

# The School of the Art Institute of Chicago

## Faculty Handbook

### Supplement

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It is the policy of SAIC not to discriminate on the basis of age, handicap, color, creed, national origin, religion, race, sex, or sexual preference in student recruitment and admissions, in financial aid programs, in student and employee services, in educational programs and activities, or in employment practices.

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## SECTION 1 – ACADEMIC ORGANIZATION

For the purposes of administration and division of responsibilities, the School is divided into the Undergraduate Division and the Graduate Division. The Office of the Dean of Faculty will maintain a current list of departments and programs of the School, and this shall not be changed except with recommendation from the Curriculum Policy Committee and approval of the Faculty Senate and the Academic Steering Committee.

## SECTION 2 – PRESIDENT

The President of the School is the chief administrative officer, and as such, is responsible for the concerns and needs of the students, faculty and staff. The President is directly responsible to the Board of Governors and the Board of Trustees. The principal responsibilities of the President of the School of the Art Institute of Chicago include but are not limited to, the following:

1. The President of the School is the chief spokesperson for the School. In that capacity the President represents the School to the public, to alumni, to the Trustees, to audiences at professional meetings, to civic groups, and to other community organizations.
2. In consultation with the Provost, Dean of Faculty, the Division Deans and the Department Chairs or Program Heads, the President is responsible for framing the budget and presenting it to the Trustees. With other chief officers of The Art Institute, the President reviews the utilization of resources available to the School. The President carries responsibility for appealing to prospective donors.
3. Working with the Provost, Dean of Faculty, the Division Deans, and Department Chairs or Program Heads, and the faculty and staff, the President is principally responsible for the physical facilities of the School. This includes developing plans for classrooms, studios and other space requirements. The President interprets these needs to the Trustees and prospective donors.
4. The President meets with Art Institute officers and appropriate committees to consider the management and maintenance of facilities and the procurement of supplies, and attends to matters of faculty service and employment arrangements with clerical and other non-academic staff.
5. The President consults with the Provost, the Deans, the Department Chairs and Program Heads, the faculty, students, and other educational leaders on matters of educational programs and planning. The President reviews prospective faculty members, and acts on the advice of the Dean of Faculty and other officers of instruction in the selection and promotion of faculty members. The President meets with student groups and student leaders regarding their student recommendations and problems.
6. The President shall seek the approval of the Board of Governors for Faculty Handbook changes approved by faculty vote in accordance with procedures specified in Section 4 of the Faculty Handbook.
7. The President of the School serves as one of the officers of the corporation.

## SECTION 3 – BOARDS OF TRUSTEES, GOVERNORS

As stated in the Articles of Incorporation and by-laws of The Art Institute of Chicago, 1968, Article iv, Committees, Section I.

The Board of Trustees shall, at its Annual Meeting in each year elect from among the Trustees, except as hereinafter provided otherwise, seven Standing Committees: an Executive Committee; a Finance Committee; a Budget Committee; a Committee on the School; a Committee on Goodman Theater and School of Drama; a Committee on Libraries; and a Nominating Committee.

The Board of Trustees may also create such advisory committees as it may deem desirable. The members of such advisory committees shall be appointed by the President and confirmed by the Board of Trustees. Any member of The Art Institute of Chicago shall be eligible to serve upon an advisory committee.

Members of the committees shall serve until the Annual Meeting of the Board of Trustees in the year following their election or appointment, and until their successors shall have been elected or appointed. Any vacancy caused by the death, resignation, or inability to act of any committee member may be filled by election of the Board of Trustees in the case of the standing committees and by appointment of the President and confirmation by the Board of Trustees in the case of the advisory committee.

The President shall be ex officio a member of each standing and advisory committee except the Nominating Committee. The Director, Associate Director, Administrator, Comptroller and Secretary, unless otherwise a regularly elected or appointed member, shall be ex-officio members of each standing and advisory committee, except the Executive Committee, Finance Committee, Budget Committee, and Nominating Committee. The Treasurer shall be ex officio a member of the Finance and Budget Committees. Committee members who are not Trustees shall not attend executive sessions of the standing committees except by invitation of the Chairman of the Committee or the President.

A majority of the members, other than the ex officio members, shall constitute a quorum for the transaction of business at any meeting of the committee.

Other than the President, no ex officio member of any committee shall have the right to vote.

The Board of Governors of the School shall consist of at least seven members, three of whom shall be Trustees of the Art Institute of Chicago, and shall have general charge, control and regulation of the School of the Art Institute and general charge of all appropriations made to the School by the Board of Trustees. Neither the Board of Governors nor any officer or agent of the School shall incur any expense, liability, or indebtedness for the School or for the Art Institute of Chicago except pursuant to an appropriation or authorization by the Board of Trustees or by the Executive Committee.

## SECTION 4 – FACULTY SEARCH COMMITTEES AND CONTRACT REVIEW: SPECIFIC PROCEDURES

### A. Search Committees

A search committee will consist of at least seven members: at least five of the members will be full-time faculty from the department or program conducting the search, and at least one will be a full-time faculty member from outside the

department or program conducting the search. The Chair of Faculty or a designee of the Dean of Faculty will serve as an ex officio member. All of these members except the ex officio member will have voting privileges. The Dean of Faculty will appoint all members of the Search Committee in consultation with the Department Chair or Program Head conducting the search and the Chair of Faculty. If the department or program cannot provide five full-time faculty members, the Dean of Faculty, in consultation with the Chair of Faculty and the Department Chair or Program Head, will appoint additional full-time faculty from other departments or programs.

## B. Contract Progression for Regular Full-Time Faculty

The Contract and Tenure Review procedures will be updated from time to time through the amendment provisions set out in the Faculty Handbook. Each review in the tenure review sequence will be governed by the procedures in place at the time the particular review occurs.

### 1. CONTRACT REVIEW OVERVIEW

Reviews will normally occur in the second, third and sixth year of full-time service. This schedule may be modified by agreement of the Dean of Faculty and the candidate. For those candidates on the tenure track in Academic Year 2020-21, the Dean of Faculty will establish the timing of the penultimate review after consultation with the candidate. The reviews will proceed as follows:

The First Review includes: meeting with the Departmental Review Committee; and a joint meeting with the Dean of Faculty and Chair of Department or Program Head.

The Penultimate Review includes: meeting with the Departmental Review Committee; the Faculty Contract and Tenure Review Board; and a joint meeting with the Dean of Faculty and a representative of the Faculty Contract and Tenure Review Board.

The Tenure Review includes: giving a presentation of their work to the School community; meeting with the Departmental Review Committee; meeting with one or more of the Divisional Dean(s); meeting with the Faculty Contract and Tenure Review Board; and a joint meeting with the Dean of Faculty and a representative of the Faculty Contract and Tenure Review Board.

In each review, after completion of the steps listed above, the Dean of Faculty and the Provost will make recommendations to the President who will make a recommendation for a decision to the Board of Governors. Final decision rests with the Board of Governors.

The new contract takes effect at the beginning of the academic year immediately following. The first year of the new contract effectively replaces the last year of the prior contract.

The Dean of Faculty shall inform the candidate by letter of the final decision regarding progression to the next contract category, whether negative or positive, promptly after the meeting of the Board of Governors.

