Charter of the Graduate Faculty New School for Social Research

Approved by the E&B on 8 March 2005 Ratified by the Executive Faculty on 6 April 2005

The Graduate Faculty of Political and Social Science of New School University was founded in 1933 as the University in Exile. Addressing issues of broad public concern, the Graduate Faculty approaches basic research and higher education from a distinctively critical, interdisciplinary, and international perspective. The Graduate Faculty's longstanding practice of academic self-governance is codified in this Charter.

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PART I: The Faculty

1. Executive Faculty

The Executive Faculty of the Graduate Faculty (hereafter GF) consists of (1) the Dean of the Faculty, Professors, Associate Professors, and Assistant Professors appointed to regular full-time or part-time tenured or tenure-track positions; (2) Senior Lecturers, Lecturers, and all individuals on non-tenure track, renewable contracts, who teach regularly in the Graduate Faculty curriculum; and (3) all persons with visiting teaching appointments, for the duration of their appointment at the Graduate Faculty.

Subject to the reserve power of control by the Trustees and the President, the Executive Faculty (a) shall have the power and the duty to fix the requirements of admission, the course of study and the conditions of graduation, to establish rules for ascertaining the proficiency of students and for the assignment of honors, to determine the academic calendar, and to fix the times of general examinations; (b) to establish rules of conduct to be observed by students and penalties for the violation thereof; and (c) to conduct such other business as is necessary to carry out the educational mission of the GF.

The exercise of any of the powers conferred on the Faculty that involves a change in the basic educational policy of the GF shall take effect only after the resolution of the Executive Faculty shall have been submitted to and approved by the Provost, President, and the Board of Trustees.

2. Faculty Meetings

a. Attendance and Voting

The following members of the Graduate Faculty have the right and responsibility to attend Faculty meetings, with voice and vote: (1) the Dean of the Faculty, Professors, Associate Professors, and Assistant Professors appointed to regular full-time or part-time tenured or tenure-track positions, including all such faculty holding a joint appointment of any type in another Division;(2) all individuals on non-tenure-track, renewable contracts, who teach regularly in the Graduate Faculty curriculum; (3) all persons with visiting teaching appointments, for the duration of their appointment at the Graduate Faculty.

Faculty members on phased retirement retain the right to attend and vote in Faculty meetings, unless in their individual agreements with the Dean of the Faculty they determine not to do so.

b. Attendance without Vote

Shared faculty members from other divisions teaching in the GF on a per-course basis and retaining primary concurrent affiliation with another Division or academic institution (including adjunct appointees and teaching assistants and associates) are welcome to attend meetings of the Faculty with voice but without vote. Members of the GF Administration designated by the Dean have the status of guests at Faculty meetings. Other guests may be invited to specific meetings of the Faculty by the Dean with the concurrence of the E&B. These persons, as guests, are not normally expected to participate in debate, although they may speak if questions are addressed to them.

c. Regular Faculty Meetings

Executive Faculty meetings are convened by the Dean of the Graduate Faculty at least six times in each academic year. Meetings must be publicized at least one week in advance; the normal meeting time is Wednesday between 2 and 3:30.

d. Special Faculty Meetings

The Dean will convene a special meeting of the Faculty with two days' notice when in the opinion of the Dean or of the E&B Committee a meeting is necessary to transact

important business, or at the written request of eight or more members of the Executive Faculty.

e. Presiding Officers

The Dean presides at meetings of the Faculty. In the Dean's absence, the Dean's designate presides.

f. Agenda

Advance notice of the agenda of each meeting is normally sent to members of the Faculty by the Dean at least one day before the meeting. Items not on the agenda may be discussed at any meeting and voted upon at any meeting of the Faculty.

g. Voting

Those eligible to vote are defined in the section on Faculty Meetings above. Questions before the Faculty may be decided by voice vote, by a show of hands, or by written ballot if requested by any three voting members present. Abstentions are in order.

h. Binding Nature of Decisions

All decisions of the Faculty arrived at by vote in the meetings of the Faculty shall be binding, and all members are expected to adhere to the spirit and intent of such decisions.

i. Ad hoc Committees

The Dean with the agreement of the Executive Faculty appoints Committees of the Faculty to study, report, and make recommendations on specific issues.

