



APPOINTMENT AND TENURE POLICY

POLICY TITLE:	Appointment and Tenure Policy of Carnegie Mellon University
DATE OF ISSUANCE:	This policy was adopted by the Executive Committee of the Board of Trustees on December 10, 1990. The most recent amendments to the policy were approved by the Executive Committee of the Board of Trustees on April 7, 1997. New guidelines on appointment of university professors were approved by Faculty Senate on February 8, 2000.
ACCOUNTABLE DEPARTMENT/UNIT:	Office of the Provost. Questions about policy content should be directed to the Office of the Provost, 412-268-6684.
ABSTRACT:	The Appointment and Tenure Policy of Carnegie Mellon University establishes a system of faculty appointments intended to lead to permanent appointment (indefinite tenure).
RELATED POLICIES	Special Faculty Appointments Research Faculty Appointments Librarian and Archivist Appointments Teaching Track Appointments

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GOALS, OBJECTIVES AND SCOPE

The present Appointment and Tenure Policy of Carnegie Mellon University establishes a system of faculty appointments that is intended to lead to permanent appointment (indefinite tenure), and that

1. provides that each faculty member is appointed because of competence in his or her field;
2. responds to the expectation that each faculty member will maintain and increase mastery and creativity in his or her field as well as in educating others in it;
3. assures academic freedom to all faculty members; and
4. specifies the responsibilities imposed on faculty, administration and trustees to secure these goals.

To this end, the Policy

1. states the kinds of appointment that faculty members may hold, and the conditions under which such appointments are made and held;
2. establishes due process for the orderly consideration of decisions on appointment and on indefinite tenure;
3. outlines the criteria that are to be applied in making these decisions; and
4. provides mechanisms for the resolution, by due process and in good faith, of conflicts arising out of the implementation of this Policy.

The present Appointment and Tenure Policy of Carnegie Mellon University (herein referred to as this Policy) shall be applicable on and after 1 July 1992 to all existing and future appointments to the faculty (i.e., the "tenure-track" faculty, herein sometimes referred to as the regular faculty) of Carnegie Mellon University; except that a person holding a regular faculty appointment on that date shall continue, so long as he or she holds regular faculty appointments in Carnegie Mellon University without interruption, to be governed by the Appointment and Tenure Policy that was applicable to him or her immediately before that date, to the extent only that the two Policies conflict. A person entitled to this exception may, however, opt in writing to be governed by this Policy without exception.

PRINCIPLES

Academic Freedom and Responsibility

In all educational activities, each faculty member has the freedom and the responsibility to choose the material and the format that will, in his or her judgment, best serve the objectives of the specific course or activity as well as of the educational program of Carnegie Mellon University. The faculty member has the right to express opinions on matters pertinent to the subject; he or she has the responsibility to respect the freedom of belief of the students and their right to express their opinions, and the duty to make clear the distinction between information and opinion.

Each faculty member has the freedom to determine how to make contributions to his or her field, in education, research, scholarship or artistic creation, and the responsibility to adhere to the ethical standards and the evidentiary criteria generally accepted by professionals in that field.

It is the duty of the administrative officers and of the trustees of Carnegie Mellon University to assist and protect the faculty in the exercise of these freedoms and responsibilities.

Standards of Faculty Conduct

By accepting membership in the university, an individual joins a community committed to free inquiry, intellectual honesty and respect for the dignity of others. It is a community open to constructive change.

The welfare, indeed the survival, of the academic community rests on the willing consent given by its members to the principles that guide their conduct. They all, faculty, students, administrators and staff, have the responsibility to take care that the highest standards of integrity be adhered to in the conduct of all academic affairs.

The university affirms the right of its members to organize and join political associations, to convene and conduct public meetings, and to advocate and publicize their views by verbal means and by public demonstration. It is entitled to expect from them that they maintain and affirm a continuing concern for the interests of the university as a whole.

Sanctionable violations of these standards of faculty conduct include, but are not limited to: engaging in fraudulent or otherwise unethical conduct in academic affairs, or encouraging or tolerating such conduct in other members of the university; misuse of authority to harass, intimidate, or defame others; interference with the normal performance of duties and functions of members and invited guests of the university; theft or willful destruction of property of the university or of its members.

FACULTY APPOINTMENTS: GENERAL POLICY

Ranks

The regular faculty of Carnegie Mellon University consists of persons with the ranks of *instructor*, *assistant professor*, *associate professor* and *professor* (this last rank is sometimes referred to as *full professor*, to prevent confusion). Full professors of particular distinction may be honored by conferring on them the title of university professor.

The rank of instructor is reserved for persons who are in the process of completing the customary preparation in the relevant field, whether that is the doctorate, a terminal professional degree or an appropriate apprenticeship; no one who has completed such preparation may be appointed or reappointed at the rank of instructor.

Tenure

Regular faculty members other than instructors and assistant professors are appointed with or without indefinite tenure, according to the provisions of this Policy. An appointment with indefinite tenure extends without limit in time and assures the appointee of continued service without the need of recurring appointments. Indefinite tenure is instituted to recognize that the appointee has established himself or herself permanently in the regular activity of Carnegie Mellon and of the general academic community, and to provide an effective safeguard for academic freedom. Indefinite tenure is institution-wide in scope: once it is granted to a faculty member, subsequent faculty appointments at Carnegie Mellon, whether by promotion or by transfer to another academic unit or otherwise, shall also be made with indefinite tenure.

In keeping with common practice in the academic community, the term *indefinite tenure* is sometimes abbreviated in this Policy to *tenure* (as, e.g., in *tenure decision*): the term *tenure* shall not, in this Policy, carry the broader dictionary meaning of "term of appointment" that it has, e.g., in Article II, Section 4 of the By-Laws of the Board of Trustees.

All faculty appointments without indefinite tenure are made for a definite term, as specified in the subsection on "Terms" of the section of this Policy entitled Faculty Appointments: Term of Appointment and Timing of Decisions.

Termination

A faculty appointment with indefinite tenure will terminate only if and when one of the following circumstances occurs: (1) retirement; (2) resignation; (3) death; (4) commencement of an accepted superseding appointment (e.g., upon promotion from associate professor to professor, or upon entering on a permanent position at another institution); (5) dismissal for cause, upon one or more of the grounds stated in the section of this Policy entitled Dismissal for Cause and Other Sanctions, and subject to compliance in good faith with the procedures specified there; (6) termination due to bona fide financial stringency of the entire institution so severe as not to be capable of relief by less extreme measures. A faculty appointment without indefinite tenure will terminate before the expiration of its term only if and when one of the circumstances stated in items (1) through (6) inclusive as listed in the preceding paragraph occurs; otherwise it will terminate upon the expiration of the term of appointment without reappointment or promotion, subject to the provisions of the subsection on Timely decisions of the section of this Policy entitled "Faculty Appointments: Term of Appointment and Timing of Decisions."

Authority

Every decision on faculty appointment, granting of tenure and termination of appointment (other than by death or resignation) is made by the Board of Trustees acting upon a recommendation by the president. This Policy contains provisions that are aimed at ensuring that the president's recommendation is informed by the results of an orderly process of consultation with, and recommendations by, faculty members and academic administrators.

The precise terms and conditions of each appointment shall be stated to the appointee in writing. No oral commitment supplementing terms stated in writing shall be made or recognized.

Every written communication offering an initial faculty appointment prior to its approval by the Board of Trustees must include, to be valid, the following statement: "This appointment is subject, before becoming effective, to approval by the Board of Trustees in accordance with the Appointment and Tenure Policy of Carnegie Mellon University."

FACULTY APPOINTMENTS: TERM OF APPOINTMENT AND TIMING OF DECISIONS

Types of Appointment

Decisions to make faculty appointments are distinguished in this Policy as initial appointments, reappointments and promotions. A faculty appointment is called an *initial appointment* if immediately before its commencement the appointee does not hold a regular faculty appointment at Carnegie Mellon, regardless of whether he or she had earlier held such an appointment and regardless of any employment at Carnegie Mellon in some other capacity. An appointment of a person already holding a regular faculty appointment is called a *reappointment* if the rank of the new appointment is the same as the rank of the current one; it is called a *promotion* if the rank of the new appointment is higher.

A decision on whether an initial appointment, or a reappointment or promotion of a faculty member without indefinite tenure, should be made with indefinite tenure is called a *tenure decision*, and if the decision is affirmative its outcome is called the *granting of tenure*. The same terminology applies to a decision on whether a current appointment without indefinite tenure should be converted into an appointment at the same rank with indefinite tenure.

A reappointment is called a *terminal appointment* if it is made for the sole purpose of satisfying the requirements of due notice in the case of a negative decision on reappointment or promotion or a negative tenure decision, as provided in the subsection on Timely decisions of the present section of this Policy.

A reappointment or promotion is called a *transfer appointment* when it is made in an academic unit different from the one in which the current appointment is held.

A faculty appointment is called a *joint appointment* if it is made in more academic units (departments, or colleges or schools) than one. For administrative purposes, one of the participating units is designated as the *home unit*. A joint appointment has a single rank and a single tenure status. At any given time, a joint appointment has a salary-and-commitment distribution that may lie (for two participating units) anywhere between 50%-50% and 100%-0% inclusive.

