

PREAMBLE

The revised Faculty Handbook is a product of an extended, frank and collegial process of discussion between faculty members and administrators who share a vision of excellence and quality and a goal to build a university to serve students for the twenty first century. This document was created in a new climate of shared governance and to promote its further expansion. The handbook recognizes the professionalism and expertise of the HPU faculty and creates a process whereby the growth of faculty as professional practitioners, scholars, teachers, and partners in the university can be enhanced and flourish. The handbook is a building block on which to create a university for the future while simultaneously honoring the university's past. It seeks to create an institution flexible enough to meet changing needs whilst preserving and promoting the best traditions and highest standards of the academy.

In constructing the university of the future the authors were mindful of the need to achieve a balance between the rights of faculty, the needs of students, and the expertise of administrators. These principles are reflected in the university's new strategic plan and the handbook seeks to align with the vision and goals outlined in that document. Akin to the strategic plan, the handbook was created in the context of a changing culture and a new chapter for HPU that focuses upon the institution as a community working towards a shared vision.

The Handbook is designed to provide faculty members with information about the institution in general and with the policies and procedures most pertinent to faculty status and instruction at Hawai'i Pacific University. Not all of the policies relevant to faculty are stated here, however. Faculty should consult the Academic Affairs Policies and Procedures Manual for additional policies that govern faculty employment, conduct, teaching and classroom management and other matters related to faculty responsibilities and rights in teaching, research, and service. Individual colleges also maintain their own manuals of procedures.

A majority of the voting members of the Faculty Assembly voted to endorse the revised Faculty Handbook and to implement its provisions beginning fall 2014.

CHAPTER I. MISSION, VISION, AND STATEMENT OF VALUES OF HAWAI'I PACIFIC UNIVERSITY

A. Mission

Hawai'i Pacific University is an international learning community set in the rich cultural context of Hawai'i. Students from around the world join us for an American education built on liberal arts foundation. Our innovative undergraduate and graduate programs anticipate the changing needs of the community and prepare graduates to live, work, and learn as active members of a global society.

B. Vision

Hawai'i Pacific University will be consistently ranked among the United States' top 10 Western, independent, comprehensive universities, leveraging its geographic position between the Western and Eastern hemispheres and its relationships around the Pacific Rim to deliver an educational experience that is distinct among American campuses.

C. Culture (Statement of Values):

- Aloha: Shared future/goals, collaboration, decisive, disciplined, culture of accomplishment and valuing university communities.
- Pono: Truth and ethics, trust and respect, civility, transparency, gratitude, acceptance and purposefulness.
- Kuleana: Sustainability, student focused, value added, academic rigor, state of the art, stewardship and shared governance.

CHAPTER II. GOVERNANCE AND ORGANIZATION OF HAWAI‘I PACIFIC UNIVERSITY

A. Shared Governance at Hawai‘i Pacific University

The principle of shared governance is a cherished tradition of higher education in the United States. It is based upon respect for the professional contributions of all members of the university community and fosters the cooperation and collaboration that is necessary for the university to realize its mission. Shared governance entails shared responsibilities and requires the engagement of members of the entire university community who both reap the rewards of such collaboration and take accountability for their actions. The success of the university depends upon a system of shared governance in which roles are clearly defined but members of the university community work together to pursue a common, unified vision of the institution.

While there are many models of shared governance, at Hawai‘i Pacific University shared governance operates upon the following principles which are vital for good decision-making:

- open, transparent, timely and multidirectional communication;
- mutual respect and collegiality;
- academic freedom;
- transparent and publicized policies;
- inclusion of stakeholders who have relevant expertise and/or who may be impacted by the decisions.

These principles are embraced and promoted by all participants in the governance process at Hawai‘i Pacific University: faculty, administrators, staff, students, and the Board of Trustees.

B. The Role of the Faculty in Shared Governance

Shared governance operates best when initiation of action is encouraged by stakeholders, appropriate to their special knowledge and expertise, at all levels of the university. While shared governance does not imply that all members of the university community have a determinative voice in every decision made at the university, faculty have an acknowledged expertise in specific areas of the university that impact its academic function. Faculty should therefore have a primary role within a shared governance system for the formulation of policy relating to:

- the curriculum;
- modes and methods of instruction;
- academic standards and professional ethics;
- academic appointments and reappointments;
- review, evaluation, and promotion of faculty;
- degree requirements;
- program development;
- aspects of student life that relate most closely to the educational process.

The faculty is accountable to the administration in fulfilling these responsibilities and does so as part of the faculty’s wider charge to establish and to maintain the highest academic and professional standards of the academy and the institution. Where the administration disagrees with decisions made by the faculty in these areas, these disagreements should be rare and where they occur the administration must clearly articulate the grounds for such disagreement and communicate this to the appropriate faculty.

Moreover, faculty should have significant input via the governance structure into other areas which impact the academic functions of the institution. These include, but are not limited to:

- mission development and strategic and operational planning;
- budget development;
- institutional assessment;
- searches for key university leaders.

Faculty participate in governance primarily, but not solely, through their academic departments, college faculty assemblies, university faculty assembly and its committees, and faculty council. The respective jurisdictions of each of these bodies are delineated in College and University Faculty Assembly Bylaws.

C. Decision-Making at Hawai'i Pacific University

Contributions and roles in the shared governance structure will vary depending upon the goal and the party responsible for implementing policies. Differences in the weight of each voice depend upon the responsibility each has for the matter at hand. Thus, while faculty have primary responsibility in academic matters, as delineated above, the Board and the President have major responsibility to initiate action in areas such as, but not limited to, physical resources, budgeting, and strategic planning. In these areas joint efforts should be made to seek agreement from all parties before final decisions are made.

Decision making at the university also involves an administrative-staff voice and, when appropriate, involvement of student leaders. Ultimately, shared governance implies all members of the university community working together to reach common goals and serving in complementary capacities to further the mission of the university.

D. The Board of Trustees

(Sections D through H are from the Bylaws of Hawai'i Pacific University)

The Board of Trustees shall have the authority to carry out all functions that are permitted by law, the Bylaws or the Articles and other documents as the Board deems appropriate. Except as otherwise limited by the Articles, statutes or the Bylaws, the Board may delegate any part of its authority over the affairs of the University to the President or to other officers of the University. Without limiting the foregoing powers, the Board in the exercise of its non-delegable authority over the quality, integrity, and financial sustainability of the University, shall have the power and authority to:

- a. Determine the principles, objectives, and policies of the University.
- b. Approve the educational program of the University and policies concerning the compensation of faculty and administrative staff.
- c. Contribute financially to the University's fundraising goals, participate actively in strategies to secure sources of support, and approve and support a development program for the University.

