

**Change #17**

## SECTION VII

### 2 Administrative and Professional Faculty Personnel Regulations

3

#### 4 1. Introduction

5 The Administrative/Professional Faculty of the University is the body of all persons holding administrative or  
6 professional appointments with faculty rank. Definitions for the Administrative/Professional Faculty  
7 positions are given in the Governor's Consolidated Salary Authorization for Institutions of Higher Education.  
8 These definitions state:

9

10 a. Administrative Faculty Positions: Administrative faculty positions require the performance of work  
11 directly related to the management of the educational and general activities of the University, department  
12 or subdivision thereof. Incumbents in these positions exercise discretion and independent judgment and  
13 generally direct the work of others. The organization reporting relationship normally does not go lower  
14 than two levels below the President.

15

16 b. Professional Faculty Positions: Professional faculty positions require advanced learning and experience  
17 acquired by prolonged formal instruction and/or specialized work experience. Incumbents in these  
18 positions regularly exercise professional discretion and judgment and produce work that is intellectual  
19 and varied in character.

20

21 Changes in Administrative and Professional faculty personnel regulations and information are authorized  
22 by the President after consultation with the Provost **and the Chief of Staff** or the appropriate Vice President(s) and University  
23 constituencies.

24

#### 25 2. Selection/Appointment/Termination

26 Administrative and Professional faculty are normally selected with the aid of advisory search committees  
27 operating in accordance with procedures outlined in Section XI. Recommendations of the search committee  
28 are considered by the hiring official, and a recommendation for appointment is made to the President **who is the final  
authority on the appointment. All appointments are reported to the Board of Visitors at the next scheduled meeting of the  
Board.**

29 ~~may recommend to the Board of Visitors that the individual be appointed.~~ Appointments which will include  
30 academic department affiliation must include participation of the academic department in the selection process  
31 and the concurrence of the appropriate academic dean and the Provost prior to including academic department  
32 affiliation in the employment offer. Recommendation for appropriate academic rank must be processed  
33 through the Provost prior to referral to the President, ~~and the Board of Visitors.~~ Each Administrative  
34 appointee serves at the pleasure of a responsible official. Administrative and professional faculty are, in their  
35 administrative or professional faculty employment status, employees at will; accordingly, the University may  
36 terminate such appointments at any time, without notice, and without stating reasons. [If the terminated  
37 individual holds rank in an academic department (i.e., holds concurrent membership on the Instructional  
38 faculty) at the effective date of termination, the individual's employment status as a member of the  
39 Instructional faculty does not necessarily terminate as well. This Instructional faculty employment status of  
40 the subject individual is governed by the applicable provisions of "Instructional Faculty" section of this  
41 *Handbook*.]

42

#### 43 3. Administrative and Professional Faculty Grievances

44 Administrative and Professional faculty members who consider themselves to have suffered material  
45 professional detriment as a result of an action, decision, or recommendation of their administrative supervisor  
46 may seek recourse by:

47

48 a. Requesting reconsideration by the official making the decision or recommendation or taking the action in  
49 question.

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b. Failing resolution in Step a), submitting a written request for reconsideration or reversal of the action, decision, or recommendation at successively higher administrative levels through the Presidential level.

4 Matters concerning compensation and termination are not grievable under this section.

5

6 The Board of Visitors, at its discretion, may hear appeals, of full-time Administrative and Professional faculty on decisions of the President on matters subject to discretionary review as established by Board policy. The Board's discretionary review must be sought in writing within five (5) working days of the Presidential decision for which discretionary review is sought.

10

11 4. Leaves of Absence

12 a. Leave Without Pay – Family Medical Leave

13 The University grants leave in compliance with the Family and Medical Leave Act (FMLA) that requires the University give eligible Administrative and Professional Faculty up to twelve (12) weeks of unpaid, job-protected (for continuing positions), leave during any calendar year for; the birth, adoption, or foster care of a child; serious health condition of the employee; or the serious health condition of an immediate family member. Employees are eligible for FMLA if they have been employed with CNU for at least 12 months and have worked 1,250 hours during the prior 12-month period.