3. E&B

The steering Committee of the GF is the known as the E&B (for Executive and Budget

Committee). The E&B consists of the Dean of the GF; the Dean of Lang College; all GF chairs of Departments and Committees; the Associate Dean, the Assistant Dean for Student Affairs and Scholarships, and any other members of the GF Administration designated by the Dean to serve ex officio; and two student representatives, elected annually by the appropriate student organization..

E&B acts in a general advisory capacity to the Dean, and functions as a representative of the Faculty as a whole, on all matters of GF policy; it nominates or appoints members of other Committees; helps prepare the agenda for Executive Faculty meetings; and reviews recommendations of other GF Committees

The Dean of the Graduate Faculty convenes the E&B, which normally meets every other week during the academic year.

4. Academic Departments and Committees

The Faculty of the GF is organized into Departments and Committees for the granting of Ph.D. and M.A. degrees. Departments and Committees are expected to reach decisions in collegial fashion. Each Department or Committee, by election among tenure-track members of the faculty, who are free to consult with other members of the Department, will recommend to the Dean one of its members as Chair. The Dean, with the approval of the Provost, normally accepts this nomination in appointing a Chair. Chairs are appointed for terms of one, two, or three years, with the possibility of serving a second term. Should the Dean prefer another member of the faculty as Chair to the Department's nominee, the Department and the Dean are expected to consult in a collegial fashion. Should such consultation fail to produce an mutually acceptable nominee, the Dean appoints an Acting Chair for a term of no more than one year.

a. Regular Faculty

Appointment in either a Department or Committee falls into one of three categories:

- (1) Professor, Associate Professor, or Assistant Professor, with tenure or holding a tenure-track position. These appointments will generally be restricted to those whose initial appointment originated out of a Department or Committee of the GF.
- (2) Faculty members with the title of Professor and Associate Professor, but without tenure, and Assistant Professors not on a tenure-track, but with renewable contractual arrangements,
- (3) Faculty members whose primary appointment is with another division of New School University. These faculty members can be given appointments in either Departments or Committees, which will normally grant the faculty member the privilege of active engagement in a GF Department or Committee.

b. Adjunct Faculty.

Department Chairs annually propose hiring adjunct teachers to the Dean, with salaries determined by the Dean. Adjunct faculty members may be assigned the rank of Visiting Professor, Visiting Associate Professor, Visiting Assistant Professor, Visiting Senior Lecturer, or Visiting Lecturer.

c. Professors Emeriti.

The title of Professor Emeritus is bestowed by the Board on recommendation of the Dean with approval of the Department. The title is awarded for the life of the recipient.

Teaching assignments will depend on the requirements and recommendations of the specific Departments.

d. Department Chairs.

The responsibility of being Chair will be shared by the tenured members of the Department. All tenure-track members of the Department should also share where

appropriate the regular administrative work of the Department, so that it does not fall upon the Chair alone. The term of appointment of the Chair may vary, but a Chair should not normally serve more than two consecutive three-year terms. The Dean has the authority, under special circumstances, to remove a Chair of a Department.

e. Budget

Each Department operates under a budget approved by the Dean of the Faculty, the Provost, and the President, and voted by the Board of Trustees. This budget is under the control of the Chair or other designated member of the Department. No commitments should be made for any Departmental expenses without prior approval of that person and any bills or vouchers submitted to the Comptroller must have that person's written approval.

