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**Appointments to the Faculty**

Appointments to the Midway College faculty are classified according to the faculty Tier System delineated in the following chart.

Tier	Description	Responsibilities		
<b>1 Core Faculty</b>	Full-time faculty, continuous appointment track, with academic rank (Including faculty on probation.)	Teaching (at least 50%). Could include administrative, research, or support duties. Office hours, advising, committee service.	Compensation Salary and frill employee benefits.	Evaluation Evaluated on teaching, scholarship, and service. Eligible for merit increases.
<b>2 Core Faculty</b>	Full-time faculty, non-continuous appointment, with academic rank	Teaching (at least 50%). Could include administrative, research, or support duties. Office hours, advising, committee service.	Salary and frill employee benefits. Appointment renewed annually.	Evaluated on teaching, scholarship, and service. Eligible for merit increases.
<b>3 Core Faculty</b>	Reduced load faculty	Teaching 12-18 credit hours per academic year. Office hours and participation in division meetings and activities.	Negotiated salary and medical insurance, Appointment renewed annually,	Teaching evaluations and administrative review. Eligible for merit increases.
<b>4 Core Faculty</b>	Core adjunct faculty	Teaching assigned by course. <sup>1</sup>	Pay scale above regular adjuncts, currently 10 percent increase,	Teaching evaluations and administrative review. Eligible for merit
<b>5</b>	Regular adjunct faculty	Teaching assigned by courses.	\$450/credit hour for masters degree; \$500/credit hour I for doctorate.	Teaching evaluations and administrative review. <sup>1</sup>

<sup>1</sup>Tier 5 faculty members are eligible for reclassification as Tier 4 faculty after teaching six (6) courses or having two years' association with Midway College.

- A. There are two classifications of full-time academic appointments.
  - 1. Faculty Appointments with continuous appointment (or on continuous appointment track) (Tier 1).
  - 2. Faculty Appointments without continuous appointment (Tier 2).
- B. Faculty Appointments, Continuous Appointment Track
  - 1. All persons who receive Tier 1 appointments must be employed full-time by the college with at least a half-time instructional assignment.
  - 2. A Tier 1 member shall be regarded as engaged in full time instructional activities if his/her appointment involves more than one halftime in direct instructional activities.
  - 3. All Tier 1 faculty involved in full-time instructional activities hold the rank of instructor, assistant professor, associate professor, or professor. All Tier 1 faculty will be evaluated and may eventually apply for continuous appointment discussed in VI.

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4. The conditions of a Tier 1 faculty appointment shall be stated in writing with a copy to be given to the faculty member. Any subsequent modification of this appointment shall be stated in writing and a copy is to be given to the faculty member.
  5. The decision to appoint a faculty member to continuous appointment may only be made by the Board of Trustees of Midway College and is described in Section VI of this document.
- C. Tier 2 appointments shall include those individuals who are appointed on an annual basis on a special assignment with the college and whose credentials may fall outside the guidelines established for Tier 1 contracts. These may be, but are not necessarily limited to, the appointment of faculty who have retired from another position, appointment of visiting faculty, lecturers, research associates, or artists-in-residence,
1. All persons who receive Tier 2 appointments must be employed full time by the college with at least a half-time instructional assignment.
  2. A Tier 2 faculty member shall be regarded as engaged in full-time instructional activities if his/her appointment involves more than one-half time in direct instructional activities.
  3. All Tier 2 faculty involved in full-time instructional activities hold the rank of instructor assistant professor, associate professor, or professor. A Tier 2 faculty will be evaluated annually and, although not eligible for continuous appointment, may apply for promotion in rank.
  4. The conditions of every Tier 2 appointment to the faculty shall be stated in writing with a copy to be given to the faculty member. Any subsequent modification of the appointment shall be in writing and given to the faculty member
  5. All Tier 2 faculty appointments shall be for a specific term of one year or less and additional service shall be considered new appointments Notification of non renewal will follow Section X, D(2)
  6. The appointment letter should include the length of the appointment (not to exceed one year); the economic remuneration and any special conditions of the appointment
- D. Special faculty whose sole function is to teach an assigned course or courses on a semester by semester basis will be referred to as reduced load or as adjunct faculty (Tiers 3-5).
- E. Appointments for professional librarians.
1. The college's professional librarians must hold a Masters Degree in Library Science. Professional librarians are considered regular faculty members not involved in full time teaching. Consequently, they hold indefinitely renewable one-year appointments according to the terms of Sec. III, C. 4 of this document,
  2. Full-time professional librarians are entitled to the same due notification of termination in writing as are probationary faculty as specified in Sec. IX, D. 2 of this document.
    - a. on or before March 15 of the first year of appointment.
    - b. on or before December 15 of the second year of appointment.
    - c. on or before September 1 after two or more years of service.