E. President

The President of the University is the chief executive officer of the educational and administrative programs and shall be elected by the Board of Trustees to hold office at its pleasure and serves on the Board *ex officio*. The President, except as limited by the delegated authority resolution, shall: exercise all the business powers of the Corporation, have general oversight of all courses of study and research in the several Schools and of the general academic work of the University, be Chairman of all faculties of the University Faculty, and be *ex officio* a member of all committees of the Corporation except the Compensation and Audit Committees. The President shall make all appointments to faculty and staff of the University except where reserved to the Board under such rules as may be adopted from time to time by the Board, and report them to the Board. The President's authority shall be used for the operation and development of the University as a whole and for each of its parts. As chief executive officer and principal educational officer, he or she shall plan, develop and administer all institutional activity in harmony with the objectives and mission of the University as established by the Board. The President shall report to the Board periodically on the status and progress of the University and shall be the final liaison with the Trustees on all matters of policy.

The President shall prepare an annual budget for review and recommendation by the Finance and Investment Committee and approval by the Board of Trustees. After the adoption of the budget, the President may approve supplemental items of income and expense in accordance with the Trustees' delegated authority resolution, and shall from time to time inform the Board of such changes.

Clear and specific procedures for selection, evaluation, and removal of the President shall be detailed in policies adopted by the Board.

F. Provost/Vice President of Academic Affairs

The Provost/Vice President of Academic Affairs has administrative responsibility, under the President and Education Committee, for the planning, coordination, administration and evaluation of academic affairs of the University. The Provost/Vice President of Academic Affairs shall propose plans and actions in academic matters; review and implement educational programs and policies and be responsible for Deans, Directors and all faculty. The Provost/Vice President of Academic Affairs shall: a) be empowered to appoint faculty committees and call meetings of the Faculty Assembly; b) recommend appointment of Deans, department chairs, directors, and university and faculty committee members; c) supervise Deans, Department Chairs, and all academic heads; and d) be responsible for the recruitment, hiring, assignment, promotion, and professional development of the faculty. The Provost/Vice President of Academic Affairs shall be responsible for the budget of the Academic Affairs Division. The Provost/Vice President of Academic Affairs shall report to the President and may have such other duties as assigned from time to time by the President.

G. Vice President and Chief Financial Officer

The Vice President and Chief Financial Officer shall be responsible for all business and finance, including accounting, preparation of budgets, and fiscal planning of the University. The Vice President and Chief Financial Officer shall prepare or cause to be prepared and supply for the Board and its officers and committees such statements and reports as may be from time to time required or as may be needed to show the financial condition, results of operations and cash flows of the University. The Vice President and Chief Financial Officer shall have charge of: the investment of the University's funds; the purchase, management, and sale or disposition of properties; and insurance and taxes; and shall receive and be custodian of all securities of the University and of the legal documents relating to invested funds either directly or by depositing such securities with a trust company as designated by the Board. The Vice President and Chief Financial Officer shall manage the University's external debt and related reporting and debt compliance matters, and shall be the University's primary liaison with external debt rating agencies.

The Vice President and Chief Financial Officer shall have custody of all records, contracts, agreements, deeds, and other documents of the University or relating to its operations except minutes of meetings.

H. Other Officers

The Board may elect additional Officers of the University to serve at the pleasure of the Board. The President may determine their duties, authority, and compensation with the approval of the Board and the Executive Committee.

I. University-Wide Administrative Committees

Various university-wide administrative committees may be formed by the administration to serve a wide range of purposes, not limited to, university governance, policy development, and university, administrative, faculty, staff, and student issues.

J. Faculty Assembly

(Sections J and K are adapted from the Bylaws of the Faculty Assembly)

The Faculty Assembly is organized to provide a voice for the faculty in the shared governance of the university, promote and facilitate cooperation and communication among faculty, promote and nurture academic excellence, and in so doing, promote the common good of Hawai'i Pacific University. These goals are accomplished through meetings to discuss University issues, creating standing and ad hoc committees, advising the President and other officers of the University, and conducting other activities necessary and appropriate to achieving the purposes of the Faculty Assembly.

K. Faculty Council

The Faculty Council serves as the executive body of the Faculty Assembly. It is responsible for coordinating and guiding the activities of the standing committees of the Faculty Assembly. Its members serve as the main

communication link between constituent members and the executive body of the Faculty Assembly. Through its oversight of standing committees, Faculty Council ensures that the recommendations of the faculty are heard by the appropriate administrators and administrative councils and monitors the implementation of those recommendations.

L. Student Government

The Student Senate is organized to represent the student voice. The Senate hosts town hall meetings for students to share concerns directly to the University President or to other departments. Members of the Student Senate participate on university committees from time to time at the discretion of administration.

CHAPTER III. PROFESSIONAL ETHICS AND ACADEMIC FREEDOM

A. Professional Ethics

Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

(Statement on Professional Ethics, Adopted by the American Association of University Professors in 1966 and revised in 1987 and 2009)

B. Academic Freedom at Hawai'i Pacific University

(Excerpt from a working document from a subcommittee of the Faculty Assembly on Shared and Faculty governance.)

Academic Freedom is both the essential right of the faculty to teach, to conduct research or other scholarship, and to publish free of external constraints and the essential right of the student to freedom in learning. It promotes "intellectual diversity" and helps achieve one of the university's primary goals, the pursuit of truth and the discovery of new knowledge through scholarship and research.

We embrace the American Association of University Professor's 1940 statement of academic freedom, as follows:

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate

performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.

College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

CHAPTER IV. FACULTY STATUS

A. Definition of Faculty Status

The University faculty comprises regular faculty, special appointment faculty, and administrators with faculty rank. Each operates with distinct contract types and contractual rights and responsibilities, as described below. Only full-time faculty, under multi-year contracts, are voting members of the Faculty Assembly.

1. **Regular Faculty** include all those teaching on a regular full-time basis under career, career-track, or tenured appointments, regardless of rank.