The Dean of the Faculty will annually inform each Department Chair of the current policies and procedures pertaining to the Chair's responsibilities in such matters as hiring, reappointment, tenure and promotion of faculty; budget projections; and the organization of the Department's curriculum.

f. Duties of Department Chairs

The duties of Department Chairs include, but are not limited, to: Transmitting program changes and new course proposals to the Dean's office; sending course and class information to the Registrar; participating in regularly-scheduled meetings of E&B; coordinating and/or conducting searches, in consultation with the Dean of the Faculty and with the Affirmative Action Officer; making annual arrangements with the Dean of the Faculty for the Department's budgets and projected faculty leaves and sabbaticals; discussing procedures for reappointment and tenure with non-tenured members of the Department, and for tenure with newly reappointed members; adhering to the schedule and procedures for tenure and promotion reviews; discussing with tenure candidates the gist of the Department's tenure recommendation; managing Department reviews, in consultation and coordination with the Dean of the Faculty's Office; preparing the

Departmental Self-Study and consulting with the Visiting Review Committee; discussing faculty and student grievances with the aggrieved parties; and all other Department administrative responsibilities not assigned to any other person.

5. Administrative Officers

a. The Dean of the Graduate Faculty

The Dean of the Faculty has primary responsibility for matters of academic policy that affect the Faculty and for the educational consequences of the academic budget. The Dean serves for a term negotiated with the President, normally five years. Candidates for Dean are screened by a Committee chosen by the President in consultation with the Provost that includes members from each Department of the GF; this Committee forwards finalists to the President, who then chooses the Dean.

b. The Associate Dean

The Associate Dean (or another officer designated by the Dean) assists the Dean in matters of academic policy that affect the Faculty, and has primary responsibility for managing the academic budget. Candidates for Associate Dean are screened by a committee chosen by the Dean that includes relevant senior staff and faculty; this committee forwards finalists to the Dean, who then chooses the Associate Dean.

c. The Assistant Dean of Student Affairs and Scholarships

The Assistant Dean of Student Affairs and Scholarships (or another officer designated by the Dean) has primary responsibility for the academic rules and regulations concerning students, and also coordinates the work of the office of financial aid. Associates within the Dean of Student Affairs' Office share responsibilities for counseling and advising students; providing various academic support programs; career counseling and planning; and student activities.

d. The Director of Admissions

The Director of Admissions (or another officer designated by the Dean) is responsible for development of policy, strategic planning, and policy analysis related to admissions.

PART II: Academic appointments

1. Appointments

At all ranks, new appointments to tenured or tenure-track positions are made by a recommendation from the President to the Board of Trustees, which has the final power of appointment.

All recommendations for appointments at the level of Assistant Professor, Associate Professor, and Professor originate with the relevant Department or Committee, and are discussed by the Chair of the Department with the Dean of the Faculty. An appointment at the Associate Professor level may be made with or without tenure.

For all such positions, the authorization to search requires the approval of the Dean and the Provost. The Dean of the Faculty interviews all final candidates, and the Dean formulates all offers.

A faculty member may be jointly appointed to two Departments, or to two or more Divisions within the University, either upon joining the Faculty after a formal search, or as a current member of the Faculty on the invitation of a second academic unit. The faculty member with such an appointment will participate as a voting member in all personnel and curricular decisions concerning his or her home units. As well, he or she will have the same rank in both units, and also teach regularly in both. All requests for changes in joint affiliations, including those for such appointments and for resignations, will be directed to the Chair of the appropriate Department or the Dean of the appropriate Division; within the GF, the Dean will ask for the Department's advice before making a change in appointment.

2. The Meaning of Tenure

Most appointments at the Graduate Faculty are based on a tenure system. The purpose of this system is to sustain and strengthen commitments to academic freedom, university self-governance, and scholarly excellence. The terms 'tenure system' and 'tenure-track system' refer to the overall shape of academic life at the Graduate Faculty.

Within that framework, an appointment with tenure means an appointment without limit of time that can be terminated only for adequate cause or under extraordinary circumstances. An appointment with tenure is authorized by the Board of Trustees upon the recommendation of the President.

