

FACULTY HANDBOOK

2022 Edition

A GUIDE TO BASIC POLICIES, REGULATIONS,
PRACTICES, AND EXPECTATIONS



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Preface

The purpose of this *Handbook* is to provide all members of the Bowie State University Faculty with knowledge of the policies, regulations, practices, and expectations that prevail at the University. The various provisions of this *Handbook* are subject to revision from time to time by the Board of Regents, administration, and faculty on their own initiative or in response to changes in state and federal law. As a publication of general reference, however, and because it presents material in summary form, the *Handbook* is not intended as an exhaustive source of University information.

The provisions of this *Handbook* derive their authority from various sources and are primarily statements made by the administration of customary practice, administrative organization, or explicit policy established at the University, often after consultation with the faculty. The committees of the faculty and the academic requirements of the University are recommended by the faculty. Fringe benefit provisions and the conditions of employment are derived from actions taken by the Board of Regents and the administration. Provisions of the *Handbook*, whether derived from Regent approval, faculty recommendation, or administrative or Regent action, are subject to modification or revocation by the appropriate authority following proper procedures. Such change is not necessarily retroactive.

Every reasonable effort has been made to ensure that information included in the *Handbook* is accurate at the time of publication. University policies and statements, however, are subject to change, as are various state and federal laws referenced in the *Handbook*. Accordingly, actual University policies, statements, and/or applicable local, state, and federal laws take precedence over the contents of the *Handbook*; and faculty members should consult their respective department chairs, coordinators, deans, or vice presidents (or make other appropriate inquiry) regarding the status of any *Handbook* information on which they rely. It is anticipated that the *Handbook* will be revised and updated periodically.

The policies, rules, and documents reproduced or summarized in the Faculty Handbook represent the best efforts of the editors at accuracy. Nevertheless, errors may have occurred, and in all instances, readers are referred to the official documents as promulgated (and any official amendment thereto). Should differences exist, the official documents shall be the controlling authority. The university periodically develops new, or amends existing, policies, regulations, and procedures. Faculty members and/or readers are subject to all current official university policies, procedures, and regulations. This publication supersedes all prior faculty handbooks. The handbook does not create contractual rights between the university and any faculty member.

BSU Faculty contracts incorporate and reference provisions in paragraphs I.C.1 through I.C.15 of the BOR Policy on Appointment, Rank, and Tenure. At the time of the initial appointment, each new faculty member shall be furnished the provisions in paragraphs I.C.1 through I.C.15 of this policy.

CHAPTER 1

Bowie State University History

Bowie State University is an outgrowth of a school opened in Baltimore, Maryland by an organization dedicated to offering educational opportunities the state failed to provide for its black citizens. From those humble beginnings, Bowie State has become a comprehensive university with more than 6,100 diverse students, offering 22 undergraduate majors and 35 master's, doctoral and advanced certification programs in a broad range of disciplines. Bowie State University continues to build on its legacy of providing access to high-quality education.

FOUNDING OF THE FIRST SCHOOL

The Baltimore Association for the Moral and Educational Improvement of the Colored People was organized in 1864 by 46 men, comprised of businessmen, lawyers, clergymen and Quakers, committed to opening schools to educate the state's newly emancipated citizens. One of those men was Joseph M. Cushing, an outspoken champion for the education of the black population.

As chairman of the Educational Committee for Maryland's Constitutional Convention in 1864, Cushing chastised the committee's refusal to fund schools for black people: "There will come a time when this state will be forced by public opinion to provide means for educating our colored population." The association opened its first Baltimore school, School #1, on January 9, 1865, in the African Baptist Church in Crane's Building on the corner of Calvert and Saratoga streets. The school offered courses in the elements of education. Courses to train teachers were added in 1866.

The facility was woefully inadequate. In 1867, with the aid of the Freedmen's Bureau, the Quakers of England and others, the Baltimore Association purchased and renovated the Old Friends Meeting House at the corner of Saratoga and Courtland streets to house the Baltimore Normal School for Colored Teachers.

MOVE TO BOWIE

After repeated petitions from the Baltimore Normal School trustees, the state legislature authorized the Board of Education to assume control of the school in 1908 and re-designated it as Normal School No. 3, finally fulfilling the dream of Cushing and the Baltimore Association. By 1910, the state decided to relocate the school to Bowie, Maryland, purchasing a 187-acre tract, formerly known as Jericho Farm, dating to 1716. The school opened at the new location in 1911 with about 60 students and Don Speed Smith Goodloe as the first black man to head the school as principal. In 1914, its name changed to the Maryland Normal and Industrial School at Bowie.

Under President Leonidas James, the school began a two-year professional curriculum in teacher education in 1925, which expanded to a three-year program in 1931. A four-year program to train elementary school teachers was introduced in 1935, and the school was renamed the Maryland Teachers College at Bowie.

Teacher education continued to expand under the 25-year tenure of President William Henry. The institution established programs to train teachers for junior high school (1951) and secondary education (1961) and advanced toward becoming a liberal arts college.

TRANSITION TO A STATE LIBERAL ARTS COLLEGE

The Maryland State Legislature authorized the college to become Bowie State College in 1963, following the establishment of a liberal arts program. New majors in English, history and general social science were added, expanding offerings beyond teacher education.

Under President Samuel Myers, the college established its first graduate degree program, offering the Master of Education in 1969. The first director of the graduate division was Dr. J. Alexander Wiseman, a graduate of the Maryland Teachers College at Bowie and the first African American to earn a doctoral degree from the University of Maryland, College Park.

EMERGENCE AS A COMPREHENSIVE UNIVERSITY

In 1988, Bowie State College became Bowie State University under President James Lyons, reflecting significant growth in academic programs, enrollment, and community service. On the same day, the university also became one of the member institutions of the newly formed University System of Maryland.

Bowie State University gained recognition as a leader in the education of science, technology, engineering, and mathematics (STEM) disciplines. In 1995, Bowie State won an 11-year, \$27 million award from the National Aeronautics and Space Administration/National Science Foundation, becoming one of only six national Model Institutions for Excellence in STEM.

TODAY'S BOWIE STATE UNIVERSITY

Under the current leadership of Dr. Aminta Breaux, (the 1st female president of Bowie State University), Bowie State University ranks among the nation's top comprehensive universities, cultivating next generation leaders by providing opportunities for students to discover their strengths through focused academic experiences and opportunities to tackle real-world problems.

Money Magazine lists Bowie State among the nation's best value colleges and universities, and U.S. News & World Report continues to rank Bowie State among the top 25 historically black colleges and universities. Bowie State's cybersecurity programs are recognized as a National Center for Academic Excellence in Information Assurance Education by the National Security Agency and the Department of Homeland Security.

Now more than ever, Bowie State University is committed to preparing students for success and responsible citizenship in a highly technological world, to contribute to addressing the challenges of poverty, multiple hierarchies of domination, and climate crisis, and building a more just global society.

CHAPTER 2

Core Values, Mission, and Identity

2.1 CORE VALUES

Excellence
Inclusivity
Integrity
Accountability
Innovation

2.2 MISSION STATEMENT

As Maryland's first historically black public university, Bowie State University empowers a diverse population of students to reach their potential by providing innovative academic programs and transformational experiences as they prepare for careers, lifelong learning, and civic responsibility. Bowie State University supports Maryland's workforce and economy by engaging in strategic partnerships, research, and public service to benefit our local, state, national, and global communities.

Vision

Bowie State University will be widely recognized as one of the nation's best public comprehensive universities that is a model for academic excellence, innovation, and student success.

Goal 1 – Achieve Academic Excellence Supported by Curricular as well as Co-curricular Experiences

Bowie State University will achieve academic excellence through quality teaching, learning, and research; high-demand innovative academic programs; high impact student activities; and strategic partnerships.

Objectives

1.1 High-demand, innovative academic programs – Modify existing academic programs, and create and support new, high-demand programs that will promote the ongoing growth and development of the institution.

1.2 High-impact activities – Integrate and enhance opportunities for students to participate in study abroad, service learning, civic engagement, internships, and other experiential learning activities, with university financial support available to assist those with limited means.

1.3 Engaged faculty – Recruit and retain faculty committed to student success through continuous development of excellence and innovation within their pedagogical course delivery. Provide

support for faculty scholarship, research, and academic presence in their respective fields. Enhance faculty skills and capacity for applying for and managing external funding.

1.4 Cultivate external relationships – Increase corporate, educational, and government partnerships to help provide career-oriented opportunities for our students and alumni.

1.5 Undergraduate education – Re-examine the undergraduate general education experiences to prepare students for success in their majors, promote lifelong learning and provide a foundation for personal and professional success after graduation.

1.6 Graduate education – Re-examine our approach to graduate education and revise as necessary to address the unique needs of the adult learner population and to grow enrollment.

1.7 Learning outcomes assessment – continue to mature our system of assessing student learning outcomes and implementing curricular improvements resulting from assessment findings.

Goal 2 – Promote a Holistic and Coordinated Approach to Student Success

Bowie State University will honor its rich heritage and culture by promoting access, affordability, and completion through resources and opportunities that empower students to succeed at every level of learning.

Objectives

2.1 Enrollment Management Division – Create a comprehensive enrollment management approach that promotes a student-centered philosophy through a coordinated, consolidated, and streamlined system of operations and retention activities using data, information, and program evaluation to inform continuous improvement and long-term strategy.

2.2 New student experience program – Develop a comprehensive new student experience program for all levels that sets standards and expectations of what it means to be a successful Bowie student.

2.3 Admission policies and procedures – Align admission policies and procedures to ensure that the university is honoring its historical mission of access and opportunity.

2.4 Financial aid awarding strategy – Develop a comprehensive financial aid awarding strategy that leverages institutional, private, state, and federal resources to strategically align resources to support student success.

2.5 Student retention and progression strategy – Develop and implement a comprehensive undergraduate and graduate retention and progression strategy by encouraging innovation and collaboration between academic and non-academic units in efforts to support student success.

2.6 Holistic student development – Integrate deliberate academic and co-curricular programs and services with the goal of developing our students intellectually, emotionally, socially, physically, artistically, creatively, and spiritually.

Goal 3 – Encourage Academic and Administrative Innovation to Meet Student Needs

Bowie State University will engage in academic transformation initiatives which encourage increased levels of student success, and we will regularly evaluate administrative processes and leverage new approaches to improve the student experience.

Objectives

3.1 Faculty experimentation/innovation – Leverage internal fiscal and physical resources, USM Academic Transformation grants, and other opportunities to promote experimentation and innovation. Examine current human resource practices, promotion, and tenure expectations and the faculty merit process to recognize efforts in these areas.

3.2 Academic programming through alternative formats – Offer targeted programs through alternative modalities, online delivery, regional higher education centers, and other community locations, to meet the needs of all prospective students and of the state, national, and global workforce.

3.3 Leverage current and new technologies to support student success – assess the capabilities of current technologies to promote efficiency and effectiveness in administrative and academic processes and have a transparent and inclusive process for evaluating new technologies.

3.4 Construct an analytics capacity – develop a data warehouse that incorporates a reporting tool to provide actionable information to support student retention, progression, and graduation.

Goal 4 – Enhance our Campus Culture of Diversity, Inclusion and Civic Engagement

Bowie State University will embrace, promote, and support a community of cultural inclusivity, diversity, and accountability by ensuring that faculty, staff, and students develop a mindset of accountability in teaching, learning, support programs, and extra-curricular campus experiences designed to enhance collaboration and engagement.

Objectives

4.1 Community of inclusion – Sustain our commitment to fostering and supporting a safe, civil, and welcoming environment for students, faculty, and staff by being intentional about how our community encourages involvement, respect, and connection among its members.

4.2 Culturally responsive pedagogies – expand the use of culturally responsive pedagogies through faculty development.

4.3 Multicultural programs and services – establish an Office of Multicultural Programs and Services that promotes an appreciation of inclusion and diversity on campus and assists with the retention and graduation of international students.

4.4 Culture of historical richness – cultivate a culture of historical richness through campus displays and events that celebrate significant events and outcomes.

4.5 Civic responsibility – Continue to educate the next generation of global citizens to build stronger, more engaged communities through coordinated and deliberate activities aimed at improving the quality of life in our community and strengthening our democracy through political and nonpolitical engagement.

Goal 5 – Ensure Long-term Viability of BSU

Bowie State University will create a unified understanding of the elements that define the unique qualities of its value to attract a culturally diverse student body and actively engage the surrounding region. We will leverage fiscal resources from public and private sources to advance strategic priorities that create a sustainable future for the university, the county, and the State of Maryland.

Objectives

5.1 Entrepreneurship/workforce development – Develop education for equipping the future workforce with leadership and entrepreneurial mindset required in the 21st century.

5.2 Engaged employees committed to student success – Recruit and retain employees committed to student success and support them through professional development and opportunities for advancement and engagement.

5.3 Alumni engagement – Implement strategies to solidify mutually beneficial and intentional connections between alumni and the university to expand opportunities for personal and career development for both alumni and students through the #BSU4LIFE program.

5.4 Service for the public good/community engagement – Collaborate with businesses, government economic development, and community organizations to serve the public good by using the university's resources to impact critical areas of need including social justice, education technology and health.

5.5 Identity/branding – broaden recognition of the distinctive experiences and programs that define BSU and its value for individuals and communities locally and globally.

5.6 Resource development – Grow a culture of philanthropy and enhance external funding from public and private giving, grants, contracts, partnerships, and sponsorships and promote and demonstrate effective stewardship of resources to achieve the university's strategic priorities.

5.7 Sustainability and facilities development – continue to develop a campus infrastructure that supports a commitment to eco-friendly practices in expanding facilities that enhance student development and innovative instructional practices.

Source: BSU FY 2019-2024 Strategic Plan. <https://bowiestate.edu/about/administration-and-governance/office-of-the-president/reports/bsu-strategic-plan-fy19-fy24.pdf>

CHAPTER 3

STATE ORGANIZATION AND GOVERNANCE

3.1 STRUCTURE OF PUBLIC HIGHER EDUCATION IN MARYLAND

Maryland public higher education is organized on the following levels: The University System of Maryland (USM), governed by its Board of Regents; the community colleges, each governed by its own board; and St. Mary's College and Morgan State University, each with its own governing board. BSU is one of the institutions governed by the Board of Regents of the USM.

3.1.2 The Board of Regents

The governing body of the USM is the 21-member Board of Regents. Appointed by the governor, president of the senate, and the speaker of the house. The regents oversee the system's academic, administrative, and financial operations; formulate policy; and appoint the USM chancellor and the presidents of the system's 12 institutions. Except for the student members, each regent is appointed for a term of five years and may not serve more than two consecutive terms. Student regents are appointed for a two-year term and may be reappointed. <https://www.usmd.edu/regents/>

3.1.3 University System of Maryland Chancellor

The Chancellor is the Chief Executive Officer of the USM and reports to the Board of Regents. The system Office includes seven Vice Chancellors: Academic and Student Affairs, Administration and Finance, Advancement, Communications and Marketing, Economic Development, Government Relations, and Environmental Sustainability. The system office coordinates academic programs, long-range planning and budgeting. The President of BSU reports to the USM Chancellor.

3.1.4 The University System of Maryland

The University System of Maryland (USM) was formed in 1988. It consists of the universities, research, and service units formerly governed by the Board of Regents of the University of Maryland and the six state universities and colleges formerly under the administration of the Board of Trustees of the State Universities and Colleges.

There are 11 degree-granting state campuses: Bowie State University, Coppin State University, Frostburg State University, Salisbury University, Towson University, University of Baltimore (UB), University of Maryland, Baltimore (UMB), University of Maryland, Baltimore County (UMBC), University of Maryland Center for Environmental Science (UMCES), University of Maryland, College Park (UMCP), University of Maryland Eastern Shore (UMES), and University of Maryland Global Campus (UMGC). The System also includes three system-wide higher education centers: The Universities at Shady Grove (in Montgomery County), University System of Maryland at Hagerstown, and University System of Maryland at Southern Maryland.

3.1.5 The Maryland Higher Education Commission

The Maryland Higher Education Commission (MHEC) was founded in 1988 and is the state's central coordinating authority for higher education. The Commission is composed of 12 members. The governor, with the consent of the Maryland Senate, appoints 11 members for five-year terms. The twelfth member is the chairperson of the Student Advisory Council. The governor designates a chairperson annually from among the commission members. The Secretary of Higher Education, who is nominated by the Commission and selected by the Governor, is the chief executive officer of MHEC.

3.1.6 Council of University System Presidents

State law mandates that the Board of Regents establish a Council of University System Presidents (CUSP) that "shall serve in an advisory capacity to the Chancellor" and that "may from time to time make reports and recommendations to the Board." BSU's President is a member of CUSP.

3.1.7 AAAC Council

The Academic Affairs Advisory Council (AAAC) was created in 1988 and charged to serve in an advisory capacity to the Chancellor's Council, ensuring that the Chancellor's Council receives the best advice of institutional academic administrators and faculty on inter-institutional and extra-system issues related to faculty affairs, graduate and undergraduate programs, and research; to encourage consultation among USM institutions on system-wide academic and research issues. The AAAC ensures that each institution participates in the consideration of system-wide academic issues that may have an impact on its particular mission. Chaired by the Senior Vice Chancellor for Academic and Student Affairs, the Council is comprised of the chief academic officers or equivalent, of all 12 USM institutions. The AAAC meets monthly.

3.1.8 Council of University System Faculty

The Council of the University System Faculty (CUSF) consists of 32 faculty members. The CUSF's primary role is to advise the Chancellor and report regularly to the Board of Regents. The council is responsible for considering and making recommendations on matters of system-wide professional and educational concern to the faculty and matters to which faculty bring special expertise. BSU faculty sends two representatives to serve on CUSF.

3.2 GOVERNANCE OF BOWIE STATE UNIVERSITY

3.3 UNIVERSITY ADMINISTRATION

3.3.1 Office of the President

The President is the Chief Executive Officer of the University and is accountable to the USM Board of Regents through the Chancellor. Reporting directly to the President are Vice Presidents and Directors responsible for academic and administrative units at the University: Academic Affairs, Administration and Finance, Enrollment Management, Information Technology,

Intercollegiate Athletics and Recreation, Institutional Advancement, Legal and Government Affairs and Chief of Staff, University Relations and Marketing, and Title III.

3.3.2 The Division of Academic Affairs

The Provost and Vice President for Academic Affairs is the chief academic officer, responsible for all academic programs and personnel. Reporting to the Provost are the Associate Provost, Dean of the College of Arts and Sciences, Dean of the College of Business, Dean of the College of Education, Dean of the College of Professional Studies, Dean of Graduate Studies, Dean of the Library, Assistant Vice President for Undergraduate Studies, Assistant Vice President for Institutional Effectiveness, Assistant Vice President for Assessment, Assistant Vice President for Research. Other offices in the Division of Academic Affairs include Academic Advisement, Continuing Education and External Programs, TRIO and Bulldog Scholars, Honors Program, International Programs, Entrepreneurship Academy, Academic Transformation and Center for Excellence in Teaching and Learning (CETL).

3.3.3 The Division of Administration and Finance

The Division of Administration and Finance supports BSU's mission by providing people-oriented, technologically enhanced, and fiscally-sound operational management in partnership with faculty, staff, students, and the campus community. The Division's goal is to meet and surpass BSU's academic priorities and student expectations while following business practices that meet or exceed state and national standards and best practices. Further, the Division endeavors to gain recognition for providing outstanding service that enables its customers to achieve their goals. The Division works with its customers in promoting mutual respect, fair treatment, involvement, and professional accountability. Administration and Finance takes pride in its work and is committed to the concept of continuous improvement through personal growth and professional development.

The Vice President for Administration and Finance and Chief Financial Officer is responsible for overseeing the University's administrative services, budget, financial operations and accounting, capital and facilities planning, human resource management, plant operations and maintenance, transportation, sustainability and auxiliary services.

3.3.4 The Division of Institutional Advancement

The Division of Institutional Advancement works with a range of stakeholders and friends of the University to achieve the following objectives:

- Acquiring funds for financial assistance and scholarships for determined, dedicated students;
- Enhancing the University's infrastructure through funding for endowments and facilities;
- Providing resources for academic programs that enhance BSU's ability to carry out and maximize its educational mission; and
- Developing collaborations of mutual benefit to community partners, corporations, and organizations within the University.

The Vice President for Institutional Advancement is responsible for the management of the University's alumni relations and fundraising. The Vice President also serves on the Bowie State University Foundation Board as an ex-officio member and is the Executive Director of the Foundation.

3.3.5 The Division of Information Technology

The Division of Information Technology (DoIT) at BSU provides a wide variety of technical services to the community, including Enterprise Applications Support, Enterprise Support Services, Systems, Networking, Web Support, Online Course Support, and Telecommunications.

The Division of Information Technology is committed to empowering its customers to dramatically improve their business performance by enabling interoperability between diverse technology systems and the streamlining of business processes. Business integration (e.g., Online Course Development, technology in Teaching and Learning, reporting, imaging, and print solutions) is increasingly strategic to the success of competitive organizations. DoIT is committed to attaining the highest level of quality and integrity in all relationships with the students, faculty, staff, and alumni. The Division will accomplish its mission with a proactive approach to identifying, sharing, and resolving problems promptly and courteously in an ongoing effort to provide excellent service.

3.3.6 The Division of Student Affairs

The Division of Student Affairs supports the University's mission and goals through its leadership in the provision of excellent services to all students beyond the classroom. The Division fosters student success by promoting intentional opportunities for overall development among undergraduate and graduate students and the promotion of academic excellence, personal growth, leadership, social and civic responsibility, and diversity.

The Division of Student Affairs provides co-curricular programs and services for undergraduate students. The Vice President for Student Affairs is responsible for Counseling Services, Housing and Residential Life, Student Conduct and Community Standards, Campus Safety, Alcohol, Tobacco and Other Drug Prevention, Wellness Center and Student Life.

3.3.7 The Division of Enrollment Management

The Division of Enrollment Management, comprised of the offices of Admissions, Financial Aid Registrar, and New Student Experience, coordinates the processes and resources to assist new BSU students as they transition into college and ultimately obtain a degree.

3.3.8 Legal and Government Affairs

The Executive Vice President and General Counsel oversees legal matters and government relations on behalf of the University. The General Counsel provides advice and counsel to the President and members of the Cabinet, and is responsible for reviewing contracts for legal sufficiency and maintaining the University's policies. The Office of the General Counsel is the

designated office for receiving and processing requests for public records under the Maryland Public Information Act. Contracts, MOUs and other agreements to which BSU is a party, must be reviewed by the General Counsel's office prior to execution.

3.3.9 Intercollegiate Athletics and Recreation

The Vice President for Intercollegiate Athletics and Recreation oversees athletic teams providing opportunities for students to compete in several sports. The Vice President works with the Faculty Athletic Representative (FAR) ensure that student-athletes have the support they need to succeed academically. Intercollegiate Athletics and Recreation also provides programs to support the wellbeing of faculty, staff and students.

3.3.10 University Relations and Marketing

The Office of University Relations and Marketing (URM) provides support to BSU faculty, staff and students in the areas of integrated marketing, strategic communications and media relations. URM provides editorial oversight to all major campus publications. URM is responsible for and provides guidelines for use of the University's logo. The Director of University Relations and Marketing is the official spokesperson for the University.

3.4 THE COLLEGES

There are four colleges with academic departments and programs, and one school that administers graduate programs. Each department offers one or more major programs. For a full description of programs, policies, and procedures of each college, see the *Undergraduate Catalog and the Graduate Catalog*.

3.4.1 The College of Business (COB)

The College of Business (COB) is comprised of three academic departments: Accounting, Finance, and Economics; Management and Information Systems; and Management, Marketing, and Public Administration.

3.4.2 The College of Education (COE)

The College of Education (COE) is comprised of three academic departments: Counseling; Educational Leadership; and Teaching, Learning, and Professional Development. The Maryland State Department of Education (MSDE) and the National Council for Accreditation of Teacher Education (NCATE) approve all BSU professional educator preparation programs.

3.4.3 The College of Arts and Sciences (CAS)

The College of Arts and Sciences is composed of nine academic departments: Communications, Computer Science, Technology and Security, English and Modern Languages, Fine and Performing Arts, History and Government, Mathematics, Military Science, and Natural Sciences.

3.4.4 The College of Professional Studies (CPS)

The College of Professional Studies is composed of four academic departments: Behavioral Sciences and Human Services, Nursing, Psychology, and Social Work.

3.4.5 The Graduate School

The Graduate School provides administrative support for the school's graduate master and doctoral level programs. The Graduate School's administrative duties are carried out through the Dean and include administering the graduate assistantships and processing transfer credits. Within its four colleges, BSU offers specialty certificates, master's degree programs, and doctoral programs.

3.5 THE DEANS OF THE COLLEGES

Each of the colleges at BSU is administered by a dean who serves as the college's chief administrative officer. The dean is hired by the President and is accountable to the Provost, and through the Provost to the President.

The dean represents the departments, centers, institutes, and other units and the faculty of the college to the central administration and represents the central administration to the departments and other units and the faculty. In fulfilling his/her responsibilities, the dean is expected to exercise appropriate control of the college's operations and components, while implementing the policies, procedures, and best practices of the University. The dean has a wide range of duties, the relative importance of which varies depending upon the needs of the college, its departments, and the University.

3.5.1 Governance of Colleges

The dean is responsible for providing leadership, which allows the departments and other units in the college to attain appropriate educational objectives while promoting the common interests of the college and the University. The dean is advised by the department chairpersons/program directors, and by the staff and committees within the college. However, the dean has the ultimate responsibility for recommendations to the University's administration and for interpreting and representing the work of the college to constituencies outside the college and outside the University.

The dean promotes and maintains high academic standards within the college, including the advancement of scholarship and program development activities. The dean encourages and promotes new ideas and fosters and maintains an intellectual and creative climate within his/her college. The dean provides guidance in overall planning and coordination of academic programs, and facilitates communication, both within the college and to units external to the college. The dean provides leadership in the recruitment and retention of students in the college's programs. The dean consults with the dean of the Graduate School regarding matters related to those units.

The dean, in consultation with faculty, exercises leadership in the selection, retention, promotion, and development of faculty and staff. The dean orients, supervises, and evaluates chairpersons, directors, and other unit leaders. Depending on the needs of the college, its departments, and the University at any given time, the dean is active in state, regional, and national professional organizations, whether decanal or in his or her academic discipline, and/or in other activities external to the University appropriate to the interests of the college and the University and/or in scholarship and/or in teaching.

3.5.2 The Deans and Administration

The dean's administrative duties include responsibility for the management of resources and facilities assigned to the college and its units, oversight of routine and non-routine activities required of the college and its units, and interaction with other administrative units of BSU and of the USM. The dean appoints administrative and clerical staff to help carry out the administrative functions of the office.

The dean reviews all advertisements for faculty positions, interviews all finalists for faculty positions, and after consultation with the department/program faculty, advises the provost on the appointment of new faculty. The dean also advises the provost regarding proposed promotions, tenure recommendations, salaries, leaves, dismissals, and resignations of the college's faculty, and administrative and clerical staff.

The dean has oversight for department budgets. After considering the budget requests of the departments within the college, the dean prepares a budget request for the college and presents it to the provost. The dean also oversees space within the academic buildings assigned to him/her and serves as liaison with architects in the design of new facilities or major renovations. The dean works with chairpersons and program directors to develop appropriate course scheduling and approves all course schedules in the college. The dean may establish committees or task forces to address issues or accomplish specific tasks.

3.5.3 Evaluation

The provost evaluates each dean annually based upon the dean's annual goals and objectives. Each year in consultation with the provost, these objectives are set to reflect the annual goals of the university and the college as well as the dean's own professional activities. The faculty within each college evaluate their dean annually, using the instrument approved by the Faculty Evaluation Committee. The provost shares the results of the evaluation of each dean with him or her for the purpose of enhancing the dean's leadership skills and abilities. The results are also used by the provost in making decisions about whether to retain the deans in their positions.

3.5.4 Academic Department Administration (Chairs)

An academic department of the University consists of faculty members whose primary professional expertise is in a specific discipline or in one of several related disciplines. Each faculty member shall be a member of an academic department.

The Chair of an academic department is first among equals in his or her position as its chief administrative officer. Tenured faculty in the respective departments elect their chair, who is elected for a two-year term through processes outlined in the chair's selection policy, found in the BSU Faculty Constitution (see Appendix 3). Departments with two or more disciplines may have an Area Coordinator for each discipline, appointed by the Department Chairperson in consultation with the tenured full-time faculty in the respective area. Area coordinators must be core faculty of the University. If a Department has fewer than four tenured faculty members, then it shall identify one or more of its highest-ranking tenured-track members with a minimum of three years of full-time teaching at BSU to serve as "senior faculty." The total of tenured and "senior" members shall not exceed four. For such a department, faculty members who are candidates for Department Chair must hold tenure.

The chairperson serves as both an administrator and faculty member, occupying a unique blended position in the administrative hierarchy. The primary role of the chairperson is to lead faculty and staff colleagues in the department to create an effective and efficient learning environment by

- Ensuring that the needs of the students in the programs supported by the department and the general education courses delivered by the department are fully met;
- Ensuring continual professional and personal growth of departmental colleagues;
- Fostering appropriate change and planning;
- Promoting scholarship for advancement of the discipline(s);
- Being an advocate for the academic mission, values, and needs of the department, college, and University; and
- Maintaining and overseeing the standards for completion of program requirements toward graduation.

The chairperson is expected to integrate faculty and administrative functions, engaging in leadership, management, teaching, scholarship, and service activities, toward the creation of an effective and efficient academic unit.

Using the instrument developed for this purpose by the Faculty Evaluation Committee, the faculty within each department evaluate the chairperson annually. The results of these evaluations are compiled and summarized in a report written by the Dean to whom the chairperson reports. The Dean shares this report with the chairperson for the purpose of working with the chairperson to enhance his or her leadership skills and abilities.

3.5.5 Departmental Governance

The immediate governance of the department is vested in its departmental faculty, which has authority to make recommendations on all questions of the department's academic policy to the appropriate academic committees, to represent the department on committees requiring departmental representation. Should a department have fewer than four tenured faculty members, the policy described in section 3.5.4 must be followed. Except for the representative for the University Appointment, Rank, and Tenure Committee, the department shall elect its committee representatives from the tenured and tenure-track faculty and as required. See Section VI.C for the definition of "senior faculty." All tenured faculty have the right to make recommendations in the

election of the chairperson of the department and to serve on search committees for new faculty and staff members. All full-time faculty members have the right to participate and vote in departmental faculty meetings. There are matters, such as determining appointment, rank, and tenure; selecting a chairperson; and awarding merit, that are not voted upon in general departmental faculty meetings. All full-time faculty will evaluate their department chair annually, using the instrument approved for this purpose by the Faculty Evaluation Committee.

The faculty of a department shall create and maintain a standing committee structure that includes the following committees:

1. Academic Standards and Policies Committee (core)
2. Appointment, Rank, and Tenure (core)
3. Curriculum (core)
4. Departmental Evaluation Committee
5. Chairperson Election Committee
6. Departmental Assessment Committee (core)

These core and ad hoc committees shall advise the department and Chairperson in the general administration of departmental affairs. The Chairperson may also create ad hoc committees or task forces as determined. These special committees shall be representative of the department faculty by rank and shall not supersede the duties and responsibilities of any of the core standing committees.

While core roles of the chairperson are common across different academic disciplines and departments, specific roles may vary due to the distinctive missions, objectives, and challenges associated with a department. Therefore, the specific responsibilities for each chairperson shall be negotiated with the dean of the respective college at the time of appointment and reviewed on an annual basis.

3.6 UNIVERSITY GOVERNANCE

The competitive requirements of a regional comprehensive university demand a shared and participatory system of governance that creates for each member of the BSU community an opportunity for responsible involvement, communication, and accountability.

BSU is committed to a system of shared governance that fosters communication and shared responsibility among interdependent members of the BSU community to achieve the University's mission and goals and ensure its welfare. The system provides an opportunity for its constituencies to utilize their expertise, express their wisdom, and make recommendations to the President in their areas of responsibility. Shared governance is reflected in the University System of Maryland Policy I-6.00 (see appendix 1), approved on October 4, 1996; amended on August 25, 2000. The USM and BSU subscribe to principles of the Joint Statement on Government of Colleges and Universities, formulated in 1966 by the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges.

3.6.1 The University Council

The University Council facilitates and coordinates communication among the faculty, staff, administration, and students of BSU. The Council meets regularly to provide opportunities for representative governance groups (Faculty Senate, Staff Council, Administration, Student Government Association (SGA); and Graduate Student Association (GSA)) to discuss issues affecting the campus community. The Council is supported by University Council committees, which performs much of the work of the Council.

The Council shall have such responsibilities as may hereafter be delegated to it by the shared governance groups, the President of the University, or by the Board of Regents, and shall have the power to enact, amend, and repeal its own bylaws for its internal functioning. The University Council makes recommendations to the President concerning policies, procedures, programs, and plans that affect University constituencies (see Appendix 2: University Council Constitution and By-Laws).

3.7 FACULTY ASSOCIATION

Shared governance provides the opportunity for the faculty to use its expertise to express its wisdom, and recommendations to the Provost and/or President as appropriate, in areas of faculty responsibility. Shared governance recognizes the President's authority as defined by the Board of Regents of the University System of Maryland. Pursuant to the BSU Policy on the Role of Faculty in the Development of Academic Policy (<https://www.bowiestate.edu/gc/university-policies/section-ii-faculty/ii--300--policy-on-role-of-faculty-in-the-development-of-academic-policy/>), the Bowie State University faculty will have the primary role in the development of academic policies through representative advisory bodies to the chief executive officer or designee. The representative body, through which the faculty exercises its responsibility, is the Bowie State University Faculty Senate.

The name of the faculty governance body at BSU shall be the BSU Faculty Senate, hereinafter referred to as the Senate. The purpose of the Faculty Senate shall be to enable the University's faculty to effectively perform its functions and to carry out its responsibilities as the professional teaching body of the University. The body shall make recommendations on behalf of the Faculty Association, directly to the Provost and/or President on the following matters of primary faculty responsibility: academic policies, procedures, and standards; curriculum, course content and instruction; research and scholarship; appointment, retention, promotion and tenure of faculty members, and the development of policies that affect faculty welfare generally; selection and appointment of department chairs and administrators; mission and budget priorities and issues that affect the ability of students to complete their education; and other issues that affect the overall welfare of BSU.

The core faculty of the University (full-time tenured and tenure-track faculty), full-time contractual faculty, and full-time professional librarians shall be members of the Faculty Association with the right to speak and to vote in all meetings of the Faculty Association, to introduce and second motions, to run for office, to vote in all elections, and to represent the faculty on any faculty or

University committee for which they are eligible. Part-time faculty have the right to participate as non-voting members.

As a primary University governance structure, the Faculty Association is governed by Rules and Procedures of the BSU Shared Governance Document, except where provisions of the Constitution of the BSU Faculty and Bylaws apply (see the Appendix 3: Constitution and By-Laws of the Bowie State University Faculty for a complete description of the officers, policies, and procedures of this body).

3.8 COMMITTEES OF THE FACULTY SENATE

The term of office of all members of Standing Committees of the Senate begins at the start of the fiscal year and ends at the conclusion of the fiscal year of the term for which they were elected. Ex-officio members serve as long as they hold the office that qualifies them for membership. Ex-officio members have the right to speak, but not to vote (See Appendices 3 and 4: Constitution of the BSU Faculty and Bylaws of the Constitution of the BSU Faculty for a complete summary of committee composition, election process, and related policies and procedures).

3.8.1 Academic Rank and Tenure Committee

The Academic Rank and Tenure Committee shall make recommendations to the Provost of the University regarding the granting of continuous tenure, promotion in rank, sabbatical leave, honorary degrees, emeritus status, and other related matters and follow procedures in the BSU Policy on Appointment, Rank, and Tenure of Faculty.

3.8.2 Academic Standards and Policies Committee

The Academic Standards and Policies Committee shall formulate and recommend general standards for all academic areas of the University; formulate and recommend standards and policies governing admission and readmission, retention, and requirements for academic degrees, and recommend the establishment of new academic structures and the merging or discontinuation of academic structures.

3.8.3 Committee on Assessment of Student Learning Experience (CAStLE)

The University Student Learning Assessment Committee (USLAC) was formed in Fall 2009 and renamed in 2018 as the Committee for Assessment of the Student Learning Experience (CAStLE). The Committee for Assessment of the Student Learning Experience shall be responsible for leading all efforts with academic program assessment.

3.8.4 Constitution Committee

The Constitution Committee shall consider and make recommendations to the Faculty Senate on proposed amendments to the Constitution; and review the Constitution annually to ensure that it is in compliance with changes in USM documents.

3.8.5 Faculty Elections Committee

The Faculty Elections Committee shall oversee the election of Faculty Senate Officers for the following year at the regular meeting of the Faculty in May (the Chair and Vice Chair shall be tenured members of the Council); conduct, prior to May, the election of persons from the faculty at-large; represent the faculty in external and internal governance structures and on committees during the following year (the persons to be conduct balloting of members of the Faculty Assembly, when necessary). Each committee shall elect its chair.

3.8.6 Faculty Evaluation Committee

The Faculty Evaluation Committee shall make recommendations concerning evaluation policies; structure and revise, as needed, instruments, procedures, methods, and techniques for faculty evaluation of faculty, department chairpersons, academic support staff, and administrators, and propose recommendations regarding their use, and cooperate with committees and task forces of other University units and/or external authorities concerning evaluation.

3.8.7 Faculty Grievance Committee

The Faculty Grievance Committee shall consider eligible grievances made by a faculty member, provided that an attempt to resolve the matter at the departmental level was made and failed; formulate a recommendation based on evidence presented; report the recommendation to the parties involved and to the President of the University and recommend grievance procedures and policies.

3.8.8 Faculty Handbook Committee

The Faculty Handbook Committee shall serve as the centralized unit for consideration of all program matters related to the BSU Faculty Handbook; recommend the addition, deletion, and modification of the BSU faculty policies as USM BOR policies change as appropriate.

3.8.9 Faculty Online Learning Committee

The Faculty Online Learning Committee shall consider and provide recommendations to the Faculty Senate on a wide range of technical issues considered important to faculty and students related to the role of online learning in accordance with the academic mission of Bowie State University; review policies, practices related to online learning, including pedagogical issues, academic technology and intellectual property; propose new faculty development offerings and requirements, new modalities, new course attributes and measures to enhance integrity during online learning; obtain faculty and students' perspectives on online teaching and learning experiences, including strengths, weaknesses, barriers and opportunities and identify training needs; and share resources, faculty reviews and coordinate faculty interests in areas of academic technology

3.8.10 Faculty Salary & Workload Committee

The Faculty Salary and Workload Committee shall review and make recommendations on matters concerning professional status and effectiveness in the areas of teaching, research and creative activities, service, and directed professional activity; independently conduct or collaborate with the Office of the Provost to obtain periodic and timely salary studies to review salary comparisons, salary inequities and policies related to compensation issues; define workload, equity in how workload is defined, distributed and compensated, including ensuring equity across ranks and disciplines; and make recommendations for new policies or amendments to existing policies to the Faculty Senate and BSU Administration.

3.8.11 Faculty Welfare Committee

The Faculty Welfare Committee shall explore, develop, and recommend policies pertaining to faculty protection, security, employment, morale, and academic freedom and monitor and recommend modifications or procedures for additions to or deletions from faculty support services.

3.8.12 General Education Committee

The General Education Advisory Committee was reconstituted as a formal standing Committee in 2012. The General Education Committee shall recommend additions to, deletions from, and changes in general education courses; support new general education courses; and assess the overall general education curriculum of the University in conjunction with the Associate Vice President for Assessment, the feasibility of reforms to strengthen the institution and make recommendations to the Faculty Senate regarding policies to support the General Education Program.

3.8.13 Graduate Council

The Graduate Council shall serve as the centralized unit for consideration of all program matters and degree regulations at the graduate level; consider and recommend admission requirements, degree requirements, addition, deletion and modification of courses, and programs; consider student appeals for exceptions to requirements, and other student grievances; and forwarded Council actions to the Curriculum Committee, Academic Standards and Policies Committee as appropriate.

3.8.14 Information Resources and Technology Committee

The Information Resources and Technology Committee shall study library and computer services, resources, and plans for development and make recommendations to the Faculty Council; promote the use of library and computer services by the University community and advocate for enhanced library and computer services and resources; and manage and mediate technological changes in the pedagogy of teaching and learning.

3.8.16 The University Curriculum Committee

The Curriculum Committee shall recommend additions to, deletions from, and changes in credit and non-credit courses; recommend new programs and study the overall curriculum of the

University and the feasibility of changes to strengthen the institution and make recommendations to the Faculty Senate.

3.9 FACULTY HANDBOOK REVIEW AND REVISION PROCESS

3.9.1 Faculty Handbook Review Process

Altering the Handbook is a complex process given that some policies are purely administrative, some are contractual and may require faculty review, and some involve the approval of the President. This Handbook shall be reviewed at least every two years.

The Faculty Handbook shall continue in force until it has been changed by one of the procedures detailed in Section 3.9.2. A member of the faculty, the Administration, or the Board of Regents may initiate changes; however, no change will become effective until the President approves the change.

3.9.2 Faculty Handbook Revision Process

BSU Faculty Handbook Continuous Review Process

In Spring 2020, a continuous improvement cycle was approved by the Faculty Association to ensure a process for systematically reviewing the BSU Faculty Handbook for improvements to the faculty workplace for teaching and conduction research. This approach places the responsibility for assessment with the Faculty Handbook Committee. During a two academic year cycle outlined below, the Faculty Handbook Committee will:

1. Review all chapters in the BSU Faculty Handbook.
2. Review the most recent University System of Maryland (USM) policies that align with policies described in the BSU Faculty Handbook.
3. Evaluate the BSU Faculty Handbook every two years and propose and implement adopted revisions and changes.

Continuous Review Schedule

- | | |
|-----------------------|--|
| AY Fall Semester A: | Review of the BSU Constitution, Bylaws |
| AY Spring Semester A: | Review of chapters 1-3 |
| AY Fall Semester B: | Review of chapters 4-6 |
| AY Spring Semester B: | Review of chapters 7-9 |

Continuous Review Template

Recommended Changes

Chapters	Section Paragraph	AY Fall A		AY Spring A	
		USM BOR Policy	Recommended Revision	USM BOR Policy	Recommended Revision

Chapters	Section Paragraph	AY Fall B		AY Spring B	
		USM BOR Policy	Recommended Revision	USM BOR Policy	Recommended Revision

Outside of the regularly scheduled review process above, revisions of the Faculty Handbook may occur at any given time and is subject to such change when proper notice of that change has been given. Under normal circumstances, the policies will be corrected on an annual basis. Any member of the faculty may propose a change to the Faculty Handbook by following the process established by the faculty and enforced by the Faculty Senate. The Chair of the Senate shall make arrangements for any proposed amendment to be reviewed by the Faculty Handbook Committee and, if appropriate, make arrangements for the document to be revised. The faculty shall accept or reject the amendment(s) by a simple majority vote of the Faculty Association. The faculty may modify the proposal and accept the modifications or may return the proposal to the Faculty Senate for further work or modifications.

The President may accept, reject, ask for a change, or remand the proposed amendment(s). Should the President disagree with the action of the Faculty Association, the President, Provost, Deans of the Colleges, and the Executive Board of the Faculty Senate shall meet to discuss the next steps that may include further study, modification, and/or resubmission. The faculty's approved final draft will be forwarded to the deans of the colleges and the Provost for review and approval. The Provost:

1. May endorse it and attach the endorsement to the original proposal before transmitting it to the President;
2. May, working collaboratively with the Faculty Senate, alter or amend the proposal before transmitting it to the President; or
3. May object to the proposal and attach the objections or amendments before sending it back to the Faculty Senate.

If the Provost rejects the revisions, the Faculty Senate will act to reconcile all the Provost's objections. If all such actions fail, the amendments may be withdrawn, or the Faculty Senate may move to submit the original document to the President. The President then decides to approve or reject the proposal.

Approved amendments, if required, shall be submitted by the President to the Board of Regents twenty (20) calendar days prior to the April meeting of the Board. The revision process is concluded in accordance with the action of the Board of Regents if submitted to it by the President. Otherwise, the revision is concluded in accordance with the action of the President. The final action of the President is either an approval and promulgation or a rejection of the proposed revision. Rejected amendments are sent back to the Faculty Senate for consideration of the President's recommendations. The revised amendments can then be resubmitted.

3.10 BYLAWS, POLICIES, AND PROCEDURES OF THE BOARD OF REGENTS

The Board of Regents of the USM is responsible for managing the System under Title 12 of the Education Article of the Maryland Annotated Code. To carry out this responsibility, the Board has developed bylaws, policies and procedures. Faculty wishing to obtain copies of particular Board of Regents' policies or procedures should download them from the USM website.

CHAPTER 4

FACULTY APPOINTMENTS, GENERAL EXPECTATIONS, AND PERFORMANCE EVALUATIONS

The Board of Regents (BOR) has an established policy on appointment, rank and tenure of faculty. This chapter has been revised according to the BOR policy:

II-1.00 – POLICY ON APPOINTMENT, RANK, AND TENURE OF FACULTY

(Approved by the Board of Regents, April 5, 1989; Amended November 12, 1993; Amended October 6, 1995; Amended April 4, 1997; Amended July 11, 1997; Amended July 10, 1998; Amended December 4, 1998; Amended April 7, 2000; Amended October 27, 2000; Amended December 8, 2000; Technical Amendment September, 2002; Amended February 21, 2003; Amended October 22, 2004; Amended June 22, 2005 {1st Paragraph Page 17 added}; Amended June 20, 2008; Amended April 13, 2012; Amended June 10, 2016)

This policy sets forth the specific criteria for the appointment, promotion, and granting of tenure to faculty by Bowie State University. Final authority for the appointment, promotion, and granting of tenure of faculty resides in the President.

4.1 APPOINTMENT OF FACULTY

4.1.1 Search Process for Full-Time Faculty

1. This document contains the written procedures to describe the search process for full-time faculty members. These procedures describe the way all new faculty members will be recruited, including special arrangements for inter-institutional appointments, interdepartmental appointments, and appointments in new academic units.
2. Visiting faculty appointments are usually made for one academic year or less. Only in unusual circumstances shall a visiting appointment exceed a total of three years. A visiting faculty appointee can become a regular appointee only through a search process before or after the initial appointment in accordance with the institution's procedures, including adherence to affirmative action guidelines. Years of service in a visiting appointment may, upon mutual agreement of the faculty member and the institution, be counted as probationary years for purposes of consideration for tenure.
3. Search procedures reflect Bowie State University's commitment to equal opportunity and affirmative action and shall be widely publicized within the institution.
4. Faculty review committees are a part of the review and recommendation process for new full-time faculty appointments.

4.1.2 Offers of Appointment

1. A final offer of appointment can be made only with the approval of the President, or designee.
2. All faculty appointments shall be made to a designated rank and shall be effective on a specific date. Each institution shall develop a standard contract or letter of appointment for each rank and tenure status, which shall be approved by the Office of the Attorney General for form and legal sufficiency. Each institution shall also develop a faculty handbook, which shall include system-wide policies and procedures approved by the Board of Regents and institutional policies and procedures approved by the chief executive officer of the institution that set forth faculty rights and responsibilities. The contract or letter of appointment shall constitute a contractually binding agreement between the institution and the appointee.

4.1.3 Provisions Related to Appointments, Promotion, Tenure, And Permanent Status

The following provisions are to be furnished to all new faculty at time of initial appointment.

1. Adjustments in salary or advancement in rank may be made under these policies, and, except where a definite termination date is a condition of appointment, the conditions pertaining to the rank as modified shall become effective as of the date of the modification. For tenure- track appointments, the year in which the appointee is entitled to tenure review under this policy (“mandatory tenure-review year”) shall be specified in the original and subsequent contracts/letters of appointment. Tenure review shall occur in that year unless otherwise agreed in writing by the institution and the appointee. Tenure in any rank can be awarded only by an affirmative decision based upon a formal review.
2. Appointments and reappointments to the rank of full-time Instructor without tenure may be for one to three years, provided no appointment without tenure may extend beyond the end of the mandatory tenure-review year. An appointment to the rank of full-time Instructor will be renewed automatically for one additional year unless the appointee is notified in writing to the contrary in accordance with the following deadlines: not later than March 1 of the first academic year of service if the current appointment expires at the end of that year, not later than December 15 of the second academic year of service if the current appointment expires at the end of that year, and not later than August 1 prior to the third or any subsequent academic year of service if the current appointment expires at the end of that year. For appointments beginning at times other than the start of an academic year, the institution may adjust the notice of nonrenewal dates accordingly by specifying such adjustments in the initial contract or letter of appointment. Appointments to the rank of Instructor may be terminated at any time in accordance with paragraphs I.C.6 through I.C.11.

Tenure in the rank of Instructor can be awarded only by an affirmative decision based upon a formal review. An Instructor without tenure, whose appointment has been extended to a sixth year of continuous, full-time service commencing on or after July 1, 1990, shall receive no later than during that sixth year a formal review for tenure. If the institution fails to conduct a tenure review in accordance with the schedule provided in this policy, the appointee is entitled to a further one-year appointment during which the tenure review shall take place. The appointee reviewed for tenure shall be notified in writing, by the end of the appointment year in which the review was conducted, of the decision either to grant or deny tenure. An instructor who has been reviewed during a mandatory review year, and notified in writing that tenure has been denied, shall be granted an additional and terminal one-year appointment in that rank, but barring exceptional circumstances, shall receive no further consideration for tenure.

An Instructor with or without tenure may be promoted to Assistant Professor. If an Instructor without tenure is appointed as an Assistant Professor, the provisions of I.C.3 apply to the appointment, except that the appointee's review for tenure must occur no later than the sixth year of continuous full-time employment, commencing on or after July 1, 1990, in the ranks of Instructor and Assistant Professor. Tenure in any rank can be awarded only by an affirmative decision based upon a formal review.

3. Appointments and reappointments to the rank of full-time Assistant Professor without tenure may be for one to three years, provided no appointment without tenure may extend beyond the end of the mandatory tenure-review year. An appointment to the rank of full-time Assistant Professor will be renewed automatically for one additional year unless the appointee is notified in writing to the contrary in accordance with the following deadlines: not later than March 1 of the first academic year of service if the current appointment expires at the end of that year, not later than December 15 of the second academic year of service if the current appointment expires at the end of that year, and not later than August 1 prior to the third or any subsequent academic year of service if the current appointment expires at the end of that year. For appointments beginning at times other than the start of an academic year, the institution may adjust the notice of nonrenewal dates accordingly by specifying such adjustments in the initial contract or letter of appointment. Appointments to the rank of Assistant Professor may be terminated at any time in accordance with paragraphs I.C.6 through I.C.11.

Tenure in the rank of Assistant Professor can be awarded only by an affirmative decision based upon a formal review. An Assistant Professor without tenure, whose appointment has been extended to a sixth year of continuous, full-time service shall receive no later than during that sixth year a formal review for tenure. If the institution fails to conduct a tenure review in accordance with the schedule provided in this policy, the appointee is entitled to a further one-year appointment during which the tenure review shall take place. The appointee reviewed for tenure shall be notified in writing, by the end of the appointment year in which the review was conducted, of the decision either to grant or deny tenure. An Assistant Professor who has been reviewed during a mandatory review year, and notified in writing that tenure has been denied, shall be

granted an additional and terminal one-year appointment in that rank, but barring exceptional circumstances, shall receive no further consideration for tenure.

4. Appointments or promotions to the rank of full-time Associate Professor require the written approval of the chief executive officer of the institution. New full-time appointments to the rank of Associate Professor may carry immediate tenure provided that each such appointee has been formally reviewed for tenure. Otherwise, such appointments shall be for an initial period of one to four years, except that initial appointments for individuals with no prior teaching experience may be for a maximum of six years and shall terminate at the end of that period unless the appointee is notified in writing that he or she has been granted tenure. Promotions to the rank of Associate Professor carry immediate tenure. Consequently, such promotions may only be awarded subsequent to a formal tenure review and an award of tenure.

An Associate Professor who is appointed without tenure shall receive a formal review for tenure during the period of appointment in accordance with the following deadlines. If the appointment is for an initial period of one year, then the formal review must be completed, and written notice must be given that tenure has been granted or denied, by March 1 of that year. If the appointment is for two years, then the formal review must be completed, and written notice must be given that tenure has been granted or denied, by no later than December 15 of the second year. If the appointment is for more than two years, then the formal review must be completed, and written notice must be given that tenure has been granted or denied, by no later than August 1 prior to the beginning of the final year of the appointment. For appointments beginning at a time other than the start of an academic year, the institution may adjust the notice of tenure denial dates accordingly by specifying the adjustments in the initial contract or letter of appointment. Appointments to the rank of Associate Professor may be terminated at any time as described under paragraphs I.C.6 through I.C.11.

Tenure in the rank of Associate Professor can be awarded only by an affirmative decision based upon a formal review. If the institution fails to conduct a tenure review and provide the required notice in accordance with the schedule provided in this policy, the appointment (unless it is converted to an appointment with tenure) shall be extended for an additional year, so that the notice required by this section may be provided in full. An Associate Professor who has been notified in writing that tenure has been denied, barring exceptional circumstances, shall receive no further consideration for tenure.

5. Full-time appointments or promotions to the rank of full-time Professor require the written approval of the chief executive officer of the institution. New full-time appointments to the rank of Professor may carry immediate tenure provided that each such appointee has been formally reviewed for tenure. Otherwise, such appointments shall be for an initial period of one to four years, except that initial appointments for individuals with no prior teaching experience may be for a maximum of six years and shall terminate at the end of that period unless the appointee is notified in writing that he or she has been granted tenure. Promotions to the rank of Professor carry immediate

tenure. Consequently, such promotions may only be awarded subsequent to a formal tenure review and an award of tenure.

A Professor who is appointed without tenure shall receive a formal review for tenure during the period of appointment in accordance with the following deadlines. If the appointment is for an initial period of one year, then the formal review must be completed, and written notice must be given that tenure has been granted or denied, by March 1 of that year. If the appointment is for two years, then the formal review must be completed, and written notice must be given that tenure has been granted or denied, by no later than December 15 of the second year. If the appointment is for more than two years, then the formal review must be completed, and written notice must be given that tenure has been granted or denied, by no later than August 1 prior to the beginning of the final year of the appointment. For appointments beginning at a time other than the start of an academic year, the institution may adjust the notice of tenure denial dates accordingly by specifying the adjustments in the initial contract or letter of appointment. Appointments to the rank of Professor may be terminated at any time as described under paragraphs I.C.6 through I.C.11.

Tenure in the rank of Professor can be awarded only by an affirmative decision based upon a formal review. If the institution fails to conduct a tenure review and provide the required notice in accordance with the schedule provided in this policy, the appointment (unless it is converted to an appointment with tenure) shall be extended for an additional year, so that the notice required by this section may be provided in full. A Professor who has been notified in writing that tenure has been denied, barring exceptional circumstances, shall receive no further consideration for tenure.

6. A term of service may be terminated by the appointee by resignation, but it is expressly agreed that no resignation shall become effective until the termination of the appointment period in which the resignation is offered except by mutual written agreement between the appointee and the chief executive officer of the institution or designee.
7. (a) The chief executive officer of the institution may terminate the appointment of a tenured or tenure-track appointee for moral turpitude, professional or scholarly misconduct, incompetence, or willful neglect of duty, provided that the charges be stated in writing, that the appointee be furnished a copy thereof, and that the appointee be given an opportunity prior to such termination to request a hearing by an impartial hearing officer appointed by the chief executive officer or a faculty board of review as provided for by the relevant institutional policy body. With the consent of the chief executive officer, the appointee may elect a hearing by the chief executive officer rather than by a hearing officer or a faculty board of review. Upon receipt of notice of termination, the appointee shall have thirty calendar days to request a hearing. The hearing shall be held no sooner than thirty calendar days after receipt of such a request. The date of the hearing shall be set by mutual agreement of the appointee and the hearing officer or faculty board of review. If the chief executive officer appoints a

hearing officer or a faculty board of review is appointed, the hearing officer or board shall make a recommendation to the chief executive officer for action to be taken.

The recommendation shall be based only on the evidence of record in the proceeding. Either party to the hearing may request an opportunity for oral argument before the chief executive officer prior to action on the recommendation. If the chief executive officer does not accept the recommendation of the hearing officer or board of review, the reasons shall be communicated promptly in writing to the appointee and the hearing officer or board. In the event that the chief executive officer elects to terminate the appointment, the appointee may appeal to the Board of Regents, which shall render a final decision.

(b) Under exceptional circumstances and following consultation with the chair of the faculty board of review or appropriate faculty committee, the chief executive officer may direct that the appointee be relieved of some or all of his or her institutional duties, without loss of compensation and without prejudice, pending a final decision in the termination proceedings. (In case of emergency involving threat to life, the chief executive officer may act to suspend temporarily prior to consultation.)

(c) The appointee may elect to be represented by counsel of his or her choice throughout termination proceedings.

8. If an appointment is terminated in the manner prescribed in paragraph 7 the chief executive officer of the institution may, at his or her discretion, relieve the appointee of assigned duties immediately or allow the appointee to continue in the position for a specified period. The appointee's compensation shall continue for a period of one year commencing on the date on which the appointee receives notice of termination. A faculty member whose appointment is terminated for cause involving moral turpitude or professional or scholarly misconduct shall receive no notice or further compensation beyond the date of final action by the chief executive officer or the Board of Regents.
9. The institution may terminate any appointment because of the discontinuance of the department, program, school, or unit in which the appointment was made; or because of the lack of appropriations or other funds with which to support the appointment. Such decisions must be made in accordance with standards and procedures set forth in written institutional policies. The chief executive officer of the institution shall give a full-time appointee holding tenure notice of such termination at least one year before the date on which the appointment is terminated.
10. Notwithstanding any other provisions to the contrary, the appointment of any non-tenured faculty member 50% or more of whose compensation is derived from research contracts, service contracts, gifts, or grants, shall be subject to termination upon expiration of the research funds, service contract income, gifts or grants from which the compensation is payable.

