

## CHAPTER FOUR

### THE ORDINARY FACULTY

The Ordinary Faculty are those faculty members who are tenured and those whose time in rank accrues to tenure. Each non-tenured member of the Ordinary Faculty is considered to be on probation.

The Ordinary Faculty devote their main effort to teaching and scholarly activity and have full-time appointments to one of the four academic ranks of Instructor, Assistant Professor, Associate Professor or Professor.

The President, Provost and Vice President for Academic Affairs, and all Deans of Colleges have Ordinary Faculty status *ex officio*. The Provost and Vice President for Academic Affairs and the Deans are expected to teach on a regular basis when consistent with assigned workload and other responsibilities.

Other University executives, officials and officers may be granted Extraordinary Faculty rank on the recommendation of the faculty of the appropriate Department or College, seconded by the Dean and ratified by the Provost and Vice President for Academic Affairs.

Persons who are appointed to posts as University executives, officials or officers and who hold Ordinary Faculty status at the time of their appointment become temporary members of the Extraordinary Faculty (except those previously noted). They do not retain tenure unless this is specifically stated in their letters of appointment; nor does the time during which their main duty is not teaching and research count towards the acquisition of faculty tenure.

#### **A. *Norms for Appointment and Advancement***

The norms for appointment and advancement fall into three general areas: teaching, research and publication, and community service. Final determination<sup>1</sup> of the rank received on first appointment to the full-time faculty will be made by the Provost and Vice President for Academic Affairs on the recommendation of the Dean and the appropriate faculty body as determined by the by-laws of the College and will be determined by the criteria listed below.

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<sup>1</sup> In the College of Law, determination of the rank to be offered on first appointment, and of whether or not an appointment shall be made with immediate tenure, will be made by the College of Law Rank and Tenure Committee and will be determined by the criteria listed in this chapter. This determination shall be subject to approval of the Provost and Vice President for Academic Affairs. The Dean of the College of Law shall forward to the Provost and Vice President for Academic Affairs his or her opinion independent of the determination made by the College of Law Rank and Tenure Committee.

## **1. Instructor**

Ordinarily, Instructor is the beginning rank for those faculty members who do not hold the terminal degree or its equivalent.

Appointment to the rank of Instructor ordinarily presupposes the following qualifications:

- a.* possession of adequate training and preparation as evidenced by degrees earned and by educational and/or professional experience;
- b.* proved or presumed teaching ability;
- c.* the potential of progress toward Assistant Professorship according to the ordinary norms; and
- d.* those qualities of character and personality expected in a teacher and director of students.

The appointment is for one year and may not be renewed more than three times. Failure to qualify for promotion to the rank of Assistant Professor in the third year of service constitutes notice of termination. If promotion occurs during the fourth year of service, another contract may be offered.

## **2. Assistant Professor**

Ordinarily, Assistant Professor is the beginning rank for those faculty members who have the terminal degree or its equivalent, or in certain fields the appropriate professional degree, license, and/or experience. Appointment to this rank presupposes evidence of the possession of those qualities of character, personality and competence expected in a teacher and advisor of students, and evidence of ability for scholarship and research.

An Instructor, upon receiving the terminal degree, shall be eligible for appointment to the rank of Assistant Professor according to the following norms:

- a.* demonstration of competence as a teacher and advisor of students;
- b.* evidence of ability for scholarship and research;
- c.* evidence of satisfactory performance of University responsibilities.

## **3. Associate Professor**

Ordinarily, an Assistant Professor who has completed at least three academic years<sup>2</sup> of service at this University or one of equal standing, and who possesses a terminal degree,

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<sup>2</sup> In the College of Law, an Assistant Professor must have completed two years of service to merit consideration in the third year for promotion in the fourth year. Previous experience, either on a law faculty or in other significant professional positions, may sometimes be counted in shortening the period.

merits consideration in the fourth year for promotion to the rank of Associate Professor in the fifth year. Candidates for promotion shall excel in the following qualities:

*a.* teaching:

high standing among colleagues and students in classroom performance, as evidenced by (but not limited to) student and peer evaluations based on personal observations and not hearsay; clear evidence of excellence in instruction, which implies, first of all, the exercise of sound scholarly judgment regarding what is and what is not academically appropriate for inclusion in a particular course of study. This may imply the continuing use of current textbooks or it may imply the use of older, more classical works when their excellence has not been surpassed. In either case, it is sound scholarly judgment that is called for. Evidence of excellence in instruction may also include the creation of new courses, original either in subject matter or in the treatment of old subject matter. It may involve the adoption of new methods of teaching, the creation of new and original teaching devices and the utilization of computers in instruction, or it may involve a reasoned preference for and adoption of older, more traditional methods of pedagogy. In either case, again, it is the subject matter and the demands of sound scholarly judgment that should dictate what is called for.