### 2. CRITERIA FOR CONTRACT PROGRESSION

The following criteria shall be carefully and holistically considered by the Departmental Review Committee, the Department Chair or Program Head, the Division Deans, the Faculty Contract and Tenure Review Board, the Dean of Faculty, the Provost and the President of the School in reviewing faculty for continuation of service, promotion in rank, progression of contract category, and for tenure:

- Teaching:
  - Teaching effectiveness

- Appropriateness of content of teaching in relation to curriculum, department or program needs, and School philosophy
- Professional Practice:
  - Professional involvement
  - Outside recognition (especially for tenure reviews and promotion to full professor)
- Service:
  - Service to department
  - Service to School

### 3. INITIATING CONTRACT REVIEW

#### a. NOTICE

The Dean of Faculty shall notify the candidate, the Department Chair or Program Head, the Division Deans, the Chair of Faculty, and the Faculty Contract and Tenure Review Board Chair regarding those candidates scheduled for contract and tenure review during the coming academic year, normally, before its start. This notification shall include a Contract Review Schedule and the Contract Review Guidelines.

#### b. REVIEW MATERIALS

(1) Review Materials Provided by the Candidate. In accordance with the Contract Review Schedule, the candidate shall provide one copy of pertinent materials to their Department Chair or Program Head and to the Office of the Dean of Faculty for distribution as stated in the Contract Review Guidelines. These materials shall include:

1. Evidence of ongoing professional activity such as documentation of work and exhibitions, publications, reviews, etc.
2. Statement of educational philosophy and aims.

In addition, for Tenure Review, the candidate shall provide:

3. In consultation with the Department Chair or Program Head, a list of no fewer than six respected people in the candidate's field, to serve as external evaluators. Of these, at least three will not be personally connected to the candidate (e.g., current or former teacher, collaborator, or close colleague).
4. A dossier of information on the candidate's professional accomplishments, including resume and documentation of professional work to assist external evaluators in making their recommendations.

(2) Review Materials Provided by the Dean of Faculty. By the beginning of the academic year, the Dean of Faculty shall make available to the candidate, the appropriate Department Chair or Program Head, the members of the Departmental Review Committee, the Chair of Faculty, and, for any Penultimate or Tenure Review, the Faculty Contract and Tenure Review Board Chair, and, for any Tenure Review, the Division Deans, the following:

1. Description of all teaching assignments and of any agreements supplementing or departing from regular teaching assignments;
2. Student evaluations submitted pursuant to uniform procedures;
3. Any other documents that the Dean of Faculty believes to be pertinent to the review.

In addition, for Tenure Review, the Dean of Faculty will solicit four letters from external evaluators, from the list provided by the candidate as described above. Two of these shall be solicited from persons with no personal connection to the candidate. If additional external evaluators are needed, the Dean shall consult with the Department Chair or Program

Head and the candidate to identify such potential external evaluators. The Dean of Faculty will share the letters from the external evaluators with the candidate's Departmental Review Committee, the Division Deans and the Faculty Contract and Tenure Review Board in advance of their respective meetings with the candidate. In their meetings with the candidate, the reviewers may raise points from the external evaluators' letters with the candidate; however, neither the letters nor the names of their authors will be disclosed to the candidate. If any of the four letters are unavailable at the time of any of the scheduled meetings with the candidate, the meeting will be postponed until the required number of letters from external evaluators are available.

#### 4. REVIEW PROCESS

The review process is set forth according to the level of review: First Review, Penultimate Review, and Tenure Review.

##### a. First Review.

###### (1) Departmental Review.

The Department Chair, Program Head, or a designee shall initiate the review process by calling a meeting of the full department or program including the candidate, the Chair of Faculty or designee, the Departmental Review Committee (as defined below) and all other full- and part-time faculty of the department or program. Every effort shall be made to obtain the written opinion of full-time faculty on leave. During this meeting, the candidate will make a presentation of their professional work as an artist or scholar, their teaching philosophy and practice, and their Faculty Senate Committee participation and/or other service at the School. Ample time shall be reserved for questions to the candidate following the presentation. The candidate is then dismissed from the meeting.

Immediately following the presentation and questions, the Departmental Review Committee Chair shall (a) conduct a discussion of the candidate's materials and presentation, after which (b) shall take a poll of the adjunct and non-tenured fulltime faculty present. At this point, all non-tenured faculty are dismissed from the meeting, leaving the Departmental Review Committee to (c) conduct a full and careful discussion in camera of the contract progression of the candidate.

The Departmental Review Committee shall not discuss any issues that were not raised while the candidate was present and given an opportunity to respond. If such an issue arises, the Committee may, at its discretion, determine either (i) that the issue is not relevant to the criteria for contract/tenure review and proceed without considering it; or (ii) that the issue is, or may be, relevant, in which case the Committee will give the candidate an opportunity to respond to the issue. To determine the department or program's recommendation, each member of the Departmental Review Committee shall submit a written, anonymous vote at the end of the discussion.

After the discussion and in accordance with the Contract Review Schedule, the Departmental Review Committee Chair will submit to the Dean of Faculty a letter containing a summary of the discussion, the results of the poll of non-tenured faculty, the results of the formal vote of the Departmental Review Committee, and the Chair's own recommendation. The Chair's recommendation shall be distinct from the discussion summary. The Chair will circulate a draft of the letter to the Departmental Review Committee for comment on the summary of discussion prior to finalizing it. Copies of this letter shall be forwarded to the Dean of Faculty, the Chair of Faculty, the Faculty Contract and Tenure Review Board, the candidate, and the candidate's permanent file.

###### (2) Departmental Review Committee

A candidate's Departmental Review Committee is established at the time of each review and will consist of tenured full-time faculty members from the Department or Program in which the candidate is being reviewed.

A minimum of five tenured full-time faculty members shall constitute a quorum. The Department Chair or Program Head or a designee will act as Chair of the Departmental Review Committee. If the candidate was hired into two or more departments or programs, the Departmental Review Committee will consist of all the full-time tenured faculty members of those departments or programs. Further, the Department Chair or Program Head of those departments or programs will select a Chair of the Departmental Review Committee from among themselves; if they cannot agree, the Dean of Faculty will appoint a Chair of the Departmental Review Committee.

If the candidate's department or program does not have at least five tenured full-time faculty members, full-time tenured faculty members from outside the department or program must be added to the Departmental Review Committee. The original search committee is a good source of additional Review Committee members. The Dean of Faculty will appoint all replacements or additions to Departmental Review Committees in consultation with the Department Chair or Program Head, the Chair of Faculty and the candidate under review.

The Chair of Faculty or the Faculty Liaison will attend all department or program contract reviews prior to tenure, but without voting privileges, unless they are also a member of the Departmental Review Committee, in which case they may vote.

(3) Meeting with the Dean of Faculty and Departmental Review Committee Chair.

Upon receiving the letter from the Departmental Review Committee, the Dean of Faculty will convene a conference with the candidate and the Departmental Review Committee Chair. This meeting provides the candidate with an opportunity to respond to the review process and the letter from the Departmental Review Committee. A record shall be kept of the meeting and a copy placed in the candidate's permanent file. The candidate may access this record upon request.

b. Penultimate Review

(1) Departmental Review.

In the Penultimate Review, the Departmental Review will follow the same process as in the First Review.

(2) Review by Faculty Contract and Tenure Review Board

In accordance with the Contract Review Schedule, the candidates shall make a presentation to the Faculty Contract and Tenure Review Board. Ample time should be left for questions to the candidate. The Board shall deliberate and make its decision for recommendations in camera, without the candidate's presence.

However, the Board shall not discuss any issues that were not raised while the candidate was present. If such an issue arises, the Board may, at its discretion, determine either (i) that the issue is not relevant to the criteria for contract/tenure review and proceed without considering it; or (ii) that the issue is, or may be, relevant, in which case the Board will give the candidate an opportunity to respond to the issue.

