Rev. May 2019)

Like research, any prior teaching or service plays its role in the hiring contract, the level of monies involved, and the responsibilities attached to it. Prior activity plays little or no role in the promotion except to form a meaningful context against which later development and accomplishments can be judged. There must be evidence of continuing productivity.

- Prestigious Grants. The acquisition of research or other grants, such as Guggenheim or NSF awards, is obviously a testimony to a person's competence and reputation and should be described in the dossier. The candidate's contribution, and the funds coming to the candidate, should

be clearly indicated, especially in projects with multiple principal investigators.

- Reviews of Published Materials, Performance, or Exhibits.
- Unpublished Material. Unpublished material may in some circumstances be an important indicator of a candidate's competence and achievements. Its evaluation, however, must be especially thoughtful. In particular, if it is to be a formal part of the dossier, it should be sent to outside reviewers for a critical assessment of its merits. The comments are meant to apply to unpublished manuscripts as well as so-called "in house" publications, such as research reports that are not subject to an external review process.
- Other Evidence of Scholarship Appropriate to the Profession. This type of evidence, if important for a department, should be indicated in the department's promotion and tenure document.

c. Service

Service includes innumerable types of activities rendered for the benefit of the department, college, university, community, profession, or nation. Willingness to undertake such work and competence in performing it are taken into account in the promotion process. Evaluating service is difficult. Promotion and tenure committees need to know when there has been an outstanding level of service that has taken appreciable effort or service that has been done in some way that can be noted as excellent. Other than that, the main concern is that a person has fulfilled his or her service commitment under the criteria of the academic unit concerned and that the unit is satisfied. Administrative responsibilities can be considered as part of the service component, but they may not be used as a substitute for accomplishment in a scholarly discipline. (Section 4.4.9 Rev. 5/2016)

#### 4.4.12 External Reviewers

1. The purpose of obtaining letters from external reviewers is to assess the quality of the candidate's work in their field. To accomplish this purpose, departments should select external reviewers who are outstanding scholars in the candidate's field. The selection of reviewers should not preclude outstanding scholars from outside of the United States or not from Ph.D. granting institutions or departments. When justified, non-academic reviewers may be included. The quality and appropriateness of the reviewer should be the central concern in the selection of reviewers.

2. Procedure for choosing external reviewers.

A. Solicited external evaluations serve as a major indicator of an individual's impact on the profession and are always required for promotion. Although the number required may vary by rank and department or division, and may be defined by the college, every

dossier must include external reviews solicited by the departmental committee and written by highly qualified individuals with established reputations in the candidate's field.

B. Solicitation of reviewers must be fully documented by the department and must be done with a standard letter that is the same for all potential reviewers for a given candidate. Details required in the solicitation letter are described in Section D below.

C. The solicitation of reviewers must follow these guidelines:

1. A candidate will submit a list of potential reviewers, some of whom will be approached for recommendations. The department committee will suggest additional reviewers. External evaluators with personal relationships to the candidate (e.g., former advisors, mentors, coauthors, and collaborators) should not be selected without sufficient justification. Professional acquaintance (e.g., through professional meetings or seminar visits) does not normally represent a conflict. Many external evaluators also serve as book or journal editors, and familiarity with the work of the candidate in an editorial capacity does not normally represent a conflict; nor does serving on the same panel at a conference.
2. The total list of names must be greater than the total number of letters required to be solicited. Although the candidate must be informed of all potential reviewers and have an opportunity to comment on them, it is the department committee, and not the candidate, that makes the final selection. The final list of names will not be given to the candidate so as to preserve confidentiality of the reviewers. The department committee is not required to seek approval of the list of names through a higher administrative office.
3. As a minimum requirement, external evaluators should hold at least the academic rank for which the candidate is being considered. If a letter from a non-academic external evaluator is included, the departmental committee must provide justification for choosing that reviewer.
4. Candidates must not contact potential reviewers about the promotion process at any time.
5. Letters of evaluation will be confidential and external reviewers will not be mentioned by name or affiliation in any recommendations or evaluations. Reviewers may be referred to only by number.
6. The electronic dossier of external evaluations must include the letter requesting the evaluation, the evaluations as received from the reviewers, and curriculum vitae or biographical statements describing the reviewers' credentials.
7. If a candidate has collaborative works, it must be clear to the external evaluator what the candidate's contributions were to the finished work. The



candidate must clearly indicate on his or her curriculum vita the share of any collaborative work attributed to the candidate's own efforts. Reviewers must be able to determine whether an individual can execute scholarship in his or her own right.

8. External teaching evaluations, if solicited, should attest to the candidate's pedagogical competence, knowledge of the subject matter, organization and preparation, ability to stimulate intellectual curiosity and discussion in students, innovative capacity, and such.

9. External service evaluations will be required for those faculty, whose primary contracted area of responsibility is service. For faculty, the external evaluations can be performed locally, but should be external to the academic unit.

10. Members of the department must not contact external reviewers with the intention of influencing the content of their reviews. Communication with external reviewers should be exclusively handled by the P&T Committee chair.