19

20 Administrative and Professional faculty taking leave under the FMLA have a guaranteed right to return to their same or equivalent position and pay (based on position availability). Health benefits may continue during the leave at the same level and conditions as if the administrator had continued to work. The administrator must give 30 days advance notice to the Provost or Vice President of the need to take FMLA leave, unless emergencies or unforeseen events preclude such advance notice.

25

26 A request for leave due to a serious health condition must be supported by a certification from the health care provider. This requirement includes the administrator's or family member's health care provider. The certification for a family member should include a statement from the health care provider that the administrator is needed to care for the family member. Certification forms are available in the Office of Human Resources.

31

32 b. Leave with Full Pay

33 The University grants leave with full pay and benefits for pregnancy and childbirth, illness, and disability to Administrative and Professional faculty members during the fiscal year providing there is a medical certification by a physician provided to the employee's supervisor and the Office of Human Resources. If the employee chooses to use this leave with full pay policy, any time under this leave policy that qualifies under the family and medical leave policy (FMLA) will run concurrently with FMLA. The following apply:

39

40 1) In the first year of employment, the maximum leave period is three months.

41

42 2) Except for employees in their first year, the maximum period of sick leave for Administrative and Professional faculty is for the remainder of the fiscal year. A member who is on sick leave at the end of a fiscal year may, at the discretion of the University, be offered a new appointment to the position in which member is incumbent or be placed on leave without pay for a period of at most one year or be removed from the administrative or professional faculty position in which the member is incumbent. Administrative and professional faculty who participate in the VSDP program of the Commonwealth of Virginia must follow the sick leave and disability provisions provided by the program. If needed, please contact the Office of Human Resources for VSDP guidelines.

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3) Leave may be used when serious illness in the member's immediate family 1 requires absence from

2 assigned duties. The employee will be entitled to the provisions of the FMLA leave without pay (12  
3 weeks unpaid leave) with five (5) workdays being paid, for any one absence. A family illness  
4 request requires certification from a health care provider.

5  
6 4) Leave may be used when death in the employee's immediate family requires absence from assigned  
7 duties. Administrators may use five (5) paid workdays for any one absence.

8  
9 5) Administrators requesting leave must notify or cause to be notified the immediate supervisor of the  
10 absence and the estimated return date.

11  
12 6) If the absence lasts longer than two weeks, the illness or disability must be certified by the attending  
13 physician. This certification sets forth the nature of the illness, disability or injury and the estimated  
14 date of return to work.

15  
16 c. Annual Leave

17 Annual leave for twelve-month administrative and professional faculty, is credited at the beginning of the  
18 fiscal year as though it were accrued at the rate of eight (8) hours of each pay period (192 hours credited  
19 on July 10). No more than ten (10) days or 80 hours of unused leave may be carried forward into the  
20 next fiscal year, unless an exception has been granted by the President. The approval of annual leave  
21 shall be subject to such scheduling as to insure minimum disruption of the normal operation of the  
22 University.

23  
24 Annual leave in excess of 80 hours at the end of the fiscal year should be used by July 9. Appointments  
25 made after the beginning of the fiscal year will be provided annual leave based on the accrual rate of  
26 eight (8) hours for each remaining pay period of the fiscal year.

27  
28 Employees in the first year of administrative or professional faculty employment will not be paid for  
29 unused leave upon separation from the University. After the first year of administrative or professional  
30 faculty employment, employees will be paid for up to 80 hours of unused accrued leave upon separation  
31 from CNU unless the employee is grant funded and grant funds are not available. Payment is calculated  
32 by adding 8 hours for each completed pay period, the number of leave hours carried over from the  
33 previous fiscal year, less the number of annual leave hours taken. The payment rate will be determined  
34 by converting the annual salary to an hourly rate. Under unique and extraordinary circumstances  
35 exceptions granting more than 80 hours leave may be given by the President.

36  
37 d. Holidays

38 Officially designated holidays by the University will generally be observed with no deductions against  
39 leave accounts. However, an office or department may need to be open based on unique service needs as  
40 approved by the Chief of Staff or Provost, or appropriate Vice President. ~~or Dean of Students~~. Annual  
41 leave may be granted during this period at the discretion of the supervisor.