For voting purposes, attaining a quorum is necessary. Quorum is attained when 2/3 (rounded to the nearest whole number) of the members are in attendance for the meeting, whether physically or virtually. Voting is anonymous and is conducted at the end of the discussion of the candidate under review.

In accordance with the Contract Review Schedule, the Chair of the Faculty Contract and Tenure Review Board shall submit the Board's recommendations to the Dean of Faculty, with copies forwarded to the candidate and to the candidate's permanent file.

(3) Meeting with the Dean of Faculty and Representative of the Faculty Contract and Tenure Review Board.

Upon receiving recommendations from the Faculty Contract and Tenure Review Board, the Departmental Review Committee, and the Department Chair or Program Head, the Dean of Faculty will convene a conference with the candidate and a representative of the Faculty Contract and Tenure Review Board. This meeting provides the candidate with an opportunity to respond to the review process and the letters of the review bodies. A record shall be kept of the meeting and a copy placed in the candidate's permanent file. The candidate may access this record upon request.

c. Tenure Review

(1) Presentation

Candidates undergoing their Tenure Review shall give public presentations of their work to the School community, including the Departmental Review Committee and Faculty Contract and Tenure Review Board.

(2) Departmental Review

In the Tenure Review, the Departmental Review will follow the same process as in the First Review with the following adjustments:

- Increased emphasis will be placed on evidence of outside recognition of the candidate's professional work as an artist or scholar;
- Neither the Chair of Faculty nor the Faculty Liaison will attend the Departmental Review, unless they are also a member of the department;
- The Division Dean(s) will attend department or program tenure review meetings, but without voting privileges; and
- The Chair of the Departmental Review Committee will share their letter with the Divisional Dean.

(3) Meeting with Division Deans

In accordance with the Contract Review Schedule, each candidate in the Tenure Review will meet individually with one or both Division Dean(s). The Division Dean(s) shall then submit letters of review including a recommendation regarding the candidate's progression to tenure to the Dean of Faculty, with copies forwarded to the Faculty Contract and Tenure Review Board, the candidate, the Chair of the Departmental Review Committee, and the candidate's permanent file.

(4) Review by Faculty Contract and Tenure Review Board

In the Tenure Review, review by the Faculty Contract and Tenure Review Board will follow the same process as in the Penultimate Review.

(5) Meeting with Dean of Faculty and Representative of Faculty Contract and Tenure Review Board

Upon receiving recommendations from the Faculty Contract and Tenure Review Board, the Departmental Review Committee, the Department Chair or Program Head and the Division Dean(s), the Dean of Faculty will convene a conference with the candidate and a representative of the Faculty Contract and Tenure Review Board. This meeting provides the candidate with an opportunity to respond to the review process and the letters of the review bodies. A record shall be kept of the meeting and a copy placed in the candidate's permanent file. The candidate may access this record upon request.

d. Final Decision for All Reviews

Although the final recommendation for a decision will be made to the Board of Governors by the President of the School, the President shall not act without obtaining recommendations in these matters from the Provost



and the Dean of Faculty, and, for Penultimate and Tenure Reviews, the Faculty Contract and Tenure Review Board. Final decision rests with the Board of Governors.

e. Conflicts of Interest

Individuals reviewing a candidate who are considered, either by their own judgment or that of the Departmental Review Committee, the Faculty Contract and Tenure Review Board, or the Dean of Faculty to have a potential conflict of interest with the candidate (e.g., because of a familial, intimate, financial, business or other relationship) shall be disqualified from review of the candidate. Note that serving in multiple capacities in a single review (i.e. department or program member, Chair of Faculty and/or Board member) does not constitute conflict of interest. In the case of a recusal, steps shall be taken to confirm that a quorum exists wherever required.

## 5. INTERACTION WITH OTHER FACULTY HANDBOOK AND HANDBOOK SUPPLEMENT SECTIONS

A non-tenured candidate cannot be dismissed before the end of a term appointment except for adequate cause which has been demonstrated through academic due process as outlined in Section 9C of the Faculty Handbook Supplement. In all contract review proceedings, care shall be taken that review of educational philosophy and aims will not infringe upon academic freedom.

## C. Promotion

### a. FULL PROFESSOR

Any tenured Associate Professor may either self-nominate or be nominated by another member of the SAIC regular full-time faculty for the rank of Professor. The nomination must be made by December 1 and must include:

1. The candidate's current resume, including a list of recent professional activities;
2. Indication of the candidate's service to his department or program and the School;
3. Materials supporting the effectiveness of the candidate's teaching as a "master teacher";
4. The names and addresses of three people outside the School who will write letters of recommendation for the candidate; the names should be submitted to the Dean of Faculty, who will solicit letters;
5. The names and addresses of at least three regular full-time SAIC faculty who will write letters of recommendation for the candidate; the names should be submitted to the Dean of Faculty who will solicit letters.

The Dean of Faculty will establish a file by January 15th, including letters of recommendation from within and outside the School.

In September, the Faculty Contract and Tenure Review Board will appoint a committee of seven full professors who will review any candidates for professorship during the academic year. Each year the Faculty Contract and Tenure Review Board will select three or four persons to serve staggered two-year terms. The other committee members will serve for a one-year term.

The Dean of Faculty will give the completed file to the review committee by February 15th. This committee will evaluate the nomination and pass its recommendation to the Dean of Faculty by March 15th.

The Dean of Faculty, the Provost, and the President of the School will make their recommendation to the Board of Governors by April 15th.

## b. ASSISTANT PROFESSOR AND ASSOCIATE PROFESSOR, ADJUNCT

Any continuing part-time faculty member interested in applying for promotion must first discuss their candidacy with the Department Chair or Program Head in light of the criteria stated in the Faculty Handbook. To initiate application for promotion to Assistant Professor, Adjunct or Associate Professor, Adjunct, the continuing part-time faculty member shall submit the following documentation to their Department Chair or Program Head by October 31:

1. A cover letter;
2. Resume and a course history;
3. Visual or written documentation of professional work;
4. Three letters of support, either external or internal.

Upon receiving the documentation, the Department or Program Head will:

1. Make the documentation available for the review of all department or program faculty members. In addition, the Department Chair or Program Head will read and add to the review materials student evaluations (at a minimum, the most recent two semesters) for the faculty members under consideration.
2. Call one or more meetings of all department or program faculty, both full- and part-time, at which the candidates have an opportunity to discuss their teaching and professional practice and respond to questions from department faculty. The Department Chair or Program Head will request input from faculty members who have indicated that they will be absent and present that input at this meeting. After the exchange with the candidate(s), the department or program will have a discussion of the applications. Although the candidates are not permitted to be present at this discussion, the department or program shall not discuss any issues that were not raised while the candidate in question was present and given an opportunity to respond. Following the discussion, the Department Chair or Program Head will poll part-time faculty and take a formal vote of full-time faculty on the recommendations for promotion. This vote may occur in person at the meeting, or afterward by other means if necessary. If the department or program recommends more than one applicant, it must rank the recommended candidates.
3. Write and submit by December 15 a letter to the Dean of Faculty to report the department or program's recommendation ("department or program letter"), along with a set of the candidates' documentation. The department or program letter will include (1) the vote on each candidate; (2) the ranking of recommended candidates if there is more than one; (3) a summary of the discussion; and (4) the Chair or Head's own assessment of each recommended candidate's fit relative to the department or program's needs. The Department Chair or Program Head will circulate a draft of the letter to voting members for comment before submitting a final draft to the Dean.