11. Appointments shall terminate upon the death of the appointee. Upon termination for this cause the institution shall pay to the estate of the appointee all accumulated and unpaid earnings of the appointee plus compensation for accumulated unused annual leave.
12. Appointments to all other ranks not specifically mentioned in II.A.1 and all part-time appointments are for terms not to extend beyond the end of the fiscal year unless otherwise stipulated in the letter of appointment. Faculty appointed to ranks not specifically mentioned in II.A.1 on a full-time basis for a term not less than one academic year shall receive notice of non-renewal of contract based upon their length of continuous full-time service in such ranks. If such service is less than seven years, at least 90 days' notice is required. If such service equals or exceeds seven years, at least six months' notice is required. If the required notice is not provided prior to the termination of the then-current contract, this condition may be remedied by extending the contract by the number of days necessary to meet the notice requirement.
13. If in the judgment of the appointee's department chair or supervisor a deficiency in the appointee's professional conduct or performance exists that does not warrant dismissal or suspension, a moderate sanction such as a formal warning or censure may be imposed, provided that the appointee is first afforded an opportunity to contest the action through the established faculty grievance procedure.
14. Unless the appointee agrees otherwise, any changes that are hereafter made in paragraphs I.C.1 through I.C.13 will be applied only to subsequent appointments.
15. Compensation for appointments under these policies is subject to modification in the event of reduction in State appropriations or in other income from which compensation may be paid.
16. The appointee shall be subject to all applicable policies and procedures duly adopted or amended from time to time by the institution, including but not limited to, policies and procedures regarding annual leave; sick leave; sabbatical leave; leave of absence; outside employment; patents and copyrights; scholarly and professional misconduct; retirement; reduction, consolidation, or discontinuation of programs; and criteria on teaching, scholarship, and service.

4.2 FACULTY RANKS, PROMOTION, TENURE, AND PERMANENT STATUS

4.2.1 General Principles

1. The only faculty ranks which may involve a tenure commitment are: Professor, Associate Professor, Assistant Professor, Instructor, Distinguished University Professor, Senior Staff Scientist, Associate Staff Scientist, Assistant Staff Scientist, Principal Agent, Senior Agent, Agent, (i.e., II.C. 1a-1d, 2a-2c, 3d-3f) and such other ranks as the Board of Regents may approve. Appointments to all other ranks, including any qualified rank in which an additional adjective is introduced (such as "Clinical Professor" or "Medical School

Professor”), are for a definite term and do not involve a tenure commitment (i.e., II.C. 2d-2h, 3a-3c, 4a-4g, 5a-5d, 6a-6g).

Notwithstanding anything to the contrary in this policy, faculty in certain ranks may be granted permanent status. The only faculty ranks which may involve a permanent-status commitment are Librarian II, Librarian III, and Librarian IV and such other ranks as the Board of Regents may approve. Permanent status may not be granted to an individual holding the rank of Librarian I.

Permanent status is defined as continuing employment such that a decision to remove an employee must be made by the President of the campus and must be justified by cause as defined by USM and campus policy. Permanent status is an employment status different from tenure.

Each institution shall develop criteria and procedures for the review process leading to the granting of promotion and/or permanent status to occur no later than the sixth year of continuous full-time employment. An appointee who has been notified that permanent status has been denied shall be granted an additional and terminal one-year appointment in that rank, but barring exceptional circumstances, shall receive no further consideration for permanent status. Permanent status can be awarded only by an affirmative decision based upon a formal review. Individuals who have been granted permanent status under BOR VII-2.15 – POLICY ON LIBRARIANS, which is superseded by this policy, shall retain this status. Appointments of faculty librarians with permanent status may be terminated at any time for cause. Cause shall include moral turpitude, professional or scholarly misconduct, incompetence, and/or willful neglect of duty. In addition to being terminated for cause, faculty engaged exclusively or primarily in library services may be terminated because of the discontinuation of the department, program, school, or unit in which the appointment was made or because of the lack of appropriations or other funds with which to support the appointment. Procedures for termination of faculty librarians with permanent status are those that apply to tenured and tenure-track faculty, as described in I.C.6 through I.C.11.

Appointments of faculty librarians who do not have permanent status may be terminated for cause under policies and procedures that apply to non-tenure track faculty.

Subject to the approval of the President or designee, the campus libraries of USM constituent institutions shall develop guidelines, procedures, and appropriate criteria for evaluating librarians’ performance. These guidelines, procedures, and criteria should be monitored system-wide to ensure equity with respect to standards.

Every institution shall have written procedures governing the processes on granting promotion and permanent status. Following review for form and legal sufficiency by the Office of the Attorney General, these procedures must be submitted to the Chancellor for review and approval.

A person appointed to the position of Director shall serve in that capacity at the pleasure of the President or his or her designee, regardless of whether the appointee has at the time of the appointment, or obtains during the appointment, permanent status as a librarian.

2. In addition to the ranks listed in II.C (below), there may also be such other faculty ranks as institutions shall define and include in their respective appointment, rank, and tenure policies, subject to the approval of the Board of Regents.
3. Institutions should specify in writing to faculty at the time of appointment the length of appointment and the applicable terms and conditions of the appointment with regard to tenure.

4.2.2 Criteria and Procedures for Promotion and Tenure

1. The criteria for tenure and promotion in the University of Maryland System are: (1) teaching effectiveness, including student advising; (2) research, scholarship, and, in appropriate areas, creative activities or other activities that result in the generation and application of intellectual property through technology transfer; and (3) relevant service to the community, profession, and institution. The relative weight of these criteria will be determined by the mission of the institution.
2. The activities considered to be within the criteria for promotion and tenure shall be flexible and expansive. The assessment of teaching, research/scholarship/creative activities, and service during the promotion and tenure process shall give appropriate recognition, consistent with the institution's mission, to faculty accomplishments that are collaborative, interdisciplinary, and inter-institutional and to faculty innovations in areas such as undergraduate education, minority-achievement programs, K-16 curriculum development, and technology-enhanced learning.
3. Every institution shall have written procedures governing the promotion and tenure process. Following review for form and legal sufficiency by the Office of the Attorney General, these procedures must be submitted to the Chancellor for review and approval. These procedures shall include, at a minimum, the following:

Criteria: A statement of criteria upon which reviews will be based, and guidelines for appointment or promotion to each academic rank, with recognition that institutional mission is the primary factor that defines these criteria.

Procedures: A description of tenure and/or promotion review procedures, including participants, documentation, degree of confidentiality, schedule of the annual cycle for reviews, and authority for final approval.

Appeals: A statement of the right of faculty to appeal promotion and tenure decisions, the grounds for such appeals, and a description of appeal procedures.

4.2.3 Faculty Ranks

Following is a list of all faculty ranks utilized within the University of Maryland System and therefore utilized by Bowie State University. Specific ranks to be utilized within each constituent institution are to be dependent upon the mission of, and contained within the faculty personnel policies of, that institution.

1. Faculty With Duties Primarily in Instruction, Research, and Service

- a) Instructor: The appointee ordinarily shall hold, at a minimum, the master's degree in the field of instruction, preferably with evidence of pursuit of the doctorate or other terminal degree. There shall be evidence also of potential for effective teaching and for a successful academic career.
- b) Assistant Professor: The appointee ordinarily shall hold the doctorate or recognized terminal degree in the field of specialization. The appointee should also show potential for superior teaching, service, and research, scholarship, or creative performance, commensurate with the mission of the institution.
- c) Associate Professor: In addition to having the qualifications of an Assistant Professor, the appointee ordinarily shall have had successful experience in teaching and research, scholarship, or creative performance, and, when appropriate to the mission of the institution, be competent to offer graduate instruction and direct graduate research. There shall also be evidence of relevant and effective service to the institution, the community, and the profession.
- d) Professor: In addition to having the qualifications of an Associate Professor, the appointee ordinarily shall have established an outstanding record of teaching and research, scholarship, or creative performance, and, where appropriate to the mission of the institution, a national reputation. There shall be continuing evidence of relevant and effective service to the institution, the community, and the profession.

2. Faculty with Duties Primarily in Research

- a) Assistant Staff Scientist: The appointee shall hold the doctoral degree in the field of specialization and shall have indicated promise of a high degree of ability in research in some subdivision of the field.
- b) Associate Staff Scientist: In addition to the qualifications of an Assistant Staff Scientist, the appointee shall have had extensive successful experience in research. Since this position may carry permanent tenure, the appointee's scholarly production and professional achievement in research will be thoroughly documented.
- c) Senior Staff Scientist: In addition to having the qualifications of an Associate Staff Scientist, the appointee shall have demonstrated a degree of proficiency in research sufficient to establish an excellent national reputation. Appointment to this rank carries tenure.

- d) Faculty Research Assistant: The appointee should be capable of assisting in research under the direction of the head of a research project and should have ability and training adequate to the carrying out of the techniques required, the assembling of data, and the use and care of any specialized apparatus. A baccalaureate degree shall be the minimum requirement.
- e) Research Associate: The appointee ordinarily should hold the doctoral degree in the field of specialization or have relatively comparable experience. The appointee should be capable of carrying out individual research or collaborating in group research at the advanced level; should be trained in research procedures; and should have had the experience and specialized training necessary to develop and interpret data required for success in such research projects as may be undertaken. This appointment is made annually, with reappointment possible for a maximum of six years.
- f) Research Assistant Professor; Assistant Research Scientist; Assistant Research Scholar; Assistant Research Engineer: This rank is generally parallel to Assistant Professor. In addition to the qualifications of a Research Associate, appointees to this rank should have demonstrated superior research abilities. Appointees should be qualified and competent to direct the work of others (such as technicians, graduate students, other senior research personnel). The doctoral degree will be a normal requirement for appointment at this rank. Initial appointment to this rank is for periods up to three years, and reappointment is possible.
- g) Research Associate Professor; Associate Research Scientist; Associate Research Scholar; Associate Research Engineer: This rank is generally parallel to Associate Professor. In addition to the qualifications required of the Assistant ranks, appointees to this rank should have extensive successful experience in scholarly or creative endeavors, and the ability to propose, develop, and manage major research projects. Initial appointment to this rank is for periods up to three years, and reappointment is possible.
- h) Research Professor; Senior Research Scientist; Senior Research Scholar; Senior Research Engineer: This rank is generally parallel to Professor. In addition to the qualifications required of the Associate ranks, appointees to this rank should have demonstrated a degree of proficiency sufficient to establish an excellent reputation among regional and national colleagues. Appointees should provide tangible evidence of sound scholarly production in research, publications, professional achievements, or other distinguished and creative activity. Initial appointment at this rank is for periods up to five years, and reappointment is possible.

3. Field Faculty

- a) Associate Agent: The appointee shall hold at least a bachelor's degree, shall qualify for acceptance in a graduate school, and shall show evidence of ability to work with people. The appointee shall have an educational background related to the specific position and should demonstrate evidence of creative ability to plan and implement Cooperative Extension Service programs. This appointment is made annually, with reappointment

possible for a maximum of six years. Attainment of a master's degree in an approved subject area is required before promotion can be considered.

- b) Faculty Extension Assistant: The appointee should be capable of assisting in Extension under the direction of the head of an Extension project and should have ability and training adequate to the carrying out of the particular methodology required, the assembling of data, and the use and care of any specialized apparatus. The baccalaureate degree shall be the minimum requirement.
- c) Faculty Extension Associate: The appointee should be capable of carrying out individual instruction or collaborating in group discussions at the advanced level; should be trained in Extension procedures; and should have had the experience and specialized training necessary to develop and interpret data required for success in such Extension projects as may be undertaken. An earned doctorate shall be the minimum requirement.
- d) Agent: The appointee must hold a master's degree in an appropriate discipline and show evidence of academic ability and leadership skills. The appointee shall have an educational background related to the specific position.
- e) Senior Agent: In addition to the qualifications of an Agent, the appointee must have demonstrated achievement in program development and must have shown originality and creative ability in designing new programs, teaching effectiveness, and evidence of service to the community, institution, and profession. Appointment to this rank may carry tenure.
- f) Principal Agent: In addition to the qualifications of a Senior Agent, the appointee must have demonstrated leadership ability and evidence of service to the community, institution, and profession. The appointee must also have received recognition for contributions to the Cooperative Extension Service sufficient to establish a reputation among State, regional and/or national colleagues, and should have demonstrated evidence of distinguished achievement in creative program development. Appointment to this rank carries tenure.

4. Faculty Engaged Exclusively or Primarily in Library Services

The only librarian ranks with non-tenured faculty status are Librarian I, Librarian II, Librarian III, and Librarian IV and such other ranks as the Board of Regents may approve. These titles are to be granted to a limited number of appointees who fulfill roles defined by professional graduate training, such as librarian, curator, archivist, and information scientist. In the overwhelming number of instances, the professional graduate training required is an M.L.S. degree, which is considered the terminal degree in the practice of academic librarianship, from the American Library Association (ALA)-accredited program. However, each constituent institution may define instances when other graduate degrees may substitute for or augment the ALA-accredited M.L.S. Such exceptions will be based on and required by the functional needs of USM libraries, appointments to these ranks are normally for twelve months with leave and other benefits provided to twelve-month tenured/tenure-track faculty members, except for terminal leave, sabbatical leave, and non-creditable sick leave (collegially supported).

- a) Librarian I: This rank is assigned to librarians just entering librarianship with little or no professional library experience but who have been judged to have demonstrated an understanding of the basic tenets of librarianship and a potential for professional growth. A Librarian I is not eligible for permanent status.
- b) Librarian II: Appointment or promotion to this rank signifies that the librarian has demonstrated effective professional knowledge and skills significantly above those expected of a Librarian I. Normally, a minimum of three years of professional experience is required.
- c) Librarian III: Appointment or promotion to this rank signifies that the librarian has mastered the skills, knowledge, and techniques of librarianship and has made meaningful contributions to the library, the institution, the library profession, and/or an academic discipline. Normally, a minimum of six years of professional experience is required, three of which must be at a level comparable to the rank of Librarian II at the appointing USM institution.
- d) Librarian IV: Appointment or promotion to this rank is exceptional. This rank is awarded to those librarians who have made distinctive contributions to the library, the institution, the library profession, and/or an academic discipline. This rank normally requires a minimum of nine years of professional experience, at least three of which must be at a level comparable to the rank of Librarian III at the appointing USM institution.

Subject to the approval of the President or designee, the campus libraries of USM constituent institutions shall develop guidelines, procedures, and appropriate criteria for evaluating librarians' performance. These guidelines, procedures, and criteria should be monitored system-wide to ensure equity with respect to standards.

5. Additional Faculty Ranks

- a) Assistant Instructor: The appointee should be competent to fill a specific position in an acceptable manner but is not required to meet all the requirements for an Instructor. Appointment to this rank requires at least the appropriate baccalaureate degree.
- b) Lecturer: This title may be used for appointment at any salary and experience level of persons who are competent to fill a specific position but who are not intended to be considered for professorial appointment. Appointments to this rank shall be for terms not to exceed three years and are renewable.
- c) Senior Lecturer: In addition to having the qualifications of a Lecturer, the appointee shall have completed at least six years as a Lecturer (or in a rank at another institution of higher education that is accepted as comparable to Lecturer) and shall have established a record of teaching excellence and a record of service. Fewer than six years' experience may qualify one for this rank if approved by the President or designee. Appointments to this rank shall be for terms not to exceed five years and are renewable.

- d) Artist-in-Residence; Writer-in-Residence; Executive-in-Residence: This title may be used to designate temporary appointments, at any salary and experience level, of persons who are serving for a limited time or part-time, and who are not intended to be considered for professorial appointment.
- e) Adjunct Assistant Professor; Adjunct Associate Professor; Adjunct Professor: These titles are used to appoint outstanding persons who may be simultaneously employed outside the institution. The appointee should have expertise in the discipline and recognition for accomplishment sufficient to gain the endorsement of the preponderance of the members of the faculty of the department to which he or she is appointed. Appointment is made on a semester or an annual basis and is renewable. These titles do not carry tenure.
- f) Affiliate Assistant Professor; Affiliate Associate Professor; Affiliate Professor: These titles are used to recognize the affiliation of a faculty member or a member of the professional staff with an academic department, program, or center when that individual's appointment and salary lie in another department of the institution. The appointment will be made upon the recommendation of the faculty of the department, and at a level commensurate with the appointee's qualifications, consistent with standards established for regular tenure track faculty, although tenure cannot be earned on an affiliated appointment. Each institution shall establish guidelines and procedures for awarding these titles.
- g) Visiting Appointments: The prefix "Visiting" before an academic title is used to designate a short- term, full-time appointment without tenure.
- h) Emeritus Faculty Appointments: Emeritus status may be bestowed by an institution on the basis of both quality and length of service to the institution. Each institution shall establish guidelines and procedures for awarding this title.
- i) Distinguished University Professor: This title may be bestowed by an institution to provide special recognition to faculty members. Each institution that chooses to utilize this title shall establish guidelines and procedures for awarding it.
- j) Professor of the Practice: This title may be used to appoint individuals who have demonstrated excellence in the practice as well as leadership in specific fields. The appointee shall have attained regional and national prominence and, when appropriate, international recognition of outstanding achievement. Additionally, the appointee shall have demonstrated superior teaching ability appropriate to assigned responsibilities. As a minimum, the appointee shall hold the terminal professional degree in the field or equivalent stature by virtue of experience. Appointees will hold the rank of Professor but, while having that stature, will not have rights that are limited to tenured faculty. Initial appointment is for periods up to five years, and reappointment is possible. This title does not carry tenure, nor does time served as a Professor of the Practice count toward achieving tenure in another title. Each institution shall establish guidelines and procedures for awarding this title.

- k) Bowie State University Professor: This title may be used for nationally distinguished scholars, creative or performing artists, or researchers who would qualify for appointment at a University System of Maryland Institution at the level of Professor, but who normally hold full-time positions outside the University. Holders of this title may provide graduate students supervision, serve as principal investigators, and participate in departmental and college shared governance. Initial appointment is for three years and is renewable annually upon recommendation to the Provost by the unit head and the dean. This is a non-paid non-tenure track title. *(Amended - Paragraph added per BOR June 22, 2005 meeting)*

4.3 APPLICABILITY

1. Except as provided in sections B. and C. below, the provisions in this policy shall apply to all individuals who are employed as faculty members in the University of Maryland System as of July 1, 1989, and individuals whose faculty appointment becomes effective on or after July 1, 1989.
2. The provisions in this policy shall not apply to any faculty member who receives notice of non- reappointment at any time prior to July 1, 1989.
3. Each tenure-track and tenured faculty member of an institution (i.e., a faculty member holding an academic rank specified in the first sentence of paragraph II. A. 1.) shall (1) be apprised of the provisions in Part I.C., paragraphs 1 through 14 of this policy at the earliest practical time following approval of this policy by the Board of Regents, and (2) be offered an opportunity to elect to remain subject to his or her written faculty contract in effect on April 4, 1989, to the extent and only to the extent that any provision of that contract is inconsistent with Part I.C., paragraphs 1 through 14 of this policy. The election shall be confirmed in a written and signed notification to the institution's chief executive officer on or before May 12, 1989. Absent such election by the faculty member, the provisions in Part I.C., paragraphs 1 through 14 of this policy shall apply pursuant to paragraph III.

CHAPTER 5

FACULTY RIGHTS AND RESPONSIBILITIES

5.1 ACADEMIC FREEDOM

The University subscribes to the 1940 Statement of Principles on Academic Freedom and Tenure and the 1970 Interpretive Comments of the American Association of University Professors (AAUP) and has implemented policies and procedures that align with these statements. The AAUP statements can be found in the Red Book and are available online on the AAUP website: <https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>. The University also subscribes to the Resolution on Academic Freedom passed by the Council of University System Faculty (CUSF) of USM on 18 May 2012. The language of the CUSF document, with some modifications to address circumstances particular to BSU, is in the following clarification of parameters and effects of Academic Freedom.

Institutions of higher education are established for the common good, not to further the interest of either the individual instructor or even the institution as a whole. The common good depends upon the free search for truth and its free expression. Academic freedom is essential to this process; and for it to be fully realized, it must be considered as more than a means to an end. It must be perceived as a good in and of itself, inasmuch as it lends credibility to the disinterested search for truth.

Academic freedom is the liberty that faculty members must have as a condition of employment if they are to practice their scholarly profession in accordance with the norms of that profession. It is integrally interwoven into the institutional structure of the university and is fundamental to our mission of promoting free inquiry and advancing the sum of human knowledge and understanding. Although some aspects of academic freedom exist, independent of any external protection, as a basic prerequisite for universities to fulfill their mission to our society.

Generally, academic freedom is the freedom to teach, both inside and outside of the classroom, to conduct research and engage in other scholarly or creative activities, to publish or otherwise disseminate information, and to control tenure and promotion standards. Academic freedom also encompasses the freedom to address, or not address, any matter of institutional policy or action, regardless of whether one is a member of any agency of institutional governance. Faculty have the freedom to address the larger community regarding any social, political, economic, or other interest. Administrations should not place impediments—technical or otherwise—between faculty; all faculty should have the freedom to connect with their peers.

Academic freedom is most commonly exercised by individual faculty members but remains a professional prerequisite of faculty members as a group. Academic freedom extends to all faculty whether full time or part time, tenured or non-tenured, adjunct, or contingent. Faculty must be free from any censorship, threat, restraint, retaliation, or discipline by the University regarding the pursuit of truth in the performance of their teaching, research, publishing, and service obligations.

Since faculty in the various disciplines have the most familiarity with the standards and expectations of their area of expertise, it is necessary that faculty also have the right to review and

be reviewed by peers, and thereby, to control the standards and expectations for new hires, tenure, and promotion, as well as post-tenure and merit reviews. In the case of disciplinary procedures engaged in by or on behalf of the administration, faculty also have the right to have a grievance committee composed of faculty hear the allegations and issue advice to the administration.

Academic freedom, therefore, supports and is supported by the principle of shared governance with the expectation that faculty will have the right to comment on policies and procedures and their outcomes and to expect administration to maintain transparency in the decision-making process.

The policy on shared governance in the USM concurs, stating that “[f]aculty and staff who do not hold administrative appointments, and all students, may express their opinions freely on all shared governance matters without retaliation.” <https://www.usmd.edu/regents/bylaws/SectionI/1600.htm>

Academic freedom includes the following specific freedoms:

1. *Freedom of research and publication.* Within the broad standards of accountability established by their profession and their individual disciplines, faculty members must enjoy the fullest possible freedom in their research and creative works, and in circulating and publishing their results. This freedom follows immediately from the University’s basic commitment to advance knowledge and understanding. Faculty must control their own scholarship and be able to determine the content, format, wording, methodology, tone, etc., of their own work. Unless otherwise stipulated, faculty will also have full ownership rights of the scholarly, pedagogical, and creative produce of their labor.
2. *Freedom to determine standards.* Faculty are uniquely qualified to determine the directions and standards of their profession. Such expectations are determined by colleagues in the disciplines, including both faculty working in creative fields and faculty performing traditional research. Faculty have not only the right, but, in the search for knowledge and truth, the obligation to resist the introduction of proposed modifications to standards that are not germane to the joint educational and scholarly enterprise and that may serve to weaken or dilute it.
3. *Freedom of teaching.* This freedom is an outgrowth of the previous one. Faculty members must be able to disseminate to their students the results of pertinent research, by themselves and others in their profession. They must also be free to train students to think about these results for themselves, often in an atmosphere of controversy that, as long as it remains, in a broad sense, educationally relevant, actively assists students in mastering the subject and appreciating its significance. Freedom of teaching includes both subject matter and choice of pedagogical tools, including technology.
4. *Freedom of internal criticism.* Because the legitimacy of any scholarly activity proceeds from a collective ascertainment of the goals, standards, and procedures of said scholarship, it makes sense that a university should govern itself with a plurality of voices. Universities promote the common good, not through unilateral individual decision or bureaucratic calculation, but through broad-based engagement of all constituencies in pursuit of a

scholarly endeavor. Faculty members, because of their expertise and their institutional knowledge, play the indispensable role of independent participants in university decision-making. By virtue of this role, they are entitled to comment on or criticize University policies or decisions, either individually or through institutions of faculty governance, without fear of retaliatory actions.

5. *Freedom of participation in public debate.* Both within and beyond their areas of expertise, faculty members are generally entitled to participate as citizens in public forums and debates without fear of institutional discipline or restraint, as long as it is clear that they are not acting or speaking on behalf of the University. Faculty are not institutional representatives unless specifically authorized as such; nor may faculty be penalized for membership in legal organizations outside the scope of employment.

Numerous positive outcomes flow from these freedoms. The historical model for education in the U.S. has been one of shared governance, where the faculty are major contributors to the operation of the institution. When faculty play a major role in ensuring the quality of education, the competitive advantage necessary for freedom of thought and creativity is assured. Faculty are in a unique position to advocate for the effective and efficient use of taxpayer money and should be encouraged to do so by the establishment of an atmosphere in which faculty and administration work cooperatively to achieve the common educational purpose. Faculty spend much time and effort bringing their disciplinary perspectives and institutional experience to bear on curricular and other decisions within the academy, and real-world problems outside the institution, and must be allowed to speak freely on these issues. Conversely, faculty cannot be made to speak when they do not wish to do so. They must be assured the ability to function in these roles without fear of retaliation for the expression of their views, whatever they might be.

This policy does not protect those who engage in plagiarism or other forms of academic dishonesty, professional misconduct, or any illegal activities that are not protected by the U.S. Constitution.

Academic freedom is essential to the fulfillment of the University's purposes. The parties acknowledge and encourage the continuation of an atmosphere of confidence and freedom while recognizing that the concept of academic freedom is accompanied by a corresponding concept of responsibility to the University and its students. This responsibility is addressed below in Section 5.2: Academic Integrity. It is of critical importance that any proposed restrictions to academic freedom—such as those delineated in a particular professional ethics statement or any university standards pertaining to disruptive behavior—be drawn up and implemented with substantial faculty input to minimize potential infringement on academic freedom. In large part, this goal should be accomplished by ensuring that institutional discipline of faculty members is in proportion to the severity and persistence of misconduct, and by insisting that alleged offenses be handled with appropriate standards of due process, including, wherever possible, the judgment of competent peers. For the rest, however, it must be recognized that contemporary threats to academic freedom are constantly evolving. This University—its faculty, administration, and students alike—must commit to exercising constant vigilance in resisting such threats, whether they arise within the university or from external sources.

5.2 ACADEMIC INTEGRITY

Section 5.1 details the essential role that academic freedom plays in higher education and in the specific dimensions of teaching, research, and service. Implicit in the above notion of academic freedom is the related expectation of the faculty's responsibility to ensure the highest possible standards of academic integrity. The BSU policy on Academic Integrity may be found here: <https://bowiestate.edu/files/resources/iii-100-policy-on-faculty-student-and-institutiona.pdf> The preamble to this policy suggests that faculty, students, and the institution have a joint responsibility to engage in the learning process by maintaining "mutual respect for the learning and teaching process, and intellectual honesty in the pursuit of new knowledge." The following conventions outline faculty responsibilities with respect to maintaining Academic Integrity at BSU.

5.2.1 Faculty Role in Ensuring Academic Integrity

- A. Faculty members are required to deal directly with any academic infractions. Actions taken must reflect the seriousness of the infraction and can range from a verbal warning, administrative withdrawal, or an assigned grade of "F" for the assignment or course, to dismissal from the University. Academic units are encouraged to engage in ongoing discussions of procedures and disciplinary standards to ensure consistency and fairness.
- B. The faculty member's management of his or her classes, student participation in said classes, student expectations of the faculty member, and student academic integrity shall be governed by the following statements from the BSU policy on Academic Integrity:
 - 1. Faculty members shall enjoy freedom in the classroom to discuss all subject matter reasonably related to the course. In turn, they have the responsibility to encourage free and honest inquiry and expression on the part of the students. Instructors should be careful to judge student responses on scholarly merit rather than ideological agreement with the instructor.
 - 2. Faculty members, consistent with the principles of academic freedom, have the responsibility to present courses that are consistent with their descriptions in the University catalog. In addition, faculty members have the obligation to make students aware of the expectations of the course, the expected learning outcomes, the evaluation procedures and grading policy, and any other information necessary for student success in the course.
 - 3. Faculty members are obligated to evaluate students fairly, equitably, and in a timely manner appropriate to the course and its objectives. Grades must be assigned without prejudice or bias.
 - 4. Faculty members shall make all reasonable efforts to prevent the occurrence of academic dishonesty through appropriate design and administration of assignments and examinations, careful safeguarding of course materials and examinations, and regular reassessment of evaluation procedures.

5. When faculty members suspect instances of academic dishonesty, they shall be responsible for ensuring that appropriate action is taken in accordance with (a) University regulations specified in the University Catalog and (b) the procedures and standards established by the academic unit.

5.2.2 Procedures for Handling Suspected Academic Dishonesty

- A. A faculty member suspecting a student of academic dishonesty shall inform the student of his or her concern or suspicion.
- B. If the faculty member concludes that the suspected student act was unintentional, the faculty member shall treat the incident as a teaching opportunity, with or without penalty, and inform the student of the standards and behaviors consistent with academic integrity.
- C. A faculty member with cause or evidence that a student has intentionally committed an act or acts of academic dishonesty may, depending upon the severity of the misconduct, administer any or all of the following:
 - verbally warn the student of his or her misconduct;
 - assign a letter grade of “F” for the project or examination;
 - assign a letter grade of “F” for the course; or
 - expel the student from the course for the remainder of the semester.
- D. If an “F” is assigned for the course, or if an “F” is assigned for the course and the student is expelled from the course, the faculty member shall inform the Department Chair in writing of the student’s infraction.
- E. The Chair shall have the discretion, in consultation with either the faculty member and/or a departmental committee formed for the purpose of reviewing allegations of academic dishonesty, to provide a written statement of the assigned “F” to the Registrar, who then will assign a letter grade of “F” on the student's transcript.
- F. The Chair shall provide a written statement of the infraction and action to the Dean, the Provost, and the Vice President for Student Affairs. The Chair is also responsible for keeping records of infractions against academic honesty and advising the Dean of repeated infractions so that appropriate disciplinary action can be taken.
- G. A student charged or accused of academic misconduct shall have the right of appeal, governed by Article VII of the Code of Conduct, as outlined in the BSU Student Handbook and the University Catalog.

5.3 TEAM TEACHING

Faculty members wishing to participate in team teaching will be required to specify the procedures involved and the level of collaboration. It is important that some understanding be established

regarding the amount of time and effort each team member is expected to contribute to the class. Team members should be prepared to participate in overall class design. Team members should also meet on a regular basis to discuss and evaluate the given course. A team-taught course should meet all requirements that are expected of any course taught at BSU.

5.4 FACULTY EXCHANGE

Specific details for a faculty exchange, whether for a full academic year or for a single semester and whether for the totality of an instructor's teaching load or for some part of it, will be defined by a mutual agreement between the Dean and the Provost of the institution where the faculty exchange is to occur. The following general principles will govern all exchanges.

- In a one-for-one exchange of faculty, whether for a full year, a single semester, or part of a single semester teaching load, the full salary of the faculty members will continue to be paid by their home institution.
- In case of faculty exchange for a full-year or a semester, the expected teaching load at BSU will be 12 hours per semester, unless otherwise stipulated.

5.5 TEACHING ROLES AND RESPONSIBILITIES

In addition to the teaching schedule assigned to each faculty member through consultation with the Chair, each Department Chair shall annually discuss with the faculty expectations of agreed-upon supplemental departmental duties—e.g., advisement, curriculum development and revision, department reports, etc.—designed to enhance the functioning of the department and faculty development. This process is normally negotiated by the faculty member and the Chair during their discussion of the faculty's Faculty Development Plan for the coming academic year. It is also a function of departmental elections for committee work in the department, as well as at the college and university levels. The Chair shall endeavor to make committee assignments that are fair and equitable, both with respect to sharing the burdens of committee work and allowing faculty to accrue tenure and promotion credit for contributing to the department, college, and University. Each department should develop a process for holding faculty accountable for their active participation in the committees on which they serve as a function of tenure, promotion, and merit pay. Committee chairs at all levels should assist department chairs by providing reports on the relevant data (such as attendance, tasks performed, etc.). The Chair is responsible for making the Faculty Development Plan form available in each academic department.

5.5.1 Course Syllabus Requirements and Guidelines

The faculty member develops a syllabus for each of his or her assigned classes in accordance with University guidelines and format (based on NCATE standards) for developing a course syllabus. Students must receive a copy of the syllabus during the first meeting of the class. An electronic copy of the syllabus should be given to the Department Chair during the first week of each semester in which the course is offered, and the Department Chair will provide a copy to the Dean. Copies

of all syllabi should be maintained by the departmental Administrative Assistant and shared with interested parties, such as Outcomes Assessment Coordinators. Course syllabi should be clearly organized and contain, at the minimum, a statement on prerequisites for the course (if any); a description of the course and teaching modes; a list of required texts and technological requirements; the expected learning outcomes and course objectives; evaluation procedures; general course requirements; and a schedule of major readings, projects, tests, and other activities. Faculty members may not change substantially the requirements or expectations of the course once the semester is underway unless there is an overriding pedagogical or administrative reason for doing so; and any changes to the syllabus must be provided to students in writing, and the Department Chair should receive a copy of any such alteration with an accompanying justification.

5.5.2 Ordering Textbooks

Faculty members are to order in a timely fashion all required textbooks and other required course materials through the University Bookstore. Faculty should also be cognizant of goals of the State of Maryland Textbook Affordability Act of 2009 as well as the Maryland Open Source Textbook Initiative and consider affordability of textbooks when crafting curricula. Faculty should therefore acknowledge that textbook prices do impact access to higher education and choose texts and other learning materials that balance these various educational goals. While decisions about textbooks and class materials are ultimately a function of Academic Freedom, and no faculty should be compelled to choose a particular textbook or learning platform out of institutional pressure to do so, there may be compelling reasons articulated by the faculty leadership within the department that govern textbook and materials selections, especially when multiple sections of a course are offered and standardization of text selections result in consistency and fairness in pedagogical outcomes. The latest iteration of Maryland Board of Regents policy on textbook affordability measures may be found here: <https://www.usmd.edu/regents/bylaws/SectionIII/III1000.html>

5.5.3 Verification of Official Class Enrollment

Each faculty member shall certify that each student in class is officially enrolled for that class. Verification consists of checking the software platform currently in use for student enrollment. If a student is not officially enrolled, the faculty member must advise the student of his or her responsibility to have his or her name officially placed on the roster via appropriate steps in the Office of the Registrar.

5.5.4 Maintenance of Class Records

Each faculty member shall maintain an accurate, current, and clearly organized record of each student's progress in either a hard copy record book or in an electronic format, or both. All major assignments for the course should be recorded with numerical grades in the gradebook, along with the percentage each assignment is accorded.

All gradebooks or copies thereof shall be submitted to the Department Chair at the end of each semester, and a copy of the gradebook should be maintained by the faculty member for no less than one academic year and one summer. Faculty members who resign during a semester or whose

positions are terminated shall file their most current records with their Department Chair; this step shall be viewed as a part of the faculty member's clearance process.

5.5.5 Faculty Members Must Meet Classes

Faculty members must meet classes as scheduled unless illness or an absence arranged according to University policies prevents his or her attendance. If a faculty member is absent because of an illness, the department chairperson must be notified so that arrangements for class coverage, announcements of assigned work, and dismissal may be made. The faculty member should speak directly to the chairperson, or departmental office personnel if the chairperson is unreachable. Email notifications may be used in addition to direct contact notifications. Students should be told that, unless dismissed by the department chairperson or a departmental designee, they should wait for 20 minutes after the beginning of the class period for an absent faculty member before leaving the classroom.

5.5.6 Faculty Absences from Class

Absences for professional purposes and for personal reasons are allowed according to University policies. The chairperson must receive direct notification for these types of absences. Faculty must make arrangements for class coverage, and such absences may not last for more than five consecutive days unless approved by the chairperson, dean of the college, and the provost. Absence for religious holidays, and for voting when the faculty member's teaching schedule does not permit voting during the hours the polls are open, is allowed; but the department chairperson must be notified in advance and arrangements for class coverage must be made.

5.5.7 Observance of Office Hours

Each faculty member shall be available to students for out-of-class conferences. Office hours for such conferences are to be posted on the instructor's office door along with the instructor's contact information (email and office phone number). Each instructor must identify no fewer than eight (8) hours per week for regularly scheduled office hours or two (2) hours per 3 credit course. Each adjunct faculty shall be required to provide a minimum of two (2) hours per three (3) credit course. Instructors may choose to hold up to half of their office hours using electronic platforms, particularly for hybrid or online courses where students may not be available for face- to-face meetings.

5.5.8 Submission of Midterm and Final Grades

Each faculty member must use the official grade roster to record midterm (for undergraduate students only) and final grades for each student in each course using the electronic platform currently being used by the University. The official grade roster for each course must be submitted in the current electronic platform in a timely manner. Timely submission of midterm grades gives an overall indication to students of their academic standing in a class and allows students to seek academic help and make adjustments to improve their grades. Timely submission of final grades ensures that students will know if they must adjust their schedules for the following semester (see Appendix 5 for the BSU Policy on Grade Submission).

5.5.9 Change of Grades and Removal of Incomplete Grades

To change a student's grade, the faculty member must complete a Change of Grade Form, available in the Office of the Registrar and Department Office and specify the justification for the grade change. All grade change requests must be approved first by both the Department Chair and the School Dean. The School Dean shall submit the approved Change of Grade Form to the Office of the Registrar for processing. Acceptable reasons for a change of grade might include either the instructor's miscalculation, some documentation of performance that was not available at the time of the instructor's computation, or the student's documentation of medical reasons or "catastrophic" events beyond his or her control. A student may request (and, at the instructor's discretion, receive) a grade of incomplete if circumstances, such as health reasons or family emergencies, make it impossible for the student to complete all of the requirements for the course by the end of the semester. Once the student has, in consultation with the instructor, completed all course requirements (or, in the case where it is no longer possible to fulfill the original activities of the course, alternative assignments), and the instructor deems that a change of grade is warranted, the instructor will complete the appropriate form and submit it to the Department Chair. Requests for a grade change or the removal of an incomplete typically must be made no later than the semester immediately following that in which the grade was awarded.

5.5.10 Academic Advising and Student Mentoring

Each faculty member is required to provide timely, efficient, and carefully planned academic advisement to students. The University recognizes that academic advisement is one of the most important services provided by the faculty to students. While faculty are not expected to function exactly in loco parentis, it must be acknowledged that they are in a unique position to aid in our students' self-realization; and it is part of our core values to guide them in a thoughtful and informed manner. Faculty should assist students by advising them of the correct sequence of courses to take in order to graduate, taking into account each student's career and life aspirations, as well as their aptitudes and challenges.

Faculty members are also encouraged to identify problems that have the potential to hinder a student's academic progress. Students whom instructors reasonably assess to have problems that might affect their success should be referred to the appropriate campus department or service unit. Such problems might include physical disabilities, mental health concerns: learning deficiencies, substance abuse, disruptive behavior, and excessive absenteeism. Most of the support for such problems are administered by the Disability Support Services, the PRISEM Center, the Math Lab, the Smith Vidal Writing Center, the Academic Advising Center, the Career Development Center, Counseling Services, the Henry Wise Wellness Center, and International Student Services.

Ultimately, it is the responsibility of the Department Chair and faculty to collaborate in their efforts to ensure that students receive efficient and continuous academic advisement and mentoring from the department.

5.5.11 Faculty Advisors' Roles and Responsibilities

Because faculty have the most direct and frequent contact with students, each faculty member is expected to play a significant role in advising students. Faculty advisors must be prepared to assist students in many ways, including the following:

- To work with students as they try to analyze their career aspirations, appropriate major, and aptitude for these aspirations;
- To describe for the student the amount of time and effort, self-discipline, and perseverance that successful academic study requires;
- To help mobilize peer pressure as a positive rather than a negative influence on academic achievement;
- With the aid of the appropriate University catalog, to familiarize the student with the departmental discipline requirements, ancillary field(s) requirements, and the General Education requirements;
- To familiarize the student with University facilities and regulations established to help him or her succeed academically and adjust socially;
- To alert students, as appropriate, to learning, internship, and employment opportunities both within the institution and beyond;
- To help generate among the students a greater sense of pride and commitment to the University and the life of the mind that is at its core;
- To explore with the student, as appropriate, career options, the job market, or options for graduate study;
- To assist in keeping a record of each student's courses and performance, which record should be maintained in the Department file;
- To remind the students occasionally of other graduation and/or other academic testing requirements such as the National Teachers Examination (NTE) and Graduate Record Examinations (GRE), etc.;
- To inform the students of departmental and institutional changes that can affect their academic pursuit;
- To discuss students' mid-term performance and direct them to supportive units if needed; and
- To ensure that transfer credits are properly evaluated and recorded on a student's permanent record.

Each student should be advised on a case-by-case basis. Faculty may not advise students against taking any course, set of courses, or major based on the students' disability. Reasonable accommodations for students with disabilities will be made as required by law and BSU Policy VI-1.03, in consultation with the Coordinator of Disabilities Support Services.

Since the University considers student advising to be an essential part of a faculty member's responsibilities, contributions to the area of advising by each faculty member shall be considered as a part of his or her teaching load in evaluations for tenure, promotion, merit pay, and other forms of compensation.

5.5.12 Department Responsibilities

Each Department or program is responsible for advising its majors. When an undergraduate student declares a major, the student is assigned an advisor in the Department or Program. The student is directed to the catalog describing the requirements for the major and, if appropriate, a sample program outlining the sequence in which major requirements should be fulfilled.

Departments offering graduate programs also advise their graduate students. Each graduate student is assigned an advisor; and together, the advisor and student generate a program of study that reflects the student's specific areas of interest. Each department supports the advising activities of its faculty, and some departments designate faculty for specific student groups within the major. Faculty should be trained and given the proper tools so that they can provide accurate, appropriate, and timely advice that will aid students in achieving their educational and vocational goals. Faculty should expect the timely support of the Registrar's Office and other institutional units in determining and adjudicating curricular decisions affecting retention and time to degree. Each academic unit should maintain clearly planned advising sheets and work with the Registrar's Office to resolve technology and other problems that may adversely affect advisement.

Initial advisement for incoming freshmen is coordinated by the Academic Advising Center. Once the student has earned 60 credit hours, the student will be required to be advised by faculty of that department.

5.6 STUDENT CLASS ATTENDANCE

Students are expected to attend all classes and laboratories. Faculty members should keep and maintain accurate class attendance records. "Students are expected to attend classes and laboratory experiences, take all examinations, and participate in other learning activities as designated by the instructor. A student may be advised by the instructor to withdraw from a course for excessive absences. Five (5) or more unexcused absences may result in the student's receiving a grade of "F" for the course." A faculty member may recommend to the Department Chair and the Dean that a student be withdrawn from a course for excessive absences.

<https://catalog.bowiestate.edu/index.php?catoid=10>

A student who is absent from class because of circumstances beyond his/her control and wishes to obtain an excused absence must submit documentation to the instructor who will then consult with the Chair of his/her academic department to come to a resolution.

Students must submit such official excuses immediately upon their return to class. Faculty members should inform students that it is their responsibility to initiate a conference with the faculty member to seek guidance for making up assigned work that was discussed/submitted during their officially excused absence. In cases where a student is traveling to represent the University (on sports teams, as part of the band, on debate teams, as an SGA representative, etc.), faculty are encouraged to allow alternative assignments in lieu of attendance.

5.6.1. No Student Recording of Classes

In its 2013 statement, “Academic Freedom and Electronic Communications,” the AAUP declared, “Surreptitious recording of classroom speech and activity may have a chilling effect on the academic freedom of both professors and students.” Students, therefore, are not allowed to record classes using electronic devices of any kind without the instructor’s permission. Although class recordings may be acceptable in cases where video demonstrations are part of the lesson plan, instructors are urged to consider how recording classes without the explicit consent of all students may adversely affect student participation; and how seeking such consent may be construed as coercive.

5.7 PROCEDURES FOR STUDENT APPEAL OF A GRADE

Students who have documentation that an error was made in the determination of a course grade or desire to appeal a grade due to alleged arbitrary and capricious grading must first discuss the concern with the faculty member involved. If there are unresolved issues, the student may initiate the grade appeal process. The student must direct the appeal in writing, with documentation, through the appropriate channels: Instructor, Department Chair, School Dean, and Provost. If a course assignment grade is in dispute, the student must initiate the appeal no later than ten (10) working days after receiving the grade. If a final grade is in dispute, the student must submit an appeal no later than thirty (30) days from the end of the semester during which the grade was received. Procedures are detailed below. <https://catalog.bowiestate.edu/index.php?catoid=10>

5.7.1. Grade Appeal Process

1. The student must initially consult with the instructor for a satisfactory resolution of the appeal. If the instructor is no longer with the University or if the student is unable to resolve the issue with the instructor, the student must present the complaint in writing to the Department Chair.
2. The Department Chair will convene a Departmental Appeals Committee for resolution. If the student is not satisfied with the decision of the Departmental Appeals Committee, the Chair renders a decision.
3. If the complaint cannot be resolved at the Departmental level, the student must present the complaint in writing to the College Dean within fifteen (15) days after receiving notification of the Department’s decision.
4. The College Dean will render a final resolution.
<https://catalog.bowiestate.edu/index.php?catoid=10>

5.8 FACULTY NON-TEACHING RESPONSIBILITIES

5.8.1 Attendance at University Functions

Faculty are encouraged to participate in the University community by attending events, hosting, or sponsoring events, and otherwise supporting the extra-curricular activities, spectacles, and

pageantry that distinguish academia. Each faculty member is expected to participate in the activities of the academic community, including such events as the Fall and Spring Convocations, Founders Day, and Commencement. Faculty members are also expected to wear their academic regalia to the above-referenced University events. There is a provision in the BSU Policy on Reasonable Accommodations (<https://www.bowiestate.edu/files/resources/bsu-v1-103-reasonable-accommodations.pdf>) that would allow those faculty who do not wish to attend such functions because of “Sincerely Held Beliefs” or limitations of a disability to opt out of attendance. For a full explanation about the process for seeking such an accommodation, see Section IV of the BSU Policy on Reasonable Accommodations.

5.8.2 University, Professional, and Community Service

Each faculty member is expected to participate and serve on a range of departmental, college, and university committees, and with professional organizations; and engage, as appropriate, in community service. A University meeting calendar (see Appendix 6) has been established for the purpose of setting aside consistent time for faculty to engage in service on the campus. Each department Chair shall maintain a list of department, college, and University committees and initiatives and regularly share this list with faculty. Each department should have a faculty elections officer who will conduct elections for departmental positions on the Faculty Senate and Subcommittees of the Faculty Senate; and whatever other ad hoc committees that require shared governance procedures to put forward representatives.

Examples of endeavors that fall under the rubric of service activities are as follows:

- Chairing or serving on University or college committees;
- Conducting faculty workshops/seminars/colloquia;
- Chairing or serving on departmental committees;
- Advising a student organization;
- Authoring grant proposals;
- Participating in University, college, or departmental projects;
- Authoring University or professional handbooks, guidebooks, charters, or policy papers;
- Holding offices or serving on the boards of professional organizations;
- Organizing events, such as conferences, colloquia, readings, etc.;
- Leading or participating in community-based art or service projects; and
- Conducting other service activities that are generally associated with the needs of the department, the institution, the academy, and the community at large.

This list suggests typical activities, but it is by no means exhaustive; decisions about which pursuits constitute service activities, and what weight each should be accorded, should be adjudicated by the ART Committee of the department in which the faculty member serves.

5.9 BOWIE STATE UNIVERSITY POLICY ON INSTRUCTIONAL SPACE

The University owns all instructional space (e.g., classrooms, lecture halls, seminar rooms, studios, laboratories, galleries, auditoria, etc.). These rooms are not owned by the departments and may be reassigned, as necessary.

Instructional space designated for special use—e.g., the genetics lab, TV/radio studios, photography lab, nursing lab, computer science lab—however, are usually assigned to particular departments because of their special needs and limited use. Assignment of instructional space is dependent upon student enrollment, faculty course loads, the scope of the department's academic program, and the changing needs of individual departments. Any re-assignment of instructional space will be the result of prior consultation with the chair, dean, and Enrollment Management.

Departments must schedule courses during the established day/time matrix. Requests for exceptions for the day/time matrix must have the approval of the dean and will be referred to Enrollment Management for approval.

5.9.1 Policy on the Sale to Students of Instructional Materials

The University respects the academic freedom of the individual faculty member and recognizes scholarly achievement through publishing. However, to avoid any exploitation of students for the monetary gain of the faculty member, the required purchase by students of faculty-authored materials in courses, and the sale of materials to students by faculty, shall be governed by the following guidelines to protect both students and faculty:

- A. The University adheres to the American Association of University Professors (AAUP) policy on the ethics of faculty, as outlined in the “Statement on Professional Ethics,” page 133, in the AAUP Policy Documents and Reports, 2001 edition.
- B. The department, department chairperson, or a department committee shall review the materials specified in Subsection E below to determine their instructional value. The materials must be approved for use or sale before the beginning of the semester.
- C. Upon approval, the department shall forward the necessary documentation outlining the instructional value of the material to the appropriate college dean, who will keep the documents on file.
- D. In the case of the sale of material by faculty to students, the documentation submitted to the college dean by the department shall include, in addition to the evaluation of the educational value of the material, a certification of the cost to students. The documentation shall also include a procedure by which the faculty member shall receive the money without it being given directly to the faculty member by the student.
- E. The instructional materials that must be evaluated include:
 1. Materials written by BSU faculty that have been published by a commercial publishing company or a university press and which will be used in courses at BSU.
 2. Materials written by BSU faculty that have been independently printed, at BSU or elsewhere, and that will be used in courses at BSU.

3. Materials that have been acquired by BSU faculty for sale to students who are taking courses at BSU.

5.9.2 Guidelines for the Use of Materials Protected by Copyright

In compliance with the USM Policy on Intellectual Property, <https://www.usmd.edu/regents/bylaws/SectionIV/IV-3.20.pdf>, the **BSU Guidelines for the Use of Materials Protected by Copyright** outlines the basic concepts and definitions of the 1976 Copyright Act, Title 17 U. S. Code, and the subsequent provisions and guidelines that define the conditions for educational use of copyright protected materials. These definitions and guidelines apply to all classes of copyrighted material, including print, audio, visual, and digital media, intended for both classroom and library use. Faculty members are expected to comply with these guidelines when selecting or developing material to support instruction or research presentations. Assistance in researching and interpreting copyright requirements is available through the Office of the General Counsel.

5.9.3 Policy and Guidelines for the Reproduction of Copyrighted Print Material for Classroom Use

The copyright law of the United States, Title 17, United States Code, (the Copyright Act) governs, among other things, the photocopying of copyrighted materials. If a work is protected by copyright, in general, it is copyright infringement to copy it without permission. Photocopies made in violation of the copyright law may result in monetary damages. Some photocopying of copyrighted material may be protected by the “fair use” defense defined in Section 107 of the Act. An agreement was reached among educational, author and publisher organizations and accepted by congressional committees setting forth guidelines for classroom copying by faculty, which fall within the “fair use” defense previously mentioned.

The “Guidelines for Classroom Copying of Books and Periodicals” sets forth agreed upon criteria for fair use. Where photocopying of protected material is intended for classroom use, but does not meet the criteria for fair use, as provided in the agreement; then permission to photocopy the material must be obtained as required by the Act.

5.9.4 Bowie State University Faculty and Student Procedures Regarding Emergency Absence or Lateness of Faculty During Final Examinations

If, because of an emergency, the faculty member is late, the absence of the faculty member should be reported to the department chairperson or designee immediately. Unless dismissed by the department chairperson or designee and instructed about makeup examination procedures, students should wait for 30 minutes after the beginning of the examination period. After waiting for this length of time, all students should sign an attendance list and include their telephone numbers. Students should designate two students as class representatives to take the attendance list to the department chairperson/office. If the department office is closed, the class representatives should take the attendance list to the appropriate department chairperson.

5.9.5 Bowie State University Policy on the Retention of Final Examinations and Grade Books

Faculty members are required to retain written final examinations for a full calendar year unless the examinations have been returned to the students. In the case of non-written examinations, faculty members must also retain all pertinent evidence (detailed notes of students' performances, recordings, photographs, etc.) for a full calendar year. Faculty members who will be away from the University for any reason (leave of absence, sabbatical, resignation, etc.) must give the final examinations and grade books to the department chairperson. In either case, during the period of retention, students are permitted to review their final examinations. Faculty members and chairpersons may provide students with a copy of the final examination but are not obligated to do so.

5.9.6 Electronic Submission of Final Grades

Final grades are submitted electronically using the Bowie State online platform. For a guide to the electronic submission of grades, contact the Office of the Registrar in Enrollment Management. A paper copy of each grade roster must be submitted immediately to the department chair or program director.

5.9.7 Posting Grades

In accordance with privacy laws including FERPA, posting grades so that they are publicly viewable (i.e., on office doors, etc.) in any format is not permitted. Furthermore, faculty should be careful about discussing grades or other private information with students using non-BSU email accounts or other social media, unless the faculty member has received clearance from the student to do so.

5.9.8 Academic Records

Academic records are accessible by students. Parents and legal guardians of dependent students may have the right to review the student's academic record consistent with FERPA. A parent or legal guardian who requests a faculty member to provide information about a student's record or class performance should be referred to the Registrar, who will determine whether the student is a financial dependent or whether the student has signed an appropriate waiver. See BSU FERPA Policy: <https://bowiestate.edu/about/administration-and-governance/legal-and-government-affairs/university-policies/section-iii-academic-affairs/iii--630--policy-on-confidentiality-and-disclosure-of-student-records.php> The academic record is defined as the document on which a chronological listing of the courses attempted or completed by the student is maintained together with the grades earned. This record may also include dates of admission, withdrawal, suspension, dismissal, readmission, as well as contain personal demographic information on the student. The academic record also includes the student's admission folder, which is maintained by Enrollment Management until one year after graduation and contains official documents of admission, withdrawal, dismissal or reinstatement, as well as copies of decisions regarding any exceptions made on behalf of the student to existing academic regulations.

CHAPTER 6

EQUITABLE PRACTICES, RETRENCHMENT, AND FACULTY GRIEVANCE

6.1 BSU EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

BSU shall not discriminate against any individual based on race, color, religion, age, ancestry or national origin, sex, sexual orientation, disability, marital status, veteran status, or any other protected status covered by state and/or federal law. All policies, programs and activities of BSU are and shall be in conformity with all pertinent federal and state laws of nondiscrimination including, but not limited to: Title VII of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972, the Equal Pay Act of 1963, the Age Discrimination Act, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, Federal Executive Order No. 11375 and Article 49B of the Annotated Code of Maryland. This commitment applies in all areas and embraces faculty, staff and students.

Equal opportunity of access to academic and related programs shall be extended to all persons. BSU shall have as its firm objective equal opportunity in recruitment and hiring, rate of pay, all other promotions, training, retention and dismissals, for all employees and applicants for employment. The University will stress equal access for employees and applicants for employment to all programs and services provided by the BSU, both on and off campus. BSU will also provide equal opportunity and an atmosphere of nondiscrimination with respect to women and members of minority groups in all its operations. In addition, BSU shall promote equal opportunity and equal treatment through a positive and continuing Affirmative Action Program.

The University makes, and will continue to make, reasonable accommodations to promote the employment of qualified individuals with disabilities and disabled veterans, unless such accommodations would impose an undue hardship on the University's business.

In addition, employees and applicants will not be subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in, or may have engaged in, activities such as filing a complaint, assisting or participating in an investigation, compliance review or hearing, or opposing any act or practice made unlawful, or exercising any other right protected by Section 503 of the Rehabilitation Act of 1973, as amended or the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended.

6.2 IMPLEMENTATION OF DIVERSITY, EQUITY AND INCLUSION STANDARDS

BSU's President delegates authority to the University's Equal Employment Officer (EEO) who is the Director of Equity Compliance, to ensure campus-wide compliance with federal and state law and University policy on equitable practices. The EEO is responsible for the entire scope of equitable practices in education and employment at the University. The EEO is also responsible for advising members of the University community of their rights and responsibilities regarding

affirmative action and civil rights, serving as the liaison with other state and federal civil rights agencies and investigating and evaluating complaints of discrimination and harassment made by employees, students, and interested third parties. Additionally, the EEO answers external allegations of discrimination from agencies such as the Maryland Commission on Civil Rights (MCCR) and the Equal Employment Opportunity Commission (EEOC), and reviews University policies to assess the impact of all fair employment practices on their implementation.

The EEO also conducts internal audits on University practices through the implementation and annual updating of the University Affirmative Action Plan conducts training for the University community on subjects like Sexual Harassment, Discrimination in the Workplace, Affirmative Action, Multicultural Diversity, and others.

6.3 PROTECTIONS FOR THE UNIVERSITY COMMUNITY

Faculty members and all employees of the University are protected from discrimination in various employment-related decisions on these bases: hiring, work assignments, working conditions, fringe benefits, evaluation of contract renewal, promotion, rank, tenure, and merit pay. The University encourages complaints of discrimination on any of these bases to be brought immediately to the EEO Officer. Faculty members are advised to be fair and non-discriminatory when participating in collegial processes—such as hiring, peer evaluation for contract renewal, promotion, tenure, and merit pay decisions—and to base all collegial recommendations on academic advising, teaching, research/scholarship, and service criteria.

Likewise, students and visitors to campus are protected from discrimination in education and employment as is relevant to their interaction with the University. Faculty are advised to familiarize themselves with related policies and to refrain from decisions that may, either through intent or impact, discriminate against a student in course assignment, grading, academic progression, student work scholarships, assignment of fees, job placement, and disciplinary action.