Tenure, academic freedom, and academic self-governance are distinguishable but tightly linked in the life of a college or university. Without freedom to explore new ideas, or to criticize existing beliefs and institutions, higher learning would become a sterile exercise and society would suffer accordingly. Academic freedom must be sustained for all Faculty without regard to rank or tenure, recognizing the fact that the use of such freedom may anger powerful vested interests in the larger society or arouse the ire of administrators, faculty colleagues, or students. Tenure is a crucial institutional means for securing the basic conditions of academic freedom for all faculty, tenured and untenured. Decisions about tenure are a crucial process through which a university faculty constitutes and sustains itself.

The protection of academic freedom by a guarantee of permanent tenure, therefore, represents an important part of the continuous effort that must be made to preserve the freedom of thought and speech that is the breath of life both for scholarly inquiry and for the public life of a democratic society. This being so, tenure imposes upon all who receive it the reciprocal obligation to make the fullest use of such freedom and to carry the results of honest and imaginative inquiry to the larger society even though this act may challenge cherished beliefs and established institutions. Tenure requires also that faculty members foster freedom of inquiry for their colleagues and their students and respect the virtues of intellectual integrity and the claims of reason and evidence.

3. Appointment and Reappointment of Non-Tenured Faculty on the Tenure Track

The appointment of non-tenured faculty at the Graduate Faculty should result from authorized academic searches conducted by Departments and programs. For most such appointments – including appointments as Assistant Professor and Associate Professor without tenure – the goal is to sustain and enhance the academic and civic life of the Graduate Faculty and the university. For an appointment on a tenure track to be made, it should be possible to make a plausible case that the person appointed will succeed in meeting the criteria for promotion with tenure spelled out below. Given such a case, matters of Departmental need as well as the needs of other divisions of the university must figure strongly as well in appointment decisions.

a. The Appointment/Reappointment Committee

New appointments of non-tenured faculty in tenure-track positions are subject to review by the Appointment/Reappointment Committee. This Committee shall include at least one tenure-track member of each Department and Committee, as well as the Dean of the Graduate Faculty, the Dean of Lang College, and – if, and only if it is relevant – the Dean of any other Division involved in a joint appointment. Deans serve *ex officio:* they have voice, but no vote. All voting on the Appointment/Reappointment Committee shall be by secret ballot.

The Appointment/Reappointment Committee is charged with determining whether the proposed appointment meets the basic academic standard defined above, and with gauging the likelihood that the appointment will make a substantial positive contribution to the teaching and advising needs of the Graduate Faculty and the university.

The Appointment/Reappointment Committee will also review candidates for reappointment from among non-tenured junior faculty members with tenure-track positions.

b.) Procedures for Reappointment

Early in the fourth year of his or her appointment, an Assistant Professor at the Graduate Faculty will present a file of materials to the Department Chair. This file will include at least the following: (1) a copy of his or her current cv; (2) copies of publications and work in progress since his or her initial appointment at the Graduate Faculty; (3) syllabi for courses taught at the Graduate Faculty and elsewhere at New School University; (4) a record of major advising commitments at both the graduate and undergraduate level; and a list of names of possible reviewers of the file.

The Department Chair, in consultation with other members of the Department, will develop a list of reviewers from which he or she will obtain not fewer than four and not more than seven letters of review. Though the candidate will normally be asked to suggest reviewers, the majority of letters should come from independent reviewers nominated by other members of the Department. Reviewers will be asked to focus on the quality and promise of the scholarly work of the candidates, while taking account of information they receive about teaching, advising, and university citizenship. In addition, the Department Chair will collect evaluations of teaching and letters from students, to add to the file.

The tenured members of the Department will meet on the basis of the candidate's file and the letters of review. In addition, the Chair will solicit the opinions, in writing, of the Dean and relative program or Department chairs of other divisions at which the candidate is also appointed. The tenured members of the Department will vote on whether to recommend or not recommend the candidate for reappointment for three years, and the Chair will inform the Appointment/Reappointment Committee of the Department's recommendation.

