

Statutes of the Faculty

Of the

College of the Holy Cross

Worcester, Massachusetts

Adopted October 1968

The Dean's Office continues to work on detailed documentation of historical changes to the Statutes. References to Statute changes are now noted as endnotes.

From: The Board of Trustees, College of the Holy Cross

To: The Faculty, College of the Holy Cross

1. In order to provide for the orderly pursuit of the objectives of the College of the Holy Cross as a Catholic institution of higher learning and to provide for effective Faculty participation in the formation of the academic policies of the College, the following Statutes of the Faculty are hereby approved by the Board of Trustees of the College of the Holy Cross.
2. Except in these areas mentioned specifically in the next paragraph, matters of academic policy approved by Faculty vote and submitted to the Board of Trustees for approval will be approved in to or not approved in to as submitted. Whenever the Board of Trustees determines by majority vote that a policy submitted by the Faculty for approval should not be approved, the Board will make known in writing to the Faculty its reasons for not granting approval. Whenever the Board of Trustees determines by a majority vote that it would approve a policy with certain modifications, it will convey in writing to the Faculty the substance of the modifications it desires and the reasons therefore.
3. In the areas of the primary objectives of the College as a Catholic institution of higher learning, rank and tenure, salaries and budget, the Board of Trustees reserves and affirms its right to approve, not to approve, or to approve with modifications policies submitted to it by the Faculty for approval. Whenever the Trustees by a majority vote determine that a policy relating to the areas specified in this paragraph submitted for approval should be modified, the Board of Trustees will make known in writing to the Faculty its reasons for the modification before taking action.
4. Nothing in this statement or in the Statutes which follow shall limit the powers of the Board of Trustees conferred upon it by the Charter from the Commonwealth of Massachusetts as amended from time to time or as established from time to time by the Board of Trustees in its By-Laws.

CHAPTER I: THE STRUCTURE OF THE FACULTY

- A. Definition of the Faculty
- B. The Finance and Planning Council
- C. The Student Life Council
- D. The Academic Governance Council
- E. The Faculty Assembly

CHAPTER II: FACULTY RANKS, APPOINTMENTS, TENURE AND PROMOTION

- A. Faculty Ranks
- B. Norms for Appointment, Tenure, and Promotion
- C. Qualifications for Appointment to Ordinary Ranks of the Teaching Faculty
- D. Duration of Faculty Appointments
- E. Principles Covering Tenure for Teaching Faculty
- F. Procedures for Initial Appointments to the Ordinary Ranks of the Faculty
- G. Procedures for Reappointments and Promotion
- H. Grievance Procedures Regarding Reappointment, Tenure, and Promotion
- I. Faculty Duties

CHAPTER III: FACULTY AND COLLEGE COMMITTEES

- A. Committees elected by nomination from the faculty
 - 1. Committee on Tenure and Promotion
 - 2. Faculty Compensation Committee
 - 3. Committee on Faculty Affairs

- B. Committees elected by nomination from slates prepared by the Committee on Nominations and Elections
 - 1. Committee on Academic Standing

2. Committee on the Curriculum
3. Committee on Academic Programs
4. Committee on Faculty Scholarship

C. Committees of the faculty appointed by the Provost and Dean of the College

1. Committee on Study Abroad
2. Health Professions Advising Committee
3. Committee on Distinguished Fellowships and Graduate Studies
4. Scholarly Misconduct Inquiry Committee
5. Scholarly Misconduct Investigation Committee

D. College committees appointed by the Provost and Dean of the College, Senior Vice President for Development and Mission, and the Student Government Association

1. Community Standards Board

E. College committees reporting to the President

1. Board of Directors of the General Alumni Association
2. Athletic Council
3. Campus Center Advisory Council

F. Ad hoc Committees

CHAPTER IV: FACULTY LEAVES OF ABSENCE

- A. Sabbatical Leave
- B. Research Leaves for Faculty
- C. Faculty Fellowships
- D. Half-time Leaves
- E. Unsalariated Leaves of Absence
- F. Faculty Leaves for Parental and Family and Medical

G. Leaves: Other Considerations

CHAPTER V: FACULTY BENEFITS AND PRIVILEGES

A. Faculty Benefits

1. Tuition Benefits

CHAPTER VI: RETIREMENT OF FACULTY

A. Retirement for Age

B. Retirement for Disability

CHAPTER VII: DISMISSAL OF MEMBERS OF THE TEACHING FACULTY FOR CAUSE

CHAPTER VIII: ACADEMIC FREEDOM

A. Principles Regarding Academic Freedom

B. Policy on Speakers

A. Definition of the Faculty¹

The faculty of the College consists of three groups: the teaching faculty, the administrative faculty and the directors of academic offices who meet certain criteria defined below. The teaching faculty includes all persons appointed by the Board of Trustees to the ordinary ranks of professor, associate professor, assistant professor, or instructor and to the full-time temporary positions of visiting professor, visiting associate professor, visiting assistant professor, or visiting instructor; and as full-time officers of instruction in positions that specify responsibility for teaching at least one course per year. For purposes of these Statutes, tenured members of the faculty are tenured professors and associate professors. Tenure-track members are untenured faculty members of any ordinary rank. For purposes of representation in faculty governance, each member of the teaching faculty belongs to one of the Divisions. Division membership is determined by the academic department except for members of the teaching faculty who are not in a department who shall be assigned to a Division by the Provost.²

- DIVISION A - Biology; Chemistry; Mathematics and Computer Science; Physics
 DIVISION B - Critical Race and Ethnic Studies; English; Music, Spanish³;
 Theatre and Dance; Visual Arts; World Languages, Literatures, and
 Cultures
 DIVISION C - Economics and Accounting; Education; Political Science; Psychology;
 Sociology and Anthropology
 DIVISION D - Classics; Environmental Science; History; Philosophy; Religious Studies

The administrative faculty consists of persons with faculty status by reason of their office. The senior administrative faculty consists of the President, the Provost and Dean of the College¹¹³, and the Senior Vice President for Development and Mission. The regular administrative faculty is further subdivided into three groups: the academic administrative faculty, the student development administrative faculty, and the chaplains.

The academic administrative faculty consists of the Vice Provost(s), Associate Provost(s), Dean(s), Associate Dean(s), the Class Deans, the Registrar, the Vice President for Enrollment Management, the Director of Library Services, the Vice Provost and Associate Vice President for Diversity, Equity and Inclusion, the Director and the two Associate Directors of the Center for Interdisciplinary Studies⁴, the Director of Admission, and the Director of Financial Aid. However, for purposes of representation, when members of the academic administrative faculty are also members of the teaching faculty, their membership of the teaching faculty shall take precedence. The student development administrative faculty consists of the Associate Deans of Students and the Director of Counseling and Psychological Services. The chaplains consist of the Director of the Office of College Chaplains, the Associate Chaplains, and the Assistant Chaplains.

The directors of academic offices shall have faculty status defined in their appointment letters for the purpose of voting in the faculty assembly and serving on appointed and ad hoc committees as long as their role is to: a) work closely with students and faculty in support of curricular goals, and/or b) academically mentor/advise students. Each year, the Office of the Provost shall send a list of directors of academic offices to be extended this faculty status for the following academic year for approval by the Academic Governance Council¹¹² before the last scheduled meeting of the Academic Governance Council.

Every member of the faculty, as defined above has the right to vote at all meetings of the Faculty Assembly and in mail or electronic balloting of the faculty. Members of the ordinary ranks of the teaching faculty with concurrent part-time administrative appointments are eligible for election or appointment as faculty representatives to College councils and committees; those with full-time administrative appointments are not. Other members of the teaching faculty are not eligible for election as faculty representatives to College councils and committees. They are eligible for appointment to statutory College committees unless otherwise specified. All members of the faculty are eligible for appointment to ad hoc committees.

B. The Finance and Planning Council⁵**1. Scope and Function. The Finance and Planning Council:**

- a. Advises the President on long-term financial planning needs and on general budget policy for each fiscal year.
- b. Discusses priorities, makes recommendations, and hears explanations of budget and planning decisions made by the President.
- c. Receives recommendations from the Provost and Dean of the College, and from the Senior Vice President for Student Development and Mission on behalf of the Academic Governance and Student Life Councils; and reports decisions to these councils promptly and regularly.
- d. Meets with the Faculty Compensation Committee during the Spring semester and receives recommendations to be considered when salary and benefits figures are being set during the next budget planning cycle.⁶
- e. Can create ad hoc committees. These may be constituted from its own membership, or any other member of the College community.
- f. Determines its own rules of order or conducts its meetings according to *Robert's Rules of Order, Newly Revised*. The Finance and Planning Council meets at least once a month during the academic year. Additional meetings may be called by the Chair or by a majority vote of the members of the Finance and Planning Council.

2. Membership^{7,8}

The Finance and Planning Council is composed of the President (Chair), the Provost and Dean of the College, the Senior Vice President for Strategic Initiatives and Chief of Staff, the Senior Vice President for Administration and Finance, the Senior Vice President for Student Development and Mission, the Vice President for Advancement, the Director of the Office of College Chaplains, two teaching faculty elected as described in Chapter I.B.4 below (“elected Teaching Faculty FPC Members”), two teaching faculty members appointed by the Academic Governance Council from the sitting members of the Academic Governance Council, three selected students, and two administrative faculty elected by division (one from Student Affairs and one from Academic Affairs).

3. Eligibility for Election as Elected Teaching Faculty FPC Members

Teaching faculty are eligible to be elected as Elected Teaching Faculty FPC Members for the Finance and Planning Council, provided that they are either instructors or assistant professors who have been at the College of the Holy Cross at least two years, or associate professors or professors who have been at the College of the Holy Cross for at least one year, and are not serving concurrently on the Committee on Tenure and Promotion, the Committee on Faculty Affairs, the Faculty Compensation Committee, the Student Life Council, or the Academic Governance Council.

4. Election Procedures

- a. Two teaching faculty shall be elected as Elected Teaching Faculty FPC Members by the teaching faculty from a slate proposed by the Committee on Nominations and Elections.
- b. The administrative faculty shall determine their own election procedures.
- c. The students shall be selected in a manner determined by the Student Government Association.

5. Length of Term

- a. The term for the Finance and Planning Council Members appointed by the Academic Governance Council shall be designated by the Academic Governance Council.
- b. The terms for the Elected Teaching Faculty FPC Members shall be two years. The terms of the Elected Teaching Faculty FPC Members shall be staggered.
- c. The term for the administrative faculty members shall be two years.
- d. The term for selected students shall be determined by the Student Government Association.

6. Vacancies

- a. A vacancy in a member seat appointed by the Academic Governance Council shall be filled by the Academic Governance Council from its sitting members who are teaching faculty.
- b. When a vacancy in an Elected Teaching Faculty FPC Member position occurs on the Finance and Planning Council, that eligible faculty member with the next highest number of votes on the final ballot in the election that resulted in the seating of the outgoing member shall occupy the vacant seat for the period of the vacancy. If no replacement can be identified in this way, the Committee on Nominations and Elections shall exercise its discretion in filling the vacancy.
- c. An administrative faculty vacancy on the council shall be filled by procedures determined by the administrative faculty.
- d. A student vacancy on the council shall be filled by procedures determined by the Student Government Association.

C. The Student Life Council⁹

1. Scope and Function The Student Life Council:

- a. Advises the Senior Vice President for Student Development and Mission on all areas of his or her responsibility, including housing and residence life, student activities, counseling and health services.
- b. Discusses and makes recommendations on issues concerning student life to the Senior Vice President for Student Development and Mission and/or the Finance and Planning Council.
- c. Distributes notices of decisions made or pending to the Academic Governance and Finance and Planning Councils, the Student Government Association, the Office of College Chaplains, and student affairs professionals subordinate to the *ex officio* members of the Council.
- d. Can create *ad hoc* committees. These may be constituted from its own membership, or any other member of the College community.
- e. Determines its own rules of order or conducts its meetings according to *Robert's Rules of Order, Newly Revised*. It meets at least once a month during the academic year. Additional meetings may be called by the Chair or a majority vote of the members of the Student Life Council.

2. Membership

This council is composed of the Senior Vice President for Student Development and Mission (Chair), the Associate Vice President for student Development and Dean of Students, the Director, Student Inclusion and Belonging, the Director of Counseling and Psychological Services, the Director of the Office of the College Chaplains, one of the Class Deans, appointed by the Dean of the College or her or his designee, one teaching faculty member elected at large (“Elected Teaching Faculty SLC Member”), one faculty member appointed by the Academic Governance Council from the sitting members of the Academic Governance Council, the Associate Vice President for Intercollegiate Athletics, Athletics Director and four students selected by the Student Government Association.

3. Eligibility for Election as Elected Teaching Faculty SLC Member

Teaching faculty members are eligible for election as the Elected Teaching Faculty Member to the Student Life Council, provided that they are instructors or assistant professors who have been at the College of the Holy Cross at least two years, or associate professors or professors who have been at the College of the Holy Cross for at least one year and are not serving concurrently on the Committee on Tenure and Promotion, the Committee on Faculty Affairs, the Faculty Compensation Committee, the Finance and Planning Council, or the Academic Governance Council.

4. Election Procedures

- a. The one teaching faculty member shall be elected by the teaching faculty as the Elected Teaching Faculty SLC Member from a slate proposed by the Committee on Nominations and Elections.

- b. The students shall be selected in a manner determined by the Student Government Association.

5. Length of Term

- a. The terms for teaching faculty members appointed by the Academic Governance Council shall be determined by the Academic Governance Council.
- b. The term for the Elected Teaching Faculty SLC Member shall be two years.
- c. The term for the Class Dean shall be two years.
- d. The terms for selected student members shall be determined by the Student Government Association.