- a. **Career Faculty** are regular faculty members designated "career" by virtue of holding long-term contracts awarded after a period of evaluation and review, as described under "Procedures for Reappointment of Regular Faculty," Chapter IV, Section E below. Career faculty serve in the ranks of assistant professor, associate professor, and professor.
- b. **Career-Track Faculty** are in a probationary period of service prior to being evaluated for Career status. The total period of full-time service prior to the acquisition of career status will not normally exceed six years. Faculty on approved leave (i.e., family, medical, parental, or military leave) during their probationary period are entitled to (but are not required to take) an extension of their probationary period coinciding with their approved leave. The extension will be granted by the Provost/Vice President of Academic Affairs upon the request of the faculty member. Credit for prior full-time teaching toward the probationary period at Hawai'i Pacific University should be determined jointly by the new faculty member, the College Committee on Promotion and Review, the Dean, the head of MCP where appropriate, and the Provost/Vice President of Academic Affairs at the time of the initial appointment. Faculty have the option to present their application for career status before the sixth year of service if they feel they can make an adequate case in an earlier year.
- c. **Endowed (Named) Faculty:** On occasion, donations to the University may result in the creation of endowed faculty positions. Appointment to such honorific positions should be available to distinguished current faculty, or to new appointees. This may depend upon the donor's intentions and their agreement with the University. Appointment procedures are found in the Academic Affairs Policies and Procedures Manual.
- d. **Tenured Faculty** are those faculty who earned tenure at Hawai'i Loa College under the terms of the Hawai'i Loa College Faculty Handbook, 4th edition, II.B.1 b (1), and who have elected to retain that tenure status at the University after Hawai'i Loa merged into the University in 1992. Therefore, tenure status exists at Hawai'i Pacific University only for faculty who had earned it at Hawai'i Loa College before the merger, is retained only for those faculty as a part of the merger obligation, and is not available to other faculty. Tenured faculty hold the rank of assistant professor, associate professor, or professor. They are subject to periodic academic review at least once every five years.
- e. **Part-Time Faculty:** Part-Time Faculty are regular faculty members who have transitioned from full-time regular status to part-time status. Part-time faculty positions can range from 25% to 75% time. The request to move from full-time to part-time status must be initiated by the faculty member. Full-time regular faculty may request to transition to part-time status by submitting a written request to the department chair who will meet with the faculty member to discuss the request and the expectations for course load and service. The Department Chair will submit a written proposal to the Dean of the College who will review the proposal and make a recommendation to the Provost/Vice President of Academic Affairs. The Provost/Vice President of Academic Affairs will notify the faculty member, Dean, and Department Chair of the decision. The decision of the Provost/Vice President of Academic Affairs is final.

Part-time faculty will not be permitted to return to full-time status. Faculty will normally remain in part-time status for no more than 5 years. A contract for up to 3 years can initially be granted. At the end of year 3 in part-time status, the faculty member will undergo a full review. The review will determine if a further 2 year contract should be issued.

Basic expectations for regular part-time faculty members include the following:

A regular part-time faculty member normally carries at least a half-time teaching load for the school year (half of the normal teaching load in the particular department) and teaches during at least two terms.

A regular part-time faculty member is expected to take part in non-teaching service to the Department and to the University. However, for regular part-time faculty members such responsibilities should be roughly proportionate to teaching load.

Regular part-time faculty members share with the regular full-time faculty a commitment to long-range professional aims and improvement.

Benefits for regular, part-time faculty are detailed in the Academic Affairs Policies and Procedures Manual.

2. **Special Appointment Faculty:** The conditions of their employment are specified in their appointment contracts and in the Academic Affairs Policies and Procedures Manual, and are not covered by Chapter IV of this handbook.

- a. **Adjunct Faculty** are expert practitioners in various fields of study who meet at least the minimum degree requirements for teaching in their respective fields of instruction. Adjunct faculty are engaged to teach on a part-time, course-by-course basis.
- b. **Affiliate Faculty** are appointed for a term, a semester, or longer at an appropriate professorial rank, with appropriate and agreed upon benefits. The Affiliate title may be applied to faculty who concurrently hold positions in another institution, enterprise, or government office. Affiliate faculty do not participate in faculty governance. Appointment of Affiliate Faculty originate in the college and must be approved by faculty in the discipline. Appointments as affiliate faculty are normally without salary.
- c. **Clinical Faculty** are engaged primarily in the area of clinical or professional practice.
- d. **Emeritus Faculty** rank may be assigned to individuals who have limited or terminated their responsibilities as a Regular Faculty member for valid reasons such as retirement or illness after 10 or more years of service to the University. The appointment as Emeritus originates in the candidate's department and is considered according to the same procedures as are specified below for Reappointment. If approved by the Faculty Assembly Faculty Promotion and Review Committee and the President, the formal designation is granted by the Board of Trustees on the President's recommendation. Emeritus faculty may be offered part-time term contracts by the President to teach or fulfill other duties. In such cases, supplementary benefits, if any, will be set forth in the contract and such term contracts will be limited to less than half-time faculty status. In order to promote close ties between the University and its emeriti or other retired faculty, certain privileges are available to these faculty which are specified in the Academic Affairs Policies and Procedures Manual.
- e. **Lecturer** rank is offered for positions that may not require a terminal degree, in situations where the position is designated for a temporary length of time, or for a position that does not emphasize scholarly activity. Lecturers and Senior Lecturers are generally subject to the same review process as regular faculty. Specific procedures for review for Lecturers and Senior lecturers are outlined in the Academic Affairs Policies and Procedures Manual.

(1) **Lecturers** are employed on an annual contract and are selected by the dean, or head of MCP where appropriate, and Department Chair or Program Director in consultation with the Provost/Vice President of Academic Affairs. A Lecturer position is not Career-track and does not lead to or count

toward Career faculty status, nor does it lead to promotion to the regular academic ranks. Selection of Lecturers should be consistent with the University's academic standards.

Lecturers:

- a) may be employed on a full- or part-time basis (if part-time, the appointment is at least half-time);
- b) are expected to be available at least one hour per week for each course taught to advise students regarding their course work;
- c) are employed pursuant to a term contract;
- d) have responsibilities for teaching, advising, service to the department, and for continued professional development appropriate to the discipline;
- e) are evaluated annually.

(2) **Senior Lecturer:** This title may be assigned to a Lecturer in recognition of effective teaching service over a period of at least six years. Assignment of this title is made by the Provost/Vice President of Academic Affairs, upon the recommendation of the Department Chair, the College Level Faculty Promotion and Review Committee, and the Dean and head of MCP where appropriate. Expectations and criteria for Senior Lecturers are the same as those listed above for Lecturers.