Years

When the length of the term of a faculty appointment without indefinite tenure is stated as a number of years, as well as when a year during the term of appointment is referred to in this Policy, the term *year* means the period from 1 July of one (Gregorian) calendar year to 30 June of the following calendar year, except that the first year of an initial faculty appointment is deemed to begin on the date on which the appointment becomes effective and to end on 30 June of the next calendar year.

This definition is not meant to affect, by itself, the determination of salary, the timing of salary payments or the distribution in time of the duties and responsibilities of the appointment. In particular, it is intended to allow for the traditional use of an "academic year" of about nine months' duration to serve as the basis for the determination of salary and of the time in which the duties of the appointee corresponding to that salary are to be carried out.

Terms

The specification of terms of appointment in this subsection refers to all appointments other than terminal appointments. The term of a terminal appointment is determined according to the provisions in the subsection on Timely decisions of the present section of this Policy.

The term of an appointment at the rank of instructor is one year, and no one may be appointed to more than three terms at this rank, whether consecutively or not. An instructor has the right to a decision, before the end of each term of appointment, regarding either reappointment - if not ruled out by this Policy - or promotion to the rank of assistant professor.

The term of an appointment at the rank of assistant professor is three years, and no one may be appointed to more than two terms at this rank, whether consecutively or not. An assistant professor has the right to a decision, before the end of a first term of appointment at this rank, on reappointment; and to a decision, before the end of a second term of appointment at this rank, on promotion, without indefinite tenure, to the rank of associate professor. If a tenure decision is made for an assistant professor (whether mandated by the tenure decision deadline or earlier), an affirmative decision must be accompanied by promotion.

An appointment at the rank of associate professor may be made with or without indefinite tenure. If it is made without indefinite tenure (whether by promotion or as an initial appointment) its term shall be determined so as to expire one year after the tenure decision deadline, as defined in the subsection on Tenure decisions of the present section of this Policy; if, when so determined, the term would exceed five years (which may occur if the appointment is an initial appointment or an early promotion), the term shall instead be five years. In this latter case, the associate professor has the right, if not granted tenure earlier, to a decision, before the expiration of the term, on reappointment, without indefinite tenure, for a term to be determined in the same manner.

A promotion to the rank of professor may only be made with indefinite tenure. An initial appointment at the rank of professor is normally made with indefinite tenure. In exceptionally justified cases, such an initial appointment may, however, be made without indefinite tenure for a term of three years. In such an exceptional case, which must be particularly noted in the written notice of appointment, a tenure decision must be made during the second year of the term of appointment; if this tenure decision is negative, there will be no reappointment.

If, during the term of a faculty appointment without indefinite tenure at the rank of assistant professor or associate professor, circumstances provided for in the subsection on Tenure decisions of the present section of this Policy, and

arising during the term in question, result in exclusions from current service for the purpose of determining the tenure decision deadline (see Exclusions from service in that subsection) that in the aggregate and after round-off equal or exceed one year, this term of appointment may be extended by one year by a decision made by the president acting upon the recommendation of the dean and subject to the agreement of the faculty member. In the case of an appointment at the rank of associate professor, if the cited exclusions from current service, computed in the same manner, equal or exceed two years, the term of appointment may be extended by two years by the same procedure. The extensions permitted by these provisions may be made in at most two terms, consecutive or not, of a person's appointment.

Tenure Decisions

General rules

For a faculty member holding an appointment without indefinite tenure other than one at the rank of instructor or a terminal appointment, a tenure decision must be made before a specified time, called the *tenure decision deadline*.

For an initial appointment without indefinite tenure at the rank of professor, the tenure decision deadline is the end of the second year of the three-year term of appointment (see the subsection on Terms of the present section of this Policy regarding this exceptional case). This case is excluded from the provisions in this subsection that determine the tenure decision deadline for all other cases.

The *initial date* for the determination of the tenure decision deadline is the commencement of an initial appointment at, or promotion to, the rank of assistant professor, or the commencement of an initial appointment at (or, exceptionally, a promotion from the rank of instructor to) the rank of associate professor, without indefinite tenure.

Before the initial date or within ninety days following the initial date, a *number of years of previous service* is determined according to the provisions of this subsection. This number must be stated explicitly in a written notice to the appointee; it may, to the extent that some of its components are subject to negotiation, as indicated below, be adjusted once, at the time of the first reappointment or promotion following the initial date.

Beginning with the initial date, the number of years (in the sense of the definition in the subsection on Years of the present section of the Policy) is counted and may be adjusted by the exclusions permitted by the provisions of this subsection, resulting in an *adjusted number of years of current service*.

The tenure decision deadline is defined to be that 30 June at which the sum of the number of years of previous service and the adjusted number of years of current service reaches nine.

If the number of years of previous service determined for a proposed initial appointment equals or exceeds eight, such an initial appointment may not be made without indefinite tenure.

Previous Service

The number of years of previous service is determined by computing the following items.

1. The number of years of service under earlier regular faculty appointments at Carnegie Mellon at the rank of assistant professor or a higher rank must be included. (The meaning of the term *year* in this count is that defined in the subsection on Years of the present section of this Policy, or whatever meaning it had for purposes of faculty employment at the time of the appointments under consideration.)
2. The number of years of service under research faculty and/or teaching track appointments at Carnegie Mellon at a rank equivalent to that of assistant professor or a higher rank must be included, except that one year of service at a rank equivalent to that of assistant professor may be excluded from the count. (The meaning of the term *year* in this count is the same as in item 1.)

3. Service under special faculty appointments at Carnegie Mellon that qualify by having a rank equivalent to that of assistant professor or a higher rank must be included, as follows: 100% of all time of service under qualifying special faculty appointments of category (A) - specifically including all appointments as visiting assistant professor, visiting associate professor and visiting professor - and 75% of all time of service under qualifying special faculty appointments of category (B) or (C). (The categories are defined in the university policy on Special Faculty Appointments.) Each college or school shall make rules to determine which special faculty appointments, other than those specifically listed above, are to be regarded as having a rank equivalent to that of assistant professor or a higher rank. The time of service is to be aggregated in 12-month years and fractions of such a year.
4. Temporary part-time service at Carnegie Mellon at a rank equivalent to that of assistant professor or a higher rank may, by written agreement between the individual and the university, be included on a proportionate basis (for example, two 12-month years of half-time service may be counted as one 12-month year), up to a maximum resulting count of one 12-month year.
5. Service on the full-time teaching faculty of another four-year academic institution at the rank of assistant professor or a higher rank, as well as service in other academic institutions at an equivalent rank and with comparable responsibilities may, by written agreement between the individual and the university, be included, as a whole number of years up to a maximum of four years. (The meaning of *year* in this count is to be a reasonable interpretation of the usage at the relevant institution(s).)

The number of years of previous service is obtained by adding the numbers of years resulting from items 1 through 5 inclusive, a fraction of a year in the sum (resulting from items 3 and 4) being rounded off to the nearest whole number (if the fraction is exactly one-half of a year it is rounded down).

When, in determining the number of years of previous service for an initial appointment at the rank of associate professor (or promotion from the rank of instructor to that rank), the number obtained in the preceding paragraph is less than three, the number of years of previous service is nevertheless deemed to be three for the purpose of determining the tenure decision deadline.

Exclusions from current service ("Stopping the tenure clock")

The university may adopt policies establishing criteria and procedures under which a faculty member without indefinite tenure may have certain periods of time excluded from current service for qualifying medical, family or public service reasons.

When a leave of absence is granted for professional reasons, or for personal reasons not covered by policies referred to in the preceding paragraph, the faculty member and the university may agree, in writing, to exclude from current service a period no longer than the duration of the leave; but exclusions for this reason may not exceed two twelve-month years when aggregated.

If, upon the appointment of a faculty member without indefinite tenure (whether the appointment is an initial one or not), the university undertakes commitments in writing regarding space, equipment or other resources, and delays in fulfilling these commitments in such a way as to impair substantially the faculty member's ability to carry out the full range of his or her academic responsibilities, a period commensurate with the delay shall, upon the request of the faculty member and/or the department head, be excluded from current service. The request shall be submitted, with the recommendations of the department head and the dean, to the provost for a final determination regarding the appropriateness of the exclusion, as well as its duration.

The exclusions from current service resulting from all the preceding provisions are aggregated. When using this aggregate exclusion for the determination of the tenure decision deadline, a fraction of a twelve-month year in the sum is rounded off to the nearest whole number (if the fraction is exactly one-half year it is rounded up).

Timely Decisions

A faculty member holding an appointment without indefinite tenure, other than a terminal appointment, has a right to a timely decision on reappointment, promotion or tenure, as is appropriate in each case under the provisions of the subsections on Terms and Tenure decisions of the present section of this Policy. A decision, whether affirmative or negative, becomes final upon ratification of the president's recommendation by the Board of Trustees; to be timely, it must be made and notified in writing to the faculty member before the expiration of the current term of appointment if it is a decision on reappointment or promotion and before the tenure decision deadline if it is a tenure decision. The president shall notify the faculty member of the decision in writing by first-class mail to his or her last known home address. Subject to the faculty member's acceptance, an affirmative reappointment decision becomes effective upon the expiration of the current term of appointment, and an affirmative promotion or tenure decision becomes effective on the 1 July immediately following the date of the decision.