*b.* scholarship:

active scholarship as evidenced by (but not limited to): books or monographs of scholarly research or creative writing; articles in recognized learned journals; papers read to learned societies; papers presented to the Loyola University New Orleans community; in certain fields such as art, drama, music, etc., artistic creations, compositions and performances; in law, briefs on the appellate level; and in business, case studies and government publications. Evidence of active scholarship in cognate disciplines also should be considered.

*c.* community service:

service to the community as evidenced by (but not limited to):

contributions to the general welfare of the students through steady and sound academic advising, and through service to student organizations and activities;

contributions to the general welfare of the department, College or University, primarily through work on committees;

contributions to the religious development of students, faculty, staff and alumni through spiritual counseling, retreats, liturgies and other forms of ministry;

contributions to the general welfare of the profession; or

service to the community at large, when such aid is meaningfully related to the accomplishment of Loyola University New Orleans' goals, or furthers professional academic pursuits.

#### **4. Professor**

A member of the faculty who has rendered distinctive and outstanding service in an academic area and to a College may be considered for the rank of Professor. Promotion to this rank is not a recognition of seniority but of distinction in teaching, scholarship and service. Consideration for promotion to the rank of Professor may be given to persons who possess the following qualifications:

- a.* ordinarily a minimum experience of five years<sup>3</sup> in the rank of Associate Professor at this University or one of equal standing;
- b.* distinguished fulfillment of the requirements of the lower academic ranks;
- c.* significant contribution to the purposes of the University through outstanding success in teaching, continuing achievement in scholarly activities, and sustained accomplishments in community service.

#### **5. University Professor**

University Professor is a rank that may be awarded in extraordinary circumstances to honor a Loyola Professor who is highly distinguished in his or her profession. It falls directly under the jurisdiction of the Provost and Vice-President for Academic Affairs, and does not affect the salary pool of any college<sup>4</sup>. This rank shall be permanent for any ordinary faculty member who has served at Loyola, as long as the recipient is employed fulltime by the University. The qualifications for appointment to this rank should parallel those for promotion to the rank of Professor (see Chapter 4, Section A Part 4), but with greater distinction. All three areas (teaching, research, and service) must be considered; excellence in a single category is not sufficient for appointment to this rank.

A University Professor may be nominated from time to time by the Provost and Vice President for Academic Affairs in consultation with the Dean and affiliated department(s). A letter of nomination from the Provost, a letter from the candidate, his or her *curriculum vitae*, and letters of support from the Dean and department(s) will then be forwarded to the University Rank and Tenure Committee for consideration. The final decision will be made, with the advice and consent of the University Rank and Tenure Committee, by the President.

A University Professor may offer courses in any College with the approval of the Dean and departmental faculty of the College concerned.

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<sup>3</sup> In the College of Law, the minimum is two years; normal practice is three years.

<sup>4</sup> If a department line should be used for a University Professorship and the line is withdrawn from the department, the department would be credited with a reimbursed tenure-track line.

## **B. *Application of the Norms for Advancement in Rank***

The application of these norms to an individual is a matter of collective judgment of his or her peers. No one person needs to excel equally in each norm; rather the relative weights accorded the norms may vary depending upon the qualities of the person, the nature of the field, the needs of the department and College, and the goals of the University.

Norms can only serve as guidelines for what will always remain fallible human judgment. It is expected that those responsible for making such judgments will exercise prudence in evaluating the suitability of the faculty member as a professional colleague, the promise of making a long-term contribution to the academic field and his or her ability to move the University toward its goals and educational ideals.