42  
43 e. Administrative Leave

44 Administrative leave may be granted with full pay for any absence necessary for serving on a jury,  
45 attending court as a witness under formal subpoena, or appearing before an administrative agency under  
46 subpoena. Leave with pay can be granted at the discretion of the **Chief of Staff**, Provost, Vice President, or President  
47 where the charging of annual leave would be unfair to the employee due to the nature of the absence.

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1 f. Sabbatical Leave

2 Members of the Administrative and Professional faculty are also eligible for consideration for sabbatical  
3 leave. (See index: Sabbatical Leave)

5 g. Leave with Full or Partial Pay for Educational and Research Purposes (Professional Development)

6 1) Introduction: Leave of this kind is intended to permit administrative and professional faculty to  
7 devote their full energies to the development of knowledge and skills that will benefit the University.  
8 Such development will ordinarily take the form of pursuit of graduate study which will better  
9 prepare the individual to be effective in his or her present position, which will prepare the individual  
10 for advancement in his or her present career path, and/or which will prepare the individual to serve  
11 the University effectively in a new career path. Leave of this kind requires that the recipient be  
12 engaged throughout the period of leave in fulltime study and professional development. In particular,  
13 individuals who are granted such leave are prohibited from engaging in any employment or other  
14 activity of a remunerative nature during the period of leave. Leave of this kind must be taken for all  
15 or part of one fiscal year and, once granted, cannot be granted again until the grantee has completed  
16 at least six consecutive years of active, full-time, post-leave service to University. Administrative  
17 and professional faculty considering this leave should consult with Human Resources concerning  
18 benefits during this leave status.

19  
20 2) Selection and Timetable:

21 a) Administrative and professional faculty requesting such leave must prepare a statement (not to  
22 exceed 1,000 words) describing the activity to which the individual will commit if such leave is  
23 granted. The statement should begin with a clear, succinct, and cogent statement describing the  
24 purpose of the leave and the benefits, which will accrue to the University if the leave is granted.  
25 Beginning and ending dates of the proposed leave must be specified. If the leave involves formal  
26 enrollment in graduate courses, the courses and the semester and institution of each enrollment  
27 must be specified. If the activity is intended to lead to a graduate degree, the name of the  
28 degree, the name of the institution to confer the degree, and the date of expected receipt of the  
29 degree must be specified. The applicant must specify the fraction of salary being requested and  
30 provide appropriate justification for support at this level. A current curriculum vita of the  
31 applicant must accompany the statement.

32  
33 b) No later than January 7 of each fiscal year, the **Associate** Vice President for Human Resources  
34 will issue a timetable for the consideration of requests by administrative and professional faculty  
35 for leave of this kind in the next fiscal year. No later than February 7 of the same fiscal year,  
36 applicants must submit the materials described in the preceding section, together with statements  
37 of support or non-support from all members of the applicant's reporting line through the provost  
38 or vice presidential level, as appropriate. The statement of support or non-support from the  
39 applicant's immediate supervisor must include a plan and related costs for compensating for the  
40 applicant's absence should the requested leave be granted. The statement of support or non-  
41 support from the provost or appropriate vice president must assign a priority level (1, 2, 3, etc.,  
42 with 1 being the highest priority) to each application from that office's jurisdiction.

43  
44 c) No later than February 14 of the same fiscal year, the **Associate** Vice President for Human  
45 Resources will refer the applications to the Administrative and Professional Faculty Peer Review  
46 Committee, which will judge the merits of each application, render a statement of support or  
47 non-support for each, and assign a priority number to each without regard to the vice  
48 presidential jurisdiction in which it originated. The Administrative and Professional Faculty Peer  
49 Review Committee will report these results to the **Associate** Vice President for Human  
50 Resources, together with all application materials, no later than March 7 of the same fiscal year.

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61  
62 d) No later than March 14 of the same fiscal year, the **Associate** Vice President for Human  
63 Resources shall render a judgment of support or **non-support** for each application, assign his  
64 own priorities, and communicate his findings, together with the application documents and the  
65 findings of the Administrative and Professional Faculty Peer Review Committee to the President  
66 of the University.

6  
67 e) The President shall render a decision as to which applications shall be approved and shall have

8 appropriate resolutions granting leave prepared for consideration of the Board of Visitors at its  
9 next meeting.