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3. Termination of professional librarians may be reviewed by the faculty hearing committee subject to the same provisions as for termination of regular, full-time faculty serving in probationary status for continuous appointment as specified in Sec. IX, D. 3 & 4, of this document.
4. Professional librarians who decide to terminate their own appointment at the end of an academic year should do so no later than the second Friday in April of that year as specified in Sec. IX, B.1 of this document,
5. Professional librarians participate in the academic governance of the college as full members of the Faculty Assembly. They participate in the academic administration of the college under the Dean of the Women's College.

**Probationary Period for Regular, Full-time Faculty Engaged in Full-time Instruction (Tier 1)**

- A. The probationary period allows the new faculty member who is assigned full time instruction to develop and demonstrate qualities desired of continuous appointment faculty and to become aware of the goals, policies, and procedures of the college. The probationary period also provides the opportunity for the college to make an informed judgment about the new faculty member's ability and promise.
- B. Without exception, the probationary period shall not exceed seven years.
- C. The length of the probationary period may be reduced in cases of professors who have previously demonstrated extraordinary academic credentials and experience. A person coming from another institution may have the probationary period reduced if approved by the college in its written agreement with the individual. Under very exceptional circumstances, i.e., distinguished professorship, the probationary period may be waived upon the approval by the executive committee of the board of trustees.

**Criteria for Continuous Appointment Status**

- A. Since appointment to the continuous appointment status is recognition of the distinctive professional competence and promise of a faculty member, it shall be granted on the basis of professional merit. This means that the college should determine if an individual will contribute significantly to the quality of its educational mission. Continuous appointment should never be granted in the absence of a clear and convincing case that is warranted by the reasonable application of the criteria. During the probationary period the faculty member does not have a presumptive claim to continuous appointment, and it is ultimately the faculty member's burden to show clearly that such appointment is warranted.
- B. All faculty seeking continuous appointment must possess the appropriate academic credentials and demonstrate excellence in teaching, as well as the ability to work productively in a professional context. Faculty must document appropriate contributions in the three areas listed below.
  1. scholarship
  2. service to the college

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3. service to the larger community
- C. The following criteria shall be considered in granting continuous appointment status:
1. Academic Credentials
    - a. An earned doctorate or terminal degree appropriate to the field shall have been earned by an individual in order for that individual to be considered for a continuous appointment. The terminal degree that applies to each position will be determined when an appointment is made. As degree programs and new disciplines are added to the Midway College curriculum, the determination of terminal degree will be included in the proposal.
  2. Teaching Excellence
    - a. Granting of continuous appointment status will be based on demonstrated excellence in teaching. The college judges teaching excellence by an examination of a candidate's statement of his or her philosophy of teaching. The college also judges teaching excellence by an examination of material submitted by the candidate that gives evidence of:
      - consistent validation of teaching effectiveness by students
      - revision of course materials and activities to continually improve students' learning experiences
      - well-defined learning outcomes; course design and teaching methods aimed at meeting these outcomes; assessment of student achievement related to outcomesAssessment of these criteria may be carried out by, but is not necessarily limited to, review of course syllabi, student work, and examinations, analysis of student evaluations, and dialogue with the candidate.
  3. Professional and Collegial Conduct
    - a. To warrant continuous appointment status a faculty member should also have the confidence and respect of students and faculty colleagues and shall have demonstrated an awareness of the mission, goals, policies, and procedures of the college. The faculty member must demonstrate ability to work productively in a professional manner.
  4. Scholarship

Midway College accepts a broad view of faculty scholarship and recognizes that scholarly activity (or in the case of the arts, creative work) may be distributed over several categories. In review of faculty scholarship for continuous appointment, the following criteria will be considered:

    - Evidence of peer-review (e.g. publication in peer-reviewed journals, book reviews, public presentations of research, award and other recognitions, grant awards.)
    - Recognition in the state and regional scholarly (or artistic) community.

The Midway College faculty has adopted a definition of scholarship inspired by the book Scholarship Reconsidered, by Ernest L. Boyer. The categories proposed by Boyer -- the Scholarship of Discovery, the Scholarship of Integration, the Scholarship of Application

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and the Scholarship of Teaching -- have been altered in such a way as to internalize the definition of scholarship for Midway College faculty. Following each category of scholarship, one or more goals differentiate each category of scholarship with appropriate examples.

The goals identified under each category of scholarship are meant to be illustrative, and are not necessarily the only goals that apply. The categories of scholarship are not mutually exclusive, and therefore, a single scholarly activity may fit into more than one category.