D. Letters soliciting reviewers must contain the following information:

1. The letter must be accompanied by a copy of the departmental Promotion and Tenure document.

2. The letter must include clear directions to the evaluator to analyze and critically evaluate the candidate's work and accomplishments during the review period in the context of the Departmental Promotion and Tenure document and the candidate's assigned workload over the period under review. Reviewers should also be requested to comment on the candidate's potential for future development.

3. Evaluators must be asked to define their relationship with the candidate in the letters they write, and to affirm that they can offer an impartial opinion.

4. Evaluators must be asked to provide their curriculum vita or a detailed biographical statement in addition to the evaluation letter.

5. When a candidate has used the extended probationary period under the University's "Stop-the-Clock" policy, reviewers should be made aware of this so that they do not judge the candidate by a different standard. Therefore, a statement should be included in the letter to the referees clarifying the extra year(s) with the following language: "Stop-the-Clock is a UD policy that 'stops the tenure clock' for one year for reasons such as the birth or adoption of a child (up to two times) or for family illness. In these cases, the candidate is to be evaluated on the basis of the standard probationary period."

#### 4.4.13 Changes in Unit Priorities

When departments and colleges change priorities (e.g., development of a graduate program, reorientation of the direction of departmental teaching at all levels) there are faculty members

hired when their departments had one set of priorities that are now at some disadvantage because of the change. Departments have clear obligations to recognize such situations and to provide such faculty members with both the time and the resources to accommodate themselves to the new priorities. Those faculty who are candidates for promotion and/or tenure during the probationary period prior to the granting of tenure have the right to be reviewed under the policy and procedure in force at the time of hiring, rather than under any revised policy or procedure subsequently adopted. Any candidate for tenure who wishes to be considered under the policy and procedure in force at the time of hiring must do so by informing the department chair of his or her desire at the time of the initial written application for promotion. Faculty who are candidates for a promotion subsequent to the granting of tenure and/or promotion during the probationary period shall be reviewed under the policy and procedure in force at the time they declare such candidacy for promotion. (Rev. by the Faculty Senate 4/7/80, Approved by the Board of Trustees 12/10/80, Rev. by the Faculty Senate 4/97, Rev. 2/98, Rev. 9/14/98, Rev. 4/20/13)

#### 4.4.14 Tenure

(Revised by Board of Trustees 12/78)

All decisions to grant tenure shall follow review of credentials both by appropriate faculty committees and by administrative officers. Academic units are responsible for developing and applying written criteria for promotion and tenure that have been reviewed and approved by the College Promotion and Tenure Committee, dean, University Promotion and Tenure Committee, and provost.

Tenure is granted or withheld solely on the basis of merit as determined both by appropriate faculty committees and by administrative officers. Tenure is granted to faculty by the University to safeguard academic freedom and promote the free and open discussion of issues on campus. Tenure is a formal assurance that a faculty member's professional security and academic freedom will not be placed in question without the observance of full academic due process. Tenure provides that no person continuously retained as a full-time faculty member beyond the specified probationary period may thereafter be dismissed without adequate cause (within the meaning of Section 4.1.15 of this Faculty Handbook on "Terminations and Non-Renewals" and subject to the procedures and protections provided therein) or in the case of extraordinary financial circumstances (as provided for in Article 14.1 of the Collective Bargaining Agreement (CBA) and Section 3.4 of this Faculty Handbook on "Faculty Involvement Related to Extraordinary Financial Circumstances"). (Rev. 9/12)

With the exception of visiting professors, tenure is awarded to tenure-track full professors on initial appointment or on promotion to this rank.

Tenure-track associate professors appointed from outside the University will normally receive an initial three-year contract without tenure. Reappointment at this rank, unless terminal, will carry tenure. Promotion of tenure-track assistant professors to the rank of associate professor from within the University will carry tenure.

Tenure-track assistant professors are appointed to full-time faculty positions for an initial term of two years without tenure. Reappointment at this rank is for a two-year term. The probationary period for assistant professors is six years, divided into three successive two-year contracts. The start of the probationary period coincides with the effective date of initial appointment as assistant professor. This date governs the timetables for peer review for contract renewal and for review for promotion and tenure. Assistant professors are expected to be considered for promotion and tenure not later than the sixth year of full-time academic service, with tenure effective - if the decision is favorable - starting with the fall semester of the seventh academic year. If the decision on promotion and tenure is negative, the seventh year of academic service will be a terminal year. Separate and apart from annual performance appraisal by the departmental chair, assistant professors will be evaluated through peer review regarding progress toward tenure according to the procedures and timetable set forth in the Faculty Handbook. Lack of progress toward promotion and tenure may result in contract non-renewal.

Except as stated in "[Non-Tenure Track Faculty](#)," appointments and reappointment for instructors shall be on annual contract only. Tenure is not awarded to instructors. (Editorial revision 6/00)

Whether a faculty position is tenure-track or non-tenure track must be stipulated in the initial letter of appointment, regardless of funding source for the position. For faculty hired on a non-tenure track appointment who are subsequently appointed to a tenure-track appointment, the probationary period for promotion and tenure begins with the date of initial appointment as a tenure-track assistant professor.