In case a final decision is negative, the appointment shall continue, by means of a terminal appointment if necessary, until the later of: (a) the expiration of the current term of appointment; and (b) the 30 June (31 December if the expiring appointment is at the rank of instructor) next after the 1 July immediately following the notification of the decision.

Before the 31 January immediately preceding the time limit set above for a final decision, the president shall decide on his or her recommendation to the Board of Trustees and notify the faculty member of this recommendation in writing in the same manner as prescribed above. Upon the written request of the faculty member, the president shall provide a written statement of the reasons for the recommendation, provided the faculty member agrees in writing that the statement is confidential and may be used for no other purpose than to discuss the reasons with the department head, the dean, the provost or the president, if the faculty member so chooses, or to submit the statement to the Faculty Review Committee in support of a grievance arising out of a negative recommendation.

A negative recommendation made by the president may also be brought promptly by the faculty member before the Faculty Review Committee in the form of a grievance alleging that the recommendation involves issues of academic freedom, improper procedure or discrimination on any of the impermissible grounds listed in the subsection on Faculty grievances of the section of this Policy entitled Faculty Review Committee. The procedure to be followed is described in the cited section. So long as this procedure has not been completed, the president's recommendation shall not be brought before the Board of Trustees for ratification. If the term of the faculty member's appointment would expire before that time, the appointment shall nevertheless continue at the same rank, until the final decision shall become applicable as if the expiring term had ended on the 30 June immediately following the date of the board's decision.

At any time during the process of making a decision on reappointment, promotion or tenure, and whatever the nature of the recommendations already made, the faculty member has the right to request in writing that the process be stopped. Such a request shall have the same effect as would a final negative decision of the Board of Trustees, made on the date on which notice of the request is received by the president.

Early Decision

With respect to a faculty member holding an appointment without indefinite tenure, other than a terminal appointment, a decision on promotion or a tenure decision may be initiated and made at any time before it is required by the provisions of the subsection on Timely decisions of the present section of this Policy. Similarly, a decision on promotion to the rank of professor may be made at any time. It is indeed the policy of Carnegie Mellon that a decision on promotion or a tenure decision be made as soon as the faculty member is judged to satisfy the criteria for the proposed promotion or for the granting of tenure, respectively, according to the provisions of the section of this Policy entitled Faculty Appointments: Criteria. A decision to reappoint at the rank of assistant professor (or, if permissible, at the rank of associate professor, without indefinite tenure) may, however, be neither made nor initiated before the next-to-last year of the expiring term of appointment.

A negative decision regarding reappointment, promotion or the granting of tenure, if made early enough, shall not preclude the initiation and making of a later timely decision on the same issue. Moreover, with the exception noted in the next paragraph, the fact that there was a negative decision shall not be used to prejudice the process leading to such a later decision, nor shall any recommendations made in the earlier process be so used.

The process leading to an early decision is normally initiated by agreement between the faculty member and the department head. A faculty member has, however, the right to request on his or her own, at any time, the initiation of an early promotion or tenure decision or of a decision to promote to the rank of professor. Such a request must be made in writing. If the department head does not support the initiation of the process (whether he or she would recommend an affirmative decision or not), the request shall not be proceeded with unless the faculty member agrees in writing that, in the event of a negative decision, this decision as well as any recommendations that may be made in the process of reaching it may be taken into account in making a later decision on the same promotion or on tenure, as the case may be.

FACULTY APPOINTMENTS: CRITERIA

General Principles

Faculty appointment and tenure decisions are governed by the contributions the candidate has made and is expected to make to the excellence of the university, the advancement of the candidate's academic field, the quality of education and the functioning and welfare of the university community. An affirmative decision on initial appointment, reappointment or promotion, or on the granting of tenure does not guarantee subsequent affirmative decisions. It should be noted that advancement of otherwise qualified candidates may be denied because of budgetary constraints or because their talents and interests do not sufficiently fulfill the needs or promote the goals and priorities of the university.

Criteria

The evidence required for appointment and tenure decisions is conveniently organized under two categories: *Teaching and Other Educational Activities*; and *Research, Scholarly or Artistic Activities*. The specific designation of activities in each of these categories, the weight given to each activity within its category, and the nature of the required documentation will vary between one college or school and another. Each college and school has its Appointment and Tenure Policy (see the subsection on College and School Policies of the section of the present Policy entitled Faculty Appointments: Procedures), containing the detailed criteria to be used in making recommendations on appointment and tenure decisions and describing the required documentation. These provisions should conform to the following description.

Teaching and Other Educational Activities

Teaching, a principal function of the faculty, is direct educational involvement with students inside or outside the classroom, laboratory or studio, and includes such activities as classroom, laboratory or studio instruction, seminars, independent study project supervision and supervision of graduate and postdoctoral research. It also includes the advising of undergraduate and graduate students.

Competence in teaching should be documented by means including colleague evaluations and meaningful student evaluations obtained through surveys and solicited and unsolicited written opinions.

Other educational activities include development of new or reformed courses, curricula, degree programs and training programs; educational publications, textbooks and other instructional materials; and technical and critical popularization.

Research, Scholarly or Artistic Activities

Research, scholarly or artistic activities are those activities that lead to the production of new knowledge; to increased problem-solving capabilities, including design and analysis; to original critical or historical theory and interpretation; or to the production of art or artistic performance.

Competence in the activities of this category should be documented by the record of accomplishment, including publications, commissions, inventions and works of art; the record of recognition, including awards, prizes, honors from professional societies, exhibitions and critical reviews of publications, artistic production and research proposals; and the considered opinions of outstanding experts in the candidate's field, both inside and outside the university.

As the level of the decision rises, considered opinions of outside experts carry increasing weight. Requiring outside opinions is optional for decisions on initial appointment or reappointment at the rank of instructor, on promotion to the rank of assistant professor or on reappointment at the rank of assistant professor.

Other Considerations

Candidates for appointment and tenure decisions may also carry out professional activities that should be considered: e.g., professional practice, consulting, public service, service in professional and technical societies and editorial work on professional journals and other publications. Insofar as such activities either contribute to, or are an extension of, either of the two categories of activities described earlier in this subsection, they should be considered when evaluating qualifications under each of these two categories.

It is expected that every faculty member will contribute, by means of his or her expertise and the commitment of reasonable time and effort, to the functioning and welfare of the university community, and of his or her academic unit in particular, through such activities as chairing or serving on committees and councils, providing professional supervision of educational, research and other scholarly university resources, etc. Quality of contributions in this area of *Service* is to be considered (as well as substantial failure to attend to it), in addition to the main two categories of activities described above.

Application of Criteria

For initial appointment, reappointment and promotion at all ranks, competence is required, at a level appropriate to the respective stage of the candidate's career, both in Teaching and Other Educational Activities and in Research, Scholarly or Artistic Activities. For the granting of tenure (including initial appointment with indefinite tenure), the candidate must in addition be outstanding, or show promise to be outstanding, in at least one of the two categories by demonstrating a high level of capability in the production, dissemination or application of knowledge or esthetic experience.

The preceding provisions notwithstanding, there should always be room in the university for an individual so exceptionally outstanding in either Teaching and Other Educational Activities alone, or Research, Scholarly or Artistic Activities alone, with qualifications meeting the needs and promoting the goals of the institution, that he or she should clearly be appointed, retained or promoted.

The following provisions are intended to clarify the expectations associated with certain decisions.

A candidate for initial appointment at, or promotion to, the rank of associate professor should have a record of accomplishment that indicates clearly that he or she is a potential leader who in due time will be sufficiently well established to deserve promotion to the rank of professor.

Indefinite tenure is granted to a candidate whose record shows that the leadership and reputation inherent in the attributes of a full professor are established or are clearly in the process of being established.

A candidate for initial appointment at, or promotion to, the rank of professor should be very well established in his or her field. The successful candidate will usually be a recognized leader who has made outstanding contributions in teaching and other educational activities or in research, scholarly or artistic activities, and has achieved a national or international reputation.

The Appointment and Tenure Policy of each college and school (see the subsection on College and School Policies of the section of the present Policy entitled "Faculty Appointments: Procedures") may specify more in detail the application of criteria to the making of recommendations on appointment and tenure decisions, within the provisions of this subsection

FACULTY APPOINTMENTS: PROCEDURES

General Rules

This section prescribes the procedure to be followed in providing the president with the advice and recommendations necessary for the formulation of the president's recommendation to the Board of Trustees on each appointment or tenure decision (other than a decision to make a terminal appointment). In preparing this recommendation, the president may request any additional advice that he or she considers appropriate.

There are two degrees of thoroughness of the procedure, depending on the nature of the decision. A *summary procedure* is prescribed for: initial appointment and reappointment at the rank of instructor; initial appointment at, and promotion to, the rank of assistant professor; and transfer appointment, without promotion, of a faculty member already appointed with indefinite tenure. A *comprehensive procedure* is prescribed for all other cases, viz.: reappointment at the rank of assistant professor; initial appointment and reappointment at, and promotion to, the rank of associate professor; initial appointment at, and promotion to, the rank of professor; and all tenure decisions. The procedures for dealing with joint appointments are prescribed in the subsection on Joint Appointments of the present section of this Policy.