### a. Scholarship of Discovery

Goals:

- Contributing to the body of knowledge in one's discipline

Examples:

- Conducting original research in one's discipline or profession
- Writing a grant to obtain funding for the scholarship of discovery

### b. Scholarship of Integration

Goals:

- Making connections across disciplines
- Pulling together (integrating) knowledge within one's discipline
- Reviewing a body of literature related to one's discipline or profession in order to inform others about it

Examples:

- Creating a team-taught course. (E.g., sociology faculty working with nursing faculty to create a course on cultural influences on health and illness)
- Symposium in which faculty members from various disciplines discuss/debate a particular issue
- Collaborating on, contributing to, or writing a textbook that integrates current knowledge in your discipline or profession discipline
- Writing an article or book with a faculty member from another discipline
- Conducting research and presenting a workshop related to your discipline and/or faculty development
- Conducting research and writing a "white" paper with other members of a faculty committee on an issue of concern to the campus community (e.g., faculty workload, scholarship, etc.)
- Writing a grant to obtain funding for the scholarship of integration

### c. Scholarship of Application

Goals:

- Using knowledge from your discipline or profession to solve practical problems
- Providing a service to the community (this may be your campus, local, regional, or national community or the community represented by members of your discipline or profession)

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- Examples:
- Acting as a consultant on projects being directed by on-campus or off-campus community members
  - Organizing workshops, panels, speakers, conferences on issues of concern to community members
  - Serving on an accreditation (e.g., SACS) team
  - Serving as a judge or peer reviewer for professional activities
  - Writing a grant to obtain funding for the scholarship of application
- d. Scholarship of Teaching

- Goals:
- Enhancing interest in teaching and learning
  - Building community around teaching and learning
  - Providing opportunities for faculty members to share teaching and learning innovations with colleagues at Midway College and other institutions.
  - Increasing faculty and departmental collaboration across disciplines
  - Modifying course design or content in light of new developments in your discipline or profession

- Examples:
- Preparing a paper on pedagogy for publication or presentation at a conference
  - Conducting a workshop on campus to inform colleagues about a new pedagogical technique
  - Researching, designing, and implementing a new course or course component
  - Modifying a course or course component
  - Writing a grant to obtain funding for the scholarship of teaching
5. Service to the College  
Service to Midway College shall be evidenced by distinctive fulfillment of one's role as a faculty member including but not limited to participation as a contributing member of college committees or faculty governance; assistance in preparation of or administration of grants; support of college-recognized extracurricular activities and active concern for students. Consistency of effort and leadership effectiveness should be demonstrated by the candidate.
6. Service to the Larger Community  
Service to the larger community shall include service to the professional discipline and service to the community that requires one's professional expertise. The college commends community service commensurate with good citizenship, but it is not sufficient to satisfy the requirements for service to the larger community.

**Procedure for Continuous Appointment Review and Decision**

- A. It shall be the responsibility of the appropriate Academic Dean to initiate and supervise the review process and to make appropriate recommendations to the president.
- B. It shall be the responsibility of the college administration to see that the following are

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secured and used in all reviews:

1. Assessments and recommendations by faculty colleagues;
  2. Records of student evaluations of teaching;
  3. Other indications of teaching effectiveness;
  4. Evaluations of professional activity outside of teaching;
  5. Records of systematic evaluation of the faculty member throughout the probationary period.
- C. It shall be the responsibility of the faculty member to compile a complete dossier as regards evidence of scholarly productivity and service to Midway College, to the community, and to the profession.
- D. The college shall conduct a formal review during the academic year preceding the last full year of a faculty member's probationary period to determine if continuous appointment should be granted. Normally, this review shall be during the sixth year of service.
- E. It is the responsibility of the President to present the college's recommendations to the Board of Trustees for a decision to grant any regular, full-time faculty member (Tier 1) to a continuous appointment.
- F. If, as a consequence of the formal review, the decision on continuous appointment is negative, then the next year of the probationary period shall be considered the terminal year and the faculty member shall be given notice of this no later than May 1 of the academic year during which the review is conducted. Under special circumstances the faculty member and the college's administration may agree to another review during the final year of probation. If the decision still is negative, the college cannot rehire the individual,
- G. The formal review shall be conducted according to the following:
1. Under the direction of the Faculty Senate, the faculty shall elect two faculty members holding continuous appointment to serve on the rank and continuous appointment committee. At least one of them must hold a rank that is no lower than associate professor. These elected members will serve two-year overlapping terms. The President shall appoint a third member who has continuous appointment and holds a rank no lower than associate professor to serve on an annual basis. The committee itself will decide which member will serve as chairperson.
  2. By May 15 of each academic year the appropriate Academic Dean shall notify each person who is eligible for consideration for continuous appointment in the coming academic year, and shall notify the appropriate division chairpersons and the Rank and Continuous Appointment Committee of all eligible persons. Each applicant will develop a dossier presenting the evidence the candidate deems appropriate to the review process. The dossier will be placed on file in the Office of Academic Affairs by the third Monday of September of the review year, where it will remain on file for examination by those participating in the review process.
  3. The chairperson of each division shall conduct a review of all applicants in the program. In the event that a chairperson is an applicant, the appropriate Academic Dean shall conduct the review. The person conducting the review is required to solicit the written