The policy provisions stated above shall apply to both continuous and discontinuous faculty appointments. (Rev. by Board of Trustees 12/78, Last Rev. 05/03/2002)

#### [4.4.15 Stop the Tenure Clock](#)

The pre-tenure probationary period shall be extended for one year upon a tenure-track faculty member submitting a "Stop the Tenure Clock" electronic web form. This policy applies to tenure-track faculty members who become the parent of a newborn or newly adopted child and is a primary or coequal caregiver of the child or who is granted a leave of absence pursuant to the Family and Medical Leave Act of 1993 for a period of at least one semester. The faculty member will continue to perform faculty duties at full salary. The extension shall take effect upon submission of the "Stop the Tenure Clock" electronic web form by the faculty member to the chair/director. Submission of the "Stop the Tenure Clock" electronic web form must be made within one calendar year of the birth or adoption of the child or of the commencement of the FMLA leave. Apart from the birth or adoption of a child, a tenure-track faculty member may extend the probationary period for any reason approved by the appropriate chair/director and dean, for example illness of the faculty member or of his/her immediate family, but may do so only twice, resulting in no more than two one-year extensions of the probationary period.

A tenure candidate who extends the probationary period under this provision shall be reviewed for promotion and tenure under the same academic standards as a candidate who has not extended the probationary period. The tenure candidate shall not be penalized in any way for

requesting and receiving extensions of the probationary period, whether or not the additional time is used.

Extension of the probationary period does not affect the faculty member's right to apply for tenure prior to the terminal year, regardless of time in rank. Stopping the tenure clock for one year postpones any subsequent second-year review, fourth-year review, or eligibility for a junior faculty research leave for one year. (Feb 2018)

#### 4.4.16 Statement on Analytics

The use of analytics for evaluating faculty must be done judiciously and within the context of the individual's work and field and must be subordinate to long-accepted standards of peer review. Reviewers shall avoid over-reliance on third-party analytical data in making tenure and promotion decisions. The department/unit must clearly stipulate if, how, or whether analytics are to be used in the promotion process. Furthermore, any data and analytics to which candidates do not have access over the course of the review period cannot be used for evaluating faculty or included in reviews of the dossier. (Rev 3/2018)

#### 4.4.17 Expedited Tenure Review

When a faculty hiring action includes the award of tenure, an expedited tenure review process is required. This expedited review process involves a minimum of three external review letters from distinguished scholars, selected by the departmental P&T Committee, in consultation with the department chair. The letters may include evaluation letters submitted as part of the application. The candidate must provide a dossier of work for review by the department and the external reviewers. This can be an abbreviated dossier, but it must include evidence of the quality of the candidate's teaching, research/creative activities, and service. After review and recommendation by the department P&T Committee, the dossier—including the external review letters— will be sent for review to the department chair, the dean, and the provost. All expedited reviews must be completed prior to the effective hire date. In the event of an unfavorable decision by the provost, candidates will be required to apply for the award of tenure no later than their third year. (Added 4/24/19)

#### 4.4.18 Temporary Covid Related Changes

In response to the COVID-19 pandemic of 2020 and 2021, the following changes to the Promotion & Tenure policies apply:

##### 1. **Contract and Tenure Clock Extension**

A one-year extension to the tenure/contract clock is granted to all tenure-track faculty and continuing track faculty as of the 2019-2020 or 2020-2021 academic years. This extension will also affect the timing of 2- and 4-year reviews for contract renewal. Faculty members can elect to opt out of this one-year extension and undergo peer review and apply for promotion and tenure on their original contract schedule. To opt out, a faculty member must notify the department chair in writing and before the next scheduled review that they wish to continue on their original clock. This universal

extension does not affect a faculty member's eligibility to exercise "Stop-the-Clock" options; rather, it is in addition to those.

## **2. Evidential Materials, Teaching:**

Student course feedback, solicited according to normal departmental practices in Spring 2020 through Summer 2021, may be included in future faculty evaluations and future peer reviews only at the discretion of the faculty member. Notwithstanding this provision, faculty members must provide evidence of quality teaching for promotion and tenure applications and peer reviews.

Student course feedback from the 2020-2021 academic year will be included in the annual faculty appraisal process.

## **3. COVID Impact Statements**

Through the 2028-2029 academic year, all faculty members are required to include a "COVID Impact Statement" in their dossiers for peer reviews and promotion and/or tenure reviews. The purpose of the statement is to provide reviewers the information they need to perform a fair, contextual review; faculty members should not feel compelled to divulge personal information that they would prefer to keep private.

The COVID Impact Statement is separate from the required workload statement and the conventional candidate statement. Candidates are encouraged to describe both negative and positive impacts they have experienced as a result of the pandemic. The statement should identify impacts that help reviewers to understand how COVID-19 influenced their work, both in terms of the impacts on their workload, as well as unexpected opportunities and challenges.

If a candidate believes that there was no discernible impact, the candidate can use the statement to indicate that.