Upon receiving the documentation and department or program letter from the Department Chair or Program Head, the Chair of Faculty will create and convene an Adjunct Review Committee consisting of the Chair of Faculty, three Adjunct faculty at the rank of Professor or Associate Professor (normally current or recent elected part-time representatives) and three full-time faculty members to review applications for adjunct promotion. This committee will make its recommendations to the Dean of Faculty. The committee will place increased emphasis on the candidates' professional involvement in considering promotion to Associate Professor, Adjunct.

The Dean of Faculty will review all pertinent materials with the Chair of Faculty. Final decisions regarding promotion rest with the Dean of Faculty. Decisions will be made on or about May 1, after which the Office of the Dean of Faculty will inform the Department Chair or Program Head and the candidate of the decision in writing.

Nothing in these sections will be construed in such a way as to deny the Dean discretion to award adjunct status in other contexts, such as contract negotiations.

### c. PROFESSOR, ADJUNCT

Nominations for Professor, Adjunct must be made by a Department Chair or Program Head to the Dean of Faculty by December 1. The nomination must include:

1. the candidate's current resume, including an account of recent professional activities;
2. materials to support the effectiveness and relevance of the candidate's teaching;
3. the names and addresses of at least three referees, at least two of whom must be regular full-time SAIC faculty.

In the fall semester of each year, the Faculty Contract and Tenure Review Board will appoint a committee of seven Full Professors who will review nominations for Full Professor status. Each year, three or four persons will be selected to serve staggered two-year terms. The remainder of the committee members will serve for a one-year term.

By February 15, the Dean of Faculty will provide the Full Professor Review Committee with a file for each nominee that shall include recommendations of the Department Chair or Program Head(s), and those solicited from the list of referees provided with the candidate's nomination. The Committee will evaluate the nomination and give its recommendation to the Dean of Faculty by March 15. The Dean of Faculty and the President of the School will make their recommendations to the Board of Governors by April 15.

### D. Contract Non-Renewal of Professor, Adjunct or Associate Professor, Adjunct

If a decision is made not to renew the contract of those holding the title of Professor, Adjunct or Associate Professor, Adjunct for reasons of department or program need and/or curricular flexibility, the faculty member shall be given a contract for a final academic year before the non-renewal takes effect. In the case of faculty holding these ranks who are on a multi-year contract, the final academic year may be the last year of the faculty member's existing contract.

In such cases of non-renewal, the School shall observe the following procedures:

If a decision is made not to renew the contract of faculty holding the titles of Professor, Adjunct or Associate Professor, Adjunct for reasons of department or program need and/or curricular flexibility, the faculty member shall be given a contract for a final academic year before the non-renewal takes effect. In the case of faculty holding these titles who are on a Multi-Year contract, the final academic year may be the last year of the faculty member's existing contract.

In such cases of non-renewal, whether for a one-year contract or a Multi-Year contract, the faculty member may seek reconsideration as set forth in the Policy and Procedures for Multi-Year Contracts for Adjunct Faculty. For the sake of clarity, the reconsideration process set forth in the Policy and Procedures for Multi-Year Contracts for Adjunct Faculty applies to the non-renewal of those holding the titles of Professor, Adjunct or Associate Professor, Adjunct for reasons of department or program need and/or curricular flexibility even if the faculty member is only on a one year contract. This procedure does not apply in cases of non-renewal for cause.

## SECTION 5 – CONTRACT DATES AND LETTERS OF APPOINTMENT

*Contracts:* The School issues contracts to part-time faculty and full-time faculty without tenure which set forth the general terms and conditions of employment. These contracts are supplemented by the annual Letters of Appointment. For faculty with tenure, the Responsibilities of Full Time Faculty are posted on SAIC's website.

*Letters of Appointment:* SAIC issues annual Letters of Appointment for all continuing faculty, including tenured faculty, stating rank, salary, and general assignment for the coming academic year. These annual Letters of Appointment are

issued at least one month in advance of the start of classes, provided that the faculty member's department or program has supplied the required information to the Office of Faculty Employment Resources before the deadlines established by that Office.

## SECTION 6 – ELECTIONS

### A. Faculty Contract and Tenure Review Board

Members of the Faculty Contract and Tenure Review Board shall serve terms of three years, three persons being elected in one year on the basis of the three persons receiving the highest number of votes, three the following year in similar fashion, and so on. Elections will take place each year, by paper or electronic ballot, following the report of a nominating committee appointed by the Faculty Contract and Tenure Review Board and any nominations from the floor at a School-wide faculty meeting. These nominations should be made with awareness of the need for the Faculty Contract and Tenure Review Board to be representative of the entire School community.

Two alternates will be elected annually on the basis of the highest number of votes received after the Board membership has been filled during the Faculty Contract and Tenure Review Board election process. The elected alternate receiving the highest number of votes will be referred to as the "first alternate" and the elected alternate receiving the next highest number of votes will be referred to as the "second alternate." Both the first alternate and the second alternate will serve for a one-year term. During that term, the alternates will fill vacancies on the Board in two circumstances, one long term and the other temporary.

Long-term vacancy. If a vacancy is caused by resignation, leaves, or other long-term unavailability of Board members, the first alternate will fill the first vacancy and, if there is a second vacancy, the second alternate will fill it. If there are more than two vacancies in any one year, the Board will operate with a diminished number of members, in which case attention will be paid to confirm that a quorum exists whenever required. Note that the alternates will fill these vacancies only for their term as alternates.

Temporary vacancy. Alternates may also be called upon to fill in on an as-needed basis to constitute a quorum for any Board meeting during which a vote will be taken. Under such circumstances, the first alternate will be called on to participate first and, then, if needed, the second alternate will be called on to participate. If no quorum is attained even with both alternates participating, the vote must be postponed until a quorum is reached.

When filling in for a Board member, whether on a long-term or a temporary basis, the alternates shall vote and their vote shall have the same force and effect as that of the other Board members. Alternates shall vote only when they are needed to (per the circumstances above). However, alternates are invited and expected to attend all meetings of the Board, and to participate in all discussions at these meetings, whether or not their vote is required.

In cases where a Board member takes a leave of absence during their term or cannot serve for part of the term, that absence shall be counted as part of the term.

### B. Faculty Senate

Full-time faculty senators shall serve staggered terms of three years. Elections will take place each year, by paper or electronic ballot, following the report of a nominating committee appointed by the Faculty Senate and any nominations from the floor at a School-wide faculty meeting. These nominations should be made with awareness of the need for the Faculty Senate to be representative of the entire School community.

The slate may include tenured and untenured regular full-time faculty. Senate slots will be filled first with the tenured candidates receiving the highest votes, until there are five tenured senators in the Senate (including those with ongoing

terms); thereafter the next top vote-getters, whether tenured or untenured, will be elected to the remaining senate positions.

Four part-time faculty members shall serve on the Faculty Senate. The slate will be chosen from adjunct and adjunct-eligible faculty as above, and elected by the part-time faculty at large, with at least one member chosen from the studio areas and at least one from the academic areas. They shall serve for staggered two-year terms.

Two alternates from the full-time faculty will be annually elected on the basis of the highest number of votes received after the regular three-year senator membership has been filled during the Faculty Senate election process. The elected alternate receiving the highest number of votes will be referred to as the "first alternate" and the elected alternate receiving the next highest number of votes will be referred to as the "second alternate." Both the first alternate and the second alternate will serve for a one-year term. During that term, the alternates will fill vacancies on the Senate in two circumstances, one long term and the other temporary.