6. Vacancies

- a. A vacancy in the faculty member seat appointed by the Academic Governance Council shall be filled by the Academic Governance Council.
- b. When an Elected Teaching Faculty SLC Member vacancy occurs on the Student Life Council, that eligible faculty member with the next highest number of votes on the final ballot in the election that resulted in the seating of the outgoing member shall occupy the vacant seat for the period of the vacancy. If no replacement can be identified in this way, the Committee on Nominations and Elections shall exercise its discretion in filling the vacancy.
- c. When a vacancy occurs in the position filled by a Class Dean, another Class Dean shall be selected by the Dean of the College to serve out the unexpired term.
- d. A student vacancy on the council shall be filled by procedures determined by the Student Government Association.

D. The Academic Governance Council¹⁰**1. Scope and Function**

The academic governance council (“Academic Governance Council”):

- a. Represents faculty interests regarding all issues of an academic nature at the College;
- b. Serves as a primary resource for addressing faculty concerns about any matter affecting the academic life of the College. Faculty members may approach the Academic Governance Council at any time with such concerns and requests for action. The Academic Governance Council may request information relevant to the academic governance of the College and consult with any individual or group at the College.
- c. Serves as the primary body representing the faculty in all matters relating to the College administration and areas outside Academic Affairs.
- d. Advises the Provost and Dean of the College on the administration of Academic Affairs, is responsible for approving non-statutory academic policy changes related to the academic calendar and curricular programs, and works together with the Provost and Dean of the College to establish academic policies and initiatives.
- e. Is responsible for reviewing and recommending changes in policies on all issues of teaching faculty status including hiring, tenure, promotion, professional standards, academic freedom and other policy matters that relate to the professional responsibilities and performance of the teaching faculty. The Committee on Tenure and Promotion reports to this committee when its deliberations raise questions that may require changes of policy concerning tenure and promotion. The Committee on Faculty Affairs reports to this committee when its deliberations raise questions that may require changes of policy concerning grievances or dismissal. The Provost and Dean of the College shall consult with the Academic Governance Council regarding any academic policies affecting the faculty or the academic experience of students.
- f. Informs academic departments and the faculty about governance activities, and its members communicate the views and concerns of the departments and of individual faculty members to deliberations of the Academic Governance Council. It encourages and facilitates communication within the College among students, administrators, and teaching faculty, and maintains regular communication with the Finance and Planning Council and the Student Life Council.
- g. Sets the agenda for discussion and voting for all meetings of the Faculty Assembly except those called by petition of members of the faculty, or special meetings called by the Speaker of the Faculty. All statutory changes must be presented to the Academic Governance Council prior to being presented to the Faculty Assembly. Upon recommendation of the Curriculum Committee, the Academic Governance Council shall transfer proposals for curricular changes that are not within the mandate of the Curriculum Committee (e.g. the establishment of new majors) to the Faculty Assembly.

- h. Members of the Academic Governance Council appointed to the Finance and Planning Council will contribute to Finance and Planning Council discussions and provide reports to the Academic Governance Council. The Academic Governance Council works together with the Provost and Dean of the College to review the yearly operating budget for Academic Affairs and offers recommendations for budgetary priorities to the Provost and to the Finance and Planning Council for consideration. The Provost and Dean of the College will respond in writing with the rationale for rejection of any of the Academic Governance Council recommendations.
- i. Can request that the Speaker of the Faculty call special meetings of the Faculty Assembly (see Chapter I.E.4.a).
- j. Annually elects from its membership a vice chair, recorder, and parliamentarian.
- k. Elects from its membership a committee on nominations and elections (the “Committee on Nominations and Elections”). The Committee on Nominations and Elections conducts nomination processes for candidates for elective faculty positions. Except for positions on the Academic Governance Council (which is treated in Chapter I.D.4.), the Speaker of the Faculty (which is treated in Chapter I.E.3.c.), the Committee on Faculty Affairs (which is treated in Chapter III.A.3.d.), the Faculty Compensation Committee (which is treated Chapter III.A.2.c.), and the Committee on Tenure and Promotion (which is treated in Chapter III.A.1.d.), the Committee on Nominations and Elections proposes to the faculty slates of nominees for elective faculty positions, to which the faculty may add names. In composing these slates the Committee on Nominations and Elections shall give consideration to representation of the various academic disciplines. The slate for each committee shall contain two names more than the number of positions to be filled. The individual receiving the highest number of votes shall be elected to the regular full term. The Committee on Nominations and Elections also conducts the elections for elective faculty positions. It tallies and records votes taken at faculty meetings or by mail or electronic ballot, and certifies the results to the Recorder of the Faculty. In all cases regarding nomination procedures, elections procedures, or procedures for the filling of vacancies on elective faculty committees, where procedures are not otherwise specified by these *Statutes*, the Committee on Nominations and Elections shall meet and decide by a majority vote, giving due consideration to transparency and precedent, and include a written report of its procedures and decisions to the Academic Governance Council. The Committee on Nominations and Elections may also make recommendations to the Provost and Dean of the College or the President, as appropriate, for the staffing of appointed committee positions; provided, however, that the sole authority to appoint such positions remains exclusively with the Provost and Dean of the College or the President, as applicable.
- l. Can establish *ad hoc* committees at its own discretion, at the suggestion of regular members of the faculty or in response to a request from the Provost and Dean of the College. The Academic Governance Council will oversee the charging and staffing of these *ad hoc* committees including clarifying specific mandates and time limits. These *ad hoc* committees may be constituted from its own membership, teaching faculty of any rank or any other member of the College community. The Academic Governance Council will be responsible for oversight of action taken on reports submitted by the *ad hoc* committees it creates.

- m. All elected academic committees of the faculty report to the Academic Governance

Council and through it to the Faculty Assembly. These committees are the Committee on Tenure and Promotion (which is treated in Chapter III.A.1.), the Faculty Compensation Committee (which is treated in Chapter III.A.2.), the Committee on Faculty Affairs (which is treated in Chapter III.A.3.), the Committee on Academic Standing (which is treated in Chapter III.B.1.), the Committee on the Curriculum (which is treated in Chapter III.B.2.), the Committee on Academic Programs (which is treated in Chapter III.B.3.), and the Committee on Faculty Scholarship (which is treated in Chapter III.B.4.).

2. Membership

The Academic Governance Council is composed of fourteen (14) members, of which (a) twelve (12) members shall be elected as described in Chapter I.D.3 below and (b) two are the Speaker of the Faculty (Chair) and the Provost and Dean of the College, who shall be non voting *ex officio* members.

Faculty members sitting on the Academic Governance Council are not required to serve on any other standing College committee and/or council described in these *Statutes* except as they may be appointed to any such standing committee or council by the Academic Governance Council. Faculty members sitting on the Academic Governance Council may, but are not required to, serve on *ad hoc* committees.

3. Eligibility for Election

Teaching faculty are eligible for election to the Academic Governance Council as AGC Division Members (as defined in Chapter I.D.4(a) below) provided that they are tenured professors who have not served on the Academic Governance Council during an immediately preceding term and who are not continuing members of the Committee on Tenure and Promotion. Teaching faculty are eligible for election to the Academic Governance Council as AGC At-Large Members (as defined below) if they are tenure-track faculty members who have not served on the Academic Governance Council during an immediately preceding term. In the event that a tenured faculty member has served six years in any combination of terms on the Academic Governance Council, he or she shall have the right to decline any further nomination to the Academic Governance Council as an AGC Division Member or AGC At-Large Member.

4. Election Procedures

Electronic ballots shall be used in both the nomination and the election processes. These ballots shall be kept for recording purposes.

- a. Eight AGC Division Members. Two tenured members of the teaching faculty from each of the four academic divisions shall serve on the Academic Governance Council for staggered two year terms (“AGC Division Members”).

- (1) Nomination Procedure. Each academic year, as soon as possible after the beginning of the Spring semester and following the election of the Speaker of the Faculty and the Committee on Tenure and Promotion, the Committee on Nominations and Elections shall send to each faculty member in a department that does not have an AGC Division Member serving in the subsequent academic year a list of tenured teaching faculty members in such department who are eligible for election as an AGC Division Member.

From the list from the Committee on Nominations and Elections, each faculty member in such department may nominate one eligible tenured teaching faculty member in their department. The eligible teaching faculty member with the highest nomination total from each department shall be nominated to be listed on the election ballot; provided, that in the event of a tie, the Speaker of the Faculty shall select the nominee. In the event that the service by a department member on the Academic Governance Council would pose an undue burden on the department, the department chair may request an exemption from nominating a candidate from the Provost and Dean of the College, the Speaker of the Faculty, and the vice-chair of the Academic Governance Council and such exemption must be approved by all of them.

(2) Election of AGC Division Members. The Committee on Nominations and Elections shall prepare a ballot on which appear the names of the nominees from the departments grouped by division. The Committee on Nominations and Elections shall send this ballot to each voting member of the teaching faculty. Each voting member of the teaching faculty may vote for one nominee from each division. The nominee from each division receiving the highest number of votes shall serve for a two year term. In the event of a tie in any division, the Speaker of the Faculty shall select the AGC Division Member for that division. No more than two members of any single department may serve as AGC Division Members at any time. The Committee on Nominations and Elections shall report the elected AGC Division Members to all faculty.

b. Two AGC At-Large Members. Two tenure-track faculty members of the teaching faculty shall serve on the Academic Governance Council for staggered two year terms (“AGC At-Large Members”).

(1) Nomination Procedure. No teaching faculty member shall be eligible for election as an AGC At-Large Member if such teaching faculty member is in the same department as another continuing AGC At-Large Member. Each academic year, as soon as possible after the beginning of the Spring semester and following the election of the Speaker of the Faculty, and the Committee on Tenure and Promotion, the Committee on Nominations and Elections shall call for nominations of two tenure-track teaching faculty members as at-large members of the Academic Governance Council (“AGC At-Large Members”) by sending to each faculty member a list of the tenure-track teaching faculty members who are eligible for election and soliciting nominations. Each faculty member may nominate two eligible tenure-track teaching faculty members.

(2) Election of AGC At-Large Members. The Committee on Nominations and Elections shall prepare a ballot on which appear the names of those eligible tenure-track faculty members who received the three highest nomination totals. Each voting member of the faculty may vote for one nominee. The nominee receiving the highest number of votes shall serve for a two year term. In

the event of a tie, the Speaker of the Faculty shall select the AGC At-Large Member from those nominees. The Committee on Nominations and Elections shall report the elected AGC At-Large Member to all faculty members.

- c. Appointment of Student Member: The two Student Government Association (“SGA”) co-presidents will appoint a student member to serve for a one (1) year term.
 - (a) This student member will enjoy conditioned voting privileges, with full voting privileges except on issues directly pertaining to Chapter I, Section A; Chapter II; Chapter III, Sections A.1, A.2, A.3, and B.4; Chapters IV, V, VI, VII; Chapter VIII, Section A, as these matters are listed as strictly faculty concerns in Section E.4.a.
- d. Election of an Administrative Faculty member. A voting member will be elected by the Administrators with Faculty Status.

5. Length of Term

The terms for elected members of the Academic Governance Council shall be two years.

6. Vacancies

When a teaching faculty vacancy occurs on the Academic Governance Council, that eligible faculty member with the next highest number of votes on the final ballot in the election that resulted in the seating of the outgoing member shall occupy the vacant seat for the period of the vacancy. If no replacement can be identified in this way, the Committee on Nominations and Elections shall exercise its discretion in filling the vacancy.

7. Meetings of the Academic Governance Council.

- a. The Academic Governance Council ordinarily meets at least twice a month during the academic year. Additional meetings may be called by the chair of the Academic Governance Council or a majority vote of the members of the Academic Governance Council.
- b. The Speaker of the Faculty, the Provost and Dean of the College and vice-chair of the Academic Governance Council set the agenda for meetings of the Academic Governance Council; provided, however, that faculty members may request items be placed on the agenda. The agenda will be made available by the Speaker of the Faculty to all faculty in a timely fashion before the meeting.
- c. The Academic Governance Council determines its own rules of order or conducts its meetings according to *Robert's Rules of Order, Newly Revised*.
- d. Not less than nine (9) members of the Academic Governance Council shall constitute a quorum for the transaction of business and, at any meeting at which a quorum is present, not less than seven (7) members shall vote in the affirmative to carry any matter brought before the meeting.
- e. Following approval of the minutes of the meetings of the Academic Governance Council, the minutes will be posted electronically by the Speaker of the Faculty.

The Faculty Assembly¹¹

1. Scope and Function

- a. The Faculty Assembly is the principal legislative body on all matters relating to academic affairs and faculty status.
- b. It acts upon all legislative proposals from the Academic Governance Council.
- c. It receives regular reports from the Finance and Planning Council and Student Life Council of actions taken and work in progress. Through the Speaker of the Faculty it also submits similar reports to these councils.
- d. By a two-thirds vote of members present it may direct the Academic Governance Council to study or undertake action on matters related to academic affairs or faculty status.

2. Membership

The Faculty Assembly consists of the Speaker of the Faculty (Chair), faculty defined in Chapter I.A, the Co-Presidents of the Student Government Association (one vote), and thirteen other voting student members elected or selected in a manner determined by the Student Government Association.