### **Guidance for Writing Your COVID Statement**

The goal of the COVID statement is to give faculty members an opportunity to formally contextualize the impact of the pandemic on their work productivity across the areas of research, teaching, and service. This statement is not meant to replace language that discusses your accomplishments as references to COVID may make sense as you write-up other parts of your dossier. Below are some prompts to consider in writing your COVID statement. These prompts are not prescriptive; you can consider them or not.

- Provide details of how your work was impacted, steps you have taken or need to take to address the impacts, and any outcomes that have resulted from those actions.
- Was your program of research specifically impacted? If so, how? [lab closings, access to populations, team challenges, increased workload in another area, decreased attention to it due to caregiver responsibilities, new data etc.]
- What specific challenges, if any, did you encounter in shifting your courses to online delivery?

- Have you experienced increases/decreases in service load and/or ability to effectively meet current service obligations?
- Has your actual and/or assigned workload changed?

#### 4. External Reviewers

Letters to external peer reviewers should include the following language:

During the period from the beginning of the Spring 2020 term to the end of the Summer 2021 term, the COVID pandemic may have affected the candidate's teaching, service, and research record. We ask you to also recognize that not all candidates may have been affected the same way and to consider the particular circumstances that may have affected this candidate. Please consider those circumstances when evaluating the candidate's contributions from this period.

It is important to note two procedural adjustments made due to the pandemic. Please do not negatively view any candidate for exercising these options:

- a. All faculty members had their tenure/contract clocks automatically extended by an additional year. Individual faculty members retained the right to opt out of this extension.
- b. Faculty are not required to present results from student evaluations of teaching from the Spring 2020 through Summer 2021. They are, however, expected to provide evidence of teaching quality from that period.

## SECTION 5: PERSONNEL BENEFITS

### 5.1 Medical Insurance

The University makes a substantial contribution toward the cost of medical insurance for regular full-time and part-time faculty, and for visiting faculty who desire to participate. The faculty member pays the difference between the University's funding and the actual cost of the plan selected. Plans are offered through Blue Cross Blue Shield of Delaware (BCBSDE) and Aetna. Available options include Aetna, provider organization (PPO) and health maintenance organization (HMO) plans.

Application for this coverage must be made during the first 30 days of employment and coverage is normally effective the first of the following month. If application is not made within 30 days of employment, the application cannot be considered until a "group reopening" is scheduled. This usually occurs in the spring of each year and is consistent with the flexible benefits enrollment period. A faculty member who separates service from the University may temporarily continue group medical coverage at their own expense per the Consolidated Omnibus Budget Reconciliation Act (COBRA). (Rev. 2/91, Rev. 9/02, Rev. 4/03, Rev. 6/07)

## 5.2 Dental Insurance

The University provides a Dental Expense Assistance Plan through MetLife for eligible faculty and their families, if selected under the flexible benefits program. The Plan provides coverage for diagnostic and preventative procedures, minor and major restorative services, and orthodontia. Services are covered according to the following schedule and based on reasonable and customary charges.

SERVICE	EXAMPLES	COVERAGE
Type A Diagnostic and Preventive Care	oral exams, cleaning, x-rays, fluoride treatments, etc.	100% of Reasonable and Customary Charges (R&C)
Type B Minor Restorative Care	fillings, extractions, oral surgery, periodontal/endodontic services, etc.	80% of R&C
Type C Prosthodontics and Major Restorative Care	bridgework, dentures, inlays, onlays, crowns, etc.	50% of R&C
TYPE D Orthodontics	orthodontic diagnostics, surgical therapy, appliance therapy, etc.	50% of R&C

Annual Deductible*	50% of R&C
Annual Maximum	\$25 (individual) \$75 (family)
Lifetime Orthodontia Maximum	\$1,750 per person

\*Applies only to Type B and Type C services

(Rev. 9/02, Rev. 4/03)

## 5.3 Group Life Insurance

Group term life insurance through MetLife is offered as part of the flexible benefits program to regular full-time and part-time faculty members. Faculty may choose one of the following options: (1) \$10,000; (2) \$50,000; (3) \$100,000; (4) two times annual base salary; or (5) four times annual base salary. The University pays the cost of insurance up to two times the annual

base salary. Faculty members who choose the "four times base salary" option pay the difference between the University's funding and the cost of their selection. Proof of insurability is necessary for more than \$400,000 of insurance. The maximum coverage is \$1,000,000.

Group life insurance is cancelled upon termination of service, except that the full amount or a portion thereof may be converted to an individual policy. A faculty member must apply to the insurance company and make appropriate payment within 31 days of separation from the University. Application forms are available from the Office of Human Resources. (Rev. 11/94, Rev. 1/99, Rev. 9/02, Rev. 4/03)

#### 5.4 Total Disability Insurance

To provide continuing income to eligible faculty members in the event of total disability, a group disability insurance program is provided through The Standard. There is no cost to the individual for the base coverage. Individuals may choose a higher option at their expense through the flexible benefits program.