Each appointment decision and each tenure decision is initiated in a college or school according to the procedures prescribed in that unit's Appointment and Tenure Policy (see the subsection on College and School Policies of the present section of this Policy). The procedure in the college or school ends with a recommendation by the dean, submitted to the provost together with the complete documentation of the case, including all internal recommendations by faculty, department head and appropriate committees.

If a summary procedure is prescribed, the provost forwards the dean's recommendation with the accompanying documentation to the president, together with his or her own recommendation.

If a comprehensive procedure is prescribed, the provost submits the dean's recommendation together with the accompanying documentation to the appropriate University Committee on Faculty Appointments, as provided in the subsection on University Committees of the present section of this Policy. This University Committee makes its recommendation to the provost, who forwards it, together with all the documentation and with his or her own recommendation, to the president.

In the case of the proposed initial appointment without indefinite tenure at the rank of associate professor of a person who is not at the time a full-time employee of Carnegie Mellon University, the provost may, nevertheless, make his or her recommendation to the president without first obtaining a recommendation from the University Committee, unless the provost determines that the case, as presented and documented by the dean, appears to raise significant concerns regarding the appropriateness of the appointment. When a recommendation by the University Committee has thus not been required, the case shall be reported to the Committee for its information.

If the president disagrees with the recommendation of the University Committee, he or she shall inform the Committee of the reasons for the disagreement and provide it with an opportunity to respond, before formulating the final recommendation to the Board of Trustees. The contents of this final recommendation shall in any event be reported by the president to the members of the University Committee.

University Committees

Responsibilities

There are two University Committees on Faculty Appointments, viz., the *University Committee on Faculty Appointments Without Indefinite Tenure* and the *University Committee on Faculty Appointments With Indefinite Tenure* (called the *University Non-Tenure Committee* and the *University Tenure Committee* for short, respectively). These are standing committees. Their functions are:

1. To provide the provost and the president with recommendations on all appointment decisions requiring a comprehensive procedure (see the subsection on General Rules of the present section of this Policy) and on all tenure decisions.
2. To review the Appointment and Tenure Policy of each college and school (see the subsection on College and School Policies of the present section of this Policy), to monitor the procedures for appointment and tenure decisions in the colleges and schools and to recommend changes where inadequacies exist. In this function, the University Committees advise the respective colleges and schools and, if appropriate, communicate their concerns and recommendations to the provost and to the Faculty Senate.

The responsibilities for making recommendations on promotion decisions requiring a comprehensive procedure and on tenure decisions are assigned as follows between the two University Committees.

The University Non-Tenure Committee makes recommendations on reappointment at the rank of assistant professor and, when appropriate under this Policy, at the rank of associate professor when made without indefinite tenure; and on initial appointment at, and promotion to, the rank of associate professor when made without indefinite tenure.

The University Tenure Committee makes recommendations on all tenure decisions; on initial appointment at, and promotion to, the rank of associate professor when made with indefinite tenure; and on initial appointment at, and promotion to, the rank of professor (including the exceptional case of initial appointment at that rank without indefinite tenure).

When it is proposed to make an initial appointment at, or promotion to, the rank of associate professor with indefinite tenure, the University Tenure Committee makes the recommendation, but may instead recommend (taking the place of the other University Committee) that the proposed initial appointment or promotion be made, but without indefinite tenure, if such an appointment is permitted under the provisions of this Policy.

Composition

Each of the two University Committees on Faculty Appointments is constituted as follows:

1. The provost, who presides. In the absence of the provost, a dean designated by the provost presides.
2. The dean of each of the colleges and schools. If unable to attend a meeting of the committee, a dean may appoint a full professor in the respective college or school to be a substitute member for that meeting.
3. Three faculty members appointed by the chair of the Faculty Organization and two faculty members appointed by the provost. For the University Non-Tenure Committee, each of these members should be an associate professor (a professor only if no associate professor is available), with no restriction regarding academic unit; for the University Tenure Committee, each of these members should be a (tenured) professor.

4. One faculty member appointed by the chairman of the faculty of each college or school; if a college or school has, at the time the appointment is to be made, no chairman of the faculty, this member shall be appointed by the chair of the Faculty Organization in consultation with the dean of the college or school. For the University Non-Tenure Committee, this member should be an associate professor without indefinite tenure (a tenured associate professor only if none without indefinite tenure is available) in the respective unit; for the University Tenure Committee, this member should be a tenured faculty member in the respective unit.

The mode of appointment of each committee member in items 3 and 4 is the responsibility of the person designated to make the appointment. These members are appointed for staggered two-year terms beginning on 1 July and ending on 30 June, but continuing to serve until a replacement has been appointed. A vacancy is filled by appointment for the remainder of the unexpired term.

College and School Policies

Policies

Because of the diversity of academic environments and faculty activities in the university's colleges and schools, each of these units has a document, here called that college's or school's *Appointment and Tenure Policy*, describing its own detailed criteria and methods for evaluating each candidate for an appointment or tenure decision, within the provisions of the section of the present Policy entitled Faculty Appointments: Criteria; and providing for procedures for the consideration of appointment and tenure decisions leading to recommendations forwarded by the dean, as prescribed in the subsection on General Rules of the present section of this Policy.

The Appointment and Tenure Policy of each college or school must conform to the provisions of the present university Policy; to the extent of any inconsistency between a college's or school's policy and this university Policy, the latter shall prevail.

The Appointment and Tenure Policy of each college or school is established, and amended as needed from time to time, by the respective college or school council with the approval of the dean, and with opportunity given for consultation with the faculty of the respective unit. The policy is subject to review by the University Committees on Faculty Appointments (see the subsection on University Committees of the present section of this Policy), in particular on the occasion of an amendment.

Procedure

With regard to the procedure to be followed in the consideration of appointment and tenure decisions, the Appointment and Tenure Policy of each college or school should provide for deliberate examination of candidate qualifications and for due attention to the philosophy and direction of the educational and scholarly or artistic programs of the college or school and of the relevant department. To that end, the policy should require effective participation of the department head and of the departmental faculty of the appropriate rank and tenure status in formulating departmental recommendations, including, if appropriate, the opinion of departmental committees. The departmental process should also provide for reasonable opportunities for the expression of opinion on the decision by other faculty members (including research faculty) and, if appropriate, of graduate and undergraduate students.

For those appointment or tenure decisions for which a comprehensive procedure is prescribed by the provisions of the subsection on General Rules of the present section of this Policy, the Appointment and Tenure Policy of each college or school should further require:

1. Effective participation by the dean and by the department heads in the college or school, as well as by faculty members of the appropriate rank and tenure status and of expertise representing the breadth of the college's or school's academic activities, through standing and/or ad-hoc college- or school-wide committees.

- Detailed reports supporting the recommendations of the department as well as of the college- or school-wide committees, to be forwarded together with the dean's own recommendation to the provost for further action.

For all appointment and tenure decisions, the faculty member shall be notified promptly in writing of the departmental recommendation by the department head and of the dean's recommendation by the dean. Upon the written request of the faculty member, the department head or the dean, as the case may be, shall provide a written statement of the reasons for the recommendation, provided the faculty member agrees in writing that the statement is confidential and may be used for no other purpose than to discuss the reasons with the department head, the dean, the provost or the president, if the faculty member so chooses, or to submit the statement to the Faculty Review Committee in support of a grievance arising eventually out of a negative recommendation by the president to the Board of Trustees.

When a college or school is not organized by departments, the Appointment and Tenure Policy of that unit should provide procedures that ensure the same degree of deliberation and breadth of consultation prescribed in the preceding paragraphs.

In addition to prescribing the procedures to be used in the consideration of promotion and tenure decisions, the Appointment and Tenure Policy of each college or school should contain provisions ensuring that every faculty member of a rank other than that of professor is annually given reasonably reliable and detailed information on his or her performance in relation to the department's and the college's or school's goals and resources, and with a view to the prospect of a reappointment, promotion or tenure decision, as appropriate in each case.

Joint Appointments

General rules Joint appointments are defined in the subsection Types of Appointment of the section of this Policy entitled Faculty Appointments: Term of Appointment and Timing of Decisions. The present subsection deals only with joint appointments that are made in more colleges or schools than one. The Appointment and Tenure Policy of each college or school may contain provisions regarding that college's or school's participation in such joint appointments, as well as provisions for joint appointments between departments in that college or school, all subject to conformity with the provisions of the present Policy.

In order to avoid repetitions, and in this subsection on "Joint appointments" only, the term *unit* is restricted to mean "college or school," and *joint appointment* is from here on restricted to mean "joint appointment in more units than one."

The provisions of this subsection are formulated, for convenience, for appointments involving two units; but they are to be regarded as applying, with the obvious required changes, to appointments involving more than two units.

The unit having the greater percentage of the salary-and-commitment distribution of a joint appointment is the *home unit*; but if the distribution is equal or nearly so, the choice of home unit may be dictated by other considerations, and is made by agreement between the units and the faculty member.