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recommendations of the faculty in the division concerning the candidate under review. These recommendations should be completed by the second Monday of October. Copies of these recommendations, along with the recommendation of the person conducting the review, are to be forwarded to the rank and continuous appointment committee by the first Monday of November.

4. Letters of recommendation from college personnel and others outside of the college who are in a position to provide relevant information may be solicited by the candidate. These letters should be sent to the Office of Academic Affairs, where they will be available to the Rank and Continuous Appointment Committee, the appropriate Academic Dean and the President of the college.
5. After receiving the recommendations from the candidate's Division Chair, the Rank and Continuous Appointment Committee shall meet with each candidate and study all materials pertaining to the applicant. The appropriate Academic Dean may meet with the committee to share matters of fact relative to the candidate but may not evaluate the candidate or attempt to influence the process. The committee may contact any persons for the purpose of clarifying or supplementing information relevant to continuous appointment. Then, the committee shall submit its written recommendations to the Dean by the second Monday of February. If any recommendation is not unanimous, both majority and dissenting rationale shall be given.
6. The appropriate Academic Dean shall hold due consultations and discussions and may call on any person while investigating matters relevant to the review process. After considering all the recommendations and evidence gathered, the appropriate Academic Dean shall make a written recommendation to the President regarding each candidate by the second Friday of March, and shall similarly communicate all recommendations to the Rank and Continuous Appointment Committee. If the committee and the Dean disagree in any recommendation, the committee may appeal the Dean's recommendation to the President of the college, if that action is favored by the committee.
7. The President shall then make appropriate recommendations to the Board of Trustees. Only the names of those individuals being recommended for continuous appointment will be formally presented to the board for consideration. Following the decision of the board, the President or appropriate Academic Dean shall notify each faculty member of the decision on promotion. The Board of Trustees is the only entity empowered to grant continuous appointment.

**Procedure for Full-time (Probationary Status) Faculty Evaluation Review**

Full-time faculty with probationary status, as referred to in this and subsequent sections, includes all Tier 2 faculty and all Tier 1 faculty who are not yet eligible for continuous appointment.

- A. All full-time faculty members shall be formally evaluated throughout the probationary period. Faculty in the first year of appointment shall be evaluated by February 1. If an

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appointment is renewed for the second year, another evaluation shall be completed by November 15 of the second year and be based on progress made throughout the entire first year of employment. In all subsequent years of the probationary period, the evaluation shall be completed by May 15.

- B. The evaluation shall be conducted by the chairperson of the division in which the faculty member holds membership. A written evaluation shall be presented to the appropriate Academic Dean. The Dean shall meet with the candidate to discuss the evaluation and to hear the views of the faculty member. The chairperson may or may not be present according to the discretion of the Dean. After the Dean's meeting, the Dean's written assessment will be given to the faculty member and a copy will be placed in the faculty member's file.

**Procedure for Continuous Appointment Faculty Five-Year Review**

A. Rationale:

1. Election to the continuous appointment conveys both an acknowledgment of an actually achieved level of competence and performance and an expectation that at least the same level of competence and performance will be sustained. Also, it is assumed that the faculty member will continue to develop and grow and to improve and/or redirect competence as the appointment continues.
2. The credibility of the faculty's professionalism would be seriously undermined if the granting of continuous appointment were used to protect incompetence and mediocrity. Both the college and the faculty, therefore, have an interest in adopting a procedure for regular review on continuous appointment.
3. The formal review procedure is not to be construed as "a renewal" of continuous appointment as though it had been temporarily suspended and then re-conferred. The faculty member on continuous appointment retains this honored status until such time as he/she either resigns or is terminated by the college based on the criteria and standards as described in X.
4. In addition to upholding the standards expected of faculty on continuous appointment, the objective of the regular review is to help each individual evaluate his/her current performance and to provide assistance in areas which might be weak or need improvement.