Because a six-month waiting period is required before The MetLife disability income begins, there is a transition from University employment and salary continuation based on eligible service. The following schedule applies:

Employee's UD Service	Salary Continuation
1st and 2nd year	8 weeks at base salary plus 16 weeks at 60% base salary
3rd and 4th year	12 weeks at base salary plus 12 weeks at 60% base salary
5th and 6th year	16 weeks at base salary plus 8 weeks at 60% base salary
7th and 8th year	20 weeks at base salary plus 4 weeks at 60% base salary
9 years and over	24 weeks at base salary (100% salary)

(Rev. 9/02, Rev. 4/03)



## 5.5 Group Long-term Care Insurance

Regular full-time and part-time faculty and eligible family members may apply to participate in the University's Group Long Term Care insurance program through Genworth Insurance Company. Participants pay the full cost for this insurance, which provides coverage for a variety of services such as nursing home care, home health care, and adult day care. Premiums are paid through payroll deduction except for policies issued to extended family members (e.g., parents, in-laws, grandparents, etc.) for which Genworth bills directly. Applications for coverage are available through the Office of Human Resources. (Rev. 9/02, Rev. 4/03)

## 5.6 Wellness Program

The University provides up to 75 wellness dollars per fiscal year for regular full-time faculty members (\$25 for part-time faculty) towards the costs of specified wellness activities offered by the College of Health and Nursing Sciences. This includes, but is not limited to, physical assessments, stress management programs, locker fees, nutrition counseling, health screenings, seminars, and fitness classes. Those who wish to participate should contact [Employee Health and Wellbeing](#) at 26 N College Ave Room (831-8388). (Rev. 9/02, Rev. 4/03)

## 5.7 Retirement Programs

**Standard Retirement Program:** Regular full-time and part-time faculty are eligible to enroll in the University's Standard 403(b) Retirement Program. Participants may allocate contributions to Teachers Insurance and Annuity Association (TIAA)/College Retirement Equities Fund (CREF) and/or Fidelity Investments and choose from a variety of funds offered by each company. Participation is mandatory at age 35 for full-time and part-time faculty members. Participation with University contributions is optional for eligible persons under age 35. Faculty are required to enroll at the beginning of the contract year following their 35th birthday.

Individuals generally contribute by payroll reduction (tax-deferred contribution). The required minimum contribution is 5 percent of annual base salary in order to receive the University's 11 percent contribution. Employees may make additional tax-deferred contributions (see below). Contributions for employees hired on or after July 1, 1996, are subject to an annual compensation limit per IRS regulations. The compensation limit for 2003 is \$200,000.

Faculty and chairpersons have the option to contribute on earnings from summer supplemental contracts. The University will also contribute, providing the individual has elected this option. (Rev. 6/01, Office of Human Resources to reflect Collective Bargaining Agreement)

**Voluntary (Supplemental) Retirement Programs:** Regular full-time and part-time faculty as well as visiting faculty, may enroll in the Voluntary 403(b) Retirement Program. A variety of funds through TIAA/CREF and Fidelity Investments are available to participants for investing their contributions. Contributions are deducted from salary on a pre-tax basis and are subject to IRS limits.

Effective July 1, 2002, eligible faculty may participate in the University's Voluntary 457(b) Deferred Compensation Plan. To participate in the 457(b) plan, employees must first be enrolled in the University's 403(b) plan and be contributing the maximum annual amount

(excluding catch-up amounts) as defined by IRS regulations. Contributions to the 457(b) plan are deducted from salary on a pre-tax basis and subject to IRS limits.

**Delaware State Employees' Pension Plan:** University faculty who are not eligible for the University Retirement Program may be grandfathered in the State Pension Plan. There is a mandatory personal contribution of 3 percent of monthly earnings in excess of \$6,000/year. The University also makes contributions for faculty members who participate in the program. (Rev. 9/02, Office of Human Resources)

**Agricultural Extension Retirement Plan:** Agricultural Extension staff members holding cooperative appointments with the U. S. Department of Agriculture and who draw 51 percent or more of their salary from Extension funds participate in the Federal Retirement Plan and in the University Standard Retirement Plan (unless grandfathered in the State of Delaware Pension Plan). Additional information may be obtained from the Office of Human Resources and/or the Cooperative Extension Service Department. (Rev. 9/02, Rev. 4/03)

## 5.8 Federal Social Security

Eligible University employees participate in the federal Social Security program. Full-time registered students are exempted by a state/federal agreement. Cost to the individual, matched by the University, is scheduled by federal law as a percentage of a designated base salary, and deductions for the appropriate amount are taken from each salary check. In addition to retirement, disability, and survivor benefits, the Social Security program provides post-retirement health care coverage through Medicare. (Rev. 4/03)

## 5.9 Educational Programs

**Course Fee Waiver:** All regular full-time faculty, their spouses, or dependent children may enroll in two courses each semester or session, up to a total of six courses per calendar year, without payment of fees. Regular part-time faculty are limited to three course fee waivers per calendar year. Each course fee waiver covers a single course (undergraduate or graduate) up to a maximum of four credit hours. Such enrollment may not displace a paying student from the class or add appreciable costs to the University. Program details are outlined on the request form. Regular full-time faculty, their spouses, and dependent children are considered as in-state students for fee purposes from the date of employment. (Rev. 9/02)