A positive recommendation results in the case moving forward to the Appointment/Reappointment Committee. This Committee will review the materials presented as well as the letter provided by the Department chair in support of the Department's recommendation. It will have the right to seek additional information about the candidate's scholarship, teaching, advising, and university citizenship from

other members of the university, and in appropriate circumstances, from additional scholars outside the university. In making its decision, the Appointment/Reappointment Committee will consider the contributions of the candidate as regards scholarship, teaching, advising, and citizenship. The reappointment review is not a tenure review. But a positive recommendation for reappointment should be accompanied by a report conveying the Committee's opinion about the likelihood that the candidate will present a serious case for promotion with tenure at the end of their second term of appointment without tenure.

A positive recommendation by the Appointment/Reappointment Committee will then be considered by the Dean of the Graduate Faculty – and, in the case of joint appointments, the Dean of the relevant Division. If the Dean or Deans accept this recommendation, he or she or they will forward it to the Provost and then to the President for their approval and the final approval of the Board of Trustees. In the case of joint appointments, it is possible that the Deans of different Divisions will make different recommendations; in this case, each Dean will forward his or her recommendation to the Provost.

All decisions of the Appointment/Reappointment Committee will be conveyed orally by the Dean of the Graduate Faculty to the candidate.

With the exception of visiting appointments (which are made by the Dean in consultation with a Department and its Chair) and appointments to Full Professor without tenure (which shall be considered by the Tenure Committee), all other appointments for non-tenured positions within the Graduate Faculty shall also be considered by the Appointment/Reappointment Committee.

These will include appointments as Associate Professor without tenure, and as Assistant Professor, Senior Lecturer, and Lecturer without a right of review for tenure. Although all such appointments will normally comprise only a small portion of the overall appointments at the Graduate Faculty, they will contain diverse cases in which the level and form of scholarly achievement vary widely. In general the Appointment/Reappointment Committee will consider that the titles of Professor,

Associate Professor, and Assistant Professor should only be used if the person appointed has a record of scholarly achievement and recognition comparable to those of successful candidates for positions with such titles with tenure or on a tenure-track basis. These titles should not normally be granted without tenure or a right of tenure review for institutional reasons. The titles of Senior Lecture and Lecturer can be granted to individuals who make a significant intellectual contribution to the Graduate Faculty and the university but do not so at a level or to the extent that would be required for a permanent appointment on a tenure-track or tenured basis. The Appointment/Reappointment Committee will be obliged to take particular circumstances into account with non-tenure track appointments of all types.

c. Confidential Nature of Meetings

Discussions at reappointment meetings are confidential, and public announcements of decisions taken at such meetings should be made only by the Dean of the Faculty.

4. Review for Tenure

a. Timing of the Tenure Review

An academic faculty member whose first regular full-time appointment is at the GF shall normally be considered for tenure in his or her seventh year at the GF, presuming a positive outcome of his or her earlier review for reappointment. In some cases, the decision may come after the seventh year, if the tenure clock has been stopped with the agreement of the Tenure Committee and the Dean by research leaves or time off to attend to family obligations. In exceptional circumstances, a Department may, with the agreement of the faculty member, make a recommendation for tenure before the seventh year. A faculty member who is denied tenure in or before the seventh year will, if he or she wishes, have a terminal appointment for the academic year after the year in which a tenure decision is made. If more than one year remains in such a person's appointment following a negative tenure decision, then the faculty member may fulfill the remaining

time of appointment until the end of the eighth year with the understanding that upon completion of this time employment by the GF ends.

b. The Criteria for Tenure

The Graduate Faculty values faculty whose commitment to the life of the mind is demonstrated through scholarship, teaching, and a concern for the general life of the Graduate Faculty and the larger University.

Although distinguishing one quality from another--even for the purpose of discussion--separates what is inseparable in the life of a single individual, the distinctions which follow are an attempt to specify the qualities the Graduate Faculty seeks, especially among faculty who hold appointment without term.