- f. **Research Faculty** are engaged primarily in research activities, usually supported by external funding. Research faculty may be associated with a center or institute rather than a degree-granting department.
- g. **Visiting Faculty** are hired on an annual or semester basis for no more than two years to meet the needs of the University with the understanding that the University has made no commitment to on-going full-time employment. Visiting faculty do not participate in faculty governance.
- h. **Distinguished Visiting Faculty** are those members of the visiting faculty who are especially recognized in their fields as scholars or practitioners.

3. **Administrators with Faculty Rank:**

- a. An administrator may be given academic rank by the President after consultation with the Dean and with the approval of a majority of the Regular Faculty of the department concerned (and the College Level Faculty Promotion and Review Committee).
- b. Administrators may also be hired with Career faculty status upon the approval of a majority of the Regular Faculty of the department and the President.
- c. Administrators who are awarded faculty rank will continue to be classified as Administrators. Teaching expectations for administrators will be determined at the time of the administrative appointment.
- d. In the case of administrators already holding a Regular Faculty appointment at Hawai'i Pacific University at the time of their appointment to the administration, the administrator retains the right to return to full-time faculty status subject to the provisions of section 3(e) below. During their term of administrative service, their positions in the cycle of contract review will be "frozen," although they will continue to receive step increases awarded to faculty. Administrators who are returning to faculty status will be given an academic reassignment by the President in consultation with the appropriate Department Chair and Dean/head of MCP if appropriate and shall discontinue any compensation related to their administrative assignment.
- e. Serious misconduct warranting dismissal of an administrator may likewise result in termination of the administrator's faculty rank at the discretion of the University. Misconduct warranting disciplinary action short of dismissal may trigger grievance procedures contained in Chapter IV, Section J below. For all other purposes, the terms of the administrator's appointment are governed by the terms of their administrative contracts and by the University's Employee Handbook.

B. Definition of Faculty Ranks

Regular Faculty are classified by status (career or career-track) and rank (instructor, assistant professor, associate professor, professor). Their status and rank is determined either at initial appointment, in accord with their educational background and experience, or as a result of a successful evaluation and recommendation for promotion. The criteria stated below for each rank are minimum university standards and apply both to individuals who are receiving an initial appointment at Hawai'i Pacific University and to individuals who are applying for promotion to a given rank. (The years-of-service requirement applies only to applicants for promotion.)

- a. Hawai'i Pacific University and the Western Association of Schools and Colleges (WASC) accept only degrees granted by institutions that are accredited by one of the six regional accrediting agencies in the United States or from another country by the Ministry of Education or comparable body in that country.
- b. The terminal degree in most academic fields of expertise is a doctoral degree from an accredited university. Hawai'i Pacific University adheres to national standards in each discipline. The College-level promotion and review committee is responsible for determining the national standard for each discipline it reviews.
- c. The years-of-service requirement is based upon calendar years as a member of the Regular Faculty.
- d. Promotion in rank is based on completed rather than projected activities and accomplishments in the areas of teaching, scholarship, and service.
- e. Although some quantitative measures of evaluation may be employed, excellence in performance is of primary importance; that is, the quality, significance, and impact of accomplishments are of greater importance than their number. In addition to meritorious accomplishments, a high potential for continued excellence is required for promotion.

Faculty Ranks:

1. **Instructor rank** is granted to those Regular Faculty otherwise qualified for the rank of Assistant Professor but still actively engaged in work for the doctorate or other terminal degree. Normally no one will be retained as an Instructor beyond three years. (Exceptions require the concurrence of both the College Level Faculty Promotion and Review Committee and the Dean and head of MCP where appropriate.) An Instructor must satisfy all requirements for the doctorate or terminal degree by March 15th of the third year of such appointment. Upon receiving the doctorate or other terminal degree, the Instructor will be reviewed for promotion to Assistant Professor, in accordance with procedures for promotion review found below.
2. **Assistant professor rank** is granted only to those Regular Faculty who: a) possess either the earned doctorate or the appropriate terminal degree in the field (as determined by the department and college), or in exceptional circumstances demonstrate appropriate professional training or experience equivalent to the terminal degree; b) show evidence of teaching effectiveness ; c) prove ability to do original research, scholarship or creative work appropriate to the discipline; and d) demonstrate promise of institutional, professional, and community service and mentoring beyond teaching and scholarship.
3. **Associate professor rank** is granted only to those Regular Faculty who: a) possess either the earned doctorate or the appropriate terminal degree in the field (as determined by the department and college), or in exceptional circumstances demonstrate experience equivalent to the terminal degree ; b) demonstrated excellence in teaching; c) have an established record of high quality and original scholarship/creative work appropriate to the discipline that shows clear promise of continuation; and d) demonstrated engagement in university and community service. An Assistant Professor must have completed at least four years in rank, at least two of which were completed at Hawai'i Pacific University, before becoming eligible to apply for promotion to Associate Professor.
4. **Professor rank** is granted to individuals who: a) possess either the earned doctorate or the appropriate terminal degree in the field (as determined by the department and college), or in exceptional circumstances demonstrate appropriate professional training or experience equivalent to the terminal degree; b)

demonstrated excellence and continued innovation in teaching; c) established prolonged active and respected scholarly achievement in their professional field, appropriate to the discipline; and d) provided superior service to the university and the community. The rank of professor is granted only to Regular Faculty who have significant achievement beyond what would be expected for continued contract renewal at the associate professor level. An associate professor cannot expect to be automatically promoted to professor. Associate Professors should normally expect to have completed at least six years in rank, of which at least two must have been at Hawai'i Pacific University, before becoming eligible to apply for promotion.

Additional unit-specific criteria for promotion in rank: The Regular Faculty of each college and their constituent departments shall establish by majority vote specific criteria statements for reappointment, promotion and Career Status Review compatible with the requirements outlined herein, provided that the criteria for reappointment, promotion or Career Status Review decisions adopted by a college shall reflect the fact that reappointment, promotion and Career Status Review decisions are based solely upon standards reflective of individual achievements and merit.

Criteria statements shall be reviewed periodically and approved by the Dean of the college and the Provost/Vice President of Academic Affairs. Teaching accomplishment shall be based on review of syllabi, peer faculty assessment, and student evaluations. The assessment of scholarship or creative achievement shall be based on the individual's level of accomplishment relative to disciplinary norms and standards. For promotion and Career Status Review decisions, these shall be supplemented by external and internal peer evaluations.