3. Speaker of the Faculty

a. Duties and Powers

- (1) The Speaker of the Faculty convenes and chairs all meetings of the Faculty Assembly, including calling special meetings. The Speaker of the Faculty is responsible, in conjunction with the Academic Governance Council and other appropriate officials and committees, for preparing the Call to Meeting and all accompanying materials. The Speaker of the Faculty sends written notice, including the agenda, to each voting member, one week in advance of each Faculty Assembly meeting. If the Speaker of the Faculty is absent, the meeting of the Faculty Assembly shall be chaired by the Provost and Dean of the College.
- (2) The Speaker of the Faculty is an *ex officio* member and chair of the Academic Governance Council.
- (3) To help fulfill his or her function as representative of the Faculty Assembly to the President and the Board of Trustees, the Speaker of the Faculty shall meet with any committee or its representatives as needed.
- (4) The Speaker of the Faculty may, with the majority approval of the Faculty Assembly, appoint *ad hoc* committees of the Faculty Assembly.
- (5) On matters of academic affairs and faculty status, the Speaker of the Faculty represents the Faculty Assembly to the President and the Board of Trustees.

b. Eligibility for Election

Teaching faculty are eligible for this position provided they are tenured faculty members and are not serving concurrently on the Committee on Tenure and Promotion, and have not served more than one term as Speaker of the Faculty. If a member of the Committee on Faculty Affairs, the Faculty Compensation Committee, the Academic Governance Council, the Finance and Planning Council, or the Student Life Council is elected Speaker of the Faculty, that person shall vacate the seat on that committee or council.

c. Election Procedures¹²

In a preliminary nomination ballot by mail conducted by the Committee on Nominations and Elections, each voting member of the Faculty Assembly shall nominate up to five members of the tenured teaching faculty. The three eligible faculty members who receive the highest number of nominations and who agree to serve if elected shall be listed on the final election ballot in alphabetical order. Each faculty member listed on the final election ballot shall make readily available to each member of the Faculty Assembly a document explaining their interest in and preparation for the position of Speaker of the Faculty. Each voting member of the Faculty Assembly shall vote for no more than one of the nominees. This election shall take place in the fall semester and prior to the election for the Committee on Tenure and Promotion. The newly elected Speaker of the Faculty shall be seated at the beginning of the next academic year.

d. Term of Office

The Speaker of the Faculty shall serve for a period of three years. In the event of an unexpected vacancy, the Provost and Dean of the College shall preside as acting Chair of the Faculty Assembly until the Committee on Nominations and Elections conducts a special election.

The Speaker of the Faculty shall receive a reduction of two courses each academic year during the period of his or her term.

4. Procedures of the Faculty Assembly¹³**a. Meetings**

The Faculty Assembly normally meets four times per year but at least once each semester. These meetings shall be scheduled by the Academic Governance Council for any Tuesday afternoon within the academic semester. The Speaker of the Faculty shall convene and chair all Faculty Assembly meetings, including special meetings called by the Speaker of the Faculty upon his or her own initiative, upon the request of a majority of the Academic Governance Council, or upon receipt of a written petition to the Speaker of the Faculty, stating the topic for discussion, signed by at least ten voting members of the Faculty Assembly.

Meetings shall be chaired by the Speaker of the Faculty, or, in his or her absence, by the Provost and Dean of the College. The presiding officer may vote on all motions, but shall relinquish the chair to speak to a motion.

Meetings shall be conducted according to *Robert's Rules of Order, Newly Revised*, except as shall be modified by these statutes.

Questions of procedure and interpretation and points of order shall be resolved by a parliamentarian appointed annually by the Speaker of the Faculty for this purpose.

The presence of one third of the voting members shall constitute a quorum for the transaction of business at meetings. All members of the Faculty Assembly are expected to attend each meeting, but attendance, other than a quorum count, shall not be recorded. All new proposals calling for the adoption of any amendment to a portion of these statutes must be presented to the Academic Governance Council so they can be included in the Call to Meeting prior to discussion at the Faculty Assembly. Motions calling for the adoption of additions, deletions, or amendments to these statutes shall require the approval of a two-thirds majority of those members of the faculty who vote in a mail or electronic ballot, provided that at least one half of the members eligible to vote cast valid ballots within two weeks of the meeting at which the motion passed. However, student members are not eligible to vote on amendments pertaining to matters in Chapter I, Section A; Chapter II; Chapter III, Sections A.1, A.2, A.3, and B.4; Chapters IV, V, VI, VII; Chapter VIII, Section A. These matters are considered strictly faculty concerns. Therefore, students shall not vote in the meeting or in a mail ballot on any of these issues. On all non-statute matters, a simple majority of those present and voting shall suffice; these votes may be by voice, show of hands, or written ballot.

Each year the Office of the Provost and Dean of the College shall provide the Speaker of the Faculty with an accurate, up-to-date listing of voting members of the Faculty Assembly.

b. Office and Duties of the Recorder of the Faculty¹⁴

The voting teaching and administrative faculty members shall annually elect from their ranks a Recorder of the Faculty. The Committee on Nominations and Elections shall present a slate of three nominees, to which additions may be made from the floor; the Recorder of the Faculty shall be chosen from these nominees by a written ballot. In the case of a tie, the winner shall be decided by the toss of a coin. The Recorder of the Faculty shall prepare and present minutes of all meetings of the Faculty Assembly.

The duties of the Recorder of the Faculty shall commence at the start of the academic year for which he or she is elected and shall end with the completion of the minutes of the last meeting of the Faculty Assembly of that year.

The Office of the Provost and Dean of the College shall preserve the records, minutes, and results of all actions at meetings, as well as the reports made to the faculty by committees, councils and other persons.

These records shall be open to the inspection of any voting member of the Faculty Assembly or to the Board of Trustees, upon request.

c. Agenda

A written agenda shall be prepared for each meeting and sent to each member by the Speaker of the Faculty with the Call to Meeting. Ordinarily, the agenda is prepared by the Academic Governance Council. For meetings called by petition, the agenda shall include

the topic for which the meeting was petitioned. Items not on the agenda may be proposed by any voting member, discussed and voted upon at any meeting; the consent, however, of two thirds of the members present and voting shall be necessary for immediate consideration of such topics; failing this, such topics shall be added to the list of unfinished business.

d. Order of Business

- (1) Call to order and quorum call.
- (2) Scripture reading by one of the chaplains.
- (3)** Approval of minutes of the last meeting.
- (4) Conducting of elections.
- (5) Reports from the Academic Governance Council, the Finance and Planning Council, the Student Life Council, and the representatives of the Student Government Association. All of these reports are subject to a time-controlled question-and-answer period determined by the Speaker of the Faculty.
- (6) Unfinished business.
- (7) Agenda of proposals submitted by the Academic Governance Council.
- (8) New business, including invited addresses.
- (9) Adjournment.

e. Meeting in times of extenuating¹¹¹ circumstance

In times of extenuating circumstance, the Faculty Assembly may meet using remote communication technology. The Academic Governance Council must pass a motion declaring the extenuating circumstance. Ordinarily, the agenda for a Faculty Assembly Meeting in extenuating circumstance is prepared by the Academic Governance Council. The Faculty Assembly Meeting will conduct business using standard statutory procedures, modified as necessary for available technology, at the discretion of the Speaker. The Assembly may vote to object and over-rule the Speaker's procedure modifications by majority vote of those assembled using the remote communication technology.

The following rules may not be modified by the Speaker in times of extenuating circumstance:

The standard quorum of 1/3 of the membership of the Faculty Assembly shall apply to conduct transactional business in extenuating circumstances. Amendments to the Statutes must be approved by electronic ballot as in standard procedures. The Assembly Meeting convened during an extenuating circumstance refers amendments to the Statutes to electronic ballot by 2/3 vote of those present on the communications platform.

Section A: Faculty Ranks

A. Faculty Ranks

The tenured and tenure-track members of the teaching faculty are those appointed to the ordinary ranks of instructor, assistant professor, associate professor and professor

The non-tenure track members of the teaching faculty are full-time visiting faculty and full-time officers of instruction in positions that include responsibility for teaching at least one course per year.

The remainder of Chapter II of the *Statutes of the Faculty* applies to the ordinary ranks of the faculty.

The Board of Trustees is the ultimate source, under the *Charter from the Commonwealth of Massachusetts*, of all appointments to the College.

Section B: Norms for Appointment, Tenure, and Promotion

B. Norms for Appointment, Tenure, and Promotion¹⁵

A candidate for tenure and promotion must provide evidence of achievement in each of the following areas: teaching, scholarship, and service.

The primary responsibility of the College of the Holy Cross as an undergraduate liberal arts institution is to provide excellent teaching for its students; therefore, in decisions regarding tenure and promotion teaching excellence is a principal criterion. At the same time the College recognizes that its faculty is part of a wider academic community to which both the individual faculty member and the College have responsibilities involving the advancement of knowledge. These are usually met through scholarship and participation in the affairs of learned societies. The College, too, is a cooperative society which functions well and effectively only when each member does his or her part. Therefore, achievement in scholarship and service is required for tenure and promotion.

In judging an individual for appointment, promotion, or tenure, consideration shall be given the evidence in the following areas: teaching, scholarship, and service.

1. Teaching

Effectiveness in communicating the content of the discipline and in stimulating attitudes of intellectual curiosity and disciplined inquiry.

Direction and evaluation of students, in and out of the classroom.

Development and implementation of new methods, approaches and courses.

2. Scholarship

Research and development in his or her discipline or across disciplines.

Presentation of research in scholarly lectures, in digital formats, and/or at meetings.

Presentation of the results of research through publication, exhibition, performance, digital media, or as publicly engaged scholarship.

3. Service

Effective contribution to the operation and development of his or her academic department.

Effective contribution to the College through committee work and other service.

Effective contribution to the academic community through work in professional societies.

**CHAPTER II: FACULTY RANKS, APPOINTMENTS,
TENURE AND PROMOTION**

(S) II.C.
Page 1

**Section C: Qualifications for Appointment to Ordinary
Ranks of the Teaching Faculty**

C. Qualifications for Appointment to Ordinary Ranks of the Teaching Faculty^{16; 17}

1. The rank of instructor requires, as a minimum, the possession of a master's degree, as well as plans for the proximate completion of the terminal academic degree or certification appropriate for the position. A prospective instructor must give promise of academic development as this is described in Chapter II.B.
2. The rank of assistant professor requires the possession of the terminal academic degree or certification appropriate for the position. A prospective assistant professor must show evidence of academic development as this is described in Chapter II.B.
3. The rank of associate professor requires the possession of the terminal academic degree or certification appropriate for the position. A prospective associate professor must have demonstrated academic achievement as this is described in Chapter II.B.
4. The rank of professor requires the possession of the terminal academic degree or certification appropriate for the position. A prospective professor must have demonstrated continued academic achievement as this is described in Chapter II.B. In their deliberations regarding promotion to Professor, departments and the Committee on Tenure and Promotion shall take into account exceptional accomplishment in one or more of the statutory areas of teaching, scholarship or service.¹⁸

Section D: Duration of Faculty Appointments

D. Duration of Faculty Appointments¹⁹

Appointments to the faculty are of two kinds: term, made for a specified period of time; and tenure, made without limitation of time.

1. Initial appointment to the rank of instructor is ordinarily for a term of two years; the appointment may be renewed annually for a total incumbency not ordinarily exceeding four years. Promotion to the rank of assistant professor should be achieved no later than the end of one's third year as an instructor; reappointment as an instructor for a fourth year is, therefore, ordinarily final.
2. Initial appointment to the rank of assistant professor is ordinarily for a term of two years. Except for faculty members in the penultimate probationary year, this appointment may be renewed for terms of two years up to the end of the probationary period described in Chapter II.E.1. below. In the event of a decision not to renew the two-year contract, a one-year, terminal contract shall be issued. Promotion to the rank of associate professor should be achieved no later than the end of one's penultimate probationary year. Appointment through the ultimate probationary year is, therefore, final.
3. Initial appointment to the rank of associate professor is ordinarily for a three-year period; reappointment to this rank beyond a fourth year at the College, or promotion to it, is made without limitation of time.

Section E: Principles Covering Tenure for Teaching Faculty

E. Principles Covering the Probationary Period for Teaching Faculty^{20; 21}

The College, as a member of the Association of American Colleges and Universities, adheres to the policy concerning probationary appointments that is embodied in the *1940 Statement of Principles on Academic Freedom and Tenure* with 1970 Interpretive Comments of the American Association of University Professors, as amended in the 1978 A.A.U.P. statement On Crediting Prior Service Elsewhere as Part of the Probationary Period and the 2003 A.A.U.P. statement Contingent Appointments and the Academic Profession.

1. For the purposes of the probationary period, a “countable” year shall include:^{22,23}
 - Any year of full-time service that does not include an approved leave of any type, on the tenure track at the College of the Holy Cross, at the rank of instructor or higher.
 - Any year of full-time service at another college or university or as a full-time visiting faculty member at the College of the Holy Cross, only in cases where the faculty member declares it to be countable.
 - Any year of service on the tenure track at the College of the Holy Cross, at the rank of instructor or higher, that includes an approved leave of any type, only in the case when the faculty member declares it to be a countable year.
2. The duration of probationary appointments to the faculty shall not exceed seven countable years.
 - Whenever faculty members receive tenure-track appointments after one or more years of full-time service at the rank of visiting instructor or higher at the College of the Holy Cross or other colleges or universities, they shall declare by 1 February of the first year of their tenure-track appointments at Holy Cross, how many previous years of service will be included in the probationary count, up to but not exceeding three years.
 - If a tenure-track faculty member is on an approved leave during a probationary year, the faculty member will decide if that year will be included in the probationary count by 15 September following the expiration of the leave.
 - Faculty members hired at the rank of assistant professor who claim prior service toward the probationary count must complete a minimum of four semesters of teaching, along with scholarship and service, at the College prior to their consideration for tenure.
3. In practice, the decision to promote, or reappoint, with tenure is made early in the penultimate probationary year, that is, early in the sixth countable year, so as to allow a full year of terminal service, should tenure not be granted. The terms of appointment to the several ranks, given above, and the procedures for achieving promotion and tenure, described below, are drawn up to be consistent with the basic principle of a seven-year maximum probationary period.

**CHAPTER II: FACULTY RANKS, APPOINTMENTS,
TENURE AND PROMOTION**

(S) II.E.
Page 2

Section E: Principles Covering Tenure for Teaching Faculty

4. To achieve tenure a faculty member shall show clear evidence of continuing academic achievement as described in Chapter II.B. He or she shall also give evidence of a positive and responsible contribution to the department and to the College community.