Long-term vacancy. If a vacancy is caused by resignation, leaves, or other long-term unavailability of senators, the first alternate will fill the first vacancy and, if there is a second vacancy, the second alternate will fill it. If there are more than two vacancies in any one year, the Senate will operate with a diminished number of members, in which case attention will be paid to confirm that a quorum exists whenever required. Note that the alternates will fill these vacancies only for their term as alternates.

Temporary vacancy. Alternates may also be called upon to fill in on an as-needed basis to constitute a quorum for any Senate meeting during which a vote will be undertaken. Under such circumstances, the first alternate will be called on to participate first and, then, if needed, the second alternate will be called on to participate. If no quorum is attained even with both alternates participating, the vote must be postponed until a quorum is reached.

When filling in for a Senate member, whether on a long-term or a temporary basis, the alternates shall vote, as set forth above, and their vote shall have the same force and effect as that of the other members. Alternates shall vote only when they are needed to (per the two circumstances above). However, alternates are invited and expected to attend all meetings of the Faculty Senate, and to participate in all discussions at these meetings, whether or not their vote is required.

### C. Chair of Faculty

Any SAIC faculty member, full-time or part-time, may nominate a candidate for the Chair of Faculty. The final nominee slate will be made by the Faculty Senate in consultation with the Dean of Faculty. The Chair of Faculty shall be elected by a majority vote of all the faculty except visiting faculty. When possible, the election shall be held in November with service starting the following academic year. The term of the Chair of Faculty shall be five years.

Candidates for election to Chair of Faculty must be tenured faculty. Before the vote, each candidate shall produce a vision statement for the job to be shared with the constituency. The Chair of Faculty may be reviewed after three years in office by the Dean and the Chair of the Faculty Senate. The Chair of Faculty shall report to the Senate on their activities each semester.

### D. Faculty Liaison

Any SAIC faculty member, full-time or part-time, may nominate a candidate for the Faculty Liaison. The final nominee slate will be made in consultation with the Dean of Faculty. The Faculty Liaison shall be elected by a majority vote of all the faculty except Visiting Artists. When possible, the election shall be held in November with service starting the following academic year. The term of the Faculty Liaison shall be four years.

## E. Academic Steering Committee Representatives-at-Large

A full-time Representative-at-Large and a part-time Representative-at-Large shall be elected by paper or electronic ballot, by votes of the regular full-time faculty and the part-time faculty, respectively.

The Faculty Senate, in conjunction with the Part-Time Concerns Committee and the Dean of Faculty, shall nominate candidates from the tenured faculty for the Full-Time Representative-at-Large, and from the adjunct or adjunct-eligible faculty for the Part-Time Representative-at-Large. This committee should make nominations in awareness of the need of the Academic Steering Committee to be representative of the entire School community. The candidates who receive a plurality of votes in each election shall be the Representatives-at-Large for a two-year term.

## F. Lecturer Representative to the Part-Time Concerns Committee

The elected part-time representatives (the Part-Time Representative-at-Large, the Part-Time Liaison Representative, and the four Part-Time Senators), in consultation with the Dean of Faculty, shall nominate lecturer candidates for the position of Lecturer Representative to the Part-Time Concerns Committee. The Lecturer Representative shall be elected by the part-time faculty to a two-year term. Lecturer Representatives must maintain lecturer status in order to serve.

# SECTION 7 – FACULTY SENATE COMMITTEES

(Note that for voting purposes, attaining a quorum is necessary. Each committee is responsible for deciding what constitutes a quorum for the duration of the academic year, though the physical or virtual presence of 2/3 of the membership, rounded to the nearest whole number, is recommended.)

## A. Policy Committees

Policy Committees will report to the Faculty Senate and the Academic Steering Committee.

1. Admissions Policy Committee. Working directly with the Admissions Officer, this committee shall recommend policy on the admission of new, transfer, foreign, disadvantaged, and minority students; promote an active recruitment of students, considering the demographics of the student body; and study and make recommendations regarding registration procedures.
2. Budget Policy Committee. Working directly with the Dean and the Chief Financial Officer of the School, this committee shall have three members. This committee shall serve to further faculty awareness of budgetary matters; shall serve in an advisory capacity in the preparation and development of the budget; and shall serve as informational liaison to the rest of the faculty.
3. Building Policy Committee. The Building committee shall work closely with the School building manager and the administration to insure proper, safe, and adequate facilities to support the activities of the School. It shall make recommendations of priority for any additions or changes to the School facilities.
4. Curriculum Policy Committee. This committee shall make recommendations regarding the broad curriculum policies of the school and shall seek innovations, encourage experiments, review proposals for all new programs or modifications of existing programs, and shall be charged to overview and review the total school curricular situation.
5. Publications and Development Committee. This committee serves to inform and educate faculty regarding policy and procedures for obtaining services from the Office of Publications and Graphic Design Services.

Thus, it may function as a liaison between faculty and the Offices of Publications and Graphic Design Services. The Committee also meets with representative staff from the admissions offices to review and express opinions about materials used for recruitment and publicity such as the School catalogs, posters, and brochures.

6. Financial Aid Policy Committee. This committee shall work with the financial aid officer to establish policy; shall assist and advise the financial aid officer; and shall inform the faculty of our financial aid program through an annual report. This committee shall have three members from the faculty.
7. International Policy Committee.
8. Library Policy Committee. This committee shall work closely with the School librarians to ensure that the Library provides adequate support for all School programs. The members shall be representative of the whole school and shall serve as informational liaisons to and from the Faculty. It shall present the Library's concerns and needs to the Senate, the Academic Steering Committee, and to the administration.

## B. Standing Committees

1. Admissions Review Committee. This committee shall be responsible for the handling of all portfolio reviews for acceptance to the School, with the exception of MFA reviews. It is charged with maintaining high standards in admission and of responding to guidelines established by the Admission Policy Committee.
2. The Curriculum Committee. This committee is charged with responding to guidelines established by the Curriculum Policy Committee. It shall be responsible for the review of all new course proposals and shall make decisions as to the appropriateness of the courses to the School curriculum. Any course proposals which may significantly alter the nature or direction of a department or program shall be referred to the Curriculum Policy Committee.
3. The Committee on External Credit. This committee shall receive applications for external credit, endorse projects, review finished projects, and grant credits for such projects.
4. The Faculty Handbook Committee. This committee shall function to facilitate full faculty participation in structural changes, shall provide open forums when needed for proposed changes and shall present its recommendations for changes to the Faculty Senate for action.
5. Student Concerns Committee. This committee shall serve as an ombudsperson to students; shall receive requests, petitions, etc.; shall seek to work closely with the Student Union; shall undertake counselling and advising of students; shall serve as an information channel for students; and shall concern itself with community relations and responsibilities.
6. Exhibitions and Events Review Committee. This committee is composed of a range of faculty members representing both fine arts and graduate programs offered at the school. The committee will meet twice a year (once each semester) to review exhibition proposals for exhibits at the Betty Rymer Gallery, Gallery 2, or public venues that bear The School of the Art Institute name.
7. Exhibitions and Events Committee. This committee serves as a link between the academic and fine art areas of the School and the Department of Exhibitions and Events. The committee's responsibility is to examine the services of the exhibitions and events department and how they meet the current needs of the graduate and undergraduate curricula at the school.
8. Remuneration and Benefits Committee. This committee shall function in effect as a negotiating committee for faculty benefits. It shall: a) address itself to faculty salaries, benefits, and all elements of total compensation; b) issue yearly reports to the faculty and to the Board of Governors stating its recommendations for changes in

these; c) meet yearly with selected members of the Board of Governors to discuss its report and recommendation; d) cause to be published, each year, a comprehensive description of salaries, benefits, and total compensation; and e) report to the Faculty Senate for approval of its deliberations.