Criteria statements of the department and the college shall be provided by the Dean of the college at the time of the offer of a contract for faculty employment. When changes in the criteria occur as a result of a majority vote in the department or college, it is the Dean's responsibility to inform every faculty member affected.

C. Definition of Regular Faculty Responsibilities

The following general description of responsibilities applies to all Regular Faculty at Hawai'i Pacific University. The specific expectations of each faculty rank are described in Chapter IV, Section B above, and the criteria for reappointment and promotion of Regular Faculty are described in Chapter IV, Section F and Section G below. The criteria for appointment and reappointment of Special Appointment Faculty are described in the Academic Affairs Policies and Procedures Manual.

Whether or not the Regular Faculty member teaches during the summer terms, the period of obligation to all University policies and procedures remains the full academic year, fall term through the end of the last summer term. Regular Faculty administratively assigned to MCP teach all four MCP Terms each year and are not required to teach during the four interim periods.

Regular Faculty are expected to cultivate a course of professional growth as teachers and scholars while performing service to the university and to the community. For contract renewal and promotion purposes all faculty must meet stated requirements in the primary areas of faculty responsibility: teaching, scholarly activity and university service. Community service is desirable. However, while its performance may enhance contract renewal and promotion applications, community service cannot substitute for any of the three key areas of faculty activity

1. Teaching is the primary function of the Regular Faculty at the University.

- a. **Functions:** Full-time faculty with teaching responsibilities perform specific functions related to teaching that include but are not necessarily limited to the following:
 - (1). Teaching courses as assigned, and teaching the material appropriate to the course.
 - (2). Demonstrating a command of their discipline and skill in presenting it effectively in the context of an integrated education.
 - (3). Preparing and distributing to enrolled students a course syllabus which contains, at a minimum, the information specified in the Academic Affairs Policy and Procedures Manual.
 - (4). Using appropriate measures of student performance, providing timely feedback to students, and assigning grades that are an accurate and fair evaluation of student work.

- (5). Posting and maintaining regular office hours at times reasonably convenient to students.
 - (6). Serving as an advisor to students and providing informed advice.
 - (7). Developing courses for which they are responsible and contributing to general curriculum development in the relevant degree programs.
 - (8). When called upon, evaluating the teaching of their colleagues through the process of peer review.
 - (9). Given that student attendance is critical to student success and is frequently governed by external regulatory authorities, following the attendance-related requirements found in the Academic Affairs Policies and Procedures Manual.
- b. **Student Evaluations of Faculty:** At the end of each course students evaluate their faculty members. Faculty will follow the procedural instructions for administering this evaluation (found in the Academic Affairs Policies and Procedures Manual). The Dean of each academic school or college supervises the evaluation process. Each term faculty receives summaries of these student evaluations and should visit with their Department Chair and Dean to review them. Student evaluations are included for consideration in reappointment or promotion decisions.
- c. **Peer Evaluations of Faculty:** Regular Faculty members receive regular evaluations that are coordinated through their particular program area or school or college. The peer review process is primarily for faculty development and mentoring. The Department Chair develops the plan for implementation. Establishing policies for the evaluation of career, career track, and tenured faculty is the responsibility of each academic school or college and policies may vary among school or colleges or among programs within a school or college. Whatever the individual policies, all Regular Faculty have the right to request an evaluation by a peer during any year. Peer evaluations are included for consideration in reappointment or promotion decisions. All Special Appointment Faculty (i.e., adjunct, affiliate, lecturer) are evaluated sometime during the academic year by Regular Faculty within the specific discipline.
- d. **Teaching Commitment:** The maximum teaching commitment for Regular faculty is 24 credit hours or equivalent per academic year, normally four three-semester hour courses during the fall and spring semesters respectively. Regular faculty may petition their Dean and Department Chair to be contracted on to one of three teaching tracks 4/4, 4/3, or 3/3. Each track will require faculty to meet standard teaching, scholarship and service expectations as outlined by the Faculty Handbook. Scholarship expectations will escalate, however, with increasingly reduced teaching loads. Requirements beyond these guidelines may also be established by individual colleges and departments. Petition to be allocated to a specific teaching track less than 4/4 must be made in writing and should outline the research stream/scholarly projects that will be undertaken by the faculty member over the period of their contract cycle. The approved petition must be submitted to the Department Chair, and to the department and college level promotion and review committees and will become part of the annual faculty development reports and the reappointment and promotion portfolios of each faculty member on the 4/3 or 3/3 track. The Academic Affairs Policies and Procedures Manual and College Manuals detail processes and requirements for petition, assessment, and review. Procedures for tracking during the transition period from old to the new Handbook are detailed in the Transition Document.

Teaching schedules and course allocations are determined by the Department Chair in consultation with the Dean and with the concurrence of the Provost/Vice President of Academic Affairs, and take into consideration the subject matter of the course, student numbers, credit hours or equivalent, number of preparations, as well as other factors. Within the constraints of the units' instructional needs and faculty contracts, the teaching of students at all levels is to be distributed among faculty members without regard to rank or seniority. This is not to say that teaching assignments should be unrelated to research interests or teaching strengths. On the contrary, the integration of teaching and research greatly enhances both enterprises. In addition to their formal course loads, faculty members are also expected to bear their fair share of the responsibility for supervising student research, professional internships, and independent study.. (Please see the Academic Affairs Policy and Procedures Manual for MCP Scheduling processes).

Regular Faculty may be required to teach up to two courses per academic year on a Military Program campus, but no more than one per semester. Multiple sections of the same course are considered as separate courses. Any courses taught beyond the contractual teaching load are considered as overload and should

either be compensated during the semester in which they are taught or by course release. All Regular Faculty are eligible for 12 credit hours of overload teaching, defined as courses taught or course releases in excess of the actual contractual teaching commitment. This overload amount is normally four three-semester hour courses, not exceeding six semester hours or two three-semester hour courses during the fall and spring semesters, respectively. Overload teaching is arranged by mutual consent of the affected Regular Faculty member and the Department Chair, and is approved by the Dean. Overload amount is contingent on the instructor's extended workload not negatively affecting quality of instruction, and execution of university service and professional development.