**Tuition Remission:** The University offers a Tuition Remission Program for eligible full-time and part-time faculty. Two tuition remission requests are permitted for each eligible employee. The student may be either a spouse or a dependent child of the faculty member. Tuition remission applies to full-time undergraduate students in the fall or spring semesters only. The student must be matriculated, i.e., officially accepted by the University Admissions Office. Under this program the student may take 12 to 17 credit hours (see limitations below) each semester with tuition waived. Tuition remission is limited to half the full course load for students of regular part-time faculty.

This policy is subject to the following conditions:

- The employee must be on the active payroll at the end of the late registration period (free drop/add) for the semester in which the tuition remission is granted. This is usually the first two weeks into the semester.
- The spouse must be legally married to the employee at the beginning of the semester in which the tuition remission is granted.
- The dependent child is defined as a natural child, or a legally adopted child of the employee or spouse, who has been claimed by the employee as an exemption for Federal Income Tax purposes on the employee's most recent Federal Tax Return.
- The dependent child shall not declare independent financial status for the academic year in which the tuition remission is granted.
- The spouse or dependent child must be enrolled as a full-time matriculated undergraduate student at the end of the late registration period and must maintain full-time status throughout the semester in which the tuition remission is granted. Full-time status is defined as a minimum of 12 credit hours per semester. If the student does not maintain full-time status throughout the semester, the student will lose eligibility for the tuition remission program for that semester and will be billed for the number of credit hours taken.
- The employee must complete the "Request for Tuition Remission Program" form which is available from the Office of Human Resources. The completed form must be returned to Human Resources prior to the end of the late registration period for the semester (free drop/add).

**Cooperative Tuition Exchange:** Regular full-time faculty may register for one course (up to 4 credit hours) per semester without payment of course fees at Delaware State University or Delaware Technical Community College. Courses taken through this program apply toward the annual maximum for Course Fee Waivers.

**Tuition Exchange Program:** Dependent children of regular full-time faculty, with a minimum of two years eligible service, may apply for a Tuition Exchange Scholarship with participating colleges and universities. Program information, guidelines and restrictions are available through the Office of Human Resources. (Rev. 9/02, Rev. 4/03)

## 5.10 Benefits for Retired Faculty

The "University of Delaware Benefits for Retired Employees" brochure, which is published annually by the Office of Human Resources, describes the benefits available to retiring University faculty. Effective July 1, 2008, eligibility requirements for University retirement have changed. Employees hired on or after July 1, 2008, must meet one of the following age and service criteria to receive University benefits and privileges upon retirement:

- Any age and 30 years of service
- Age 55 and 20 years of service
- Age 60 and 15 years of service

- Age 65 and 10 years of service

Employees hired before July 1, 2008, will continue to be eligible for University retirement under the criteria listed below, through June 30, 2013, after which they will be subject to the new age and service requirements shown above:

- Any age and 30 years of service
- Age 55 and 15 years of service
- Age 65 and 5 years of service

The following benefits and privileges apply to those faculty who meet the criteria listed above and elect to retire from the University.

**Separation Payment:** Faculty electing retirement shall receive a separation payment at the rate of 2.5 (two and a half) percent of annual base salary at retirement for each year of University service. (Rev. 4/15, Office of Human Resources and Office of the Provost)

**Retirement Leave:** With the exception of those who chose a phased retirement, faculty who retire are eligible for a retirement leave. Prior to the date of retirement, faculty members are eligible for a one-semester retirement leave at full salary or a full year retirement leave at 75% salary. Faculty on retirement leave may not be employed elsewhere since they remain full time employees at the University of Delaware until the date of retirement. Faculty on retirement leave may participate in consulting activities under the guidelines described in the Faculty Handbook section: [Consulting and Other Outside Employment](#)

Faculty may elect a phased retirement of up to three years in length if they meet the age and service requirements noted above. Faculty electing a phased retirement shall receive his/her one-time payment at the rate of two percent of annual base salary for each year of full-time University service; years of phased retirement will be prorated. Faculty who elects phased retirement are not eligible for retirement leave. Phased retirement options are set forth in the Collective Bargaining Agreement between the University of Delaware and the AAUP. (Rev. 7/02, Vice President for Administration).

**Life Insurance and Death Benefit:** At the time of retirement, eligible retiring faculty may continue a portion of their group life insurance at full cost. The Option offered is 5-year renewable term insurance which decreases in amount at 5-year intervals. (Rev. 10/96.) Effective for faculty retiring on or after July 1, 1994, the University will pay a \$7,000 death benefit.