## **C. *Exceptions to the Norms for Advancement in Rank***

All exceptions are determined through evaluation by the College Committee on Rank and Tenure.

1. To the requirement of the terminal degree the individual must show:
  - a. a distinguished record of service in one of the arts or professions;
  - or
  - b. the practical impossibility of attaining the highest degree.
2. To the requirement of formal research and publications:
  - a. with reference to the requirements for advancement to the rank of Associate Professor, the individual must show:
    - i. the existence of valid reasons for not engaging in formal research and publication; and
    - ii. evidence of scholarly development in one's professional field; and
    - iii. evidence of extraordinary competence in teaching; and
    - iv. possession of those qualities of character and personality expected in permanent faculty members.
  - b. with reference to the requirements for advancement to the rank of Professor, the following conditions may in rare cases be substituted for the norms:

- i.* twenty years of distinguished service as a teacher, counselor and director of students at a recognized college or university; and
- ii.* extraordinary competence as a teacher and advisor of students; and
- iii.* general recognition as a master in his or her field.

**D. *Procedures for New Appointments to the Ordinary Faculty***

The appropriate Dean obtains advance approval from the Provost and Vice President for Academic Affairs for an academic position. At the same time, a salary range and a recruiting budget are agreed upon.

It is the right and responsibility of appropriate members of the Ordinary Faculty, as determined by the College, to identify, recruit, interview and recommend new faculty appointments. Extraordinary circumstances may set limits to the realization of faculty determination in these matters.

It is a University obligation to assure that University policies on Affirmative Action/Equal Employment Opportunity be fulfilled through established procedures. All formal offers of employment shall be in writing. The Dean may be authorized by the Provost and Vice President for Academic Affairs to enter into preliminary negotiations concerning offers and commitments to a prospective faculty member. The Provost and Vice President for Academic Affairs is the sole appointing authority who makes an offer, which, when accepted, constitutes the contract.

**E. *Procedures for Promotion in Rank***

It is the responsibility of each faculty member to apply for promotion in rank. If the faculty member feels that special circumstances warrant consideration for promotion earlier than the normal time of first eligibility, he or she may elect to apply to the College

Rank and Tenure Committee for promotion in an earlier year. The denial of promotion in an earlier year shall not prejudice the member's candidacy for promotion in a subsequent year.

Ordinarily promotions to Assistant Professor are made by the Provost and Vice President for Academic Affairs following consultation with the Dean of the appropriate College according to the norms given in this Chapter, Section A-2. The Dean will consult with the departmental chairperson, area coordinator or faculty for advice concerning these promotions.

Promotion decisions to Associate Professor and Professor are made after the College Rank and Tenure Committee has completed its review and made its recommendations.

Each year on or before March 1, the Provost and Vice President for Academic Affairs notifies the several Deans of those faculty members who are first eligible<sup>5</sup> for consideration for promotion in the following academic year. Ordinarily, Assistant Professors are expected to have at least three years of service and Associate Professors five years of service in rank at this University, or one of equal standing, to be considered first eligible.<sup>6</sup>

The Dean will give the faculty members immediate notice concerning the beginning of the promotion review process. Each Dean shall give the faculty members (1) written notice that they are eligible to be considered for promotion; (2) any existing university, college or department criteria for promotion; and (3) information concerning the promotion evaluation process. This notification shall afford the faculty member time to prepare materials relevant to adequate consideration of his or her qualifications. This notification shall be sufficiently in advance to afford the faculty member time to prepare materials relevant to adequate consideration of his or her qualifications. Materials shall be submitted to the College Rank and Tenure Committee on or before November 1. In the College of Humanities and Natural Sciences, the tenured members of the Department will review these and other relevant materials and submit their recommendation to the College Rank and Tenure Committee.

All materials submitted to the College Rank and Tenure Committee and all deliberations of the Committee shall be kept confidential.