- e. **Adjustments to teaching commitments:** The Department Chair, in consultation with the Dean and the head of MCP where appropriate and subject to budgetary ability, may award a Regular Faculty member a course release for research, scholarly activity, or special pedagogical projects. Particular efforts will be made to provide course releases to Regular Faculty in their first year at Hawai'i Pacific University. Only in exceptional circumstances, and with the approval of the Dean, may a Regular Faculty member with a course release carry an overload. The faculty with course release must submit a report at the end of the semester regarding the activities involved in the project and this report will be made available to the Dean, Department Chair and the college faculty.

Regular Faculty members who serve on graduate thesis committees or as readers of graduate theses will be compensated or have their teaching commitment adjusted according to the published policies of the individual colleges. Regular Faculty members who wish to have more time during fall and spring semesters for faculty development, research, or service activities may request to shift some of their courses to other terms. Such requests must be made in writing and submitted to the Department Chair and to the Dean and the head of MCP where relevant of the appropriate school or college for approval, subject to the university's scheduling needs.

The University also compensates certain other activities with a choice of overload pay or course release time. Examples include: academic coordination activities, serving as an officer of the Faculty Assembly, and serving as a Program Review Chair during the active phase of program review.

A person teaching overloads who is thereby unable to find the time to engage in scholarship or take on significant service roles is taking a career path that is not likely to lead to promotion in rank.

- f. **Advising:** Instructional responsibilities during the academic year include advising of students. In partnership with members of the professional advising and career services staff, Regular Faculty members are expected to carry their share of the advising responsibility, assisting students in understanding the curriculum, especially within the major, and mentoring them as they plan their degree programs and careers. Regular Faculty members arrange with their department chairs the hours and locations of their availability for advising. Hours for meeting with students must be announced to students and may be scheduled as office hours or as online advising sessions.

2. Scholarly Activities

Concurrent with teaching excellence in the mission of Hawai'i Pacific University, Regular Faculty members have a responsibility in the area of scholarly and professional development. Not only must they remain highly competent in their academic field by remaining current in their own and related disciplines and in the most appropriate instructional methods, but they must be active and skilled in the synthesis, interpretation, and communication of new knowledge. Although Hawai'i Pacific University is not primarily a research institution, faculty members are expected to serve as professional role models to students and colleagues by engaging in scholarly activity and in critical investigation or experimentation for the purpose of increasing human knowledge. Hawai'i Pacific University expects faculty to continue to grow and develop as members of their discipline after they have completed their advanced degrees and evaluates their progress in this area. Hawai'i Pacific University is devoted to the discovery and pursuit of knowledge and to academic excellence. Of special value in the realm of scholarly activity are those projects whose results are disseminated to the broader academic community and projects in which the faculty members can involve their students in an active and productive manner.

- a. In meeting this responsibility of scholarly and professional development, faculty members are expected to keep abreast of the new knowledge in their field to ensure that courses, syllabi, instructional materials and techniques, and teaching methods are current and appropriate, and to participate, where appropriate, in school or University-sponsored curriculum development programs and projects.
- b. Moreover, in their role as synthesizers, interpreters, and communicators of new knowledge, Regular Faculty members are expected to engage in distinctive course and academic program development efforts, to participate in professional colloquia, seminars, and workshops, and to share their ideas and the results of their scholarly and artistic endeavors with peers both at the University and in the larger academic/artistic community.
- c. Examples of scholarly activities and professional development include but are not limited to the following:
 - Publication of peer-reviewed journal articles, academic papers, book chapters, books, or other writing normal to the discipline
 - Research grants, fellowships, and other funding awards
 - Department, College, University, state, national, and international honors and awards
 - Juried exhibits and performances
 - Invited presentations, exhibits, and performances
 - Invited evaluations and reviews of the work of other professionals
 - Participation on review panels for outside funding agencies
 - Service as either editor or referee for professional publications
 - Leadership of, committee work for, and participation in scholarly and professional organizations
 - Sustained activity in program development
 - Advanced study, certifications, and professional leadership seminars
- d. To support scholarly activities regular career and tenured faculty may apply for periodic paid Research Leaves. Paid Research Leaves are granted on a competitive basis and to faculty with strong scholarly/research projects. Projects must enhance professional development whilst simultaneously promoting the university as a producer and synthesizer of knowledge and enhancing the capacity of the faculty member's service to the university. Application for research leaves is only available for faculty who meet minimum stated criteria. The Academic Affairs Policies and Procedures Manual details the application and accountability procedures in greater detail.

3. University Service

Regular Faculty members are expected to engage in service to their department, their school or college, and the University in ways that extend and enrich the University's academic programs and its governance.

- a. All faculty are expected to attend the orientation programs, Faculty Assembly Meetings, and to participate in academic duties.
- b. Regular Faculty members are expected to participate in the academic governance of their department. All faculty members with Regular Faculty status have responsibilities in committee participation; course, program and curriculum area coordination; curricular development and textbook selection; instructional workshops and other activities within their own curricular areas; policy and program review; or other learning assessment activities. All Regular Faculty have the responsibility to participate in the peer evaluation process which, at a minimum, will involve visiting a colleague's traditional or virtual classroom and writing a peer evaluation report.
- c. Regular Faculty are expected to serve as representatives on school or college level and university level committees of the Faculty Assembly, as well as on other task forces and committees that assist the Chair of the Faculty Assembly and/or the Deans in the formation of academic policies and related matters.

- d. Faculty attendance at or assistance with co-curricular activities provides service to the university. Such activities include organization of, participation in, or presentation of faculty forums or workshops; advising and sponsorship of clubs and societies; participation in, organization of, providing guidance and assistance to extra-curricular or co-curricular University events such as banquets, the literary magazine, the athletic program, intercultural events, theatrical productions, guest speaker forums, or graduation ceremonies.
- e. Additional examples of service to the University include specific accomplishments as a voluntary or elected member of a Faculty Assembly or school or college level committee, curriculum area liaison, leadership at any level, coordination of a course, program or discipline, mentoring other faculty, program review activities, coordinating training or other events for the faculty or the university as a whole, and recruitment activities.
- f. Colleges will further determine and articulate specific expectations for university service.

4. **Community Service** involves volunteer assistance to an agency or an organization, particularly as that assistance derives from one's professional knowledge and expertise.