Section F: Procedures for Initial Appointments

F. Procedures for Initial Appointments to the Ordinary Ranks of the Faculty²⁴

1. Dossiers of applicants for appointments to the ordinary ranks of the faculty, whether to fill vacancies or newly approved positions, are ordinarily assembled by the Chair of the department concerned. In evaluating and ranking applicants the Chair ordinarily has the advice and assistance, particularly of the tenured members, of the department. Candidates to whom the department seriously considers making an offer are ordinarily brought to campus for interviews with the department and with the Dean of the Faculty.
2. Once a verbal agreement on the details of appointment has been reached by the candidate and the Chair, the Dean of the Faculty concludes a formal letter of agreement with the candidate.
3. Since initial appointments are term in nature, no formal faculty committee action is required.

Section G: Procedures for Reappointments and Promotion

G. Procedures for Reappointments and Promotion^{25; 26; 27}

1. The Office of the Provost and Dean of the College shall establish and maintain custody of a faculty file for each member of the ordinary ranks of the faculty listing personal, professional and educational achievements, and other pertinent information (“the faculty file”). The academic department in which the faculty member holds his or her appointment shall establish and maintain custody of a parallel file (“the departmental file”). As the Provost and Dean of the College shall remind faculty annually, it is the responsibility of each individual to keep the faculty file accurate and up-to-date. The faculty file is one of the principal documents in making decisions on reappointments and promotions. In addition, an individual may submit an annual review of progress and achievement.
2. At the beginning of the fall semester the Chair of each department shall review, with the tenured members of the department, the status and qualifications of each member due for contract renewal. For tenure track faculty, the initial probationary evaluation shall take place in the fall semester of the second year of the tenure track appointment. Subsequent probationary evaluations shall be completed every other year in the fall semester until the penultimate probationary year, at which time the faculty member will be evaluated for tenure. (See Chapter II.E for the length of the probationary period.)
3. By 1 October each department Chair shall submit to the Provost and Dean of the College a list of those departmental faculty being considered for tenure or promotion (i.e., either promotion or reappointment to the rank of associate professor or professor). The Provost and Dean of the College shall forward that information to the President and to the elected faculty members of the Committee on Tenure and Promotion, a committee which reviews each candidate's qualifications and the several recommendations. A candidate being considered for tenure or promotion shall supplement the faculty file with a dossier of materials that he or she believes relates to the case.
4. **PROBATIONARY EVALUATIONS:** The Chair shall prepare a separate report on each probationary member being reviewed, including signed majority and minority opinions, recommending to the President, through the Provost and Dean of the College, whether or not the individual is to be reappointed. The originals of the reports on faculty on probationary appointments shall be in the hands of the Provost and Dean of the College no later than 15 November. An unsigned copy of these reports shall be communicated by the Chair to the faculty member under consideration.
Whenever the action recommended by the department in a probationary evaluation involves the issuance of a terminal contract the Provost and Dean of the College shall add his or her recommendations and forward the report to the President for final decision. A summary statement of the decision shall be communicated to the individual in writing through the Provost and Dean of the College and Chair, no later than 1 March, except as noted in Chapter II.H.1.
5. **TENURE EVALUATIONS - DEPARTMENT:** The Chair shall prepare a written report on each probationary member being reviewed for tenure, including signed majority and minority opinions, recommending to the President, through the Provost and Dean of the

Section G: Procedures for Reappointments and Promotion

College, whether or not the individual is to be reappointed with tenure or issued a terminal contract.

In all cases the Chair shall solicit the written opinions of all tenure-track members of the department who have been members of the department for at least one year, as well as any tenured members of the department who are on leave and have elected not to participate in the review.

During their deliberations the tenured members shall choose a tenured faculty member of the department as a representative to the Committee on Tenure and Promotion. This representative shall not be an elected member of the committee and shall serve solely as a resource person to the committee. In the case where a department has more than one candidate for tenure and/or promotion the department may choose a separate representative to the committee for each candidate.

The originals of these reports shall be in the hands of the Provost and Dean of the College no later than 1 November. An unsigned copy of these reports shall be communicated by the Chair to the faculty member under consideration. The Provost and Dean of the College shall deliver a signed copy of these reports to each elected faculty member of the Committee on Tenure and Promotion.

6. TENURE EVALUATIONS – COMMITTEE ON TENURE AND PROMOTION

Since faculty bear primary responsibility for assessing their peers in cases of tenure and promotion, all available evidence bearing on a case should be included in a candidate's file before the Committee on Tenure and Promotion completes its deliberations.²⁸ For each candidate under consideration for tenure, the Committee on Tenure and Promotion shall summarize its findings in a written report (Report to the Trustees), including signed majority and minority opinions, no later than 1 February.

The signed copy of the Report to the Trustees shall be submitted to the Board of Trustees and sent to the candidate's faculty file in the office of the Provost and Dean of the College and an unsigned copy to his or her departmental file. By 1 February each candidate shall receive from the Provost and Dean of the College an unsigned copy of the written report(s). The actual number of the committee's votes in both the majority and minority shall be disclosed to the candidate and, under bonds of confidentiality, to the tenured members of the candidate's department.

Once all cases have been heard and a drafter assigned to each report, the members of the Committee on Tenure and Promotion shall elect from among their number a CTP resource person.

The President shall meet with the Committee on Tenure and Promotion after having reviewed the signed reports to clarify any questions before the Trustees meet to consider the cases.²⁹

Section G: Procedures for Reappointments and Promotion

The President shall present each report to the Board of Trustees for final ratification. The CTP resource person shall serve, alongside the Dean, as a resource for the Executive Committee of the Board of Trustees during its deliberations.³⁰ The President shall notify each candidate of the final result in writing, in a summary statement delivered to the candidate no later than 1 March, with copies to the Provost and Dean of the College and to the department Chair.³¹

For all cases, copies of all materials which may have been added to the faculty file subsequent to the department's review, including any response by the candidate him- or herself, any information submitted to the Executive Committee after the signing of the CTP reports, and evaluations solicited or unsolicited, shall be placed in the candidate's file once the President has communicated the decision of the Board of Trustees to the candidate.³²

When circumstances require the Executive Committee to overturn a unanimous or majority CTP decision, the Executive Committee shall communicate in detail its reasoning to the members of the CTP in a timely manner. In cases in which a candidate is denied tenure and requests an explanation of the reasons for that decision, the Executive Committee shall, through the President, communicate in detail its reasoning to the candidate in a timely manner.³³

- 7. PROMOTION EVALUATIONS – DEPARTMENT:** By 1 October, any faculty member who wishes to be considered for promotion to the rank of professor will notify the department through the department Chair. The Chair shall prepare a written report for each candidate under consideration for promotion, including signed majority and minority opinions, recommending whether the candidate should be promoted.

In all cases the Chair shall solicit the written opinions of all tenure-track members of the department who have been members of the department for at least one year, as well as any tenured members of the department who are on leave and have elected not to participate in the review.

During their deliberations the tenured members shall choose a tenured faculty member of the department as a representative to the Committee on Tenure and Promotion. This representative shall not be an elected member of the committee and shall serve solely as a resource person to the committee. In the case where a department has more than one candidate for tenure and/or promotion the department may choose a separate representative to the committee for each candidate.

The originals of these reports shall be in the hands of the Provost and Dean of the College no later than 1 February. An unsigned copy of these reports shall be communicated by the Chair to the faculty member under consideration. The Provost and Dean of the College shall deliver a signed copy of these reports to each elected faculty member of the Committee on Tenure and Promotion.

Section G: Procedures for Reappointments and Promotion

For tenured faculty members who wish to be considered for promotion to the rank of professor and who have a primary appointment in one department and a secondary appointment in a second department or program governed by a duly signed Memorandum of Understanding (MOU), the evaluation process outlined above will be modified as follows:

- 1) The Department evaluation will be conducted by a special committee of no fewer than five tenured faculty members representing the primary department and secondary department or program. The total size and proportion of members from the primary department and secondary department or program will be specified in the MOU, in accordance with the principles outlined in the Faculty Handbook;
- 2) The faculty member may elect to solicit external reviews following the guidelines provided in the Faculty Handbook. The decision to solicit external reviews and the selection of reviewers will ordinarily occur in the summer prior to the academic year in which the promotion evaluation will occur.
- 3) The chair and members of the special committee will be selected in accordance with the procedures specified in the Faculty Handbook. To facilitate the process of assembling a special committee, it is helpful for the faculty member to notify the chair of the primary department and the chair of the secondary department or program of the intention to be considered for promotion to the rank of professor in the spring prior to the academic year in which the promotion evaluation will occur.

8. PROMOTION EVALUATIONS – COMMITTEE ON TENURE AND PROMOTION

Since faculty bear primary responsibility for assessing their peers in cases of tenure and

Section G: Procedures for Reappointments and Promotion

promotion, all available evidence bearing on a case should be included in a candidate's file before the Committee on Tenure and Promotion completes its deliberations.³⁴ For each candidate with tenure under consideration for promotion, the Committee on Tenure and Promotion shall summarize its findings in a written report (Report to the Trustees), including signed majority and minority opinions, no later than 15 May.

The signed copy of the Report to the Trustees shall be submitted to the Board of Trustees and sent to the candidate's faculty file in the office of the Provost and Dean of the College and an unsigned copy to his or her departmental file. By 15 May each candidate shall receive from the Provost and Dean of the College an unsigned copy of the written report(s). The actual number of the committee's votes in both the majority and minority shall be disclosed to the candidate and, under bonds of confidentiality, to the tenured members of the candidate's department.

Once all cases have been heard and a drafter assigned to each report, the members of the Committee on Tenure and Promotion shall elect from among their number a CTP resource person.

The President shall meet with the Committee on Tenure and Promotion after having reviewed the signed reports to clarify any questions before the Trustees meet to consider the cases.³⁵

The President shall present each report to the Board of Trustees for final ratification. The CTP resource person shall serve, alongside the Dean, as a resource for the Executive Committee of the Board of Trustees during its deliberations.³⁶ The President shall notify each candidate of the final result in writing, in a summary statement delivered to the candidate no later than 15 June, with copies to the Provost and Dean of the College and to the department Chair.³⁷

For all cases, copies of all materials which may have been added to the faculty file subsequent to the department's review, including any response by the candidate him- or herself, any information submitted to the Executive Committee after the signing of the CTP reports, and evaluations solicited or unsolicited, shall be placed in the candidate's³⁸ file once the President has communicated the decision of the Board of Trustees to the candidate.³⁹

When circumstances require the Executive Committee to overturn a unanimous or majority CTP decision, the Executive Committee shall communicate in detail its reasoning to the members of the CTP in a timely manner. In cases in which a candidate is denied promotion and requests an explanation of the reasons for that decision, the Executive Committee shall, through the President, communicate in detail its reasoning to the candidate in a timely manner.⁴⁰

Section H: Grievance Procedures Regarding Reappointment, Tenure and Promotions

H. Grievance Procedures Regarding Reappointment, Tenure, and Promotion⁴¹

1. When a member of the teaching faculty has received notice that he or she has not been granted tenure, has not had the contract renewed, has been issued a terminal contract, or has not been promoted, and believes that he or she has not been accorded statutory due process as specified in Chapter II.F. and G. of *The Statutes of the Faculty*, or that considerations which violate academic freedom, as defined in Chapter VIII, have contributed to the decision, the individual may write to the Chair of the subcommittee on appeals of the Committee on Faculty Affairs requesting its assistance. In the letter the faculty member shall specify as precisely as possible the reasons for this request and shall include whatever documentation he or she may have.
2. Any member(s) of the subcommittee on appeals who may have been involved in the decision, either as the candidate or as a member of the candidate's department or of the Committee on Tenure and Promotion, shall not sit with the subcommittee on appeals during the proceedings. Should this result in having fewer than three members of the committee available for the proceedings, then the tenured teaching faculty member(s) who last left the Committee on Faculty Affairs and who have not been involved in the decision shall take part in the committee's proceedings. For no case shall fewer than three teaching faculty members take part in the committee's proceedings.
3. The faculty member, accompanied if so desired by a member of the faculty who may serve as an advisor, shall have the right to appear before the subcommittee on appeals. In deciding whether to proceed beyond this point, the subcommittee shall keep in mind that it is incumbent on the faculty member to present reasonable evidence that his or her rights have been violated. Once a year the subcommittee on appeals shall report to the Faculty Assembly on the number of requests it receives for assistance as well as the fact and nature of its decision. In each case in which the subcommittee decides not to proceed, the person who has brought the grievance shall be so notified.
4. If the subcommittee determines to proceed, it shall then convey in writing to the President a copy of the complainant's charges and evidence, as well as an explanation of the subcommittee's reasons for pursuing the matter further.
5. If the President is unable to resolve the situation to the satisfaction of the subcommittee within six weeks and the subcommittee believes that the individual has presented reasonable evidence that his or her rights, as specified in Chapter II.F. and G. and/or in Chapter VIII, have been violated, the subcommittee shall then proceed to make a non-formal and confidential inquiry. For each case it shall have access to whatever documents the department Chair and the tenured members of the department had at their disposal, together with the signed departmental report(s).

In cases involving tenure and promotion, it shall have access to whatever documents the Committee on Tenure and Promotion and the Board of Trustees had at their disposal. In cases not involving tenure or promotion, it shall have access to the individual's faculty file in the office of the Provost and Dean of the College.