A faculty member holding a joint appointment has, in both units participating in the appointment, all the rights and privileges pertaining to faculty members in that unit of the same rank and tenure status; except that the right to vote in faculty decisions in the non-home unit may be subject to restrictions established in the Appointment and Tenure Policy of that unit, provided such restrictions are equal for all joint appointees with the same rank and tenure status and the same percentage of the salary-and-commitment distribution in the unit in question.

For the purpose of determining the procedures regarding joint appointments, these are classified as *major joint appointments* if the percentage of the salary-and-commitment distribution in the home unit does not exceed 75%, and as *minor joint appointments* otherwise (the latter kind includes those appointments with a 100%-0% distribution). A deviation from this threshold percentage may, under exceptional circumstances documented in writing, be approved by

the provost for a specific appointment, acting on the concurrent recommendations of the deans of the units involved, and subject to the agreement of the faculty member.

Minor Joint Appointments

In all appointment and tenure decisions regarding a minor joint appointment, the participation of the non-home unit shall be by way of *consent*; a decision regarding consent shall follow the summary procedure prescribed for appointment decisions by that unit's Appointment and Tenure Policy according to the provisions of the subsection on College and School Policies of the present section of this Policy. In particular, when a decision on reappointment, promotion or the granting of tenure is to be made regarding an existing minor joint appointment, the decision shall be made as if the appointment were in the home unit exclusively; if the decision is affirmative, the resulting appointment shall be held in the home unit exclusively, unless the non-home unit gives its consent, with the agreement of the faculty member and the dean of the home unit, to making the resulting appointment again a minor joint appointment. The consent of the prospective non-home unit is also required when making an initial appointment as a minor joint appointment.

A decision to convert an appointment in one unit into a minor joint appointment with that unit as home unit, or to convert a minor joint appointment into an appointment in the home unit exclusively, or to make changes in the salary-and-commitment distribution of a minor joint appointment that do not convert it into a major one, is not regarded as an appointment decision requiring the approval of the Board of Trustees if it is to go into effect during the term of the existing appointment. Such a decision is made by written agreement between the deans of the units, the relevant department heads, and the faculty member, and does not affect the then current term of appointment; but the first of these decisions also requires the consent (as defined in the preceding paragraph) of the prospective non-home unit.

Major Joint Appointments

When making an appointment decision or a tenure decision regarding a major joint appointment, the appropriate procedure, whether summary or comprehensive, prescribed in the subsection on General Rules of the present section of this Policy, shall be followed in both units involved and in the university. For an initial appointment, the deans of the units involved must make concurrent affirmative recommendations. For all other decisions, the deans should endeavor to make their recommendations concurrent. In order to facilitate the reaching of concurrent recommendations, it is required that the procedure involve at least one recommendation from a standing or ad-hoc joint committee of both units. As an alternative to a recommendation for an affirmative or a negative decision, the deans may recommend that the decision be to reappoint, promote or grant tenure - as the case may be - in one of the units exclusively.

A decision to convert an appointment in one unit into a major joint appointment between that unit and another, to take effect during the term of the existing appointment, shall require, in addition to the agreement of the dean of the first unit, the department head in that unit, and the faculty member, an affirmative recommendation by the dean of the second unit, made after following the procedure prescribed in that unit for appointment decisions: a summary procedure if the faculty member is an instructor or is an assistant professor who has not been reappointed or if the current appointment is with indefinite tenure, and a comprehensive procedure in all other cases. The decision shall become final upon the approval by the provost, who must obtain the opinion of the appropriate University Committee on Faculty Appointments if a comprehensive procedure was prescribed. Such a decision is not regarded as an appointment decision requiring approval by the Board of Trustees. The same provisions apply to the conversion of a minor joint appointment into a major one with the current home unit as one of the prospective participating units.

A decision to convert a major joint appointment into a minor one or into an appointment in one of the participating units exclusively, if it is to go into effect during the term of the existing appointment, may be made by agreement between the deans of the units, the relevant department heads, and the faculty member.

In none of the cases provided for in the preceding two paragraphs does the decision affect the current term of appointment.

University Professors

Guidelines for Appointment

Foreword

The rank of University Professor is the highest one at Carnegie Mellon University, and it bestows both honor and obligation onto its recipient. University Professors should be drawn from all of Carnegie Mellon University's colleges and schools. These guidelines for nominating a University Professor describe a process that is intentionally similar to that of other academic promotions.

Criterion

International recognition and distinction for contributions to education, artistic creativity and expression and/or research.

Distinction may be demonstrated in a variety of ways consistent with the highest standards of the University. Recognition should reflect exceptional achievements at Carnegie Mellon that extend beyond the candidate's department and college. Recognition may also be demonstrated in part by election to an academy or by the highest honors or award given by the candidate's professional organizations.

Eligibility for Nomination

All current faculty members holding the rank of Professor and, excepting special circumstances, having held that rank for a minimum of five years at Carnegie Mellon University are eligible for promotion to the rank of University Professor.

Limitation

The number of University Professors should be no more than about 10 percent of number of faculty at Carnegie Mellon University holding the rank of Professor. Each year, the Provost will determine the maximum number of faculty members that may be elected.

Emeritus Faculty

An emeritus faculty member may, if he or she chooses, continue to hold the rank of University Professor after retirement. However, on retirement, this faculty member will no longer be counted when determining limits.

An emeritus faculty member may be elected to the rank of University Professor, but, when this unusual step is taken, this election counts against the limit for that year.

Nomination and Election Process

The Provost, University Professors, Deans and Departments Heads may nominate candidates. The Provost will request nominations early in the new school year and will determine the maximum number of persons who may be elected that year - subject to the restriction that there will be at least one position. The Provost will announce the deadline dates for the nomination process. A suggested timetable is for Letters of Intent to be submitted by the end of October and for final nomination packages by the end of January. The process will involve two steps.

1. Letter of intent

- Two or more nominators will prepare a signed letter of no more than one page indicating the intent to prepare a nomination. This letter should indicate the basis for the intended nomination. The nominator(s) will send this letter plus the proposed candidate's CV to the Provost.
- The Provost will appoint a subcommittee consisting of about five University Professors to review the letters of intent and then to select those for whom full nomination packages may be prepared. The Provost will chair this subcommittee and will be a voting member.
- The Provost will inform the nominators as to whether or not they should proceed with the full nomination.

2. Nomination

- The nominators will prepare a full nomination package, consisting of a signed cover letter not to exceed two pages, the CV of the candidate, and, at their discretion, not more than five support letters.
- The Provost will appoint a committee of approximately three persons from among the University Professors to review each candidate. This committee may solicit additional input. It will prepare a short report on its findings and recommendations.
- The Provost will call a meeting of the University Professors to review the nomination packages and committee findings and recommendations and then vote on the candidates. The Provost will appoint one of the University Professors to chair this meeting. The Chair of the election meeting will forward the proposed set of elected candidates to the Provost along with a record of the number voting for, abstaining and voting against each candidate.
- The President and the Provost along with the Board of Trustees will determine who among these candidates will be promoted to University Professor.

FACULTY REVIEW COMMITTEES

Concept and Functions

There shall be a *Faculty Review Committee* consisting of faculty members chosen by the Faculty Senate, on behalf of the faculty of Carnegie Mellon University, for the high regard in which they are held by the Carnegie Mellon community.

The functions of the Faculty Review Committee are the following:

1. The dismissal for cause of a faculty member, or the imposition of sanctions on a faculty member, requires concurrent findings by the president and the Faculty Review Committee that this measure is justified on one or more of the grounds listed in the section of this Policy entitled Dismissal for Cause and Other Sanctions. That section contains the pertinent substantive and procedural provisions for the exercise of this function.
2. The Faculty Review Committee has the power to review the president's recommendations on appointment and tenure decisions, as well as decisions on working conditions, that are alleged by an aggrieved faculty member to involve issues of academic freedom, improper procedure or discrimination on any of the impermissible grounds listed in the subsection on Faculty Grievances of the present section of this Policy.
3. The Faculty Review Committee may render advisory opinions on matters regarding policies affecting the faculty and the generic implementation of these policies, as provided for in the subsection on Advisory Opinions of the present section of this Policy.

Composition

The Faculty Review Committee shall consist of eleven members. To be appointed a member and to retain membership, a person must hold a regular faculty position with indefinite tenure and may not hold an administrative appointment.

The term of office of members of the Faculty Review Committee is one year, beginning on 1 July and ending on 30 June of the next calendar year or on the date the newly appointed members take office, if later; except in the cases of

members appointed to fill vacancies or co-opted to secure a quorum for specific matters before the Committee, as provided for in this subsection.

The members of the Faculty Review Committee, other than those appointed to fill vacancies or co-opted to secure a quorum, are elected by the Faculty Senate, all at the same time, according to the procedures prescribed in the Constitution of the Faculty Organization of Carnegie Mellon University and its Bylaws (herein referred to as the *Faculty Constitution and Bylaws*). These documents may, but need not, provide for a system of partial automatic extension of service that is intended to produce a pattern of staggered longer-term Committee membership.