10

11 3) Obligations of the Recipient.

12 a) Upon completion of a leave for educational/research purposes, the recipient shall, within 30  
13 days, prepare a report on his or her accomplishments during the period of leave. The report  
14 shall take note of and explain any differences between actual accomplishments and those  
15 anticipated in the application for leave.

16

17 b) Any recipient of such leave shall be obliged to remain in the employ of the University for a  
18 period following the leave, which must include two complete fiscal years. Failure to satisfy this  
19 requirement can result in the employee being required to repay to the University all cost of  
20 salary and fringe benefits provided during the period of leave. This requirement shall be waived,  
21 however, if the individual leaves the employ of the University at the University's behest.

22

23 5. Evaluation

24 The supervisor of each Administrative or Professional faculty member is responsible for an annual evaluation  
25 of the faculty member prior to the beginning of each new fiscal year. The supervisor may solicit information  
26 from the employee's files, peers, and subordinates, but the responsibility for the evaluation lies with the  
27 supervisor.

28

29 6. Promotions in Academic Rank

30 a. Introduction

31 The faculty is arranged in a hierarchical system of academic ranks, representing successively higher  
32 experience, accomplishments, expectations, and recognition.

33

34 For Administrative and Professional faculty members these ranks are: Professor, Associate Professor,  
35 Assistant Professor and Instructor. Position, degree of responsibility, level of relevant education, and  
36 experience are factors in establishing rank. Deficiencies in some respects may be balanced by unusual  
37 excellence in others. The standards and procedures given in this section apply only to administrative and  
38 professional faculty who do not hold their faculty rank in an academic department of the University.

39 Administrative or **p**Professional faculty holding rank in an academic department (i.e., holding concurrent  
40 Instructional faculty appointments) must have candidacies for promotion in academic rank considered in  
41 accordance with the provisions of this *Handbook*. (See index: Academic Rank)

42

43 b. Academic Rank Promotional Procedures

44 A member of the administrative or professional faculty who wishes to be considered for promotion in  
45 academic rank should notify the appropriate, immediate administrative supervisor. The formal request for  
46 promotion should be accompanied by a file of materials (dossier) to support the candidacy. The dossier  
47 can include any supportive materials that the candidate deems appropriate, but it must contain both  
48 documentation that the minimum requirements for the rank sought have been satisfied and information  
49 sufficient to permit those involved in the review of the candidacy to apply the "evaluation standards"

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specified for the rank sought. The Provost or appropriate Vice President is responsible 1 for determining  
2 any additional procedures for candidates within that officer's jurisdiction.

3

4 The files of those candidates being recommended for promotion are submitted to the Provost after the  
5 appropriate review in their division. Candidates for promotion must have a recommendation for or  
6 against promotion from their vice president, before their dossier is submitted to the Provost. Within the  
7 Academic Affairs Division, the appropriate director must recommend for or against promotion prior to  
8 submission to the Provost. The deadline for submission to the Office of the Provost is established  
9 annually by the Provost.

10

11 The Provost will forward the dossier and recommendations to the Administrative and Professional

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12 Faculty Peer Review Committee (APFPRC). This five-person campus-wide committee serves as an  
13 advisory committee to the Provost. As such, members of the Committee, including the Chair, are  
14 appointed by the Provost on an annual basis.

15

16 The APFPRC submits recommendations and priorities to the Provost who recommends to the President.

17 Recommendations may be either for or against promotion. The names of those candidates that the

18 President recommends for promotion will be submitted to the Board of Visitors for final action.

19

20 c. Academic Rank Promotional Standards

21 Academic rank is bestowed by the Board of Visitors, consistent with the following criteria:

22

23 1) Instructor

24 An instructor normally holds at least the master's degree. Evidence or promise of competence in

25 service is expected of faculty at the rank of instructor.

26

27 2) Assistant Professor

28 a) An assistant professor must hold at least a master's degree and should have successfully

29 completed at least 30 hours beyond the master's degree. In exceptional cases, evidence of

30 equivalent experience appropriate to the position may be presented in lieu of the 30 hours. Such

31 evidence will be reviewed by the APFPRC and its recommendation as to whether or not the

32 minimum qualifications for promotion have been met will be included as part of its

33 recommendation to the Provost.