Section H: Grievance Procedures Regarding Reappointment, Tenure and Promotions

The subcommittee shall also, at its discretion, meet with the department Chair, the tenured members of the department as a group and with the Committee on Tenure and Promotion as a group, and when the Committee on Tenure and Promotion was not involved in the case, with the Provost and Dean of the College together with the President. The subcommittee may also meet with any individual who desires to come before it. The purpose of these meetings is to enable the subcommittee to assure itself that the academic freedom of the individual had not been infringed upon. The subcommittee shall keep in mind that it is not to substitute its judgment for the judgment of any of the groups or individuals in question; it is merely to guarantee due process and academic freedom in adherence to *The Statutes of the Faculty*. Only the members of the subcommittee on appeals shall have access to confidential documents made available to them. No member of the subcommittee on appeals shall discuss either confidential documents or oral testimony outside the subcommittee meetings, except with other members of the subcommittee. No one who appears before the subcommittee shall reveal information gained during the proceedings.

6. Cases Involving Statutory Due Process

If the subcommittee concludes that a significant violation of statutory due process has taken place, it shall so inform the President, who shall have the case re-examined at the appropriate level, calling attention to the violation of statutory due process as delineated in the given case by the subcommittee on appeals.

7. Cases Involving Academic Freedom

If the subcommittee concludes that the faculty member has made a reasonable case that considerations which violate his or her academic freedom have contributed to the negative decision, it shall first so inform the President, who shall take whatever action he deems appropriate. If the President is unable to rectify the situation to the satisfaction of the subcommittee, then the subcommittee shall conduct a formal hearing. The subcommittee shall prescribe rules of procedure for the conduct of such hearings and shall inform the involved parties of such rules prior to the commencement of the hearing. The parties involved shall have the right to be present at the hearing at all times when evidence is being presented to the subcommittee, and the right to have the subcommittee call witnesses on their behalf. Apart from meetings of the subcommittee, no member of the subcommittee shall consult any non-member of the subcommittee as to any matter at issue or discuss the case with any non-member. The hearing shall be private. No legal counsel shall be present and no official record shall be kept.

Upon completion of the hearing, the committee shall submit to the President and the complainant its written findings and recommendations, together with any statement of dissent. If the President is unable to rectify the situation to the satisfaction of the subcommittee or does not accept the recommendation, the subcommittee shall refer the matter to the Board of Trustees.

8. Nothing in the preceding should be construed as preventing any member of the faculty from approaching the Provost and Dean of the College, the President, or the Board of Trustees either before or after taking advantage of the good offices of the subcommittee on appeals.

Section H: Grievance Procedures Regarding Reappointment, Tenure and Promotions

9. If, at any point, the complainant should institute legal proceedings, the procedure is thereby aborted and the subcommittee on appeals shall cease to function in the case.

Section I: Faculty Duties

I. Faculty Duties⁴²

1. On 1 March of each year the President or the Provost and Dean of the College shall give notice in writing of intention to renew contracts which have not been made without limitation of time. Faculty members who are not to be reappointed at the expiration of their contracts shall receive notice according to the following schedule:

Faculty members in their first year of employment at the College:⁴³ on or before 1 March
Faculty members in their second year of employment at the College:⁴⁴ on or before 1 December
All others: on or before 1 September, one year in advance.

2. A faculty member who intends to terminate an appointment above the rank of instructor shall give written notice to the President and the Provost and Dean of the College on or before 1 April, and such termination shall be effective only at the end of the academic year.
3. Contracts of full-time members of the faculty are contracts for full-time employment within the College, unless otherwise specified. Teaching in another institution by a full-time member is not permitted except by written approval of the Dean of the Faculty in each instance.
4. Full-time members of the faculty shall not engage in other employment or private professional activities during the academic year except on a limited basis and only with the written approval of the Dean of the Faculty. Consulting work and other such activities of proper professional character may provide valuable experience and contribute to the enrichment of teaching and scholarship but the total amount of time which may be given to such activities shall be limited for each individual in order that there is no interference in the proper discharge of full-time faculty duties. Faculty members serving clients in a consulting or other private capacity are retained as individuals and the College takes no responsibility for such services.

The ordinary duties of a full-time faculty member of the College are specified in the *Faculty Handbook*.

Through participation on committees, faculty contribute to the formulation and execution of the academic policies of the College, an essential aspect of shared governance. This chapter describes the elected and appointed committees of the faculty. They include the following:⁴⁵

A. Committees elected by nomination from the faculty

1. Committee on Tenure and Promotion
2. Faculty Compensation Committee
3. Committee on Faculty Affairs

B. Committees elected by nomination from slates prepared by the Committee on Nominations and Elections

1. Committee on Academic Standing
2. Committee on the Curriculum
3. Committee on Academic Programs
4. Committee on Faculty Scholarship

C. Committees of the faculty appointed by the Provost and Dean of the College

1. Committee on Study Abroad
2. Health Professions Advising Committee
3. Committee on Distinguished Fellowships and Graduate Studies
4. Scholarly Misconduct Inquiry Committee
5. Scholarly Misconduct Investigation Committee

D. College committees appointed by the Provost and Dean of the College, the Vice President for Student Development and Mission, and the Student Government Association

1. Community Standards Board

E. College committees reporting to the President

1. Board of Directors of the General Alumni Association
2. Athletic Council
3. Campus Center Advisory Council

F. *Ad hoc* committees

A current list of *ad hoc* committees shall be maintained by the Office of the Provost and Dean of the College.

General Considerations for Elective and Appointive Faculty and College Committees.

1. The following provisions shall apply to all committees in this Chapter except as specified for each committee.

a. Eligibility

Except as specified for each committee, only the teaching faculty of the College are eligible for election or appointment to faculty positions on committees established by this chapter and only teaching faculty may vote for elected teaching faculty representatives to these committees. Likewise only full-time administrative faculty without appointments to the teaching faculty may serve in positions designated for administrators except *ex officio* or vote in elections for such positions. Any full-time student of the College is eligible for a position on those committees for which student membership is indicated.

b. Election Procedures

Faculty nominations and elections shall be conducted by the Committee on Nominations and Elections of the Academic Governance Council (see I.D.1.i.) The sequence of the nominations and elections for the various committees is designed to ensure broad faculty participation in governance.

Except as specified for each committee, in the event of a tie in an election, the winner shall be chosen by lot drawn by the Chair of the Committee on Nominations and Elections.

Except as specified for each committee, committees choose their own chairs from their elected members.

c. Length of Term

Except as specified for each committee, the term of office of teaching faculty elected to committees is two years; terms shall be staggered. Student members shall serve one year. The term of membership on appointed committees is determined by the appointing officer.

d. Vacancies

When a teaching faculty vacancy occurs in an elective position, that eligible faculty member with the next highest number of votes on the final ballot in the election that resulted in the seating of the outgoing member shall occupy the vacant seat for the period of the vacancy. Vacancies in appointive positions shall be filled by the appointing officer.

1. Committee on Tenure and Promotion⁴⁶

The Committee on Tenure and Promotion reports to the Board of Trustees.

a. Scope and Function

The scope and function of this committee are defined in Chapter II.G.6. of these statutes.

b. Membership⁴⁷

This committee is composed of the Provost and Dean of the College (Chair), and eight elected tenured faculty members.

The President shall attend the first meeting of the committee to explain the responsibilities of its members.

Each of the divisions⁴⁸ of the faculty shall be represented on the Committee on Tenure and Promotion by two elected tenured faculty members from that division, but there shall be no more than one elected tenured faculty from any one department and no member shall serve concurrently as the Speaker of the Faculty.

c. Eligibility for Election⁴⁹

No tenured faculty member shall be eligible for election to the Committee on Tenure and Promotion until he or she is in his or her second year of service in a tenured position. No elected member completing a full term may succeed him- or herself without two terms intervening. In the event that a tenured member of the faculty has served three terms on the Committee, he or she shall have the right to decline any further nomination. The faculty member may exercise that right by requesting the Committee on Nominations and Elections to leave his or her name off the nomination ballot. Continuing members of the Academic Governance Council are not eligible for election to the CTP. Tenured faculty members of departments that have a tenured department member serving on the Committee on Tenure and Promotion in the subsequent academic year are not eligible for election.

A tenured faculty member with a spouse, domestic partner, family or household member in the tenure-track ranks of the faculty is ineligible for election to or service on the Committee on Tenure and Promotion until such time that the College has rendered a final decision on the application of the spouse, domestic partner, family or household member for promotion with tenure.

An elected member of the Committee on Tenure and Promotion who is being considered for promotion, or whose spouse, domestic partner, family or household member is being considered for promotion, shall vacate his or her seat on the Committee for the semester in which the case is heard.

d. Election Procedures⁵⁰

Each academic year, four new members of the Committee on Tenure and Promotion shall be elected. Before the end of the fall semester, and following the election of the Speaker of the Faculty, the Committee on Nominations and Elections shall send to each voting member of the ordinary ranks of the teaching faculty a list of the eligible tenured faculty

members who belong to the same division as the faculty member. From this list, each faculty member shall nominate two. The Committee on Nominations and Elections shall prepare a ballot on which appear the names of those in each division who received the three highest nomination totals. This ballot shall be sent to each voting member of the ordinary ranks of the teaching faculty who shall vote for one person in each of the four divisions. The faculty member with the highest number of votes in each division shall be seated provided that no member from the newly elected faculty member's department is currently serving on the Committee on Tenure and Promotion. Then, a faculty member with the next highest vote total from another department in the division shall be seated.

In the event of a tie in the divisional elections, the Committee on Nominations and Elections shall prepare a run-off ballot to determine the winner.

Nominations for the Committee on Tenure and Promotion, divisional and run-off elections shall each be conducted within a period of at least ten teaching days. The sequence of nominations and elections shall be conducted with dispatch.

If a member of the Faculty Compensation Committee, Committee on Faculty Affairs, the Finance and Planning Council, or the Student Life Council is elected to the Committee on Tenure and Promotion, that person shall vacate the seat on that committee or council.

- e. Length of Term⁵¹
Elected members of the Committee on Tenure and Promotion shall serve two-year terms.
- f. Vacancies
When a divisional representative vacates a seat on the Committee on Tenure and Promotion, that eligible divisional nominee with the highest number of votes in the election that resulted in the seating of the outgoing divisional representative shall occupy the vacant seat for the period of the vacancy providing they are in the same department as a continuing Committee on Tenure and Promotion member. When no such eligible nominee exists, the Committee on Nominations and Elections shall operate the nomination and election procedures of Chapter III.A.2.c. to fill the vacant slot.
- g. The representative chosen by a department for a given case shall function solely as a resource person. He or she shall remain available to the Committee on Tenure and Promotion only so long as the members of the committee have questions to ask him or her. He or she shall not be present when the committee votes on the candidacy for which he or she is serving as a resource person. If there are circumstances in which the departmental representative is unable to answer questions the committee considers to be essential to its deliberations, the committee may forward its questions in writing to the tenured members of the department, and may request either the answers to these questions or a revised written report.

2. Faculty Compensation Committee**a. Scope and Function**

This committee shall prepare an annual report on issues related to compensation (including benefits) of the teaching faculty and make recommendations to the Finance and Planning Council and the Academic Governance Council.

This committee shall also hear faculty grievances and concerns about compensation.

b. Membership

This committee is composed of two elected tenured members and two elected tenure-track members of the teaching faculty; the Chair shall be elected by the committee. Members of this committee may not serve concurrently on the Committee on Tenure and Promotion, the Academic Governance Council, the Finance and Planning Council, the Student Life Council, or the Committee on Faculty Affairs.

c. Election Procedures

Each academic year, an election shall be held to fill the seats that will be vacated by members whose terms will expire. As soon as possible after the beginning of the Spring semester, and following the elections of the Speaker of the Faculty, the Committee on Tenure and Promotion and the Academic Governance Council (but before the election for the Committee on Faculty Affairs), the Committee on Nominations and Elections shall send to each voting member of the faculty in each division a list of the eligible tenured and/or tenure-track faculty members in that division. From this list, each faculty member shall nominate one tenured and/or one tenure-track faculty member. The Committee on Nominations and Elections shall prepare a ballot on which appear the names of those tenured and/or tenure-track faculty members in each division who received the two highest nomination totals. This ballot shall be sent to each voting member of the teaching faculty (without regard to division) who shall vote for one tenured and/or one tenure-track faculty member. The tenured and/or tenure-track faculty member with the highest number of votes shall be seated. No more than two members of any single division may be seated at one time.

d. Length of Term

Tenured members of this committee shall serve for three years; the tenure-track members shall serve two-year terms.

3. Committee on Faculty Affairs⁵²**a. Scope and Function**

This committee reports to the Academic Governance Council and through it to the Faculty Assembly. It serves as a resource for members of the teaching faculty who have concerns regarding policies or procedures related to professional responsibilities of the faculty. The committee is responsible for communicating these concerns, and any recommendations for changes in policies and procedure on issues related to the responsibilities of the faculty, to the Academic Governance Council or other committees, councils or administrative offices as appropriate. The Committee may consult with any other committee, member of the administration, or teaching faculty member, as appropriate, to fulfill its responsibilities. It is also responsible for recommending changes in policies and procedures in cases involving grievances and academic freedom.

All members of the Committee on Faculty Affairs shall be trained to serve as appellate panelists under the College's discrimination and harassment policies, including, in particular, the Sexual Misconduct Policy.^{53,54}

(1) Subcommittee on Appeals

This subcommittee composed of the four tenured members of the Committee on Faculty Affairs, hears appeals in cases involving faculty disability retirement (S.VI) faculty dismissal for cause (S.VII) and cases involving scholarly misconduct by faculty. It also conducts grievance procedures in cases of reappointment, tenure, and promotion (S.II.H).