6.4 RETRENCHMENT POLICY

6.4.1 Presidential Responsibility

1. The President shall be advised by the appropriate Faculty Senate Committee, the Department Chair, Dean, and the Provost and Vice President for Academic Affairs, in keeping with the detailed process in the University's Retrenchment Guidelines and Procedures Document . <https://bowiestate.edu/about/administration-and-governance/legal-and-government-affairs/university-policies/section-ii-faculty/ii--800--policy-on-faculty-retrenchment.php>
2. The President bears institutional responsibility for determining whether retrenchment is needed in any program.

6.4.2 Mission and Goals

Any retrenchment plan must take into account the announced goals and mission of the University. While mission and goal statements are subject to change through normal academic governance procedures in response both to internal developmental imperatives and external mandates by the Board of Regents and the Maryland Higher Education Commission, the present retrenchment policy (<https://www.bowiestate.edu/gc/university-policies/section-ii-faculty/ii--800--policy-on-faculty-retrenchment>) reflects the current mission and goals of the University. Any changes in mission and goals may necessitate revision of the retrenchment policy to reflect those new realities.

6.4.3 The Nature of the University

The University is an organization that is constantly changing in response to social needs and the discovery of new knowledge. While some aspects of the university inevitably change due to the local and global environment, other parts are growing and developing. Therefore, human and fiscal resource allocations and reallocations may need to occur frequently as a means of maintaining a strong academic environment.

6.4.4 Imperatives for the Future

The institutional health of BSU and the health of individual programs are affected by a variety of factors, both internal and external to the University. It is the policy and intent of the administration, faculty, and librarians of the University to utilize faculty and library positions in a manner that is in agreement with the University's mission. Furthermore, it is recognized that circumstances beyond the control of the University—e.g., lack of funds; reduction or discontinuance of a program, concentration, cognate, or major area of an academic unit of a department; and changing demographics or educational priorities—may require the implementation of faculty/librarian retrenchment (including library technicians). Both demographic changes and state-level programmatic and fiscal decisions will require University response. When there is low or no enrollment growth periods for any department at the University, financial and human resources will be at a premium. Therefore, the University must have a variety of responses that can be utilized to maintain its institutional integrity.

6.4.5 Policy Guidelines

The policies of BSU include the following:

1. **Board of Regents Policy**—All elements of the retrenchment policy and procedures will be consistent with the Board of Regents Policy on Faculty Retrenchment. <https://www.usmd.edu/regents/bylaws/SectionII/II800.html> The Faculty Retrenchment Policy also shall agree with any other Board of Regents policies applicable to the implementation of the University's Retrenchment Plan.
2. **Programmatic and Financial Imperatives**—The guidelines given by the Board of Regents (BOR II – 8.00-1) indicate that the optimum utilization of faculty resources may call for a reduction in or reallocation of faculty at various times for various reasons, e.g.

shifting enrollment patterns, changing program directions, restricted funding. They also pertain to the termination of the employment of faculty members because of a reduction or discontinuance of an academic program or department, reallocation of resources as a result of changing educational priorities, lack of funds, or the requirements of legislative or other mandates. The guidelines define reasons for retrenchment in broad terms.

6.4.6 Strategies for Flexibility

BSU's approach seeks to maximize its resources, both human and fiscal, in order to remain programmatically and academically sound and fiscally healthy. Strategies that the University has used or may use to deal with enrollment and budget vicissitudes in the future include the following:

1. A far tighter view of faculty and staff vacancies and a reallocation of resources from programs with declining enrollments to growth areas if other strategies are deemed untenable;
2. The practice of splitting faculty loads when a faculty member has retooled in part or has an established competency in another department;
3. More use of part-time and adjunct faculty to stretch institutional dollars within predetermined limits which maintain the University's integrity;
4. A continuation of the aggressive effort on the part of Enrollment Management and the involvement of ever greater numbers of faculty in the process of recruiting the very best students;
5. A continuation of the University's aggressive efforts to improve the retention of students;
6. Encouragement of early retirement of senior faculty, particularly in those areas where decline is being experienced, early retirement is encouraged through a commitment to continued quarter-time or half-time teaching as long as the need exists;
7. A regular Spring evaluation of productivity, department-by-department and program-by-program, with statistical analysis collected each semester and utilized in the assigning and reassigning of faculty positions, as well as in the allocation of the part-time and adjunct instructional budget;
8. On a regular basis, the scrutiny of cost-per-credit hour and cost-per-FTE faculty, program-by-program as not only a cost control but also a planning strategy;
9. Having the Dean of the Library regularly review library budget allocations to various library departments in light of academic changes and utilization of services and collections and shifting resources as necessary.

6.4.7 Academic Planning

BSU is committed to a program of detailed long-range planning that attempts to ensure the continued health of its total academic program. New programs are implemented through careful planning and assessment when the Institution has identified that it either possesses or is able to acquire the faculty and resources to offer a program. A key part of the University's stance for the future will be the commitment to a continued and expanded role for long-range planning that will bring together fiscal administrators and faculty leadership. Such planning will need to occur in even greater depth and based on a far more sophisticated database than has been the case in the past. The basic questions of institutional long-range planning are as follows: Where is society

going to be in a decade? What are its needs going to be; how shall we reassess the region we serve in terms of evolving professional baccalaureate educational need? Taking these questions into consideration, in what programmatic directions for development does this suggest the Institution move?

6.5 ROLE OF THE RETRENCHMENT APPEALS COMMITTEE

The Retrenchment Appeals Committee will have the ongoing responsibility of advising the President of Bowie State University regarding retrenchment and any conditions, both internal and external to the University, which might ultimately have an impact on retrenchment. The retrenchment appeals committee shall be established as stated in the BOR. <https://www.usmd.edu/regents/bylaws/SectionII/II800.html>

By creating this Committee before actual retrenchment is invoked, the University ensures that the Committee will be able to fulfill its advisory responsibilities and conduct the research necessary to carry them out. Thus, the Committee will remain fully informed and, should retrenchment become necessary, will be ready to take on the retrenchment responsibilities required of it.

A retrenchment document has been developed to ensure that the principles of equity and fairness accompany the implementation of retrenchment at BSU.

The specific criteria, procedures, statistical data gathering techniques, exclusions, etc. are described in the Retrenchment Document.

6.6 RETRENCHMENT APPEALS POLICY

The University Retrenchment Appeals Policy is designed to help ensure that the rules and regulations governing academic freedom, due process, and grievances are carried out fairly and impartially. The University Retrenchment Appeals Committee considers all appeals made by faculty and appropriate librarians.

6.6.1 Appeals Procedures and Hearing Guidelines

Each tenured faculty member or professional librarian whose employment is to be terminated may file an appeal with the Office of the President within twenty (20) calendar days after the date of notification. The appellant must set forth in writing the grounds for such an appeal, following the procedures established by the Board of Regents and the University's Retrenchment Policy. The appellant shall bear the burden of proof. All data required by the Retrenchment Policy will be considered.

The President of the University will forward the written appeal and supporting documents to the Chair of the Retrenchment Appeals Committee.

Within five (5) calendar days of the receipt of the written appeal, the Chair of the Retrenchment Appeals Committee will set a time and place for the Appeal Hearing. The Chair will apprise the appellant of his or her right to provide the Committee with a detailed statement of the grounds of his or her appeal and a list of any persons qualified to testify before the Committee on the substance of the appeal. The Appeal Hearing will be set between ten (10) and twenty (20) working days following receipt of the written appeal.

If the appellant intends to request that these individuals speak on his or her behalf, the appellant must state the qualifications of such witnesses in the appeal. The written statement and the list of witnesses must be given to the Chair of the Retrenchment Appeals Committee no later than five (5) working days before the date of the Appeal Hearing. No written evidence that has not been disclosed to the parties involved at least five (5) calendar days before the hearing may be submitted for consideration by the Committee. The purpose of the hearing is to provide a fair and orderly forum for the presentation of evidence and views and for the questioning of witnesses by the Committee. The hearing will be open unless the appellant requests that it be closed. However, the Committee does possess the discretion to close an Open Hearing only to discuss personnel matters affecting individuals other than the appellant. Faculty (both tenured and non-tenured) and librarians (both those with permanent status and those without) will be notified of the time and place of the Open Hearing no less than three (3) working days prior to the hearing.

During the proceedings, the appellant will be allowed to have an advisor and/or counsel of his/her own choice. A representative from the AAUP or the American Library Association will be permitted to attend the hearing as an observer, if requested by the appellant or Committee.

At the Appeal Hearing, the appellant will have the opportunity to comment without interruption on the grounds of his or her appeal. The appellant will be entitled to call necessary witnesses and present documentary evidence. The administration will cooperate with the Committee in securing witnesses and making available necessary evidence and documents.

After the appellant has spoken and after witnesses have testified at the request of the appellant, Committee members will have the opportunity to question and cross-examine all witnesses. The administration and the faculty member or librarian who is making the appeal also will have the right to question and cross-examine all witnesses. In the event that witnesses cannot appear, the Committee will determine whether, in the interest of justice, a written statement from an identified witness shall be disclosed at the proceedings. In such a case, if possible, the Committee will provide the interrogatories.

An electronic verbatim record of the Appeal Hearing or hearings will be produced, and a typewritten copy will be made available by the President's Office to the faculty member or librarian without cost at the appellant's request. The Chair of the Retrenchment Appeals Committee will send a typewritten copy of the Hearing or Hearings to the University Archives.

During the Open Hearing, the Committee will gather all relevant information pertaining to the appeal. Within a reasonable period of time after the Open Hearing, the Committee will meet in private session and discuss the evidence and views presented by the appellant, his or her witnesses, and the Equal Employment Opportunity Officer. The Committee will then render

opinion by simple majority vote with a quorum of at least seventy-five percent of members present and voting.

The Committee will, within five (5) working days of the conclusion of the Appeal Hearing, forward its recommendation in writing to the President of the University. Written minority opinions also may be sent to the President. Although the President shall consider the recommendation of the Committee, he or she will not be obligated to follow it. The final decision will rest with the President. The President shall notify the appellant of the recommendation of the Committee and his or her final decision within ten (10) calendar days following the conclusion of the Hearing.

The filing of an appeal or the appeal procedure shall not alter the effective date of termination unless the final decision of the President is to revoke the notice of termination.

6.7 FACULTY GRIEVANCE GUIDELINES

6.7.1 Policy and Procedures on Faculty Grievance

BSU has established a Faculty Grievance Policy (<https://bowiestate.edu/about/administration-and-governance/legal-and-government-affairs/university-policies/section-ii-faculty/ii--400--policy-and-procedures-on-faculty-grievance.php>) to give faculty members of the University community a forum in which to address concerns related to matters involving the interpretation or application of University policies, including disciplinary action. This policy provides a method for aggrieved faculty to express substantive complaints about, academic policy concerns, or other faculty issues, and have them resolved by the appropriate University officials in a timely fashion. The following matters are not covered by these grievance procedures:

- Claims involving alleged discrimination or harassment;
- Claims relating only to alleged violations of policies that were promulgated exclusively by the USM, actions of the Board of Regents, or actions of the Chancellor of the System, over which BSU has no jurisdiction;
- Retrenchment appeals;
- Grievances against University police officers that could result in the imposition of any discipline against the officer(s);
- Claims pertaining to a subject that is reviewable under, or is specifically excluded from review by, any other USM or institutional policy.
- Claims pertaining to an official policy, regulation, or procedure of the USM or the Institution; a decision or action by the Board of Regents, the Chancellor, or the President; or any matter the remedy for which would contravene or interfere with any such official policy, regulation, procedure, decision, or action;
- Claims involving broad areas of the fiscal management, staffing, or structure of the USM or the Institution; or
- Claims for which the resolution is not under the control of the Institution and/or the USM.

6.7.2 Filing a Grievance

A written and signed grievance must be filed with the Chair of the Faculty Grievance Committee within sixty (60) calendar days following the administrative action or inaction prompting the grievance, or within sixty (60) calendar days after the faculty member first knew or should have known of such action or inaction. However, days falling between June 15 and August 15 of any year shall not be counted in determining the sixty-day period or any other time period contained in this policy. Grievances by more than one faculty member may be combined into a single grievance if each faculty member signs the grievance and the material facts and issues are substantially the same.

6.7.3 The Faculty Grievance Committee

A Faculty Grievance Committee consisting of seven (7) tenured faculty members shall be elected annually from the faculty at-large. The Committee shall elect a Chair from among the committee members. Any member of the committee shall be entitled to dismiss himself or herself if such member feels that he or she has a conflict of interest that would result in an inability to render an impartial decision in a particular case; or the Committee, by majority vote, may determine that such a disqualifying conflict of interest exists and may dismiss any committee member. In the event of a tie vote, the Chair shall make such determination. The grievant may challenge any member of the Committee based on the member's alleged inability to render an impartial verdict, and the Committee by majority vote may dismiss such member. A faculty member from the same College shall replace a disqualified Committee member. The Committee shall elect a Secretary who shall be responsible for keeping a record of the grievance filed, notifying persons involved, retaining copies of all documents and evidence related to the grievance, and making arrangements for the Hearing to be recorded.

6.7.4 Informal Resolution

Once a grievance has been filed, the Committee Chair, at the request of the grievant, may stay any applicable time frames to permit adequate time for said grievant to address and resolve the grievance through informal discussions or mediation. The grievance will be considered resolved through informal resolution if all parties sign a confidential written statement describing how the grievance has been resolved. The original version of such statement shall be maintained in the Office of the Provost.

6.7.5 The Grievance Hearing

The Faculty Grievance Committee shall convene a Hearing at a time convenient to all parties within thirty (30) days following receipt of the written grievance and shall provide written notice of the date and time to all parties. Such hearing shall be open to the public unless one or both parties request that it be closed. The grievant may not be represented by an attorney before the Faculty Grievance Committee unless that individual is facing criminal charges relating to the subject of the grievance. The grievant shall be responsible for demonstrating the merits of his or her grievance at the Hearing. He or she must demonstrate by a preponderance of the evidence that

the action or inaction complained of occurred, that it adversely affects him or her; and that a remedy is reasonable and proper.

6.7.6 Conduct of the Hearing

Both the faculty member and the University administrator responsible for the action or inaction in question shall have the opportunity to make opening and closing statements, to examine and cross-examine witnesses, and to present documentary evidence. Either party may request in writing, in advance of the Hearing, that the Chair contact witnesses and request their appearance at the Hearing. The Chair shall honor such requests unless he or she determines that it is unreasonable or that the testimony sought would be irrelevant to the issues in the Hearing or unnecessarily redundant. Members of the Committee may question witnesses and call their own witnesses, as necessary. The Chair shall be responsible for conducting the Hearing in an efficient and decorous manner and shall, in consultation with other committee members as he or she deems necessary, rule on all procedural and substantive matters relating to the conduct of the Hearing. The formal rules of evidence applicable to judicial proceedings shall not apply in the Hearing. The Committee may receive such evidence as a reasonable person would consider reliable in making important personal decisions, and the Chair shall make rulings on issues of relevance and admissibility. The Chair may set reasonable limits on the presentation of evidence and may exclude redundant or irrelevant evidence.

At any step of the grievance process, the Committee may request advice of legal counsel, through the President, on significant legal issues. A tape recording shall be made of the Hearing, and copies shall be made available to parties for cost upon request. A record shall be kept of all proceedings and documents entered into evidence.

6.7.7 Deliberations, Findings, and Recommendations

The Committee shall consider only evidence officially received at the Hearing. The Committee shall conduct its deliberations privately and shall not record such deliberations. The Chair shall prepare a written report of the Committee's findings, to include the reasons for its findings, its recommendations, and any dissent. Each member of the Committee shall sign and date the report, which will be sent to the President and to all parties within ten (10) days following the conclusion of the hearings.

6.7.8 Written Exceptions

Within five working days of receipt of the Committee's written findings and recommendations, the faculty member may file written exceptions to the Committee's report to the President based only on the following grounds: (1) the Committee's failure to follow the procedures specified herein in a manner that substantially prejudiced the grievant; (2) bias on the part of one or more of the Committee members; (3) inconsistent or overly severe penalties recommended by the Committee; or (4) failure by the Committee to consider all of the evidence.

6.7.9 President's Decision

Within ten (10) days after receiving the Committee's report or the faculty member's written exceptions to that report, the President shall report in writing to all parties and the Chair of the Faculty Grievance Committee his/her decision in the matter and what action, if any, will be taken. It is expected that the President will give great weight to the findings and recommendations of the Faculty Grievance Committee. However, if the recommendations of the Committee are not implemented, a written explanation of this decision not to implement said recommendations shall be provided to all of the above parties.

The President's decision is final.

CHAPTER 7

FACULTY BENEFITS

7.1 OTHER FORMS OF COMPENSATION

Overloads: A full-time faculty member may teach one course on an overload basis during each semester of the academic year for which he or she shall be paid an amount not to exceed that established by University policy. Special courses, such as independent study and directed reading, shall be excluded from the above course limitation. Faculty payment for such courses shall be a matter of individual negotiations between the University and affected faculty members.

The scheduling of a faculty member's course load shall be determined by the Department Chair in collaboration with the Dean, and in compliance with University policy, and shall at no time be contingent upon overload or other like contractual arrangements as noted above. A faculty member whose workload falls below twelve (12) credit hours because of course cancellation, insufficient class size, or similar causes shall be given other appropriate assignments, including teaching at off-campus centers during that semester. The faculty member shall not receive overload compensation for such teaching until his or her load is more than the number of credit hours approved.

7.2 OUTSIDE EMPLOYMENT

In general, and in keeping with the implications of a full-time faculty appointment, a faculty member must not engage in outside employment that will detract from his or her professional commitment to the students and to the mission and goals of the University. However, with the consent of the President, a faculty member may engage in limited employment for compensation outside of the University during the regular academic year, provided such employment will not interfere with the faculty member's duties at the University, including meetings, conferences with students, and the like. Faculty members must submit a request to the Chair and the Dean one semester in advance, using the Outside Employment Form. See [BSU Policy II - 3.10 - Policy on Professional Commitment of Faculty](#) and [BSU Policy II - 3.20 - Policy on Teaching Outside the Home Institution](#).

7.3 FACULTY LEAVES

7.3.1 Sabbatical Leave

Full-time tenured faculty members with a six-year or more tenure at the University are eligible for sabbatical leave. Ordinarily, a leave of absence without pay shall not be regarded as service to the University for purposes of determining eligibility for sabbatical leave. Seniority, as reflected in length of service and faculty rank, shall usually be considered in the review of faculty for sabbatical leave.

(See BSU Policy II-2.00: Sabbatical Leave - <https://bowiestate.edu/about/administration-and-governance/legal-and-government-affairs/university-policies/section-ii-faculty/ii--200--policy-on-sabbatical-leave-for-faculty-and-professional-librarians.php>)

7.3.2 Leave of Absence Without Pay

Under certain conditions, the President or his/ her designee may grant a faculty member a leave of absence without pay. A primary consideration in the award of leave without pay is that it shall not substantially disrupt the academic program or unit of which the faculty member is a part.

Leaves of absence without pay ordinarily shall be granted if the purpose of the leave is to advance the BSU's mission of teaching, research/scholarship, and service or to enhance the ability of the individual to support that mission. Leave without pay also may be granted for personal or health reasons. In no case shall a leave without pay extend beyond the termination of the individual's term of employment. (See BSU Policy II-2.20: Leave of Absence Without Pay for Faculty - <https://bowiestate.edu/about/administration-and-governance/legal-and-government-affairs/university-policies/section-ii-faculty/ii--220--policy-on-eave-of-absence-without-pay.php>)

7.3.3 Extended Faculty Absence

Extended faculty absence during the regular semester for reasons other than illness are granted only under exceptional circumstances and cannot be provided for routine occurrences like national or international meetings. Approval for extended absences must conform to the following guidelines:

- Any faculty absence of more than five (5) working days for professional reasons must be approved in advance. Faculty who expects to be absent for more than ten (10) working days must make special arrangements through the Department Chair, Dean, and Provost before the beginning of the semester.
- The Provost must approve requests for extended absences.
- The faculty member must submit an adequate plan for a substitute teacher and/or alternative activities for each class. Students must be given adequate warning regarding the classes that the instructor will miss.

7.3.4 Leave for Jury Service

A faculty member who is selected for jury duty shall notify his/her Department Chair of this selection without delay. The faculty member shall be permitted to be absent without loss of pay or charge to any leave for the day(s) of jury service. The faculty member shall be responsible for providing documentation that verifies attendance. While on jury duty, faculty members are responsible for making arrangements for their classes.

7.3.5 Transitional Terminal Leave

The President may grant transitional terminal leave upon application by the faculty member, at the discretion of the institution, and with the consent of the faculty member, in accordance with USM Policy II-2.10: Transitional Terminal Leave for Faculty: <https://www.usmd.edu/regents/bylaws/SectionII/II210.pdf>

7.3.6 Annual Leave

A full-time faculty member serving on a twelve-month contract shall earn twenty-two (22) days of paid annual leave and three (3) days of paid personal leave per calendar year.

7.3.7 Sick and Accident Leave

Full-time faculty members are entitled to both non-creditable and creditable sick leave for which they are eligible. The provisions for both types of sick leave and accident leave, including the conditions under which sick leave can be applied to retirement, are contained in the BSU Policy II-2.30, Policy on Accident Leave and Creditable and Non-Creditable Sick Leave for Faculty Members (available in the Office of Human Resources).

7.3.8 Family and Medical Leave

The BSU Policy on Family and Medical Leave for Faculty, in accordance with BOR Policy, provides eligible employees up to a maximum of twelve (12) weeks of unpaid leave during a twelve (12) month period for certain family and certain serious health condition reasons (see <https://www.bowiestate.edu/gc/university-policies/section-vii-personnel/vii-750-policy-on-implementation-procedures-for-family-medical-leave/> for more information).

7.4 UNIVERSITY EXCUSED ABSENCE

7.4.1 Absence for Religious Holidays

If a faculty member's teaching schedule occurs on a religious holiday, the faculty member's absence is permitted, but the Department Chair must be notified in advance, and arrangements for class coverage must be made prior to the anticipated leave.

7.4.2 Absence for Voting

When the faculty member's teaching schedule does not permit voting during the hours the polls are open, the faculty member's absence is permitted, but the Department Chair must be notified in advance, and arrangements for class coverage must be made prior to the leave.

7.4.3 Absence for Professional Development

Faculty members who require leave for professional development reasons must receive permission from the Department Chair. Prior arrangements for class coverage must be made and submitted with the request, and such absences may not be more than five (5) days unless approved by the Dean and the Provost.

7.4.4 Absence for Personal Reasons

Faculty members who require leave for personal reasons receive permission from the Department Chair. Prior arrangements for class coverage must be made, if possible.

7.5 POSITIVE TIME REPORTING: LEAVES AND WORK ATTENDANCE

Monthly Faculty Report Forms are to be completed and signed by each faculty member and submitted to the Department Chair for his or her signature. The original form for each member is to be kept on file in the Office of the Dean. The Department Chair is to complete a monthly Faculty Report Form and forward it to the College Dean for his or her signature. The original form for each Department Chair is to be kept on file in the Office of the College Dean.

At the end of each academic year, an end-of-the-year summary is to be completed for each faculty member by the Department Chair. The information from the monthly reporting forms is to be used to complete the Faculty Leave Record Form for each individual, including the Department Chair. The faculty member and the Chair must sign these forms. The originals, including those for all faculty and chairs, are forwarded to the College Dean for his or her signature.

The Dean forwards the originally signed Faculty Leave Record Form for all faculty and chairs to the Office of Human Resources. A copy of this form is maintained on file in the Office of the College Dean.

1. Faculty and staff who do not hold administrative appointments, and all students, may express their opinions freely on all shared governance matters without retaliation. Administrators, including faculty holding administrative appointments, may also express their opinions freely during policy discussions, without retaliation; but once a decision is reached, they are expected to support and implement policy as determined by the institutional leadership.
2. Shared governance requires a commitment of resources and time from the USM institutions. Each institution shall provide a proper level of resources, as determined by the president, to faculty, staff, and students to allow them to carry out their shared governance responsibilities effectively.
3. While participation in governance by faculty, staff, and students is necessary and important for the well-being of the USM and its institutions, the final responsibility for decision-making rests with institutional presidents, the Chancellor, or the Board of Regents, who are ultimately held accountable by the public and its elected leaders.

CHAPTER 8

GRANTS AND SPONSORED RESEARCH

8.1 OFFICE OF RESEARCH AND SPONSORED RESEARCH

The Office of Research and Sponsored Programs (ORSP) is the liaison between various external funding agencies and the University. It is responsible for disseminating information about funding opportunities to faculty and staff, reviewing proposals before submission to agencies, negotiating grants and contracts for sponsored projects on behalf of the University, reviewing all sponsored project award documents, and providing post-award management for all such projects. Together, the Controller's Office and the ORSP provide fiscal management of awards. Additionally, the ORSP is responsible for identifying any changes in federal and state regulations or USM policies regarding sponsored projects and for notifying the appropriate academic and administrative personnel of such changes. The ORSP is the central repository for all original documentation regarding grants and contracts. Proposals that are submitted to external funding agencies and award documents received from such agencies must be reviewed by the ORSP, which ensures that the terms and conditions are acceptable to the University and comply with state, federal, and sponsor specific requirements. Moreover, the ORSP has responsibility for ensuring that the University's regulations and policies are met and that the appropriate administrative approvals are obtained.

8.1.2 External Funding Sources

External funding sources are identified for faculty through computerized searching systems, agency announcements, and targeted email messages sent to appropriate faculty and staff members. All computerized search engines are available to all faculty and staff members with University usernames. The ORSP offers program announcements, applications, and commercially produced publications.

8.1.3 Proposal Development Assistance

The ORSP provides proposal development assistance to faculty and staff. This assistance includes the interpretation of funding agency guidelines and requirements, budget development, budget justifications, proposal writing and review and editing of proposals, completion of all required agency forms, and the assembly and delivery of final proposals. The ORSP also offers periodic workshops on a limited number of agency programs, proposal development, and proposal writing throughout the academic year. Any faculty or staff member who wishes to submit a proposal on behalf of the University should contact the ORSP.

8.1.4 Grants Management Services

ORSP provides grants management services in the form of University review and approval of grant proposals, fellowship applications, contracts, subcontracts, and

agreements entered into by the University for research or other scholarly projects. The ORSP negotiates budgets, grant agreements, and contracts with sponsors, and subcontracts with entities funded under awards to BSU. The ORSP reviews and manages grants in a manner consistent with University, USM, state, federal, and sponsor-specific regulations.

8.2 BSU POLICIES AND PROCEDURES FOR SPONSORED PROJECTS

8.2.1 Proposal Submission

Any sponsored project funded by an external agency is subject to the University's policies regarding intellectual property confidentiality agreements; conflict of interest statements; the use, possession, or sale of drugs; the protection of human subjects; the protection of animal subjects; scientific misconduct; and sponsored projects, as listed below. The ORSP is tasked with negotiating all sponsored project agreements. Any proposals to external funding agencies must be submitted by the ORSP. Proposals will be submitted to a funding agency after the normal internal University proposal review and approval process has been followed and all of the necessary signatures and approvals have been obtained.

8.2.2 Salaries

Salaries for all scientific, professional, and technical personnel who will be involved in the sponsored project should be included as direct costs in the proposal budget. The salaries of administrative and clerical staff should typically be treated as indirect (facilities and administrative [F&A]) costs. Direct charging of these costs may be appropriate only if all of the following conditions are met: (1) administrative or clerical services are integral to a project or activity; (2) individuals involved can be specifically identified with the project or activity; (3) such costs are explicitly included in the budget or have the prior written approval of the federal awarding agency; and (4) the costs are not also recovered as indirect costs to CFR 200.414 (c).

Faculty members who are on nine-month academic year appointments may budget compensation for summer salary for a three-month period. The National Science Foundation (NSF) allows summer salary for a two-month period. Salary for a summer month is the same amount that a faculty member would receive for a month during the previous academic year. A portion of the salary for an academic year may be underwritten by a grant or a contract. If the faculty member has received three (3) hours of release time, out of a total teaching load of twelve (12) hours, to work on the grant; then the percentage would be calculated at 25% of the base salary for that semester or 12.5% of the base salary for the academic year. If the faculty member receives six (6) hours of release time, then the percentage would be calculated at 50% of the base salary for that semester or 25% of the base salary for the academic year. As a general rule, no funds will be used to augment the faculty member's salary during the academic year. In no case can funds be requested or used to augment salaries of any faculty or staff beyond University approved rates. However, special considerations in determining allowability of compensation is given to any change in a non-Federal entity's compensation policy resulting in a substantial increase in its employees' level of compensation (particularly when the change was concurrent with an increase in the ratio of Federal awards to other activities) or any change in the treatment of allowability of

specific types of compensation due to changes in Federal policy - 2CFR (200.430(e)). Examples include Cost of Living Adjustment (COLA)/ Merit increase. In the event of a COLA / Merit Pay increase during a period of performance on a grant-funded project, faculty compensation can potentially be eligible to be adjusted to include the increase subject to approval from the funding agency and availability of funds in the project budget.

Professional research staff, technicians, and other personnel may have a portion of their salaries underwritten by a grant. The professional must document each staff person's time through the Time and Effort process. The names of all employees that will work on a sponsored project should be included in the project budget at the time of proposal submission. If additional staffing is needed, outside of those identified in the budget at the time of proposal submission, prior approval is required from the sponsor and those individuals must be competitively recruited in keeping with normal University policies and procedures.

8.2.3 Fringe Benefits

Fringe benefits include the University's contributions to social security, retirement programs, health insurance, and unemployment compensation. If faculty or staff members are hired solely to perform work pursuant to a contract or grant, they are entitled only to those benefits paid for by the external agency. The sponsored project award should, whenever possible, cover full fringe benefits for its salaried personnel. The full amount provided by the funding agency for fringe benefits should be charged to the grant for each salaried person involved in the project during the academic year. During the summer, the project should only be charged at a rate to cover workman's compensation, unemployment compensation benefits, and any other applicable costs. Fringe benefit rates are established on a yearly basis. For the current rate please contact the ORSP.

8.2.4 Facilities and Administrative Costs

Facilities and administrative or indirect costs are actual costs incurred by the University for the use of facilities and services, which apply to the grant and to all other grants and/or contracts. They include general administration, physical plant, maintenance, operations and utilities, library, and research administration expenses. Facilities and administrative costs are negotiated with the federal government so that actual costs incurred for a sponsored project may be accounted for and the University reimbursed for such expenditures. The University negotiates a facilities and administrative cost rate with the United States Department of Health and Human Services. This rate should be accepted by all federal agencies. Many foundations, corporations, state, and other funding agencies will not pay the full amount for facilities and administrative costs incurred on a grant. However, the full amount allowable should be requested. For BSU, the facilities and administrative cost is calculated using the total salaries and fringe benefits budgeted.

The University has implemented a procedure whereby a percentage of the IDC Reimbursement will be allocated to the principal investigator (PI), deans, department chairs, Office of Research and Sponsored Programs, and the provost. This allocation has three major purposes: (1) to support the deployment of BSU's signature program, the Education Innovation Initiative (EI2); (2) to incentivize the faculty and staff across the University to increase their efforts to prepare successful grants, contracts, and other external funding proposals; and (3) to elevate the University's research

activity, visibility, and impact. For more information on the distribution and allowable uses of these funds, please contact ORSP.

8.2.5 Acceptance of Grant/Contract

An award to the University from a sponsoring agency serves as a legal document. An award may be in the form of a letter issued by an authorized agent of the sponsor, or it may consist of a complete contractual document. In some cases, formal acceptance by the University (and then by the agency) is required before the award becomes effective. The president of the University or his or her designee will accept such awards. The ORSP should receive all original award documentation, which will be maintained in the office files. The ORSP will consult with a PI if the award differs from the submitted proposal, so that the award may be accepted, modified, or rejected. Negotiation of all sponsored project contracts and/or grants should be conducted by the ORSP in collaboration with the PI. No changes in the scope of work or the budget will be made without consultation with the PI.

Once the award document has been received, the ORSP will ask the grants accountants in the Controller's Office to set up an account for the grant/contract. The account set-up process is completed by the Budget Office. All invoices to be paid from such accounts must be submitted to the ORSP for review and approval before payment. Such approval will be based on compliance with the grant award document.

It is recognized that sometimes an informal approval for an award is received before the actual documentation. In these cases, the lack of an official award document may seriously impede or jeopardize the course of the project. An advance grant account may be established if a University account is identified to cover expenditures against the advance grant account should the actual award document not be forthcoming. The ORSP will approve such an action when it has confirmed with the sponsor the start date and the amount of the award. The person responsible for the account that will serve as the "back up" must confirm, in writing, that any expenses charged to the new account will be covered should the sponsored project award not be forthcoming.

8.2.6 Project Administration--Personnel

Personnel assigned to sponsored projects, like all other personnel, must be recruited, appointed and compensated in accordance with state and University personnel policies and regulations. Federal government regulations require that the University maintain records that will accurately reflect the work performed (iii) Reasonably reflect the total activity for which the employee is compensated by the non-Federal entity, not exceeding 100% of compensated activities for Institutions of Higher Education (IHE), this per the IHE's definition of institutional base salary). It is therefore essential that staff carefully maintain time records for each project. The PI is responsible for notifying the ORSP in writing if there is a significant change in the amount of time devoted to the sponsored project by salaried personnel, such that the amount allocated in the approved budget under "Salaries" would be affected.

8.2.7 Project Administration--Consultants

Consultants may be required to work on a sponsored project. Standard University procedures for requesting the services of and paying consultants must be followed. Faculty and staff should ensure that consultants are an approved expense for the particular project.

If faculty members would like to serve as consultants to an organization external to BSU, they should consult with the ORSP regarding conflict of interest issues and the negotiation of a contract.

If someone or some entity external to BSU provides a service or facilities for a project or conducts work that will be paid for with funds from a sponsored project account, this activity must be included in the proposal to the agency. The PI should contact the ORSP for the negotiation of a subcontract.

8.2.8 Equipment

The sponsored project may purchase equipment that is included in the budget. Depending upon the type of grant/contract and its conditions, title to the equipment may either remain with the university or with the agency. All equipment must be purchased in accordance with all applicable procurement regulations. The PI is responsible for (1) assuring that the equipment is not already available on campus, (2) determining the proper specifications in issuing the purchase requisition for the equipment, (3) assuring that all necessary approvals are obtained for the purchases, and (4) assuring proper receipt, inventory identification, and functioning of the equipment prior to authorizing payment by the University.

Any equipment that was not specifically included in the proposal budget must have prior written approval by the funding agency before purchase. Requests for such equipment should be submitted to the ORSP for negotiation with the funding agency.

If there is a cost share requirement on the part of BSU, the cost share funds will be monitored through the Time and Effort process and/or placed in a special account, as necessary.

8.3 GUIDELINES FOR A CONTRACT BETWEEN EXTERNAL AGENCIES AND FACULTY OR ACADEMIC DEPARTMENTS

Procedures for developing formal contracts with external agencies, including the specific requirement of the granting agencies, are described below. The procedures described here are not applicable to contracts involving either educational or training services. All such formal, informal, and workshop-type courses should be coordinated through the procurement system. It is the policy of the ORSP to send grant-related contractual agreements, such as MOUs, to the University's General Counsel for a legal sufficiency review.

8.3.1 Faculty Contracts with External Agencies

This section aligns with the following policy:

USM Policies II-3.10 - POLICY ON PROFESSIONAL COMMITMENT OF FACULTY, IV-3.10 <https://www.usmd.edu/regents/bylaws/SectionII/II310.html>

Consulting and other external professional services may enhance the reputation of the institution as well as the individual, assist in recruiting or placing students, apply the expertise developed in its academies to the enterprises of the State, and test the applicability of theoretical ideas. Nevertheless, the faculty and the institution must remain vigilant to ensure that such external services enhance and do not detract from a faculty member's fulfillment of his or her responsibilities to the institution.

Therefore, external professional services, whether income-producing or not, may be undertaken only when it is ensured that all responsibilities associated with the individual's faculty position are fully satisfied and will continue to be met.

Professional Services Within USM or State of Maryland. Consulting or professional services which carry a stipend and are rendered to another institution in the University System, another State Agency, or The Maryland Center at BSU contractor, require the advance written approval of the Provost or designee of the faculty member's institution.

Use of University Resources. A faculty member may use the physical resources of his or her institution in connection with consulting or professional services beyond routine use of the office, computer, library, and telephone only if the institution is reimbursed in accordance with prior arrangements, or if such reimbursement is waived by the Provost or his/her designee.

Endorsement not implied. A faculty member shall not convey endorsement by the institution or the university System of the recommendations or results from his or her consulting or professional services.

Protection of Intellectual Property. No individual shall enter into an agreement in the pursuit of consulting or professional services which conflicts with the University System policy on intellectual property (See Policy IV-3.20) without the advance written approval of the Chancellor or designee.

Teaching Outside of Home Institution. A full-time faculty member, with the advance written permission of the Provost or his/her designee of his or her institution, may teach a maximum of two courses at another institution for extra compensation during the individual's contract year.

Disclosure to Prevent Conflict Commitment. In situations that have the potential for conflict, a faculty member must confer with his/her Department Chair and ORSP and resolve the potential conflict according to institutional procedures before assuming additional professional responsibilities outside the department or unit.

8.3.2 Department Contracts with External Agencies

When a department is contacted or makes contact with an external agency for the proposed use of University facilities, then a formal agreement/contract is required between the external agency and the University.

8.3.3 Contract Development and Approval Procedure

Contracts between the University and an external agency may be developed in two ways. The external agency may present a contract to the faculty member or department for approval by the University or the faculty member or department may present a contract to the external agency. In either case, negotiation between the agency and the University is always possible.

Individual faculty members or departments involved in generating contracts to be presented to external agencies should follow the following procedures:

1. The dean must be contacted. The faculty will, in consultation with the dean or the department, develop the outlines of a contract under the guidance of the ORSP.
2. The faculty and department will send, with the Dean's approval, the proposed outline of a contract to the Director of Procurement.
3. The Director of Procurement will, in consultation with the faculty member and department, develop a formal contract. The dean must approve the formal contract.
4. The Director of Procurement may, at his or her discretion, submit the proposed contract to the Office of the General Counsel.
5. All contracts in which University facilities or the University name is used must be signed by the appropriate University representative.

University generated contracts will be submitted to the external agency for signature. After being signed by the external agency, they will be returned to the Director of Procurement, who will follow the appropriate University procedures. Signed copies of the contract will be mailed to all primary parties associated with the contract. If the external agency requests changes in the contract, it will be considered as though the contract was developed by the agency and the procedures for such a contract will be followed (see 8.3.4 External Contract Generation).

8.3.4 External Contract Generation and Approval Procedures

When a faculty member or academic department receives contracts generated by outside agencies, or University contracts modified by outside agencies, they must follow the following procedures for approval:

1. The faculty member or department submits the contract to the dean.

2. The dean sends the contract to the Director of Procurement.
3. The Director of Procurement handles the contract in one of the following ways:
4. If acceptable, the director returns the contract to the external agency for signature(s).
5. If unacceptable, the director returns the contract to the external agency with suggested modifications.
6. The Director of Procurement may, at his or her discretion, submit the proposed contract to the University Counsel Office.
7. When acceptable to both parties, the contract will be signed by the external agency and returned to the Director of Procurement for processing. Copies of the signed contract will be mailed to all parties of the contract.

8.4 POLICY ON THE PROTECTION OF HUMAN PARTICIPANTS IN RESEARCH CONDUCTED BY OR WITH FACULTY, STAFF, AND STUDENTS

In adherence with federal requirements, BSU's Institutional Review Board (IRB) must evaluate any research study that involves human participants and give its approval before the initiation of the study. The IRB reviews proposals for research studies to protect the rights and welfare of participants in research projects and to help ensure that the benefits of the research outweigh the risks inherent in the project. Specifically, the IRB is responsible for (1) protecting the rights of participants, including privacy and protection from physical, mental and/or social harm; (2) protecting BSU, its employees, and students; and (3) making certain that if any risk to participants exists, the value of the research justifies that risk.

The Board is composed of at least eight (8) faculty members with diverse backgrounds and competencies. It must also include at least one member whose primary concern is non-scientific and at least one person with no ties to the University. The regulations governing the protection of human participants and the operations of the IRB are found in the Code of Federal Regulations, Title 45 Welfare, Part 46 Protection of Human Participants (45CFR46). These regulations are subject to change, which would affect the procedures and concerns of the IRB. The director of the ORSP is responsible for alerting IRB members and appropriate University administrators of such changes.

All principal investigators, regardless of status (i.e., faculty, staff, student) or funding, who are conducting research projects that involve human participants must submit a completed "Application for Approval of Research Involving the Use of Human Participants" to the ORSP. Some projects may be considered "exempt" or "expedited" from full IRB review, but a determination of this status must be made by the IRB based on the application form. The IRB will review all applications and the materials submitted by the investigator and may invite him/her to a meeting of the Board to answer any open questions. The ORSP can help individuals to secure the necessary forms for IRB review.

Once the IRB has approved a research project, a “Notice of Approval” will be sent from the IRB chairperson to the PI. The IRB also determines which projects qualify as “exempt” under federal regulations, and issues one-time exemption letters for those projects. If there are any substantive suggested changes in the approved research project, another application for approval must be submitted to the IRB prior to the implementation of such changes. When a research project lasts more than one year, the PI is responsible for applying for the renewal of IRB approval each year.

The IRB has authority to suspend or terminate approval of research that is not being conducted in accordance with its decisions, conditions, and requirements or that has been associated with unwarranted risk to participants. Researchers who do not comply with IRB policies or rulings will be reported by the IRB to the researcher's department and to the funding agency, if appropriate. The IRB chairperson may also file a formal allegation in writing requesting a scholarly misconduct inquiry of the project. See BSU Policy IV - 2.10 - Policies on Institutional Review Board (Human Subjects) <https://bowiestate.edu/about/administration-and-governance/legal-and-government-affairs/university-policies/section-iv-research/iv-210-policies-on-instituti.php>

8.5 BOWIE STATE UNIVERSITY GUIDELINES FOR RESEARCH/GRANT PERSONNEL EMPLOYMENT

The purpose for establishing a research/grant personnel employment category is to provide BSU the same opportunity available to other universities in the USM that engage PIN and contractual employees on a grant. Based on the needs of the University, these employees may become a part of the permanent workforce. The distinction of research/grant personnel employment is that these individuals are employed under a specific work agreement, typically for a specified period, and the salary paid to the employees essentially represents full compensation from extramural funding sources.

Employees hired in this category shall abide by all policies and rules of procedures for BSU and the USM. Although grant employment can be used in any program of the University, these employment provisions are established solely for research, contract, and grant activities.

This category is designed to provide the University with the flexibility and the opportunity to engage personnel for work efforts that are projected to be of limited duration and must meet the terms and conditions of the grant for which the individual is hired.

The term of the research/grant contractual contract will not exceed one year and is subject to renewal annually, by execution of a new contract. A contractual employee may not expect continued or permanent employment, even if a research grant/contract has been renewed for a number of prior consecutive years. If it is determined that the research grant/contract is to be renewed, the new contract will identify salary adjustments, if appropriate. The research/grant contractual employee must be advised in person of the benefits and limitations of the research/grant contractual employment provisions, and an inclusion of such provisions must be made in the renewal contract.

Individuals appointed in accordance with this research/grant contractual personnel policy will not be assigned against authorized University positions. The University will not be responsible for subsidizing salary costs when insufficient funds were requested or under funded by the sponsoring agency. For all research/grant contractual personnel, the Office of Human Resources shall be responsible for processing all contract requisitions according to the policies of BSU.

The University may terminate a research/grant contractual employment contract at the convenience of the University, when there are insufficient funds or a cessation of extramural funds, for unsatisfactory work performance, legitimate business reasons, or for cause.

8.6 PATENT POLICY

To safeguard the interests of the University, the public, and potential inventors, it is deemed necessary to provide a procedure for the protection of inventions and discoveries arising out of research. This policy applies to all faculty, staff, and students engaged in teaching, scholarship/research and/or study in any of the various divisions of the University. See USM Policy IV-3.00 - Policy on Patents <https://www.usmd.edu/regents/bylaws/SectionIV/IV-3.00.pdf>

8.7 POLICY ON INTELLECTUAL PROPERTY

In compliance with the USM Policy on Intellectual Property (USM IV-3.20), <https://www.usmd.edu/regents/bylaws/SectionIV/IV-3.20.pdf>. BSU consistently protects the intellectual property interests of the University and the rights and obligations of faculty, staff, and students engaged in work, scholarly activities, or research. Typically, resources and facilities are a part of the decisions on intellectual property. Three broad categories of works have been identified: (1) copyrightable works, (2) patents and computer software, and (3) technology mediated instructional materials. The USM policy defines ownership policies, rights of use, and the terms for sharing of revenues resulting from the works.

8.8 POLICIES AND PROCEDURES FOR INQUIRIES AND INVESTIGATIONS CONCERNING ALLEGATIONS OF SCHOLARLY MISCONDUCT

BSU continues to commit itself to the highest standards of integrity in scholarly endeavors, to prevent misconduct where possible, and promptly and fairly to evaluate and resolve cases of alleged or apparent misconduct. The overall philosophy regarding both scholarly integrity and scholarly misconduct is based on the USM Policy III-1.10 - Policy on Misconduct in Scholarly Work. <https://www.usmd.edu/regents/bylaws/SectionIII/III110.pdf>

The policy outlines the procedures that the University will use when dealing with allegations of scholarly misconduct; (2) specifies the rights and responsibilities of both the accuser and respondent during this process; (3) identifies the sanctions which may be applied in the event of a positive finding of misconduct; (4) outlines the options that exist if an accusation of misconduct is unfounded.

The implementation of these policies and procedures will be paralleled by an effort to increase the awareness of the University community with respect to ethical issues associated with scholarly activity, and to conduct an annual review of procedures and practices that promote integrity in scholarly efforts, as well as those practices that may inadvertently provide incentives for misconduct.

8.8.1 Introductions and Definitions

All members of the University community share responsibility for developing and maintaining standards for the ethical conduct of scholarly activities and for the detection of abuse of these standards. Primary responsibility for the integrity of scholarly efforts rests with the PI in the case of faculty research or scholarship. It is important to note that the student and the principal faculty advisor share responsibility for joint faculty and undergraduate or graduate research projects. BSU considers any demonstrated incident of scholarly misconduct to be a breach of contract, whether stated or implied, and it will apply the particular form of misconduct warrants.

Scholarly misconduct refers to inappropriate behavior related to the conduct of research or other scholarly and artistic efforts. The definitions, policies, and procedures described here are not designed for all violations of academic ethics. For example, the misconduct of students during examinations and acts of discrimination based on race, gender, age or religion are not addressed here, as they are covered by other University policies.

Misconduct in scholarly efforts can take many forms and is generally defined as a serious deviation from accepted standards and practices in proposing, conducting, or in reporting the results of scholarly activity. However, the major categories are defined in the following list, which is not exhaustive.

1. Fraud

Incidents of fraud involve the fabrication, falsification, and knowing misrepresentation of one's own work or the work of others.

2. Improper authorship

This category includes plagiarism; improper assignment of credit (e.g., excluding others who have made a significant contribution); claiming the work of another as one's own; submission of multi-authored works without the concurrence of all authors, which includes such aspects as the order of authorship and the number of authors.

3. Violation of accepted research practices

Violation of accepted research practices includes the willful, improper manipulation of experiments to obtain desired results, or the omission of data or other information, which would contradict or alter the conclusions of the study.

4. Violation of federal, state, or institutional rules governing research

These infractions include but are not limited to the misuse or misappropriation of funds (from either intramural or extramural sources) or the improper care of animals; human

subjects; controlled substances; and hazardous biological, radioactive, or chemical materials.

5. Inappropriate behavior in relation to misconduct

Such behavior includes a failure to report known misconduct; failure to report evidence of misconduct or circumstances indicating misconduct; withholding or destroying data and/or other information related to alleged misconduct; retaliation against individuals reporting or investigating misconduct; and knowingly filing a false allegation of misconduct.

6. Abuse of confidentiality

Abuse of confidentiality involves the improper use of information or influence gained by privileged access, such as service on peer review panels, editorial boards, etc.; improper use of personal information gained in the course of research using human subjects.

7. Misuse of funds

The misappropriation of funds or resources is against federal, state, and University policies. For example, the misuse of funds for personal gain is prohibited.

8.8.2 Procedures for Reporting and Investigating Allegations of Scholarly Misconduct

The procedures that follow are intended to promote due process and ensure that affected individuals receive a timely, fair, and confidential review of any allegation of misconduct. Towards this end, the process will include two phases:

- an inquiry to determine the facts associated with the allegation of misconduct; and
- an investigation to establish the veracity of the charges and recommend appropriate sanctions.

If at any time during the inquiry or investigation phases it appears fairly certain that the alleged misconduct might create a health or safety hazard, involves state or federal equipment or funds, or affects human or animal subjects; or if it becomes apparent that there is a need to protect the interests of the person(s) making the allegation or the individual who is the subject of the investigation and any associates, the President shall take steps to prevent such abuses, pending the outcome of this process.

If, and only if, any of the conditions in the previous paragraph apply, if it is probable that the alleged incident will be made public, or if there is a reasonable indication of a possible criminal violation, the President must notify the USM BOR. Additionally, if the research is federally funded, the Provost and Vice President for Academic Affairs, in coordination with the Director of the Office of Research and Sponsored Programs will comply with all pertinent federal regulations regarding the notification of the appropriate offices of the federal agency.

If the alleged misconduct involves the performance of scholarly work supported by an external sponsor, the institution, where required, must inform the sponsor when an investigation is initiated. The notification should provide sufficient information to satisfy the University's obligation to the

sponsor, but in the interests of protecting reputations that might be damaged unjustly, a detailed report may await the conclusion of the investigation.

8.8.3 Reporting an Allegation

A person with knowledge of scholarly misconduct must report the allegation in writing to the Dean of the College and the Assistant Vice President for Research, Office of Research and Sponsored Programs. Oral reports will not be considered formal allegations.

The Dean of the College will quickly communicate the initial allegation of misconduct to the immediate supervisor of the individual charged with misconduct. The supervisor will undertake a limited inquiry to determine whether the allegation appears to be well founded and report back to the Dean of the College.

Unless the Dean of the College determines that the allegation is frivolous, he or she will immediately notify the Provost and the President. The Dean of the College will send written notification to the individual suspected of misconduct when the charge has been formalized. The Dean of the College will then convene the Committee of Inquiry.

8.8.4 The Inquiry

The Committee of Inquiry will be composed of five tenured faculty members at the rank of associate professor or above, with up to three additional members who meet the same requirement, if the committee requires additional expertise to judge the details of the allegation, all of whom will be appointed by the president of the University (or his designee). The members of the Committee of Inquiry must be persons who have no direct professional or personal involvement with either the complainant or the respondent.

The Dean of the College will convene the Committee of Inquiry within fifteen (15) days of receiving the formal allegation of misconduct. The committee will operate in a manner that will maintain confidentiality regarding the allegation to the degree compatible with accomplishing the purposes of the inquiry.

The Committee of Inquiry shall seek sufficient facts to establish the need for convening a formal investigation of the alleged misconduct. This judgment will be rendered as expeditiously as possible, and a final report should be submitted to the Dean of the College within thirty (30) days of the appointment of the Committee of Inquiry. The inquiry is informal, brief, and intended only as a fact-finding process. Principal parties may confer with legal counsel at this stage, but they must speak for themselves. This process does not have the jurisdiction of a court of law, and it should not emulate the style of a court. The respondent must comply with all requests for information from the Committee of Inquiry. The complainant and respondent may present information, expert opinions, records, and other pertinent data; and the Committee may request any documents necessary to complete their work. All parties must receive timely copies of all documents submitted by any of the principals.

The conclusions of the Committee of Inquiry will be conveyed in writing to the respondent, the complainant, the immediate supervisors, the Dean of the College, the provost, and the president within 45 days of receipt of the allegation. The report will detail the evidence that was reviewed, summarize relevant interviews, and outline the conclusions of the inquiry. If the respondent comments on the report, the comments must be included in the records.

If the outcome of the inquiry indicates that there are grounds for a formal investigation, all of the parties involved will be notified, and efforts will be made to ensure that the individuals involved are notified of any unsupported allegations. If the committee finds that the initial allegation was malicious, sanctions against the complainant will be recommended.

Records of the Committee of Inquiry are confidential and must be kept secure by the Dean of the College. They will be maintained in a secure manner for a period of at least five (5) years after termination of the inquiry and shall be provided to authorize federal funding agencies upon request.

Finally, the inquiry will be conducted and completed regardless of whether the respondent or the complainant severs any formal ties to the University before the conclusion of the investigation.

8.8.5 Sanctions

The Committee of Inquiry is also charged with recommending specific actions appropriate to its findings. These recommendations should address actions to restore damaged reputations, and should identify appropriate retractions, disclaimers, and announcements necessary to correct the record. The committee may recommend additional actions if misconduct is confirmed. The president of the University, acting on behalf of the University, will take all actions appropriate in view of the findings.

If misconduct is not confirmed, the president of the University must consider whether a public announcement will be harmful or beneficial in restoring reputations that have been damaged. Ultimately, such a decision should rely heavily upon the preferences of the individual who has been acquitted. The president must take disciplinary action if the initial allegation is found to be malicious. Finally, the president may find it necessary to reprimand lax supervision, faulty techniques, or questionable judgment, even when willful misconduct has not been established. Sanctions must be appropriate to the seriousness of substantiated scholarly misconduct and will include those mandated by applicable state and/or federal regulations. In addition to the retraction of published scholarly works or the identification of improperly produced artistic efforts, the sanctions may include demotions in faculty rank and reductions in salary, if promotion and salary increases were a direct result of the efforts in question. The individual also can be declared ineligible to receive intramural and extramural funding for a specified period. Any awards or degrees that were a direct result of the scholarly effort will be revoked. The dismissal of a faculty member or student from the University is included in the list of possible sanctions.

After all appeals have been exhausted, the President will communicate the determination of a case of substantiated misconduct to those persons who have a need to know, which will include the respondent, the complainant, appropriate University officials and sponsoring agencies, the editors of journals where fraudulent results have been published, and academic institutions or other

scholarly organizations with whom the respondent was affiliated during the period of substantiated misconduct.

8.8.6 Appeals

Individuals may appeal the judgment of a Committee of Inquiry and/or the sanctions applied. A written statement that details the grounds for appeal must be submitted to the president within 30 days of formal, written notification of the findings of the Committee of Inquiry. Grounds for appeal include new, unconsidered evidence, failure to receive due process during the investigation, or personal and/or professional conflicts of interest among those involved in the investigation.

Upon receipt of the written appeal, the president or his designee will evaluate the evidence for the appeal. The President may, but is not required to, order a complete or partial inquiry based on the appeal. The President's decision is binding on all parties and will be conveyed to them in a timely fashion.

CHAPTER 9

POLICIES RELATED TO THE CONDUCT OF MEMBERS OF THE UNIVERSITY COMMUNITY

Chapter Five of this handbook describes the rights and responsibilities associated with academic freedom and the professional ethics of academia. This chapter details ancillary items pertaining to conduct at BSU, including consensual relations between members of the BSU community; guidelines concerning demonstration and protest activities, as well as other activities and speech acts that may be protected by the First Amendment; and conduct relating to the use of information technology platforms and devices. Although the BSU community recognizes that special rights and responsibilities may apply to an academic setting, none of the following policies or guidelines should be construed to abrogate or curtail the rights guaranteed by the First and Fourth Amendments; in fact, it is the duty of this institution to protect such rights as a condition for, and in support of, academic freedom.

9.1 CONSENSUAL RELATIONS WITH STUDENTS

BSU seeks to maintain a professional and an ethical educational environment. Although it is well understood that no professional body that attempts to regulate the personal emotions and subsequent conduct of personnel can anticipate every action and generate a single policy that adjudicates fairly in all situations, we also recognize that the actions of faculty members, professional staff members, and academic administrators that are unprofessional may be inconsistent with the University's educational mission, particularly when such conduct involves an abuse of power. It is essential that those in a position of authority does not abuse the power with which they are entrusted.

This policy applies to faculty members, meaning all persons with teaching or instructional responsibility; graduate students with teaching or instructional responsibility; professional staff; and academic administrators who exercise power over students or faculty, whether by teaching, grading, evaluating, or making recommendations for their future studies or employment.

An intimate, emotional, sexual, or psychological relationship between a faculty member and a student is prohibited when the faculty member has any current or imminently potential professional responsibility directly or indirectly for the student. Voluntary consent by the student in such a relationship is suspect, given the fundamental nature of such a relationship. Moreover, other students may be affected by such behavior because it places the faculty member in a position to favor or advance one student's interest to the potential detriment of others. Therefore, it is deemed unprofessional and a violation of University policy for a faculty member to engage in a dating or sexual relationship with a student whom he or she instructs, evaluates, supervises, or advises, or over whom he or she is in a position to exercise authority in any way. Should a person involved in an existing relationship with a faculty member enroll in the University, the faculty member must recuse herself or himself from an academic relationship with that person and disclose the relationship. In the event the recusal results in the denial of access to an academic program, the University will arrange an appropriate accommodation, including exempting the faculty member

from this policy to permit access. Any accommodation will be within the discretion of the provost or designee in consultation with faculty representation.