#### **Health Care Coverage:**

- **Medical Insurance:** The Blue Cross/Blue Shield of Delaware (BCBSDE) and Aetna programs are continued after retirement without any lapse in coverage. Spouse and child coverage (if appropriate) also continues without interruption. If the retired faculty member is under age 65, the cost is the same as coverage for active employees. If a retiree is over age 65 at retirement, the University provides individual coverage, supplemental to Medicare, with University funding to the retiree and also to the spouse. (Rev. 7/07, Office of Human Resources to reflect Collective Bargaining Agreement)

- Dental Insurance: At the time of retirement, eligible retiring faculty have the opportunity to join the State of Delaware Dental Program. Coverage is through either Dominion Dental or Delta Dental. Retirees pay the full cost of dental plan coverage. (Rev. 07/07, Office of Human Resources)
- Blood Bank: Blood Bank membership may be continued for retired faculty members without a lapse in coverage.
- Routine Physical Examination: If the retired faculty member continues enrollment in University medical insurance through Blue Cross Blue Shield of Delaware or Aetna, routine physical examinations are available periodically, as part of plan coverage. (Rev. 7/07, Office of Human Resources)
- Wellness Program: Effective July 1, 2002, retirees are eligible to participate in the University's Wellness Program.

#### **Educational Programs:**

- Course Fee Waiver: Eligible retired faculty, the spouse, or a dependent child are entitled to enroll in two courses per semester up to a maximum of six courses per calendar year. Each fee waiver covers one course up to four credit hours. Course fee waivers for graduate courses may be taxable benefits. (Rev. 9/02)
- Tuition Remission: The spouse and/or biological or adopted dependent children of faculty members who retire are eligible for tuition remission.
- Cooperative Tuition Exchange: A retired faculty member may enroll in one course (up to 4 credit hours) per semester at Delaware State University or Delaware Technical Community College at no cost. Courses taken through this program count toward the annual maximum for course fee waivers.
- Tuition Exchange Program: Dependent children of retired full-time faculty may apply for a Tuition Exchange Scholarship with participating colleges and universities. Program information, guidelines, and restrictions are available through the Office of Human Resources.

Other University Privileges: University ID cards are continued for retired faculty. Use of the card identifies retired faculty for the following:

- full library privileges
- participation in recreational and cultural events at faculty rates
- use of Athletic sports facilities
- central lot permit
- University transit services and bus travel

(Rev. 9/02, Rev. 4/03)

## 5.12 Home Purchase Assistance Program

Section: Personnel

Policy Number: 4-106

Policy Name: Home Purchase Assistance Program

Date: March 12, 1998

Revisions: September 7, 2001; May 25, 2005

### POLICY

The Board of Trustees has established a new program to replace the University's current mortgage program for faculty and professional staff hired after June 30, 1998. In so doing, it continues to assist in the recruitment and retention of faculty and administrators. This new program, called the Home Purchase Assistance (HPA) program, provides a one-time \$5,000 payment to be paid at settlement on the purchase of a primary residence. Key elements of the HPA program are set forth below:

Effective July 1, 1998, all full-time faculty and professionals hired after June 30, 1998, may receive home purchase assistance in the form of a one-time \$5,000 payment to be paid at settlement on the purchase of a primary residence within reasonable commuting distance of work location.

- Full-time faculty and professional staff hired before July 1, 1998, who have not used the University mortgage program, will have the option of using the existing University mortgage program or the new HPA program, effective immediately.
- The HPA supplemental cash payment will be taxable income to the employee in the year paid and federal and state taxes will be withheld as appropriate. The law requires federal (25 percent), and state (5 percent) income taxes be withheld irrespective of an employee's actual tax bracket. FICA/FICM tax of 7.65 percent must also be withheld unless the FICA threshold has been reached. The net cash available to employees will be \$3,117.50. (If the home is purchased in the City of Wilmington, you will be subject to the city tax of \$62.50 resulting in a check of \$3,055.00).
- If an employee itemizes deductions on his or her income tax return, mortgage points paid generally are deductible, and the employee can adjust withholding tax from regular salary to reflect estimated tax liability. Employees are encouraged to consult a tax advisor to determine the tax treatment appropriate to their individual circumstances.
- No more than \$5,000 shall be made available per home purchase, regardless of the number of eligible employees owning and residing in the home.
- Full-time faculty and professional staff electing the HPA program may also take advantage of the [Neighborhood Mortgage Assistance Program](#) if he/she meets that program's qualification criteria.

Detailed administrative procedures are available with HPA application forms in the University Associate Treasurer's Office.

For additional information, contact [Payroll](#) 302-831-8677

Submitted by: Office of the Treasurer

## 5.12 Neighborhood Mortgage Assistance Program

Section: Personnel

Policy Number: 4-105

Policy Name: NEIGHBORHOOD MORTGAGE ASSISTANCE PROGRAM

Date: March 12, 1998

### POLICY

The University of Delaware will make available funds for mortgage assistance to eligible employees who choose to purchase homes in specific targeted neighborhoods within the City of Newark. The program's primary purpose is to assist in stabilization of traditional family neighborhoods as described below.

All full-time employees are eligible to make application for mortgage assistance immediately upon employment.