B. Basic Principles of the Review:

1. Each faculty member on continuous appointment shall have his/her performance thoroughly reviewed every five years subsequent to the year in which he/she received continuous appointment and until such time as he/she may retire or depart from the college. The President may waive a formal review if it falls in the last three years before retirement.
2. The same factors and criteria considered in current reviews for granting continuous appointment, as described in VI, should be used in formally assessing the faculty member's continuing performance.

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3. It shall be the responsibility of the appropriate Academic Dean to give written and due notice to the faculty member of his/her upcoming review.
  4. It shall be the responsibility of the faculty member to see that his/her dossier contains up-to-date material relevant to the factors being considered.
  5. A faculty member's performance will be judged "unsatisfactory" only if there is a clear evidence that his/her performance is significantly below the level expected of continuous appointment. An unsatisfactory performance may be considered adequate cause for dismissal.
- C. Outline of Continuous Appointment Faculty Five-Year Review Process
1. Before September 1 of the academic year of the year of review, the appropriate Academic Dean shall notify the faculty member in writing of the upcoming review and shall convey instructions and establish deadlines for the review process.
  2. The instructions to the faculty member shall at least indicate what materials and information he/she should provide in order to have an up-to-date and relevant dossier.
  3. By October 15 the faculty member shall have submitted to the administration all material and information that was requested as well as any items he/she would regard as relevant to the review.
  4. By December 1 the appropriate Academic Dean shall have completed the review and assessment and shall have provided a written statement of the assessment to both the President and the faculty member. The appropriate Academic Dean shall also arrange to have a personal interview with the faculty member for the purpose of discussing the assessment, and of finding ways in which his/her work might be strengthened or in which the college might be more supportive.
  5. If the administration finds the faculty member's performance to be questionable based upon the ~ criteria for holding continuous appointment, the President shall direct the Rank and Continuous Appointment Committee to conduct a formal review of the faculty member's performance.
  6. Procedures for review by Rank and Continuous Appointment Committee:
    - a. The committee shall request the faculty member to meet with them to discuss the situation.
    - b. The responsible administrator should meet with the committee at least once before the committee reaches its decision.
    - c. Using the same criteria of assessment as are required in regular review for continuous appointment, the committee shall provide a written assessment to the appropriate Academic Dean by February 1.
  7. If the committee reaches a judgment of unsatisfactory performance, then the administration shall proceed as described below in paragraph 9.
  8. If the committee does not reach a judgment of unsatisfactory performance, the administration has two alternatives:
    - a. To concur in the committee's judgment and consider the final assessment to be satisfactory;

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- b. To make a judgment of unsatisfactory performance and move on with the procedures described below in paragraph 9.
- 9. Actions subsequent either to administrative and committee judgment of unsatisfactory performance or to administrative judgment of unsatisfactory performance without committee concurrence shall be as follows:
  - a. The administration shall notify the faculty member in writing that his/her performance has been found to be unsatisfactory. For exceptions in certain situations, refer to 10 below. The administration will also inform the faculty member that the new academic year will be a “warning year” in which the performance must be improved to the level warranting continuous appointment.
  - b. By March 1 of the warning year, the same review process as that of the regular review shall be initiated by the administration and shall be completed by May 1, with a recommendation to be made by that date. (These dates supercede those established in X. D. 2 for probationary faculty).
  - c. If the review of the warning year performance sustains the judgment of unsatisfactory, the administration shall notify the faculty member in writing of his/her dismissal, giving specific date of dismissal, The faculty member shall have recourse to the procedures for a dismissal hearing review as specified in X, E and G Establishment of a date does not require the conduct. Establishment of a dismissal date does not require the consideration given in X.D.2 for probationary faculty.
- 10. f in the judgment of the administration the faculty member’s performance is so unsatisfactory as to be unlikely of sufficient improvement to meet the standards for continuous appointment, then it may, without providing for a warning year, immediately serve notice of dismissal to the faculty member who shall have recourse to a hearing review. Both the notification and the hearing process shall be as described in X, G.

**Termination of Faculty on Probationary Status and Continuous Appointments**

- A. The Hearing Committee on Faculty Appointments shall consist of five regular faculty members. Three members shall be elected annually by the faculty and two shall be appointed annually by the President at the beginning of each academic year. . No person may serve simultaneously on both the Hearing Committee on Faculty Appointments and the Rank and Continuous Appointment Committee. When requested to provide for an orderly review of termination of faculty appointment, the college shall constitute a hearing committee on faculty appointments.
- B. An appointment may be terminated in several ways:
  - 1. Resignation by the faculty member;
  - 2. When the college does not renew the contract of the faculty member on probationary appointment;
  - 3. When the college does not grant continuous appointment before the end of the probationary period; and,