A vacancy in the membership of the Faculty Review Committee, caused by resignation or by loss of qualifications for membership or otherwise, shall be filled for the remainder of the unexpired term by appointment by the Faculty Senate or by its Executive Committee according to the procedures prescribed by the Faculty Constitution and Bylaws.

When a matter regarding a dismissal for cause, sanctions, or a faculty grievance comes before the Faculty Review Committee, Committee members who have had a significant prior involvement with the matter in question, or who have a personal relationship with any of the parties directly involved in the matter, shall recuse themselves from participating in the proceedings regarding it. Neither shall any member appointed to fill a vacancy on the Committee after the matter has come before it participate in those proceedings, unless co-opted to secure a quorum under the provisions of this subsection.

When any matters regarding dismissal for cause, sanctions, or faculty grievances are pending before the Faculty Review Committee at the time when the term of office of its members would expire, the Committee shall continue as then constituted for the sole purpose of disposing of such pending matters in its jurisdiction, notwithstanding the appointment of a new Faculty Review Committee in the regular manner at the same time.

The exercise of the functions of the Faculty Review Committee requires the participation of a quorum of eight members of the Committee. In all cases, however, every member of the Committee who is neither recused nor excused by the Committee at his or her request for serious reasons has the obligation to participate in, and the right to be informed in a timely manner of, all Committee proceedings.

If the quorum specified in the preceding paragraph is not attained, the remaining Committee members qualified to participate in the proceedings in question shall co-opt, in whatever manner they shall determine, additional members to the Committee for the sole purpose of achieving the specified quorum for the matter or matters then before the Committee. The persons co-opted must be chosen among former members of the Faculty Review Committee who remain qualified to serve on it under the provisions of this subsection and of the Faculty Constitution and Bylaws. If a quorum cannot be attained even in this manner, the additional members required to achieve the quorum shall be chosen by lot by the chair of the Faculty Organization from among the persons qualified to be co-opted under the preceding provision.

Rules

The exercise of the functions of the Faculty Review Committee, as well as its internal organization and procedures (including, if appropriate, the selection of a chairman and the appointment of subcommittees) shall be governed, insofar as the matter is not prescribed by this Policy or by the Faculty Constitution and Bylaws, by rules adopted by the Faculty Review Committee itself. The making of these rules, as well as of every other decision mandated or explicitly authorized by this Policy to be made by the Faculty Review Committee, requires the approval of a majority of the members of the Committee entitled to participate in this decision, unless otherwise explicitly provided in this Policy.

Faculty Grievances

A faculty member may bring before the Faculty Review Committee, in the form of a grievance, an allegation that the president's recommendation to the Board of Trustees regarding an appointment or tenure decision concerning him or her, or the process leading to that recommendation, involves issues of

1. academic freedom; or
2. improper procedure, including improper application of criteria; or
3. discrimination on grounds of race, color, national origin, ancestry, sex, religion, creed, belief, age, marital status, sexual orientation, veteran status or non-job-related handicap.

A grievance may also be brought before the Faculty Review Committee by a faculty member who alleges that an administrative decision regarding working conditions, such as salary, assignment of teaching duties, space and other matters affecting the conduct of his or her professional duties, involves issues listed in items 1, 2, or 3 above.

When a grievance on any one or more of these grounds is submitted, the grievant shall present all factual or other data that he or she deems pertinent to the case, as well as all the relevant documentation available to him or her. The Faculty Review Committee shall have access to all the relevant documentation under the control of the university in the same manner and to the same extent as had the administrators and committees or other faculty bodies that participated in the decisions or recommendations to which the grievance refers, and with the same obligation of confidentiality that these administrators, committees or bodies were under with regard to any particular document.

When a grievance is submitted, the Faculty Review Committee shall first decide whether the allegations and the evidence submitted by the grievant merit detailed consideration of the matter, and shall inform the grievant and the appropriate administrator(s) promptly of this decision.

If the Faculty Review Committee decides that detailed consideration of a grievance is in order, it shall so notify the provost and the grievant's dean and department head, and shall expeditiously investigate the matter in the manner that it deems appropriate. If the Committee finds that there are grounds for a formal hearing, it shall conduct such a hearing under the same procedural safeguards prescribed for hearings in cases regarding dismissal for cause or other sanctions in the subsection on Procedure of the section of this Policy entitled Dismissal for Cause and Other Sanctions. The Faculty Review Committee, in carrying out its investigation, may appoint ad-hoc committees of investigation, reporting to it, and consisting of faculty members with indefinite tenure who may, but need not, be members of the Faculty Review Committee.

In determining whether a decision or recommendation that is the subject of a grievance was affected by improper procedure with regard to the application of criteria employed in arriving at it, the Faculty Review Committee may examine whether the decision or recommendation by an administrator, committee or other faculty body was the result of adequate consideration in terms of the relevant standards of the institution; but it shall not substitute its judgment on the merits of the case for that of the maker(s) of the decision or recommendation.

If the Faculty Review Committee concludes, after detailed consideration of a grievance, that the allegations in it have been established in full or in part, the Committee has the power to require of the maker(s) of the decision or recommendation that is the subject of the grievance that he or she or they reconsider this decision or recommendation to the extent that it is affected by the established allegations. When requiring reconsideration of a decision or recommendation, the Committee may choose to offer advice on how to structure the reconsideration so as to prevent a repetition of the errors that justify the grievance. In the case of an appointment or tenure decision, the Committee's advice should take into account the existing appointment and tenure policies of the grievant's college or school.

The conclusion of the Committee, its findings and, if appropriate, its decision to require reconsideration - which must include the grounds for this decision - shall be recorded in a report. This report shall be provided to the grievant and the maker(s) of the questioned decision or recommendation, as well as to the president, the provost and the grievant's dean

and department head. This report shall also be kept in the permanent files of the Faculty Review Committee. The Committee's obligation of confidentiality extends to the contents of this report.

The outcome of a reconsideration required by the Faculty Review Committee shall be promptly reported to the Committee.

Advisory Opinions

The Faculty Review Committee may render advisory opinions on matters regarding policies affecting the faculty and the generic implementation of these policies, but only either at the request of the president or of the chair of the Faculty Organization, or on the Committee's own initiative. Such advisory opinions are not binding, nor do they constitute binding precedents for the Committee's own future proceedings.

When an opinion is requested, the Faculty Review Committee may decline to render one, and need not give a reason for declining. The Committee must decline to render a requested opinion, and must abstain from rendering one on its own initiative, if it appears to the Committee that the opinion would have a direct bearing on a specific matter that is likely to come before the Committee in its function regarding proceedings for dismissal for cause or for other sanctions.

DISMISSAL FOR CAUSE AND OTHER SANCTIONS

Dismissal for Cause

A person holding a faculty appointment with or without indefinite tenure may be dismissed for cause from employment by the university only on one or more of the following grounds:

1. substantial neglect of duties;
2. demonstrable incompetence;
3. moral turpitude;
4. violation of the criminal law that places the institution or members of the university community in jeopardy;
5. persistent and willful violation of standards of faculty conduct; these standards are set forth in the subsection on Standards of Faculty Conduct of the section of this Policy entitled Principles.

To dismiss a faculty member for cause, there must be concurrent findings by the president and the duly constituted Faculty Review Committee (as provided for in the section of this Policy entitled Faculty Review Committee) that this action is justified on one or more of the grounds listed above, and these findings must have been arrived at by following in good faith the procedures prescribed in the subsection on Procedure of the present section of this Policy. For the dismissal to become effective, these findings must be concurred in and approved by the Board of Trustees.

Should the charges aimed at the dismissal for cause of a faculty member appear to the president to involve *gross misconduct*, meaning that they are of such gravity and of such a nature as to render the person unfit for continuing association with students, or to constitute an immediate and substantial danger to life or to property of the university or of members of the university community, the president may, at the time he or she initiates the process aiming at dismissal by formulating those charges or at any later time during the process, suspend the faculty member with pay.

A dismissal becomes effective when notice of the final decision of the Board of Trustees is given to the dismissed faculty member by the president in writing by first-class mail to his or her last known home address. The dismissed faculty member shall continue to receive his or her salary, at the rate in effect immediately before the date of the decision of the Board of Trustees, until the earliest of: (a) the date on which the term of appointment then in effect would have expired (if the appointment was one without indefinite tenure); (b) the expiration of one twelve-month year from the date of the decision by the Board of Trustees; (c) the commencement of other employment. If, however, the president and the Faculty Review Committee, in concurring in the finding that dismissal is appropriate, agree that gross

misconduct by the faculty member (as defined above) has been established, and the Board of Trustees concurs, the dismissed faculty member shall not be entitled to receive any salary after the dismissal has become effective.

Sanctions

Sanctions other than dismissal may be imposed on a faculty member only on the same grounds listed in the subsection on Dismissal for Cause of the present section of this Policy, or for knowingly committed violations of standards of faculty conduct that are not of such gravity or of such a nature as to merit dismissal. Such sanctions shall be imposed by the president with the concurrence of the Faculty Review Committee after following in good faith the procedures prescribed in the subsection on Procedure of the present section of this Policy.