(2) Subcommittee on Grievances

The Committee on Faculty Affairs shall elect three of its members to a subcommittee on grievances. This subcommittee shall also include one member of the administrative faculty elected by the administrative faculty. The subcommittee assists members of the faculty in resolving grievances that arise in their relationship with other members of the faculty.⁵⁵

b. Membership

This committee is composed of four elected tenured members of the teaching faculty, one from each division, and three elected members of the tenure-track faculty, including no more than one from each division; the Chair shall be elected by the committee. Members of this committee may not serve concurrently on the Committee on Tenure and Promotion, the Faculty Compensation Committee, the Academic Governance Council, the Finance and Planning Council, or the Student Life Council.

c. Eligibility for Election

Members of the tenure-track teaching faculty are eligible for this committee provided they are instructors or assistant professors who have been at the College of the Holy Cross for at least two years.

d. Election Procedures

Each academic year, four new members, two tenured and two tenure-track, of the Committee on Faculty Affairs shall be elected. One of the tenure-track faculty members will be seated for a one-year term, all other new members will be seated for a two-year term.

Nomination of Tenured Representatives: As soon as possible after the beginning of the Spring semester, and following the elections of the Speaker of the Faculty, the Committee on Tenure and Promotion, the Academic Governance Council, and the Faculty Compensation Committee, the Committee on Nominations and Elections shall send to each voting member of the teaching faculty in those divisions in which a vacancy will occur a list of the eligible tenured faculty members in that division. From this list, each faculty member shall nominate two tenured faculty members.

Nomination of Tenure-Track Representatives: As soon as possible after the beginning of the Spring semester, and following the elections of the Speaker of the Faculty, the Committee on Tenure and Promotion, Governance Council, and the Faculty Compensation Committee, the Committee on Nominations and Elections shall send to each voting member of the teaching faculty in those divisions in which there is not a continuing tenure-track faculty member on the Committee a list of all eligible tenure-track faculty members in that division. From this list, each faculty member shall nominate two tenure-track faculty members.

Election Procedures: The Committee on Nominations and Elections shall prepare a ballot on which appear the names of those tenured faculty members in each division who receive the three highest nomination totals and the names of the tenure-track faculty members in each division who received the two highest nomination totals.

This ballot shall be sent to each voting member of the teaching faculty, who shall vote for one tenured faculty member nominee in each of the divisions in which a vacancy will occur and two tenure-track faculty members from the list of all tenure-track nominees. The tenured faculty member nominee who receives the highest number of votes in each division shall be seated for a two-year term. The tenure-track faculty member who receives the highest number of votes overall shall be seated for a two-year term. The tenure-track faculty member with the next highest vote total who is not from the same division will be seated for a one-year term.

In the event of a tie in the divisional or at-large election, the Committee on Nominations and Elections shall choose the winner by lot.

e. Length of Term

Tenured members of this committee shall serve for two years, tenure-track faculty members with the highest vote total in a year shall serve for two years the remaining tenure-track faculty member shall serve a one-year term. The two-year terms shall be staggered.

1. Committee on Academic Standing⁵⁶**a. Scope and Function**

This committee hears appeals of suspensions and dismissals for academic reasons. In hearing an appeal of a suspension or dismissal for academic reasons, the committee may choose to uphold the penalty, overturn it, or substitute a lesser penalty if it judges that the circumstances so warrant. The Committee on Academic Standing also makes recommendations on policies regarding standards for standing, probation, suspension, dismissal and readmission.

In the matter of appeals cases, its decisions are given to the Provost and Dean of the College for execution. It shall, however, include a summary of such decisions in its report to the faculty. It shall also report to the Academic Governance Council on issues concerning academic advising that arise out of its experience.

b. Membership

This committee is composed of the Dean of Education and Academic Experience, the Registrar, the Director of Admission, and four elected members of the teaching faculty. Members of the committee who recuse themselves from consideration of particular cases are not replaced; consideration of those cases proceeds with the remaining members serving as the entire committee.⁵⁷

2. Committee on the Curriculum⁵⁸**a. Scope and Function⁵⁹**

The Committee on the Curriculum oversees the College curriculum and facilitates coordination among all academic units regarding curricular policy and initiatives.

The Committee on the Curriculum: (1) Makes recommendations to the Academic Governance Council regarding possible changes to College-wide curricula (2) reviews the syllabus of a new course or a substantially revised course, after the department has reviewed and approved the course, to evaluate the appropriateness of the course for a liberal arts curriculum and approve common area designation requests (3) is consulted in advance to review changes in programs such as concentration, major and minor requirements, approves new minors, and reviews and makes recommendations regarding any new majors or independent multidisciplinary programs prior to the review by the Academic Governance Council and the Faculty Assembly; and (4) reviews and makes recommendations regarding College-wide learning goals and outcomes assessment in Academic Affairs.

b. Membership

This committee is composed of four elected members of the teaching faculty, one from each of the four divisions defined in Chapter I. A. one student selected by the Student Government Association who shall be a non-voting member, and three *ex officio* members, a representative of the office of the Provost and Dean of the College, the Director of the Office of Assessment and Research, who shall be a non-voting member and the Registrar (or the Associate Registrar in his or her absence) who shall be a non-voting member.

3. Committee on Academic Programs^{60 61}**a. Scope and Function**

The Committee on Academic Programs provides oversight and advises the directors of all College programs that have curricular offerings with the exceptions of academic departments, independent multidisciplinary programs Passport, and Montserrat. Included programs ("academic programs" hereafter) on all major policy issues relevant to their work at the College. The committee votes on decisions and recommendations of its appointed subcommittees as appropriate. The committee makes recommendations to the Deans on the appointment of part time under its purview.

The Committee on Academic Programs has the authority to appoint subcommittees to support the work of the academic programs, utilizing its own members and the directors of the academic programs as appropriate. The committee and its appointed subcommittees shall accomplish the following tasks: review and approve course proposals; review student applications for majors, minors, and concentrations under the Center for Interdisciplinary Studies; review and approve templates for new multidisciplinary majors, minors, and concentrations; review and approve changes to templates for multidisciplinary majors, minors, and concentrations; approve policy changes for academic programs and approve the movement of included programs to independent multidisciplinary program status.

b. Membership

This committee is composed of five elected members of the teaching faculty, consisting of one from each of the four divisions defined in Chapter I plus one at-large member, and one student appointed by the Student Government Association as voting members. The committee Chair shall be chosen by the committee at the beginning of the academic year from among the five elected members of the teaching faculty.

4. Committee on Faculty Scholarship^{62; 63}**a. Scope and Function**

The Committee on Faculty Scholarship disburses research funds to members of the teaching faculty, makes recommendations on the adequacy and distribution of research budgets, makes grants in subvention of publication, and selects awardees from among applicants for summer fellowships, and submits its selections for academic-year faculty fellowships to the Dean of the Faculty for final ratification. It makes recommendations to the Academic Governance Council concerning the adequacy of the library's holdings and services based on emerging trends in faculty research⁶⁴. It also reviews nominations for the Mary Louise Marfuggi Faculty Award for Outstanding Scholarship⁶⁵ and may participate in the review of candidates for named chairs and professorships.

b. Membership

This committee is composed of the Director of Sponsored Research⁶⁶, who shall serve as a non-voting *ex officio* member four elected members of the teaching faculty, one from each of the four divisions defined in Chapter I.A.

Section C: Committees of the faculty appointed by the Provost and Dean of the College

1. Committee on Study Abroad⁶⁷**a. Scope and Function**

The Committee on Study Abroad advises the Director of the Study Abroad Program on major policy issues relevant to its role in promoting engaged learning and living in different cultures through participation in one or more of the College's immersive study abroad experiences. The Committee also serves as a conduit of communication with the administration, faculty, and students regarding policies, procedures, and opportunities for students and faculty.

The committee shall accomplish a variety of tasks including: review new and existing study abroad programs; review proposed study tours and May semester courses; advise on assessment strategies for Study Abroad; and advise on proposed policy changes that might impact student participation in Study Abroad.

b. Membership

This committee is composed of the Director of the Study Abroad Program (*ex officio*), nonvoting; four divisional representatives of the teaching faculty; and one at-large member of the teaching faculty. Faculty members shall be appointed by the Provost. The committee Chair shall be chosen by the committee at the beginning of the academic year from among the five appointed members of the teaching faculty.

Candidates for divisional representative and at-large member should have an interest in and knowledge of the Study Abroad Program. One of the faculty members should have expertise in non-English speaking countries. Faculty members shall serve staggered three-year terms in order to maintain continuity.

2. Health Professions Advising Committee⁶⁸**a. Scope and Function**

The Health Professions Advising Committee advises applicants for post-baccalaureate study in the health professions, evaluates their candidacy, solicits the recommendations of faculty members and writes composite letters of recommendation in accordance with the evaluation.

b. Membership

This committee is composed of the Health Professions Advisor (Chair) and seven appointed members of the teaching faculty. The Provost and Dean of the College may appoint non-voting clinical advisors for the committee. The Chair and teaching members of the Committee are responsible for fulfilling the Committee's scope and function.

3. Committee on Distinguished Fellowships and Graduate Studies⁶⁹**a. Scope and Function**

The Committee on Distinguished Fellowships and Graduate Studies assists the Director of the Office of Distinguished Fellowships and Graduate Studies and selects candidates for special fellowships.

b. Membership

This committee is composed of the Director of the Office of Distinguished Fellowships and Graduate Studies (Chair), four appointed members of the teaching faculty, and Class Deans of the third and fourth year classes

4. Scholarly Misconduct Inquiry Committee⁷⁰

a. Scope and Function

The Scholarly Misconduct Inquiry Committee conducts the inquiry stage of the Scholarly Misconduct Policy according to Chapter II. A. 15., of the Faculty Handbook.

b. Membership

This committee is composed of three appointed members of the tenured teaching faculty.

c. Length of Membership

The members of the Scholarly Misconduct Inquiry Committee shall be appointed to conduct a specific inquiry into scholarly misconduct. The committee is disbanded upon completion of the inquiry.

5. Scholarly Misconduct Investigation Committee⁷¹

a. Scope and Function

The Scholarly Misconduct Investigation Committee conducts the investigation stage of the Scholarly Misconduct Policy according to Chapter II. A. 15., of the Faculty Handbook.

b. Membership

This committee is composed of five appointed members of the tenured teaching faculty.

c. Length of Membership

The members of the Scholarly Misconduct Investigation Committee shall be appointed to conduct a specific investigation into scholarly misconduct. The committee is disbanded upon completion of the investigation.

1. Community Standards Board⁷²

a. Scope and Function

Members of the Community Standards Board are eligible to serve on a hearing panel assigned by the Director of the Office of Student Integrity¹¹⁰ and Community Standards to hear violations of community standards. If sufficient members of the Community Standards Board are not available to create a hearing panel, the Vice President for Student Development and Mission may appoint interim members to the Community Standards Board for the purpose of serving on a designated hearing panel.

b. Membership

The Community Standards Board is composed of at least twenty-nine members of the College community, including the Vice President for Student Development and Mission and the Director of the Office of Student Integrity and Community Standards. Nine of the members shall be members of the faculty appointed by the Provost and Dean of the College. Six of the members shall be administrators appointed by the Vice President for Student Development and Mission. Twelve of the members shall be students appointed by the Vice President for Student Development and Mission. The Vice President for Student Development and Mission shall request additional members be appointed as the need arises.

c. Length of Term

The faculty members of the Community Standards Board shall serve staggered three-year terms (three new members appointed each year). The administrative members of the Community Standards Board shall serve staggered three-year terms. The student members of the Community Standards Board shall serve for a maximum term of three years which expires upon graduation from the College. At least one student and one faculty member who have been elected to the Student Life Council shall be appointed to serve on the Community Standards Board.

1. Board of Directors of the General Alumni Association**a. Scope and Function**

The board directs the affairs of the General Alumni Association of the College of the Holy Cross.

b. Membership

This board is composed of one faculty member elected by the teaching faculty, one member of the teaching faculty or administrator of the college appointed by the President, and thirty-three other members elected or appointed from among the alumni of the College in the manner determined by the by-laws of the General Alumni Association of the College.

c. Length of Term

The term of the faculty member elected by the teaching faculty shall be one year, coinciding with the academic year of the College.

2. Athletic Council⁷³**a. Scope and Function**

The purpose of this council is to establish and promote the general policies and interests of athletics in keeping with the balanced overall educational objectives of the College of the Holy Cross as determined by its Board of Trustees.

b. Membership

This council is composed of the Associate Vice President for Intercollegiate Athletics, Athletics Director, the Provost and Dean of the College, the Senior Vice President for Administration and Finance, three faculty members elected by the teaching faculty, three alumni (at least one of whom shall be a member of the Holy Cross Varsity Club) selected by procedures established by the Board of Directors of the General Alumni Association, and three elected students. One student shall be an active participant in a major intercollegiate sport at the College. One student shall be an active participant in the minor sports program at the College but shall not be an active participant in the major sports program. One student shall not be an active participant in either the major or the minor sports program.

c. Length of Term

Each teaching faculty member whose term expires shall be succeeded by a member of the teaching faculty elected to a three-year term. Each of the three students shall be selected each year for the term of one year. A student may succeed him- or herself and serve for a total of three years.

3. Campus Center Advisory Council⁷⁴**a. Scope and Function**

This council advises the Director of the Hogan Center on the appropriate application of policy regarding building usage by internal and external organizations and programming initiatives by College organizations and departments.

This council may look to enhance the social interaction in both structured and unstructured student activities.

b. Membership

This council is composed of the Vice President for Student Development and Mission (chair), the Senior Vice President for Administration and Finance, the Director of Conference Services and the Hogan Center, two appointed members of the teaching faculty, two alumni, the Chair of the Campus Activities Board, and two other students.

Ad Hoc Committees⁷⁵

A current list of ad hoc committees shall be maintained by the Office of the Provost and Dean of the College.

General Considerations for Elective and Appointive Faculty and College Committees.

The following provisions shall apply to all committees in this Chapter except as specified for each committee.

1. *Ad hoc* committees to study, make recommendations on, or oversee specific topics that may arise may be appointed by the Board of Trustees, the President, the Provost and Dean of the College, the Academic Governance Council, the Finance and Planning Council, the Student Life Council or, with the approval of the Faculty Assembly, the Speaker of the Faculty.