A violation of this policy may result in disciplinary action, including dismissal for unprofessional conduct. Disciplinary actions against graduate students who are also in a teaching role, professional staff, and academic administrators will be governed by the disciplinary rules and policies applicable to such persons. See BSU Policy on Harassment and Other Sexual Misconduct - <https://bowiestate.edu/about/administration-and-governance/legal-and-government-affairs/university-policies/section-vi-general-administra/vi-140-sexual-misconduct/index.php>

9.1.1 Nepotism

Members of the same family are eligible for employment in the USM. However, a supervisor-subordinate relationship shall not exist between family members, nor shall one member of a family assume for the other the role of advocate or judge with respect to conditions of employment or promotion. See USM Policy VII-2.10 - <https://www.usmd.edu/regents/bylaws/SectionVII/VII210.pdf>

9.1.2 General Standards of Conduct

- A. Employees shall exhibit integrity and exemplary conduct and use honest efforts in the performance of their duties.
- B. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Institution.
- C. Employee shall act impartially and not give preferential treatment to any private organization or individual.
- D. Employees shall not exclude any individual from exercising his/her rights to participate in any activities, meetings or on committees preventing him/her from doing their duties or create a hostile working environment which impacts the individual from doing his/her duties.
- E. Employees shall protect and conserve State property and shall not use it for other than authorized activities.
- F. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, including federal, State, or local taxes that are imposed by law.
- G. Consistent with all applicable laws, all employees shall be treated with dignity and respect and shall not be discriminated against based on race, ethnicity, color, religion, sex, national origin, age, disability, gender identity, or sexual orientation.
- H. Employees shall conduct intra-agency and interagency relations predicated upon civility, collaboration, cooperation. These same principles shall apply to interactions with officials and employees of the legislative and judicial branches.

9.2 GUIDELINES FOR DEMONSTRATIONS, PICKETING AND PROTESTS

BSU's mission to the community at large is one of academic excellence and achievement. To that end, its campus community must be one wherein respect for the individual pursuit of academic

excellence and achievement is given priority. To foster this environment, it is incumbent upon faculty to conduct themselves within the framework of the reasonable rules and regulations designed to enhance and protect the academic environment of the University. By specifying behavioral standards and establishing fair and efficient processes for adjudicating conflict, the University seeks to protect the environment in which learning is nurtured and respect for that goal is continually afforded.

9.2.1 Individual Rights and Responsibilities

1. Discussion and expression of all views is permitted within the institution subject only to requirements for the maintenance of order. Support for any cause, by orderly means, which does not disrupt the operation of the institution, is permitted.
2. Faculty, groups, and campus organizations may invite any persons of their own choosing to speak, subject only to the requirements of the use of institutional facilities and regulations of the University, and the BOR of the USM.
3. Faculty, groups, or organizations may distribute written materials on campus, providing such distribution does not disrupt the operations of the institution or deface property and adheres to BSU's policies on advertising, distribution of materials, and solicitation.
4. The right of Assembly is granted within the institutional community. The institution retains the right to assure the safety of individuals, the protection of property, and the continuity of the educational process.
5. Orderly picketing and other forms of peaceful protest are permitted on institutional premises. Interference with entrances to institutional facilities, intentional interruption of classes, or damage to property exceeds permissible limits.
6. Orderly picketing and orderly demonstrations are permitted in public areas within institutional buildings subject to the requirements of non-interference.

9.2.2 Guidelines for Campus Demonstrations, Picketing and Protest

The University seeks to maintain a safe environment for the free expression of ideas and ideals. Although faculty do not need to reserve space, a notification that a demonstration or protest is going to occur will facilitate efforts to ensure the safety of all participants and passersby. Faculty planning a protest or demonstration on campus are encouraged to contact the Division of Student Affairs in advance to discuss applicable University policies. Demonstrators are required to assist in cleaning up any litter that might result from the demonstration. Printed materials distributed must bear the name of the sponsoring organization or individuals. A demonstration with a noise level that disrupts other authorized activities occurring on the University campus violates the Code of Student Conduct and makes participants subject to disciplinary sanction. Those participating in counter-demonstrations are expected to respect the rights of other demonstrators and to observe all of the guidelines and policies noted above. Protests and demonstrations will be subject to a disciplinary review if University safety policies are violated. Faculty may distribute written

material on campus providing these materials conform to University policies. Individuals or groups not affiliated with the University must adhere to the above policies when on campus.

9.2.3 Guidelines on Distribution and Solicitation

BSU encourages the free and open exchange of ideas within the campus community. This policy applies to persons, groups, and organizations that wish to promote their views either verbally or in writing. To provide for equity and consistency in the distribution of printed materials, the verbal presentation of ideas, and solicitation for the purpose of selling products or services, the University retains the right to determine the time, place and manner of such activities that are not considered to be a “protest.” For example, the University will decide upon space allocations for job fairs, solicitation by vendors, and other commercial or public service activities and events.

1. Distribution of Literature

Printed materials may be distributed consistent with University policy. See BSU Policy VI-2.05 - <https://www.bowiestate.edu/about/administration-and-governance/legal-and-government-affairs/university-policies/section-vi-general-administra/vi--205--policy-on-advertising-on-university-grounds.php>

2. Verbal Presentations

Members of the University community can make speeches and other verbal presentations according to the University’s policies that are distributed by the Division of Student Affairs. If classes are in session during the time period for a speech, sound amplification may be used only as approved by department chairs or other designated personnel who have offices and/or classrooms in the building in which the event is being held. Individuals are expected to keep their voices at a reasonable speaking level. If Conference Services staff members receive complaints of loud and boisterous conduct on the part of the speaker(s), and these complaints are verified by Campus Safety personnel, those individuals will be asked to maintain a considerate volume level; however, if this behavior persists, they may be asked to end their presentation and leave the area. Speakers are expected to observe the time frame allotted to each of them.

3. Solicitation

The solicitation of individuals for the purpose of selling goods or services must be arranged through the Division of Administration and Finance. Materials may be distributed only from designated areas on the campus. Representatives may not approach persons individually for the purpose of direct distribution or solicitation. It is anticipated that representatives will respect these standards. If a representative is unable or unwilling to do so, the Campus Police may request that he/she leave the campus.

Faculty member should not solicit students to participate in events, etc. that are non- academic in nature.

9.3 GUIDELINES ON PRAYER AND OTHER RELIGIOUS ACTIVITIES

BSU reaffirms the freedom of students, faculty, and staff to exercise religious choice, which also includes the right not to engage in religious activities. Speakers at assemblies for which faculty attendance is contractually obligated are advised to restrict their meditations to moments of centering or respectful silence.

9.4 SAFE WORK CONDITIONS

Recognizing that the physical environment plays a crucial role in the educational endeavor, the University commits to creating and maintaining a safe and healthy environment for faculty, staff, students, and visitors. This includes maintaining buildings that are clean, well-lit, and free of environmental hazards like mold, dust, and refuse; structurally sound, properly ventilated, and temperature controlled (preferably with thermostat controls in each room); that make use of natural light and green energy sources to the fullest extent possible; and provide adequate availability of restrooms, drinking fountains, student and faculty lounges, and other amenities, such as dining facilities and snack bars, as appropriate.

Buildings and grounds will be routinely patrolled by campus safety personnel at all times, particularly during and after evening classes; and buildings will be configured and equipped to provide the ability to lock down classrooms and other areas in the event of a live shooter or other threat on campus. Alert systems will be fully functional, and personnel trained to take the appropriate steps in the event of an emergency.

9.4.1 Optimized Work Environment

The University will also endeavor to provide classrooms, offices, labs, and other workspaces that will accommodate the populations designated to use them without overcrowding; smart classrooms and other technology will be widely available; and there will be sufficient student study spaces, collaborative spaces, spaces dedicated to nursing infants, and prayer or meditation spaces. Special attention will be paid to the acoustics of classrooms, lecture halls, and auditoriums, and these spaces will have sufficient electrical and USB outlets and Wi-Fi access.

9.5 GUIDELINES FOR THE USE OF INFORMATION TECHNOLOGY

BSU provides access to computing and information resources for students, faculty, staff, and other authorized users in support of the University's mission of teaching, research, and public service. Computing resources include host computer systems, academic computing resources, communication networks, software, and electronic files. Access to computing resources carries with it certain responsibilities and its monitoring is governed by certain users' rights. All computing activities should reflect the academic honesty and integrity appropriate for the shared community of network and computer resources. Proper use demonstrates respect for intellectual property, ownership of data, systems security mechanisms, and each individual's rights to privacy and to freedom from intimidation, harassment, and unwarranted annoyance.

The University subscribes to the 2013 AAUP Statement on Academic Freedom and Electronic Communications. This document examines the relationship between academic freedom and electronic communications and provides guidance for universities to find the best balance between security and access. This document asserts that academic freedom does not end at the keyboard of a computer, and that a reasonable expectation of privacy must be assumed lest the threat of surveillance create a chilling effect on the free flow of information and the exchange of ideas. It is also imperative that all of the appropriate shared governance mechanisms be brought into play for determining which electronic platforms, systems, software, and hardware will be adopted by the University, as well as the policies that govern their use.

9.5.1 Rights and Responsibilities

Use of the University's information technology resources is a condition of employment that carries with it certain rights and responsibilities as set forth in the following. See BSU X-15.13 Policy on Acceptable Use- <https://bowiestate.edu/about/administration-and-governance/legal-and-government-affairs/university-policies/x-1513-policy-on-acceptable-use.pdf>

9.5.2 Rights of Information Technology (IT) Use

Faculty can expect the following measures to safeguard their IT use:

1. The University recognizes that to ensure an atmosphere of trust, collegiality, and academic freedom, and the benefits that privacy and autonomy bring to the individual, to groups, and to the culture of the institution; users expect that if their use does not infringe upon proscribed activities, privacy of electronic communications and data will be safeguarded as a matter of course. That said, faculty are advised to segregate, as much as possible, personal and professional correspondences.
2. The University does not examine or disclose the contents of electronic communications and traffic data without the consent of the individual participating in the communication except in rare and clearly defined cases. Calls to examine electronic communications or transactional information should consider the special nature of the academy, weigh whether the examination would have disproportionately chilling effects on other individuals or the institution generally and contemplate alternative or less invasive approaches to preserve privacy in communications.
3. Employees who operate and support electronic communications resources regularly monitor transmissions for the purpose of ensuring reliability and security of those resources and services and, in that process, may observe certain transactional information or the contents of electronic communications. Except in specifically defined instances, or where required by law, they should not be permitted to seek out transactional information or contents that are not germane to system operations and support or to disclose or otherwise use the information or content that they have observed.
4. Faculty members should be involved in the setting of institutional policies surrounding the monitoring of and access to content and traffic data in electronic communications. Policies

on electronic communications should enumerate narrow circumstances where institutions can gain access to traffic logs and content unrelated to the technical operation of these services. If a need arises to get access to electronic-communications data, a designated university official should document and handle the request, and all parties to the communication should be notified in ample time for them to pursue protective measures—save in the rare case where any such delay would create imminent risk to human safety or university property. Accessed data may not be used or disseminated more widely than the basis for such exceptional action may warrant.

5. As reliance on electronic-communications technologies grows, more faculty online activities will be subject to being logged. BSU will seek to employ strategies encapsulated by the idea of “privacy by design” to reduce the risk to free inquiry and association from this logging. These strategies include creating logs at the aggregate level, where individuals are not identifiable, when possible; carefully controlling access to these logs; removing identifying information from them; and deleting them according to some reasonable retention policy. These strategies must, of course, be balanced to accommodate legitimate security obligations.

9.5.3 IT Shared Governance Rights

Decisions regarding IT policies and procedures are part of shared governance:

- Policies and practices regarding IT fall within the purview of the appropriate representative faculty committee. Any new policy or major revision of an existing policy will be subject to approval by the Faculty Senate.
- The Faculty IT Committee shall be drawn from the Faculty Senate or elected as an ad hoc committee by the faculty; its members should not be appointed by the administration.
- Faculty members participating in the committee should be familiar with and informed about relevant developments in communications technology so that they can recognize potential conflicts with principles of academic freedom.
- The members of the Faculty IT Committee should be provided with all relevant contracts and technical materials necessary to make informed decisions about policies governing electronic communications.
- Whenever policies are proposed or administrative actions taken with respect to information technology that may directly or indirectly implicate academic freedom, faculty members must be consulted.
- Since each academic unit knows best the breadth of its pedagogical needs, University IT personnel shall endeavor to work with faculty (within the framework of University needs) to provide an IT system that best serves each particular unit. Factors external to decisions based on pedagogical needs (such as vendor “deals” or “packages”) will be considered irrelevant to this decision-making process unless faculty agree that the adoption of such products will enhance teaching and learning.

1. Responsible Use of IT

IT users have the responsibility and obligation to:

- act responsibly to ensure the integrity and lawful use of computing and information resources;
- respect the rights of others and not threaten, harass, intimidate, or engage in unlawful activity;
- abide by all applicable licenses, copyrights, contracts, and other restricted or proprietary information;
- understand that system administrators, although having no rights to examine the content of electronic communications without due process, may ask permission to examine electronic files, electronic mail, and printer listings for the purpose of diagnosing and correcting problems with the system;
- be considerate in use of shared computing resources and refrain from monopolizing systems, overloading networks with excessive data, or wasting computer time, connect time, disk space, printer paper, manuals, or other resources; and
- recognize that the same standards of intellectual and academic freedom developed for faculty and student publications in traditional media are applicable to publications in computer media; as such, web pages, electronic mail, and electronic files may not contain copyrighted material without the approval from the owner of the copyright.

2. Examples of Inappropriate Behavior

The following types of activities are examples of behaviors that are unethical, unlawful, and/or inappropriate:

- purposely attempting to alter system, hardware, software, or account configurations, accessing or monitoring another individual's accounts, files, software, electronic mail, or computer resources without the permission of the owner;
- misrepresenting your identity, role, or the identity of any other person in any type of electronic communication;
- purposely misusing the University's computing resources to reduce their efficiency or to affect access to the detriment of other users;
- breaching or attempting to breach computer security systems with malicious intent;
- engaging in activities that might be harmful to systems or to any stored information or that might purposely disrupt services or damage files; these activities include the creation or propagation of viruses, worms, Trojan Horses, or other rogue programs;
- violating copyright and/or software license agreements;
- using computing resources to threaten or harass others;
- using computing resources for commercial or profit-making purposes without the written authorization from the University;
- downloading or posting to University computers, or transporting across University networks, material that is illegal, proprietary, or in violation of University contractual agreements; and
- violating local, state, or federal laws.

3. Intellectual Property

Independent scholarly or artistic work in which a faculty or staff member has a property interest, as provided in the USM regulations, and which is communicated through email or a social network platform, shall be the property of the faculty or staff member. In the event that there is a dispute regarding this work, the University shall have the right to request access; but only upon written consent of the faculty or staff member, shall it be granted access to the work for the purpose of determining whether the University has an interest.

4. Retention and Disposal of Email

Employee email may be a public record subject to disclosure under the Maryland Public Information Act and, to the extent allowed by existing email retention capabilities, email may be subject to the record retention schedules established by Maryland law and regulations.

Currently, the Division of Information Technology retains backup files for two weeks before tapes are re-used. If employees wish to retain email beyond these backup periods, they must collaborate with the staff in the Division of Information Technology. A disposal policy will be developed to conform to the policies and procedures set forth by the State's Archivist.

5. Email Accounts and Separation from Employment

Except in cases such as a retirement benefit or Emeritus status being granted, one month after separation from employment, the employee's email account shall be terminated. The University will, as appropriate and feasible, endeavor to forward email to former employees for a period of up to six months.

9.6 SOCIAL MEDIA

Because social media platforms are a burgeoning and evolving area of IT, both the University and faculty have an interest in how such media are used and, in the policies, governing their use. Both parties should agree in principle to create policies that allow for the free and open use of such media while at the same time recognizing, and guarding against, the security and privacy threats that these technologies may pose.

Social media are internet-based applications that enable users to participate on social networking by exchanging content with other users. Examples of social media platforms include, but are not limited to, Facebook, Flickr, Instagram, Pinterest, Snapchat, Tumblr, Twitter, Vine, and YouTube. Generally speaking, in their capacity as free and autonomous citizens, faculty shall have the right to create and maintain web presences and use social media outside the auspices of the University without fear of sanction or reprimand.

Faculty should, however, attempt to make clear in what capacity they are speaking, and take care to distinguish their own thoughts and opinions from those that are the official policy of the University, if such policy is explicitly stated. While this policy does not proscribe criticism— even

expressed within an official capacity—faculty are counseled to engage in academic debate on social media platforms in a constructive and professional manner.

In the case of web sites and social media accounts that are maintained by the University, all guidelines ensuring academic freedom but guarding against threatening or harassing speech or other forms of misuse will be in effect. While the mere expression of a dissenting opinion does not rise to the level of being counter to the mission of the University (since part of the mission of the University is to engage in debate that seeks truth and social justice), in cases where a University official or faculty believes that a University-maintained website contains content that is counter to the mission of the University, the case may be referred to The Information Resources and Technology Committee for adjudication. This Committee may work in consultation with the complainants, University designees, and other affected units or parties and make a recommendation to the Faculty Senate. The Faculty Senate will render a decision either requiring that content be removed or modified or may be left unaltered.

9.7 VIOLATIONS

Violations of the Acceptable Use Policy are subject to any or all of the following actions:

1. **Faculty Action:** Censure of administrative failure to comply with these policies and procedures, either in practice or in intent, may include the Faculty Senate issuing a request for compliance; a formal letter of rebuke; up to and including a Faculty Senate vote of confidence or no confidence and referral to AAUP disciplinary bodies and other agencies of censure, both public and private, as appropriate.
2. **Administrative Action:** Violations may result in the restriction of University IT use.
3. **Disciplinary Action:** Violations may result in disciplinary action. However, any such disciplinary action shall be subject to the separate and distinct disciplinary procedures applicable to faculty and staff.

CHAPTER 10

ANCILLARY POLICIES AND GUIDELINES

10.1 GUIDELINES ON PUBLICATIONS, MARKETING AND COMMUNICATIONS

The Office of University Relations and Marketing vets all major University publications directed to an external audience prior to printing, publishing, or distribution. This includes publications prepared by departments and units. All news releases, publicity, advertising, and media contracts must be arranged through this office. The President of BSU has designated the Director of University Relations and Marketing as one of the official spokespersons for the University. University Relations and Marketing staff members are available for consultation with administrative and academic departments, student organizations, and faculty members regarding marketing and public relations.

The Office of University Relations and Marketing is responsible for University publications prepared for off campus use or for wide on-campus distribution. It is also responsible for the standards regarding use of BSU's logo, brand standards for University communications.

10.2 USE OF THE NAME OF THE UNIVERSITY

Members of the faculty are encouraged to use the name of the University and official University stationery when representing the University in an official capacity. Faculty members may also publicly use their affiliation with the University to identify themselves. The University, however, does not wish to be identified with projects in which it has no official participation. Members of the faculty may not use the University name if such use can in any way be construed as implying University endorsement of any project, product, or service when such projects, products, or services are privately sponsored.

Any individual or group planning to invite a person of local, regional, or world renown or interest to appear on the campus should notify the President's Office of this intention. The President's Office will make a determination as to whether protocol requires the anticipated invitation to come from the President or whether it may come from another campus person. In the event that the invitation is not extended by the President, the inviting party should notify the President's Office immediately upon confirmation of acceptance of the invitation.

This policy applies to an invitation to elected officials from any city, county, state, or nation, as well as to other persons. This process should be followed even if the invited guest is scheduled only for a classroom appearance. See BSU [Policy VI - 1.09 - Policy on Invitations for Campus Appearances](#).

10.3 GUIDELINES ON FUNDRAISING, GIFTS, VOLUNTARY SUPPORT, AND GRANTS

All fundraising efforts undertaken by administrative and academic departments, student organizations, or faculty and staff members when using an affiliation with the University are coordinated through the Division of Institutional Advancement. All gifts and grants to the University, except University Research Service grants, are received and administered by this office.

The Bowie State University Foundation (BSUF) is a separate nonprofit corporation recognized by the BOR as an affiliated foundation. Its purpose is to facilitate fundraising and receive contributions for the University from private sources. The Vice President for Institutional Advancement serves as Executive Director of the BSUF which is governed by a volunteer Board of Directors. The President of BSU and Vice President for Administration and Finance serve as *ex officio* members of the Board of Directors of the BSUF.

Departments or faculty members must coordinate with the Division of Institutional Advancement any fundraising or receipt of gifts on behalf of the University.

10.4 GUIDELINES ON THE PRESERVATION OF ITEMS OF HISTORICAL INTEREST

All administrative officers of the University whose regular or occasional performance of administrative duties puts them in possession of files, records, or documents pertaining to their official duties, shall observe the following regulations:

1. The archives of BSU shall include the manuscripts and printed material produced by the operations of the University, meaning (1) files of letters sent and received; (2) records, such as minutes, memorandum, reports, annual reports, reports on accreditation; (3) publications, brochures, newsletters, catalogs, and programs; (4) photographs and architectural drawings and blueprints; and (5) any material deemed of enduring value.
2. The archives of the official activities of University officers and offices, including departments of instruction and special programs, shall be the property of the University.
3. Such property shall not be destroyed without the approval of the President of the University and the officer in charge of the office where it accumulates.
4. The University Archivist shall advise offices on the preservation of records, on the disposal of useless material in their custody, and on the orderly transfer of records to the University Archives.
5. The officer in charge of each office shall be the judge as to how long it is convenient to hold archival material in that office under direct control.

6. All archival material, when no longer wanted in the office to which it pertains, shall be transferred to the University Archives.
7. The officer who authorizes transfer of material to the University Archives and the Dean of the Library shall determine the conditions of access to the material once it is located in the archives, except as otherwise determined by the president.
8. The Dean of the Library shall protect archival material deposited in the University Archives from mutilation and destruction and shall keep it in such arrangement that it is accessible to authorized persons when the Archives is open for use.

10.5 POLICY ON SUBSTANCE ABUSE FOR FACULTY, STAFF, AND STUDENTS

The use of controlled substances and the abuse of alcohol present a serious threat to an employee's health and everyone's safety. Moreover, the use of illegal drugs and the abuse of alcohol impair individual competency and can result in less than complete reliability, stability, and good judgment. BSU, as an employer, strives to maintain a workplace free from the unlawful use, possession, or distribution of controlled substances and abuse of alcohol. The Governor's Executive Order 01.01.1991.16 State of Maryland Substance Abuse Policy applies to each employee of the State of Maryland including employees of the University. Any employee, who has not received a personal copy of both the state and the BSU policies, may contact the supervisor or the Office of Human Resources. A description of available drug or alcohol counseling, treatment, or rehabilitation and/or reentry programs.

10.5.1 Employee and Student Assistance Program

BSU's health and drug education programs will inform the entire University community of the physical and psychological effects of the non-medically supervised use of illegal drugs, alcohol, and consciousness-expanding drugs. The education program shall make employees aware of the consequences of prosecution under local, state, and federal laws and the rules of governance for University-imposed discipline.

The University recognizes the importance of individual rights and respects the privacy of employees and students. To this end, the University has an established counseling program for students and an Employee Assistance Program (EAP) for faculty and staff. These programs provide counseling and rehabilitative services for students and University employees both of whom are encouraged to contact the appropriate program in the event that they have a substance abuse problem. In this way, a student or employee can correct the problem before it jeopardizes a job, an education, family, or individual well-being.

Employees or students who need help with a problem of drug abuse are encouraged to call the Counseling Center, the Wellness Center, the Office of Human Resources, or the Division of Student Affairs.

10.5.2 Suspected Drug Use, Possession, or Sale

The use, possession or sale of illegal drugs is a violation of state and federal laws. All offenders are subject to arrest and criminal prosecution, as well as University administrative processes. These serious offenses must be handled in ways that will ensure the guarding of evidence, the protection of the civil rights of the accused, and the notification of the proper authorities. To this end, specific procedures outlined in this policy must be followed in any campus situation where substances are suspected to illegal drugs.

Any individual, student, or employee directly associated with BSU who uses or becomes involved with illegal drugs without proper medical supervision shall be subject to discipline, including suspension or dismissal, as may be appropriate.

10.5.2 Alcohol Use and Abuse

BSU views with alarm the potential and real problems caused by alcohol abuse and alcoholism. As such, this policy targets students and employees engaged in the legal use of alcohol. The implicit and explicit focus for prudent drinking is with moderation rather than intoxication.

1. Any person using alcoholic beverages at any time and place while on the campus of BSU is responsible to civil and University authorities for compliance with state and county law.
2. It is against State of Maryland law for anyone under the age of 21 to purchase, possess, or consume alcoholic beverages.
3. It is unlawful for any minor to knowingly and willfully make any misrepresentation or false statement about his or her age to obtain alcoholic beverages.
4. It is unlawful for any person to purchase alcoholic beverages for consumption by an individual who is known to be a minor.
5. It is unlawful for any person to possess open containers of any alcoholic beverage in a public place.

10.6 Penalties for Substance Abuse

BSU strongly encourages the use of drug rehabilitation programs as an effective measure in creating a drug-free workplace program. However, additional penalties may be implemented up to and including reprimand, suspension, mandatory counseling, mandatory participation in a drug rehabilitation program, and/or dismissal. Appropriate University grievance procedures shall be used for each classification of employee.

10.6.1 Recipients of Federal Grants, Contracts, Awards

Any faculty, staff member, or student applying (1) for a federal grant/contract in which an in the workplace drug free policy has been required, (2) for a “Pell Grant” or any other student/faculty grant/award or fellowship in which an in the workplace drug free policy has

been required, or (3) for a subcontract with the Department of Defense, will be required to comply with federal regulations.

10.6.2 Relationships with External Contractors

The University is committed to encourage all non-state entities that do business with the University or otherwise receive funds from the University to make a “good faith” effort to eliminate illegal drug abuse from their workplace. Therefore, in accordance with Executive Order 01.01.1991.16, the University shall take whatever action is necessary and appropriate to require a drug free workplace, in accordance with applicable federal and state law, of each recipient of a state contract, grant, loan, or other state funding instrument.

The 2018-2020 Faculty Handbook Ad Hoc Committee

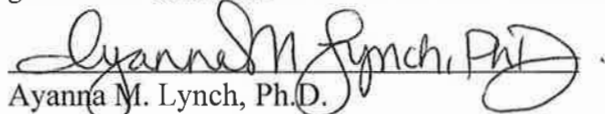
Dr. Velma Latson, <i>Chair</i>	Department of Technology & Security
Dr. Cubie Bragg	Department of Counseling
Dr. LaTanya Brown Robertson	Department of Accounting, Finance & Economics
Dr. Januela Burt	Department of Educational Leadership
Dr. Makeba Green	Department of Social Work
Dr. Monika Gross	Honors Program
Dr. Ometha Lewis-Jack	Department of Psychology
Dr. Audrey Lucas Brown	Department of Counseling
Dr. Elliott Parris	Department of Behavioral Sciences and Human Services
Dr. Diarra Robertson	Department of History and Government
Dr. Daryl Stone	Department of Technology & Security

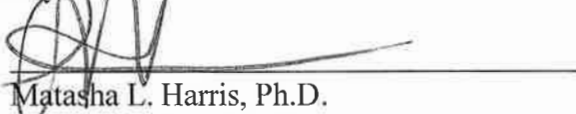
The 2020-2022 Faculty Handbook Committee


Dr. Velma Latson, <i>Chair</i>	Department of Technology & Security
Dr. Kim Evelyn	Department of Language, Literature & Cultural Studies
Dr. Phyllis Gillians	Department of Social Work
Dr. Andrew Mangle	Department of Management Information Systems
Dr. Monika Gross	Honors Program

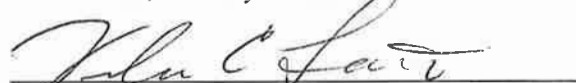
Members of the 2018 Faculty Handbook Task Force, 2018-2020 Faculty Handbook Ad Hoc Committee and 2020-2022 Faculty Handbook Standing Committee of the Faculty Senate worked diligently and extensively to collaboratively revise the Faculty Handbook. Special commendations are due to Dr. Makeba Green, Secretary of the 2018-2020 Faculty Senate and current Parliamentarian, for spearheading the electronic conversion, track changes and professional editing of the revised handbook, and Dr. Velma Latson, Chair of the Faculty Handbook Ad Hoc and Standing Committees, for outstanding leadership guidance and patience throughout this protracted process. Due to the care and commitment of the above-referenced faculty volunteers and the meaningful feedback of faculty members across ranks and disciplines, our faculty body now has a governing document that reflects our current policies, practices and values. In acknowledgement of the collective agreement to the information and guidelines contained herein, the Faculty Association, under the leadership of Dr. George Ude, Chair of the 2018-2020 Faculty Senate, voted on April 16, 2020, in favor of approving the revised Faculty Handbook and on February 17, 2022, voted in favor of adopting the suggested changes proposed by the Provost Goodman, which were ultimately accepted by President Breaux.

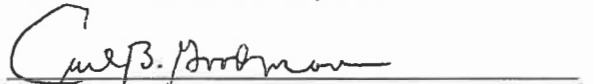
Accordingly, by virtue of the affixed signatures below, we, the undersigned, indicate, on this day, Thursday, May 17, 2022, our approval and ratification of this revised Faculty Handbook as the official governance document of the Bowie State University Faculty.


Ayanna M. Lynch, Ph.D.
Chair, Faculty Senate


Matasha L. Harris, Ph.D.
Vice Chair, Faculty Senate


Makeba K. Green, Ph.D.
Parliamentarian, Faculty Senate


Velma Latson, Ph.D.
Chair, Faculty Handbook Committee


Carl B. Goodman, Ph.D.
Provost & Vice President of Academic Affairs


Aminta H. Breaux, Ph.D.
President & Chief Academic Officer

APPENDIX 1

I-6.00. Policy on Shared Governance in the University System of Maryland

(Approved by the Board of Regents October 4, 1996; Amended on August 25, 2000)

I. PURPOSE

The University System of Maryland (USM) consists of 13 institutions with distinct but complementary institutions with distinct, but complementary missions. The Board of Regents recognizes the distinct and complementary roles that the Regents, the Chancellor, the Presidents, other administrators, the faculty, the staff, and students have in governing the USM institutions.

Moreover, the board also recognizes that as higher education changes and evolves, implementation of the fundamental principles of shared governance set forth below must also continue to evolve.

This policy affirms the board's commitment to these fundamental principles, which shall guide the development of institution-specific shared governance practices consistent with this policy.

II. PRINCIPLES

- A. Final authority and responsibility for the welfare of the USM and its institutions rests with the Board of Regents. The board may delegate to the Chancellor and the president's portions of that authority for the purpose of assuring the effective management of the system and its institutions.
- B. Shared governance procedures apply at all levels within the USM.
- C. Shared governance requires informed participation and collaboration by faculty, students, staff, and administrators.
- D. Faculty, staff, and students shall have opportunities to participate, appropriate to their special knowledge and expertise, in decisions that relate to the following:
 - mission and budget priorities for the USM and its constituent institutions;
 - curriculum, course content, and instruction;
 - research;
 - appointment, promotion, and tenure of all faculty members and the development of policies that affect faculty welfare generally.
 - development of human resources policies and procedures for exempt and non-exempt staff;
 - selection and appointment of administrators;
 - issues that affect the ability of students to complete their education; and
 - other issues that arise from time to time that affect the overall welfare of the USM and/or its institutions.

- E. While some members of shared governance bodies may be appointed, the substantial majority should be elected by their constituencies. Such bodies should elect their own presiding officers.

III. PRACTICE

- A. Each USM institution shall have in place written procedures and formal structures that provide for appropriate collaboration and communication between and among administration, faculty, staff, and students. The structures and procedures shall be developed cooperatively, disseminated widely prior to adoption, and reviewed periodically according to procedures and timelines established in the documents governing institutional practice.
- B. Each constituent institution within the USM shall have either a single shared governance body for the institution as a whole or separate bodies for faculty, staff, and students. At least 75% of the voting members shall be elected by their constituencies. This percentage shall not apply to Paragraph G, below. These bodies shall have written bylaws and shall meet regularly.

Each institution shall define the subject matter appropriate for faculty, staff, and/or student participation in the shared governance process. The definitions shall recognize the following:

- the responsibility of administrators for forming and articulating a vision for the institution, for providing strategic leadership, and for managing its human resources, finances, and operations;
 - the central role of the faculty in the institution's teaching, research, and outreach programs, including the assessment of the quality of these activities through peer review;
 - the essential support provided by staff in facilitating the institution's operations and the legitimate interest of the staff in participating in the development of policies and procedures that affect them and the welfare of their institutions;
 - that students are the institution's main academic educational focus and that they have a legitimate interest in matters affecting their ability to complete their education, including, but not limited to costs, grading, and housing; and
 - that there is a role for each group in the search for and selection of key institutional administrators.
- C. Institutional structures and procedures for shared governance shall address the role of non-tenured and non-tenure track, part-time, adjunct, and other faculty ranks, as established by Regents' policy, as well as other employees on long-term contracts.
- D. The presidents and other institution-wide administrators shall consult regularly with the institution's elected representative body or bodies. This consultation will be in accordance with accountability plans developed collaboratively by the participants. These accountability plans shall be subject to the approval of the Board of Regents. The Presidents shall report annually to the Chancellor on the implementation of these accountability plans, and the Chancellor in turn shall report to the Board.

- E. The Chancellor and other system administrators shall consult regularly with the legislatively mandated, system-wide representative bodies. The Chancellor shall report annually to the board on the status of these consultations.
- F. The presidents shall assure that shared governance, based upon the principles and practices in this policy, is appropriately implemented in all sub-units, and are accountable for assuring that other administrators follow them in unit-level deliberations.
- G. Effective implementation of shared governance shall be a component of evaluations of the Chancellor, the presidents, and other administrators as designated by the Chancellor for the USM Office, and by the president for the institutions.
- H. In keeping with Principle II.C., all participants share with their presidents and the USM leadership responsibility for the following:
- being informed on issues that confront higher education, the USM, and the institutions;
 - acting within time constraints that are imposed by external agencies and influences, sometimes with little or no notice;
 - sharing appropriate information and providing timely feedback;
 - recognizing the specific goals and needs of the institution, and being accountable to the constituencies represented; and
 - distinguishing the roles played by various units and individuals in decision making and administration.
- I. Given the dynamic nature of institutional governance, the following is understood:
- There may be occasions when institutional leaders must act in the best interest of the institution on major issues affecting the institutional constituencies without full benefit of the shared governance process. In such cases, the representative bodies shall be informed in a timely manner and have an opportunity to comment on the issues.
 - Administrators shall inform important constituencies in a timely manner if they choose to disregard, in whole or in part, the advice and recommendation of constituencies, and they should provide the reasons for their decision. In these cases, the shared governance body may, if it so chooses, present a written statement of its position and/or any objections to the decision as part of the institution's or unit's record on the issue.
- J. Faculty and staff who do not hold administrative appointments, and all students, may express their opinions freely on all shared governance matters without retaliation. Administrators, including faculty holding administrative appointments, may also express their opinions freely during policy discussions, without retaliation; but once a decision is reached, they are expected to support and implement policy as determined by the institutional leadership.
- K. Shared governance requires a commitment of resources and time from the USM institutions. Each institution shall provide a proper level of resources, as determined by the

president, to faculty, staff, and students to allow them to carry out their shared governance responsibilities effectively.

While participation in governance by faculty, staff, and students is necessary and important for the well-being of the USM and its institutions, the final responsibility for decision-making rests with institutional presidents, the Chancellor, or the Board of Regents, who are ultimately held accountable by the public and its elected leaders.

APPENDIX 2

BOWIE
STATE UNIVERSITY
- 1865 -



Bowie State University Council Bylaws

**Revisions Approved
Academic Year 2015-2016**

**Re-Adopted for Signature Approval
September 12, 2017**

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BYLAWS OF THE BOWIE STATE UNIVERSITY UNIVERSITY COUNCIL

PREAMBLE

Pursuant to the powers vested in the
President of Bowie State University
the following is hereby adopted and declared as the
Bylaws of the University Council of Bowie State University

ARTICLE I

Name, Purpose, and Responsibilities

Section 1. Name

The name of the organization shall be the Bowie State University Council, hereafter referred to as the University Council (UC).

Section 2. Purpose

The purpose of the University Council governing body is to act as an informational conduit as well as to provide an open forum to discuss issues affecting the campus community. Specifically, it is the responsibility of the UC to review and propose policy, and to advise the President concerning those policies. Toward this end, the UC will act as a conduit for two-way communication between the campus community and administration by identifying issues that may potentially impact staff and by examining possible solutions.

Section 3. Responsibilities

The University Council shall have such responsibilities as may hereafter be delegate to it by the President of the University or by the Board of Regents, and shall have the power to enact, amend, and repeal its own bylaws for its internal functioning. To that end the UC shall have the power to engage the following responsibilities.

- a. Review all agendas, minutes, reports, recommendations and actions of all UC committees;
- b. Prepare for distribution, five () days prior to meetings, the topics for UC deliberation;
- c. Request that representative governance groups meet, discuss and possibly resolve any differences among their respective recommendations;
- d. Recommend policies and procedures involving relationships among and between the UC, the University President, and the representative governance groups;
- e. Ensure vacant positions on committees are filled properly and promptly;
- f. Provide the names of members of committees to the UC at the May meeting;
- g. Ensure UC committees submit written reports to the UC as required, with at least one report per semester;
- h. Conduct the process for amending UC Bylaws; and
1. Maintain records of UC transactions, to include committee summary reports and update the University Council Bylaws when necessary.

ARTICLE II

Governance and Membership

Section 1. Governance

The University Council (UC) is composed of representatives from Bowie State University administration and the four (4) shared governance groups.

- a. Faculty Senate (FS)
- b. Staff Council (SC)
- c. Student Government Association (SGA)
- d. Graduate Student Association (GSA)

Section 2. Membership

The University Council shall consist of three (3) Bowie State University administrators including the President, Provost, Sr. Student Affairs Officer (ex-officio) and three (3) members from the Executive Committee of each shared governance group. Thus University Council shall consist of fifteen (15) members.

- a. Three (3) Faculty Senate - Chair, Vice Chair and Secretary
- b. Three (3) Staff Council - Chair, Vice Chair and Secretary
- c. Three (3) Student Government Association - President, Vice President, and Representative at Large
- d. Three (3) Graduate Student Association - President, Vice President and Representative at Large

ARTICLE III Officers and Duties

Section 1. Officers

Officers of the University Council shall be designated as Chair and Vice Chair. Term of office shall begin on July 1st for a period of one (1) year. Officers shall be elected from and by the membership of the in-coming Executive Committee.

- a. The Chair shall alternate between the Chair of the Faculty Senate and the Chair of the Staff Senate.
- b. The Vice Chair shall alternate between SGA Chair and GSA Chair.
- c. Secretarial/clerical support shall be provided by the administration.

Section 2. Duties

Officers of the University Council shall have the following duties:

1. The Chair shall preside over all UC meetings and carry out other duties as specified by the UC Bylaws. The Chair will not be a voting member unless required to break a tie of the voting members.
2. The Vice Chair shall serve in the absence of the Chair and will assist the UC Chair as requested.
3. Secretarial/clerical support shall include recording of minutes at all UC meetings; communicating activities to the UC members; preparation and distribution of the agenda for future UC meetings; and preparation and distribution of minutes to UC members at least five (5) days prior to the meeting.

ARTICLE IV Procedures and Activities

Section 1. Rules of Procedure

The rules of procedure in UC meetings, except as otherwise specified herein, shall be those presented in Robert's Rules of Order Newly Revised.

Section 2. Regular Meetings

The UC shall meet monthly during the academic year at a time and place determined by UC consensus. The secretary will notify UC members of meetings. Such notification should be written email correspondence at least seven (7) days in advance of the meeting and should include a tentative agenda.

Section 3. Special Meetings

Special meetings may be called by the Chair or at the request of the University President or two (2) or more governance bodies.

Section 4. Council Actions

The UC cannot overturn a recommendation made by a governance body.

Section 5. Quorum

Roberts Rules of Order New Revised suggest that a quorum shall be considered as the minimum number of committee members that should be present to make the proceedings of a meeting valid, or a majority of the committee membership.

A quorum of the UC shall consist of fifty percent of the committee membership, and/or include at least one member from each of the governance groups.

Section 6. Amending Bylaws

The UC Bylaws shall be amended after a first and second reading of the amendment. Ratification shall be a ballot at the meeting after the second reading of the amendment.

Proposed amendments will be distributed to all UC members at least three (3) weeks prior to the UC vote on the amendment, a two-thirds vote of the UC will be required for action.

ARTICLE V

Committees of the University Council

Section 1. Committee Names

There shall be six (6) Committees of the University Council.

- a. Traffic, Parking and Safety (TPS)
- b. Space, Building and Grounds (SBG)
- c. Fiscal Affairs (FA)
- d. Government Relations (GR)
- e. Wellness (W)
- f. Information Technology (IT)

Section 2. Traffic, Parking and Safety (TPS) Committee

2.1 Purpose

The purpose of the TPS Committee shall be to develop and recommend for implantation traffic, parking, safety and environmental issues, rules and regulations.

2.2 Membership

The TPS Committee shall consist of fifteen (15) members.

- a. Director of Public Safety (ex-officio)
- b. Provost (ex-officio)
- c. Senior Student Affairs Officer (ex-officio)
- d. Three (3) faculty members, selected by the department to serve a two-year term
- e. Three (3) staff members, selected by the department to serve a two-year term
- f. Three (3) students selected by the SGA to serve a one-year term
- g. Three (3) students selected by the GSA to serve a one-year term

2.3 Officers and Duties

Officers of the TPS Committee shall be designated as Chair, Vice Chair, and Secretary. Term of office shall begin on July 1st for a period of one (1) year. Officers shall be elected from and by the TPS Committee membership. Duties of each officer shall be as follows.

1. The Chair shall preside over all meetings and carry out other duties as specified by the UC Bylaws. The Chair will not be a voting member unless required to break a tie of the voting members.
2. The Vice Chair shall serve in the absence of the Chair and will assist the Chair as requested.
3. The Secretary shall keep minutes of all meetings; shall keep the TPS members informed of the activities of the TPS, prepare and distribute the agenda for future meetings of the committee, and shall distribute the minutes of meetings to the members at least five (5) days prior to the meeting.

2.4 Rules of Procedure

The rules of procedure in TPS Committee meetings shall be those presented in the Robert's Rules of Order Newly Revised where not inconsistent with the University Council (UC), Bowie State University (BSU), and related University System of Maryland (USM) policy.

2.5 Regular and Special Meetings

The TPS Committee shall meet monthly during the academic year at a time and place determined by TPS consensus. The secretary will notify members of meetings. Such notification should be written email correspondence at least seven (7) days in advance of the meeting and should include a tentative agenda.

- a. No meetings are scheduled in January or summer terms.
- b. Special meetings may be called as determined by urgency of the matters by accord of the Chair or the Secretary.

2.6. Committee Actions

The TPS Committee cannot overturn a recommendation made by another governance body.

2.7. Quorum

- a. A quorum shall be considered as the minimum number of committee members that should be present to make the proceedings of the TPS Committee meeting valid, or a majority of its membership.
- b. A quorum of the TPS Committee shall consist of fifty percent of its membership, and/or at least one member from each of the governance groups.

3. Space, Buildings and Grounds (SBG) Committee

3.1 Purpose

The purpose of the SBG Committee shall be to address concerns regarding existing and future buildings and the surrounding campus environment. The committee shall encourage the academic community's involvement both in the early stages of new building planning and landscape development so that University offices/departments/colleges may review architectural plans, offer suggestions and make recommendations before plans are officially adopted and construction begins. Further duties of the SBG shall include recommending policies concerning the utilization of space with university buildings, to insure that it is consistent with the policies and procedures established by the University.

3.2 Membership

The SBG Committee shall consist of sixteen (16) members.

- a. Director of Facilities
- b. A representative of the Dean's Council
- c. A representative of the Provost's Office
- d. Registrar (ex-officio)

- e. Three (3) faculty members selected by the department to serve a two-year term
- f. Three (3) staff members selected by the department to serve a two-year term
- g. Three (3) students selected by the SGA to serve a one-year term
- h. Three (3) students selected by the GSA to serve a one-year term

3.3 Officers and Duties

Officers of the SBG Committee shall be designated as Chair, Vice Chair, and Secretary. Term of office shall begin on July 1st for a period of one (1) year. Officers shall be elected from and by the membership. Duties of each officer shall be as follows.

- 1. The Chair shall preside over all meetings and carry out other duties as specified by the UC Bylaws. The Chair will not be a voting member unless required to break a tie of the voting members.
- 2. The Vice Chair shall serve in the absence of the Chair and will assist the Chair as requested.
- 3. The Secretary shall keep minutes of all meetings; shall keep the SBG members informed of the activities of the SBG, prepare and distribute the agenda for future meetings of the committee, and shall distribute the minutes of meetings to the members at least five (5) days prior to the meeting.

3.4 Rules of Procedure

The rules of procedure in SBG Committee meetings shall be those presented in the Robert's Rules of Order Newly Revised where not inconsistent with the University Council (UC), Bowie State University (BSU), and related University System of Maryland (USM) policy.

3.5 Regular and Special Meetings

The SBG Committee shall meet monthly during the academic year at a time and place determined by consensus. The secretary will notify members of meetings. Such notification should be written email correspondence at least seven (7) days in advance of the meeting and should include a tentative agenda.

- c. No meetings are scheduled in January or summer terms.
- d. Special meetings may be called as determined by urgency of the matters by accord of the Chair or the Secretary.

3.6 Committee Actions

The SBG Committee cannot overturn a recommendation made by another governance body.

3.7 Quorum

- a. A quorum shall be considered as the minimum number of committee members that should be present to make the proceedings of the SBG Committee meeting valid, or a majority of its membership.
- b. A quorum of the SBG Committee shall consist of fifty percent of its membership, and/or at least one member from each of the governance groups.

4. Fiscal Affairs (FA) Committee

4.1 Purpose

The purpose of the FA Committee shall be to review the University's fiscal resources and make recommendations regarding the utilization of these fiscal resources to the UC. The committee shall focus its efforts on the following activities.

- a. Become knowledgeable about the internal and external mandates that affect the allocation of the University's fiscal resource
- b. Examine the University's plans and policies and make recommendations regarding current and on-going initiatives
- c. Review, evaluate and comment on the University's operational budget
- d. Advise or recommend the use of supplemental and discretionary funds as they become available
- e. Provide input in the development of reports for the University System of Maryland (USM) and the Maryland Higher Education Commission (MHEC) on the University's fiscal allocation plans and actions
- f. Provide an annual report to the UC, assess fiscal activity and progress toward meeting the University's mandates and priorities

4.2 Membership

The FA Committee shall consist of fourteen (14) members:

- a. Vice President for Finance (ex-officio)
- b. Provost (ex-officio)
- c. Three (3) faculty members selected by the department to serve a two-year term
- d. Three (3) staff members selected by the department to serve a two-year term
- e. Three (3) students selected by the SGA to serve a one-year term
- f. Three (3) students selected by the GSA to serve a one-year term

4.3 Officers and Duties

Officers of the FA Committee shall be designated as Chair, Vice Chair, and Secretary. Term of office shall begin on July 1st for a period of one (1) year. Officers shall be elected from and by the Fiscal Affairs Committee membership. Duties of each officer shall be as follows.

1. The Chair shall preside over all meetings and carry out other duties as specified by the UC Bylaws. The Chair will not be a voting member unless required to break a tie of the voting members.
2. The Vice Chair shall serve in the absence of the Chair and will assist the Chair as requested.
3. The Secretary shall keep minutes of all meetings; shall keep the FA members informed of the activities of the FA, prepare and distribute the agenda for future meetings of the committee, and shall distribute the minutes of meetings to the members at least five (5) days prior to the meeting.

4.4. Rules of Procedure

The rules of procedure in FA Committee meetings shall be those presented in the Robert's Rules of Order Newly Revised where not inconsistent with the University Council (UC), Bowie State University (BSU), and related University System of Maryland (USM) policy.

4.5 Regular and Special Meetings

The FA Committee shall meet monthly during the academic year at a time and place determined by consensus. The secretary will notify members of meetings. Such notification should be written email correspondence at least seven (7) days in advance of the meeting and should include a tentative agenda.

- a. No meetings are scheduled in January or summer terms.
- b. Special meetings may be called as determined by urgency of the matters by accord of the Chair or the Secretary.

4.6 Committee Actions

The FA Committee cannot overturn a recommendation made by another governance body.

4.7 Quorum

- a. A quorum shall be considered as the minimum number of committee members that should be present to make the proceedings of the FA Committee meeting valid, or a majority of its membership.
- b. A quorum of the FA Committee shall consist of fifty percent of its membership, and/or at least one member from each of the governance groups.

5. Government Relations (GR) Committee

5.1 Purpose

The purpose of GR Committee shall be to:

- a. Work collaboratively with the President's office and Institutional Advancement monitoring State and Federal legislative policies, laws and mandates and to respond to issues affecting higher education and Bowie State University
- b. Report to the UC on important issues under consideration that affect higher education and Bowie State University specifically.

5.2 Membership

The GR Committee shall consist of fourteen (14) members.

- a. Vice President for Institutional Advancement (ex-officio)
- b. President's Assistant for Legislative affairs (ex-officio)
- c. Three (3) faculty members selected by the department to serve a two-year term
- d. Three (3) staff members selected by the department to serve a two-year term
- e. Three (3) students selected by the SGA to serve a one-year term
- f. Three (3) students selected by the GSA to serve a one-year term

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5.3 Officers and Duties

Officers of the GR Committee shall be designated as Chair, Vice Chair, and Secretary. Term of office shall begin on July 1st for a period of one (1) year. Officers shall be elected from and by the GR Committee membership. Duties of each officer shall be as follows.

1. The Chair shall preside over all meetings and carry out other duties as specified by the UC Bylaws. The Chair will not be a voting member unless required to break a tie of the voting members.
2. The Vice Chair shall serve in the absence of the Chair and will assist the Chair as requested.
3. The Secretary shall keep minutes of all meetings; shall keep the GR members informed of the activities of the GR, prepare and distribute the agenda for future meetings of the committee, and shall distribute the minutes of meetings to the members at least five (5) days prior to the meeting.

5.4 Rules of Procedure

The rules of procedure in GR Committee meetings shall be those presented in the Robert's Rules of Order Newly Revised where not inconsistent with the University Council (UC), Bowie State University (BSU), and related University System of Maryland (USM) policy.

5.5 Regular and Special Meetings

The GR Committee shall meet monthly during the academic year at a time and place determined by consensus. The secretary will notify members of meetings. Such notification should be written email correspondence at least seven (7) days in advance of the meeting and should include a tentative agenda.

- e. No meetings are scheduled in January or summer terms.
- f. Special meetings may be called as determined by urgency of the matters by accord of the Chair or the Secretary.

5.6 Committee Actions

The GR Committee cannot overturn a recommendation made by another governance body.

5.7 Quorum

- a. A quorum shall be considered as the minimum number of committee members that should be present to make the proceedings of the GR Committee meeting valid, or a majority of its membership.
- b. A quorum of the GR Committee shall consist of fifty percent of its membership, and/or at least one member from each of the governance groups.

6. Wellness (W) Committee

6.1 Purpose

The purpose of the W Committee is to ensure an environment that promotes the health of all members of the University community. It shall serve as a catalyst for the creation of a campus climate in which health of the entire community, holistically conceived, is appreciated and fostered. The responsibilities of the W Committee include the following.

- a. Collaborate with and provide appropriate advice to University offices and departments in assessing wellness, health and curriculum-related needs and initiatives.
- b. Provide advice to University offices and department regarding worksite wellness programs for campus employees.
- c. Evaluate and make recommendations to appropriate bodies regarding University policies on all issues affecting the health of the campus community, including alcohol and substance abuse issues.
- d. Assess the impact of initiative undertaken by the University to address alcohol and substance abuse and the effect of such abuse on the overall campus climate.
- e. Help the University participate in the on-going national dialogue regarding wellness and alcohol abuse issues.

6.2 Membership

The W Committee shall consist of fifteen (15) members.

- a. Director of Student Health (ex-officio)
- b. Representative of the Wellness and Counseling Center (ex-officio)
- c. Director of Alcohol, Tobacco, and Other Drug (ex-officio)
- d. Three (3) faculty members selected by the department to serve a two-year terms
- e. Three (3) staff members selected by the department to serve a two-year terms
- f. Three (3) students selected by the SGA to serve a one-year term
- g. Three (3) students selected by the GSA to serve a one-year term

6.3 Officers and Duties

Officers of the W Committee shall be designated as Chair, Vice Chair, and Secretary. Term of office shall begin on July 1st for a period of one **(1)** year. Officers shall be elected from and by the W Committee membership. Duties of each officer shall be as follows.

1. The Chair shall preside over all meetings and carry out other duties as specified by the UC Bylaws. The Chair will not be a voting member unless required to break a tie of the voting members.
2. The Vice Chair shall serve in the absence of the Chair and will assist the Chair as requested.
3. The Secretary shall keep minutes of all meetings; shall keep the W members informed of the activities of the W, prepare and distribute the agenda for future meetings of the committee, and shall distribute the minutes of meetings to the members at least five (5) days prior to the meeting.

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6.4 Rules of Procedure

The rules of procedure in W Committee meetings shall be those presented in the Robert's Rules of Order Newly Revised where not inconsistent with the University Council (UC), Bowie State University (BSU), and related University System of Maryland (USM) policy.

6.5 Regular and Special Meetings

The W Committee shall meet monthly during the academic year at a time and place determined by consensus. The secretary will notify members of meetings. Such notification should be written email correspondence at least seven (7) days in advance of the meeting and should include a tentative agenda.

- a. No meetings are scheduled in January or summer terms.
- b. Special meetings may be called as determined by urgency of the matters by accord of the Chair or the Secretary.

6.6. Committee Actions.

The W Committee cannot overturn a recommendation made by another governance body.

6.7 Quorum

- a. A quorum shall be considered as the minimum number of committee members that should be present to make the proceedings of the W Committee meeting valid, or a majority of its membership.
- b. A quorum of the Wellness Committee shall consist of fifty percent of its membership, and/or at least one member from each of the governance groups.

7. Information Technology (IT) Committee

7.1 Purpose

The purpose of the IT Committee shall be as follows.

- a. Advise the UC regarding campus technology needs and priorities governing computer use, software and hardware products provided by the University
- b. Recommend to the UC strategic approaches for global and connected teaching and learning, as well as technology-enriched services
- c. Recommend to the UC strategic approaches for technology-enriched services applied to teaching and learning, and global campus connection
- d. Advocate and promote enhanced technology services and resources for the campus community, including effectiveness and efficiency for a wide range of campus processes, support of teaching and learning, communications, data analysis and storage, and infrastructure
- e. Develop and review policy recommendations related to information technology in areas such as online and hybrid learning, faculty computing, student computing, smart classrooms and laboratories, campus software and IT training

7.2 Membership

The IT Committee shall consist of the following members.

- a. Vice-President of Information Technology (ex-officio)
- b. Dean of the Library (ex-officio)
- c. Director of Academic Computing (ex-officio)
- d. One (1) faculty selected by each college to serve a two-year term
- e. Two (2) staff members selected by Staff Council to serve a two-year term
- f. Two (2) students selected by the SGA to serve a one-year term
- g. Two (2) students selected by the GSA to serve a one-year term

Ex-officio members may be represented by delegates acting in charge. When a department or the Staff Council does not designate a representative to IT Committee, the chairperson of the department or Staff Council is by default the delegate to IT Committee.

7.3 Officers and Duties

Officers of the IT Committee shall be designated as Chair, Vice-Chair, Secretary and Parliamentarian. These officers will serve a two-year term unless the elected member is not returned to the IT Committee by their representative body. Election of officers shall take place by secret ballot in May of the academic year before conclusion of the two-year term. The IT Committee cannot dictate the members selected by the representative body for representation. Duties of the IT Committee officers are as follows.

- a. Chair - The Chair shall solicit agenda topics from IT members at least two weeks before regular meetings; report monthly to the UC on information based on the approved minutes of the IT Committee; and designate temporary sub-committees for dealing with
- b. Specific matters that will be reported in successive meetings until the purpose of appointment is finalized.
- c. Vice-chair - The Vice-chair will serve as acting Chair in absence of the Chair.
- d. Secretary - The Secretary shall provide each member with a copy of minutes and meeting agenda at least one week prior to regular meetings. Secretarial function shall be assumed by a committee member in absence of the elected Secretary.
- e. Parliamentarian - Ensure that order and conduct of meetings are in compliance with the committee's rules of procedures according to Robert's Rules of Order Newly Revised.

7.4 Rules of Procedures

The rules of procedure in IT Committee meetings shall be those presented in the Robert's Rules of Order Newly Revised where not inconsistent with the University Council (UC), Bowie State University (BSU), and related University System of Maryland (USM) policy.

- a. Each representative body shall be briefed by their IT representative(s) each month or as required by the representative body.
- b. Ex-officio members shall notify in written form to the Chair who is the delegate person in case of absence.

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- c. The order of business shall consist of: call to order, approval of minutes, announcements, sub-committee reports, old business, new business and adjourn.
- d. One meeting in April or May every year shall be dedicated to the annual budget planning for information technology academic services, including hardware, software and sub-contracts. UCIT will facilitate the consolidation of budget needs, having into account that IT services are distributed among several divisions and units.

7.5 Regular and Special Meetings

The IT Committee shall meet monthly on the first Tuesday at three o'clock in the afternoon beginning in September and concluding in May.

- a. No meetings are scheduled in January or summer terms.
- b. Special meetings may be called as determined by urgency of the matters by accord of the Chair or acting Chair and the Secretary.

7.6. Committee Actions

The IT Committee cannot overturn a recommendation made by another governance body.

7.7 Quorum

- a. A quorum shall be considered as the minimum number of committee members that should be present to make the proceedings of the IT Committee meeting valid, or a majority of its membership.
- b. A quorum of the IT Committee shall consist of fifty percent of its membership, and/or at least one member from each of the governance groups.

Notes

- 1. Ex-officio members are non-voting.
- 2. The language used to define and describe a quorum is based on the 11th edition of Robert's Rules of Order Newly Revised.