9. Part-time Faculty Concerns Committee. This committee shall function to facilitate full part-time faculty participation in School governance; shall provide open forums to air part-time concerns; and shall present its recommendations for change to the Faculty Senate. It shall include, at a minimum, the two elected part-time members of the Faculty Senate, the Lecturer Representative, and the elected part-time Representative-at-Large to the Academic Steering Committee.

## SECTION 8 – FINANCIAL EXIGENCY PROCEDURES

The definition of financial exigency and guidelines regarding action are found in Section 7 of the Faculty Handbook.

Declaration of a state of financial exigency and adoption of changes to deal with the situation require four separate actions: declaration that a state of financial exigency exists; authorization to develop a specific retrenchment proposal, either school-wide or in one or more programs or departments; approval of a specific retrenchment proposal to lay off faculty and/or to reduce programs and departments; and due process protection through normal grievance procedures.

### A. Declaration that a state of financial exigency exists

At the direction of the Board of Trustees, a state of financial exigency may be declared with respect to the School as a whole or with respect to particular programs or departments only in response to demonstrably serious budgetary problems, not solvable by more positive or less drastic measures, considered sufficient for necessitating retrenchment.

### B. Authorization to develop a retrenchment proposal

In conjunction with declaring a state of financial exigency, the Board of Governors of the School will authorize the development of a specific program of retrenchment to be presented on the joint recommendation of the Faculty Senate and the President. The President, in consultation with the Faculty Senate, will be responsible for making an initial proposal which should outline retrenchment goals, but which may be somewhat general in nature for the purpose of initiating discussion and careful consideration of options.

### C. Development and approval of a retrenchment proposal

The Academic Steering Committee will be responsible for developing proposals which address the goals outlined by the President by identifying specific courses, programs, and/or departments to be reduced or discontinued, and/or faculty to be laid off. These proposals should be developed in consultation with appropriate Department Chairs and Program Heads and the Budget and Curriculum Committees of the Faculty Senate, who should provide written recommendations. The final proposal of the Academic Steering Committee, upon completion, will be forwarded to the Faculty Senate for open discussion and a vote, and, upon adoption, to the President for approval. Should the President choose to reject part or all of the retrenchment proposal adopted by the Faculty Senate, the President is bound to report the disagreement to the Academic Steering Committee and the Senate, and negotiate a mutually agreeable set of proposals with the Senate. This must occur before any retrenchment proposal is carried to the Board of Governors of the School. In the absence of agreement between the administration and faculty of the School, the Board of Governors of the School will decide. A Faculty Senate representative shall be present at any meetings of the Board of Governors of the School which discuss changes arising from a state of financial exigency.

Furthermore, the following guidelines apply as constraints on acceptable final recommendations:

1. Tenured faculty normally will not be laid off in favor of untenured faculty, although the School does not have a



seniority system.

2. Full-time faculty normally will not be laid off in favor of part-time or visiting faculty.
3. Exceptions to the above are permissible when they are in the best long-term interests of the School. Exceptions must be strictly based on a thorough review of the faculty involved in terms of the contract review criteria listed in Sections 2.B. and 3.B. of the Faculty Handbook and Section 4 of this Supplement. The review should be conducted by the Dean of Faculty, Chair of Faculty, and the Faculty Liaison, acting on the advice of the concerned department, area, or program.
4. On the basis of written recommendations from the appropriate Department Chairs and/or Program Heads and the Academic Steering Committee, the President will carry the joint retrenchment proposal of the Faculty Senate and the President to the Board of Governors of the School for review and then for approval by the Board of Trustees.
5. In case of layoff because of the reduction or discontinuation of a department or program, the place of a tenured or tenure track faculty member will not be filled by a replacement for three years unless the faculty member concerned has been offered reinstatement and a reasonable time to accept or decline it, or unless an exception has been made under (3) above.
6. The School will try, in case a tenured faculty member's position is eliminated, to place the faculty member in another suitable position in the School.
7. Tentative and preliminary notice of the fact that a faculty member's position may be terminated shall be given to the faculty member in conference with the Dean and a Faculty Senate representative within two weeks after the Faculty Senate and the administration have agreed upon a retrenchment proposal that requires laying off one or more faculty members.
8. Adequate notice shall be given to all faculty whose contracts may be changed, interrupted, or cancelled by the School. Adequate notice shall include the following:
  - a. Part-time faculty on two- or three-year contracts should receive at least six months' notice or six months' salary at the rate specified in the contract.
  - b. Non-tenured faculty on the tenure track should receive one year's notice and one year's terminal leave at full (3/3 time) salary and benefits.
  - c. Tenured faculty not considered eligible for retirement should receive one year's notice and one year's terminal leave at full (3/3 time) salary and benefits.
  - d. Adequate notice will include a statement of the rationale used in making the decision to modify or cancel the faculty member's contract.

D. Due Process Protection

Grievance procedures as outlined in Section 7 of the Faculty Handbook and Section 10 of this Supplement shall remain in force in the event of a financial exigency.

## SECTION 9 – STATEMENT ON ACADEMIC FREEDOM AND FREEDOM OF EXPRESSION

The School of the Art Institute of Chicago is a community of students, educators, staff, artists, and researchers, whose work is characterized by an ethos of intellectual and imaginative curiosity, the love and production of knowledge and art, and the joy of creativity, among others. This ethos can be sustained only in an institutional and cultural framework of academic freedom, freedom of expression, and equality. Such a framework helps us navigate through conflict and tension, which are vital aspects of educational, artistic, and intellectual growth, and helps us differentiate between the language of conflict or offense, on the one hand, and that of discrimination, harassment, retaliation, or other forms of unprofessional conduct, on the other. The intellectual and imaginative work of the artists, designers, and scholars that SAIC cultivates is predicated upon a rigorous and reflective protection of freedom of expression and academic freedom, coupled with a responsible use of these freedoms.

The present statement complements the American Association of University Professors' (AAUP) guidelines on academic freedom, and supports an institutional culture of maximal academic freedom and freedom of expression, while delineating boundaries to protect SAIC's citizens from actions that violate SAIC's policies or that involve unprofessional conduct. Further, they seek to untether such actions from conflict, including offence, indignation, irritation, anger, discomfort, and other "negative" sentiments that are often confused or conflated with actions that violate SAIC's policies or that involve unprofessional conduct.

Learning and research can only flourish in a context in which everyone is free to pursue and investigate ideas, images, and other materials wherever the work takes them, without fear of censure. SAIC fosters an environment in which free expression and free inquiry—whether in classrooms, hallways, studios, or in one's research—are encouraged and celebrated. This academic freedom and freedom of expression includes the articulation and exchange of ideas in the form of discussion and debate, as well as the creation, circulation, and critical study of images, ideas, and aesthetic and cultural materials. The School will not support efforts to foreclose academic freedom or freedom of expression, whether directly (by way of formal procedures) or indirectly (by way of threat of recrimination or censorship). SAIC restricts freedom of expression and academic freedom only as it pertains to speech and actions that violate SAIC's policies, such as those prohibiting discriminatory, harassing, and retaliatory actions or that constitute unprofessional conduct. As the AAUP statement on professional ethics states, professors "accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge."

Academic freedom and freedom of expression are not freedoms from debate, disagreement, or defense, nor are they shields from critical scrutiny or accountability. Rather, they allow for and encourage protest, criticism, and public argument. Academic freedom and freedom of expression as understood and upheld at SAIC protect the speaker from discrete, measurable, institutional punishments, including censorship. They do not, however, protect the speaker from having their views—particularly views that elicit controversy—discursively (or argumentatively) challenged.