34

35 b) Evaluation Standards

36 A candidate for promotion to assistant professor will be judged according to:

37 (1) evidence of exemplary performance in the candidate's position;

38 (2) evidence of professional development including but not limited to the following activities:

39 membership in professional organizations, attendance at professional meetings,

40 professional presentations, professional publications, relevant research, grants

41 development, etc.;

42 (3) evidence of service to the University as appropriate for the position such as teaching and

43 serving on committees;

44 (4) evidence of service to the community in providing professional expertise in any way that

45 promotes a positive image of the University; and

46 (5) evidence of a history of predominantly positive evaluations.

47

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1 3) Associate Professor

2 a) An associate professor should hold a terminal degree, or a functional equivalent as authorized by

3 the Provost, but must have:

4 (1) at least 30 hours of graduate work beyond the master's degree;

5 (2) at least four years of relevant university experience at the rank of assistant professor; and

6 (3) a total of six years of relevant university experience.

7

8 b) Evaluation Standards

9 A candidate for promotion to associate professor will be judged according to:

10 (1) evidence of exemplary performance as an assistant professor;

11 (2) evidence of continuing professional development (see index: professional development);

12 (3) evidence of outstanding service to the University (see index: service);

13 (4) evidence of outstanding service to the community in providing professional expertise in any

14 way that promotes a positive image of the University;

15 (5) evidence of a history of predominately positive evaluations; and

16 (6) extent to which minimal qualifications in 3)-a) are exceeded.

17

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## 18 4) Professor

19 a) A professor must have:

20 (1) at least a terminal degree (see index: terminal degree);

21 (2) at least seven years of relevant university experience at the rank of associate professor; and

22 (3) a total of twelve years of relevant university experience.

23

## 24 b) Evaluation Standards

25 A candidate for promotion to professor will be judged according to:

26 (1) sustained evidence of successful compliance with the expectations of the rank of associate  
27 professor;

28 (2) sustained evidence of truly outstanding professional effectiveness;

29 (3) sustained evidence of widely respected professional development (see index: professional  
30 development).

31 (4) sustained evidence of leadership and high achievement on academic and administrative  
32 service (see index: service);

33 (5) sustained evidence of great stature as a member of the University and academic community;

34 (6) evidence of outstanding service to the community in providing professional expertise in any  
35 way that promotes a positive image of the University;

36 (7) evidence of a history of strongly positive evaluations; and

37 (8) extent to which minimal qualifications in 4)-a) are exceeded.

38

## 39 7. Administrative Actions for Inappropriate Conduct on the Part of Administrative and Professional Faculty

40

## 41 a. Examples of Unsatisfactory Behavior

42 1) Failure to perform satisfactorily one's duties, follow instructions, comply with established written  
43 policy, or otherwise fail to maintain professional standards of conduct.

44

45 2) Acts of violence or harassment; unauthorized use of drugs or alcohol; unauthorized use of, misuse  
46 of, or willful or negligent damage to state or employee property, equipment or facilities.

47

## 48 b. Purposes

49 1) These sanctions are designed to protect the rights of Administrative and Professional faculty and to  
50 assure compliance with University rules and policy and public law.

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2) The sanctions provide directors, deans, **and** vice presidents, **and** the Provost **and the Chief of Staff** with guidelines to follow  
3 when an administrator's conduct is inappropriate or in violation of the policies of the University.

4

5 3) This process also defines the measures, which are appropriate in relation to the offense.

6

## 7 c. Sanctions

## 8 1) Introduction

9 There are four types of sanctions. These sanctions are not progressive or sequential; rather, the  
10 seriousness of the offense(s) will determine the sanction which is initiated. Dismissal need not be  
11 preceded by any of these lesser sanctions.

12

## 13 2) Admonition

14 a) An admonition is warranted when an administrator's behavior is of such a nature that it is likely  
15 to or does reflect unfavorably upon the office or the University or on the administrator's  
16 professional status.

17

18 b) The director, dean, vice president, ~~or~~ Provost **or Chief of Staff** is responsible for orally admonishing the  
19 administrator and keeping a memorandum of the substance and date of the discussion.