Their scope and function and membership shall be determined in accordance with the purpose of their establishment.

A. Sabbatical Leave^{76; 77}

Sabbatical leave is available to those members of the faculty who at the beginning of their proposed leave will have completed six years of actual service to the College since their initial employment or their last sabbatical leave and who hold the rank of assistant professor or above at the time of their application for leave. Any leave of two or more consecutive semesters interrupts “actual service to the College.” There shall be a minimum of three years of service between the end of one sabbatical and the beginning of another.

For one semester, the recipient shall receive full salary if there are no grants from outside sources. If there are grants from outside sources and no extraordinary expenses associated with plans for the leave, the recipient shall receive the difference between full salary and the grants from outside sources. If there are grants from outside sources and extraordinary expenses associated with plans for the leave, the recipient may request the Dean of Faculty to have the sum of the stipend received from the College and grants from outside sources exceed salary. In no case, however, shall the stipend from the College exceed salary.

For two semesters, the recipient shall receive eighty per cent of salary if there are no grants from outside sources or if grants from outside sources do not exceed twenty per cent of salary. If there are grants from outside sources exceeding twenty per cent of salary and if there are no extraordinary expenses associated with plans for the leave, the recipient shall receive the difference between full salary and the grants from outside sources. If there are grants from outside sources exceeding twenty per cent of salary and if there are extraordinary expenses associated with plans for the leave, the recipient may request the Dean of the Faculty to have the sum of the stipend received from the College and grants from outside sources exceed salary. In no case, however, shall the stipend from the College exceed eighty per cent of salary.

Faculty members on sabbatical leave may not accept gainful employment without the express written consent of the Provost and Dean of the College in each instance.

Application for sabbatical leave is made in writing to the Chair of the department concerned by 15 October in the academic year preceding the year in which the leave is to be taken. The Chair then consults with the Dean of the Faculty, who brings his or her recommendation and that of the Chair to the Provost. Normally this procedure results in granting of leave. Candidates shall be notified by 1 February whether their leaves have been approved. Candidates under consideration for tenure shall be notified shortly after their tenure decision has been made.

The application shall contain a statement of plans for the leave and a report shall be delivered to the Office of the Provost and Dean of the College no later than 1 October following the expiration of the leave. The individual shall, at the same time, give copies of the report to the department Chair to be placed in the individual’s department files.

If, at the end of a six-year period of actual service to the College, postponement of a sabbatical leave is in the best interest of the efficient running of the individual's department, contribution to the College as a whole, or professional growth, such postponement may be granted without delaying the start of the subsequent six-year period of actual service. The

request for such postponement must be made in writing to the Chair of the department concerned by 15 October in the academic year preceding the year in which the leave would otherwise have been taken. The Chair then consults with the Dean of the Faculty, who brings his or her recommendation and that of the Chair to the Provost. Candidates shall be notified by 1 February whether their requests for postponement have been approved. Candidates under consideration for tenure shall be notified shortly after their tenure decision has been made.

B. Research Leaves for Tenure-track Faculty^{78;79}

Research leaves for tenure-track faculty are salaried leaves of absence which are granted to assistant professors, with the exception of assistant professors who have chosen to count three years of prior experience, their third year at the College. Tenure-track faculty who claim one or two years of full-time teaching experience prior to their tenure-track appointments may request the research leave in the second or third year of their tenure-track appointments.

For two semesters, the recipient shall receive eighty percent of salary if there are no grants from outside sources or if grants from outside sources do not exceed twenty percent of salary. If there are grants from outside sources exceeding twenty percent of salary and if there are no extraordinary expenses associated with the proposed research, the recipient shall receive the difference between full salary and the grants from outside sources. If there are grants from outside sources exceeding twenty percent of salary and if there are extraordinary expenses associated with the proposed research, the recipient may request the Dean of the Faculty to have the sum of the stipend received from the College and grants from outside sources exceed salary. In no case, however, shall the stipend from the College exceed eighty percent of salary.

Faculty members on tenure-track research leave may not accept gainful employment without the express written consent of the Provost and Dean of the College. Eligible faculty members, after consultation with the Department Chair, submit a statement of purpose and a declaration of their requested leave schedule (e.g. one semester or academic year) to the department Chair and the Office of the Provost and Dean of the College no later than 1 February of the year preceding the research leave. The Chair then consults with the Dean of the Faculty, who brings his or her recommendation and that of the Chair to the Provost. Normally this procedure results in granting of leave. Candidates shall be notified no later than March 1 whether their leaves have been approved.

The faculty member will deliver a report on the outcomes of the research leave to the Office of the Provost and Dean of the College no later than 15 September⁸⁰ in the year following the leave. The faculty member shall, at the same time, deliver a copy of the report to the department Chair to be placed in the faculty member's department file.⁸¹ The individual shall, at the same time, declare whether or not she or he chooses to include the year in the probationary count.

C. Faculty Fellowships⁸²

Faculty fellowships are salaried leaves of absence granted to regularly appointed tenured faculty.

Awards are made on the basis of (1) the applicant's demonstrated competence in the area of the projected research; (2) the value of this research as a contribution to the field of knowledge; (3) its benefit to the professional development of the applicant; and (4) its effect upon the academic vitality of the College. It is assumed that scholarly publication ordinarily follows.

The duration of the award is normally one to two semesters.

For one semester, the recipient shall receive full salary if there are no grants from outside sources. If there are grants from outside sources and no extraordinary expenses associated with the proposed research, the recipient shall receive the difference between full salary and the grants from outside sources. If there are grants from outside sources and extraordinary expenses associated with the proposed research, the recipient may request the Dean of the Faculty to have the sum of the stipend received from the College and grants from outside sources exceed salary. In no case, however, shall the stipend from the College exceed salary.

For two semesters, the recipient shall receive eighty per cent of salary if there are no grants from outside sources or if grants from outside sources do not exceed twenty per cent of salary. If there are grants from outside sources exceeding twenty per cent of salary and if there are no extraordinary expenses associated with the proposed research, the recipient shall receive the difference between full salary and the grants from outside sources. If there are grants from outside sources exceeding twenty per cent of salary and if there are extraordinary expenses associated with the proposed research, the recipient may request the Dean of the Faculty to have the sum of the stipend received from the College and grants from outside sources exceed salary. In no case, however, shall the stipend from the College exceed eighty per cent of salary.

Application for a faculty fellowship shall be entertained by the Committee on Faculty Scholarship. Completed application forms, including the Chair's recommendation and a statement of plans, shall be submitted directly to the Chair of the Committee on Faculty Scholarship by 15 October for fellowships to be granted the following year. Notification of awards shall be given by 1 February.

The number of faculty fellowships granted in a given year depends upon the merits of the research proposals submitted, upon the availability of funds, upon the number of faculty scheduled for leave, and upon the needs of the departments concerned. Faculty fellowships may not be used to supplement sabbatical leave salary. Ordinarily faculty fellowships are not granted in a year immediately before or after a year in which the applicant has received or expects to receive a College-funded leave.

A report on the faculty fellowship shall be delivered to the Office of the Provost and Dean of the College no later than 1 October following the expiration of the fellowship. The individual shall, at the same time, give copies of the report to the department Chair to be placed in the individual's department file and to the Chair of the Committee on Faculty Scholarship.

D. Half-time Leaves⁸³

The College permits half-time leaves in cases where such leave is to the mutual benefit of the College, the faculty member's department, and the faculty member in meeting his or her personal or professional needs.

Half-time leaves are not made with great frequency and in normal circumstances shall not exceed four years. The presumption is that a faculty member on half-time leave will teach part-time and fulfill institutional responsibilities and other professional requirements throughout the year, rather than alternating full-time one semester with leave of absence in the next.

Half-time leave counts 2 to 1 in tenure and sabbatical time-tables. For example, the maximum of four years part-time is the equivalent of two years full-time. One year half-time leave counts as one semester of service but does not alter the timing of the tenure decision, or the timing of the sabbatical leave.

Application for half-time leave is normally made in writing by 15 October to the Chair of the department concerned. This proposal shall include a specification of half-time teaching responsibilities and appropriate service commitments to the department and the College. The Chair then consults with the Dean of the Faculty, who brings the applicant's recommendation and that of the Chair to the Provost. The candidate shall be notified by 1 February if the leave is approved for the following year; and by 15 November if the leave is approved for the second semester of the same year.

Faculty on half-time leave have their principal employment at the College of the Holy Cross.

Salaries and pension contributions are calculated *pro rata*; all other benefits described in Chapter V. of the Statutes of the Faculty⁸⁴ are maintained.

E. Unsalariated Leaves of Absence⁸⁵

The College makes every effort to cooperate with faculty members who are in a position to secure, from outside agencies, grants for research or post-doctoral study. To increase the ease with which such arrangements can be approved, the faculty member shall discuss plans for leave with the department Chair as early as possible.

Ordinarily a member of the faculty is not granted an unsalaried leave of absence for more than two consecutive academic years (four semesters).

A tenure-track faculty member shall declare by September 15 following the expiration of the leave whether or not she or he chooses to include the year in the probationary count by submitting a statement to the Provost and Dean of the College, with a copy sent to the department Chair.⁸⁶

F. Faculty Leaves for Child Bonding and Family and Medical Care ^{87; 88; 89; 90}

The College maintains one or more child bonding, parental, family, and medical leave policies in compliance with applicable law. Faculty members who qualify for such leaves have a right to the leave benefits provided by applicable law and are eligible for the applicable faculty leave benefits set forth in leave policies published by the College. All College-provided leaves run concurrently with leave periods provided by law to the maximum extent permissible by law.

The following provisions of Section F set forth child bonding, family and medical leave benefits available to current full-time, benefits-eligible teaching faculty members whose primary duties are teaching and who hold an appointment of at least one year. For additional information faculty should consult the Deans of the Faculty, Human Resources, or other College policy documents, including the Faculty Handbook.

1. Child Bonding Leave

Eligible faculty members may choose to take a full semester of paid leave in connection with a child or children who join the family on or after January 1, 2021, in lieu of benefits described in any other College child bonding or parental leave policy applicable to those faculty members or available under applicable law. This semester leave must be completed within 12 months of the child or children joining the family unless an exception is granted by the Provost and Dean of the College.

Child bonding leave is a time for parents to care for and bond with a child or children who join the family. Thus, during the leave, the College will not require or expect the faculty member to perform any teaching, scholarship, or service responsibilities for the College. A faculty member electing to take child bonding leave under this section will receive their normal salary during a one-semester leave. During the leave period, fringe benefits and credit toward sabbatical leave shall continue, and normal salary increments shall be in effect.

Faculty members must request child bonding leave in writing to the dean of the faculty with a copy to the chair of the department concerned and, in order to facilitate course scheduling, should do so as soon as reasonably practicable. Faculty members may be required to submit appropriate leave-related paperwork required by the College or its leave administrator.

Any personal medical leave or family leave associated with a child or children joining the family will run concurrently with a semester-based leave under this Section. However, if the faculty member qualifies for additional leave associated with a child or children joining the family (whether personal medical leave, child bonding leave, or, if the child or children have a qualifying medical condition, family medical leave) that extends into the semester that follows the semester-based leave described in this Section, the faculty member will receive compensation equal to the benefit amount set by applicable law for the remaining duration of the leave.

2. Effect of Child Bonding Leave on Subsequent Course Load

The College is committed to supporting families and recognizes that faculty may take on a variety of caregiving roles. A member of the ordinary ranks of the faculty who takes a semester-based child bonding leave and who declares that their responsibilities during the leave included childbirth and recovery, and/or that their primary responsibility during that leave pertained directly to child bonding and/or child care, will be eligible for a course reduction in a subsequent semester with a commensurate reduction in salary for that academic year.

A request for this course load reduction accompanied by a declaration of responsibility is made in writing by the faculty member to the dean of the faculty with a copy to the chair of the department concerned in order to facilitate course scheduling.

The benefits set forth in this Subsection 2 apply to child bonding leaves for a child or children who join the family on or after January 1, 2021.

3. Family and Medical Leave

Faculty members are eligible for family and medical leave as described in published College policies applicable to faculty members. Faculty members who are eligible for such leaves during a semester are encouraged to notify the chair of the department and dean of the faculty as soon as practicable in order to ensure appropriate coverage of teaching responsibilities. Faculty members may also be required to submit appropriate leave-related paperwork required by the College or its leave administrator.

4. Effect of Leaves on Probationary Period Prior to Tenure Decision

Any tenure-track faculty member who takes child bonding or family and medical leave for an entire semester or for a period exceeding 15 weeks in an academic year may choose to delay the tenure review by one year. A tenure-track faculty member shall declare by September 15 following the expiration of the leave whether or they choose to delay the tenure review by one year by submitting a statement to the Provost and Dean of the College, with a copy sent to the department chair. If the decision is to delay the tenure review, then this statement shall include an explicit waiver of the normal time limits of the probationary period.⁹²

G. Leaves: Other Considerations⁹³

For the duration of any approved leave which results in complete cessation of teaching responsibilities, the faculty member shall vacate all positions held on councils, general, standing, and appointed committees of the faculty, and *ad hoc* committees as described in the *Statutes of the Faculty*, Chapter III.

If the leave does not result in complete cessation of teaching responsibilities, the faculty member may elect to retain or relinquish their place(s) on some or all committees as listed above.

A faculty member on paid leave retains rights to other faculty and employee benefits, including retirement plan contributions, as well as the responsibility for employee benefit contributions which will continue to be deducted from the faculty member's compensation. A faculty member on unpaid leave retains rights to faculty and employee benefits (other than a benefit which is legally required to be based upon deferral of taxable paid compensation), as well as the responsibility for employee benefit contributions, which will go into arrears during such unpaid leave and normally will be deducted from compensation when the faculty member returns to paid status.⁹⁴

Full-time faculty are entitled to faculty and College benefits during the term of their appointment. At the termination of their appointment the College has no continuing obligation with respect to these benefits.⁹⁵

Faculty fringe benefits and College employee benefits can be found in the Faculty Handbook and on the Human Resources website. Any changes to these benefits will be communicated to faculty at least one month in advance of the effective date of the change.