- a. Community service reflects positively upon the university, embodying its mission within the community, advertising the university within each organization, and recruiting future students to the university (i.e., the Hawai'i Pacific University Speakers Bureau). A general type of community service (not directly connected to the faculty member's teaching or scholarship) carries more significant weight in the deliberations of the Review Committees the more it connects directly to University service (i.e., chairing the University's United Way Drive).
- b. Pro bono (unpaid professional) services by nature are altruistic and humanitarian. Pro bono volunteers provide services that an organization or individual would be unable to receive otherwise. Service may be local, state, regional, national, or international in nature. Pro bono service may be linked with teaching (i.e., incorporating service learning into one's courses) or scholarship (i.e., providing community service in the course of conducting research).
- c. University-community partnerships structure long-lasting systems of benefit to the community and the campus. Their importance increases as they enhance the classroom experience of Hawai'i Pacific University students.

5. **Professional Development Plan**

By the end of February of each academic year, each Regular Faculty member will prepare a Professional Development Plan in consultation with his or her Department Chair. Such a plan will indicate the mix of teaching, scholarly, professional, civic, creative, and other activities that the faculty member will use to maintain and increase his/her skills and professional competencies in the upcoming academic year. The Department Chair will help the faculty member find the appropriate mix and will endeavor to ensure that such activities are consistent with the faculty member's other University commitments and with department needs.

The Professional Development Plan also provides the basis for requests for funding of various types of faculty development activities. Examples of such funding include awards for travel to professional conferences, support for research equipment, and seed grants for research or curriculum development projects. Further details and procedures for applying for faculty development funds are found in the Academic Affairs Policies and Procedures Manual.

Concurrent with the submission of the Professional Development Plan, the Regular Faculty member will submit a brief report on progress made toward fulfilling the prior year's Professional Development Plan, including a report on activities undertaken as a result of faculty development funding. The annual Professional Development Plans and progress reports will be made available to members of the department, and submitted to the departmental and college reappointment and promotion review committees as part of the faculty member's review portfolio.

D. Procedures for Initial Appointment of Regular Faculty

The Regular Faculty searches are cooperative endeavors of the Regular Faculty and the administration, up to and including the President, based on a shared sense of responsibility for fulfilling the University's Strategic Plan. This cooperation begins before the search is authorized, with a thorough understanding of the nature of the position to be searched and the desired qualifications of the successful candidate. The Dean, where appropriate the head of MCP, and Department Chair shall involve department members in making selection recommendations through the creation of an appropriate search committee.

The Chair, Dean, head of MCP where appropriate, and the Provost/Vice President of Academic Affairs must establish the case for the recruitment of a new teaching Regular Faculty member, stating the nature of the need, area of competence, and recommended rank. The search may commence when the Provost/Vice President of Academic Affairs approves the position.

The Chair, department colleagues, the Dean, head of MCP where appropriate, and the Provost/Vice President of Academic Affairs cooperate in the search for candidates. Where possible a national search should be undertaken through professional "networks" and advertisements.

Faculty rank, title, and status (career or career-track) are determined at the time of hire according to the candidate's experience and qualifications.

E. Procedures for Reappointment of Regular Faculty

Initial Contract Length:
Review Period:
Review Type:
Notice:



1. Initial Review Cycle:

- a. **Initial Contract and Review:** Newly hired Regular Faculty first receive a two-year contract. The initial review for reappointment takes place at the departmental and college level at the conclusion of the first year. Materials to be submitted by the candidate for this and subsequent reviews are described in Chapter IV, Section H.8.a and 8.b below. Clear and extensive analysis of the candidate's performance in the first year, conducted largely by faculty who are most closely aligned with the candidate's field, is to be communicated in the review, with suggestions for improvement and developmental support to be given, where needed. This report, together with the Department Chair's independent analysis, is submitted to the Dean no later than August 31st, prior to the beginning of the second year. The Dean's decision on contract renewal, based on due consideration of the department's report, is conveyed to the candidate and to the candidate's department no later than December 15th of the second year. For faculty administratively assigned to MCP, the academic Department Chair's analysis will also be forwarded to head of MCP and the Dean's decision will be made in consultation with them.
- b. **Mid-Career Progress Review:** After the initial two-year contract, a three-year contract may be offered. A second, "mid-career progress" review is conducted by the department in the fall of the candidate's fourth year. This review asks the question, "is the candidate making satisfactory progress toward meeting the standards for the Career Status Review in year six?" The review is to clearly reference a matrix of indicators designed to show appropriate progress within the candidate's field across the four areas of faculty responsibility enumerated above. Measurable criteria should be accompanied by peer observation and professional evaluations where appropriate. The central question being asked at all levels of the reappointment review process is, "What does performance to date lead us to predict in terms of long-term achievement and contributions to the overall goals of Hawai'i Pacific University?"

The report by the departmental faculty, accompanied by an independent analysis submitted by the Department Chair, is communicated to the Dean, the head of MCP where appropriate, and to the candidate by December 15th of the fourth year. The candidate may respond to the review and/or to the chair's report by January 31st. The Dean's decision is communicated to the candidate by May 15th. If the decision is negative, the candidate's fifth year is the final year of employment.

- c. **Career Status Review:** After the three-year contract expires, a two-year contract may be issued. If the result of the fourth-year review was positive, the Career Status Review takes place in the sixth year and determines the candidate's entry to the long-term Career Path. As noted above in Chapter IV, Section A.1.b, a Regular Faculty member may be entitled to an early Career Status Review if he or she has come to Hawai'i Pacific University from a full-time teaching position and has been granted eligibility for early review by the College Committee on Promotion and Review, the Dean, and the Provost/Vice President of Academic Affairs at the time of initial appointment. This review follows the same timetable as the fourth-year review, and it is normally simultaneous with the review for promotion from Assistant Professor to Associate Professor. If the result of the review is negative, the candidate may be employed for a seventh year, or the University may, at its option, offer a "buy-out" of this terminal year of the contract. For faculty administratively assigned to MCP, the academic Department Chair's analysis will also be forwarded to head of MCP and the Dean's decision will be made in consultation with them.

2. Subsequent Contracts: If the sixth-year Career Status Review is positive, a seven-year contract is issued after the seventh year of the first contract cycle. Career Faculty are evaluated in the third and sixth years of a seven-year cycle, with the review in year three primarily diagnostic and informative to the faculty member on how to maintain a strong path of professional development. Materials to be submitted by the candidate for this review are described in Chapter IV, Section H.8.a and 8.b below. Clear and extensive analysis of the candidate's performance, conducted largely by faculty who are most closely aligned with the candidate's field, is to be communicated in the review, with suggestions for improvement and developmental support to be given, where needed. This report, together with the Department Chair's independent analysis, is submitted to the Dean no later than December 15th. The candidate may respond to the review and/or to the chair's report by January 31st. The Dean's decision on contract renewal, based on consideration of the department's report, is conveyed to the candidate and to the candidate's department no later than May 15th.