References

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The 2015-2016 University Council Bylaws Task Force

Dr. Delois L. Maxwell, Chair
Dr. Cubie Bragg
Mr. Wayne Felder
Mr. John Hammond
Mr. Antonio Johnson
Mr. Richard L. Lucas, III
Mr. William H. Nathan, Jr.
Dr. David Reed

Members of the 2015-2016 University Council (Faculty Senate, Staff Council, Student Government Association, Graduate Student Association, and Bowie State University Administration) produced these (Amended) University Council By-Laws collaboratively. In acknowledgement of the mutual agreement to the terms and agreements contained herein, the 2017-2018 University Council Membership voted on September 12, 2017 to Re-Adopt and

Sign these Bylaws by virtue of the affixed signatures below: _____

	 _____ Faculty Senate Chair Dr. Patrieja Westerman	  _____ Staff Council Chair Mr. George Jones, Jr.
	 _____ Student Government Association President Ms. Phylecia Faublas	 _____ Graduate Student Association President Mr. Dae'Quawn Landrum
	 _____ Bowie State University President Dr. Aminta H. Breaux	 _____ Interim Provost & VP of Academic Affairs Dr. Guy-Alain Amoussou

C...-- I0 I I
Signature Date

APPENDIX 3

CONSTITUTION OF THE BOWIE STATE UNIVERSITY FACULTY

Preamble

Shared governance provides the opportunity for the faculty to use its expertise to express its wisdom, and to make recommendations to the Provost and/or President as appropriate, in areas of faculty responsibility. Shared governance recognizes the President's authority as defined by the Board of Regents of the University System of Maryland. Pursuant to Article E - 3.00 Policy on the Role of Faculty in the Development of Academic Policy, The Bowie State University faculty will have the primary role in the development of academic policies through representative advisory bodies to the chief executive officer or designee. The representative body, through which the faculty exercises its responsibility, is the Bowie State University Faculty Senate.

Article I Name

The name of the faculty governance body at Bowie State University shall be the Bowie State University Faculty Senate; hereinafter referred to as the Senate.

Article II Purpose

The purpose of the Faculty Senate shall be to enable the faculty of Bowie State University to perform effectively its functions and to carry out its responsibilities as the professional teaching body of the University. The body shall make recommendations on behalf of the Faculty Association, directly to the Provost and/or President on matters of primary faculty responsibility: academic policies, procedures, and standards; curriculum, course content and instruction; research and scholarship; appointment, retention, promotion and tenure of faculty members, and the development of policies that affect faculty welfare generally; selection and appointment of department chairs, and administrators; mission and budget priorities and issues that affect the ability of students to complete their education; and other issues that affect the overall welfare of Bowie State University.

Article III Faculty Association

The plenary body of the faculty shall be the Faculty Association.

Section 1. Membership: The core faculty of the University (full time tenured and tenure-track faculty), full time contractual faculty, and full time professional librarians shall be members of the Faculty Association with the right to speak and to vote in all meetings of the Faculty Association, to introduce and second motions, to run for office, to vote in all elections, and to represent the faculty on any faculty or University committee for which they are eligible.

Section 2. Part time professional librarians and part time faculty members of Bowie State University shall be associate members of the Faculty Association eligible to attend and speak in Faculty Association meetings, and to serve on those faculty or University committees for which

they are eligible. Associate members do not have the right to vote, to run for, or hold offices of the Faculty Senate.

Section 3. The membership of the Faculty Senate shall include one representative and one alternate elected from and by the full time faculty of each academic department and two tenured representatives elected at large from and by each school or college containing academic departments.

Article IV

Executive Committee and officers

Section 1. The officers of the Faculty Senate and one at-large Senator shall serve as the Senate Executive Committee.

Section 2. The officers of the Faculty Senate, elected from and by the Faculty Senate, shall be chair, vice chair and secretary. The chair and vice chair of the Senate shall be elected from the at large representatives. The officers shall perform the duties prescribed by the Constitution and its Bylaws, and within the limits of the University System of Maryland (USM) and its Board of Regents. The chair shall appoint a Parliamentarian to advise the Senate and the Faculty Association on current parliamentary procedures.

Section 3. The officers shall be elected by ballot at the May meeting of the Faculty Senate. The officers elected shall serve for two years beginning the following August.

Article V

Meetings

Section I. The Chair of the Faculty Senate shall convene the Faculty Association at least once per semester with the agenda set by the Executive Committee. In order to deal with issues of faculty concern, special meetings may be called by the Chair or upon the petition of twenty percent of the members from the Faculty Association. A meeting called as the result of a petition shall be convened within ten working days of receipt of the petition by the Chair. The issues listed on the petition shall be the agenda for the meeting.

Section 2. The Faculty Senate shall meet monthly during the academic year. The Chair may call a special meeting to address urgent matters and shall call such a meeting upon receipt of a request by at least live members of the Senate.

Section 3. A quorum of the Faculty Association shall be twenty-five percent of its membership. A quorum of the Faculty Senate shall be fifty percent of the membership.

Section 4. Meetings of the Faculty Association shall be open to all members of the University Community. Meetings of the Faculty Senate shall be open to all faculty members. To the limited extent required or permitted by law, the Faculty Association or Faculty Senate may meet in closed session.

Article VI

Responsibilities of the Faculty Senate

Section 1. The Faculty Senate shall act on behalf of the faculty in making recommendations to the Provost and/or President as appropriate, regarding matters within its purview. These shall include, but not be limited to, the following policies, procedures, and standards: curriculum, appointment, retention, rank, and tenure of faculty as governed by the policies and procedures of the Bowie State University Policy on Appointment, Rank and Tenure of Faculty (ART); sabbatical leave evaluation of and by faculty; evaluation of administrators; faculty welfare; faculty elections; granting University degrees and academic honors; University academic ceremonies; University fellowships and scholarships; library, information technology and resources and other recommendations as authorized by the Association.

Section 2. As a component part of shared governance, the Faculty Senate serves to maintain cooperative relationships with all segments of the University and with its counterparts in other colleges and universities. The Senate Chair is authorized to speak for and take actions on behalf of the Senate and the Association.

Section 3. The University, through the Office of the President or through such other offices as the President may designate, will provide resources, consistent with BSU resources, to support the Senate in meeting its obligations as outlined in the Constitution. Each year, following consultation with the Chair of the Senate, a budget for the Senate's activities in the upcoming fiscal year will be developed.

Article VII

Standing Committees of the Faculty Senate

Section 1. The Academic Standards and Policies Committee shall assess the University's Standards and policies systematically to determine the extent to which the academic mission of the University is being achieved and report its findings and recommendations to the Faculty Senate. The Academic Standards and Policies Committee may also make recommendations for change in policies and standards.

Section 2. The Curriculum Committee shall monitor the quality and effectiveness of curriculum and make recommendations to improve, strengthen and prevent courses or program duplication. The Curriculum Committee may also take an active role in introducing deliberations on curriculum changes and innovations.

Section 3. The Appointment, Rank and Tenure Committee shall be constituted and governed by the terms of the Bowie State University Policy on Appointment, Rank, and Tenure of Faculty (ART). The ART document is incorporated here by reference.

Section 4. The Faculty Evaluation Committee shall recommend policy and procedures for the evaluation of faculty, department chairs, and academic support staff and administrators.

Section 5. The Faculty Grievance Committee shall consider and make recommendations concerning faculty grievances not covered by the ART document.

Section 6. The Faculty Welfare Committee shall study and recommend policies concerning the welfare of the faculty.

Section 7. The Faculty Elections Committee shall conduct balloting of all faculty when requested by the Faculty Senate, and it shall conduct the elections of faculty representatives from the faculty at large as required by the Faculty Constitution and the Policy and Procedures of the Board of Regents for the USM.

Section 8. The Faculty Constitution Committee shall consider and make recommendations to the Faculty Senate on proposed amendments to the Constitution. The Committee shall review the Constitution annually to ensure that it is in compliance with changes in USM documents.

Section 9. The Graduate Council shall advise, review, and make recommendations on matters related to the graduate program.

Article VIII

Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order shall govern the conduct of all meetings of the Faculty Association and the Faculty Senate.

Article IX

Amendments

Section 1. Amendments to this Constitution or changes to its Bylaws may be proposed by the Faculty Senate by a motion passed by the majority of the members present and voting at a meeting or by a petition signed by twenty percent of the members of the Faculty Association.

Section 2. A properly proposed amendment or change to the Faculty Constitution or change to the Bylaws shall be reviewed by the Faculty Constitution Committee and the Faculty Senate shall report the amendment or change in Bylaws and its recommendations at least four weeks before the meeting at which the amendment or change in Bylaws will be considered by the Faculty Association.

Section 3. An amendment to the Faculty Constitution is adopted when it is approved by a two-thirds vote of the ballots cast by the Faculty Association and by the President. A change to the Bylaws of the Faculty Constitution is adopted when the Faculty Association, with a two-thirds vote of the ballots cast, approves it.

Article X

Recall

Any faculty elected officer or representative may be recalled for established lack of performance of duties. Such a recall shall be the responsibility of the electing body and may be effected by two-thirds vote of those eligible. The Faculty Senate shall have the power to recall for lack of performance and duties any committee member it has appointed.

Article XI

Severability

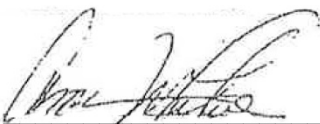
In the event that any provision of this document, or the application thereof to any person or circumstance is held illegal, invalid, or unenforceable by the USM Board of Regents or a higher authority, the remainder of the document and the circumstances shall remain in full force and effect.

Article XII

Promulgation

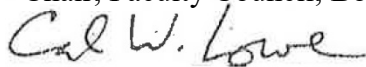
This document, the Constitution and Bylaws of the Bowie State University Faculty Association, is adopted when it is approved by two thirds of the ballots cast in a secret balloting of the Faculty and the President. This Constitution and Bylaws supersede any previous Constitution, advisory bodies and committees governing Bowie State University Faculty.

We, the undersigned, do hereby affix our signatures indicating our approval and certification of this document as the official governance document of the Bowie State University Faculty.



Amos White IV, Ph.D.
Chair, Faculty Council, Bowie State University

Date



Calvin W. Lowe, Sc.D.
President. Bowie State University

Date

APPENDIX 4

BYLAWS OF THE CONSTITUTION OF THE BOWIE STATE UNIVERSITY FACULTY

I. Governance Structure of the Faculty

As a primary University governance structure, The Faculty Senate shall be subject to Rules and Procedures of the Board of Regents of the University of Maryland, Bowie State University, and the Bowie State University Constitution.

II. The Faculty Senate

- i. The officers of the Faculty Senate shall serve as the officers of the Faculty Association.
- ii. The chair of the Faculty Senate shall call a meeting of the faculty as needed to deliberate issues of faculty concern, including workload policy, faculty evaluation, promotion, rank and tenure, and retrenchment. The chair of the Faculty Senate must call a meeting within ten (10) days of receiving a petition from at least twenty (20) percent of the members of the Faculty Association.
- iii. Parliamentary
 1. The chair of the Faculty Senate shall appoint a parliamentarian at the first meeting of the governance year; the parliamentarian shall serve for that one year.
 2. The parliamentarian shall advise the chair, the Faculty Senate, and the Faculty Association regarding rules of procedures during meetings, in accordance with Robert's Rules of Order New Edition.
 3. In the absence of the parliamentarian, the chair may appoint a substitute.

III. University Council

The officers of the Senate shall serve as the faculty representatives to the University Council.

IV. Committees of the Faculty Senate

The term of office of each members of the Faculty Senate's standing committees shall begin at the start of the academic year and end at the conclusion of the academic year of the term for which they were elected.

Ex-officio members shall serve as long as they hold the office that qualified them for membership. Ex-officio members shall have the right to speak but not vote.

A. Composition of Standing Committees of the Faculty Senate

1. The Academic Standards and Policies Committee shall be composed of the following:
 - a. one faculty member elected from and by each academic department; this person must have three or more years of continuous service in the department, tenure, and the rank of assistant professor or higher, or be a senior faculty member under the terms of Section III.C.1 (see Department's Right of Representation);
 - b. two undergraduate students selected by the Student Government Association;
 - c. one graduate student selected by the Graduate Student Association;
 - d. the provost or his or her designee, ex officio;
 - e. the dean of the School of Graduate Studies and Continuing Education or his or her designee, ex officio;
 - f. the registrar or his or her designee, ex officio; and
 - g. deans of schools or colleges consisting of academic departments, ex officio.
2. The Curriculum Committee shall be composed of the following:
 - a. one faculty member having the rank of assistant professor or higher, elected from and by each academic department;
 - b. two undergraduate students selected by the Student Government Association;
 - c. one graduate student selected by the Graduate Student Association;
 - d. the provost or his or her designee, ex officio;
 - e. the dean of the School of Graduate Studies and Continuing Education or his or her designee, ex officio;
 - f. the dean of the University College of Excellence or his or her designee, ex officio; and
 - g. deans of schools or colleges consisting of academic departments or their designees, ex officio.
3. The Appointment, Rank, and Tenure Committee shall be composed of the following:

- a. one faculty member elected from and by each academic department who has continuous tenure and the rank of professor and at least three years of continuous service at BSU (department chairs are not eligible for election to the ART Committee); and
 - b. two at-large representatives who are faculty members with continuous tenure and the rank of professor, have at least five years of continuous service at BSU, and are elected from and by each school or college housing academic departments.
4. The Faculty Evaluation Committee shall be composed of one member elected from and each academic department.
5. The Faculty Grievance Committee shall be composed of seven (7) tenured faculty members elected at-large.
6. The Faculty Welfare Committee shall be composed of one faculty representative elected from and by each academic department.
7. The Faculty Elections Committee shall be composed of one faculty member appointed by the Faculty Senate and two faculty members elected at-large from each school or college housing academic departments.
8. The Faculty Constitution Committee shall be composed of one elected faculty member from each school and one faculty member appointed by the Faculty Senate.
9. The Council of University System Faculty (CUSF) shall be composed of two tenured faculty members holding the rank of assistant professor or higher and having three or more years of continuous service at BSU. These members shall be elected from the faculty at-large.
10. The Maryland Higher Education Council Faculty Advisory Council shall be composed of one tenured faculty member holding the rank of assistant professor or higher and having three or more years of continuous service at BSU. This member shall be elected from the faculty at-large. This position is shared with the University of Maryland Eastern Shore. First election under this constitution shall take place in May 2002 and every third year thereafter.
11. The Graduate Council shall be composed of one tenured faculty member holding the rank of assistant professor or higher, from each academic department offering graduate programs and concentrations, and a graduate student. The provost and the dean of the Graduate School serve as ex officio members of the council.
- B. Responsibilities of Standing Committees of the Faculty Senate
 1. The responsibilities of the Academic Standards and Policies Committee are as follows:

- a. to formulate and recommend general standards for all academic areas of the University;
 - b. to formulate and recommend standards and policies governing admission and readmission, retention, and requirements for academic degrees; and
 - c. to recommend the establishment of new academic structures and the merging or discontinuation of academic structures.
2. The responsibilities of the Curriculum Committee are as follows:
 - a. to recommend additions to, deletions from, and changes in credit and non-credit courses;
 - b. to recommend new programs; and
 - c. to study the overall curriculum of the University and the feasibility of changes to strengthen the institution and make recommendations to the Faculty Senate.
3. The responsibilities of the Appointment, Rank, and Tenure Committee are as follows:
 - a. to make recommendations to the provost of the University regarding the granting of continuous tenure, promotion in rank, permanent status, sabbatical leave, honorary degrees, emeritus status, and other related matters; and
 - b. to follow procedures and policies documented in the *Bowie State University Policy on Appointment, Rank, and Tenure of Faculty*.
4. The responsibilities of the Faculty Evaluation Committee are as follows:
 - a. to make recommendations concerning evaluation policies;
 - b. to structure and revise, as needed, instruments, procedures, methods, and techniques for faculty, department chairpersons, academic support staff, and administrators, and to propose recommendations regarding their use; and
 - c. to cooperate with committees and task forces of other University units and/or external authorities concerning evaluation.
5. The responsibilities of the Faculty Grievance Committee are as follows:
 - a. to consider eligible grievances made by a faculty member, against another faculty member, provided that an attempt to resolve the matter at the departmental level was made and failed;
 - b. to formulate a recommendation based on evidence presented;

- c. to report the recommendation to the parties involved and to the provost; and
 - d. to recommend grievance procedures and policies to the Faculty Senate.
6. The responsibilities of the Faculty Welfare Committee are as follows:
- a. to explore, develop, and recommend policies pertaining to faculty protection, security, employment, morale, and academic freedom; and
 - b. to monitor and recommend modifications or procedures of, additions to, or deletions from, faculty support services.
7. The responsibilities of the Faculty Elections Committee are as follows:
- a. to conduct balloting of faculty when requested by the Faculty Senate and conduct the elections of faculty representatives from the faculty at-large for internal and external governance structures, as required by the Faculty Constitution;
 - b. to conduct, prior to May, the election of persons from the faculty at-large for all Faculty Senate Committees, including the elected members of the Faculty Elections Committee itself and the committee chair; and
 - c. to conduct balloting of members of the Faculty Association when necessary.
8. The responsibilities of the Faculty Constitution Committee are as follows:
- a. to consider and make recommendations to the Faculty Senate on proposed amendments to the Constitution; and
 - b. to review the Constitution annually to ensure that it is in compliance with changes in USM documents.
9. The responsibilities of the Graduate Council are as follows:
- a. to serve as the centralized unit for consideration of all program matters and degree regulations at the graduate level;
 - b. to consider and recommend admission requirements and degree requirements; consider and recommend the addition, deletion and modification of courses, and programs; and deliberate on student appeals for exceptions to requirements and other student grievances; and
 - c. to forward council actions to the Curriculum and Academic Standards and Policies Committees, as appropriate.
- C. Rules and Procedures of Committees of the Faculty Senate

1. All departments shall have the right to representation on Standing Committees of the Faculty Senate. If a department seeking to elect a representative to a committee has fewer than four members who meet the criteria for committee membership (e.g., tenure, rank, or years of service requirements), then that department shall identify one or more of its “senior faculty” under the terms of Section VI.C to fill the position. This process applies to all committees except the Appointment, Rank, and Tenure Committee.
2. All faculty members elected to serve on the Faculty Senate and standing committees of the Faculty Senate shall serve a term of two years. Faculty members elected to serve on the Council of University System Faculty (CUSF) and the Maryland Higher Education Council Faculty Advisory Council (MHEC) shall be elected to serve a term of three years.
3. The chair of standing committees shall send a copy of all minutes and a written report to the Faculty Senate on the recent actions of the committee (e.g., meetings held, issues discussed, recommendations formulated, and future plans) within seven (7) days of the meeting.
4. When a committee or the provost has formulated a recommendation for consideration by the faculty, the chair of the committee or provost sends it to the chair of the Faculty Senate. The Faculty Senate shall place the item on its agenda for its next scheduled meeting. The committee or chair or other committee members may be asked to speak or present the committee recommendation at a meeting of the Faculty Senate. The Faculty Senate shall make its recommendation to the provost within thirty (30) days after receipt of the item. On urgent, time-sensitive items that require an immediate response, the provost, in consultation with the Executive Committee of the Faculty Senate, shall render a recommendation and inform the Faculty Senate as soon as possible.
5. The chair of the Academic Standards and Policies Committee shall be a tenured faculty member.
6. All faculty members elected to the Appointment, Rank, and Tenure (ART) Committee shall serve a term of three years, with the exception that, in order to stagger term expirations, the Faculty Elections Committee shall determine which of the at-large faculty representatives elected in the very first election shall serve one-year or two-year terms.
7. The chair and vice chair of the ART Committee shall be at-large representatives.
8. No faculty member shall serve on more than two at-large committees.
9. Prior to May of each year, the Faculty Elections Committee shall conduct the election of faculty members at-large to serve as representatives of the faculty in internal and external governance structures and on committee using the following procedures:

- a. The Elections Committee holds a meeting to determine which positions must be filled, as well as candidate qualifications for the positions, and prepares nominating petition forms for each position. An announcement and copies of nominating petition forms are sent to each academic department for distribution to members of the Faculty Association prior to March 15th. Prospective candidates must send nominating petitions, signed by ten (10) supporting faculty members, to the Elections Committee by March 30th. The nominee must sign as one of the supporting faculty members.
- b. The Elections Committee meets to prepare a ballot from the nominating petitions it has received. If there is an insufficient number of candidates for a position, the Elections Committee shall recruit additional candidates; deadlines may be extended by the committee in this case.
- c. The Elections Committee sends ballots to each faculty member who is eligible to vote. Each faculty member should mark the ballot, insert it into a blank envelope, enclose the blank envelop in an outer envelope, sign the outer envelope, and return the packet to the Elections Committee by April 30th.
- d. The Elections Committee gives notice of the date and place of its meeting to count the ballots. The ballot packets are inspected, and invalid packets are removed. Outer envelopes are removed and set aside before the ballots are taken from the inner envelopes and votes are counted. The Elections Committee draws lots to break ties if any occur.
- e. The Elections Committee sends a memo to the officers of the Faculty Senate, with a copy to each candidate, announcing the election results and term expiration date of each person elected. The Secretary of the Faculty Council shall file the memo with the permanent records of the Faculty Council.
- f. The Faculty Senate notifies faculty members of the election result within three working days.
- g. When a new committee or governance structure has more than one representative from the faculty at-large, and the term served by the representative is more than one year, the Elections Committee provides for staggering term expirations when the very first election of the representative occurs. If a two-year term applies, the Elections Committee shall designate for one-year terms the half (or one less than half if the total is an odd number) of the elected representatives who received fewer votes than did the other elected representatives in the very first election. If it is not feasible to use vote totals, the Elections Committee shall draw lots to determine who shall serve the shorter terms.
- h. Annual elections, after the first election, will replace approximately half of the representatives whose terms are expiring that year. If the representatives serve a usual term longer than two years, the Elections Committee shall follow a comparable procedure for staggering term expirations, unless other bylaws apply.

- i. Deadlines in these election procedures are meant to be guidelines; elections shall not be valid when circumstances prevent the deadlines in these procedures from being met.
- 10. The Faculty Elections Committee shall conduct balloting of the members of the Faculty Association on request of the Senate.
- 11. The Faculty Constitution Committee shall be established by the Faculty Senate and shall meet at least monthly whenever proposed changes to the Constitution of the BSU Faculty and/or its bylaws are under consideration. The committee shall keep the chair of the Faculty Senate informed of progress and shall strive to make its recommendations within one month after receiving a proposed change. The Faculty Senate shall inform the Faculty Association of the recommendations; after the meeting, the Faculty Senate shall direct the Elections Committee to conduct balloting on the proposed.

V. Recall

- A. The chair of the Faculty Senate must schedule a recall vote at a regular Faculty Senate meeting, which occurs within thirty (30) days of receipt of one of the following:
 - 1. a petition from a majority of the members of a committee requesting the recall of an officer or member of the committee due to specified lack of performance of duties; or
 - 2. a petition from twenty-five (25) percent of the members of the Faculty Association requesting recall of an officer or member of the Faculty Senate due to specified lack of performance of duties.
- B. The Faculty Senate meeting agenda shall include “Recall Vote” as an item of business, and shall be distributed to members at least one week before the meeting. The secretary of the Faculty Senate shall send a written notice to the person subject to recall, specifying the charges and summoning the person to attend the deliberations.
- C. During the Faculty Senate meeting, the complaints are read, and the accused is given the opportunity to reply. When deliberation is complete, members vote by secret ballot. At least two-thirds of the ballots must support the recall, for said recall to take place.

VI. Governance of Academic Departments

An academic department of the University consists of faculty members whose primary professional expertise is in a specific discipline, or in one of several related disciplines. Each faculty member shall be a member of an academic department.

- A. Academic Department Administration. The Chair of an academic department is its chief administrative officer. Departments with two or more disciplines shall have Area

Coordinators for each discipline. Area Coordinators shall be appointed by the Department Chair in consultation with the faculty in the respective area.

B. Departmental Governance

1. The immediate governance of the department is vested in its departmental faculty, which has authority to make recommendations on all questions of departmental academic policy to the appropriate academic committees, to represent the department on committees requiring departmental representation, and to make recommendations in the selection of the chair and of new faculty members in the department.
 2. All departmental faculty who are members of the Faculty Association have the right to participate and vote in their respective departmental faculty meetings.
 3. The faculty of a department shall create and maintain a standing committee structure that permits and encourages participation by all members of the department. These committees shall advise the department and its chair in the general administration of departmental affairs. The chair may also create ad hoc committees of task forces, as necessary.
 4. Department chairs shall be evaluated and reaffirmed by the tenured members of the department every two years. If the chair is not reaffirmed by the faculty, the school dean should be informed, and elections shall be held to select a new chair. If the department does not wish to select a member from its ranks, permission should be sought from the dean to start a national search for a chair. The search committee shall be composed of the tenured members of the faculty. The committee shall elect its own chair. The committee shall identify, screen, interview and recommend a person for the position of chair to the dean.
- C. Senior Members of a Department. If a department has fewer than four members who are tenured, then that department shall identify one or more of its highest- ranking tenure-track members with a minimum of three years of full-time teaching at BSU to serve as “senior faculty”. The total of tenured and “senior” members shall not exceed four. The department shall elect its committee representatives from the tenured and “senior faculty”. This policy applies to all committees except the Appointment, Rank, and Tenure Committee.

VII. Governance of Schools and Colleges

Schools and colleges may be organized with divisions, departments, or programs. Each school or college shall have the right to establish the appropriate committees and task forces to formulate and implement the academic programs and procedures that are necessary to conduct its operations. All school and college committees are developed in consultation with, and act in an advisory capacity to, the respective dean.

A. School Standing Committees

1. Academic Standards and Policies Committee
2. Curriculum Committee
3. Each School/College Standing Committee shall consist of elected representation from each academic department within the school/college.

VIII. ADOPTION OF BY LAWS

These bylaws of the Bowie State University Faculty Constitution are adopted when approved by at least two-thirds of the ballots cast in a secret balloting of the Faculty and the President of the University. These bylaws supersede any previous bylaws governing the Bowie State University Faculty.

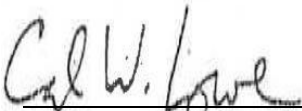
We, the undersigned, do hereby affix our signatures indicating our approval and certification of this document as part of the official governance document of the Bowie State University Faculty.



Date 2002

Amos White IV, Ph.D.

Chair, Faculty Council



Date 2002

Calvin W. Lowe, Sc.D.

President

APPENDIX 5

COMPREHENSIVE REVIEW OF TENURED FACULTY

I. Policy and Purpose

The general purpose of the periodic review of tenured faculty shall be to foster faculty development; assess individual faculty performance over time to reward performance; and seek to improve performance, when appropriate, in keeping with the individual department and/or campus mission. The University shall implement a periodic comprehensive review of tenured faculty as part of a broader faculty development program. A secondary purpose is to articulate the process of tenured faculty review in the context of the University's inclusive annual review of all faculty (see *BSU Policy II-I.20: Evaluation of Performance of Faculty*).

II. Applicability

- A. **Scope:** This policy requires a comprehensive review of each tenured faculty member at least every five (5) years. To achieve these reviews, each department shall establish a calendar to comprehensively review an appropriate percentage of faculty each year so that all departmental faculty will be reviewed every five (5) years. Each evaluation shall include a first comprehensive review, or an evaluation of the faculty member's performance since the last comprehensive review and shall provide an opportunity to establish a professional development plan to serve as part of the basis for the next comprehensive review. Two consecutive annual reviews that indicate that a tenured faculty member is not meeting expectations shall occasion an immediate comprehensive review, which shall be in addition to those otherwise required by this policy.

Further, this policy is in addition to other University System of Maryland (USM) and institutional policies and procedures concerning faculty evaluation, although, where possible, a review under this policy shall be considered in decisions on promotion or other rewards; merit pay, however, shall be based on annual evaluations. This comprehensive review process shall not be substituted for the USM and institutional policies and procedures relating to the termination of tenured appointments, which are in no way amended by this policy.

- B. **Eligibility:** This policy applies to all faculty on indefinite tenure appointments.
- C. **Responsibility:** The provost and senior vice president for Academic Affairs, via faculty peers, department chairs, and school deans, shall ensure that the comprehensive review is implemented and that University resources are available for any identified faculty development.

D. Principles of Implementation

1. The general purpose of the periodic review of faculty shall be to foster faculty development, assess individual faculty performance to reward said performance, and to seek to improve performance when appropriate in keeping with the University's mission.
2. The periodic review shall be a collegial assessment of teaching, research/scholarship, and service of individual faculty and shall provide an opportunity for tenured faculty members to review past performance and develop future plans in the context of institutional and personal objectives.
3. The periodic review shall also be undertaken for the improvement of the academic program to which the reviewed faculty member contributes.
4. The periodic review shall be conducted in a manner consistent with the preservation of academic freedom and research/scholarship.

III. Evaluation Criteria and Portfolio Responsibilities

A. Evaluation Criteria

1. The tenured faculty member shall be evaluated in three areas:
 - Teaching: syllabi, teaching/advisement load, student evaluations, peer evaluations, awards.
 - Research/Scholarship: publications, presentations, conference attendance, research grants written/awarded, other scholarship activities.
 - Service: university/school/department committee service and service to the profession.

The evaluation shall be based on the faculty's own pre-stated annual percentage of time that he or she will focus on each of the above three areas.

2. In addition, the faculty member shall complete a self-evaluation form covering his or her performance in the past five years.
3. The faculty member shall also complete a five-year development plan that shall include timelines.
4. The information provided for review shall be used in reaching a decision as to the following categories:
 - a. Meets expectations,

- b. Exceeds expectations, or
- c. Fails to meet expectations.

B. Portfolio and Other Responsibilities

1. The faculty member shall be responsible for providing information, with supporting documentation, for the fifth year of review.
2. The department chair and the faculty member shall be responsible for the faculty member's last four (4) annual reviews. The faculty member shall be free to add information, with supporting documentation, to those last four (4) annual reviews.
3. The University shall be responsible for providing resources to support the faculty's development plan. The development plan shall be accompanied with a proposed budget that shall be submitted to the provost and the president for their consideration and approval.

C. The School Dean's Role

1. The school dean, in consultation with the department chairs, shall establish a comprehensive review cycle for all tenured faculty within the school.
2. Annually, the school dean, in consultation with the department chairs, shall provide a charge and guidelines to the School Evaluation Committee.
3. The school dean shall monitor the implementation of the faculty's development plans.
4. The school dean shall monitor the appeal process.

D. The Department Chair's Role

1. The department chair shall coordinate the annual performance evaluation of all faculty by the faculty's students, peers, and chair.
2. The department chair shall communicate, via a conference and in writing, the results of the annual evaluation to the faculty member and allow the faculty to provide a written response to the evaluation.
3. The department chair shall maintain a faculty dossier in which the annual faculty evaluations are maintained, including any faculty written response.
4. If two of a faculty member's consecutive annual reviews indicate that a faculty member is "materially deficient in meeting expectations," the department chair shall develop a peer review committee as stipulated in Item 6 below.

5. Upon request, the department chair shall provide the tenured faculty slated for review with requested materials from his or her dossier.
6. The department chair shall provide to the school dean a summary of the annual evaluations for the review period of the faculty member slated for review. In addition, the department chair shall establish a committee of peers in the reviewee's discipline to determine whether the reviewee is meeting expectations in his or her discipline. If the committee finds that the reviewee does not meet expectations, the name of the reviewee is forwarded in writing to the school dean, who shall coordinate an immediate comprehensive review in keeping with Items E and F below.
7. Department chairs shall be subject to review by the department faculty. The chair shall be evaluated for his or her performance as a faculty member.

E. The Tenured Faculty's Role

1. The tenured faculty member slated for review shall submit a performance portfolio of his or her contributions in the areas of teaching, research/scholarship, and service for the period of the review.
2. The tenured faculty member also shall submit his or her future plans for contributions in teaching, research/scholarship, and service.
3. The tenured faculty member shall have the right the summary of evaluations by his or her department chair and to have a written statement forwarded with the summary.

F. The School Evaluation Committee's Role

1. The School Evaluation Committee shall meet the first week of November to establish a timeline and deal with other logistics.
2. The chair of the School Evaluation Committee shall communicate its timeline and reporting format to the school dean, department chairs, and tenured faculty slated for review.
3. The School Evaluation Committee may request additional information from the faculty member, the department chair, and/or the school dean.
4. The School Evaluation Committee shall conduct its review in keeping with the best practices of confidentiality.
5. The School Evaluation Committee members are elected by school faculty. There is to be equal representation from each department, with one (1) elected representative per department. These faculty representatives shall have the same rank as or higher than that of the faculty members slated for review, whenever possible.
6. The elections shall be conducted by the School Elections Committees.

7. If a conflict of interest is alleged against a committee member, the school dean shall investigate and make a determination about whether a conflict exists. If a conflict is found to exist, an alternate shall be elected to serve.
8. The chair of the School Evaluation Committee shall be elected by the School Evaluation Committee.
9. The chair's term of service as chair shall be for one academic year, starting in August and ending on June 30 the following year.
10. The responsibilities of the chair of the School Evaluation Committee are as follows:
 - a. coordinate with department chairs for the collection of required evaluations of faculty members notified for review during the academic year;
 - b. provide an analysis of the evaluations produced by the reviewees and the department;
 - c. maintain confidential records on all persons reviewed;
 - d. participate in the development of faculty improvement plans; and
 - e. develop and maintain a list of tenured faculty members and a priority list of those who are eligible for evaluation.
11. A quorum is constituted by having a simple majority present for a meeting.
12. The term of service of each member shall not exceed two years of service.

G. Process

1. Faculty to be evaluated shall be selected by random means based on statistical sampling techniques. The number of faculty reviewed each year shall be determined by each Department based on the eligibility list maintained in each Department.
2. The following timeline shall be adhered to in this review process:
 - **August 15.** By no later than August 15 of each year, each school dean shall notify each faculty member slated for review that the review process is to be implemented and to prepare the faculty member's portion of the Performance Portfolio.
 - **September 7.** By no later than September 7 of each year, the school dean, the department chair, and each faculty member slated for review shall, in accordance with this policy submit to the chair of the School Evaluation Committee, their required portions of the Performance Portfolio.

- **October 1.** By no later than October 1 of each year, each department shall elect member(s) as needed, to serve on the School Evaluation Committee (SEC).
- **November 1.** By no later than November 1 of each year, the members of the SEC, as well as any alternates to the SEC, shall meet. The committee shall elect its chair at the first meeting. The committee shall also review its charge from the school dean and department chair as well as complete any other necessary business.
- **February 7.** By no later than February 7 of each year, the school dean, the department chair, and each faculty member slated for review shall, in accordance with this policy, submit to the chair of the SEC their required portions of the Performance Portfolio.
- **February 15.** By no later than February 15 of each year, the chair of the SEC shall notify the school dean and the department chair if any required document is missing from a Performance Portfolio of any of the tenured faculty member slated for review. The school dean and the department chair shall take appropriate action to ensure that any missing documentation, including documentation required to be supplied by a faculty member, is received by the chair of the SEC by no later than February 28.
- **February 28.** By no later than February 28 of each year, the SEC shall meet to begin review of the Performance Portfolios.
- **April 1.** By no later than April 1 of each year, the SEC shall complete its recommendation to the school dean for each reviewed tenured faculty member. The recommendation shall indicate whether a faculty member's performance meets expectations, exceeds expectations, or fails to meet expectations. If a faculty member's performance fails to meet expectations, the SEC may make recommendations about how a faculty member can improve his or her performance so that it meets expectations. A copy of the recommendation shall be sent to the tenured faculty member.
- **April 9.** By no later than April 9 of each year, if a tenured faculty member does not agree with the SEC's recommendation to the school dean the candidate may appeal the recommendation in accordance with Item 3, below.
- **May 7.** By no later than May 7 of each year, the SEC's recommendation for each reviewed faculty member shall be forwarded to the school dean for review and evaluation. If a faculty member appeals the SEC's recommendation, the Appeals Committee shall also furnish its recommendation to the school dean by no later than May 7.
- **May 20.** By no later than May 20 of each year, if a faculty member's performance is not judged as meeting expectations, a specific development plan shall be worked out among the dean, the department chair, and the faculty member, consistent with the overall faculty development programs and resources, if appropriate, for faculty development. This plan shall include a procedures for evaluating progress at fixed intervals and shall be signed by the dean, the department chair, and the faculty member.

- **May 25.** By no later than May 25 of each year, the dean shall issue a written evaluation for each reviewed faculty member. A copy of the written evaluation shall be forward to each reviewed faculty member; the department chair(s); the chair of the SEC; and, if applicable, the chair of the Appeals Committee. If a faculty member's evaluation indicates that he or she does not meet expectations of the development plan established by the dean in conjunction with the department chair and the faculty member, a review by the SEC shall be initiated to determine the relevant cause(s) for the tenured reviewed faculty member's performance.
- **May 30.** By no later than May 30 of each year, each school dean shall provide the provost and senior vice president for Academic Affairs with a full report on the comprehensive evaluation of the tenured faculty members reviewed in accordance with this policy.
- **June 1.** By no later than June 1 of each year, each reviewed faculty member shall return to the school dean a receipt, signed, and dated by the faculty member, which acknowledges that the faculty member received a copy of his or her comprehensive review.

H. Grievance Procedure

1. A faculty member reviewed under this policy may appeal the SEC's recommendation to the school dean to the School Appeals Committee. The Appeals Committee shall be composed of two (2) elected faculty members from each department.
2. Within seven (7) working days after the completion of the SEC's recommendation concerning a faculty member shall submit his or her request for an appeal to the School Appeals Committee. The request for an appeal shall state clearly and concisely the recommendation about which the candidate is appealing and with particularity the reasons the tenured faculty member believes that he or she deserves a different evaluation recommendation.
3. Within fourteen (14) working days after receipt of an appeal request, the chair of the School Appeals Committee shall convene a hearing on the appeal. This appeal is not an adversarial, trial-type proceeding. Instead, it is a limited review of a discretionary decision concerning whether a faculty member meets the requisite criteria in the areas of instruction, research/scholarship, and service, as well as whether the faculty member meets the workload criteria established by the University System of Maryland System Policy on Faculty Workload and Responsibilities (II-1- 25).
4. The School Appeals Committee will ordinarily hear from the candidates, the chair of the department, and the chair of the SEC. In some circumstances, the Appeals Committee may hear from other individuals with knowledge of the faculty member's professional performance. The committee will not consider materials not included in the Performance Portfolio, unless good cause is shown why such material should be included in the portfolio.

5. The same confidentiality accorded to the SEC review process shall be observed in any proceedings before the School Appeals Committee.
6. At any point during the appeal process, the School Appeals Committee may, through the president, request the advice of the Office of the Attorney General on legal issues presented by the appeal.
7. After the completion of the hearing, the School Appeals Committee shall make a recommendation to the school dean concerning the faculty member's appeal. The Appeals Committee's function in making this recommendation is limited to reviewing the proceedings leading to the SEC's recommendation. Accordingly, the Appeals Committee shall recommend a departure from the SEC's recommendation only if it finds that the faculty member clearly demonstrated the following:
 - a. That the SEC's recommendation was based on an illegal or impermissible factor which violates freedom of speech or prohibitions against discrimination based on race, ethnic origin, sex, religion, age or handicap; or
 - b. That the SEC's recommendation was arbitrary, capricious, and injudicious because it was based on clearly erroneous information, or was wholly unsupported by information before the SEC; or
 - c. That the procedures established by this policy were violated and that the violation was so significant as to cause clear prejudice to the faculty member.
8. The School Appeals Committee shall not substitute its judgment for that of the SEC. Further, it shall not recommend a departure from the SEC's recommendation on the grounds that one or more of the review criteria were given greater weight than others or that particular materials were considered more significant than other materials.
9. The School Appeals Committee shall provide its recommendation to the school dean within ten (10) working days after the conclusion of the hearing. Copies of the committee's written recommendation shall also be provided within this same ten-day period to the candidate, the department chair, and the chair of the SEC. The school dean shall make a recommendation to the provost, who shall make a final recommendation to the president. The president's decision shall be final.

IV. Result: A system for the comprehensive review of tenured faculty conduct in a manner consistent with the preservation of academic freedom

V. Definitions: None

VI. Exceptions: None

APPENDIX 6

POLICY ON SUBMISSION OF GRADES

I. Policy and Purpose

- A. To promote faculty accountability in the timely submission of student grades
- B. To promote the accuracy of BSU's official record keeping of student grades and to provide a process that will ensure accountability in that record-keeping

II. Applicability

- A. Scope: This policy applies to all grade submissions for all instructional time periods of the University, including the fall and spring semesters, mini-mesters, and summer.
- B. Eligibility: This policy applies to all BSU faculty, of any rank or classification, full-time or part-time, whether tenured or not, who teach one or more courses during any time that the University is in session.
- C. Responsibility:
 - a. The faculty is responsible for adhering to the policy.
 - b. The provost and senior vice president, through the department chairs and school deans, are responsible for enforcing this policy and will provide letters of delinquency to and take other appropriate action against faculty members who fail to comply with this policy.

III. Guidelines and Standards

- A. All faculty must submit grades in accordance with BSU official schedules for the fall, spring, mini-mester, and summer sessions, such as those published in the University Schedule of Classes booklet or any amendments thereto.
- B. If a faculty member cannot comply with a scheduled date of grade submission, the faculty member must submit a letter of explanation, by no later than seven (7) working days prior to the date scheduled for grade submission, to the department chair who will forward same to the school dean, provost, and senior vice president for Academic Affairs. The letter must include an alternative date by which the faculty member proposes to submit the grades.
- C. The provost, in consultation with the school dean, will decide whether to grant a request for additional time to submit grades based on the provost's determination about: (a) whether the faculty member's explanation for the late submission of grades is justifiable;

and if so, (b) whether the alternative date proposed by the faculty member is reasonable. The provost will respond to the faculty member's request within twenty-four (24) hours of its receipt.

- D. The provost's determination about whether to extend a faculty member additional time to submit grades entirely within the provost's discretion. The provost's determination is final and cannot be appealed.
 - E. If an extension is granted to the faculty member, the provost will provide a letter to the faculty member indicating the due date for the faculty member's grades. This date will be one that is determined by the provost to be reasonable under the circumstances and may not necessarily be the alternative date requested by the faculty member.
 - F. If the provost determines that the explanation provided by the faculty member for the late submission of grades is not reasonable, an extension will not be granted. Further, once the provost denies the request for extension, if the faculty member fails to submit his or her grades within the time frame contained in the published schedule, he or she, in addition to receiving a letter of delinquency, may be subject to reprimand, as specified in Section G below and in accordance with *BSU Policy II-1:00-Section II.H. (University Policy on Appointment, Rank, and Tenure of Faculty)*.
 - G. If a faculty member submits his or her grades after the time period indicated in the published schedule or after the extension provided in the provost's letter, the faculty member will receive a letter of delinquency notifying the faculty member that the grades are late and that the faculty member has twenty-four (24) hours within which to submit the grades. If the grades are not submitted within that time period: (1) the teaching section of the faculty member's annual department evaluation will be reduced by 25% during the year in which the infraction occurs, and (2) a copy of the letter of delinquency will be placed in the faculty member's personnel file.
 - H. The faculty member who is serving his or her relationship with BSU and is not adhering to the Policy on Submission of Grades will have his or her pay withheld until all grades are submitted and, if appropriate, procedures are put into place to satisfy incomplete grades. The department chair will retain records on all faculty member not adhering to or violating the *Policy on Submission of Grades*.
 - I. In extreme cases, by way of example and not limitation, such as the failure to submit grades or a pattern of submitting grades after the submission deadline, a faculty member's employment with BSU may be terminated in accordance with all applicable BSU USM policies and procedures.
- IV. Result:** A system to identify and document faculty who do not comply with the scheduled submission of final grades for either of the four scheduled instructional periods.
- V. Exceptions and Deviations:** None
- VI. Definitions:** None

APPENDIX 7

BOWIE STATE UNIVERSITY MEETING SCHEDULE

To enhance the shared governance process, the Office of the Provost established the following meeting schedule. This schedule will work to permit faculty with the opportunity to attend meetings at times that do not conflict with their teaching schedules. The schedule will work only if all units, including the academic departments, adhere to it. Committee chairs, department chairs, and deans should ensure that the schedule is followed to avoid conflicts and to facilitate faculty, staff, and student deliberations.

TUESDAYS

1st Tuesday of the Month: 3:00 – 5:00 p.m.
Standing Committees of the University Council

2nd Tuesday of the Month: 3:00 – 5:00 p.m.
University Council

3rd Tuesday of the Month: 3:00 – 5:00 p.m.
Standing Committees of the Faculty Senate

4th Tuesday of the Month: 3:00 – 5:00 p.m.
Standing Committees of the Departments

5th Tuesday of the Month: 3:00 – 5:00 p.m.
College Meetings

THURSDAYS

1st Thursday of the Month: 3:00 – 5:00 p.m.
Department Meetings

2nd Thursday of the Month: 3:00 – 5:00 p.m.
Staff Council Meetings

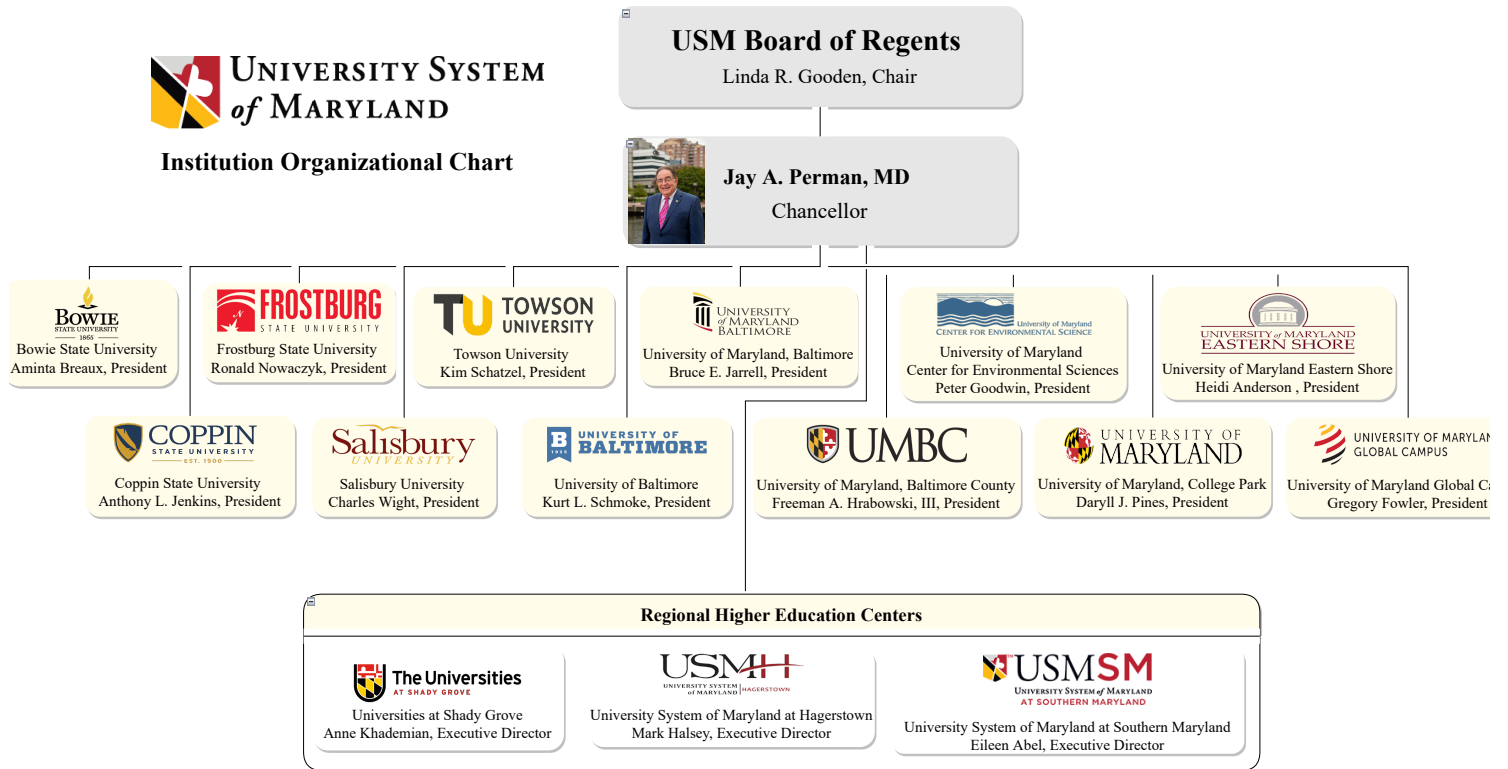
3rd Thursday of the Month: 3:00 – 5:00 p.m.
Faculty Senate Meetings

4th Thursday of the Month: 3:00 – 5:00 p.m.
Standing Committees of the Colleges

5th Thursday of the Month: 3:00 – 5:00 p.m.
College Meetings

APPENDIX 8

University System of Maryland Institution Organizational Chart

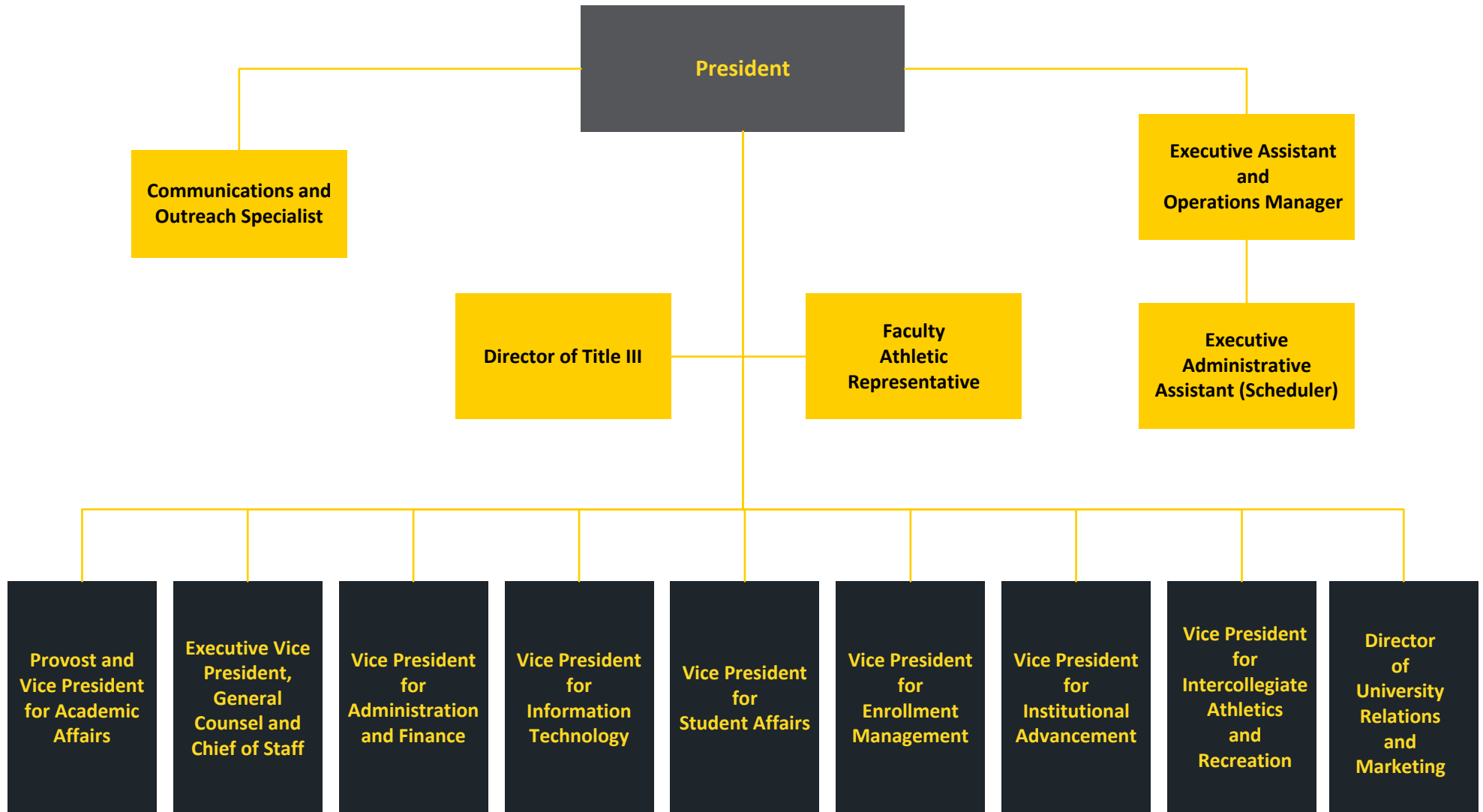


[Read more about the USM](#)



Office of the President

Organizational Chart – January 2021



APPENDIX 10

OUTSIDE EMPLOYMENT FORM

BOWIE STATE UNIVERSITY BOWIE, MARYLAND 20715

The following provisions of this policy are referenced by the Board of Regents, Policy II-3.10, POLICY ON PROFESSIONAL COMMITMENT OF FACULTY, and Board of Regents, Policy II-3.20, POLICY ON TEACHING OUTSIDE THE HOME INSTITUTION BY FULL-TIME FACULTY. Faculty who engage in outside employment during the academic year are not eligible for overload compensation during the same period.

Academic Year _____ Date _____

Last Name _____ First Name _____

School _____ Department _____

Position/Rank _____

If you do not plan to engage in outside employment during the academic year, check here ☐ []
(If you subsequently should decide to do so, a new form must be completed.)

TEACHING

_____ Credit hours at _____
(Name of Institution)

Title of Course _____ Compensation _____

Time Period for Teaching: From: _____ To: _____
Month Day Year Month Day Year

SPONSORED RESEARCH

Name/Title of Project _____

Sponsoring Agency _____ Hours Per Week _____

Compensation _____ Hours Per Week of Preparation _____

Time Period for Sponsored Research: _____

See other side

CONSULTING

Name of Services Provided _____

Name of Firm or Employer (If applicable) _____

Hours Per Week _____ Compensation _____ Hours Per Week of Preparation _____

Time Period for Consulting: _____

OTHER EMPLOYMENT

Name of Institution/Agency _____

Nature of Service _____

Hours Per Week _____ Compensation _____ Hours Per Week of Preparation _____

Employment from: _____ To: _____

**I affirm that the above information is an accurate statement of the academic year indicated.
Should my status change during the academic year, I will amend this declaration.**

SIGNATURE: _____ DATE: _____

APPROVAL RECOMMENDED BY:

_____ Yes [☐] No [☐] Date: _____
Department Chair

_____ Yes [☐] No [☐] Date: _____
School Dean

_____ Yes [☐] No [☐] Date: _____
Provost/Senior Vice President for
Academic Affairs

APPROVED BY:

_____ Yes [☐] No [☐] Date: _____
President

APPENDIX 11

USM Contract for Tenured/Tenure-Track/Permanent Status Faculty Positions

BY THIS AGREEMENT, [NAME OF INSTITUTION], an institution of the University System of Maryland, which is an agency of the State of Maryland (“the University”) and _____ (“the Appointee”) agree as follows:

1. The Appointee is appointed as [RANK] on a [% time] basis, within the Department of _____ in the [College, School, Division] of _____, subject to the provisions herein. This is a [tenure-track] [tenured] position.

2. The beginning salary shall be at a rate of _____ for _____ months service.

3. This appointment is effective _____ and ends _____.

4. This appointment is governed by the applicable provisions in paragraph I.C.1 through I.C.16 of the *University System of Maryland Policy on Appointment, Rank and Tenure and Appointment, Rank, Permanent Status of Faculty Librarians*. Those paragraphs are hereby incorporated by reference into this Agreement. The Appointee acknowledges receipt of a copy of them. Additional copies are available to the Appointee upon request. If this is a tenure-track appointment, the tenure review to which the Appointee **may be entitled under** these provisions will occur in Academic Year 19____ - 19____, unless the date is changed by mutual agreement or pursuant to institutional policy.

5. The Appointee shall be subject to all applicable policies and procedures duly adopted or, amended from time to time by the University or the University System of Maryland. Except as provided in paragraph 4 above, such policies and procedures are not incorporated into this Agreement and are subject to change. The University agrees that if it changes a policy or procedure, it will not deprive the Appointee of any monetary payment the right to which has

accrued under the previous policy or procedure. Such changes will be made in accordance with all applicable established procedures of the University System of Maryland and the University.

6. Special Conditions:

[Special conditions may not be inconsistent with USM and University policies and procedures to which the Appointee is subject pursuant to paragraph 5 of the Agreement.]

7. Appointee agrees to have sent to the University, upon its request, certified copies of any transcript(s) reflecting the award of degree(s) listed as received on the Appointee's curriculum vitae. Appointee further agrees to provide evidence of employability as required by United States Immigration Laws.

8. The terms and conditions stated above constitute the entire agreement between the parties. This Agreement may not be modified except by means of a written amendment to this Agreement signed by the University and the Appointee.

9. This Agreement shall be construed according to the laws of the State of Maryland.

10. This offer of appointment expires if a signed original is not returned to the University by _____.

Appointee

Date _____

[NAME OF INSTITUTION]

By _____

Date _____

APPENDIX 12

USM Contract for Non-Tenured Faculty Positions

BY THIS AGREEMENT, [NAME OF INSTITUTION], an institution of the University System of Maryland, which is an agency of the State of Maryland (“the University”) and _____ (“the Appointee”) agree as follows:

1. The Appointee is appointed as [RANK] on a [% time] basis, within the Department of _____, subject to the provisions herein. This is neither a tenured position nor a tenure-track position, nor does service under this agreement count toward service time required for achievement of tenure. No obligation exists as to any employment beyond the term set forth in paragraph 2.

2. The salary shall be at a rate of _____ for _____ months service. This salary includes a [\$_____] Cost of Living Adjustment (COLA), and this salary will be further adjusted by a [\$_____] COLA on _____.

3. This appointment is for a term beginning _____ and ending _____.

4. This appointment is governed by the applicable provisions in paragraph I.C.1 through I.C.16 of the *University System of Maryland Policy on Appointment, Rank and Tenure and Appointment, Rank, and Permanent Status of Faculty Librarians*. Those paragraphs are hereby incorporated by reference into this Agreement. The Appointee acknowledges receipt of a copy of them. Additional copies are available to the Appointee upon request.