In fact, the School must empower and protect counter-speech. This is particularly salient for the majority of the faculty at SAIC, namely, faculty who do not have tenure, especially part-time faculty and tenure-track faculty, but also including visiting faculty. It is also particularly salient for members of historically marginalized communities, whose views and voices have suffered from suppression and silencing. It is thus vital that any declaration of academic freedom and free expression be understood in this historical and institutional context, and that this context is itself understood as evidence for the importance of the protection of expression and dissent. Indeed, it is with these histories and contingent working conditions in mind that a statement of academic freedom can, and indeed must, be part of the ongoing process of creating an equitable learning environment at SAIC, achieved by discussing topics, such as those pertaining to diversity,

equity, and inclusion, that are in crucial need of airing.

Like any community invested in education and scholarship, the work undertaken at SAIC is not without risks. Although SAIC values civility and respect, and believes that these values are generally conducive to fruitful academic experience, it also recognizes the value of ideas and aesthetic expressions that some may find irreverent, uncivil, subversive, irritating, or offensive. The history of ideas and art bear ample witness to the fact that many ideas and expressions that were at one time found to be offensive have turned out to be true or at least have come to be generally accepted. It also bears ample witness to the fact that we have learned much even from ideas and expressions that were false or never came to be accepted. Dwelling upon that which offends and causes discomfort often has as much value for learning as the protection, reassurance, or affirmation of one's customary beliefs and preconceptions. Conflict itself can be a meaningful process of negotiation and renegotiation in which our values, whether individual or collective, can find their own significance and function.

For these reasons, SAIC understands that learning cannot, and often should not, be comfortable at all times for everyone simultaneously. Discomfort is inevitable if the goal is to expose ourselves to new ideas, question beliefs we have taken for granted, grapple with ethical problems we have not (or not adequately) considered, and, more generally, expand our horizons so as to become informed and responsible citizens. SAIC must therefore instill and insist on a culture of intellectual and creative courage.

## SECTION 10 – AAUP GUIDING PRINCIPLES

The text below is a direct quote of material drafted many years ago by the AAUP. We retain this text in its original form, noting that it does not conform to SAIC standards for gender inclusive language.

### A. AAUP Statements on Academic Freedom and Tenure

(Reprinted from the AAUP Bulletin, Autumn 1964:1940 Statement of Principles).

In 1940, following a series of joining conferences begun in 1934, representatives of the American Association of University Professors and of the Association of American Colleges agreed upon a restatement of principles set forth in the 1925 Conference Statement on Academic Freedom and Tenure. This restatement, known to the profession as the 1940 Statement of Principles on Academic Freedom and Tenure, was officially endorsed by the following organizations in the years indicated:

Association of American Colleges; 1941

American Association of University Professors; 1941

American Library Association (adapted for librarians); 1946

Association of American Law Schools; 1946

American Political Science Association; 1947

American Association of Colleges for Teacher Education; 1950

Association for Higher Education, National Education Association; 1950

Eastern Psychological Association; 1950

American Philosophical Association:

Western Division; 1952

Eastern Division; 1953

Southern Society for Philosophy and Psychology; 1953

American Psychological Association; 1961

American Historical Association; 1961

Modern Language Association of America; 1961

American Economic Association; 1962

American Farm Economic Association; 1962

Midwest Sociological Society; 1963

Mississippi Valley Historical Association; 1963

American Philological Association; 1963

American Council of Learned Societies; 1963

Speech Association of America; 1963

American Sociological Association; 1963

Southern Historical Association; 1963

American Studies Association; 1963

Classical Association of the Middle West & South; 1964

Southwestern Social Science Association; 1964

Archaeological Institute of America; 1964

Southern Management Association; 1964

American Educational Theater Association; 1964

South Central Modern Language Association; 1964

Southwestern Philosophical Society; 1965

Council for the Advancement of Small Colleges; 1965

Mathematical Association of America; 1965

October 1991

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to other teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

Tenure is a means to certain ends; specifically (1) freedom of teaching and research and of extra mural activities, and (2)

a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

## I. ACADEMIC FREEDOM

- a. The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- b. The teacher is entitled to freedom in the classroom in discussing his subject, but he should be careful not to introduce into his teaching controversial matter which has no relation to his subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
  1. Endorsed by predecessor, American Association of Teachers Colleges, in 1941.
  2. The word "teacher" as used in this document is understood to include the investigator who is attached to an academic institution without teaching duties.
- c. The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence, he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinion of others, and should make every effort to indicate that he is not an institutional spokesman.

## II. ACADEMIC TENURE

After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies.

In the interpretation of this principle it is understood that the following represents acceptable academic practice:

1. The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.
2. Beginning with appointment to the rank of full-time lecturer or a higher rank, the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution it may be agreed in writing that his new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum of seven years. Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.
3. During the probationary period a teacher should have the academic freedom that all other members of the faculty have.
4. Termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, should, if possible, be considered by both a faculty committee and the

governing board of the institution. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing, in writing, of the charges against him and should have the opportunity to be heard in his own defense by all bodies that pass judgment upon his case. He should be permitted to have with him an adviser of his own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence, the testimony should include that of teachers and other scholars, either from his own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.

5. Termination of a continuous appointment because of financial exigency should be demonstrably bona fide. For the School's guidelines and procedures, see Section 18.

#### Interpretations

At the conference of representatives of the American Association of University Professors and of the Association of American Colleges on November 7/8, 1940, the following interpretations of the 1940 Statement of Principles on Academic Freedom and Tenure were agreed upon:

1. That its operation should not be retroactive.
2. That all tenure claims of teachers appointed prior to the endorsement, should be determined in accordance with the principles set forth in the 1925 Conference Statement on Academic Freedom and Tenure.
3. If the administration of a college or university feels that a teacher has not observed the admonitions of Paragraph (c) of the section on Academic Freedom and believes that the extra-mural utterances of the teacher have been such as to raise grave doubts concerning his fitness for his position, it may proceed to file charges under Paragraph (a) (4) of the section on Academic Tenure. In pressing such charges, the administration should remember that teachers are citizens and should be accorded the freedom of citizens. In such cases, the administration must assume full responsibility and the American Association of University Professors and the Association of American Colleges are free to make an investigation.

## B. AAUP Statements on Procedural Standards in Faculty Dismissal

The following Statement on Procedural Standards in Faculty Dismissal Proceedings was prepared by a joint committee representing the Association of American Colleges and the American Association of University Professors, and was approved by these two associations at their annual meetings in 1958. It supplements the 1940 Statement of Principles on Academic Freedom and Tenure by providing a formulation of the "academic due process" that should be observed in dismissal proceedings. The exact procedural standards here set forth, however, "are not intended to establish a norm in the same manner as the 1940 Statement of Principles on Academic Freedom and Tenure," but are presented rather as a guide.

#### Introductory Comments:

Any approach toward settling the difficulties which have beset dismissal proceedings on many American campuses must look beyond procedure into setting and cause. A dismissal proceeding is symptom of failure; no amount of use of removal process will help strengthen higher education as much as will the cultivation of conditions in which dismissals rarely, if ever, need occur.

Just as the board of control or other governing body is the legal and fiscal corporation of the college, the faculty are the academic entity. Historically, the academic corporation is the older. Faculties were formed in the Middle Ages, with managerial affairs either self-arranged or handled in course by the parent church. Modern college faculties, on the other

hand, are part of a complex and extensive structure requiring legal incorporation, with stewards and managers specifically appointed to discharge certain functions.