The Graduate Faculty gives primary weight to the continued scholarly growth of faculty members. Creative, original, and rigorous research along with its publication in appropriate forms provides crucial indications of such growth. This research and its published results should provide clear evidence of an ability to generate new knowledge and influence the shape of important scholarly and public debates within the candidate's field and beyond. No one displays such qualities in all of his or her scholarly work; yet promotion to tenure should be based on substantial indications of an ability to make contributions that go beyond conventional good work.

While the Graduate Faculty takes very serious account of a faculty member's ability to teach and advise undergraduates, it places a special weight on his or her ability to guide the dissertation research of Ph.D. candidates. At the same time, the Graduate Faculty considers that a candidate for tenure will be committed to making serious efforts to enhance the intellectual and civic life, not just of the Graduate Faculty, but of the entire university community – especially, in the case of candidates for tenure holding joint appointments with other divisions. While the balance among the varieties of intellectual distinction prerequisite to tenure may vary from individual to individual and from field to field, effective teaching or significant contributions to the community's well-being cannot

compensate for the absence of scholarship or creative work.

Institutional considerations may play a role at the time of the tenure decision, but if they are invoked, the Dean of the Graduate Faculty will give a full account of how and why these considerations are deemed relevant for the case. Institutional considerations include factors such as the tenure structure of the Department, the rank structure of the Department, and the fields of competence of the faculty member being considered for tenure in relation to the current composition of the Department. Although the Graduate Faculty has no fixed requirement for the percentage of faculty on tenure or for the distribution of faculty by rank generally or within a Department, a particular judgment may be made which takes such factors into account.

5. Procedures in tenure decisions

In the spring of the academic year preceding that in which a tenure decision will be made for an individual candidate, the candidate and Department Chair will be informed in writing by the Dean of the Faculty of the schedule and procedures to be followed.

a. Departmental Recommendation.

A recommendation concerning tenure originates in the candidate's Department(s). The tenured members of the Department(s) will make a recommendation to the Graduate Faculty Tenure Committee for or against an appointment with tenure. A Departmental letter of recommendation will be submitted to the Tenure Committee. Such a letter will contain judgments about:

- (1) Scholarship, as regards not only the substance of the public record achieved by the candidate but as regards judgments of its prospective creativity, rigor, and overall promise;
- (2) Teaching effectiveness;

- (3) Advising effectiveness, especially but not only as regards the ability to supervise the research of Ph.D. candidates:
- (4) Contributions to the general life of the Graduate Faculty and the university, through service, administration, and related activities;
- (5) Considerations of Departmental structure and need.

In support of its positive or negative recommendation, the Department shall submit a copy of the candidate's current curriculum vitae, including a list of all courses taught at the GF and the years in which they were taught, and a list of theses supervised. The Department will provide copies of the candidate's scholarly and creative work with, when applicable, a characterization of the journals in which or the press by which the work was published. It will make available all written evidence used to evaluate teaching effectiveness including the semester-end evaluations solicited from students in all courses. It will provide all of the retrospective letters solicited at the time of reappointment review, and the retrospective letters solicited at the time of tenure review from all current and former students taught since the time of reappointment. The Department shall submit letters from no fewer than six (6) and normally no more than eight (8), or in the case of joint appointments ten (10), external reviewers who are leading scholars in the candidate's field(s). Though the candidate will normally be asked to suggest reviewers, the majority of letters should come from independent reviewers nominated by other members of the Department. Reviewers will be asked to focus on the quality and promise of the scholarly work of the candidates, while taking account of information they receive about teaching, advising, and university citizenship. Along with these letters, the Department will submit a description of the process by which these persons were chosen as external reviewers, their qualifications, and their relationship, if any, to the candidate. In addition, the Department Chair will collect evaluations of teaching and letters from students, to add to the file.

b. Schedule for Submission of Departmental Recommendations.