20



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## 21 3) Written Warning

22 a) A written warning is issued when unacceptable behavior continues after admonishment or when  
 23 an administrator's misbehavior is of a more serious nature to such a degree that a written  
 24 warning is appropriate.

25

26 b) The director, dean, ~~or~~ vice president, ~~or~~ Provost **or Chief of Staff** is authorized to issue written warnings.

27

28 c) An appeal, is permitted to the next higher level, but not beyond the appropriate vice president, or  
 29 the Provost

30

31 d) The written warning will include descriptions of the unacceptable behavior and those actions  
 32 necessary to correct or eliminate the problem, a reasonable time within which those actions must  
 33 be taken, and the consequences of failure to take those actions.

34

## 35 4) Suspension

36 a) Suspension, with or without loss of pay, occurs when an administrator's misbehavior continues  
 37 after written warnings, or when the misbehavior is of such a nature that immediate suspension is  
 38 warranted.

39

40 b) Only the appropriate vice president, ~~the~~ Provost, **Chief of Staff** or the President are authorized to impose this  
 41 sanction.

42

43 c) If a vice president, ~~or~~ the Provost **or the Chief of Staff** has taken the action an appeal, is permitted to the President.

44

45 d) The President has the final authority.

46

## 47 5) Dismissal

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## 2 8. Library Faculty

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4 a. Definition: Library faculty are a special category of administrative and professional faculty. The library  
 5 faculty includes the University Librarian (Library Director) and all other professional librarians who hold  
 6 the MLS or equivalent degree and whose assigned responsibilities in the library require the attainment of  
 7 the MLS degree or its equivalent. The University Librarian is a member of the administrative faculty; all  
 8 other members of the library faculty are members of the professional faculty.

9

10 b. Precedence: Unless otherwise specified in the individual's employment contract or letter of appointment,  
 11 for library faculty the provisions of this subsection take precedence over those of all other subsections of  
 12 section VII with which they might differ. Otherwise, the regulations applicable to library faculty are  
 13 those specified in section VII for all administrative and professional faculty. All matters of interpretation  
 14 involving this subsection shall be decided by the provost.

15

16 c. Employment Status: Library faculty are employees by contract rather than employees at will. For full  
 17 time, salaried library faculty, contracts of employment normally extend from July 1 through June 30 of  
 18 the following calendar year, with nonrenewal decisions requiring notification to the employee to that  
 19 effect being given no later than the April 1 immediately preceding the expiration of the final contract.  
 20 Contracts of employment which begin on a date other than July 1 will normally expire on the next June  
 21 30 and are not subject to the April 1 nonrenewal notification deadline. Library faculty serving on part  
 22 time, temporary, or other wage (as opposed to salaried) employment may be employed by contract for  
 23 specified periods of time; such employment terminates automatically at the expiration of the applicable



24 contract, with no notice of termination required.

25

26 d. Relationship to the Instructional Faculty: Inasmuch as the University Library is a unit in the budgetary  
27 program of “academic support” rather than the budgetary program of “instruction,” library faculty are  
28 not members of the instructional faculty and their positions are not tenure-eligible. However, because  
29 library faculty play a key professional role in support of the instructional program of the University, it is  
30 appropriate that Library Faculty participate in the governance of the University in a fashion consistent  
31 with this role. Accordingly, library faculty may serve as members of committees and other bodies of  
32 governance of the instructional faculty. The conditions of such membership, if and when it occurs, are  
33 determined by the provost, acting on the recommendation of the Faculty Senate.

34

35 e. Academic Freedom: The provisions of the Board of Visitors’ policy on academic freedom are applicable  
36 to members of the library faculty.

37

38 f. Participation in Academic Ceremony: Library faculty shall participate with the instructional faculty in all  
39 formal, academic University ceremonies and, when appropriate, shall do so in appropriate academic  
40 regalia.

41

42 g. Emeritus Status: Library faculty shall be eligible for consideration for emeritus status, as that term is  
43 defined for the instructional faculty in section XII. The process of consideration shall be as defined in  
44 section XII, subsection 11, with the library faculty as a whole substituting for the academic department  
45 and with the University Librarian substituting for the ~~school or~~ college dean.