Nonetheless, the faculty of a modern college constitute an entity as real as that of the faculties of medieval times, in terms of collective purpose and function. A necessary precondition of a strong faculty is that it have first-hand concern with its own membership. This is properly reflected both in appointments to and in separations from the faculty body.

A well-organized institution will reflect sympathetic understanding by trustees and teachers alike in their respective and complementary roles. These should be spelled out carefully in writing and made available to all. Trustees and faculty should understand and agree on their several functions in determining who shall join and who shall remain on the faculty. One of the prime duties of the administrator is to help preserve understanding of those functions. It seems clear on the American college scene that a close positive relationship exists between the excellence of colleges, the strength of their faculties, and the extent of a faculty responsibility in determining faculty membership. Such a condition is in no way inconsistent with full faculty awareness of institutional factors with which governing boards must be primarily concerned.

In the effective college, a dismissal proceeding involving a faculty member on tenure, or one occurring during the term of an appointment, will be a rare exception, caused by individual human weakness and not by an unhealthy setting. When it does come, however, the college should be prepared for it, so that both institutional integrity and individual human rights may be preserved during the process of resolving the trouble. The faculty must be willing to recommend the dismissal of a colleague when necessary. By the same token, presidents and governing boards must be willing to give full weight to a faculty judgment favorable to a colleague.

One persistent source of difficulty is the definition of adequate cause for the dismissal of a faculty member. Despite the 1940 Statement of Principles on Academic Freedom and Tenure and subsequent attempts to build upon it, considerable ambiguity and misunderstanding persist throughout higher education, especially in the respective conceptions of governing boards, administrative officers, and faculties concerning this matter. The present statement assumes that individual institutions will have formulated their own definitions of adequate cause for dismissal, bearing in mind the 1940 Statement of Principles on Academic Freedom and Tenure to be used according to the nature and traditions of particular institutions in giving effect to both faculty tenure rights and the obligations of faculty members in the academic community.

## C. AAUP Statements on Academic Due Process Procedures

### 1. PRELIMINARY PROCEEDINGS CONCERNING THE FITNESS OF A FACULTY MEMBER

When reason arises to question the fitness of a college or university faculty member who has tenure or whose term appointment has not expired, the appropriate administrative officers should ordinarily discuss the matter with him in personal conference. The matter may be terminated by mutual consent at this point; but if an adjustment does result, a standing or ad hoc committee elected by the faculty and charged with the function of rendering confidential advice in such situations should informally inquire into the situation, to effect an adjustment if possible and, if none is effected, to determine whether in its view formal proceedings to consider his dismissal should be instituted. If the committee recommends that such proceedings should be begun, or if the president of the institution, even after considering a recommendation of the committee favorable to the faculty member, expresses his conviction that a proceeding should be undertaken, action should be commenced under the procedures which follow. Except where there is disagreement, a statement with reasonable particularity of the grounds proposed for the dismissal should then be jointly formulated by the president or his representative should formulate the statement.

### 2. COMMENCEMENT OF FORMAL PROCEEDINGS

The formal proceedings should be commenced by a communication addressed to the faculty member by the president of the institution, informing the faculty member of the statement formulated, and informing him that, if he so requests, a hearing to determine whether he should be removed from his faculty position on the grounds stated will be conducted

by a faculty committee at a specified time and place.

The faculty member should be informed, in detail or by reference to published regulations, of the procedural rights that will be accorded to him. The faculty member should state in reply whether he wishes a hearing and, if so, should answer in writing not less than one week before the date set for the hearing, the statements in the president's letter.

### 3. SUSPENSION OF THE FACULTY MEMBER

Suspension of the faculty member during the proceedings involving him is justified only if immediate harm to himself or others is threatened by his continuance. Unless legal considerations forbid, any such suspension should be with pay.

### 4. HEARING COMMITTEE

The committee of faculty members to conduct the hearing and reach a decision should either be an elected standing committee not previously concerned with the case or a committee established as soon as possible after the president's letter to the faculty member has been sent. The choice of members of the hearing committee should be on the basis of their objectivity and competence and of the regard in which they are held in the academic community. The committee should elect its own chairman.

### 5. COMMITTEE PROCEEDING

The committee should proceed by considering the statement of grounds for dismissal already formulated, and the faculty member's response written before the time of the hearing. If the faculty member has not requested a hearing, the committee should consider the case on the basis of the obtainable information and decide whether he should be removed; otherwise, the hearing should go forward. The committee, in consultation with the president and the faculty member, should exercise its judgment as to whether the hearing should be public or private. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter set forth in the president's letter to the faculty member should be received.

The president should have the option of attendance during the hearing. He may designate an appropriate representative to assist in developing the case; but the committee should determine the order of proof, should normally conduct the questioning of witnesses, and, if necessary, should secure the presentation of evidence important to the case.

The faculty member should have the option of assistance by counsel, whose functions should be similar to those of the representative chosen by the president. The faculty member should have the additional procedural rights set forth in the 1940 Statement of Principles on Academic Freedom and Tenure, and should have the aid of the committee, when needed, in securing the attendance of witnesses. The faculty member or his counsel and the representative designated by the president should have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member should have the opportunity to be confronted by all witnesses adverse to him. Where unusual and urgent reasons move the hearing committee to withhold this right or where the witness cannot appear, the identity of the witness, as well as his statements, should nevertheless be disclosed to the faculty member. Subject to these safeguards, statements may when necessary be taken outside the hearing and reported to it. All of the evidence should be duly recorded. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

### 6. CONSIDERATION BY HEARING COMMITTEE

The committee should reach its decision in conference, on the basis of the hearing. Before doing so, it should give opportunity to the faculty member or his counsel and the representative designated by the president to argue orally before it. If written briefs would be helpful, the committee may request them. The committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. Publicity concerning the committee's decision may properly be withheld until consideration has been given to the case



by the governing body of the institution. The president and the faculty member should be notified of the decision in writing and should be given a copy of the record of the hearing. Any release to the public should be made through the president's office.

## 7. CONSIDERATION BY THE GOVERNING BODY

The president should transmit to the governing body the full report of the hearing committee, stating its action. On the assumption that the governing board has accepted the principle of the faculty hearing committee, acceptance of the committee's decision would normally be expected. If the governing body chooses to review the case, its review should be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the hearing committee should either be sustained or the proceeding be returned to the committee with objections specified. In such a case the committee should reconsider, taking account of the stated objections and receiving new evidence if necessary. It should frame its decision and communicate it in the same manner as before. Only after study of the committee's reconsideration should the governing body make a final decision overruling the committee.

## 8. PUBLICITY

Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officers should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision should include a statement of the hearing committee's original action, if this has not previously been made known.

AAUP 1972 Recommended Institutions Regulations on Academic Freedom and Tenure (Sub-section C).

### Reappointment of Non-Tenured Faculty

If a faculty member on probationary or other non-tenured appointment alleges that a decision not to reappoint him was based significantly on considerations violative of (1) academic freedom, or (2) governing policies on making appointments without prejudice with respect to race, sex, religion, or national origin, the allegation will be given preliminary consideration by the Interaction Committee, which will seek to settle the matter by informal methods. The allegation shall be accompanied by a statement that the faculty member agrees to the presentation, for the consideration of the Interaction Committee, of such reasons and evidence as the institution may allege in support of its decision. If the difficulty is unresolved at this stage, and if the committee so recommends, the matter will be heard in the manner set forth in Regulations 5 and 6, except that the faculty member making the complaint is responsible for stating the grounds upon which he bases his allegations, and the burden of proof shall rest upon him. If the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision not to reappoint him to come forward with evidence in support of their decision.