Sanctions that may be imposed in this manner include, but are not limited to: reduction in salary; embargo on the consideration of salary increases for a specified period of time; prohibition of proposing, through the university, some or all sponsored research or other grants for a specified period of time; censure; public apology to the university community. A sanction consisting in excluding a faculty member without indefinite tenure from consideration for reappointment or promotion at the expiration of the current term of appointment or from consideration for tenure requires, in addition, the approval of the Board of Trustees.

The imposition of a sanction is not a subject of public announcements, as provided for in the subsection on Publicity of the present section of this Policy. When the very nature of the sanction requires disclosure (e.g., censure, public apology), the disclosure shall be made only to the extent strictly required. However, the fact that a sanction has been imposed, and the grounds therefor, documented by the final Faculty Review Committee report in which the Committee concurred in the relevant finding, shall be made known to those directly participating in any appointment or tenure decision process for the sanctioned faculty member, and the nature and the gravity of the established charges leading to the sanction are a legitimate consideration in formulating recommendations regarding the appointment or tenure decision as well as in making the decision itself.

Procedure

Initiation

A procedure aimed at dismissing a faculty member for cause or at imposing other sanctions on him or her shall be initiated only by the president after consultation with the appropriate department head(s) and dean(s), and with one or more university officers.

The decision of the president to initiate the procedure may be preceded in some cases, when permitted or required under policies established by the university, by a formal process of inquiry, or of inquiry and investigation.

The president shall *initiate* the procedure by communicating to the faculty member in writing a summary statement of the grounds on which a dismissal for cause or the imposition of another sanction is sought, as well as the specific nature of the proposed sanction, and advising the faculty member of the procedure to be followed and of the options available to him or her.

Suspension

If the evidence leading the president to initiate a procedure for the dismissal for cause of a faculty member appears to the president to involve gross misconduct, as defined in the subsection on Dismissal for cause of the present section of this Policy, the president may, when initiating the procedure or at any later time during the procedure, suspend the faculty member with pay. The suspension shall become effective upon notification in writing to the faculty member. The Faculty Review Committee shall be informed of the suspension. A suspension may be revoked by the president at any time. If not revoked earlier, a suspension shall remain in effect until the final disposition of the initiated procedure.

Ad-Hoc Committee

Immediately after the president has initiated the procedure for dismissal for cause or for other sanctions, the chair of the Faculty Organization shall, at the request of the president, appoint an *Ad-Hoc Committee* charged with rendering confidential advice regarding the substance of the initiated procedure. However, the faculty member, upon being notified of the initiation of the procedure, may waive in writing the appointment of the Ad-Hoc Committee; in that case the procedure continues at once with the formal statement of charges, as provided for below.

The Ad-Hoc Committee shall consist of three members, who shall be current or retired regular faculty members of Carnegie Mellon University who are or have been members of a University Committee on Faculty Appointments and who hold no administrative appointment nor are currently members of the Faculty Review Committee.

The Ad-Hoc Committee shall immediately carry out an informal inquiry into the matter giving rise to the initiated procedure, with a view to exploring the possibility of an adjustment. It may make recommendations on such an adjustment to the president and the faculty member; such recommendations are not binding. The Committee shall have thirty days, from the date of its appointment, to carry out this part of its function, but the president and the faculty member may agree to an extension of not more than fifteen days.

If no adjustment is recommended or, if one is recommended, it is not accepted by the president and the faculty member, the Ad-Hoc Committee may make a recommendation to the president on the advisability of pursuing the initiated procedure, as well as on the nature of the proposed sanction; but the Ad-Hoc Committee may also decline to make such a recommendation. The proceedings of the Ad-Hoc Committee must be completed no more than sixty days after the initiation of the procedure by the president.

Any recommendation made by the Ad-Hoc Committee shall be communicated to the president, the faculty member and the Faculty Review Committee.

Exceptions

Certain university policies permit or require a formal investigation of allegations of faculty conduct that, under the provisions of the present section of this Policy, may be grounds for dismissal for cause or other sanctions. Any such policy may specify conditions under which, after such an investigation of a faculty member's conduct, a decision by the president to initiate against that faculty member the procedure for dismissal for cause or for other sanctions shall not be followed by the appointment of an Ad-Hoc Committee under the preceding provisions.

When these conditions are satisfied, the president shall record that fact in the communication to the faculty member that initiates the procedure. The president may then proceed, not earlier than seven days nor later than fifteen days after initiating the procedure, with the formal statement of charges, as provided for below.

Statement of Charges

Within the time prescribed in the immediately preceding paragraph when the provision under the heading "Exceptions" above applies, and otherwise within fifteen days of the completion of the proceedings of the Ad-Hoc Committee, or if the communication to the president of the faculty member's waiver of the appointment of an Ad-Hoc Committee, the president, if he or she has decided to continue the initiated procedure, shall communicate to the faculty member in writing a *statement of charges*, which is a formal statement specifying the grounds upon which dismissal for cause or the imposition of sanctions is sought, the particular charges made on those grounds, the proposed disposition (dismissal for cause or another specific sanction), the detailed procedure to be followed and the procedural rights accorded to the faculty member.

If the charges in a procedure for dismissal for cause involve gross misconduct, as defined in the subsection on Dismissal for Cause of the present section of this Policy, the statement of charges shall include a declaration to this effect, whether the president has, in consequence of these charges, suspended the faculty member or not.

The statement of charges shall in particular inform the faculty member that a hearing on the charges will be conducted by the Faculty Review Committee at a specified time and place. The time of the hearing shall be set no earlier than thirty days nor later than forty-five days after the communication of the statement of charges, unless the chairman of the Faculty Review Committee arranges a reasonable extension of the latter time that is agreeable to the president and the faculty member.

No later than ten days before the date set for the hearing, the faculty member should respond in writing to the statement of charges, in order to answer the charges made there; at that time, the faculty member may also indicate whether he or she waives the holding of the hearing before the Faculty Review Committee.

Faculty Review Committee Procedure

The president shall promptly provide the Faculty Review Committee with the statement of charges and with the faculty member's response to it, and the Committee shall begin its examination of the case by considering these documents. Whether a hearing is to be held or the holding of a hearing is waived by the faculty member, the Faculty Review Committee may request relevant information from any person it considers appropriate, and it shall have access to all the relevant documentation under the control of the university.

If the Faculty Review Committee requests it, the university shall retain independent counsel of the Committee's choice to assist it in conducting its investigation of the case.

If a hearing is to be held, it is the faculty member's privilege to decide whether the hearing shall be private or open to the university community. If any facts are in dispute, the testimony of witnesses and other evidence concerning the charges in the president's statement of charges shall be presented at the hearing.

The president or a university officer of the president's choice may attend the hearing in person, and the president may designate a representative to assist in developing the case. The Faculty Review Committee, however, determines the order of proof, conducts the questioning of witnesses, secures, if necessary, the presentation of relevant evidence and controls the course of the hearing. Neither the president nor any other administrator shall attempt to influence the Faculty Review Committee except through argument openly presented at the hearing or in written documents readily available to the faculty member.

The faculty member shall have the option of assistance by counsel, whose function shall be similar to that of the president's representative. The Faculty Review Committee shall assist the faculty member, if necessary, in securing the attendance of witnesses at the hearing. The faculty member and his or her counsel, as well as the president's representative, shall have the right, within reasonable limits set by the Committee, to question all the witnesses who testify in person at the hearing. The faculty member has the right to be confronted by all witnesses testifying in support of the charges. When a witness is unable to appear at the hearing, a sworn deposition, made in the presence of the faculty member and his or her counsel, who shall have the right to question the witness, may be admitted as evidence. All the evidence admitted shall be duly recorded, and a transcript of the hearing shall be prepared.

Unless special circumstances warrant in the opinion of the Faculty Review Committee, it shall not be necessary to follow formal rules of court procedure at the hearing.

After the Faculty Review Committee has collected all the evidence, whether a hearing has taken place or holding a hearing has been waived, the Committee shall hear oral arguments by the president's representative and by the faculty member and his or her counsel. The Committee may also request written briefs if it regards them as being potentially helpful to its deliberations.

Faculty Review Committee Decision

The Faculty Review Committee shall make its decisions in conference on the basis of the evidence collected and the arguments of the president's representative and of the faculty member and his or her counsel. The Committee may proceed to a decision promptly, without awaiting a transcript of the hearing, if one was held, when the Committee members unanimously agree that the Committee is able to reach a just decision in this way; otherwise, the Committee shall await the availability of a transcript of the hearing.

On each of the charges contained in the president's statement of charges, the Faculty Review Committee shall decide (a) whether it finds that the charge is contained within one or more of the grounds listed in the subsections on Dismissal for Cause and Sanctions of the present section of this Policy, and, if so, (b) whether it concurs in the president's finding that the charge has been established. Unless the Committee's decision is affirmative on both points with respect to at least one charge, it shall exonerate the faculty member.

An affirmative decision on any of the points referred to in the preceding paragraph shall be reached if and when agreed on by members equaling or exceeding in number two-thirds of the total number of members participating in the consideration of the case (as determined according to the rules in the subsection on Composition of the section of this Policy entitled Faculty Review Committee).