At the termination of their appointment, faculty members should consult with the Benefits coordinator in Human Resources to determine what legal rights they might have to continue some of these benefits at their own expense.

A. Faculty Benefits

In addition to the benefits described above administrative faculty and teaching faculty of ordinary rank are entitled to the following benefits:

1. Tuition Benefits

a. Eligibility⁹⁶

- (i) Dependent children of full-time administrative faculty members and teaching faculty of ordinary rank who have been employed continuously by the College for at least seven years on full-time appointments.
- (ii) Dependent children of eligible administrative faculty members and teaching faculty of ordinary rank in cases where the faculty member dies or retires prior to the completion of the children's education.

b. Qualifications

To qualify for tuition remission, the dependent child must:

- (i) enroll in a full-time degree program at an accredited undergraduate institution of higher education;
- (ii) maintain good standing in the institution; and
- (iii) meet the admission requirements for acceptance to the College (if attending College of the Holy Cross).

c. Amount of Awards

- (i) For children matriculated at the College of the Holy Cross: full tuition.
- (ii) For children at other qualifying institutions: assistance of sixty-percent of Holy Cross tuition or the tuition of the other institution, whichever is less.
- (iii) The benefit covers the cost of tuition but not the cost of housing, books, and other fees.
- (iv) The benefit is available for a maximum of eight semesters or their equivalent in quarters.

CHAPTER VI: RETIREMENT OF FACULTY

Section A: Retirement for Age

(S) VI.A.

Page 1

A. Retirement for Age

In accordance with federal regulations, as of January 1994, the College has no mandatory retirement age policy.

B. Retirement for Disability⁹⁸

A full-time member of the faculty who has served as such for a total period of not less than fifteen years, and who, before reaching retirement age, becomes incapable of substantially performing his or her duties by reason of health may, upon written application to the President, or upon the written request to the President by the Provost and Dean of the College, be retired by the President. Upon retirement, such member shall receive compensation in accordance with and under the terms of such program for disability compensation as shall be established by the College and shall be in force at the time of such retirement and disability.

If the request for retirement for disability is made by the Provost and Dean of the College, he or she shall furnish to the member whose retirement is recommended a copy of this request. Within ten days after the receipt of such copy, the member may, in writing to the President, request a hearing on the question of the disability before the subcommittee on appeals. Such request for a hearing will be granted. After a hearing, the subcommittee on appeals shall transmit to the President its written findings and recommendations. The decision of the President on the matter of retirement for disability shall not be subject to appeal.

- A. A tenured member of the faculty may be dismissed for serious neglect of academic duties, for serious violation of the College's policies on scholarly misconduct or harassment or for such public misconduct as disqualifies him or her from continued association with the College.
^{99.100} The remaining provisions of this Chapter VII shall not apply to any matter that is adjudicated pursuant to the College's discrimination and harassment policies, including the Sexual Misconduct Policy.
- B. If the Provost and Dean of the College, after consultation with the department Chair, (or other tenured faculty member in the department, if the Chair is implicated in the dismissal process)¹⁰¹, determines that a tenured member of faculty should be dismissed for one of the reasons above stated, he or she shall so recommend in writing to the President. The Provost and Dean of the College shall include with this recommendation a written statement specifying the charges against the tenured faculty member and the facts pertaining to the case. He or she shall forthwith furnish to the accused tenured faculty member a copy of all papers so submitted to the President.
- C. If the President determines that in the best interests of the College immediate action is required, he may summarily suspend the accused tenured faculty member, but without loss of salary.
- D. The President shall give written notice to the accused tenured faculty member that he or she has the right to a hearing on the charges before the subcommittee on appeals (see Chapter III.C.1.a.(1)), provided that the individual makes written request to the President within ten days after the sending of such a notice.
- E. If no such request for a hearing is made, the President shall refer the case to the Board of Trustees for decision. If request for a hearing is duly made, the President shall refer the case for hearing to the subcommittee on appeals, and shall transmit to the subcommittee the recommendation for dismissal, received from the Provost and Dean of the College¹⁰², with statement of charges and facts.
- F. Upon the referral of the case to it, the subcommittee shall as soon as practical conduct a hearing. The subcommittee shall prescribe rules of procedures for the conduct of such hearings and shall inform the accused tenured faculty member of such rules prior to the commencement of the hearing. The subcommittee may, with the approval of the President, retain counsel to assist it at the hearing. If the accused tenured faculty member so requests, prior to the commencement of the hearing, or if the subcommittee determines it to be necessary, a stenographic record of the testimony shall be made. A transcript of such testimony shall, if the accused tenured faculty member so requests, be furnished at his or her expense. The accused tenured faculty member shall have the right to the assistance of counsel or an advisor, the right to be present at the hearing at all times when evidence is being presented to the subcommittee, and the right to have the subcommittee call witnesses on his or her behalf. No member of the subcommittee shall consult any person as to any matter in issue or discuss the case with any person apart from meetings of the committee. The hearing shall be private.

- G.** Upon completion of the hearing, the subcommittee shall submit to the President its written findings and recommendations, together with any statement of dissent. A copy of such findings, recommendations, and statement of dissent, if any, shall be sent by the Chair of the subcommittee to the accused tenured faculty member.
- H.** If the report of the subcommittee recommends that the accused tenured faculty member be dismissed or that other disciplinary action be taken, the President shall refer the case to the Board of Trustees for decision. Within ten days after the subcommittee sends its report to the accused tenured faculty member, the accused tenured faculty member may make written request to the Board of Trustees for a hearing. The Board of Trustees may, at its discretion, grant a hearing limited to the consideration of the subcommittee's report and the record of the proceedings before the subcommittee. In any event, the accused tenured faculty member shall, on his or her request, be granted the opportunity to submit to the Board of Trustees a written statement of defense or explanation within [ten] days after notice thereof is provided by the Provost and Dean of the College. The Board of Trustees shall make written findings and the final decision with respect to dismissal or other disciplinary action. These findings and the decision shall be communicated by the President to the accused tenured faculty member.
- I.** If the report of the subcommittee does not recommend dismissal or other disciplinary action and if the President determines that no further proceedings in the matter are necessary, the findings of the subcommittee shall be accepted as final and the President shall give notice to the accused tenured faculty member of such determination.
- J.** If the report of the subcommittee does not recommend dismissal or other disciplinary action, but the President determines that further proceedings in the matter are necessary, he shall, within thirty days after receiving the subcommittee's report, refer the case to the Board of Trustees for final decision. The President shall, concurrently with such referral, transmit to the Board of Trustees the subcommittee's report and the record of the subcommittee hearing. The Board of Trustees shall grant the accused tenured faculty member, as it may deem appropriate in the particular case, either a full hearing or a hearing limited to a consideration of the subcommittee's report and the record of the proceedings before the subcommittee. The Board of Trustees shall make written findings and the final decision with respect to dismissal or other disciplinary action. These findings and the decision shall be communicated by the President to the accused tenured faculty member.
- K.** If, in the case of an appeal of the Scholarly Misconduct Policy, the Committee finds that a minor procedural error has occurred and recommends that the Scholarly Misconduct Investigation Committee conduct additional deliberations, or the Committee finds that a gross procedural error has occurred and recommends that the case be heard by a new Scholarly Misconduct Investigation Committee, and the President determines that further deliberations are required, he shall, within fifteen working days after receiving the Committee's report, notify the Provost and Dean of the College of his decision in writing. The Provost and Dean of the College shall, within five working days of the receipt of the President's decision, send a copy of the President's decision to the Research Integrity Officer and direct the Research Integrity Officer to reconvene the original Scholarly Misconduct

Investigation Committee, or to convene a new committee according to the President's decision. At the same time, the Provost and Dean of the College shall send copies of the President's decision and his letter to the Chair of the original Scholarly Misconduct Investigation Committee and to the accused tenured faculty member.

A. Principles Regarding Academic Freedom^{103; 104}

As a member of the Association of American Colleges and Universities, the College of the Holy Cross has adopted as official College policy the principles regarding academic freedom formulated by the American Association of University Professors. These principles are published in the current edition of *A.A.U.P. Policy Documents and Reports*.

The relevant documents include the following:

- *1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments*
- *1958 Statement on Procedural Standards in Faculty Dismissal Proceedings*
- *Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments*
- *Recommended Institutional Regulations on Academic Freedom and Tenure,*
- *Committee Statement on Extramural Utterances*
- *Statement on Professors and Political Activity*
- *Academic Freedom and Artistic Expression*
- *Freedom of Expression and Campus Speech Codes*
- *Collegiality as a Criterion for Faculty Evaluation*
- *The “Limitations” Clause in the 1940 Statement of Principles on Academic Freedom and Tenure: Some Operating Guidelines*
- *Academic Freedom and Electronic Communication*
- *Standards for Notice of Nonreappointment*
- *On Crediting Prior Service Elsewhere as Part of the Probationary Period*
- *Access to Faculty Personnel Files*
- *Contingent Appointments and the Academic Profession*

B. Policy on Speakers

As an institution of higher learning, dedicated to the pursuit of truth wherever it may be found, the College encourages free access to ideas, as a matter of policy. Accordingly, the College shall extend its hospitality to any speaker invited by a recognized campus organization or department.

Revision Dates

Revision Dates

- ¹ [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- ² [May 15, 2015](#)
- ³ [January 22, 2010](#)
- ⁴ [September 26, 2013](#)
- ⁵ July 1, 2004
- ⁶ [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- ⁷ [November 26, 2007](#)
- ⁸ [January 27, 2012](#)
- ⁹ January 22, 2001
- ¹⁰ July 24, 2003
- ¹¹ April 30, 1999
- ¹² [August 4, 2011](#)
- ¹³ [November 26, 2007](#)
- ¹⁴ [July 27, 2004](#)
- ¹⁵ [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- ¹⁶ May 8, 1980
- ¹⁷ [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- ¹⁸ [August 4, 2009](#)
- ¹⁹ January 29, 1988
- ²⁰ January 29, 1988
- ²¹ [January 22, 2010](#)
- ²² [August 15, 2016](#)
- ²³ [August 4, 2011](#)
- ²⁴ January 20, 2004
- ²⁵ April 30, 1999
- ²⁶ [August 5, 2010](#)
- ²⁷ [June 2, 2012](#)
- ²⁸ [August 15, 2016](#)
- ²⁹ [August 15, 2016](#)
- ³⁰ [August 15, 2016](#)
- ³¹ [August 15, 2016](#)
- ³² [August 15, 2016](#)
- ³³ [August 15, 2016](#)
- ³⁴ [August 15, 2016](#)
- ³⁵ [August 15, 2016](#)
- ³⁶ [August 15, 2016](#)
- ³⁷ [August 15, 2016](#)
- ³⁸ [August 15, 2016](#)
- ³⁹ [August 15, 2016](#)
- ⁴⁰ [August 15, 2016](#)
- ⁴¹ April 30, 1999
- ⁴² January 20, 2004
- ⁴³ [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- ⁴⁴ [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- ⁴⁵ [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- ⁴⁶ [December 11, 2003](#)
- ⁴⁷ [June 2, 2012](#)
- ⁴⁸ [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- ⁴⁹ [August 4, 2011](#)
- ⁵⁰ [August 4, 2011](#)
- ⁵¹ [August 4, 2011](#)
- ⁵² [February 2, 2006](#)

Revision Dates

- 53 [July 27, 2004](#)
- 54 [July 26, 2012](#)
- 55 [November 26, 2007](#)
- 56 April 8, 2003
- 57 [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- 58 May 4, 2001
- 59 [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- 60 May 2, 2002
- 61 [September 26, 2013](#)
- 62 April 30, 1999
- 63 [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- 64 [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- 65 [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- 66 [January 24, 2014](#)
- 67 April 30, 1999
- 68 [January 23, 2009](#)
- 69 April 30, 1999
- 70 [November 26, 2007](#)
- 71 [November 26, 2007](#)
- 72 April 30, 1999
- 73 July 1, 2004
- 74 [November 26, 2007](#)
- 75 July 24, 2003
- 76 April 30, 1999
- 77 [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- 78 April 30, 1999
- 79 [August 4, 2011](#)
- 80 [February 19, 2015](#)
- 81 [August 15, 2016](#)
- 82 April 30, 1999
- 83 April 30, 1999
- 84 [August 15, 2016](#)
- 85 July 1, 2004
- 86 [August 15, 2016](#)
- 87 April 30, 1999
- 88 [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- 89 [May 15, 2015](#)
- 90 [August 15, 2016](#)
- 91 [May 15, 2015](#)
- 92 [August 15, 2016](#)
- 93 October 5, 2000
- 94 [August 15, 2016](#)
- 95 [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- 96 April 28, 1985
- 97 October 5, 2000
- 98 October 5, 2000
- 99 [November 26, 2007](#)
- 100 [July 26, 2012](#)
- 101 [July 9, 2014](#)
- 102 [July 9, 2014](#)
- 103 December 2, 1988
- 104 [August 4, 2009](#) (Comprehensive Review of the *Statutes of the Faculty*)
- 105 [July 26, 2012](#)
- 106 July 9, 2014
- 107 July 9, 2014
- 108 December 2, 1988

Revision Dates

109 August 4, 2009 (Comprehensive Review of the Statutes of the Faculty)

110 December 18, 2019 Department Name Change Student Conduct to Student Integrity

111 October 13, 2020 IE4 Meeting during Extenuating circumstances word Emergency replaced by Extenuating. 112 May 31, 2017 approved change of name Academic Affairs Council to Academic Governance Council

113 May 9, 2017 replace VPAA with Provost and Dean of the College