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4. Dismissal by the college.
- C. Termination of Appointment By Member
1. A faculty member may terminate his/her appointment effective at the end of an academic year provided he/she gives notice in writing at the earliest possible opportunity, but not later than the second Friday in April. (As amended on October 15, 1991.)
  2. The faculty member may properly request a waiver of this requirement of notice in case of hardship or in a situation where he/she would otherwise be denied substantial professional advancement or other opportunity.
  3. A faculty member shall not terminate his/her appointment prior to the end of an academic year without the consent of the college, and such consent should be requested in writing at least sixty days prior to the anticipated termination date.
- D. Procedure for Termination of Faculty with Probationary Status (Tier 1 and 2)
1. General Guidelines:
    - a. The college needs a strong and compelling reason to employ individual faculty members. It is the responsibility of the individual to demonstrate through his/her professional qualifications, competence and performance that the college should continue to offer the individual a position on the faculty. The college shall not terminate any probationary faculty member arbitrarily or capriciously, but neither shall it be mandated to give reasons for not rehiring as in the case of faculty with continuous appointment. In any contested termination of a probationary faculty member, the burden of proof for reversing the decision rests with the faculty member.
  2. Due Notification of Termination:
    - a. Notice of termination shall be given in writing to the faculty member on or before March 15 of the first year of appointment or on or before December 15 of the second year of the probationary period, and at least by September **1 before** the expiration of a contract after two or more years of appointment during the probationary period.
  3. Review of Termination Decision:
    - a. In written form to the college's administration the faculty member may request a review of the termination decision but limited to the following; alleged violation of academic freedom; alleged discrimination based on sex, age, race, or religion; or alleged inadequate consideration in the process to recommend terminating employment.
    - b. The President shall direct the Hearing Committee on Faculty Appointments to review the termination decision.
    - c. The Hearing Committee on Faculty Appointments shall consider whatever evidence the college or the faculty member may submit. On the basis of this evidence alone, the committee shall determine whether, in its opinion, the complaint or grievance of the faculty member is proper and justified.
    - d. The committee shall convey a written report and recommendation to the appropriate Academic Dean and to the faculty member.

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- e. The appropriate Academic Dean retains the responsibility to make the recommendation to the President. But if the recommendation is at variance with the recommendation of the Hearing Committee on Faculty Appointments, then he/she shall convey the committee report to the President and shall clearly state reasons for his/her recommendation.
  - f. The President shall have the responsibility for making a final determination.
  4. Termination involving cancellation of Term of Appointment:
    - a. The college shall seek to avoid terminations involving the cancellation of a term of appointment.
    - b. The same conditions for notification and for review that apply to other terminations of probationary faculty shall apply to terminations involving cancellation of term of the appointment except the burden of proof is on the college to show that acceptable reasons do exist.
  - E. Termination of Faculty with Continuous Appointment
    1. No faculty member on continuous appointment may be terminated without the right to recourse to a process involving full and adequate review.
    2. Acceptable reasons for termination of faculty on continuous appointment shall be divided into two distinct classes:
      - a. reasons of institutional exigency and
      - b. reasons of adequate cause.
    3. Acceptable reasons of institutional exigency are:
      - a. a demonstrably bona fide financial exigency, either college-wide or within an academic unit of the college, which cannot reasonably be alleviated by less drastic measures;
      - b. the discontinuance of an academic program not mandated by financial exigency.
    4. Termination for reasons of institutional exigency shall be called "Termination for Institutional Exigency."
    5. Acceptable reasons for adequate cause are:
      - a. demonstrated teaching deficiency, such as a pattern of teaching performance at a level significantly inferior to the performance level indicated by the criteria for continuous appointment;
      - b. demonstrated incompetence in scholarly activity or the absence of such scholarly activity as would be appropriate to the criteria for granting continuous appointment;
      - c. neglect of duty;
      - d. dishonesty in teaching or research;
      - e. personal conduct, including moral turpitude or insubordination, which substantially impairs the individual's ability to fulfill faculty responsibilities as judged by the college; and,
      - f. physical or mental incapacity, that makes the faculty member unable to continue to fulfill the terms and conditions of the appointment,