5. The Appointee shall be subject to all applicable policies and procedures duly adopted or amended from time to time by the University or the University System of Maryland. Except as provided in paragraph 4 above, such policies and procedures are not incorporated into

this Agreement and are subject to change. The University agrees that if it changes a policy or procedure, it will not deprive the Appointee of any monetary payment the right to which has accrued under the previous policy or procedure. Such changes will be made in accordance with all applicable established procedures of the University System of Maryland and the University.

6. Special Conditions: [Special conditions may not be inconsistent with USM and University policies and procedures to which the Appointee is subject pursuant to paragraph 5 of the Agreement.]

7. Appointee agrees to have sent to the University, upon its request, certified copies of any transcript(s) reflecting the award of degree(s) listed as received on the Appointee's curriculum vitae. Appointee further agrees to provide evidence of employability as required by United States Immigration Laws.

8. The terms and conditions stated above constitute the entire agreement between the parties. This Agreement may not be modified except by means of a written amendment to this Agreement signed by the University and the Appointee.

9. This Agreement shall be construed according to the laws of the State of Maryland.

10. This offer of appointment expires if a signed original is not returned to the University by _____.

Appointee

Date

[NAME OF INSTITUTION]

Date

APPENDIX 13

II - 1.25 - Policy on Faculty Workload and Responsibilities

1. Purpose

The purpose of the *Bowie State University Policy on Faculty Workload and Responsibilities* is to promote optimal performance by Bowie State University in meeting the needs and expectations of its students and other clienteles and to provide mechanisms that will ensure public accountability for that performance.

Because faculty are the primary performers of the University's instruction, research/scholarship, and service, the policy must encourage and support faculty in applying their creativity, ingenuity, initiative, knowledge, experience, and professional skills in performing many diverse functions. Faculty are expected to meet their responsibilities independently and in full accord with both institutional expectations and established tenets of academic freedom.

This policy reflects Bowie State University's affirmation that teaching is at the heart of the University life and that teaching effectiveness is the paramount consideration in faculty tenure, promotion, and merit. It also reflects the University's affirmation that research/scholarship, and creative work, and service (the essential creation, interpretation, and consumption of knowledge through research and scholarship and its application to societal needs) are fundamental to university life and, thus, are key criteria in faculty tenure, promotion, and merit decisions.

2. Application and Definitions

The policy applies to the following individuals:

1. Core Faculty: All persons holding tenured and tenure-track positions who are classified as faculty (instructional, research, and public service) and are so reported to the Maryland Higher Education Commission through the Employee Data System;
2. Departmental Administrators: All persons who, while holding faculty rank, are classified as administrators and are so reported to the Maryland Higher Education Commission through the Employee Data System, and perform their administrative duties at the level of academic department or equivalent academic unit, including chairs, assistant chairs, program directors, etc.;
3. Full-time, Non-Core Faculty: All persons who, while neither tenured nor on the tenure track, are employed full time by Bowie State University, are classified as instructional faculty and are so reported to the Maryland Higher Education Commission through the Employee Data System; and
4. Other Faculty: All persons who, while neither tenured nor on the tenure track, are employed full time by Bowie State University, are classified as research faculty and are so reported to the Maryland Higher Education Commission and whose salaries are supported, in whole or in part, by state funds.

This policy does not apply to individuals who hold faculty rank but who are assigned to administrative duties outside the department or equivalent academic units, for example, deans, vice presidents, presidents, etc.; nor does it apply to individuals who are classified as research faculty but whose salary is fully supported by non-state funds, e.g., federal research grants.

3. Accountability:

The University's evaluation structure (e.g., evaluation for merit increases, contract renewal, promotion, etc.) will reflect the workload assignment for each faculty member. Every faculty member will be evaluated annually by the department (chair and peers), the Provost, and the President. Annual faculty evaluations serve the following purposes: (1) to inform faculty members regarding the degree to which their performance matches department/school/university expectations; (2) to determine annual merit pay increases; (3) to supply information and guidance with respect to professional improvement and development; and (4) to establish a base of information for future personnel decisions, including contract renewal, tenure, and promotions. Department chairs, dean(s), and/or the Provost will advise all faculty members in writing of their failure to comply with this policy.

The focus of external accountability (to the Regents and to the State) will be the department or academic unit, not the individual faculty member. The primary means for ensuring proper accountability will be after-the-fact reporting of actual departmental performance in comparison with the expectations previously approved by the President. The President shall submit annually to the Chancellor an accountability report in a form developed by the Chancellor.

4. Guidelines

As a regional, comprehensive university in the University of System of Maryland, Bowie State as a whole is expected to adhere to the following guidelines as general standard expectation in the categories of instruction, research/scholarship, and service. Differences across departments of the institution are subject to approval by the President.

	INSTRUCTION*	RESEARCH/SCHOLARSHIP	SERVICE
% OF TOTAL EFFORT	65-75	15-25	5-15
# COURSE UNITS/YR	8		

* Including directed research and individual studies

Instructional effort includes, in addition to classroom time, all concomitant activities necessary to the preparation, delivery, and evaluation of instruction and learning, including the various forms of student advising. The sum of the “ % of total effort” in each area must equal 100% for each individual faculty member.

For purposes of defining standard instructional load expectations, the course unit is defined as equivalent to a three-credit course. Individuals whose instructional load includes other than three-credit courses will have their standard instructional load expectations defined accordingly.

The following weights should be used to convert graded instructional experiences that do not follow the traditional course format (e.g., individual studies, supervision of dissertation research, and so on) to course units.

<u>Course Level</u>	<u>N of Credits = I Course Units</u>
800-899 (dissertation & doctoral level individual studies)	10 credits = I course unit
799 (master's thesis)	13 credits = I course unit
500-798 (other graduate level individual studies)	18 credits = I course unit
400-499 (graduate/undergraduate level individual studies)	21 credits = I course unit
100-399 (undergraduate level individual studies)	30 credits = I course unit

Workload expectations for each faculty member in the areas of research/scholarship and service shall be specified according to institutional mission.

As a reflection of the centrality of instruction at Bowie State University, all faculty members, including those with administrative responsibilities at the departmental level, shall be involved in the instructional program. Further, senior faculty in departments having undergraduate programs shall participate in undergraduate teaching.

5. Standard Workload Expectations and Modifications

All faculty at Bowie State University are expected to perform instruction, research/scholarship, and service as part of their full-time, contractual obligations. Bowie State University as a whole is required to adhere to the general standard expectations as identified in the *Guidelines* section above and as consistent with the mission of the Institution. However, it is not possible to devise a single formula that equitably defines faculty workload requirements. The proper balance among instruction, scholarship/research, and service for an individual faculty member may change over the faculty member's career. For each individual faculty member, any substantial difference between the actual and the standard expectation for any basic workload element will be balanced by compensating changes in one or both of the other basic workload elements. Workload expectations for each faculty member will be reviewed annually by the responsible department chair or other appropriate administrator and adjusted as necessary and appropriate.

Because some faculty will assume new or additional responsibilities in any one of these areas, exceptions to the standard workload will be made as defined below. However, the department is responsible for making the necessary adjustments in the total-faculty workload so that departmental expectations in each of these areas are fulfilled. These expectations will be determined by the students and the curricular needs, shall be consistent with the resources available to the department, and shall be approved by the President. Bowie State University shall make the minimum number of exceptions necessary for fulfillment of its institutional mission.

Teaching

The teaching load includes classroom preparation, student conferences, grading of papers and examinations, and supervision of remedial or advanced student work, in addition to hours per week of formal classroom instruction. Eight course units per year constitute the standard teaching load of faculty teaching exclusively at the undergraduate level.

Any modification in the standard faculty instructional workload must be approved by the President and the Provost. Such modifications must be recommended by the departmental chairperson via the Dean to the Provost for approval. The Provost shall forward his or her recommendation for workload modifications to the President for approval. The standard instructional load may be increased or decreased upon a number of factors, including class size, development of new courses, modality of instruction (such as distance learning), level of instruction, discipline, accreditation requirements, etc. Modifications also may be permitted for the following purposes:

1. To participate in administrative supervision or field experience supervision (e.g., academic department chairperson, director of student teachers, clinical supervisors in an educational setting, etc.), excluding the faculty member who supervises students as a part of a class;
2. To conduct research (pursuit of significant scholarly activities, including externally funded research, department-supported research, and service activities);
3. To assume supervisory academic responsibilities (e.g., graduate student advisement and thesis supervision; direction of all university chorale, band, theater, coaching, or other essential curricular-related activities; special projects in the areas of curriculum and faculty development, etc.);
4. To perform contact hours (time spent delivering instruction to students in a formal setting) in excess of credit hours generated by a course or courses (e.g., laboratories associated with classes and clinical experiences in hospital settings);
5. To perform department-supported service to make major professional contributions, such as working in partnership with the public schools or with business or industry, and
6. To perform other assigned academic duties (e.g., reassigned time to develop and implement curricular changes).

6. Procedures

1. All requests from departmental chairpersons for modifications in teaching load must be submitted to the Provost on the *Workload Modification Request Form*. This Form can be obtained from the Office of the Dean and should be submitted to the Office of Academic Affairs no later than 90 working days before the beginning of the requested workload modification.

2. The Provost must submit all requests for workload modifications to the President at least 15 working days following the receipt of the request from the departmental chairperson.
3. The President must inform the Provost of his or her decision regarding requests for workload modifications at least 15 Working days after receipt of the Provost's recommendations.
4. Any faculty member with a modified workload must submit a semi-annual report of his or her activities to his or her academic department chairperson who must forward a copy of the report to the Provost.
5. All faculty are required to fill out a *Faculty Planning and Professional Development Report* at the beginning and end of each academic year. This report requires each faculty member to identify the activities he or she will be involved in during the academic year, to estimate the percentage of the total hours that will be contributed to these activities. At the end of the academic year, each faculty then determines the actual percentage of total hours spent on these activities. Data from these forms will be used in completing the Bowie State University Institutional Workload Report, used to verify compliance with the institutional *Guidelines* defined above.

Research/Scholarship

Each faculty member is expected to devote part of his or her workload to research/scholarship or professional development. However, all faculty members who teach exclusively at the graduate level must devote at least 20% of their workload to research and other scholarly activities. Any faculty member who obtains sponsorship of research projects from outside agencies will be able to obtain lower teaching loads as a result.

Service

Each faculty member is expected to carry a reasonable amount of responsibility for committee work, ad hoc assignments, serving in professional societies, serving in certain administrative capacities, and working with students as members of the department and in other extraordinary advisory capacities, in accordance with the needs and the mission of the University.

All other persons, other than teaching assistants, who taught in this department, either in one or in both semesters. This category includes adjunct and affiliated faculty, all part-time faculty, and non-departmental administrators (deans, assistant deans, and so on) who taught in this department.

APPENDIX 14

Division of Academic Affairs BOWIE STATE UNIVERSITY Workload Modification Request Form

Department: _____

Name: _____

Extension: _____

Campus Address: _____

Semester: _____

USM POLICY STATEMENT: All faculty at degree-granting institutions are expected to be involved in instruction, research/scholarship, and service. Recognizing that Some faculty will assume new or additional responsibilities in any one of these areas, exceptions to the standard workload may be made. However, the department is responsible for making the necessary adjustments in the total faculty workload so that departmental expectations in each of these areas are fulfilled. These expectations will be determined by student and curricular needs, shall be consistent with the resources available to the department, and shall be approved by the president. Institutions shall make the minimum number of exceptions necessary for fulfillment of its institutional mission. Exceptions to the standard workload may be made based on the following considerations.

Please check the area for which you are requesting a reduction in the normal twelve-credit hour per semester faculty workload. **Please check only one justification for your request.** Please justify your request, including proposed outcomes for other than a Department Chair or PI for a grant, on a separate sheet and attach it to this Workload Modification Request Form

_____ **Instruction:** Accreditation requirement, modality of instruction (primarily distance education and laboratory/clinical conversions), sole developer of a new program/courses for such program. (Scope of activity will be considered.)

_____ **Department Administration:** Department Chair, Project/Program Director/Coordinator. (Scope of the administrative responsibility, other than department chair, and size of the department will be considered.)

_____ **Department-Supported Research:** Such departmentally sanctioned research must be specified and must relate to the University's mission—**proposed outcomes must be submitted.**

_____ **Department-Supported Service:** Such departmentally sanctioned service should be for the duration and extent of the commitment; for example, to make a major professional contribution to work in partnership with the public schools or with business or industry for a specified time-

period, or to carry out unusual academic advisement responsibilities—**proposed outcomes must be submitted.**

 Externally Funded Research and Service Activities. Such activities should be supported by external funds, either research or training grants; that is, accompanying reduction of expectations for service or instruction should mirror the replacement of departmental salary support by externally funded salary support.

How many semester hours of release time are requested? _____

For which Semester? _____

How many graduate hours will be taught during the semester for which release time is requested? _____

What are the expected outcomes of the assignment to be completed during the semester for which release time is requested?

(Please respond legibly and attach a separate if necessary.)

If an accrediting body requires a reduced load for graduate faculty, please provide a copy of the most recent *Standard*.

Faculty Member's Signature

APPROVALS:

Departmental Chair

YES

NO

DATE:

School Dean

Provost

(President's

Designee)

Revised 12/19/2000

APPENDIX 15

BOWIE STATE UNIVERSITY

Instructor Name:
Instructor Email Address:
Office Location:
Office Hours:
Location and Meeting Time for Class:

COURSE NUMBER:

COURSE TITLE:

- I. COURSE PREREQUISITE(S)**
- II. COURSE DESCRIPTION**
- III. REQUIRED TEXT** (Must include ISBN)
- IV. COURSE OBJECTIVES** (MUST BE MEASURABLE – See Bloom’s Taxonomy):

At the completion of the course, students will be able to:
- V. STUDENT/COURSE OUTCOMES:** (if appropriate)
- VI. INSTRUCTIONAL MODES** (How will the course be taught: studio, lab, lecture; face-to-face, hybrid, online; field experience/research, combination, etc.)
- VII. COURSE POLICIES**
- VIII. ASSESSMENTS** (explain each with requirements and possible points, rubric, etc.)
- IX. GRADING FACTORS & GRADING SCALE** (Must be clear and correlate with the projects/assessments listed in VIII).
- X. COURSE OUTLINE** (Include a detailed breakdown of assigned readings (page/chapter numbers) and due dates for assignments.

Week	Topic	Assignments
Week 1		
Week 2		
Week 3		
Week 4		
Week 5		
Week 6		
Week 7		

Week 8		
Week 9		
Week 10		
Week 11		
Week 12		
Week 13		
Week 14		
Week 15		
Week 16		

XI. AMERICAN DISABILITY ACT (ADA) AND NON-DISCRIMINATION POLICY

Bowie State University is committed to creating inclusive and accessible learning environments consistent with federal and state law. If you have registered with Disability Support Services and an accommodation notification was sent on your behalf, please schedule a meeting with me to discuss how your accommodations will be implemented in this course.

Students who have a permanent disability or temporary health condition that requires accommodations should contact Disability Support Services immediately. You may email: dss@bowiestate.edu , call 301-860-4085 or stop by their office: Thurgood Marshall Library, lower-level, RM# 078.

Our website provides information about how to register with DSS: <https://www.bowiestate.edu/academics/support-services/disability-support-services/request-services/>

It's important that you reach out early to ensure adequate time to process your accommodation request and establish an approved plan, if necessary. Please note that approved accommodations are not retroactive.

XII. BIBLIOGRAPHY/REFERENCES (Please use MLA, APA, CMS, or whichever citation style is common in your discipline, and be consistent with each entry):

APPENDIX 16

THINGS WE RECOMMEND THAT YOU DO:

1. GET PREPARED BY:
 - A. COLLECTION OF DATA
 - B. LEARN WHAT TYPE OF DATA AND SUPPORTING MATERIALS ARE REQUIRED
 - C. UNDERSTAND YOU WILL NEED THE RECOMMENDATIONS AND SUPPORT OF COLLEAGUES
 - D. THE DOSSIER MUST BE SUBSTANTIVE, ATTRACTIVE, SUPPORTIVE OF ACTIVITIES, AND FACTUAL
 - E. THIS IS A SERIOUS AND ARDUOUS UNDERTAKING...
2. EVIDENCE OF QUALIFICATIONS AND PERFORMANCE TO INCLUDE:
 - A. MATERIALS ILLUSTRATIVE OF SCHOLARSHIP AND TEACHING;
 - B. A CURRENT CURRICULUM VITA;
 - C. SELF-ASSESSMENT OF ACCOMPLISHMENTS AND EXPECTATIONS IN RESEARCH/SCHOLARSHIP, TEACHING AND COMMUNITY SERVICE;
 - D. EVIDENCE OF HONORS, CITATIONS, AWARDS;
 - E. EVIDENCE OF PREVIOUS TEACHING EXPERIENCES;
 - F. UNIVERSITY COMMITTEE WORK;
 - G. PUBLICATIONS, RESEARCH, PROPOSALS, STUDENT ADVISEMENT;
 - H. EVIDENCE OF ATTENDANCE AT COMMITTEE MEETINGS;
 - I. RECORDS OF PEER, CHAIR AND STUDENT EVALUATIONS;
 - J. RECORDS OF CONFERENCE HELD TO DISCUSS PROFESSIONAL ISSUES IN YOUR FIELD;
 - K. RECORDS OF INTERACTIONS WITH COLLEAGUES;
 - L. RECORDS OF INTERACTIONS WITH STUDENTS/ADVISEES;
 - M. OFFICIAL COMMUNICATION WITH THE ADMINISTRATION;
 - N. EVIDENCE OF EFFORTS AND STRATEGIES FOR IMPROVEMENT;
 - O. COMMENDATIONS AND EVIDENCE TO SUPPORT YOUR POSITION...

Promotion/Tenure Data Form/Guidelines

Date Received by Chair _____

Date Received by Departmental ART Committee _____

Date Received by School ART Committee _____

TENURE AND/OR PROMOTION DATA FORM GUIDELINES

Name of Candidate _____
Last First Middle

These guidelines are to assist the candidate in developing a dossier, with appropriate supporting documentation, to be submitted to his/her department chair. The chair will submit the dossier to the appropriate department faculty for its evaluation. This dossier, the faculty evaluation, and the chair's evaluation should be bound. Two bound copies of the dossier should be submitted to the School Rank and Tenure Committee, one to the Dean, one to the President, and one should be retained by the faculty member. The School Rank and Tenure Committee will forward its copies

Promotion/Tenure Data Form/Guidelines

to the University Rank and Tenure Committee. The University Rank and Tenure Committee will forward its copies to the Office of the Provost. All documents are to be submitted in 2" 3-ring binders with side pockets. The sections should be tabbed.

Date _____

This application is for: ☐ Tenure

☐ Promotion

Proposed Rank _____

Department _____

Present Rank, at BSU- _____ Year rank achieved _____

Highest degree earned _____ Year _____

Institution where highest degree was earned _____

Major _____ Minor _____

Date of first full-time appointment at BSU _____

Year of tenure awarded at BSU _____

Year of Promotion at BSU _____

TERMS OF APPOINTMENT:

A. Assistant Professor.

See Appendix A

B. Associate Professor or Professor

See Appendix B

A. Education

1. Educational Background

<u>Degree</u>	<u>Major</u>	<u>School</u>	<u>Year</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Promotion/Tenure Data Form/Guidelines

2. Hours Received Beyond Your Last Degree

<u>Hours</u>	<u>Discipline Area</u>	<u>School</u>	<u>Year</u>
--------------	------------------------	---------------	-------------

Is this part of a degree program?	[]Yes	[]No
-----------------------------------	--------	-------

Is this post doctoral work?	[]Yes	[]No
-----------------------------	--------	-------

3. Master's Thesis Title (If Applicable)

4. Doctoral Dissertation Title

5. Post-Doctoral Fellowship or Other Significant Post-Doctoral Experiences (Non-Credit)

B. College/University Teaching Experience

<u>[Institution/Location]</u>	<u>Rank</u>	<u>FT/PT</u>	<u>From/To</u>
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>

C. Other Professional Experiences in Education (i.e., public schools, government, etc.)

<u>Institution/Agency/location</u>	<u>Position</u>	<u>FT/PT</u>	<u>From/To</u>
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>

Promotion/Tenure Data Form/Guidelines

D. Teaching Excellence (Provide appropriate documentation. The documentation should be adjacent to the narrative on each of the items.)

1. Give in the space below the title of courses taught and a brief description of the course content.
2. Provide a brief description of the pedagogy undergirding two major courses taught (at least 300 level or above) over the last three years (If no such courses were assigned to you, then describe the courses which were assigned to you. Faculty teaching graduate courses should include a graduate course.).
3. Provide representative course syllabi that detail course content and objectives, teaching methods, readings, homework assignments, and a reflective statement as to why the class was so constructed (Indicate whether any of these is departmentally developed. The syllabi should relate to the courses in #2 of this section.).
4. Provide a description of steps taken to evaluate and improve your teaching, including changes resulting from assessment, self-evaluation, time spent reading professional journals, attempts to implement new ideas, or participation in seminars and workshops on improving teaching.
5. Provide a discussion of the specific student competencies attempted to be developed and assessed via two course assignments. Name the relative courses.
6. Provide examples of student research, projects, essays, field work, creative works, laboratory workbooks or other appropriate assignments (Provide students' work for two courses only).
7. Provide summaries of both peer and chair/area coordinator evaluations over the last two years.
8. Provide summaries of student evaluations over the last two years.
9. List below your innovative and creative contributions to teaching that you consider important (e.g., title and description of published or unpublished instructional material, description of major curriculum reorganization, introduction of new courses, awards citations for outstanding or extraordinary teaching, etc.). Give dates of each contribution and provide course syllabus for new courses.
10. If applicable, list below the titles of dissertations or theses that you have read as a member of students' committees. Indicate year of each.
11. Provide additional comments about your performance as a teacher.
12. Provide evidence of strategies used to promote "Communication Across the Curriculum" and related outcomes.

E. Advisement (Attach evidence to support your claim)

Promotion/Tenure Data Form/Guidelines

1. How many advisees were assigned to you during the current academic year? Provide on a separate page a list of assigned advisees claimed. Graduate Undergraduate
2. Describe in a short statement what you attempt to accomplish as an academic advisor. Organization advisor accomplishments should also be placed here.
3. If available, state the current status (graduate school, law school, employment) of your former advisees.

F. Professional Involvement

1. Memberships and offices in scholarly or professional societies (Please attach documentation.)
2. Professional Development during Previous Three (3) Years (seminars, meetings, and work attended) Describe three major outcomes which were applicable to you and the areas of the scholarship/research, and service.
3. Professional Development Course Work (Attach Evidence)
 - a. Describe specialization.
 - b. Describe related areas of study.
 - c. Other activities in which you have engaged for professional development.
 - d. Plans for professional and developmental activities for the coming year.
4. Scholarship/Research (Attach evidence.)

Research activities: reported here should cover applied and/or basic research, including investigate academically oriented problems, classroom experimentation, program development and evaluation field testing, in addition to basic scientific investigation. Scholarly contributions should also be rep here. Two matters are of interest here; quality of the work and relationship to the priorities of the Department. (See C below for publication, products, and performances in the Arts.)

Please provide a brief description of the scholarship/research undertaken/conducted during your period of employment at BSU. Attach outline. Indicate propo professional time spent. Also indicate whether you were provided release time for any project.

A. Research

1. Published Research
2. Unpublished Research

Promotion/Tenure Data Form/Guidelines

B. Proposals (List proposals you have submitted in last three (3) years Describe their focus. Indicate (1) finding agency, (2) whether proposal was funded amount of funding.

C. Publications, Products and Performance in the Arts (Attach evidence.)

Publications may be related to research activity, but not necessarily so. Categories of publications include paper books, monographs, special reports, including those written for other groups and organizations; chapters in books, and periodical articles; performing and visual arts include recitals, concerts and lectures, musical, theatrical and dance productions, and exhibitions of paintings, sculpture, compositions and other creative works.

List all performances and products in the performing of visual arts. Attach programs, catalogs, reviews, etc.

D. Include a statement or description of any scholarly activity which you consider to be pertinent to your evaluation.

G. University and Community Service

1. List departmental, school, or college committees on which you have served, the dates of committee membership, and your contribution to each committee.

<u>Category</u>	<u>Activity</u>	<u>Year</u>
-----------------	-----------------	-------------

Departmental Committee(s)

School Committee(s)

University Committee(s),

or other Responsibilities

Interdepartmental Activities

System Activities

2 List Public and community service involvement.

<u>Activity</u>	<u>Organization</u>	<u>Year</u>
-----------------	---------------------	-------------

_____	_____	_____
-------	-------	-------

_____	_____	_____
-------	-------	-------

_____	_____	_____
-------	-------	-------

a. Indicate community service in which your professional expertise was used.

Promotion/Tenure Data Form/Guidelines

Promotion/Tenure Data Form/Guidelines

Describe any community service that has been performed as part of an officially assigned responsibility.

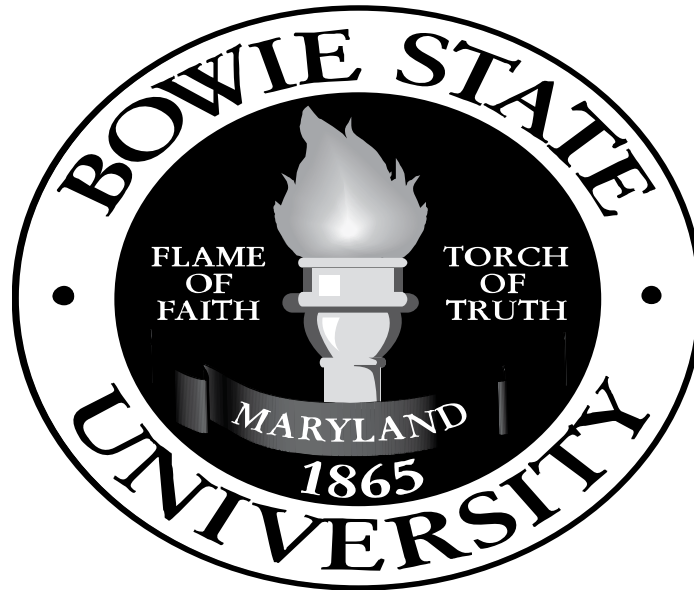
3. Professional Service (Societies, Boards, etc.) (No more than a 5 year period)

H. List all honors and/or awards and the years received (No more than a 5 year period).

Date

Signature of Candidate

BOWIE STATE UNIVERSITY



POLICY ON APPOINTMENT, RANK, AND TENURE AND APPOINTMENT, RANK, AND PERMANENT STATUS OF FACULTY

**REVISED
OCTOBER 10, 2002**



Office of the Provost

To: Dr. Calvin W. Lowe
President

FROM: George E. Miller III
Provost

DATE: November 18, 2002

RE: The Revised **Appointment, Rank, and Tenure Policy**

On December 8, 2000, the Board of Regents amended its *Policy II-1:00: University System Policy on Appointment, Rank, and Tenure of Faculty*. This amended *Policy* incorporated the “faculty engaged primarily in library services.” Additionally, in Fall 2000, the University System of Maryland (USM) conducted a “risk management audit” of the Division of Academic Affairs’ faculty search and hiring practices. As a result of the audit, the USM made recommendations for enhancing the *faculty search* procedure section of the *BSU Appointment, Rank, and Tenure of Faculty Document (ART)*.

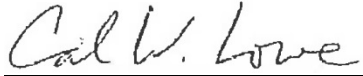
The attached *BSU Policy on Appointment, Rank, and Tenure and Appointment, Rank, and Permanent Status of Faculty* is a revision that incorporates the Board of Regents’ amendment and the USM’s recommended enhancements. However, most of the best practices recommended by the USM already existed in the University’s ART Document; the problem was lack of consistent implementation by the bodies involved in the Search Process.

Process

This revision of the *ART* was initiated by the Office of the Provost and the Council of Deans; the University ART Committee provided the initial language for the incorporation of Librarian IIs and above; the Library Staff, under the leadership of Dr. Richard Bradberry, provided additional language; the University ART Committee completed its second review in Spring 2002; the Faculty Senate approved the draft in Spring 2002; the Office of the Provost made all editorial changes in September 2002, and Attorney Sara Staff reviewed the final draft in November 2002. Attorney Staff has approved the document as one “with no substantive changes.”

I am recommending that the revised *Appointment, Rank, and Tenure, and Appointment, Rank, and Permanent Status of Faculty* be approved for general reproduction and distribution to the Bowie State University Faculty.

APPROVE

A handwritten signature in cursive script that reads "Cal W. Lowe".

Calvin W. Lowe, President

Date

BOWIE STATE UNIVERSITY

APPOINTMENT, RANK, AND TENURE OF FACULTY AND APPOINTMENT, RANK, AND PERMANENT STATUS OF FACULTY LIBRARIANS

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Bowie State University ART

Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians

The **Bowie State University Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians** incorporates the **University System of Maryland's Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians**. It describes the general criteria and procedures for the appointment, promotion, and granting of tenure or permanent status, as appropriate, to faculty at Bowie State University. In keeping with the University's Mission, appointment, promotion, and tenure criteria for the teaching faculty shall consist of (1) teaching effectiveness, including student advisement; (2) research/scholarship, and, in appropriate areas, creative activities; and (3) relevant service to the community, profession, and/or institution; and permanent status criteria for faculty librarians shall consist of (1) job performance; (2) library service; professional activities; and (3) university service.

The provisions of this **Bowie State University Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians (ARTPS Policy)** shall be published in the **Faculty Handbook**. Except for amendments required by the laws of the **University System of Maryland's Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians**, any proposed amendments to the **ARTPS Policy** shall be submitted for initial review and recommendation to the University Academic Rank, Tenure, and Permanent Status Committee; the University Academic Rank, Tenure, and Permanent Status Committee shall recommend to the Faculty Senate, and the Senate shall make a final recommendation to the Provost. The amendments shall become effective when approved by the President. Final authority for the appointment, promotion, and/or granting of tenure or permanent status to faculty resides with the President of Bowie State University.

Except as provided in this *paragraph*, the provisions in this **Policy** shall apply to all individuals who were employed as faculty members at the University on July 1, 1997, or whose appointments became effective on or after July 1, 1997. The provisions in *Sections II, III, and IV.A.* of this **Policy** and *Section I.C.7. (a)* of the **University System Of Maryland's Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians** shall apply to a tenure-track or tenured faculty member of Bowie State University who elected to remain subject to his/her written faculty contract in effect on April 4, 1989 and who confirmed this election in a written and signed notification to the President on or before May 12, 1989, to the extent and only to the extent that any provision of that contract is inconsistent with *Sections II, III, or IV.A.* of this **Policy** or *Section I.C.7.(a)* of the **University System of Maryland's Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians**.

I. SEARCH PROCEDURES AND POLICIES FOR APPOINTMENT OF FACULTY

A. Search Procedures for Full-time Tenure-Track Faculty and Permanent Status Faculty Librarians

1. In principle, the procedures that lead to faculty appointments should hold to standards at least as rigorous as those that pertain to promotions to the same academic ranks. Recruitment of full-time tenure-track faculty or permanent-status faculty is an integral part of the long-range plan of each academic department and the Library, respectively. The School Dean, in consultation with the Department Chair, Program Coordinator, and Faculty, shall determine the department's needs, and the Dean of the Library in consultation with the faculty librarians.
2. When a position vacancy occurs in the faculty, the disposition of that vacancy will be determined by the School Dean/Dean of the Library in consultation with the Provost. Upon determining that the vacancy is to be filled, the School Dean/Dean of the Library, in consultation with the Department Chair/Librarians, will prepare the *Personnel Requisition Request* and the *Cost of Support Form*, for submission to the Provost. Upon the Provost's approval, the School Dean/Dean of the Library shall identify and authorize a Faculty Search Committee to recruit for a specific rank.
3. In consultation with the EEO Officer and the Office of Human Resources, the Department Chair/Dean of the Library shall develop a detailed position advertisement for the vacancy. The Department Chair shall forward the position announcement to his/her Dean for submission to the Provost for final approval, and the Dean of the Library shall submit directly to the Provost.
4. The announcement of a position vacancy may be published, as appropriate, via agencies of the State, regional and national professional organizations, discipline web sites, other higher education institutions, and professional publications to ensure the broadest range of potential candidates. The announcement shall include the following:
 - a. the name of the institution and department/unit;
 - b. the academic rank(s) of the position(s);
 - c. minimum degree and experiential requirements;
 - d. description of special characteristics or expertise desired;
 - e. brief description of teaching, research, and service responsibilities;
 - f. the nature of the appointment (i.e., tenure-track, federally-funded, etc.);

Bowie State University ART

- g. employment period (semester, academic year, or calendar year);
 - h. salary range or statement that salary is competitive;
 - i. indication of required application materials (transcripts, letters of references, etc.);
 - j. name, title, and address of person to whom inquiry should be made;
 - k. closing date for application or date upon which consideration of applications will begin; and
 - l. the statement “Bowie State University is an equal opportunity/affirmative action employer.”
5. In preparation for the search process, the EEO/AA Officer will conduct a review of EEO/AA guidelines for the Faculty Search Committee (FSC). This review will include the kinds and details of documentation that must be kept and reported by the Search Committee and acceptable procedures for interviewing and recommending candidates to the Chair, the Dean, and the Provost, respectively.
6. After the closing date for receipt of applications or the announced date upon which consideration of applications will begin, the (FSC) shall review and evaluate applicants on the basis of the established selection criteria and the applicant’s resume and supporting documentation. Each member of the FSC, working individually, will select three (3) to seven (7) unranked candidates to be interviewed.
7. The Screening procedure shall result in the determination of an interview pool. The names and credentials of the top candidates to be interviewed must be reviewed by the Department Chair and the appropriate Dean. As appropriate, the FSC should arrange for the candidates to visit the campus. Before granting permission to interview, the Provost and appropriate Dean may review the profile of the applicant pool with the EEO/AA Officer and/or the Search Committee. No department/unit may invite persons for interviews until it has received approval from the appropriate Dean.
- NOTE:** Preliminary and unofficial interviews of applicants at a conference or annual meeting of a professional association may be conducted. However, such applicants will be required to complete the official interview process, and offers of employment **shall not** be made at preliminary and unofficial interviews.
8. Once approval has been given to begin interviewing, the Chair of the FSC is responsible for contacting each person in the interview pool to arrange a date for an interview. The terms under which travel expenses for applicants

are reimbursed should be explained to the candidates. (A copy of the policies governing interviews and travel reimbursements is available in the Finance and Budget Office.)

9. Candidates invited to interview should meet with the FSC, departmental/library faculty, students majoring or minoring in the discipline, the Department Chair, the appropriate Dean, the Provost or his/her designee, and others, as the Chair, Dean, and Provost may deem appropriate. All interviews should be scheduled so that the interview period for all candidates can be completed in no more than two weeks. The President or his/her designee shall interview all faculty for ranks of Associate Professor or higher.
10. A core of similar questions, approved by the EEO/AA Officer, should be asked of **all** candidates. The criteria used to develop these questions should be agreed upon by the FSC and should include qualifications listed in the position advertisements.
11. Unsuccessful candidates **must** be notified in writing that the position has been filled and thanked for their applications. The Office of Human resources is responsible for keeping copies of letters of acknowledgment and rejection; interview notes and criteria used in making selection; applicant credential files; and all other correspondence (including copies of the published advertisement) relative to the search for a **period of three years**.
12. Upon completion of the interviews with all candidates, the verification of each candidate's credentials, and consultation with references, the FSC will select the three (3) to five (5) candidates to recommend to the Department Chair/Dean of the Library. Upon the request of the Department Chair, the list of persons recommended may be placed in rank order from highest to lowest. A complete file with credentials, including a copy of all transcripts, letters of reference, and all related search documents for each person shall accompany each recommendation to the Chair/Dean of the Library.
13. After consultation with the FSC, the Department Chair shall forward the names and credentials (which shall include a job application, copy of all transcripts, letters of recommendation, and evaluation) of his/her recommended candidates to the School Dean, and the Dean of the Library will forward these recommendations, with his/her recommendation, to the Provost for his/her approval and recommendation to the President. The President shall make the final decision.
14. The official *Letter of Appointment* (which shall include under *Special Conditions* the note: "Official transcripts must be received in the Office of the Provost within thirty (30) days after your signing of this *Letter of Appointment*.")) to faculty at Bowie State University shall provide for both

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the general terms of employment and any special terms that may be agreed to by the University and the new faculty member at or prior to appointment.

15. Upon the return of the candidate's signed *Letter of Appointment*, the Office of the Provost shall forward the signed *Letter of Appointment* and all credentials, including copies of the transcripts, to the Office of Human Resources.
16. If, at any point of the search process, the FSC agrees that none or an insufficient number of applicants meets the advertised position criteria, the Committee shall request the appropriate Dean to reopen the search or return to any prior stage as necessary to enhance the field of candidates.
17. When the offer of employment has been made to and accepted by the chosen candidate, all other applicants shall be notified of the results of the search by the Office of Human Resources.
18. Upon completion of the search, all documents and records of unsuccessful candidates shall be forwarded by the Chair of the FSC to the Office of Human Resources, where they shall be kept on file for a **period of three years**.
19. In the event that the position is not filled, the Human Resources Office shall notify the applicants.

B. Faculty Search Committees

1. When the Provost has authorized the search for a full-time tenure-track or permanent status faculty member in a department/unit, the Department Chair/Dean of the Library, in consultation with departmental/library faculty and the School Dean for a teaching faculty position, shall appoint a FSC composed of full-time faculty, with the rank of Associate Professor/Librarian III or Professor/Librarian IV and, the terminal degree in the discipline, or the M.L.S. This requirement can be waived with the approval of the appropriate Dean and the Provost. Upon being notified of the formation of a FSC, the Senior Director of Human Resources shall appoint an ex-officio Human Resources Staff member to the Committee to facilitate the search process in keeping with the guidelines of this ***Policy***.
2. In those instances in which a department with more than one specific academic subject area is seeking a new faculty member, the FSC shall consist of a majority of full-time senior faculty members who hold terminal degrees in the specific subject area for which the new faculty member is sought.
3. When a new academic unit is established in a School, it shall be the responsibility of the School Dean, in consultation with the Provost, to

appoint a FSC to staff the unit in accordance with the search procedures in this **Policy**.

4. When an academic unit is established outside of Schools in the Division of Academic Affairs, it shall be the responsibility of the Provost to appoint a Search Committee to staff the unit in accordance with search procedures in this **Policy**.
5. When academic departments request inter-departmental appointments, the School Dean(s), in consultation with the Chairs of the respective involved departments, shall appoint a FSC to conduct the search process in accordance with this **Policy**.
6. Whenever inter-institutional appointments are needed, the Provost, in consultation with the School Dean and the appropriate authority at the Cooperating Institution, shall appoint full-time senior faculty to an inter-institutional search committee, based on agreed upon guidelines of this **Policy, the University System of Maryland's Policy on Appointment, Rank, and Tenure of Faculty, and Appointment, Rank, and Permanent Status of Faculty Librarians**, and the Cooperating Institution's **ARTPS**. The Inter-institutional Search Committee shall recommend search procedures to the Provost and appropriate authority at the Cooperating Institution to govern its search consistent with, wherever feasible, the procedures established in this **Policy**.

C. Search Procedures for Other Faculty Positions

Non-Tenure Track, Non-Permanent Status Faculty

- a. When the Dean, after consultation with the Provost, has authorized the search for a full-time non-tenure-track, non-permanent status faculty member in a department/unit, the Department Chair/Dean of the Library, in consultation with the appropriate faculty body, shall appoint a FSC composed of full-time faculty with the terminal degree in the discipline or Librarian IIs and above and provide the FSC the department/unit agreed upon selection criteria.
- b. The Department Chair, in consultation with the School Dean and the Office of Human Resources, and the Dean of the Library, in consultation with the Office of Human Resources, shall develop an appropriate position advertisement for the vacancy, conforming to the guidelines for tenure-track, permanent status announcements in **I.A.4.** of this **Policy**.
- c. After the closing date for receipt of applications or the announced date upon which consideration of applications will begin, the FSC shall review and evaluate applicants on the basis of the established selection criteria and the applicant's resume and supporting documentation. Each member of the FSC, working individually, will select three (3) to five (5) candidates to be

interviewed. Only after approval from the appropriate Dean, shall the FSC invite faculty candidates for interviews.

- d. A core of similar questions, approved by the EEO/AA Officer, shall be developed and asked of all candidates. The department/unit agreed upon criteria provided to the FSC by the Department Chair/Dean of the Library and the qualifications listed in the position advertisements shall guide the FSC's development of such questions.
- e. Upon completion of the interviews of all candidates, the verification of each candidate's credentials, and consultation with references, the FSC will recommend a minimum of three (3) candidates to the Department Chair, who will forward his/her recommendation to the School Dean, who will make a recommendation to the Provost. For faculty librarians, the FSC will forward its recommendations to the Dean of the Library, who will make a recommendation to the Provost. All unsuccessful interviewees **must** be notified in writing that the position has been filled and thanked for their applications.
- f. The official *Letter of Appointment* (which shall include under *Special Conditions* the note: "Official transcripts must be received in the Office of the Provost within thirty (30) days after your signing of this *Letter of Appointment*.")) to a non-tenure track/permanent status position shall provide for the general terms of employment and any special terms that may be agreed to by the University and the appointee.

D. Offers of Appointments

1. Offers of appointment to all ranks are made in writing only by the President or his/her designee.
2. An offer of appointment shall specify the rank and effective date of the appointment, the length of the appointment, and the applicable terms and conditions with regard to tenure/permanent status. Subject to the provisions in **I.C.1 through I.C.16 of the University System of Maryland's Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians**, the terms described in the *Letter of Appointment* shall constitute a legal and contractually binding agreement between the University and the appointee.

II. TERMS OF APPOINTMENTS

A. Instructor

1. Except where tenure has been granted pursuant to this section, appointments to the rank of full-time Instructor are for a term not to extend beyond the end of the fiscal year during which the appointment becomes effective. An appointment to the rank of full-time Instructor will be renewed

automatically for the second year and succeeding years, unless the appointee is notified in writing to the contrary by March 1 during the first year of service, and by December 15 during the second and succeeding years of service.

2. A full-time Instructor may receive, during an appointment year, a formal review for tenure as an Instructor. An Instructor without tenure whose appointment has been extended to a sixth year of continuous, full-time service commencing on or after July 1, 1990, shall receive during that sixth year a formal review for tenure as Instructor. The appointee reviewed for tenure shall be notified in writing, by the end of the appointment year in which the review was conducted, of the decision either to grant or deny tenure. A full-time appointee who has completed six consecutive years of service at the University as an Instructor, and who has been notified that tenure has been denied, shall be granted an additional and terminal one-year appointment in that rank, but, barring exceptional circumstances, shall receive no further consideration for tenure. An Instructor with or without tenure may be appointed to Assistant Professor. If an Instructor without tenure is appointed as an Assistant Professor, the provisions of *Sections II.B.1, and II.B.2.* of this Policy apply to the appointment, except that the appointee's review for tenure must occur no later than the sixth year of continuous full-time employment, commencing on or after July 1, 1990, in the ranks of Instructor and Assistant Professor. Tenure in any rank can be awarded only by an affirmative decision based upon a formal review. Such appointments may be terminated at any time in accordance with *Sections III.A., III.B., III.C., and VII* of this **Policy**.

B. Assistant Professor

1. Subject to any special conditions specified in the *Letter of Appointment*, full-time appointments to the rank of Assistant Professor shall be for an initial term of one to three years. The first year of the initial appointment shall be a probationary year, and the appointment may be terminated at the end of that fiscal year if the appointee is so notified by March 1. In the event that the initial appointment is for two years, the appointment may be terminated if the appointee is so notified by December 15 of the second year. After the second year of the initial appointment, the appointee shall be given one full year's notice if it is the intention of the Institution not to renew the appointment. If the appointee does not receive timely notification of non-renewal, the initial appointment shall be extended for one additional year. An initial appointment may be renewed for an additional one, two, or three years. Except as set forth in paragraph 3 below, an appointment to any term beyond the initial appointment shall terminate at the conclusion of that additional term unless the appointee is notified in writing that it is to be renewed for another term allowable under University System policies or the appointee is granted tenure. Such appointments may be terminated at any time in accordance with *Sections III.A., III.B., III.C and VII* of this **Policy**.

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2. An Assistant Professor whose appointment is extended to a full six years shall receive, no later than the sixth year, a formal review for tenure. The appointee shall be notified in writing by the end of the appointment year in which the review was conducted of the decision to grant or deny tenure.
3. Notwithstanding anything in *Paragraph 1* above to the contrary, a full-time appointee who has completed six consecutive years of service at Bowie State University as an Assistant Professor and who has been notified that tenure has been denied shall be granted an additional and terminal one-year appointment in that rank, but, barring exceptional circumstances, shall receive no further consideration for tenure.

C. Associate Professor or Professor

1. **Full-time appointments or promotions to the rank of Associate Professor or Professor require the written approval of the President.** Promotions to the rank of Associate Professor or Professor carry immediate tenure. New full-time appointments to the rank of Professor may carry immediate tenure. Otherwise, such appointments shall be for an initial period of one to four years, except that initial appointments for individuals with no prior teaching experience may be for a maximum of six years, and shall terminate at the end of that period unless the appointee is notified in writing that he or she has been granted tenure.
2. A Professor who is appointed without tenure shall receive a formal review for tenure. If the appointment is for an initial period of one year, then the formal review must be completed and notice must be given that tenure has been granted or denied by March 1 of that year. If the appointment is for two years, then the formal review must be completed, and notice must be given that tenure has been granted or denied no later than December 15 of the second year. If the appointment is for more than two years, then the formal review must be completed and notice must be given that tenure has been granted or denied by no later than one year prior to the expiration of the appointment. Appointments carrying tenure may be terminated at any time in accordance with *Sections III.A., III.B., III.C., and VII* of this **Policy**.

D. Other Faculty Ranks

1. Appointments to all other ranks, and all part-time appointments, are for a term not to extend beyond the end of the academic year unless otherwise stipulated in the *Letter of Appointment*. Faculty appointed to all other ranks on a full-time basis for a term not less than one academic year shall receive notice of non-renewal of contract based upon their length of continuous full-time service in such ranks. If such service is less than seven years, at least 90 days' notice is required. If such service equals or exceeds seven years, at least six months' notice is provided. If the required notice is not provided prior to the termination of the then-current contract, this condition may be remedied by extending the contract by the number of days necessary to meet the notice requirement. Such appointments may be terminated at any time in accordance with *Sections III.A., III.B., III.C., and VII* of this **Policy**.
2. Visiting faculty appointments are usually made for one academic year or less. Only in unusual circumstances shall a visiting appointment exceed a total of three years. A visiting faculty appointee can become a regular appointee **only through a search process before or after the initial appointment** in accordance with this **Policy**, including adherence to EEO/AA guidelines. Years of service in a visiting appointment may, upon mutual agreement of the faculty member and the President, be counted as probationary years for purposes of consideration for tenure.

III. TERMINATION OF APPOINTMENTS

A. Resignation

A term of service may be terminated by the appointee by resignation, but it is expressly agreed that no resignation shall become effective **until the termination of the appointment period** in which the resignation is offered, except by mutual agreement between the appointee and the President.

B. Termination for Cause

1. The President of the University may terminate the appointment of a tenured or tenure-track appointee for moral turpitude, professional or scholarly misconduct, incompetence, or willful neglect of duty. Prior to such termination, the faculty member shall be given the opportunity to request a Hearing in accordance with the procedures set forth in *Section VII* of this **Policy**.
2. Under exceptional circumstances and following consultation with the Chair of the Faculty Appeals Committee, the President may direct that the appointee be relieved of some or all of his/her institutional duties, without loss of compensation and without prejudice, pending a final decision in the termination proceedings. In case of an emergency involving threat to life or bodily injury, the President may act to suspend a faculty member

temporarily prior to consultation with the Chair of the Faculty Appeals Committee.

3. If an appointment is terminated in the manner prescribed in *Section III.B.1.*, the President may, at his/her discretion, relieve the appointee of assigned duties immediately or allow the appointee to continue in the position for a specified period of time. The appointee's compensation shall continue for a period of one year commencing on the date on which the appointee receives notice of termination. A faculty member whose appointment is terminated for cause involving moral turpitude, incompetence, or willful neglect of duty, or professional or scholarly misconduct shall receive no notice or further compensation beyond the date of final action by the President or the Board of Regents.

C. Other Reasons for Termination

1. The President may terminate any appointment because of the discontinuance of the department, program, school, or unit in which the appointment was made or because of the lack of appropriations or other funds with which to support the appointment. Such decisions must be made in accordance with the *University Retrenchment Policy*, as outlined in the **Faculty Handbook**. The President shall give a full-time appointee holding tenure notice of such termination at least one year before the date on which the appointment is to be terminated.
2. Notwithstanding any other provisions to the contrary, the appointment of any non-tenured/non-permanent status faculty member 50% or more whose compensation is derived from research contracts, service contracts, gifts, or grants shall be subject to termination upon expiration of the research funds, service contract income, gifts, or grants from which the compensation is payable.
3. Appointments shall terminate upon the death of the appointee. Upon termination for this cause, the University shall pay to the estate of the appointee all of the accumulated unpaid earnings of the appointee plus compensation for accumulated unused annual leave.

D. Sanctions Other Than Termination

If in the judgment of the appointee's Department Chair, in consultation with the School Dean, or Dean of the Library, a deficiency in the appointee's professional conduct or performance exists that does not warrant dismissal or suspension, the Dean shall recommend that a moderate sanction, such as a formal warning or censure, be imposed in writing by the Provost, provided that the appointee is first afforded an opportunity to contest the action through the established faculty grievance procedure. A faculty development plan and time-line to improve

performance should be established by the Department Chair and School Dean or Dean of the Library in consultation with the appointee.

IV. OTHER CONDITIONS OF EMPLOYMENT

- A.** Adjustments in salary or advancement in rank may be made under these policies, and, except where a definite termination date is a condition of appointment, the conditions pertaining to the rank as modified shall become effective as of the date of the modification.
- B.** Compensation for appointments under these policies is subject to modification in the event of reduction in State appropriations or in other income from which compensation may be paid.
- C.** All appointees shall be subject to all applicable policies and procedures duly adopted or amended from time to time by Bowie State University or the Board of Regents of the University System of Maryland, including but not limited to policies and procedures regarding annual leave; sick leave; sabbatical leave; leave of absence; outside employment; patents and copyrights; scholarly and professional misconduct; retirement; reduction, consolidation or discontinuation of programs; and criteria on teaching, research/scholarship, and service.
- D.** Unless the appointee agrees otherwise, any changes that are hereafter made to *Sections II, III, or IV.A. of this Policy* or *Section I.C.7 (a) of the University System of Maryland's Policy on Appointment, Rank, and Tenure of Faculty, and Appointment, Rank, and Permanent Status of Faculty Librarians* will be applied only to subsequent appointments.

V. INSTITUTIONAL REQUIREMENTS FOR APPOINTMENT, PROMOTION, TENURE OF FACULTY AND APPOINTMENT, RANK, AND PERMANENT STATUS OF FACULTY LIBRARIANS

A. General Principles

- 1. In each case of appointment, promotion, tenure, and permanent status, every effort shall be made to fill positions with persons of the highest qualifications and ability. It is the special responsibility of those in charge of recommending appointments to make a thorough search of available talent, in accordance with the search procedures established in this **Policy**, before recommending appointments.
- 2. The faculty and faculty librarian ranks that may involve a tenure or permanent status commitment include Professor, Associate Professor, Assistant Professor, Instructor, or Librarian IV, Librarian III, or Librarian II, and such other ranks as the Board of Regents may approve. Appointments to all other ranks, including any qualified rank in which an additional adjective is introduced (such as "Clinical Professor," etc.), are

for a definite term and do not involve a tenure nor permanent status commitment.

3. Professorial titles will be granted only to teaching and/or research personnel who are associated with teaching or research departments or units and to such other appointments as permitted under the **Bylaws, Policies, and Procedures of the Board of Regents.**
4. The Bowie State University Mission Statement is the primary factor in defining the criteria for appointment, promotion, tenure, or permanent status in the University. The criteria and the relative weight that usually is to be accorded them are: (1) teaching effectiveness, including student advising (65 - 75%); 2) research/scholarship, and in appropriate areas, creative activities (15-25%); and 3) relevant community, profession, and university service (5-15%), or for library faculty, library duties (80-85%); research, creative activities (15-20%); and university, community, and professional services (5-10%). The relative weight of these criteria may vary within the range stated among different academic units, but each of the criteria shall be considered in every decision concerning appointment, promotion, or tenure, or permanent status.
5. Decisions on appointment, promotion, or tenure, or permanent status must always take into account the academic needs of the department/library or program and of the University at the time of appointment. The University regards these policies and procedures as elements of sound academic planning and essential elements of fairness to candidates for tenure-track or permanent status positions. In all cases, academic units/library shall select for initial appointment and reappointment those candidates whose areas of expertise are most likely to meet the unit's projected programmatic needs and who, when they reach the point of consideration for tenure or permanent status, are most likely to merit tenure or permanent status.
6. Renewal of appointment, promotion, or tenure or permanent status shall be based on meritorious performance and institutional needs and shall in no case be a consequence of length of service alone.

B. Qualifications for Teaching Faculty Ranks

The following is a list of all faculty ranks used at Bowie State University and the qualifications for appointment and promotion to each rank.

1. **Instructor:** The appointee ordinarily shall hold, at a minimum, the master's degree in the field of instruction, preferably with evidence of pursuit of the doctorate or other terminal degree in the field of instruction. The appointee also should show evidence of potential for effective teaching, research/scholarship, service, and a successful academic career.

2. **Assistant Professor:** The appointee ordinarily shall hold the doctorate or nationally recognized terminal degree in the field of specialization. The appointee also should show evidence of potential for superior teaching, research/scholarship, or creativity in some subdivision of the field, and service to the community in keeping with the academic expertise of the faculty member or institution.

Faculty seeking promotion to the rank of Assistant Professor must satisfy the qualifications for appointment to the rank and the following requirements:

- a. Excellence in teaching as shown through a rating of student, peer, and Department Chair evaluations. Evaluations will include, but not necessarily be limited to, measures of the following: employment of appropriate teaching or evaluation strategies, pre-planning, organization and management, professional behavior, quality of course syllabi, quality of student advisement, and acceptance and timely execution of departmental assignments.
- b. Evidence of scholarly contribution and growth in the area of specialization through research that enhances the candidate's teaching and/or the University's environment.
- c. Evidence of continuous service on departmental and University-wide committees.
- d. Evidence of participation in community service activities.

3. **Associate Professor:** In addition to having the qualifications of an Assistant Professor, the appointee ordinarily shall have had extensive successful experience in teaching and research or creative work, shall have the ability to direct major activities of the department, and, if appropriate to the department's mission, shall have the ability to offer graduate instruction and direct graduate research in a subdivision of the department, and effective service to the community or institution as defined by the academic expertise of the faculty member.

Faculty seeking promotion to the rank of Associate Professor must satisfy the qualifications for appointment to the rank and the following requirements during the period of appointment as Assistant Professor:

- a. Completion of five years as Assistant Professor at Bowie State University.
- b. Excellence in teaching as shown through a rating of student, peer, and Department Chair evaluations. Evaluations will include, but not necessarily be limited to, measures of the following: employment of appropriate teaching or evaluation strategies, pre-planning,

organization and management, teaching-learning process, professional behavior, quality of course syllabi, quality of student advisement, and acceptance and timely execution of departmental assignments.

- c. Evidence of scholarly contribution and growth in the area of specialization through research, publication, participation in the programs of professional societies, and/or professionally recognized performance in the arts.
- d. Evidence of significant service on departmental and University-wide committees.
- e. Evidence of participation in community service activities as a consultant, organizer, board member, or similar position.

4. **Professor:** In addition to having the qualifications of an Associate Professor, the appointee ordinarily shall have demonstrated a degree of proficiency in teaching to establish a reputation among his peers as an outstanding teacher. The appointee shall have demonstrated a degree of proficiency in research/scholarship, or creative performance, and, where appropriate to the mission of the University, established a regional or national reputation as an outstanding researcher/scholar or creative performer. There shall be continuing evidence of substantial service to the community and the University.

Faculty seeking promotion to the rank of Professor must satisfy the qualifications for appointment to the rank and the following requirements during the period of appointment as Associate Professor:

- a. Five years as Associate Professor at Bowie State University. The appointee shall have demonstrated a degree of proficiency in research/scholarship, or creative performance.
- b. Excellence in teaching as shown through a rating of student, peer, and Department Chair evaluations. Evaluations will include, but not necessarily be limited to, measures of the following: employment of appropriate teaching or evaluation strategies, pre-planning, organization and management, teaching-learning process, professional behavior, quality of course syllabi, quality of student advisement, and acceptance and timely execution of departmental assignments.
- c. Evidence of scholarly contribution and growth in the area of specialization through research, publication, significant participation in appropriate professional organizations, or evidence of regionally and/or nationally recognized performance in the arts.

- d. Evidence of chairing a departmental committee or of providing an equivalent level of service on University-wide committees.
- e. Evidence of continuing substantial participation in community service activities as a consultant, organizer, board member, or similar position.

C. Qualifications for Ranks of Faculty Engaged Exclusively or Primarily in Library Services

The following is a list of all faculty librarian ranks used at Bowie State University and the qualifications for appointment and promotion to each rank.

1. **Librarian I:** The appointee shall hold a master's degree in librarianship (the terminal degree of the profession) from an ALA-accredited institution. This rank is normally assigned to entry-level librarians who have demonstrated an understanding of the basic tenets of librarianship and a potential for professional growth. *A Librarian I is not eligible for permanent status.*
2. **Librarian II:** The appointee shall hold a master's degree in librarianship (the terminal degree of the profession) from an ALA-accredited institution. This rank is normally assigned to librarians with a minimum of three (3) years of professional experience in an academic library and have demonstrated effective knowledge and skills above those expected for a Librarian I.