These materials will normally be submitted to the Dean of the Faculty in support of its recommendation. If the Department makes a positive recommendation, these materials will be forwarded to the Tenure Committee by November 15 of the year of the tenure decision. If the Department makes a negative decision, the Dean may but is not required to forward the candidate's materials to the Tenure Committee for further consideration.

Following the Department's meeting, the Department Chair will provide the candidate with a copy of the Department's letter. That letter shall be edited to protect confidentiality, but must include the number of positive and negative votes and abstentions. The Chair will discuss that letter with the candidate.

c. Tenure Committee.

The Tenure Committee of the Graduate Faculty is empowered to review all proposals for tenured appointments, whether those appointments involve the promotion of untenured faculty within the Graduate Faculty or the granting of tenure of newly appointed faculty from other institutions. The Tenure Committee is also empowered to review all proposals for an appointment at the rank of Full Professor without tenure.

The Tenure Committee shall normally consist of at least one representative of each Department and Committee within the Graduate Faculty. Normally the Chair of the Department or Committee will serve as a member of the Tenure Committee; if he or she is unable to do so, the senior faculty of the Department or Committee will choose another representative. In addition, the Executive Faculty of the Graduate Faculty will choose, at one of its yearly meetings, no more than three additional members of the Tenure Committee, who will serve terms of up to three years. All faculty members of the Tenure Committee, including the representative of the candidate's Department, shall have the right to vote. Other members of the Tenure Committee will attend with the right to speak at the meeting but without a vote: the Dean of the Graduate Faculty; the Dean of Lang College; and—if, and only if it is relevant – the Dean of any other Division involved in jointly appointed candidate for tenure. The Dean of Lang College has the right to join the Tenure Committee for all of its meetings, whether or not candidates for tenure also have

appointments at Lang. Deans serve *ex officio*: they have voice, but no vote. All voting on the Tenure Committee shall be by secret ballot.

The Tenure Committee will receive materials provided by the Department of the Graduate Faculty and also a file of other materials provided by the relevant Division, in the case of a candidate for tenure who holds a joint appointment with another Division of the University.

After due deliberation, the Tenure Committee will vote, and then make its recommendation to the Dean of the Graduate Faculty. The Dean of the Graduate Faculty will make his or her own decision in the case. If the Dean of the Graduate Faculty rejects the recommendation of the Tenure Committee, he or she must justify any such rejection to the Committee, either in person or in writing.

In the case of joint appointments, the Dean of the relevant Division will also make or her own decision in the case. If the Dean or Deans accept the recommendation for tenure, he or she or they will forward it to the Provost and then to the President for their approval and the final approval of the Board of Trustees.

In the case of joint appointments, it is possible that the Deans of different Divisions will make different recommendations; in this case, each Dean will forward his or her recommendation to the Provost, who decides whether or not to forward a tenure recommendation to the Board of Trustees. The final decision concerning tenure, whether affirmative or negative, will be communicated by the Dean of the Graduate Faculty to the faculty member concerned. If the decision is affirmative, the faculty member will receive formal notification in writing from Provost's office, or the Secretary of the Board of Trustees, that he or she is now a tenured member of the Faculty. If the decision is negative, the College will endeavor to give the faculty member eighteen months' notice before final termination. This will entail an additional one-year terminal appointment.

A faculty member who has been notified of a decision not to grant tenure may request from the Dean of the Faculty an explanation of the reasons that led to that decision. If he or she believes that improper procedures were followed, or that the negative decision constitutes a violation of academic freedom, he or she has the right to request a hearing by the Grievance Committee.

d. Confidential Nature of Meetings

Discussions at Tenure Committee meetings are confidential, and public announcements of decisions taken at these meetings should be made only by the Dean of the Faculty.

6. Promotion to Full Professor

When a Department recommends that an Associate Professor with Tenure be promoted to the rank of Full Professor, a Promotion Committee, consisting of all the Full Professors with tenure at the Graduate Faculty, shall be convened to consider the merits of the case. In reaching a decision on promotion, this Committee of Full Professors shall follow the same procedures used in tenure decisions.