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6. Terminations for reasons of adequate cause shall be called “Dismissals for Adequate Cause.”
- F. Procedure for Termination of Faculty on Continuous Appointment for Institutional Exigency
1. Since reasons of institutional exigency are independent of the performance and person of the faculty member, the college has a special responsibility to persons terminated for reasons of institutional exigency. The burden of proof rests with the college to show that a reason of institutional exigency does apply to the case of the affected faculty member.
  2. Notification of such termination shall be given in writing to the faculty member as soon as possible and never less than four months prior to the termination date.
  3. Before terminating an appointment because of discontinuance of an academic degree program, a reasonable effort shall be made by the college to place the affected faculty member in another position for which he/she is qualified.
  4. An appointment terminated for institutional exigency shall not be filled by replacement within a period of two years, unless the released faculty member has been offered reappointment and a period of 30 days within which to accept or decline.
  5. Review of Decision:
    - a. a faculty member may request that his/her termination decision be reviewed by the Hearing Committee on Faculty Appointments (refer to IX, A.)
    - b. the college shall have the burden of making a clear and convincing case to the committee that an acceptable reason of institutional exigency does exist in the case of the affected faculty member.
    - c. the committee shall convey to the appropriate Academic Dean in writing its judgment concerning the alleged exigency. If the committee judges that clear and convincing proof of such exigency has not yet been presented, the President shall present the committee’s judgment to the Executive Committee of the Board of Trustees along with his/her recommendation.
    - d. the decision of the Executive Committee of the Board of Trustees shall be final unless the Executive Committee chooses to refer the matter to the full Board of Trustees. If it does so choose, the decision of the Board of Trustees shall be final. The Executive Committee or the full Board of Trustees shall make whatever investigations either shall deem necessary.
- G. Procedures for Dismissal for Adequate Cause of Faculty on Continuous Appointment
1. The appropriate Academic Dean shall notify the faculty member in writing of the specific reasons for dismissal and shall indicate a termination date. Except in cases of neglect of duty, dishonesty in teaching or research, or personal conduct that substantially impairs the individual to fulfill faculty responsibilities, the notification shall be given at least six months prior to the termination date.
  2. If the faculty member requests the President in writing, the President shall direct the Hearing Committee on Faculty Appointments (refer to IX, A) to review the termination decision.

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3. Service of notice of hearing with specific charges in writing will be made to the faculty member at least 20 days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges against him or her or asserts that the charges do not support a finding of adequate cause, the committee will evaluate all available evidence and rest its recommendation upon the evidence in the record.
4. During the proceedings the faculty member will be permitted to have an academic advisor and counsel of his/her own choice and at his/her own expense.
5. The burden of proof that adequate cause exists rests with the college, and shall be satisfied only by clear and convincing evidence in the record considered as a whole.
6. The Hearing Committee on Faculty Appointments will grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.
7. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentation or other evidence, The administration of the institution will, insofar as it is reasonably possible for it to do so, secure the cooperation of such witnesses and make available necessary documents and other evidence within its control.
8. The faculty member and the administration will have the right to confront and cross-examine all witnesses, Where the witness cannot or will not appear, but the Hearing Committee on Faculty Appointments determines that the interests of justice require admission of his/her statement, the committee will identify the witness, disclose his/her statement and if possible provide for interrogatories.
9. In the hearing of charges of teaching or scholarly incompetence, the testimony shall include that of qualified faculty members from this and/or other institutions of higher education.
10. The Hearing Committee on Faculty Appointments will not be bound by strict rules of legal evidence, and may admit evidence which is of probative value in determining the issues involved. Efforts will be made to obtain the most reliable evidence available.
11. The findings of fact and the committee recommendation will be based solely on the hearing record.
12. Except for such simple announcements, as may be required, relating to the time of the hearing or similar matters, public statements and publicity about the case by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the Board of Trustees.
13. If the Hearing Committee on Faculty Appointments concludes that the evidence has not established adequate cause for dismissal in the record, it will so report to the President. If the President rejects the report, he/she will state his/her reason for doing so, in writing, to the Hearing Committee on Faculty Appointments and to the faculty member, and provide an opportunity for response before transmitting the case to the Executive Committee of the Board of Trustees. If the Hearing Committee on Faculty Appointments concludes that an adequate cause for dismissal has been established it will so state with supporting reasons.

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14. The President shall convey the written recommendation of the Hearing Committee on Faculty Appointments to the Executive Committee of the Board of Trustees, along with his/her own recommendation,
15. The decision of the Executive Committee of the Board of Trustees shall be final unless the Executive Committee chooses to refer the matter to the full Board of Trustees. If it does so choose, the decision of the Board of Trustees shall be final. The Executive Committee or the full Board of Trustees shall make -whatever investigations either should deem appropriate.
16. The faculty member will be notified of the decision and shall be given either an electronic or a written copy of the record of the hearing, if requested.

**Promotion in Rank**

Outlined below are the purpose of a faculty rank system and the steps to attain a promotion in rank.

- A. The purpose of the faculty rank system is to recognize faculty for professional experience and increasing academic achievement in teaching, scholarship and service. Promotion in rank rewards faculty who invest in their professional growth. The rank system is intended to provide stability to the college's faculty and to promote academic excellence in all of its educational programs.