If the Faculty Review Committee does not exonerate the faculty member, it shall then decide whether it concurs in the disposition proposed by the president, viz., dismissal for cause or some other specific sanction. The Committee may, instead, decide to make a reasoned proposal of a sanction less severe than that proposed by the president, or for a sanction equally severe but, in the Committee's judgment, more appropriate to the case; it may not propose a sanction more severe than that proposed by the president.

If in the statement of charges the president makes a charge of gross misconduct by the faculty member, as defined in the subsection on Dismissal for Cause of the present section of this Policy, the Faculty Review Committee, if and when concurring in the finding that one or more of the charges have been established and are properly grounded, shall also decide on whether it agrees that gross misconduct has been established. An affirmative Committee decision on this point necessarily implies concurrence in the president's finding that dismissal for cause is justified.

A decision by the Faculty Review Committee to concur with a proposal by the president to dismiss the faculty member for cause, or a decision to agree that gross misconduct has been established, shall be reached if and when agreed on by members equaling or exceeding in number two-thirds of the total number of members participating in the consideration of the case. Every other Committee decision on sanctions, referred to above, shall be reached if and when agreed on by a majority of the members participating in the consideration of the case.

All the decisions of the Faculty Review Committee required by the preceding provisions shall be recorded, together with a reasoned statement of opinion, in a *Faculty Review Committee report* that shall be communicated to the president and to the faculty member. Both shall also be provided with a copy of the transcript of the hearing, if one was held.

Appeal for Reconsideration

If the Faculty Review Committee does not exonerate the faculty member, he or she may lodge an *appeal for reconsideration*. Such an appeal may also be lodged by the president in all circumstances after receiving the Faculty Review Committee report.

For an appeal for reconsideration to be heard, written notice of the intention to appeal must be given to the president and the chairman of the Faculty Review Committee within ten days of the communication of the Faculty Review Committee report, and the appeal itself, with reasons given in detail, must be lodged with the president and the chairman of the Faculty Review Committee within twenty days of the communication of that report.

When notice of the intention to appeal for reconsideration is received, the president shall constitute an *Appeal Committee* to hear the appeal. The Appeal Committee shall consist of two deans chosen by lot among the deans of the colleges and schools, but excluding the dean of any college or school in which the faculty member holds an appointment; two members appointed by the chair of the Faculty Organization, chosen among those current or retired faculty members of Carnegie Mellon University who are former members of the Faculty Review Committee and do not hold administrative positions; and, to be chairman of the Appeal Committee, a member of the Board of Trustees appointed by the chairman of the Board of Trustees.

When hearing an appeal for reconsideration, the Appeal Committee shall review all the proceedings in the case and shall provide an opportunity for oral or written argument by the president or his or her representative and by the faculty member and his or her counsel. The Appeal Committee has the power to require the Faculty Review Committee to reconsider its decisions on those points and in response to those objections specified by the Appeal Committee. A decision to require reconsideration shall be made only if supported by the votes of at least three members of the Appeal Committee. The decision of the Appeal Committee, whether to require or not to require reconsideration, shall be communicated to the president, the faculty member, and the chairman of the Faculty Review Committee.

When required to reconsider its decisions, the Faculty Review Committee shall proceed to do so by taking into account the stated objections, and receiving new evidence and hearing new argument if necessary. It shall then make its decisions on the reconsidered points by the same procedure as before, and shall record them in an appropriately confirmed or amended report, herein referred to as the *final Faculty Review Committee report*. The report shall be communicated to the president, the faculty member and the members of the Appeal Committee.

If no appeal for reconsideration is lodged, or if one is lodged but the Appeal Committee does not decide to require reconsideration, the president shall so inform the faculty member, and the Faculty Review Committee report as originally prepared becomes the *final Faculty Review Committee report*.

Disposition

If the final Faculty Review Committee report exonerates the faculty member, the procedure shall terminate without further action, except as regards the disposition of the records, as provided below.

If the final Faculty Review Committee report records concurrence by the Faculty Review Committee in a finding by the president that dismissal for cause is justified, the president shall submit these concurrent findings to the Board of Trustees for the Board's concurrence and approval. If, in addition, the final Faculty Review Committee report records agreement by the Faculty Review Committee with the president that gross misconduct by the faculty member has been established, the president shall also submit this agreement to the Board for the Board's concurrence and approval.

In every other case, the final Faculty Review Committee report will record concurrence by the Faculty Review Committee in a finding by the president that at least one of the charges in the statement of charges has been established and is properly grounded, and the report will either agree with the president's proposal for a specific sanction other than dismissal for cause, or else will propose a sanction less severe than that proposed by the president (which latter may even have been dismissal for cause) or one equal in severity to that proposed by the president. In each case, the president shall then impose the less severe of the sanctions proposed by him or her and by the Faculty Review Committee; if they are of equal severity, the president shall impose whichever of the two proposed sanctions he or she considers more appropriate. When a sanction to be imposed requires, however, the approval of the Board of Trustees under the provisions of the subsection on Sanctions of the present section of this Policy, the president shall impose this sanction only after obtaining that approval.

If the disposition of the case requires the approval of the Board of Trustees, the president's decision to submit the case to the Board shall be communicated at once to the faculty member, to allow him or her to present to the Board, in writing, any arguments he or she considers appropriate to influence the Board's final decision.

When the president submits to the Board of Trustees a decision to dismiss a faculty member for cause, or a decision to impose a sanction that requires the approval of the Board, and the Board does not approve the proposed decision, the president may impose any sanction less severe than the one disapproved by the board (after obtaining the Board's approval if the intended substitute sanction requires it).

In every case in which the final Faculty Review Committee report does not exonerate the faculty member, the president shall report the disposition of the case to the Faculty Review Committee and record that disposition in the records of the case.

Communications and Notifications

All communications and notifications addressed to any person by the president or by the Faculty Review Committee regarding or related to a procedure aimed at the dismissal for cause of, or the imposition of other sanctions on, a faculty member shall be made in writing by first-class mail to the addressee's last known home address.

Records

When the procedure ends with the exoneration of the faculty member, or with an informal agreement before a decision by the Faculty Review Committee, all records of the case under the control of the university, including those under the control of the Faculty Review Committee, shall be destroyed no earlier than thirty nor later than forty-five days after the outcome is communicated to the faculty member. At the faculty member's request, in writing, submitted within fifteen days of receipt of that communication, the president shall address to the faculty member a letter identifying the charges and describing the findings in the final Faculty Review Committee report or the contents of the agreement, as the case may be. This letter shall be available for responsible use at the faculty member's discretion. It shall not be included in the personnel file unless such inclusion is requested, in writing, by the faculty member. The president's letter must be formulated, and used by the recipient, so as to preserve the confidentiality of the process, and shall in particular include only information already disclosed to the faculty member.

If the final Faculty Review Committee report does not exonerate the faculty member, and whatever the final disposition of the case, all records pertaining to the case, with the exception noted below, that are under the control of the university shall be kept only by the Faculty Review Committee, for whatever length of time is necessary to satisfy legal requirements for the protection of the faculty member, the university and all persons participating in the decision leading to that disposition (including witnesses testifying at a hearing or by deposition); but never for less than three years from the date of the final disposition of the case. At the expiration of that length of time, the records shall be destroyed.

If the final disposition of the case is the imposition of a sanction other than dismissal for cause, the following documents pertaining to the case shall be made part of the faculty member's personnel record, and kept there so long as he or she is employed by the university, and destroyed upon the termination of employment: the statement of charges, the final Faculty Review Committee report, and the final decision imposing the sanction.

Publicity

Dismissal for cause of a faculty member is an extreme measure, undertaken only for the protection of the university and of the members of the university community. It is not the purpose of the proceedings leading to this measure to subject the dismissed faculty member to public censure or to compromise unduly the possibility of his or her employment elsewhere. For this reason, hearings are private unless the faculty member decides that they should be open to the university community; nor is any public announcement made of the initiation of the procedure aiming at dismissal for cause, of any later stages of the procedure or of the final disposition of the case, unless the faculty member specifically requests, in writing addressed to the president, that a public announcement be made. Upon such a request, the president shall cause an appropriate announcement to be made to the faculty in a circular or in a faculty bulletin; the

announcement of a dismissal for cause shall include summary statements of the charges and of the decisions of the Faculty Review Committee, the president and the Board of Trustees.

The same provisions shall apply, with the obvious necessary adjustments, to procedures aimed at the imposition of sanctions other than dismissal for cause; except that when the nature of the sanction itself requires disclosure (e.g., censure, public apology) the fact that the sanction was imposed and a summary of the established charges shall be disclosed only to the extent strictly necessary. The availability of information on the imposition of a sanction to the persons directly involved in making recommendations on appointment and tenure decisions regarding sanctioned faculty members is provided for in the subsection on Sanctions and in Records in the subsection on Procedure of the present section of this Policy.

If a public statement about a case is made by the faculty member concerned or by any other person while the proceedings are still in progress or after they are concluded, the president shall have the right to a public reply.

APPENDIX: NOTICES

Notices of Appointment [\[pdf\]](#)

Faculty appointment without indefinite tenure.

Faculty appointment with indefinite tenure.

Notice of Number of Years of Previous Service [\[pdf\]](#)

Tenure decision deadline: Notice of number of years of previous service.