The College Rank and Tenure Committees will begin review on or before November 1 of each year. Each College Rank and Tenure Committee shall have the discretion to solicit other information that it deems pertinent to adequate consideration of the case under review. Following thorough review of all information, the College Rank and Tenure Committee will send its recommendation and its rationale in writing and the entire written record to the Dean and the candidate for promotion on or before January 1.<sup>7</sup> In the case of a negative recommendation by the College Rank and Tenure Committee, the candidate may, within ten business days from the time written notice of the recommendation is sent to the candidate, submit a written request for reconsideration with reasons and supporting documents as appropriate. If the candidate requests reconsideration, the College Rank and Tenure Committee must complete its consideration of the petition for reconsideration and submit its written report to the Dean and the candidate within ten business days from the date the request for reconsideration is sent. On or before February 15, the Dean appends his or her recommendations and sends both to the Vice President for Academic Affairs. If all three, namely, the College Rank

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<sup>5</sup> In the College of Law normal practice is for the Associate Professor to be first eligible for consideration for promotion to professor after completing three years of service in rank; two years of service in rank is the minimum in exceptional cases.

<sup>6</sup> Academic and sabbatical leave periods at Loyola University shall be accepted as qualified service for promotion.

<sup>7</sup> For the College of Law, on or before March 15.

and Tenure Committee, the Dean, and the Vice President for Academic Affairs after consultation with the President, agree, the case is settled and the candidate for promotion shall be so informed in writing by the Vice President for Academic Affairs, no later than April 1. In the case where one or more of the parties votes against granting promotion, the promotion is denied, and the candidate shall be so informed in writing by the Vice President for Academic Affairs, no later than April 1. The candidate for promotion shall submit a written appeal setting forth the reasons for the appeal to the University Rank and Tenure Committee by May 1. The University Rank and Tenure Committee shall consider the case in its entirety and forward its recommendation and rationale in writing to the President, to the candidate, to the Dean, to the College Rank and Tenure Committee and to the Provost and Vice President for Academic Affairs by June 30. The President determines the matter; unless the President has compelling reasons, he will follow the recommendation of the University Rank and Tenure Committee.

In the event the President does not concur with the recommendation of the University Rank and Tenure Committee, he will give the candidate, the University Rank and Tenure Committee, the College Rank and Tenure Committee, the Dean, and the Provost and Vice President for Academic Affairs his reasons in writing by July 31. At any stage of the process prior to the final recommendation of the University Rank and Tenure Committee reaching the President, the candidate may supplement the record.

#### ***F. Effective Date of Promotion***

The effective date of an approved promotion will be the first day of the subsequent Academic Year. Promotion salary increases will be effective at the same time.

#### ***G. Annual Review of Non-Tenured Faculty***

Each non-tenured member of the Ordinary Faculty is considered to be on probation. All such faculty shall receive an annual written evaluation from the Dean of the appropriate College. This evaluation shall cover the strengths and weaknesses of the faculty member toward fulfillment of those professional responsibilities as outlined in Chapter 7.

#### ***H. Procedures for Review of Non-Renewal of Probationary Appointments***

If a faculty member alleges that a decision against his or her renewal was based on inadequate consideration, he or she may request in writing a review by the University

Conciliation Committee. The Committee will review the allegation and determine whether the decision was the result of inadequate consideration in terms of relevant standards of the University. If the University Conciliation Committee finds that adequate consideration was not given to the faculty member's qualifications, it will request reconsideration, indicating the respects in which it believes that initial consideration may have been inadequate. It will provide copies of its findings to the faculty member, the President, and any other administrative officer or faculty body that made the decision. The University Conciliation Committee will not substitute its judgment for that of those responsible for the decision, but will restrict its concern to the question of adequate consideration.



If a faculty member on probationary, or other non-tenured, appointment alleges that a decision not to reappoint him or her was based significantly on considerations violative of (1) academic freedom or (2) policies on making reappointments without discrimination with respect to race, color, religion, sex, disability, age or national origin, the allegation will be given preliminary consideration by the University Conciliation Committee, which will seek to settle the matter by informal methods. The allegation shall be accompanied by a signed statement from the faculty member agreeing to the presentation of such reasons and evidence as the University may allege in support of its decision.

If the University Conciliation Committee finds that the faculty member has established a *prima facie* case, it will refer matters of academic freedom to the University Rank and Tenure Committee and matters of discrimination to the Civil Rights Grievance Committee. In either case, the procedures set forth in Chapter 9, Section C-4 shall be observed. It is incumbent upon those who made the decision not to reappoint to come forward with reasons in support of that decision.