The University will make a \$5,000 cash loan at settlement to be forgiven at the rate of \$1,000 for each full year the eligible employee maintains the house as his/her primary residence, with the stipulation that the purchaser must remain an eligible employee for two years from the date of settlement. Because the loan will be forgiven provided the employee retains his/her eligibility, employee will realize taxable income of \$1,000 per year for five years and will be liable for income and wage taxes thereon.

### PROGRAM PROVISIONS

1. Any first mortgage must be granted by a banking institution or other firm regularly in the business of lending for home purchases and performing credit reviews. The University's loan will be secured by a second mortgage on the house.
2. Except as provided for in Provision 3 below, the borrower must remain an employee of the University for two years from the date of the settlement or repay the remaining unforgiven loan balance even if continuing to reside in the house.
3. In the event of the retirement, total disability, or involuntary separation from employment for other than just cause, the loan may continue until forgiven if the mortgaged property continues to be the primary residence of the former employee.
4. The property must be the primary residence of the eligible employee, except that:
  - In the event of a legal separation or divorce of an eligible employee holding a University loan, if his/her spouse and/or minor children continue to occupy the mortgaged property as their primary residence, the University loan may continue until forgiven.

- In the event of the death of an eligible employee holding a University loan, and his/her spouse and/or minor children continue to occupy the mortgaged property as their primary residence, the University loan may continue until forgiven.
  - In the event of sabbatical leave, home may be rented for up to one year to single occupant or family.
5. Interest shall accrue at the rate of 8% per annum, beginning 30 days from the date an employee leaves the University's employ within two years or ceases to use the property as his or her primary residence (or the primary residence of his or her spouse) within five years.
  6. No more than \$5,000 shall be made available per home purchase, regardless of the number of eligible employees planning to reside in the home.
  7. An employee may participate in the program one time only.
  8. As a condition of the loan, homeowner agrees to grant the University the first opportunity to purchase property.
  9. Eligibility for this program does not affect eligibility for any other program the University may offer regarding primary residence purchases. See the [Faculty and Professional Mortgage Loans](#) policy.
  10. The University of Delaware reserves the right to alter the terms and target neighborhoods as deemed appropriate to the goals of the program or to terminate the program at any time.
  11. The \$5,000 loan will be provided at settlement by check made out as instructed by lender (mortgage provider). Funds may be applied to down payment and/or settlement costs.

**NOTE: Area banks may offer additional programs that may provide additional favorable terms to employees. Employees seeking a mortgage may wish to contact local banks for further information.**

Properties included in the Neighborhood Mortgage Assistance Program:

East Park Place Area

- East Park Place
- Courtney Street
- Ashley Road
- Kells Avenue
- Wollaston Avenue
- Waterworks Lane



- Manuel Street
- Academy Street

Properties on the streets listed below bounded by the east side of Haines Street to west side of S. Chapel bordered on the north by E. Cleveland and the south by Chambers Street.

- Haines Street
- Chambers Street
- Benny Street
- Lovett Avenue
- Continental Avenue
- East Delaware Avenue
- Chapel Street
- Choate Street
- Linden Street
- Center Street
- New Street
- East Cleveland Avenue

Cleveland Avenue Area

- East Cleveland Avenue from North College to Chapel Street, Prospect Avenue and Wilbur Street.

For additional information, contact [Payroll](#) 302-831-8677

Submitted by: Office of the Treasurer

### 5.13 Tuition Exchange

#### TUITION EXCHANGE PROGRAM GUIDELINES FOR PARTICIPATION FACULTY

1. Tuition Exchange Program participation is extended to dependent children of full-time employees with faculty appointments who have a minimum of two years of eligible University service as of October 31 of the year they submit TE applications. The term "children" includes natural and legally adopted children, provided that financial dependence on the parents can be demonstrated; children meeting the requirements of dependency set forth by the Internal Revenue Service will qualify.

2. When selected, a student may participate in the TEP for up to four years, providing the slots continue to be available to the University and satisfactory progress is made as defined by the host school.
3. A student must recertify each year through the Office of Human Resources in order to continue to be sponsored by the University of Delaware. Recertification applications will be mailed to faculty.
4. The TEP can only be used for full-time matriculated undergraduate students. Faculty members may also have an eligible dependent participating in the University's tuition remission program at the same time. Normally, a TEP scholarship will apply automatically to only one faculty dependent per year. However, additional slots are available (by lottery) for faculty who wish a second eligible dependent child to participate in TEP. This year, the lottery will be conducted on Friday, October 28, 2011; at 12:15 p.m. in Room 261, the second-floor conference room, at 413 Academy Street. Attendance at this lottery is not required.
5. If a student chooses not to use Tuition Exchange in the year he or she receives a slot, the slot will not be held for that student. The parent will have to reapply for a slot in a subsequent year.
6. In the event of the retirement or death of a University employee while his/her child is participating in the TEP, the student shall remain eligible to continue in the program.
7. Participants are advised that the income tax code may subject TEP to taxation.
8. Completed TEP applications for the 2012-2013 academic year must be received by Human Resources no later than October 24, 2011.
9. Late applications will not be accepted.