Holding certain academic credentials, usually in the form of earned academic degrees, is the cornerstone of the rank system. Therefore, external accrediting agents or recognized practice within a discipline will be used to determine the appropriate educational credentials to teach in that discipline as well as to determine the terminal degree in a given field of study. In any case that might arise where there is a dispute concerning appropriate credentials, the President, after making a thorough study and listening to all points of view, will make the determination.

- B. Academic ranks are established for full-time faculty. These ranks are: instructor, assistant professor, associate professor and professor. These four ranks apply to persons with full-time responsibilities; the minimum qualifications of each of these ranks are specified below.
  1. Instructor: The rank requires at least the master's degree. In most fields, appointment at this level is made with the expectation that additional graduate work in one's field will be pursued.
  2. Assistant Professor: For appointment or promotion to this rank, the standard in most fields is the earned doctorate or terminal degree in the discipline. Applicants with a master's degree in the appropriate discipline, three years of full-time college teaching experience, and potential for professional growth and advancement may also be considered.

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3. Associate Professor: The rank requires the doctorate or other acceptable terminal degree and a minimum of six years of full-time experience at the assistant professor level. Associate professors must provide evidence of outstanding service to the college commensurate with election to continuous appointment as well as evidence of professional achievement and potential for future growth and achievement. In lieu of a doctorate, nursing faculty with suitable advanced credentialing will also be considered.
4. Professor: The rank requires the doctorate or other acceptable terminal degree, superior performance of one's professional responsibilities, and normally the equivalent of six years as associate professor. In addition, one's accomplishments in scholarly, creative, or other professional endeavors must have received a recognition from the college or from a scholarly, performing, exhibiting, professional, or publishing organization.
5. Professional Librarians: While these positions are not eligible for continuous appointment (See III, D), they are eligible to apply for promotion in rank based upon the above criteria for years of experience and academic credentials, and the following criteria related to job performance:

#### **Promotion in Rank for Librarians**

Librarians seeking promotion in rank must demonstrate excellence in performance of assigned responsibilities, as well as the ability to work productively in a professional context. Librarians must demonstrate contributions in the areas of service to the profession and service to the college, with significant contribution in one of these two areas.

The following criteria shall be considered in promotion in academic rank for professional librarians:

1. Excellence in performance of all assigned responsibilities as a librarian
  - a. Candidate must demonstrate excellence in performance of assigned responsibilities delineated in the job description in one or more of the following capacities: 1) reference, 2) collection development, 3) bibliographic organization and control, and 4) administration,
2. Service to the profession, professional development and scholarship
  - a. Candidate must demonstrate service to the profession, professional development and/or scholarship including, but not limited to, participating in professional organizations; participating in community or civic activities; completing course work or seminars to update knowledge or job expertise; consulting; serving as a member of experts task force, review committee or similar body; and presenting papers.
3. Service to the college
  - a. Service to Midway College shall be evidenced by distinctive fulfillment of one's role as a faculty member including but not limited to participation as a contributing member of college committees or faculty governance; assistance in preparation of or administration of grants; support of college-recognized extracurricular activities and active concern for students

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C. Procedure for Application and Review for Promotion

A faculty member desiring a promotion must follow these steps:

1. When a faculty member becomes eligible to be considered for promotion in rank, either by virtue of earning a degree that is required at a higher rank or due to spending the required time in a given rank, the appropriate Academic Dean shall notify the faculty member by May 15 of each academic year.
2. Faculty members who believe their contributions to be extraordinary, but who do not hold the academic degree usually expected for the rank to which they aspire and who wish to apply for promotion in rank, must notify the appropriate Academic Dean of their intent by May 15 of any academic year.
3. Faculty members will not be considered for promotion to the senior ranks (associate professor and professor) prior to the time they apply for continuous appointment. A person cannot be recommended for promotion in rank when he/she is also applying for continuous appointment unless there is a positive recommendation for his or her continuous appointment,
4. Just as persons with experience at other institutions may negotiate at the time of their appointment to have their probationary period shortened (see IV, C.), they may negotiate an appointment at a professorial rank appropriate to that experience or for the required time to be spent in a given rank to be abbreviated, If a faculty member's initial appointment is to the senior ranks, the appointment does not prejudice the decision later concerning continuous appointment in favor of the faculty member since continuous appointment is based on institutional needs and the record of service to Midway College.
5. The procedure for applying for promotion in rank and for the review and decision shall follow the same time line and procedures outlined in Section VII. If a person is applying both for continuous appointment and promotion in rank, only one set of documents by the faculty member and the administration need be developed.
6. A decision to deny promotion is not subject to appeal. Only the Board of Trustees may grant a promotion in rank.