Part III: Faculty grievance procedures

1. The right to appeal decisions

The Graduate Faculty is committed to the principle that all full-time and part-time faculty members have the right to appeal decisions of the department, chair, or Dean. Faculty members have the right to appeal the *procedural* aspects of decisions that bear on their reappointment, promotion and tenure. They do not have the right to appeal the substantive conclusions of such decisions.

It is not possible to foresee the circumstances under which members of the faculty will believe that they have been treated unfairly – by their department, by their chair, or by their Dean. Often, further information and communication will clarify decisions and expectations. In any case, experience has shown that it is helpful to all parties when there are clear procedures for the presentation and resolution of faculty grievances.

2. Procedure for hearing grievances

a. The grievance committee

The committee is charged to receive and hear the grievance of any member of the Graduate Faculty. It will consist of at least four members of the Graduate Faculty, including at least two faculty members. All committee members shall be appointed by the Dean, who will also designate a chair. The Dean will consult with the E&B and the Executive Faculty before selecting and announcing the membership of the committee. In designating individuals to hear a faculty grievance, the Dean should be sensitive to potential conflicts of interest, and also should inform the Provost whenever there is a

concern of a conflict of interest. If a conflict of interest emerges after the committee is selected, the Dean and the Provost may make changes to its membership, in order to avoid such conflict.

b. The grievance procedure

Faculty members should present a brief (one or two page) summary of their grievance in writing to the chair of the grievance committee. The committee may decide to hear oral testimony only, or require a fuller written statement of the grievance. It should attempt to resolve the outstanding issues through conversation with the faculty member who brings the grievance, and the individual or department against whom the grievance is brought, before reaching a conclusion to its consideration of the grievance. At the end of the hearing, a short written statement on the consideration of the grievance and all findings should be presented to the Dean, the E&B, the Executive Faculty, and to the faculty member and the other party.

c. Right to appeal

Faculty members have the right to appeal the findings and recommendations of the initial hearing of their grievance to the Dean. If, after discussing the matter with the committee chair, the faculty member chooses to appeal the outcome of the first hearing, the Dean should also attempt to resolve the issues at dispute through conversation with the parties. If a resolution cannot be reached, then the Dean will prepare a written report on his or her consideration of the grievance, with recommendations to the Provost.

The Provost may choose to accept the recommendations of the Dean, or to conduct a final hearing of the grievance. If the recommendations are accepted, the Provost will release the report and the recommendation to the faculty member. If the grievance involves a decision about the faculty member's fitness or competence, the procedures and standards of review expressed in the University's Faculty Handbook will apply. The Provost will

make the determination of whether a faculty grievance is considered to involve fitness or competence.

PART IV: Procedures for Changing the Charter

The Executive Faculty is the primary site of governance at the Graduate Faculty. Yet as preceding sections of this charter indicate, governance takes a variety of forms with a number of different agents. The Graduate Faculty is a research and teaching institution within a large and growing university, and the present charter is thus subject to revision and change as circumstances change.

Changes to the Charter of the Graduate Faculty can be proposed by any of the following agents, singly or in combination: members of the Executive Faculty; the Dean of the Graduate Faculty; and the E&B Committee and Departments and Committees.

Proposed changes will be considered at regularly scheduled Executive Faculty meetings. In order to be accepted by the Graduate Faculty, a change to this charter must receive a vote of at least 60% of members present at two successive meetings of the Executive Faculty, each one with a quorum of at least 50% of eligible faculty in attendance.

If the Executive Faculty approves a change in the charter of the Graduate Faculty, that change is subject to approval by the Provost. In cases where a change is approved by the Executive Faculty but rejected by the Provost or President, a written explanation will be provided of the reasons for rejecting the proposed change. A process of discussion will then proceed aimed at producing a generally acceptable version of the proposed change, subject to the final approval of the Board of Trustees.