Job Performance:

- Meets or exceeds standards in all categories of evaluation in two most recent annual BSU performance appraisals, or proof that any "below standard" ratings were fully addressed and corrected before the submission of the candidate's dossier.
- Contributes substantively i.e., with specific instances documented by supervisor and references to the maintenance of quality or improvement of quality in Library services and sources.
- Documented completion of one or more significant and relevant (approved in advance by the Library administration) projects for the Library, or in a regional or national library context.
- Demonstrated broad knowledge of librarianship and in-depth knowledge of specialties within areas of responsibility (established by supervisor and references) as appropriate to serve BSU's mission; since BSU's mission entails library support of graduate study and research and particular attention to excellence, the required knowledge level should be greater than that of the average academic librarian nationally.

Professional Activities, Continuing Education, Research, Publications and Teaching

- Evidence of active membership in at least one relevant professional organization.
- Documented attendance at some off-campus professional meetings.
- Evidence of continuing study and on-going enhancement of candidate's knowledge level in areas of responsibility.
- Documented publications, creative projects, or significant reports that are well written, without the intervention of others.

University Service

- Evidence of participation in campus committees and projects beyond those of the Library.

3. **Librarian III:** The appointee shall hold a master's degree in librarianship (the terminal degree of the profession) from an ALA-accredited institution. Normally, a minimum of six (6) years of professional experience is required, three (3) of which must be in at a level comparable to the rank of Librarian II at Bowie State University. This rank signifies that the librarian has made meaningful contributions to the library, university, profession, and/or academic discipline.

In addition to the requirements for Level II above, three or more of the following must be included:

- Evidence of leadership and initiative in areas of responsibility beyond that of a Librarian II.
- Documentation of the successful completion of a major and relevant project (approved in advance by the library administration) or improvement within the Library or in a regional or national library context.
- Evidence of leadership and initiative in projects and assignments which extend beyond areas of responsibility, equivalent to chairing a library committee or task force at the USM, regional, or national level.
- At least three (3) publications (or works accepted for publication), presentation in areas of library expertise, or creative projects at least one of which was peer reviewed or, a significant grant for the

campus and in which the candidate took primary responsibility may be substituted for a peer-reviewed publication.

- Demonstration of leadership or very high quality participation in professional activities.
- Successful service on at least two (2) significant non-library BSU, USM, or regional committees, governing bodies, task forces, or projects.

4. **Librarian IV**: The appointee shall hold a master's degree in librarianship (the terminal degree of the profession) from an ALA-accredited institution. Appointment to this rank requires nine (9) years of professional library experience, three (3) of which must be at a level comparable to the rank of Librarian III at Bowie State University. This rank signifies that the librarian has made distinctive contributions to the library, university, profession, and/or academic discipline.

Librarian IV Requirements. In addition to meeting the criteria noted above, the candidates must have made contributions to the Library, the campus, and/or the profession. This would include three (3) or more of the following:

- Providing regional or national leadership through holding office in professional associations, or otherwise reflecting significant progress in the field.
- Winning a major grant and successfully completing the grant project.
- Producing major campus-wide, USM-wide, and/or regional improvements for BSU, the USM, and/or goals organizations, or chairing a group that realized such improvements.
- Achieving formal recognition, honors, or awards for outstanding service, teaching, or leadership in the field of librarianship over an extended time period, or for an exceptional achievement in the field of librarianship.
- Providing consistent leadership or teaching within, or outside, the Library in which other staff members, the campus, or any in the Bowie State University community have benefited over a long period of time from the candidate's serving as a change agent or providing high level rating of others. **OR**
- Participation in professional activities, continuing education efforts, research or publication.

D. Additional Faculty Ranks

1. **Assistant Instructor:** The appointee should be competent to fill a specific position in an acceptable manner, but is not required to meet all the requirements for an Instructor. Appointment to this rank requires at least the appropriate baccalaureate degree.
2. **Lecturer:** This title may be used for appointment, at any salary and experience level, of persons who are competent to fill a specific position, but who are not intended to be considered for professional appointment. Appointment to this rank is made on a semester or an annual basis and is renewable.
3. **Artist-in-Residence; Writer-in-Residence; Executive-in-Residence:** These titles may be used to designate temporary appointments, at any salary and experience level, of persons who are serving for a limited time or part-time, and who are not intended to be considered for professional appointment.
4. **Adjunct Assistant Professor; Adjunct Associate Professor; Adjunct Professor:** These titles are used to appoint outstanding persons who may be simultaneously employed outside the Institution. The appointee should have expertise in the discipline and recognition for accomplishment sufficient to gain the endorsement of the preponderance of the members of the faculty of the department to which he or she is appointed. Appointment is made on a semester or an annual basis and is renewable. These titles do not carry tenure or the expectation of consideration for tenure. Normally, adjunct appointments shall comprise no more than a small percentage of the faculty in any academic unit.
5. **Visiting Faculty Appointments:** The prefix “Visiting” before an academic title shall designate a short-term, full-time appointment without tenure.
6. **Professor Emeritus:** The title “Emeritus” is a University honor which may be bestowed on a faculty member who has retired from full-time service at Bowie State University at the academic rank of Professor or Associate Professor and who meets University criteria, is recommended by appropriate procedures, and is approved for this honor by the President.

VI. PROCEDURES FOR PROMOTION, AND TENURE OF FACULTY AND APPOINTMENT, RANK, AND PERMANENT STATUS FOR FACULTY LIBRARIAN REVIEW

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A. General Principles

1. Tenure, permanent status, and promotion in academic rank are honors of the University that may be earned by appointees to the University faculty. Promotion, tenure, nor permanent status is granted automatically. Promotion, tenure, and permanent status are granted on the basis of (1) teaching effectiveness, including student advising; (2) librarianship proficiency, (3) research/scholarship, and, in appropriate areas, creative activities; and (4) relevant service to the community, the profession, the department, and the University. The relative weight of these criteria and the qualifications for each academic rank are specified in *Section V.A.4.* of this **Policy**.
2. The decision to grant or deny a promotion, tenure, or permanent status is made by the President, based on the recommendations of the candidate's department, the Dean, the Library's Professional Promotion Review Committee (PPRC), the Dean of the Library, as appropriate, the University Academic Rank, Tenure, and Permanent Status Committee, and the Provost. The decision is highly discretionary and requires a sensitive assessment of performance and potential in light of the stated criteria and the University's needs. The procedures provided in this *Section* are designed to elicit a broad spectrum of information and evaluations to assist the President in his/her exercise of discretion in awarding promotion or tenure.

B. Overview of the Process

Listed below are target dates for completion of the procedural steps leading to the President's decision on promotion, tenure, and/or permanent status. These dates do not apply in cases in which tenure, permanent status, or promotion review is not conducted on the regular academic-year cycle or in which a tenure decision must be rendered by March 1 of the review year. These dates may be adjusted in particular cases to account for special circumstances.

Target Dates for Teaching Faculty

Second Friday in September	Step 1 Provost or designee notifies candidate of eligibility for tenure review.
	Step 2 Candidate submits dossier for promotion and/or tenure review to Department Chair with all necessary supporting documents for the Departmental Chair's review and recommendation.
Second Friday in October	Step 3

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First Friday in November

Department Chair submits dossier with all necessary supporting documents, with his/her recommendation, to the Departmental Review Committee for review and recommendation.

If a school does not have a departmental structure, the request for promotion consideration shall be initiated by the Dean or by a faculty member on behalf of himself or herself or another faculty member. The request, with supporting documentation, is submitted to the Dean of the School.

Fourth Friday in November

Step 4

The Department Chair submits dossier with all necessary supporting documents, with the Chair's and Department Review Committee's recommendations, to the Dean of the School for his/her review and recommendation.

The Chair must inform candidate, in writing, of the departmental and his/her recommendation, and if promotion or tenure is not recommended, a written explanation must be provided.

Third Friday in December

Step 5

The School Dean submits dossier with all necessary supporting documents, with the Department Chairs', Departmental Committee's and his/her recommendations to the University Academic Rank, Tenure, and Permanent Status Committee for its review and recommendations.

The School Dean must inform candidates, in writing, of his/her recommendations, and if promotion and/or tenure is not recommended, a written explanation must be provided.

First Friday in February

Step 6

The University Academic Rank, Tenure, and Permanent Status Committee submits its recommendation and all necessary supporting documents to the Provost.

Third Friday in February

Step 7

The Provost submits his/her recommendation, with the recommendations of the Department Chair, Departmental Review Committee, Dean, and University Academic Rank, Tenure, and Permanent Status Committee, to the President.

The Provost must inform the candidate, in writing, of the University Academic Rank, Tenure, and Permanent Status Committee's and his/her recommendation, and if promotion, tenure is not recommended, a written explanation must be provided.

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At the same time, the Provost also shall send a copy of his/her recommendation to the University Academic Rank, Tenure, and Permanent Status Committee.

Second Friday in March **Step 8**
The candidate may appeal the Provost's recommendation to the Faculty Appeals Committee, within (15) working days after issuance of the Provost's recommendation to the President.

If the candidate **does not** appeal, the candidate may submit a letter to the President responding to the Provost's recommendation, and the President will then proceed to make a decision.

Second Friday in March **Step 9**
The President will inform candidates who **do not appeal the Provost's recommendation** and all other candidates of his final decision.

First Friday in April **Step 10**
If candidate appeals to the Faculty Appeals Committee, the Appeals Committee shall submit its recommendation to the President, within ten (10) working days following the conclusion of its deliberations.

Third Friday in April **Step 11**
If candidate appeals to the Faculty Appeals Committee, President notifies candidate of the President's decision. The decision of the President is final.

Target Dates for Faculty Engaged Exclusively or Primarily in Library Services

Second Friday in September **Step 1**
Provost or designee notifies candidate of eligibility for permanent status review.

Second Friday in October **Step 2**
Candidate submits dossier for promotion and/or permanent status review to Dean of the Library with all necessary supporting documents for the Dean's review and recommendation.

First. Friday. In November **Step 3**
Dean submits dossier and his/her recommendation, with all necessary supporting documents, to the PPRC for its review and recommendation to the Dean.

Step 4

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Fourth Friday in November

The Dean submits dossier with all necessary supporting documents, with the Dean's and PPRC's recommendations, to the University Academic Rank, Tenure, and Permanent Status Committee for its review and recommendations.

The Dean must inform candidate, in writing, of the PPRC's and his/her recommendation, and if promotion or permanent status is not recommended, a written explanation must be provided.

Step 5

First Friday in February

The University Academic Rank, Tenure, and Permanent Status Committee submits its recommendation, with all necessary supporting documents, to the Provost.

Step 6

Third Friday in February

The Provost submits his/her recommendations, with the recommendations of the PPRC, Dean, and Academic Rank, Tenure and Permanent Status Committee, to the President.

The Provost must inform the candidate, in writing, of the University Academic Rank, Tenure, and Permanent Status Committee's and his/her recommendation, and if promotion or permanent status is not recommended, a written explanation must be provided.

At the same time, the Provost also shall send a copy of his/her recommendations to the University Academic Rank, Tenure, and Permanent Status Committee.

Step 7

Second Friday in March

The candidate may appeal the Provost's recommendation to the Faculty Appeals Committee, within (15) working days after the Provost's issuance of his/her recommendation to the President. If the candidate does not appeal, the candidate may submit a letter to the President responding to the Provost's recommendation, and the President will then proceed to make a decision.

Step 8

Second Friday in March

The President will inform candidates who **do not appeal the Provost's recommendations** and all other candidates of his final decision.

Step 9

First Friday in April

If candidate appeals to the Faculty Appeals Committee, the Committee submits its recommendation to the President, within ten (10) working days following the conclusion of its deliberations.

Step 10

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**Third Friday in
April**

If the candidate appeals to the Faculty Appeals Committee, the President notifies candidate of the President's decision. The decision of the President is final.

C. Initiation of the Process

1. A faculty member may be considered for promotion whenever he/she attains the qualifications for a rank higher than the rank he/she currently holds. A faculty member may be nominated for promotion by the Chair of the faculty member's department, the Dean of the Library or the faculty member himself/herself. Faculty members who nominate themselves for promotion must send a written request to the Department Chair or Dean of the Library for departmental/unit approval.
2. All nominees for promotion must file a University Academic Rank and Tenure **Promotion/Tenure Data Form**, current curriculum vita, academic credentials, and supporting evidence with the Academic Department or Library by the stated calendar date published by the University.
3. The year for tenure or permanent status review for each faculty member with a tenure-track or permanent status granting contract should be established at the time the faculty member enters into the contract, as provided in the **Bowie State University ARTPS Policy**.
4. By the second Friday in September of each academic year, the Provost or his/her designee shall notify each faculty member eligible for tenure or permanent status review in that year of his/her eligibility and the date by which an application for tenure or permanent status must be submitted. The Provost or his/her designee also shall notify the faculty member's Department Chair/Dean of the School/Dean of the Library and the Chair of the University Academic Rank, Tenure, and Permanent Status Committee of the faculty member's eligibility.
5. By the application deadline, a faculty member eligible for tenure or permanent status review shall submit a completed University Academic Rank and Tenure **Promotion/Tenure Data Form** with all supporting documentation to his/her Department Chair or Dean of the Library.

D. Review by the Academic Department

1. Each Department or Program is expected to develop procedures that are appropriate for its size and situation. The request for promotion consideration may be initiated by the Chair, by a faculty member on behalf of another faculty member, or by the candidate. The tenure review process will be initiated by notification from the Provost.
2. At the time of each faculty member's initial appointment, the Department Chair shall establish a dossier on the faculty member, which shall contain information relevant to the faculty member's qualifications and performance. In addition to materials illustrative of the faculty member's scholarship and teaching, the dossier shall contain a current curriculum vita; the faculty member's self-assessment of accomplishments and expectations

in the areas of his/her scholarship, teaching, and community service; a record of earned degrees held; honors and citations received; previous teaching experience; University committee work; publications; research/scholarship; and regularity-and punctuality in meeting classes and departmental/University obligations, and conferences held with students.

3. The dossier also shall contain a record of student and peer evaluation(s), together with a record showing that these evaluations have been given to and discussed with the faculty member. Records of conferences held to discuss professional issues such as the faculty member's professional interaction with other members within the department; the member's interaction with advisees and other students; official communications of record such as warnings, notations of areas for improvement, commendations and/or complaints; and other relevant information should be included in the dossier.
4. A faculty member shall have the right to inspect periodically his/her dossier maintained in the Departmental file.
5. Upon receipt of a nomination for promotion or an application for tenure, the candidate's Department Chair shall initiate a departmental review of the candidate. Each department shall adopt procedures for review of candidates for promotion or tenure. At a minimum, these procedures shall be designed to elicit the views of all tenured members of the department on the candidate. During a departmental review, all members of the Departmental Academic Rank and Tenure Committee shall have access to the candidate's departmental dossier.
6. The Department's recommendation shall be stated in a memorandum prepared by the Department Chair. The Department's memorandum shall include the recommendation on the nomination or application and a statement with reasonable particularity of the basis for the recommendation. If there is significant divergence of opinion among the tenured faculty members concerning the candidate, the Department Chair shall state fairly the dissenting opinions and the basis for them.
7. The Department Chair shall submit the nomination/application, with/ his/her Department's faculty recommendation, supporting documentation to the Dean of the School by the applicable deadline. The Department Chair must inform the candidate, in writing, of his/her recommendation, and if promotion and/or tenure/permanent status is not recommended, a written explanation must be provided.

E. Review by the School Dean

1. The Dean shall weigh and assess all relevant information on each candidate and shall decide whether he/she considers it to be in the interest of the School to support a recommendation for promotion or tenure.
2. By the deadline date, the Dean shall transmit all supporting documentation, the Departmental Review Committee's recommendation, Department Chair's recommendation, and his/her recommendation to the University Academic, Rank, Tenure, and Permanent Status Committee, the Department Chair, and the candidate.

F. Review by the Appointment, Promotion, and Permanent States Committee(APPSC)

1. The APPSC shall consist of the Permanent Status Faculty holding the rank of Librarian II or above. In the event there are insufficient librarians to fully constitute the APPSC, Assistant Professors or above in other departments at Bowie State University or librarians serving at other USM institutions who hold the rank of Librarian II or above may be asked to serve as APPSC members or as alternates.
 - One member and one alternate shall be appointed by the Dean of the Library.
 - Two members and one alternate shall be elected by the Library Faculty with permanent status or in permanent status granting positions.
2. The term of service for Committee members shall be for two (2) years. Members shall serve staggered terms to preserve continuity from one year to the next. An alternate shall service a one-year term.
3. No Committee member may be present at, participate in the discussion, or vote on his/her own application for promotion or permanent status; nor may any member be present at or participate in the discussion, or vote on the application of his/her present supervisor; nor may any member be present at or participate in the discussion, or vote on the application of his/her spouse or for any other individual with whom there may be a clearly defined conflict of interest.
4. The Dean of the Library shall be responsible for identifying such situations in #3 above and informing the APPSC of them in writing prior to the Committee's first meeting. Should the APPSC have questions concerning other potential conflicts of interest, the Dean shall be responsible for deciding if a member of the Committee should be excluded from participating in the discussion or voting on a candidate's application for promotion or permanent status.

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5. Since an alternate committee member may be required to take the place of an indisposed or ineligible member at any time, the alternates shall participate in all Committee meetings.
6. At its first meeting within a review cycle, the APPSC members and alternates shall elect one of the Committee members to serve as Chair. Depending on which librarians apply for promotion or permanent status review, it is possible that no single Committee member would be eligible to serve as chair for review of all of the candidates. In such circumstances, the Committee shall elect an additional chair to supervise and conduct those reviews for which the first chair is ineligible to serve as a voting member. The Chair shall serve a single year but may serve successive terms.
7. A quorum shall consist of three (3) committee members: the three (3) regular members or, when necessary, either two (2) regular members and one alternate or one regular member and two (2) alternates.
8. The APPSC's work shall be considered confidential to the extent allowed by law. Any discussion or disclosure of matters that come before the APPSC to anyone not on the APPSC, or discussions of these matters in public areas or in unofficial meetings, is inappropriate.

G. Review by the University Academic Rank, Tenure, and Permanent Status Committee

1. The University Academic Rank, Tenure, and Permanent Status Committee shall be composed of the following:
 - a. One faculty member shall be elected from and by each academic department. This person shall have continuous tenure and the rank of Professor, with at least three years of continuous service at Bowie State University. *(If a department does not have an eligible Professor, it should elect the most senior Associate Professor. Department Chairs are not eligible for election to this Committee.)*
 - b. Two at-large representatives who are faculty members having continuous tenure, at least five (5) years of continuous service at Bowie State University, and the rank of Professor shall be elected from and by each School or College with academic departments.
 - c. One permanent status librarian shall be elected by the library faculty.
 - d. The Chair and Vice Chair of the committee shall be elected from the at-large faculty representatives.
 - e. All faculty members elected to the University Academic Rank, Tenure, and Permanent Status Committee shall serve a term of two years, with the exception that, in order to stagger term expirations,

the Faculty Elections Committee shall determine which of the at-large faculty representatives elected in the very first election shall serve one-year or two-year terms.

2. The Responsibility of the University Academic Rank, Tenure, and Permanent Status Committee shall be:
 - a. To make recommendations to the Provost regarding the granting of continuous tenure, permanent status, promotion in rank, and other related matters.
 - b. To follow applicable procedures in this **Policy** and any other applicable University or University System of Maryland Policies.
3. The Committee and the candidate shall receive the Departmental, Library, and Dean recommendations, and the candidate's full departmental/unit dossier. Within fifteen (15) working days after receipt of the departmental or Library recommendation, the candidate may submit a written response directly to the Chair of the Committee. The candidate shall provide copies of any response to his/her Department Chair, the Dean, and the Provost.
4. Upon request, the Committee shall afford the candidate and the candidate's Department Chair and/or Dean an opportunity to address the Committee. When the Committee deems it appropriate in unusual circumstances, the Committee may hear from other individuals with knowledge of the candidate's performance and may receive other documents relevant to the candidate's nomination or application. The candidate or the Department Chair or the Dean may request that other individuals be asked to appear before the Committee, but there shall be no right to call witnesses.
5. All proceedings of the Committee shall be closed, except that the candidate and the Department Chair or Dean of the Library may be present when the Committee is addressed by any person concerning the candidate's nomination or application. The Committee's deliberations shall be closed to all persons other than Committee members.
6. All information received by the University Academic Rank, Tenure, and Permanent Status Committee, from whatever source, shall be held in strict confidence except when required to be disclosed by court order, subpoena, or as required by law. No member of the Committee shall discuss or divulge any information given to or acquired by the Committee with any person who is not a Committee member, except when required to do so by court order, subpoena, or applicable law. Minutes of all Committee proceedings shall be held in the office of the Chair under lock and key. No minutes shall be distributed to any member of the Committee, administrator, faculty member, student, alumni, or any other person or groups of persons, except as a necessary part of the promotion or tenure/permanent status process.

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7. By the deadline provided in this **Policy**, the Committee shall submit to the Provost a detailed memorandum containing the Committee's recommendation concerning each candidate and the reasons for it. If the recommendation is not unanimous, the memorandum shall indicate the numerical vote supporting the recommendation and the minority opinion(s).

H. Review by the Provost

1. The Provost shall receive the recommendations of the University Academic Rank, Tenure, and Permanent Status Committee, School Dean, the Department, the Dean of the Library, and the APPSC; the candidate's response, if appropriate, to the departmental/unit recommendation submitted to the University Academic Rank, Tenure, and Permanent Status Committee; the candidate's full departmental/unit dossier; and any other documents considered by the University Academic Rank, Tenure, and Permanent Status Committee.
2. In his/her discretion, the Provost may consult the candidate, the candidate's Department Chair, School Dean, APPSC, Dean of the Library, or the Chair of the University Academic Rank, Tenure, and Permanent Status Committee. In exceptional circumstances, the Provost may consult other individuals with knowledge of the candidate's performance and may receive additional documents relevant to his/her consideration, to which the candidate may have access.
3. By the deadline provided in this **Policy**, the Provost shall submit to the President his/her recommendation concerning the candidate's nomination or application. The Provost shall provide a copy of his/her recommendation to the candidate, together with copies of the recommendation of the University Academic Rank, Tenure, and Permanent Status Committee and any views of dissenting members of the Committee. The Provost shall notify the candidate of his/her right to appeal the Provost's recommendation to the Faculty Appeals Committee within fifteen (15) working days after issuance of the recommendation.

I. Appeal to Faculty Appeals Committee

The candidate may appeal an adverse recommendation of the Provost to the Faculty Appeals Committee within fifteen (15) working days after issuance of the recommendation. The procedures for such an appeal are provided in *Section VIII.C.* of this **Policy**.

J. President's Decision

1. If the candidate does not appeal the recommendation of the Provost to the Faculty Appeals Committee, the candidate may, within fifteen (15) working

days after issuance of the Provost's recommendation, submit to the President a response to the Provost's recommendation or to the recommendation of the University Academic Rank, Tenure, and Permanent Status Committee. The President shall then decide whether to grant or deny the promotion, tenure, or permanent status.

2. If the candidate appeals the recommendation of the Provost to the Faculty Appeals Committee, the President shall receive the recommendation of the Faculty Appeals Committee and then decide whether to grant or deny the promotion, tenure, or permanent status.
3. The President shall notify the candidate, the Provost, the Chair of the University Academic Rank, Tenure, and Permanent Status Committee, the School Dean/Dean of the Library of his/her decision.
4. The President's decision to grant or deny tenure, permanent status, or a promotion is final. Before the President makes his/her final decision, he/she may direct that the review process be reopened. If the President orders a reopening of the process, the President may direct that the process be reopened at any level of consideration and may prescribe a limited process to be followed on reopening.

K. Special Cases

1. Whenever the Chair of a Department is nominated or has applied for promotion, the School Dean, in consultation with the tenured faculty members of the department, shall designate a tenured faculty member to perform the role of the Department Chair in the review process.
2. Decisions concerning tenure and academic rank of administrators shall be made on the basis of the criteria established for tenure and promotion contained in this **Policy**. In particular, such decisions shall be based on academic merit and on the academic needs of the administrator's department.

VII. PROCEDURES FOR TERMINATION OF FACULTY FOR CAUSE

A. Notice of Termination

When the University proposes to terminate the appointment of a faculty member for cause, as provided in *Section III.B.* of this **Policy**, the Provost shall prepare a notice of the termination. The notice of termination shall state the charges and the facts supporting them with sufficient particularity to give the faculty member notice of the basis for termination. The notice of termination shall be delivered to the faculty member in person or by certified mail, return-receipt requested.

B. Request for a Hearing

Within thirty (30) working days after receipt of the notice of termination, the faculty member may request a Hearing on the charges before either an impartial Officer appointed by the President **or** before the Faculty Appeals Committee. The faculty member shall make a request for a Hearing in writing to the President, and the President shall promptly appoint a Hearing Officer or notify the Chair of the Faculty Appeals Committee of the request. With the consent of the President, the faculty member may elect a Hearing before the President rather than before a Hearing Officer or the Faculty Appeals Committee.

In any event, the request for a Hearing must be made in writing to the President. This request must indicate before which authority the faculty member wishes to proceed with his/her appeal. If the faculty member elects to proceed before a Hearing Officer, the President shall promptly nominate three (3) potential Hearing Officers from whom the faculty member will select the Hearing Officer who will preside over the appeal. If the faculty member elects to proceed before the Faculty Appeals Committee, the President shall notify the Committee of this request. The faculty member shall include in his/her request the address and telephone number to which notices may be directed.

C. Hearing

1. The faculty member may elect to be represented by counsel of his/her choice throughout the termination proceedings. The faculty member or his/her designee and/or the Provost may request a conference with the Hearing Officer or the Chair of the Faculty Appeals Committee prior to the Hearing to discuss any matters related to the Hearing. The Hearing Officer or the Chair of the Faculty Appeals Committee, as the case may be, shall set a date for the Hearing by mutual agreement with the faculty member. The Hearing shall be held no later than thirty (30) working days after receipt of the faculty member's request for a Hearing. The Hearing Officer or Chair of the Faculty Appeals Committee shall give the faculty member written notice of the date and time for the Hearing. The written notice also shall establish dates by which any documents to be presented as evidence and the names of potential witnesses must be presented to the Hearing Officer or to the Chair of the Faculty Appeals Committee.

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2. Both the University, represented by the Provost or his/her designee, and the faculty member shall have the opportunity to make opening and closing statements, to examine and cross-examine witnesses, and to present documentary evidence. Members of the Faculty Appeals Committee or the Hearing Officer may question witnesses and may call his/her own witnesses, as he/she deems necessary.
3. The Hearing Officer or Chair of the Faculty Appeals Committee shall request the presence of the requested witnesses unless he/she determines that the request is unreasonable or that the testimony sought would be irrelevant to the issues in the Hearing.
4. At the Hearing, the University shall present evidence of the University's basis for termination and shall bear the burden of establishing the basis for termination by a fair preponderance of the evidence.
5. The formal rules of evidence applicable to judicial proceedings shall not apply in the Hearing. The Hearing Officer or Faculty Appeals Committee may receive such evidence as a reasonable person would consider reliable in making important personal decisions. The Hearing Officer or Chair of the Faculty Appeals Committee shall make rulings on issues of relevance and admissibility. The Hearing Officer or the Chair of the Faculty Appeals Committee, with the approval of the Committee, may set reasonable limits on the presentation of evidence and may exclude redundant or irrelevant evidence.
6. The Hearing shall be closed unless both parties agree that it be open to persons other than the parties and their representatives. Except for deliberations of the Faculty Appeals Committee, the proceedings shall be recorded electronically or steno-graphically or both.
7. At any point during the process, the faculty member may elect to withdraw from the process and accept termination by submitting a written notice of withdrawal to the President and to the Hearing Officer or Chair of the Faculty Appeals Committee.

D. Decision

1. Within thirty (30) working days following the conclusion of the Hearing, the Hearing Officer or the Faculty Appeals Committee shall render proposed findings of fact and a recommended action to the President. The proposed findings and recommendation shall be based solely on the evidence introduced at the Hearing. Copies of the recommendation shall be provided to the faculty member and to the Provost.
2. Within five (5) working days after receipt of the proposed findings and recommendation of the Hearing Officer or Faculty Appeals Committee,

either party may request an opportunity for oral argument before the President.

3. After oral argument, if such is requested, the President shall adopt or reject the proposed findings and recommendation of the Officer or Faculty Appeals Committee. The President shall issue his/ her decision in writing to the faculty member and to the Hearing Officer or the Faculty Appeals Committee, depending on which one heard the case. The President's decision shall be issued within thirty (30) working days after he/she receives the recommendation of the Hearing Officer or the Faculty Appeals Committee.

E. Appeal to the Board of Regents

If the President's decision is to terminate the appointment of the faculty member, the faculty member may appeal the decision to the Board of Regents of the University System of Maryland, which shall render the final decision.

VIII. POLICIES PERTAINING TO ALL PROCEDURES FOR TERMINATION FOR CAUSE AND APPEAL OF DENIAL OF PROMOTION AND TENURE OF FACULTY, OR APPOINTMENT, RANK, AND PERMANENT STATUS OF FACULTY LIBRARIANS

- A. Legitimate differences of opinion may arise in the relationship between the University and a faculty member regarding decisions made by the University and its faculty committees on promotion, tenure, permanent status, and termination. Both the faculty member who wishes to appeal a decision and the University benefit when the University responds to requests for an appeal promptly and fairly. Accordingly, these procedures shall be used to ensure that each faculty member's right to request an appeal is received and adjudicated promptly and fairly.
- B. The Faculty Appeals Committee is a standing committee of the Division of Academic Affairs and is composed of tenured Professors. The President shall appoint one (1) member of the Committee; each Academic Dean, one (1); the Dean of the Library, one (1), and the Provost, one (1). None of the members of the Faculty Appeals Committee shall be members of the University Academic Rank, Tenure, and Permanent Status Committee, and each should be from different academic departments. All appointments to the Faculty Appeals Committee shall be for a term of two (2) years. The Committee shall elect its own Chair and any other officers needed. There must be a quorum for a Hearing to take place. In an unusual case when this quorum is not possible, the President of the University or his/her designee shall appoint a replacement(s).

IX. APPEALS OF ADVERSE RECOMMENDATIONS REGARDING PROMOTION AND TENURE OR PERMANENT STATUS

- A. A candidate for promotion, tenure, or permanent status may appeal an adverse recommendation by the Provost to the Faculty Appeals Committee, as provided in

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the promotion, tenure, or permanent status review process established in *Section VI* of this **Policy**.

- B. Within fifteen (15) working days after issuance of the recommendation of the Provost, the candidate shall submit to the Chair of the Faculty Appeals Committee a request for appeal. The appeal request shall state clearly and concisely the recommendation from which the candidate is appealing and the reasons the candidate believes the recommendation should be reversed. The candidate shall submit with the appeal request any materials that the candidate requests that the Committee consider.
- C. Within thirty(30) working days after receipt of an appeal request, the Chair of the Faculty Appeals Committee shall convene a Hearing on the appeal. A Hearing on an appeal from a promotion or tenure/permanent status recommendation is not an adversarial, trial-type appeal of a denial of promotion or tenure/permanent status; it is a limited review of a highly discretionary decision concerning academic merit.
- D. The Committee ordinarily will hear from the candidate, the candidate's Department Chair (or designee) and/or Dean, the Chair of the University Academic Rank, Tenure, and Permanent Status Committee, and the Provost. In unusual circumstances, the Committee may hear from other individuals with knowledge of the candidate's qualifications or performance. The Committee will **not** consider materials or issues not considered during the review process leading to the Provost's recommendation, unless good cause is shown why such materials or issues were not brought forth during that process.
- E. The same confidentiality accorded to peer review processes shall be observed in any proceedings before the Faculty Appeals Committee.
- F. At any point during the appeal process, the Faculty Appeals Committee may request, through the President, the advice of the Office of the Attorney General on legal issues presented by the appeal.
- G. By the deadline provided in this **Policy**, the Faculty Appeals Committee shall render a recommendation to the President concerning the application for promotion or tenure/permanent status. The Committee's function in making this recommendation is limited to reviewing the appeal of a denial of promotion or tenure/permanent status leading to the Provost's recommendation.

Accordingly, the Committee shall recommend a departure from the Provost's recommendation *only* if it finds that the candidate has demonstrated clearly:

- 1. that the Provost's recommendation was based on an illegal or impermissible factor that violates freedom of speech or prohibitions against discrimination on the basis of race, ethnic origin, sex, religion, age, or handicap; or

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2. that the Provost's recommendation was arbitrary, capricious, and an abuse of discretion because it was based on clearly erroneous information or was wholly unsupported by information before the Provost; or
 3. that the tenure and promotion review procedures established in this **Policy** were violated and that the violations were so significant as to cause clear prejudice to the candidate.
- H. The Committee shall not substitute its judgment for that of the Provost, and it shall not recommend departure from the Provost's recommendation on the grounds that one criterion for promotion, tenure, or permanent status was given greater weight than others or that particular materials were considered more significant than other materials.
- I. The Faculty Appeals Committee shall provide its recommendation in writing to the President, the Provost, the Chair of the University Academic Rank, Tenure, and Permanent Status Committee, the Dean, and the candidate. The Committee shall report its recommendation to the President within ten (10) working days after the conclusion of its Hearing. The President's decision shall be final.

10/25/02

APPENDIX 17

VI - 1.40 - Policy on Sexual Harassment and Other Sexual Misconduct

I. POLICY AND PURPOSE

Bowie State University (the "University") is committed to providing a safe and nondiscriminatory environment for the entire university community. The University does not discriminate based on gender, gender expression, gender identity, sex or sexual orientation in admission, employment, or any of its programs and activities. Sexual harassment, sexual assault, and other categories of sexual misconduct are forms of sex discrimination prohibited under this Policy and under federal and state discrimination laws. In accordance with Title IX of the Education Amendments of 1972 ("Title IX"), the federal law that prohibits discrimination on the basis of sex in federally funded educational programs and activities, the Violence Against Women Reauthorization Act of 2013 ("VAWA"), Title VII of the Civil Rights Act of 1964 ("Title VII"), and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), this policy is designed to provide prompt, equitable and impartial investigation and resolution of incidents of Prohibited Conduct.

The University strictly prohibits any form of Sexual Harassment or Other Sexual Misconduct and complies with all state and federal laws. The University promotes safe and healthy interactions wherein each of its members is responsible for maintaining an environment free from Sexual Harassment and Other Sexual Misconduct. The University must take steps to prevent the occurrence of Sexual Harassment and Other Sexual Misconduct and remedy its discriminatory effects. Any employee or student at Bowie State University found in violation of this Policy will be subject to disciplinary action by the University and may be subject to criminal prosecution.

The purpose of this Policy is to: 1. Define prohibited conduct; 2. Describe how to report or make a complaint of Sexual Harassment or Sexual Misconduct; 3. Identify available resources for Sexual

Harassment and Other Sexual Misconduct assistance, prevention and education for the campus community.

This Policy is not intended to curtail rights guaranteed by the United States Constitution. The University is committed to its educational mission, including academic discourse and freedom. This Policy does not limit classroom teaching and/or scholarly research, publication and discourse regarding gender and sexual-related topics or material relevant to course content or subject matter.

Inquiries concerning the University's application of Title IX may be referred to the University's Title IX Coordinator or to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both. The University's Title IX Coordinator may be contacted via email, phone, or in person at:

Title IX Coordinator
Thurgood Marshall Library, Suite 247
301-860-4511
TitleIXCoordinator@bowiestate.edu

This Policy replaces BSU VI-1.20 Policy on Sexual Harassment and BSU VI-1.30 Policy on Sexual Assault in their entirety.

II. EDUCATION

Education is a key element of this policy. The University will provide education and information, as appropriate, to students, faculty, and staff to enhance understanding and increase awareness of the University's Sexual Misconduct Policy and Complaint Grievance Procedures. The University will provide sufficient, periodic training for employees and those involved in the investigation and resolution of complaints. Additionally, as required by Maryland state law, all University employees are required to complete at least two (2) hours of Sexual Harassment in the Workplace Prevention training six (6) months after the employee's initial start date and every two (2) years following. The University will inform the BSU community of any mandatory education requirements, including the Sexual Harassment in the Workplace Prevention training, via the University email system and posted on the website.

Some goals to be achieved through education are: (a) ensuring that all individuals are aware of their rights; (b) notifying individuals of conduct that is proscribed; (c) informing employees, students, and other members of the college community, including contractors, about the proper way to recognize and address complaints involving a violation of this Policy; (d) preventing issues that this Policy addresses, and; (e) identifying the necessary steps for preventing sexual harassment, sexual misconduct and addressing their effects

III. APPLICABILITY AND SCOPE

A. Individuals covered and protected by this Policy

Employees and students are required to comply with this Policy. The Policy also applies to contractors and third parties within the University's control.

B. Jurisdiction

Sexual Harassment

This policy applies to sexual harassment committed against a person in the United States within a Bowie State University education program or activity.

Other Sexual Misconduct

This Policy applies to Sexual Misconduct other than Sexual Harassment on University property and/or at University- sponsored events or programs. The University enforces this Policy in instances that pose a potential threat to the health and/or safety of a member of the University community or negatively affect the education or employment of members of the University community.

IV. DEFINITIONS

For the purposes of this Policy, the following terms have the definitions provided herein. Please note that some of these terms as they appear in other contexts, such as in criminal or legal proceedings, may differ from the Policy definitions.

A. "Actual Knowledge" means notice of sexual harassment or allegations of sexual harassment to Bowie State University's Title IX Coordinator or any Bowie State University official who has authority to institute corrective measures on behalf of the University.

B. "Administrative Investigation" refers to the investigations conducted by University personnel in response to a complaint alleging a violation of this Policy.

C. "Coercion" refers to the act of using pressure, alcohol, drugs, or force to have sexual contact with someone against their will. Coercion includes persistent attempts to have sexual contact with someone who has already refused.

D. "Complainant" refers to an individual who is alleged to be a victim of sexual harassment or other sexual misconduct.

E. "Confidential" refers to communication between two parties where one party, based on their professional status, has the ability to ensure the communication between the two parties is legally protected as private.

F. "Consent" means a knowing, voluntary, and affirmatively communicated willingness to participate in a particular sexual activity or behavior. Only a person who has the ability and capacity to exercise free will and make a rational, reasonable judgment can give consent. Consent may be expressed either by words and/or by actions, as long as those words and/or actions create a mutually understandable agreement to engage in specific sexual activity. It is the responsibility of the person(s) who wants to engage in sexual activity to ensure that they have consent from the other party. The party deemed as consenting must be capable of providing consent. Consent must be present throughout sexual activity and may be withdrawn at any time. If there is confusion as to whether there is consent or whether prior consent is withdrawn, it is essential that the participants stop the activity until the confusion is resolved. Further:

Lack of protest or resistance is not consent. Silence, in and of itself, is not consent. For that reason, relying solely on non-verbal communication can lead to misunderstanding.

Previous relationships, including past sexual relationships, do not imply consent to future acts.

Consent to one form of sexual activity cannot automatically imply consent to other forms of sexual activity.

Consent to engage in sexual activity with one person cannot automatically imply consent to engage in sexual activity with a different person or an additional person.

Agreement or submission obtained by use of physical force, threats, intimidating behavior, or coercion is not consent. Coercion is pressuring another person into sexual activity.

G. "Consensual Relations" means sexual or intimate relationships between consenting adults.

H. "Employee" refers to faculty and staff employed by the University.

I. "Force" means the use of threat, intimidation, coercion or physical violence to engage in sexual activity with an individual against their will.

J. "Formal Complaint" means a document signed and filed by a Complainant or the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the institution investigate the allegation. At the time of filing a complaint, a Complainant must be participating in or attempting to participate in a Bowie State University education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by email or any additional method designated by Bowie State University.

K. "Hostile" refers to the actions, communication or behavior of a University community member that makes it impossible for another member of the University community to perform their job functions or to access the University's educational programs. The determination of whether conduct is "hostile" is based on the severity, persistence, or pervasiveness of the behavior, and is evaluated based upon both the subjective (the Complainant's) and an objective (reasonable person's) perspective.

L. "Incapacitated" means that a person's decision-making ability is impaired such that they lack the capacity to understand the "who, what, where, why, or how" of their sexual interaction. Incapacitation may result from sleep or unconsciousness, temporary or permanent mental or physical disability, involuntary physical restraint, or the influence of alcohol, drugs, medication, or other substances used to facilitate Sexual Harassment or Other Sexual Misconduct.

M. "Supportive Measures" are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties before, after, or in lieu of filing a formal complaint. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties, the safety of Bowie State's educational environment, or to deter sexual harassment and other sexual misconduct.

N. "Respondent" refers to the individual alleged to be the perpetrator of conduct that could constitute sexual harassment or other sexual misconduct.

O. "Title IX Coordinator" refers to the individual designated by the University to oversee the University's response to Sexual Harassment and Other Sexual Misconduct reports and complaints. The Title IX Coordinator also identifies and addresses any patterns or systemic problems revealed by such reports and complaints. Their role includes investigating complaints of violations of this Policy, reviewing content of training for students, faculty, and staff pursuant to this Policy, and conducting such training in collaboration with other University offices. The Title IX Coordinator ensures that appropriate policies and procedures are in place for responding to complaints of sexual harassment and other sexual misconduct against faculty, staff, and students, and works with local law enforcement to ensure coordinated responses to related cases.

V. SEXUAL HARASSMENT I

A. Sexual Harassment I means conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning a provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the education program or activity; or
3. Sexual Assault, Dating Violence, Domestic Violence, or Stalking.

B. Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship.

C. Domestic Violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant, or by any other person against an adult or youth Complainant protected from those acts by domestic or family violence laws of Maryland.

D. Sexual Assault means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:

1. Sex Offenses: any sexual act including rape, sodomy, sexual assault with an object, or fondling directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent; also includes unlawful sexual intercourse.

Rape: the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity

Sodomy: oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

Fondling: the touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

2. Incest: non-forcible sexual intercourse between persons related to each other within the degrees wherein marriage is prohibited by law.
3. Statutory Rape: non-forcible sexual intercourse with a person who is under the statutory age of consent.

E. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

VI. OTHER SEXUAL MISCONDUCT

A. Sexual Misconduct is an umbrella term that includes Sexual Coercion, Sexual Exploitation, Sexual Intimidation, Non-consensual Sexual Touching, and Sexual Harassment II (Non-Title IX Sexual Harassment).

1. Sexual Coercion means the use of unreasonable pressure in an effort to compel another individual to initiate or continue sexual activity against the individual's will. A person's words or conduct is sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether to engage in sexual activity. Coercion includes but is not limited to intimidation, manipulation, threats of emotional or physical harm, and blackmail.

2. Sexual Exploitation means taking non-consensual or abusive sexual advantage of another person for one's own advantage or benefit or for the advantage or benefit of anyone other than the exploited person.

3. Sexual Intimidation means threatening or emotionally distressing conduct of a sexual nature directed at a specific person because of their gender or actual or perceived sexual orientation that causes the person reasonable fear of harm

4. Sexual Harassment II (Non- Title IX Sexual Harassment) means unwelcome sexual advances, unwelcome requests for sexual favors, or other verbal or physical conduct of a sexual or gender-based nature, including:

- a. Conduct occurring against a person, whether inside or outside of the United States;
- b. Conduct committed outside of the scope of a Bowie State University educational program or activity, when:
 - i. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, evaluation of academic work, or participation in an educational program or activity, or;
 - ii. Submission to or rejection of such conduct by an individual is used as the basis for academic, employment, or activity or program participation related decisions affecting that individual or;
 - iii. Such conduct that has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e., it is sufficiently severe or pervasive to create an intimidating, hostile, humiliating, demeaning or sexual offensive working, academic, residential or social environment.

Sexual Harassment II can be committed based upon an individual's sex, gender identity, sexual orientation or gender expression.

Sexual Harassment II is one-sided, is undeterred, and usually involves unequal power status and/or intimidation (e.g., faculty member to student, supervisor to subordinate, coach to athlete). Sexual Harassment II can also occur between member) or unequal power status (e.g., student to faculty member). Furthermore, relationships where one person has, or in the future may reasonably have direct

or indirect supervisory or evaluative responsibility over another person, reflect power imbalances that jeopardize the integrity of the educational and employment environment and may indicate lack of consent. Sexual or intimate relations or relationships between individuals with unequal power, such as faculty-student, administrator-student, supervisor-employee, create potential conflicts of interest and pose inherent risks, even when the individuals consider or describe the relationship as consensual.

VII. RETALIATION

Retaliation means intimidating, threatening, coercing, or discriminating against any individual with the purpose of interfering with any right or privilege secured by law or Bowie State University policy relating to Sexual Harassment or Other Sexual Misconduct. Retaliation includes such conduct as described herein against an individual because they make a report or complaint, testify, assist, or participate in any manner in an investigation, proceeding, or hearing related to Sexual Harassment or Other Sexual Misconduct. Retaliation also includes filing charges against an individual for Code of Conduct violations that do not involve sex discrimination, sexual harassment or other sexual misconduct, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment or other sexual misconduct, with the purpose of interfering with any right or privilege secured by Title IX, Title VII, or any Bowie State University policy constitutes retaliation.

Any person committing retaliation is subject to disciplinary action independent of any sanction or supportive measure imposed because of the underlying sexual harassment or other sexual misconduct allegation. Promptly report retaliation to the Title IX Coordinator.

VIII. IMMEDIATE AND ONGOING ASSISTANCE

Retaliation means intimidating, threatening, coercing, or discriminating against any individual with the purpose of interfering with any right or privilege secured by law or Bowie State University policy relating to Sexual Harassment or Other Sexual Misconduct. Retaliation includes such conduct as described herein against an individual because they make a report or complaint, testify, assist, or participate in any manner in an investigation, proceeding, or hearing related to Sexual Harassment or Other Sexual Misconduct. Retaliation also includes filing charges against an individual for Code of Conduct violations that do not involve sex discrimination, sexual harassment or other sexual misconduct, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment or other sexual misconduct, with the purpose of interfering with any right or privilege secured by Title IX, Title VII, or any Bowie State University policy constitutes retaliation.

Any person committing retaliation is subject to disciplinary action independent of any sanction or supportive measure imposed because of the underlying sexual harassment or other sexual

IX. REPORTING CONSIDERATIONS

A. Who May Report Sexual Misconduct

The Complainant, a witness, or anyone with knowledge of an alleged violation of the University's Sexual Harassment and Other Sexual Misconduct Policy may report a violation to the Title IX Coordinator at TitleIXCoordinator@BowieState.edu, via phone at 301-860-4511, in person in the Office of Equity Compliance located in suite 247 of the Thurgood Marshall Library, or online using our fillable form at <https://www.bowiestate.edu/about/administration-and-governance/legal-and-government-affairs/office-of-equity-compliance//sexual-misconduct/sexual-misconduct-complaints.php>.

Individuals may also report to campus officials with authority to institute corrective action. Appendix C offers a list of all campus officials with authority to institute corrective action.

Individuals may also report directly to the Department of Education Office of Civil Rights (OCR) using their electronic complaint form at <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

Importantly, the University requires that all employees report allegations of violations to this policy to the Title IX Coordinator. This allows the University to offer supportive measures to all Complainants and ensures that the University provides students and employees an educational environment free from discrimination.

When the University has actual knowledge (see Section IV, A) of Sexual Harassment I and/or Sexual Misconduct in its education program or activity against a person in the United States, the University is obligated to respond promptly in a manner that is not deliberately indifferent.

B. Time Limitation for Reporting Sexual Misconduct

The University does not have a time limit for reporting sexual misconduct or invoking the Grievance Process. However, prompt reporting enhances the University's ability to investigate and gather relevant physical evidence, including obtaining witness testimony and taking necessary action. Additionally, the University's student disciplinary process is only an option while the Respondent student is enrolled.

The University reserves the right to investigate complaints of Sexual Harassment and/or Other Sexual Misconduct filed by former employees.

C. Supportive Measures

Supportive Measures are non-disciplinary, non-punitive, individualized services offered with the intent to provide parties the opportunity to partake in the University's educational program and activities free from discrimination. The University offers supportive measures as appropriate, as reasonably available, and without fee or charge to Complainants and/or Respondents. A party may receive supportive measures regardless of whether an individual files a formal complaint.

Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, no-contact orders between the parties, changes in work or housing locations, leaves of absence, and other similar measures.

Supportive Measures may also include assistance from the University in obtaining appropriate medical attention, including transporting a Complainant to the nearest designated hospital. The designated hospital for the University that offers Sexual Assault Forensic (SAFE) Exam is University of Maryland Prince George's Hospital located at 3001 Hospital Drive, Cheverly, MD 20785.

The University, through the Title IX Coordinator, will engage in an interactive collaboration with the requesting party to determine which supportive measure(s) will best assist the party in maintaining participation in the University's educational program or activity.

Parties may request supportive measures in person at the Office of Equity Compliance or by emailing the Title IX Coordinator at titleixcoordinator@bowiestate.edu. All requests and grants of Supportive Measures will remain confidential to the extent possible.

D. Disclosure and Reporting Options

1. Confidential Disclosure Options/ Reports

The University encourages individuals to seek medical attention and support, along with information and counseling for incidents of Sexual Harassment and other forms of Sexual Misconduct, whether or not they choose to make official reports. A person desiring that the details of an incident of Sexual Harassment

or other Sexual Misconduct remain confidential should speak with individuals who have professional and legal responsibility to maintain confidentiality in communications. The Title IX Coordinator will maintain confidentiality unless there is any perceived imminent threat to health or safety, where an individual gives consent to share information, or if there are other bases for disclosure as required by law. If a Complainant chooses to file a formal complaint, the Title IX Coordinator cannot guarantee confidentiality; however, the Title IX Coordinator will protect the Complainant's privacy to the fullest extent of the law.

The following are confidential sources for assistance:

- a. Medical professionals in the Henry Wise Wellness Center (301-860-4170), **<http://www.bowiestate.edu/campus-life/henry-wise-wellness-center/>**
 - b. Sexual Assault Response and Prevention Program Coordinator in the Henry Wise Wellness Center (301-860-4174), **<http://www.bowiestate.edu/campus-life/henry-wise-wellness-center/partners-in-peace/>**
 - c. Counselors and mental health professionals in Counseling Services (301-860-4164), **<http://www.bowiestate.edu/campus-life/counseling-services/>**
 - d. Domestic Violence and Sexual Assault Center at Dimensions Healthcare System, Prince George's Hospital Center (301-618-3154/24 hours)
 - e. Off-campus 24-hour Sexual Assault Hotline (1-800-656-HOPE)
- For contact information for additional sexual assault and intimate partner violence community resources, please visit: **<http://www.bowiestate.edu/files/resources/sexual-assault-off-campus-resources.pdf>**.

2. Reports to the University/non-confidential disclosure options

Students, employees and third parties may report alleged Sexual Harassment and/or Other Sexual Misconduct to the Title IX Coordinator or any official with authority to institute corrective measures. Additionally, if any employee has knowledge of a violation of this policy, the University requires that the employee report that information to the Title IX Coordinator (also see Section IX of this Policy). The Title IX Coordinator is responsible for accepting and processing complaints and reports of Sexual Harassment and Other Sexual Misconduct by University students and employees. Students and employees may report alleged Sexual Harassment and/or other Sexual Misconduct to the Title IX Coordinator or any of the persons identified within Appendix C.

Title IX Coordinator
Office of Equity Compliance
Thurgood Marshall Library
(301) 860-4511
TitleIXCoordinator@bowiestate.edu

An individual making a non-confidential report to the University, who does not wish to share their name, does not wish for an investigation to take place, or does not want a formal resolution pursued, may make such a request to the Title IX Coordinator. The University evaluates such requests in light of the duty to ensure the safety of the campus and comply with legal obligations to

provide a safe, non-discriminatory environment for the entire University community. In cases indicating pattern predation, threats, weapons, and/or violence, the University will likely be unable to honor a request for confidentiality.

In instances where the Complainant requests confidentiality and the circumstances allow the University to honor that request, the University will offer Supportive Measures to the Complainant and the community, but will not otherwise pursue formal action. In instances where confidentiality cannot be maintained, the University will make every effort to ensure the privacy of the person seeking confidentiality to the fullest extent possible under the law, and information will be shared with individuals who have a legitimate need to know. The University complies with all federal, state and local requirements for provision of privacy, reporting and intervention in Sexual Misconduct Matters.

A Complainant has the right, and can expect, to have reports taken seriously by the University when formally reported, and to have those incidents investigated and properly resolved through the grievance process. A Complainant can also expect that the University will take any retaliation seriously.

3. Criminal reports to law enforcement

Persons are encouraged to report criminal concerns, including incidents of Sexual Harassment and/or Other Sexual Misconduct contained in Sections V and VI of this Policy, to the Department of Public Safety or other applicable law enforcement. Individuals are encouraged to immediately notify the Department of Public Safety or other applicable law enforcement to receive guidance in the preservation of evidence needed for proof of criminal assaults and the apprehension and prosecution of assailants. The Title IX Coordinator, at a minimum, will inform students of the option to notify law enforcement. If the Complainant determines that they would like to notify law enforcement of their complaint, the Title IX Coordinator will assist the Complainant with identifying and contacting the appropriate law enforcement officials.

A criminal investigation is independent of the University's administrative process and does not prevent an individual from proceeding with an administrative complaint of Sexual Harassment and/or Other Sexual Misconduct, as provided in this Policy. Once in receipt of a complaint of Sexual Harassment or Other Sexual Misconduct, the Department of Public Safety will inform the individual of their right to bring a complaint under the University's administrative process as described within this Policy. Because legal standards for determining a violation of this Policy differ for criminal and administrative violations, the outcome of the criminal investigative process is not determinative of whether there is a violation of this Policy. The University will not wait until the conclusion of any criminal investigation to proceed with an administrative investigation, although there may be a temporary delay in concluding an investigation during an ongoing criminal process.

E. Amnesty for Alcohol and Drug Violations

The University's utmost concern is the health and safety of its community and it recognizes that Parties under the influence of drugs/alcohol may be reluctant to seek assistance at the time of an incident due to threat of disciplinary sanction for violation of the Code of Student Conduct. Complainants may be entitled to amnesty for alcohol or drug use related to Sexual Misconduct. The University will not pursue student conduct action (except for a mandatory intervention for substance abuse) for a violation of Student Substance Abuse Policy by a student who reports Sexual Misconduct to the University or law

enforcement or participates as a witness in a Sexual Misconduct matter if the University determines that (1) the violation occurred during or near the time of the alleged Sexual Misconduct; (2) the student made the report of Sexual Misconduct, or is participating in an investigation as a witness in good faith; and (3) the violation was not an act that was reasonably likely to place the health or safety of another individual at risk.

F. Rights of Complainants

Complainants have certain rights when participating in the University's Grievance Process, including the right to have an advisor and/or support person present throughout the process. For a complete list of Complainant's rights, please review the University's Grievance Process and Procedures for Instances of Sexual Harassment and Other Sexual Misconduct.

G. Right of Respondents

Respondents have certain rights when participating in the University's Grievance Process, including the right to have an advisor and/or support person present throughout the process. For a complete list of Respondent's rights, please review the University's Grievance Process and Procedures for Instances of Sexual Harassment and Other Sexual Misconduct.

X. UNIVERSITY EMPLOYEE OBLIGATIONS

A. Reporting Sexual Harassment and Other Sexual Misconduct

The University requires that all employees report incidents of Sexual Harassment and/or Other Sexual Misconduct to the Title IX Coordinator. The Employee must report all relevant details of the incident:

1. Name of the Victim
2. Nature of the Incident
3. Name of the Accused
4. Date, Time, and Location of the Incident
5. Any other details the responsible employee may have

Within 24 hours of receiving a report of Sexual Harassment and/or Other Sexual Misconduct, the employee must immediately contact the Title IX Coordinator at 301-860-4511 or

TitleIXCoordinator@bowiestate.edu . Employees should also contact the Department of Public Safety at 301-860-4848 if it is an actual emergency, after-hours, or involves an imminent threat to health, safety or property.

For more information on how to handle disclosures of Sexual Harassment and Other Sexual Misconduct, please contact the Office of Equity Compliance.

B. Child Abuse and Neglect

University System of Maryland Policy VI-1.50 – Policy on the Reporting of Suspected Child Abuse and Neglect, and Bowie State University Policy VI-3.00- Policy on Minors on Campus require that any employee who suspects that a minor child (under the age of 18) is the victim of abuse or neglect must, within 48 hours of disclosure or discovery, contact both a local law enforcement agency or social services agency and the University's Office of General Counsel. Direct questions to:

GeneralCounsel@bowiestate.edu .

C. Crime Reporting

All employees should contact the Department of Public Safety if there is an actual emergency or imminent threat to individual or community health, safety or property. If not already reported to the Title IX Coordinator, employees should contact the Department of Public Safety when they become aware of the potential for any of the crimes listed below, which occur on campus or on property immediately adjacent to campus:

1. Murder & Non-Negligent Manslaughter
2. Negligent Manslaughter
3. Robbery
4. Aggravated Assault
5. Burglary
6. Motor Vehicle Theft
7. Arson
8. Arrests for Weapon Violations
9. Arrests for Drug Abuse Violations
10. Arrests for Liquor Law Violations
11. Disciplinary Referrals for Weapon Violations
12. Disciplinary Referrals for Drug Abuse Violations
13. Disciplinary Referrals for Liquor Law Violations
14. Hate Crimes
15. Sex Offenses (Reporting sex offenses to the Title IX Coordinator satisfies
 - a. Sexual Assault
 - b. Stalking
 - c. Date Violence
 - d. Domestic Violence

Please refer to the Department of Public Safety's website at <http://www.bowiestate.edu/campus-life/campus-police/> , for additional information regarding the crimes listed above, the University's legal reporting mandates and the University's current and past Annual Security Reports.

XI. COMPLAINT AND GRIEVANCE PROCEDURES

A. Grievance Procedures for Complaints Involving Sexual Harassment and Other Sexual Misconduct

Complaints will be resolved using the procedures set forth in the University's Grievance Process and Procedures for Instances of Sexual harassment and other sexual misconduct.

B. Additional Resolution Procedures for Complaints Involving Employees and Applicants for Employment

Complaints involving employees and applicants for employment are also subject to the laws and regulations governing fair employment practices. An applicant for employment or an employee may file a complaint alleging Sexual Harassment or Other Sexual Misconduct pursuant to this Policy, Title VII and/or the State's Fair Employment Practices law. For more information about employees' rights under Title VII and the State's Fair Employment Practices law, please review the University's policy on discrimination.

XII. DISCIPLINE AND SANCTIONS

At the conclusion of the University's Grievance Process, Respondents may be subject to a range of disciplinary sanctions. The disciplinary sanctions for violation of this policy range from a verbal warning to expulsion/termination of employment.

The Bowie State University Employee Handbook, applicable collective bargaining agreements, Bowie State University Faculty Handbook, and Bowie State University Code of Student Conduct will provide guidance for the recommended discipline. Where there are conflicts or vague language in any of those policies related to the Grievance Process, this Policy will control.

XIII. APPEALS

Parties may be entitled to a limited appeal of a determination made in response to a complaint filed pursuant to this policy. Please review the University Grievance Process and Procedures for Instances of Sexual Harassment and Other Sexual Misconduct for the specifics of this process.

XIV. RECORDKEEPING

The University will maintain all records related to a formal complaint, including all relevant evidence, the investigative report, the written determination regarding responsibility, the recording of the live hearing, the written determination regarding any appeals, any remedies provided to the Complainant, any sanctions provided to the Respondent, and any materials used to train the Title IX Coordinator, investigators, Hearing Officer(s), and any person who facilitates an informal resolution process, for a minimum of seven (7) years.

XV. AMENDMENTS

The University reserves the right to amend this Policy.

Revised:

12/12/2014; 08/28/2015; 06/20/2019; 08/12/2020

Replacement for:

BSU Policy VI – 1.20 on Sexual Harassment

BSU Policy VI – 1.30 on Sexual Assault

Related Policies:

USM Policy VI -1.60 on Sexual Misconduct

USM Policy VI-1.50 on the Reporting of Child Abuse & Neglect

Appendix A

Appendix B

Appendix C

Appendix D

Appendix E



Appendix A - On and Off Campus Support Services and Resources

On-Campus Support Services And Resources

Confidential

Henry Wise Wellness Center
301-860-4171
Hours: 8am -6pm M-F

Counseling Services
301-860-4164
Hours: 8am – 6pm M-F

Non-Confidential

Title IX Coordinator
Thurgood Marshall Library, Suite 247
301-860-4511

Coordinator of Student Conduct
Henry Administration Building
301- 860-3394

Campus Police
301-860-4040
Open 24 Hours

Partners in Peace
Henry Wise Wellness Center

Off Campus Support and Resources

Confidential

Domestic Violence and Sexual Assault Center

301-618-3154

Hours: 8am -6pm M-F

National Sexual Assault Hotline

1-800-656-HOPE

National Domestic Violence Hotline

1-800-799-SAFE

Lesbian, Gay, Bisexual, and Transgender National Hotline

1-888-849-4564

Sexual Assault Legal Institute

301-565-2277

Non-Confidential

Local Law Enforcement 911

Open 24 Hours

Maryland Coalition Against Sexual Assault

301-328-7023

External Agency Resources

U.S. Department of Education, Office for Civil Rights

400 Maryland Avenue, SW

Washington, DC 20202

202-401-2000

Maryland Commission on Civil Rights

6 Saint Paul Street, Suite 900

Baltimore, Maryland 21202

410-767-8600

Equal Employment Opportunity Commission Baltimore Field Office

31 Hopkins Plaza, Suite 1432

Baltimore, Maryland 21201

1-800-669-4000

Prince George's County Police Department
601 SW Crain Highway
Upper Marlboro, Maryland 20774
301-352-1200 (non-emergencies; for emergencies dial 911)

Appendix B – Tips for Preserving Evidence

Regardless of whether an individual reports an incident of sexual misconduct to the University or law enforcement, the University strongly encourages individuals who have experienced sexual assault to preserve evidence to the greatest extent possible. Below are some tips on how to best preserve evidence.

Seek medical attention immediately for a Sexual Assault Forensic Exam (SAFE). The nearest hospital to the University that performs SAFE exams is U.M. Prince George's Hospital Center, 3001 Hospital Drive, Cheverly, Maryland 20785

Do not shower, bathe, brush your teeth, or change your clothes before seeking medical attention

If you do change your clothes, store the clothing you were wearing during the assault in a paper bag or wrap them in a clean sheet (plastic containers/bags do not breathe and may render the evidence useless).

Do not wash sheets, towels, etc. which may have evidence of the assault

Do not delete any electronic communications relating to the assault including: text messages, emails, Facebook messages, or other social media messages

Appendix C - Officials With With Authority To Institute Corrective Measures

University President

301-860-3555

President@bowiestate.edu

Administration Building, Room 2000

Title IX Coordinator

301-860-4511

TitleIXCoordinator@bowiestate.edu

Thurgood Marshall Library, Suite 247

Director of Student Conduct and Community Standards

301-860-3394

jbrooks@bowiestate.edu

Administration Building, Room 2500

Vice President of Student Affairs

301-860-4406

dpjohnson@bowiestate.edu

Administration Building, Room

Provost and Vice President of Academic Affairs

301-860-3464

cbgoodman@bowiestate.edu

Administration Building,

Vice President of Athletics

301-860-3559

cdoughty@bowiestate.edu

Physical Education Complex, Room 118

General Counsel

301-860-3503

kshaheed@bowiestate.edu

Administration Building, Room 2200

Appendix D - Complaint Grievance Process for Instances of Sexual Harassment

I. Introduction and General Procedures

Bowie State University ("University") is committed to providing a safe, non-discriminatory environment for all of its community members including students, staff, faculty, and third- party guests. These procedures outline the process the University will follow to resolve complaints of Sexual Harassment I as defined in the University's Sexual Harassment and Other Sexual Misconduct Policy.

The Title IX Coordinator oversees compliance with Title IX of the Education Amendments Act of 1972, the University's Sexual Harassment and Other Sexual Misconduct Policy, the University's Complaint Grievance Process and Procedures for Instances of Sexual Harassment I ("Sexual Harassment I Grievance Process") and the University's Complaint Grievance Process and Procedures for Instances of Other Sexual Misconduct ("Other Sexual Misconduct Grievance Process"). In accordance with all applicable state and federal laws and University policies, the University will address all complaints promptly, fairly and impartially.

This document outlines the process for the University's administrative grievance process for instances of sexual harassment I as defined by the University's Sexual Harassment and Other Sexual Misconduct policy. It is neither a criminal nor a legal process. As such, the University does not use the same standards of evidence that are required for legal proceedings. Parties have the right to file a criminal report with the local law enforcement agency to pursue criminal charges. The University will assist any party who is interested in filing criminal charges with locating and contacting the correct law enforcement agency. Parties may also have options to file a civil action in court.

The University strives for consistency in following the procedures set forth in this document, yet recognizes that the unique circumstances of any particular case may require some flexibility. Thus, the University reserves the right to adapt these procedures to meet the unique circumstances of each case,

while preserving transparency and fairness for all Parties and maintaining the integrity of the Grievance Process.

II. Participant in the process/Defined Terms

- A. Complainant:** an individual who is reported to have experienced sexual harassment I.
- B. Respondent:** an individual alleged to be the perpetrator of conduct that could constitute sexual harassment I.
- C. Reporting Party:** any person who reports alleged sexual harassment I or a violation of the Sexual Harassment and Other Sexual Misconduct policy. A reporting party may or may not be the Complainant.
- D. Parties:** a term that refers to the Complainant and the Respondent collectively.
- E. Witness:** a person who has direct or indirect knowledge related to an alleged incident of sexual harassment I.
- F. Advisor:** an individual chosen by the Complainant or Respondent to provide support throughout the Resolution Process. The advisor may attend all hearings, meetings, and interviews; have private consultations with the student during hearings, meetings, and interviews, except during questioning of the student at a hearing and; assist the student with exercising any rights during the disciplinary proceedings. The advisor may be anyone of the Party's choice, including and in addition to an attorney. In any case, advisors and attorneys are prohibited from speaking on behalf of the student during any hearing, meeting, interview, or appeal proceeding except to conduct cross-examination during the hearing.
- G. Title IX Coordinator:** an employee of the University who is responsible for ensuring the University's compliance with federal Title IX guidelines. The Title IX Coordinator is also responsible for ensuring compliance with the University's Sexual Harassment and Other Sexual Misconduct policy and investigating allegations of violations of the Sexual Harassment and Other Sexual Misconduct policy.
- H. Hearing Officer(s):** the individual or individuals presiding over a Hearing.
- I. Supportive Measures:** are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Parties before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.
- J. Formal Complaint:** is a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment I against a Respondent and requesting that the institution investigate the allegation.
- K. Actual Knowledge:** means notice of Sexual Harassment I or allegations of Sexual Harassment I to the Title IX Coordinator or to any University official who has authority to institute corrective measures on behalf of Bowie State University.

III. General Sexual Harassment I Complaint Grievance Process Considerations

A. Participation in the Process

The University encourages all Parties to participate in the Sexual Harassment I Grievance Process. In order for the University to fully investigate a complaint and/or enable the Respondent(s) to respond to the allegations in a meaningful way, the University may require disclosure of the Reporting Party's participation and/or identity. The Respondent has the right to know the identity of the Complainant, if different from the Reporting Party. If a Complainant chooses not to participate, the University will be limited in the actions it can take to resolve the complaint. In most cases, it will not be possible for the University to take disciplinary actions without the participation of the Complainant.

When individuals report allegations of Sexual Harassment I to the University and do not consent to the disclosure of their names and/or do not disclose the identity of the alleged Respondent(s) or identifiable information about the alleged Respondent(s), the University's ability to respond may be limited. In cases where a Complainant requests anonymity or does not wish to proceed with an investigation, the University will attempt to respect those requests. In certain cases, the Title IX Coordinator may determine that the University must proceed with the Sexual Harassment I Grievance Process to protect the safety or well-being of the broader University community.

B. Privacy and Sharing Information

The University considers complaints and all evidence obtained during the investigation of a complaint to be private matters between the Parties involved. The University will protect the privacy of all parties to the best of its ability but cannot guarantee full confidentiality. The University is obligated by law to share all relevant evidence gathered related to a complaint with the Parties. The University will share information related to complaints and investigations with individuals who are not a party to a complaint only when that person has a legitimate need to know.

The University reserves the right to disclose information regarding the case in accordance with FERPA and other applicable laws.

C. Retaliation

It is a violation of the University's Sexual Harassment and Other Sexual Misconduct policy to retaliate against any individual making a complaint of Sexual Harassment I, and/or for participating in the investigation of an allegation of Sexual Harassment I. Any person committing retaliation is subject to disciplinary action independent of any sanction or Supportive Measure imposed because of the underlying Sexual Harassment I. Promptly report retaliation to the Title IX Coordinator.

D. Case Resolution Timeline

The University seeks to address complaints of Sexual Harassment I promptly. Usually, investigations conclude within sixty (60) business days after the University has receipt of a Formal Complaint. The Title IX Coordinator may extend this time when necessary and for good cause. The hearing proceedings will usually conclude within twenty (20) business days after conclusion of the investigation. The Hearing Officer may extend this time when necessary and for good cause. The University will notify Parties if the investigation and proceedings require more than the 80-day timeframe.

E. Conflicts of Interest

In instances of Sexual Harassment I, the Title IX Coordinator may also serve as an investigator. As an investigator, the Title IX Coordinator is a neutral, fact-finder who investigates complaints in a fair and impartial manner. Parties may raise potential conflicts of interest or perceived bias in writing, within two (2) business days following notice of an investigation. The Director of Equity Compliance will determine whether a conflict of interest exists. If the Director of Equity Compliance determines that a conflict of interest does exist, the Office of Equity Compliance will appoint an individual other than the Title IX Coordinator to serve as the investigator.

Additionally, the University requires that all individuals involved in the Sexual Harassment I Grievance Process including all decision-makers, hearing officers, appeal officers, and any person designated to facilitate an informal resolution, serve free from any bias or conflicts. Parties may raise potential

conflicts of interest or perceived bias to the Title IX Coordinator, in writing, within two (2) business days following notice of a hearing, appeal, or informal resolution meeting. The Title IX Coordinator will determine whether a conflict of interest exists. If the Title IX Coordinator determines that a conflict of interest does exist, the Title IX Coordinator will appoint an individual other than the one with the conflict of interest to serve in their role.

F. Standard of Evidence

The University will use a preponderance of evidence standard to resolve complaints of Sexual Harassment I. This is the standard used to resolve other Student Code of Conduct violations. The preponderance of evidence standard requires that it is more likely than not that the Respondent violated the University policy prohibiting Sexual Harassment or Other Sexual Misconduct. It is important to understand that the University does not make a determination on whether or not the Respondent is responsible for violating the law. The University's findings are in regards to violations of University policy only.

G. Communications between the University and the Parties

The primary communication method used to inform the Parties of the investigation and Sexual Harassment I Grievance Process is their Bowie State University email address. It is the responsibility of the Parties to check their Bowie State University email, with the exception of the use of an alternative email address provided for a non-University affiliate, contract employee, etc. that may be provided to the Office of Equity Compliance during the intake process. The University can proceed with its investigation without the response and/or participation of the Parties and their witnesses.

IV. Parties' Rights

A. Complainant's Rights

- Right to be treated with dignity, respect, and sensitivity by university officials throughout the complaint process
- Right to the presence of no more than two (2) people, including an advisor of the Complainant's choice – which can be an attorney, throughout the Sexual Harassment I Grievance Process
- Right to a fair and impartial investigation
- Right to prompt and equitable disciplinary resolutions
- Right to be heard
- Right to participate in disciplinary process, which includes the right to present testimony, questions to be posed to the other party, and other evidence. It also includes the right to access all evidence obtained during the investigation by the University.
- Right to review all evidence, inculpatory and exculpatory, for at least ten (10) calendar days and provide a written response to the investigator challenging any piece of evidence.
- Right to review the investigative report for at least ten (10) calendar days before a hearing
- Limited right to appeal any findings of responsibility as outlined by the appeal process in this document

B. Respondent's Rights

- Right to be treated with dignity, respect, and sensitivity by university officials throughout the Grievance process

- Right to the presence of no more than two (2) people, including an advisor of the Respondent's choice, which can be an attorney, throughout the Grievance Process
- Right to a presumption of innocence until determined responsible at end of Sexual Harassment I Grievance process
- Right to be advised of the alleged charges
- Right to a fair and impartial investigation
- Right to prompt and equitable disciplinary resolution process
- Right to be heard
- Right to participate in disciplinary process, which includes the right to present testimony, questions to be posed to the other party, and other evidence. It also includes the right to access evidence obtained during the investigation by the University.
- Right to review all evidence, inculpatory and exculpatory, for at least ten (10) calendar days and provide a written response to the investigator challenging any piece of evidence.
- Right to review the investigative report for at least ten (10) calendar days before a hearing.
- Limited right to appeal any findings of responsibility as outlined by the appeal process in this document

V. Reporting Sexual Harassment I

A. Time Limitations for Reporting Sexual Harassment I

The University does not have a time limit for reporting Sexual Harassment I or invoking the Sexual Harassment I Grievance Process. However, prompt reporting enhances the University's ability to investigate and gather relevant physical evidence, including obtaining witness testimony and taking necessary action.

B. Reporting Sexual Harassment I

The Complainant, a witness, or anyone with knowledge of an alleged violation of the University's Sexual Harassment and Other Misconduct policy may report a violation to the Title IX Coordinator at **TitleIXCoordinator@bowiestate.edu**. An individual may also report an alleged violation in person, over the phone, or by postal mail. For more information about reporting violations, including contact information and reporting considerations, please review the University's Sexual Harassment and Other Sexual Misconduct policy.

VI. Intake/Initial Interview

The Equity Intake Coordinator or designee will perform initial reviews of Sexual Harassment and Other Sexual Misconduct complaints. If the Equity Intake Coordinator or designee determines that the allegations in the complaint fall within the Sexual Harassment and Other Sexual Misconduct Policy, the Equity Coordinator or designee will forward the information to the Title IX Coordinator.

Once the Title IX Coordinator receives the complaint, the Title IX Coordinator will contact the Complainant via their Bowie State University email address to explain the process for filing a Formal Complaint, discuss availability of Supportive Measures with or without filing a Formal Complaint, and explain the appropriate Grievance Process based on the initial complaint.

The Title IX Coordinator will also inform the Complainant of their right to report to law enforcement, about on and off campus resources, inform the Complainant of their right to have an advisor

throughout the Grievance Process, and obtain the Complainant's willingness to participate in the Grievance Process. If the Complainant indicates that they would like further assistance with the complaint (i.e.: full investigation, supportive measures, etc.), the Title IX Coordinator will schedule an initial interview with the Complainant.

At the initial interview, the Title IX coordinator will assess the nature of the allegations and discuss the Complainant's right to file a Formal Complaint, the Grievance Process, and obtain the Complainant's willingness to participate in the Grievance Process. The Title IX Coordinator will also inform the Complainant of their right to access Supportive Measures with or without filing a Formal Complaint. If the Complainant indicates that they would like to take advantage of Supportive Measures, the Title IX Coordinator will engage in a collaborative discussion with the Complainant to determine which Supportive Measures best aid the Complainant.

The Title IX Coordinator will also inform the Complainant of their right to contact law enforcement, notify the complaint of their other rights under the Grievance Process, provide information about on and off campus resources, and explain retaliation. The Title IX Coordinator may also review any evidence the Complainant may have and discuss any potential witnesses.

VII. Supportive Measures

At any time after the University has Actual Knowledge of alleged Sexual Harassment I, the Title IX Coordinator may institute supportive measures for the Complainant, Respondent, and/or the wider University Community to ensure the safety of all Parties. The Title IX Coordinator may establish supportive measures regardless of whether or not the Complainant decides to participate in the Sexual Harassment I Grievance Process or make a report to law enforcement. The University implements supportive measures on a case-by-case basis, based on individual needs of the Parties. Supportive measures may range from mutual no-contact orders to changing of class schedule. All supportive measures provided to a party will remain confidential to the extent that maintaining confidentiality will not impair the ability to provide the supportive measures.

Either party may request supportive measures from the Title IX Coordinator.

VIII. Formal Complaint

The University will not proceed with the Sexual Harassment I Grievance Process unless the Complainant files a formal complaint. In certain instances, such as those involving dangerous weapons, alleged repeat offenders, or safety concerns for the greater university community, the Title IX Coordinator may file a formal complaint without the consent of the Complainant.

Absent a formal complaint, the University will not impose any sanctions against the Respondent and cannot engage in either a formal or an informal resolution of the complaint.

IX. Dismissal of Formal Complaints

A. Mandatory Dismissal- if the conduct alleged in the Formal Complaint would not constitute Sexual Harassment I (even if proven), did not occur in the institution's Educational Program or Activity, or did not occur against a person in the United States; then the Title IX Coordinator or their designee will dismiss the Formal Complaint with regard to Sexual Harassment I under Title IX. However, if the complaint would constitute Other Sexual Misconduct, the Title IX Coordinator may reinstate the Formal

Complaint appropriately and the Complaint Grievance Process and Procedures for Instances of Other Sexual Misconduct will govern the reinstated complaint.

B. Permissive Dismissal- The institution may dismiss a Formal Complaint or any allegation therein, if at any time during the investigation or hearing:

- A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- The Respondent is no longer enrolled at or employed by Bowie State University
- Specific circumstances prevent Bowie State University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

C. Upon dismissal, the Title IX Coordinator shall send written notice of the dismissal and the reason(s) therefore simultaneously to the Parties. The Parties may appeal the Title IX Coordinator's decision to dismiss a formal complaint in writing to the Title IX Coordinator. The Title IX Coordinator will forward the written appeal to the Director of the Office of Equity Compliance to review the decision. If the Director of Equity Compliance determines that the Title IX Coordinator dismissed the formal complaint in error, the Director of Equity Compliance will direct the Title IX Coordinator to reinstate the formal complaint.

X. Notice to the Parties

If the Complainant files a formal complaint, the Title IX Coordinator shall send notice via email to the Complainant and Respondent concurrently within two (2) business days of receiving the Formal Complaint. The notice shall include:

- The nature of the allegations;
- The identities of the parties involved in the incident and the date and location of the alleged incident;
- Potential violations of the Universities Sexual Harassment and Other Sexual Misconduct Policy;
- A statement indicating that the Respondent is presumed not responsible for the alleged conduct until a determination on responsibility is made at the end of the grievance process;
- A statement informing the Parties that if, during the course of the investigation, the University decides to investigate other potential violations not included in the original notice, the University will issue a new notice for the new allegations;
- Information about the sexual harassment I grievance process, including information about informal resolution options;
- The Parties' rights and responsibilities under the Sexual Harassment I Grievance Process, including each party's right to have an advisor of choice assist them throughout the grievance process and their right to inspect and review all relevant evidence and;
- A range of potential sanctions and remedies associated with the alleged misconduct.

The Parties shall receive notice at least three (3) calendar days in advance of any scheduled interview, but may schedule sooner if the Title IX Coordinator has earlier availability.

During the first meeting with the Respondent, the Title IX Coordinator will reiterate the information provided during the initial notice. Additionally, the Title IX Coordinator will discuss the Sexual Harassment I Grievance Process, provide information about on and off campus resources, inform the Respondent of their rights during the Sexual Harassment I Grievance Process, inform the Respondent of their right to have an advisor throughout the Sexual Harassment I Grievance Process, discuss supportive measures and explain retaliation.

The Title IX Coordinator will also review any evidence the Respondent may have and discuss any potential witnesses.

XI. Informal Resolution

After the filing of a Formal Complaint and where appropriate, allegations of Sexual Harassment I may be resolved using an informal resolution process. An informal resolution process does not result in findings related to responsibility or sanctions for the responding party.

Informal resolution is voluntary and available to the Parties only when:

1. The Complainant requests an informal resolution
2. All Parties to the complaint agree to the informal resolution
3. The allegations of sexual harassment I include neither sexual assault nor sexual coercion and do not include allegations that an employee sexually harassed a student and;
4. There is no other reason why informal resolution would not be appropriate under the circumstances of the complaint.

The Title IX Coordinator or a designee will participate in all informal resolution processes and parties can choose to stop the informal process and begin the formal resolution process at any time. If the Parties agree to the recommended informal resolution, the case will conclude and no further Sexual Harassment I Grievance Process will ensue. If the Parties do not agree to the recommended informal resolution, the complaint will proceed to a formal resolution.

Informal Resolution may include, but is not limited to:

- Permanent no-contact order
- Apology letter
- Additional training related to sexual harassment and sexual misconduct
- Mediation

XII. Formal Resolution

A. Investigation of a Formal Complaint

The Title IX Coordinator/investigator or a designee will conduct a prompt, fair, and impartial investigation into the allegations of Sexual Harassment I. All parties have the right to participate and will be treated with dignity and respect. All parties will receive notification at least three (3) calendar days in advance of all meetings and interviews the party is required or invited to attend. The University will interview witnesses, as appropriate, and gather documents and/or material evidence for analysis. Parties will have equal opportunity to share evidence, have their evidence considered, and to submit additional evidence after their interview.

Ultimately, it is the investigator's role to collect and analyze all evidence, including evidence not submitted by either the Complainant or Respondent but uncovered during the investigation by the investigator. The burden of proof always remains on the University.

At the conclusion of the investigation, the Title IX Coordinator/investigator or designee will review and analyze all collected evidence and prepare a written investigative report. The Title IX Coordinator will share the draft report and all relevant evidence with each party and their advisor. The parties and their advisors shall have ten (10) calendar days to review and respond, in writing, to the draft report and the

evidence collected. The Title IX Coordinator will consider the parties' responses before finalizing the investigative report. The Title IX Coordinator will share with each party the finalized investigative report at least ten (10) calendar days prior to the hearing.

B. Restrictions on Consideration of Certain Evidence

1. Prior Sexual History

In most cases, a Party's prior sexual history is not relevant and not a consideration of the investigator, the decision-maker, or the hearing board during a sanction hearing.

A Complainant's sexual history is allowable as evidence only: 1. To prove that someone other than the Respondent committed the alleged conduct; or 2. If the questions and evidence concern specific instances of the Complainant's prior sexual behavior with the Respondent and are offered to prove consent.

A Respondent's prior sexual history is allowable only as evidence to: 1. Prove the source of injury; 2. Prove prior sexual misconduct; 3. Prove an ulterior motive and; 4. Impeach the Respondent only after the Respondent has placed their own sexual history at issue.

2. Mental Health History

Typically, a Party's mental health history is not relevant and not a consideration of the investigator, the decision-maker, or the hearing board during a sanction hearing. Mental health history may only be considered if the Party whose mental health history is at issue gives consent to use their mental health history. Unless the student consents, an adjudicating official or decision-making body is prohibited from considering evidence about a student's history of mental health counseling, treatment, or diagnosis.

3. Privileged Information

The University shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The institution cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the institution obtains that party's voluntary, written consent to do so.

XIII. Live Hearing

All Formal Complaints that are neither dismissed nor resolved using an informal resolution process must go to a live hearing. Parties may request that they not be in the same room and the hearing be conducted electronically with the ability for all parties to see and hear each other.

Each party, through their advisor, shall be allowed to cross-exam all other parties and their witnesses. Only relevant cross-exam and other questions may be asked of a party and before a party may answer a question, the hearing officer(s) must first make a determination on relevance. Each party and their advisor are required to submit a list of questions to the Chief Hearing Officer at least seventy-two (72) hours before the hearing so that the hearing officer(s) can make a determination on relevance. This will

help reduce the time used during the hearing to make relevance determinations. Each party and their advisor must comply with the University's rules on order and decorum.

The University will record each hearing and make the recording available to the parties for inspection and review.

XIV. Determination Regarding Responsibility

After the conclusion of the hearing, the Hearing Officer(s) will review all evidence submitted and the statements given at the hearing to make a determination regarding responsibility. The Hearing Officer(s) shall issue a written determination within five (5) business days of the hearing regarding responsibility, to each party simultaneously that includes:

- A. Identification of the allegations potentially violating the University policy on Sexual Harassment and Other Sexual Misconduct;
- B. A description of the procedural steps taken from receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- C. Finding of fact supporting the determination;
- D. Conclusions regarding the application of the institution's policy to the facts;
- E. A statement of, and rationale for, the result as to each allegations, including a determination regarding responsibility, any sanctions the institution imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the Educational Program or Activity will be provided to the Complainant; and
- F. Procedures and permissible bases for parties to appeal.

The Hearing Officer(s) will also send the written report to the Title IX Coordinator.

XV. Appeals

All parties have the option to request an appeal to challenge a determination regarding responsibility within seventy-two (72) hours of receiving the written determination from the Hearing Officer(s). Appeal requests must be submitted in writing to the Title IX Coordinator. The Title IX Coordinator will inform all other parties to a complaint of the appeal request, and allow all other parties seventy-two (72) hours to respond to the request for appeal. The Title IX Coordinator, after receiving responses from all parties or at the close of the seventy-two (72) hour period, will forward all information to the Appeal Hearing Officer(s).

Appeals may be requested on the following grounds:

- 1. Procedural irregularity that affected the outcome of the matter;
- 2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- 3. The Title IX Coordinator, investigator(s), or hearing officer(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

Appeal determinations are made on the record and do not include a second hearing. The Appeal Hearing Officer(s) will issue a written determination on the appeal to all parties and their advisors simultaneously. Once the Appeal Hearing Officer(s) issues a determination, the finding becomes final.

The Appeal Hearing Officer will also send the written determination to the Title IX Coordinator.

Appendix E - Complaint Grievance Process for Instances of Other Sexual Misconduct

I. Introduction and General Procedures

A. Introduction

Bowie State University ("University") is committed to providing a safe, non-discriminatory environment for all of its community members including students, staff, faculty, and third-party guests. These procedures outline the process the University will follow to resolve complaints of Sexual Misconduct as defined in the University's Sexual Misconduct Policy.

The Title IX Coordinator oversees compliance with Title IX of the Education Amendments Act of 1972, the University's Sexual Misconduct Policy and the University's Complaint Resolution Process and Procedures for Instances of Sexual Misconduct ("Resolution Process"). In accordance with all applicable state and federal laws and University policies, the University will address all complaints promptly, fairly and impartially.

This document outlines the process for the University's administrative resolution process or instances of Other Sexual Misconduct. It is not a criminal or legal process. As such, the University does not use the same standards of evidence that are required for legal proceedings. Parties have the right to file a criminal report with the local law enforcement agency to pursue criminal charges. The University will assist any party who is interested in filing criminal charges with locating and contacting the correct law enforcement agency. Parties may also have options to file a civil action in court.

The University strives for consistency in following the procedures set forth in this document, yet recognizes that the unique circumstances of any particular case may require some flexibility. Thus, the University reserves the right to adapt these procedures to meet the unique circumstances of each case,

while preserving transparency and fairness for all Parties and maintaining the integrity of the Resolution Process.

II. Participant in the process/Defined Terms

- A. Complainant:** a person alleging sexual misconduct and/or a violation of the Sexual Harassment and Other Sexual Misconduct Policy.
- B. Respondent:** a person who is alleged to have engaged in sexual misconduct and/or violated the Sexual Harassment and Other Sexual Misconduct Policy
- C. Reporting Party:** any person who reports alleged sexual misconduct or a violation of the Sexual Harassment and Other Sexual Misconduct Policy. A reporting party may or may not be the Complainant.
- D. Parties:** a term that refers to the Complainant and the Respondent collectively.
- E. Witness:** a person who has direct or indirect knowledge related to the alleged incident of other sexual misconduct.
- F. Advisor:** an individual chosen by the Complainant or Respondent to provide support throughout the Resolution Process. The advisor may attend all hearings, meetings, and interviews; have private consultations with the student during hearings, meetings, and interviews, except during questioning of the student at a hearing and; assist the student with exercising any rights during the disciplinary proceedings. The advisor may be anyone of the Party's choice, including and in addition to an attorney. In any case, advisors and attorneys are prohibited from speaking on behalf of the student during any hearing, meeting, interview, or appeal proceeding.
- G. Title IX Coordinator:** an employee of the University who is responsible for ensuring the University's compliance with federal Title IX guidelines. The Title IX Coordinator is also responsible for ensuring compliance with the University's Sexual Harassment and Other Sexual Misconduct Policy and investigating allegations of sexual harassment and other sexual misconduct.
- H. Hearing Officer(s):** the individual or individuals presiding over a Sanctions Hearing.
- I. Interim Supportive and Protective Measures:** reasonably available steps the University may take to protect the Parties pending a University investigation and adjudication of Other Sexual Misconduct.

III. General Complaint Resolution Process Considerations

A. Participation in the Process

The University encourages all Parties to participate in the Resolution Process. In order for the University to fully investigate a complaint and/or enable the Respondent(s) to respond to the allegations in a meaningful way, the University may require disclosure of the Reporting Party's participation and/or identity. The Respondent has the right to know the identity of the Complainant, if different from the Reporting Party. If a Complainant chooses not to participate, the University will be limited in the actions it can take to resolve the complaint. In most cases, it will not be possible for the University to take disciplinary actions without the participation of the Complainant.

When individuals report allegations of other sexual misconduct to the University and do not consent to the disclosure of their names and/or do not disclose the identity of the alleged Respondent(s) or identifiable information about the alleged Respondent(s), the University's ability to respond may be limited. In cases where a reporting party or complainant request anonymity or does not wish to proceed with an investigation, the University will attempt to respect those requests. In certain cases, the Title IX Coordinator may determine that the University must proceed with the Resolution Process to protect the safety or well-being of the broader University community.

B. Privacy and Sharing Information

The University considers complaints and all evidence obtained during the investigation of a complaint to be private matters between the Parties involved. The University will protect the privacy of all Parties to the best of its ability but cannot guarantee full confidentiality. The University will share Information related to complaints and investigations on a need-to-know basis.

The University reserves the right to disclose information regarding the case in accordance with FERPA and other applicable laws.

C. Retaliation

It is a violation of the Sexual Harassment and Other Sexual Misconduct policy to retaliate against any individual making a complaint of Other Sexual Misconduct and/or participating in the investigation of an allegation of Other Sexual Misconduct. Any person committing retaliation is subject to disciplinary action independent of any sanction or interim measure imposed because of the underlying other sexual misconduct allegation. Promptly report retaliation to the Title IX Coordinator.

D. Case Resolution Timeline

The University seeks to address complaints of Other Sexual Misconduct promptly. Usually, investigations conclude within sixty (60) calendar days after the University has receipt of the complaint or notice. The Title IX Coordinator may extend this time when necessary and for good cause. The University will notify Parties if the investigation and proceedings require more than the 60-day timeframe.

E. Conflicts of Interest

In instances of Other Sexual Misconduct, the Title IX Coordinator also serves as the investigator. The Title IX Coordinator is a neutral fact-finder who investigates complaints in a fair and impartial manner. Parties may raise potential conflicts of interest or perceived bias within two (2) business days following notice of an investigation. The Director of Equity Compliance will determine whether a conflict of interest exists. If the Director of Equity Compliance determines that a conflict of interest does exist, the Office of Equity Compliance will appoint an individual other than the Title IX Coordinator to serve as the investigator.

F. Standard of Evidence

The University will use a preponderance of evidence standard to resolve complaints of Other Sexual Misconduct. This is the standard used to resolve other Student Code of Conduct violations. The preponderance of evidence standard requires that it is more likely than not that the Respondent violated the University policy prohibiting Sexual Harassment and Other Sexual Misconduct. It is important to understand that the University does not make a determination on whether or not the Respondent is responsible for violating the law. The University's findings are in regards to violations of University policy only.

G. Communications between the University and the Parties

The primary communication method used to inform the Parties of the investigation and resolution process is their Bowie State University email address. It is the responsibility of the Parties to check their

Bowie State University email, with the exception of the use of an alternative email address provided for a non-University affiliate, contract employee, etc. that may be provided to the Office of Equity Compliance during the intake process. The University can proceed with its investigation without the response and/or participation of the Parties and their witnesses.

IV. Parties' Rights

A. Complainant's Rights

A Complainant in an Other Sexual Misconduct case has certain rights. These rights include:

- Right to be treated with dignity, respect, and sensitivity by university officials throughout the complaint process
- Right to the presence of no more than two (2) people, including an advisor of the Complainant's choice – which can be an attorney, throughout the Resolution Process
- Right to a fair and impartial investigation
- Right to prompt and equitable disciplinary resolutions
- Right to be heard
- Right to participate in disciplinary process, which includes the right to present testimony, questions to be posed to the other party, and other evidence. It also includes the right to access evidence obtained during the investigation by the University.
- Right to review and respond to written reports and findings
- Limited right to appeal as outlined by the appeal process in this document

B. Respondent's Rights

- Right to be treated with dignity, respect, and sensitivity by university officials throughout the complaint process
- Right to the presence of no more than two (2) people, including an advisor of the Complainant's choice – which can be an attorney, throughout the Resolution Process
- Right to a presumption of innocence until determined responsible at end of disciplinary process
- Right to be advised of the alleged charges
- Right to a fair and impartial investigation
- Right to prompt and equitable disciplinary resolution process
- Right to be heard
- Right to participate in disciplinary process, which includes the right to present testimony, questions to be posed to the other party, and other evidence. It also includes the right to access evidence obtained during the investigation by the University.
- Right to review and respond to written reports and findings
- Limited right to appeal as outlined by the appeal process in this document

V. Reporting Other Sexual Misconduct

A. Time Limitations for Reporting Other Sexual Misconduct

The University does not have a time limit for reporting other sexual misconduct or invoking the Resolution Process. However, prompt reporting enhances the Universities ability to investigate and gather relevant physical evidence, including obtaining witness testimony and taking necessary action.

B. Reporting Other Sexual Misconduct

The Complainant, a witness, or anyone with knowledge of an alleged violation of the University's Sexual Harassment and Other Sexual Misconduct Policy may report a violation to the Title IX Coordinator at TitleIXCoordinator@bowiestate.edu. An individual may also report an alleged violation in person. For more information about reporting violations, including contact information and reporting considerations, please review the University's Sexual Harassment and Other Sexual Misconduct Policy

VI. Intake/Initial Interview

The Equity Intake Coordinator or designee will perform initial reviews of other sexual misconduct complaints. If the Equity Intake Coordinator or designee determines that the allegations in the complaint may violate the University's Sexual Harassment or Other Sexual Misconduct Policy, the Equity Intake Coordinator or designee will contact the Complainant to schedule an intake meeting. During the intake meeting, the Equity Intake Coordinator or designee will ask a series of questions to obtain additional information about the allegations from the Complainant. The Equity Intake Coordinator or designee will also inform the Complainant of their right to report to law enforcement, about on and off campus resources, inform the Complainant of their right to have an advisor throughout the Resolution Process, provide information about the resolution process and obtain the Complainant's willingness to participate in the Resolution Process. If the Complainant indicates that they would like further assistance with the complaint (i.e.: full investigation, protective measures, etc.), the Equity Intake Coordinator or designee will schedule an initial interview for the Complainant with the Title IX Coordinator.

At the initial interview, the Title IX coordinator will assess the nature of the other sexual misconduct allegations and discuss the complaint resolution process and the Complainant's willingness to participate in the process. The Title IX Coordinator will also inform the Complainant of their right to contact law enforcement, notify the complaint of their other rights under the Resolution Process procedures, provide information about on and off campus resources, and discuss interim support and protective measures and explain retaliation. The Title IX Coordinator will also review any evidence the Complainant may have and discuss any potential witnesses.

The Title IX Coordinator may also contact the reporting party, if it is someone other than the Complainant, to obtain additional information.

VII. Interim Support and Protective Measures

At any time after the receipt of a report of alleged Other Sexual Misconduct, the Title IX Coordinator may institute interim supportive and protective measures for the Complainant, Respondent, and/or the wider University Community to ensure the safety of all Parties. The Title IX Coordinator may establish supportive and protective measures regardless of whether or not the Complainant decides to participate in the Resolution process or make a report to law enforcement. The University implements supportive and protective measures on a case-by-case basis, based on individual needs of the Parties. Interim support and protective measures may include but are not limited to:

- A non-contact order between the Parties
- Changes in campus academic, work, or living arrangements
- Assistance in requesting academic accommodations or academic support
- Interim suspension
- Removal of privileges or suspension of activity

Either party may request interim supportive and protective measures from the Title IX Coordinator.

VIII. Notice to Respondent

If the Resolution Process proceeds to an investigation, the Title IX Coordinator will contact the Respondent. The Respondent(s) shall receive notice at least three (3) calendar days in advance of the scheduled interview, but may schedule sooner if the Title IX Coordinator has earlier availability. Notice to the Respondent shall include:

- The nature of the allegations;
- Potential violations of the Universities Sexual Harassment and Other Sexual Misconduct Policy;
- The Respondent's rights and responsibilities under the Resolution Process and;
- A range of potential sanctions associated with the alleged misconduct.

During the meeting, the Title IX Coordinator will reiterate the information provided during the initial notice. Additionally, the Title IX Coordinator will discuss the Resolution Process, provide information about on and off campus resources, inform the Respondent of their rights during the Resolution Process, inform the Respondent of their right to have an advisor throughout the Resolution Process, discuss interim supportive and protective measures and explain retaliation.

The Title IX Coordinator will also review any evidence the Respondent may have and discuss any potential witnesses.

IX. Informal Resolution

Where appropriate, allegations of sexual misconduct may be resolved using an informal resolution process. An informal resolution process does not result in findings related to responsibility or sanctions for the responding party.

Informal resolution is voluntary and available to the Parties only when:

1. The Complainant requests an informal resolution
2. All Parties to the complaint agree to the informal resolution
3. The allegations of other sexual misconduct include neither sexual assault nor sexual coercion.

The Title IX Coordinator or a designee will participate in all informal resolution processes and Parties can choose to stop the informal process for a formal resolution process at any time. If the Parties agree to the recommended informal resolution, the case will conclude and no further Resolution Process will ensue. If the Parties do not agree to the recommended informal resolution, the complaint will proceed to a formal resolution.

Informal Resolution may include but is not limited to:

- Permanent no-contact order
- Apology letter
- Additional Sexual Misconduct training
- Mediation

X. Formal Resolution

A. Investigation

The Title IX Coordinator or a designee will conduct a prompt, fair, and impartial investigation into the allegations of other sexual misconduct. All Parties have the right to participate and will be treated with dignity and respect. All Parties will receive notification at least three (3) days in advance of all hearings, meetings, and interviews the party is required or invited to attend. The University will interview witness, as appropriate, and documents and/or material evidence collected for analysis. Parties will have equal opportunity to share evidence, have their evidence considered, and to submit additional evidence after their interview. Ultimately, it is the investigator's role to collect and analyze all evidence, including evidence not submitted by either the Complainant or Respondent but uncovered during the investigation by the Investigator.

At the conclusion of the investigation, the Title IX Coordinator or designee will review and analyze all collected evidence and prepare a written investigative report. The Title IX Coordinator or designee will invite the Parties to the complaint to review the investigative report, at separate times, to ensure its accuracy. Once each party has reviewed the report, and the report receives a review for legal sufficiency, the Title IX Coordinator or designee will make a determination on responsibility. Each Party will learn of the outcome of the Title IX Coordinator's investigation in a written Outcome Letter.

Following the Notice of Outcome, the Parties will have three (3) days to request an appeal of the findings (see Section XII). Otherwise, if there has been a finding of a violation of the policy, the matter proceeds to the Student Conduct Board for a hearing on sanctions. The Title IX Coordinator does not issue sanctions.

B. Prior Sexual History

In most cases, a Party's prior sexual history is not relevant and not a consideration of the investigator, the decision-maker, or the hearing board during a sanction hearing. A Party's prior sexual history is allowable only as evidence to: 1. Prove the source of injury; 2. Prove prior sexual misconduct; 3. Prove an ulterior motive and; 4. Impeach a party after that party has placed their own sexual history at issue.

C. Mental Health History

Typically, a Party's mental health history is not relevant and not a consideration of the investigator, the decision-maker, or the hearing board during a sanction hearing. Mental health history may only be considered if the Party whose mental health history is at issue gives consent to use their mental health history.

XI. Sanctions

A. Sanctions Hearing

Complaints of Sexual Misconduct involving student Respondents: If the Respondent is responsible for violating this Policy, the Student Conduct Board will conduct a Sanction Hearing in a prompt, fair, and impartial manner. The Student Conduct Board will be comprised of board members who have received annual training on the Sexual Harassment and Other Sexual Misconduct policy and hearing procedures.

Both Parties have the right to an advisor of their choice, including an attorney, during the hearing process. Additionally, both Parties have the following rights:

- to be treated with dignity and respect;
- to review all documentary evidence used during the hearing process;
- to present relevant witnesses;
- to pose through Student Conduct Board or in writing questions to all witnesses who are called to give testimony;
- to introduce new evidence not presented or taken into consideration during the investigative phase; and
- to request an appeal of the hearing board's determination of fact and/or sanction.

Both Parties will receive written notification of determinations of fact and sanction, if applicable, imposed by the Conduct Board and the procedure for filing a request for appeal. The University shall not publicly disclose the name of either Party, unless as required or allowed by law.

In determining the appropriate sanction(s), the Student Conduct Board will consider the following factors:

- The cause of the behavior
- The severity of the conduct
- The previous conduct history
- University Precedent, and,
- The welfare of the Complainant and the University Community

The staff of the Office of Equity Compliance does not determine sanctions for Parties.

XII. Appeals

A. Redetermination Appeal

All Parties have the option to request a Redetermination Appeal within three (3) days following receipt of the Outcome Letter to challenge the Title IX Coordinator's finding of fact and/or responsibility. The University Ombudsmen or a designee serves as the appeal officer. Parties retain all the rights offered throughout the Resolution Process during the Redetermination Appeal, including the right to have an advisor. As in all other processes, the advisor's role is for the personal support of the party, and do not have an active role in the process. Accordingly, the advisor may not submit a written statement or other evidence for consideration.

Grounds for Consideration:

The requesting party must submit a written statement ("appeal letter") to the Title IX Coordinator outlining what they are challenging, why the party believes the Title IX Coordinator made the wrong decision, and any evidence to support the requesting Party's appeal. The University will review its determination of findings on the following grounds:

- Newly acquired evidence that was not available during the initial investigation (which may include, but is not limited to, witnesses not previously known to the Parties, electronic communication, or other documents that were not in the Parties' possession during the initial investigation). Moreover, the evidence acquired and submitted during the Redetermination Appeal must substantially affect the findings or potential sanctions. A summary of the new evidence must be included in the request for appeal.

- A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.).

The Title IX Coordinator will forward the requesting Party's appeal letter to the University Ombudsman or designee along with the Title IX Coordinator's final report and all evidence collected in the matter. The Title IX Coordinator will also forward the appeal letter to the opposing party in the matter to provide that party with the opportunity to respond to the appeal letter.

The University Ombudsmen or other designee will review all available evidence, the Title IX Coordinator's final report, the requesting Party's appeal letter, and, if applicable, the opposing Party's response letter. They will make a determination that will either confirm the Title IX Coordinator's findings, or vacate the Title IX Coordinator's findings. The University Ombudsmen or other designee will draft a report either confirming or vacating the Title IX Coordinator's findings and will send the report to the Parties within three (3) business days following receipt of all information. If the reviewer vacates the findings due to newly acquired evidence or deviation from established procedures, the matter returns to the Title IX Coordinator for further investigation. If the reviewer vacates the finding based on substantiated bias, the matter returns to the Director of the Office of Equity Compliance for further investigation.

If at the conclusion of the Redetermination Appeal the reviewer confirms a finding of violations, the Title IX Coordinator will forward the matter to the Student Conduct Board for a Sanction Hearing. Once the Title IX Coordinator forwards the matter to the Student Conduct Board, or upon the expiration of time to file for a Redetermination Appeal, the matter formally and officially closes in the Office of Equity Compliance.

B. Sanction Hearing Appeal

For discipline involving employees, please refer to the Bowie State University Faculty Handbook, Bowie State University Employee Handbook, or relevant Collective Bargaining Agreement for appeal timelines and procedures. For sanctions involving students, please refer to the University's Division of Student Affairs and Code of Conduct, Section VI.

Effective Date: 08/16/2021

APPENDIX 18



II – 1.05 POLICY ON THE EMPLOYMENT OF FULL-TIME, NON-TENURE TRACK INSTRUCTIONAL FACULTY IN THE UNIVERSITY SYSTEM OF MARYLAND

(Approved by the Board of Regents on October 11, 2002)

I. PURPOSE

This policy is designed to govern practices at institutions of the University System of Maryland (USM) related to search processes, appointments, contracts, and conditions of employment for full-time non-tenure-track (FTNTT) instructional faculty to assure high quality of instruction by individuals with appropriate credentials and experience and to provide a set of baseline policies for FTNTT faculty in all USM institutions.

II. APPLICABILITY

This policy applies only to those faculty members of the USM institutions (i) who are employed full-time, (ii) who are neither tenured nor eligible for tenure, and (iii) whose responsibilities are primarily or exclusively in the instructional program.

III. DEFINITION OF “FULL-TIME”

The institutional president or designee shall assure that each department or unit that has instructional faculty adopts a definition of “full-time”. The workload expectation for FTNTT instructional faculty shall be specified on an academic-year basis, not on a semester basis.

IV. RANKS

Current BOR policy (II-1.00) lists the following approved ranks that may be used for FTNTT instructional faculty. Institutions shall confer on each FTNTT instructional faculty member one of the following ranks, as appropriate and commensurate with Credentials and professional experience.

(Institutions are not required to use all available ranks.)

Assistant Instructor

Lecturer

The University of Maryland University College may also assign ranks in the Collegiate series (See USM Policy II-1.00, Section II.C.6.a.-d.).

V. POLICY

A. Search

1. Credentials: Each institution shall develop written standards for the academic degrees or professional certifications and professional experience required for appointment to FTNTT instructional faculty ranks. These standards may vary depending on the level of courses to be taught.
2. Search Procedures: The institutional president or designee shall assure that each department or unit has in place written procedures for selecting faculty. These procedures shall include verification of credentials. Search procedures shall reflect the commitment of the institutions and the University System of Maryland to equal opportunity and affirmative action.

B. Hiring

1. Contracts/Letters of Appointments: Each FTNTT faculty member shall be provided with a written contract or letter of appointment prior to the beginning of the assignment. The contract or letter shall state that the appointment is full-time and state the academic rank, length of appointment, time of service (9 months, 9.5 months, one-year), salary, whether or not the appointment is renewable nature of the assignment, benefits (see below, Section C.7.), and performance evaluation policies and procedures.
2. Information for Faculty: Upon signing the contract, the FTNTT faculty member shall have access to the institution's Faculty Handbook, in a written or electronic version.
3. Term of Employment: Normally, initial contracts shall be for one academic year. Subsequent contracts may be for longer terms, not to exceed three years: (five years in the case of UMUC Collegiate faculty). Notice of non-renewal shall be provided in accordance with Board of Regents Policy.

II-1.00 University System Policy on Appointment, Rank, and Tenure of Faculty (Section 1.C.12).

II-1.05-2

C. Working Conditions

1. Support for Teaching: The appointing department or unit shall provide each FTNTT instructional faculty member with the support it determines to be necessary for the execution of the appointee's duties. Provision should be made for new appointees to attend departmental and institutional orientation sessions. Support shall also include the following:

- a. information on the department's policies, requirements and goals for each course, along with access to examples of past course syllabi (if available);
 - b. official schedule of classes, including academic calendar and time frames of class meetings;
 - c. assistance in ordering textbook(s) for the course (s), ancillaries for the text (s), and office supplies;
 - d. copying services for course materials;
 - e. an appropriate place for meeting with students during scheduled office hours, except if instruction is completely technology-mediated;
 - f. an institutional email account along with computer access; and
 - g. telephone access.
2. Professional Development: Professional development opportunities for FTNTT instructional faculty members should be supported to the extent possible. Examples include extending invitations to departmental and institutional faculty development events, arranging mentoring by senior faculty, and providing financial support for attending professional conferences when funds permit.
 3. Teaching Assignment: The appointing department or unit shall provide FTNTT faculty with reasonable and adequate notice of projected teaching assignments prior to the start of classes. Notice of 45 days is suggested.
 4. Performance Evaluation: The institutional president or designee shall assure that each department or unit has in place written procedures for evaluating faculty performance on a regular schedule, as required, by Board of Regent's.

II-1.05-3

Policy II-1.20. Departments shall evaluate the teaching of FTNTT faculty members on the same basis used to evaluate the teaching of tenure-track faculty members. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions about promotion, salary, and any subsequent contract are made.

5. Faculty Participation: FTNTT faculty members shall be integrated into the scholarly, intellectual, academic, and social life of the department or unit, and institution. Institutional shared-governance procedures shall include FTNTT faculty.

6. Salaries: Every effort should be made to make salaries professionally appropriate and competitive to the extent allowed by available fiscal resources.
7. Benefits: FTNTT instructional faculty contracts and letters of appointment shall include a written statement of benefits available to the appointees. Appointees shall be provided with access to relevant BOR policies governing the provision of benefits to USM faculty and staff. FTNTT instructional faculty shall be eligible for the benefits listed in sections 7.a. and 7.b., subject to the terms of the policy cited.

a. USM Benefits

- (i) Tuition remission for faculty member (See USM Policy VII-4.10);
- (ii) Tuition remission for dependents (see USM Policy ____ 4.20);
- (iii) Family and medical leave (see USM Policy II-2.31);
- (iv) Annual leave (see USM Policy II-2.40);
- (v) Earned sick leave (see USM Policy II-2.30);
- (vi) Collegial sick leave (see USM Policy II-2.30);
- (vii) Personal leave (see USM Policy II-2.40);
- (viii) Leave for jury service (see USM Policy II-2.50) ;
- (ix) Leave without pay (see USM Policy II-2-20).

Full-time non-tenure-track faculty shall be ineligible for sabbatical leave or for terminal leave, regardless of length of service.

b. Institutional Benefits: Institution-controlled benefits provided to full-time tenured and tenure-track faculty and their spouses and dependent children.

II-1.05-4

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APPENDIX 19



II-1.06 - POLICY ON THE EMPLOYMENT OF PART-TIME, NON-TENURE TRACK INSTRUCTIONAL FACULTY IN THE UNIVERSITY SYSTEM OF MARYLAND

(Approved by the Board of Regents on October 11, 2002)

I. PURPOSE

This policy is designed to govern practices at institutions of the University System of Maryland (USM) related to search processes, appointments, contracts, and conditions' of employment for part-time, non-tenure-track (PTNTT) instructional faculty to assure high quality of instruction by individuals with appropriate credentials and experience and to provide a set of baseline policies for PTNTT faculty in all USM institutions.

II. APPLICABILITY

This policy applies only to faculty members of the USM institutions (i) who are employed on a less than full-time basis, (ii) who are neither tenured nor eligible for tenure, and (iii) whose responsibilities are primarily or exclusively in the instructional program.

III. PERCENT OF EFFORT

The percent of effort of PTNTT faculty members shall be based on the definition pursuant to USM Policy II-1.05 and shall be calculated either on a semester or, an academic-year basis, depending on the length of the appointment. If the appointment is for an academic year, the calculation shall not be done on a semester basis, even though there may be disparities between semesters in the assigned teaching load.

IV. RANKS

BOR Policy (II-1.00) lists the following approved ranks that may be used for PTNNT instructional faculty. Institutions shall confer on each PTNTT instructional faculty member one of the following ranks, as appropriate and commensurate with credentials and professional experience. (Institutions are not required to use all available ranks.)

II-1.06-1

- a. Assistant Instructor
- b. Lecturer
- c. Adjunct Assistant Professor
- d. Adjunct Associate Professor

e. Adjunct Professor

The University of Maryland University College may also assign ranks in the Collegiate series (See USM Policy II-1.00, Section II.C.6.a.d.).

V. POLICY

A. Search

1. Credentials. Each institution shall develop written standards for the academic degrees or professional certifications and professional experience required for appointment to PTNTT instructional faculty ranks. These standards may vary depending on the level of courses to be taught.
2. Search Procedures. The institutional president or designee shall assure that each department or unit has in place written procedures for selecting faculty. These procedures shall include verification of credentials. Search procedures shall reflect the commitment of the institution and the University System of Maryland to equal opportunity and affirmative action.

B. Hiring

1. Contracts/Letters of Appointment. Each PTNTT faculty member shall be provided with a written contract or formal letter of appointment prior to the beginning of the assignment. The contract or letter shall state the academic rank, length of appointment, time of service (9 months, 9.5 months, one year), percent of full-time, salary, whether or not the appointment is renewable, nature of the assignment, benefits (if any), and performance-evaluation policies and procedures. In addition, all contracts/letters of offer shall specify what happens if a course is canceled prior to the start of class.
2. Information for Faculty. Upon signing the contract, the PTNTT faculty member shall have access to the institution's Faculty Handbook, in a written or electronic version.
3. Term of Employment. Initial contracts shall be for a period of one semester, but subsequent contracts may be for longer periods not to exceed three years.

II-1.06-2

C. Working Conditions

1. Support for Teaching. The appointing department or unit shall provide each PTNTT instructional faculty member with the support it determines to be necessary for the execution of the appointee's duties. Provision should be made for new appointees to attend departmental and institutional orientation sessions. Support shall also include the following:

- a. information on the department's policies, requirements, and goals for each course, along with access to examples of past course syllabi (if available);
 - b. official schedule of classes, including academic calendar and time frames of class meetings;
 - c. assistance in ordering textbook(s) for the course(s), ancillaries for the text(s), and office supplies;
 - d. copying services for course materials;
 - e. appropriate place for meeting with students during scheduled office hours, except if instruction is completely technology-mediated;
 - f. an institutional email account along with computer access; and
 - g. telephone access.
2. Professional Development. Professional development opportunities for PTNTT instructional faculty should be supported to the extent possible. This may include extending invitations to departmental, institutional, and external faculty development events.
 3. Teaching Assignment. The appointing department or unit shall provide PTNTT faculty with reasonable and adequate notice of projected teaching assignments prior to the start of classes. Notice of 45 days is suggested.
 4. Performance Evaluation. The institutional president or designee shall assure that each department or unit has in place written procedures for evaluating faculty performance on a regular schedule, as required by Board of Regents' Policy II-1.20. Departments shall evaluate the teaching of PTNTT faculty members on the same basis used to evaluate the teaching of tenure-track faculty members. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions about promotion, salary, and any subsequent contract are made.
 5. Faculty Participation, PTNTT faculty members shall be integrated into the scholarly, intellectual, academic, and social life of the department or unit, and institution. Institutional shared-governance procedures shall include PTNTT faculty.
 6. Salaries. Every effort should be made to make salaries professionally appropriate and competitive to the extent allowed by available fiscal resources.
 7. Benefits. PTNTT instructional faculty contracts and letters of appointment shall include a written statement of benefits available to the appointees.

Appointees shall be provided with access to relevant BOR policies governing the provision of those benefits to USM faculty and staff. PTNTT instructional faculty in their fifth semester of appointment at 50% time or more shall be eligible for the benefits listed in sections 7.a. and 7.b, subject to the terms of the policies cited.

a. USM Benefits

- (i) Tuition remission for faculty member (see USM Policy VII-4.10);
- (ii) Tuition remission for dependents (see USM Policy VII-4.20);
- (iii) Family and medical leave (see USM Policy II-2.31);
- (iv) Annual Leave (see USM Policy II-2.40);
- (v) Earned sick leave (see USM Policy II-2.30);
- (vi) Collegial sick leave (see USM Policy II-2.30);
- (vii) Personal leave (see USM Policy II-2.40);
- (viii) Leave for jury service (see USM Policy II-2.50); and
- (ix) Leave without pay (see USM Policy II-2.20).

Part-time non-tenure-track faculty shall be ineligible for sabbatical leave or for terminal leave, regardless of length of service.

- b. Institutional Benefits. Institution-controlled benefits provided to part-time tenured and tenure-track faculty and their spouses and dependent children.

II-1.06-4

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