The review in Year Six of each seven-year contract cycle is taken with a view to the appropriateness of issuing a new seven-year contract. Career faculty on approved leave (i.e., family, medical, parental, or military leave) during a contract period are entitled to (but are not required to take) a delay in the sixth-year review for a period equivalent to the length of their approved leave. The extension will be granted by the Provost/Vice President of Academic Affairs upon the request of the faculty member. The procedures used for the review are the same as for the Career Status Review (see section H below). If the result of any sixth-year review is negative, the University has the option to offer a "buy-out" of the terminal seventh year of the contract. If the review is positive, the Regular Faculty member serves the seventh year of the current contract and then embarks on a new seven-year contract cycle.

The sixth year of the Regular Faculty member's second seven-year contract cycle is normally the first appropriate time to consider promotion from Associate to Full Professor (the first seven-year contract cycle is composed of the initial 2-year, 3-year, and 2-year contracts). If promotion is not then deemed warranted, a target date is set, in a consultation among the faculty member, the Department Chair, the head of MCP where appropriate, and the Dean, for a new consideration during the next seven-year period.

F. Criteria for Regular Faculty Promotion in Rank

The criteria for promotion to the rank of Associate Professor or Professor are the same as discussed above (Chapter IV, Section B) in "Definition of Faculty Ranks." Because the nature of teaching, scholarly activity, service to the University, and service to the community may differ in some respects among the academic disciplines, the Regular Faculty of the departments and colleges develop, adopt, and publish their respective clarifications of the four criteria. Candidates for promotion or Career Status are referred to these publications, as amended from time to time, for a detailed explanation of the standards and procedures by which they will be evaluated.

G. Criteria for Career Status

Only Regular Faculty holding the rank of Assistant Professor, Associate Professor, or Professor are eligible to be reviewed for Career Status. Normally, a Regular Faculty member who was appointed as an Assistant Professor at the beginning of his or her service at Hawai'i Pacific University would undergo a Career Status Review and a review for promotion to Associate Professor in the same procedure, and the minimum criteria for appointment to Associate Professor would be applied, together with any unit-specific criteria. It is the responsibility of the candidate for Career Status to demonstrate superior, not merely competent, performance in the criteria applied. A decision to grant Career Status recognizes a Regular Faculty member's past achievement and the potential for sustained quality and future growth and for continuing service to the university and the community. The interpretation of all criteria and the judgment of whether the candidate meets them is left to the persons and the committees specifically charged in this Handbook.

H. Procedures for Initial Reviews, Sixth-Year Career Status Reviews, Career Reappointment and Promotion Reviews of Regular Faculty

1. The Regular Faculty Member: The faculty member shall present documentation addressing the criteria established by the department charged with the review. Description of the materials to be submitted may be found in

Chapter IV, Section H.8.b below. Faculty members under review may request or be requested to appear before any committee evaluating their accomplishments. The Department Chair may attend such meetings during the appearance of the faculty member.

2. The Department: The department review process begins with the election of a review committee and its chair by the department faculty. The review committee may include career and career-track faculty members from outside the department. Career and career-track faculty members may serve on review committees, but faculty members may not serve on committees considering their own status.

The Department Chair shall neither be a member of the review committee nor participate in its deliberations. Further, the faculty members under review may not be present during deliberations or when votes are cast. The Department Chair may respond to questions of fact raised by the committee concerning the case, including questions on procedures employed to seek material submitted in the documentation from students, alumni, or outside scholars.

The review committee shall send its written report, including the vote of the committee, to the Department Chair who shall distribute the report to the faculty of the department, including the faculty member under review. The opportunity to respond to the committee report shall be provided to the faculty member under review and that response shall become a part of the review file.

The Department Chair shall preside at the meeting of the department but may not vote. At that meeting, the Regular Faculty of the department shall examine the information upon which the review committee has based its deliberations; discuss the written report of the review committee, and any response submitted by the faculty member under review. The Regular Faculty of the department shall cast a secret ballot accepting by majority vote or rejecting the report of the review committee. If the Regular Faculty of the department votes to reject the report of the review committee, the department, acting as a committee of the whole, shall write a separate report and rationale. After a report has been accepted by a majority vote of the Regular Faculty, the report and recommendation is to be sent to the Department Chair. The result of the vote of the department and any written recommendation and rationale shall become part of the review file.

The Department Chair shall write a recommendation after the meeting of the department. The Chair shall meet with the faculty member under review to discuss the report of the review committee and the vote and recommendation of the department. At that meeting, the faculty member shall receive a copy of the report of the review committee, the results of the vote on that report by the department, along with any recommendation and rationale, and a copy of the recommendation of the head of the department. The Department Chair shall forward all material concerning the review of the faculty member to the dean of the college.

When the Department Chair is under review, a senior member of the department shall carry out the responsibilities normally assigned the chairperson.

3. The Dean: The dean shall consider the report of the department review committee, any response submitted by the faculty member under review, the recommendations of the department and its chairperson. If a review is an Initial or Mid-Career Progress Review, the Dean will grant or deny reappointment and notify the faculty member in writing. If a review concerns promotion or Career Status, the Dean shall forward all material related to the review along with the recommendation of the Dean to the Committee on Promotion and Review in the College. At that time, the faculty member involved shall be advised in writing by the Dean of the nature of the recommendation being forwarded. For faculty administratively assigned to MCP, the Dean should also consult with the head of MCP.

All reviews concerning promotion, Career Status and seven year contract renewal will be forwarded by the Dean to the Faculty Promotion and Review Committee of the relevant college.

4. College Level Faculty Promotion and Review Committee:

- a. **Selection of the Committee and Participation in Deliberations:** The College Level Faculty Promotion and Review Committee shall be a standing committee of each college faculty assembly consisting of five Career

faculty members elected by the voting members of the college faculty assembly, each to serve two-year terms. Elections to the Promotion and Review Committee in each college shall be open to all Career faculty.

When the initial committee is established, two faculty members shall be elected for one year only, and thereafter terms shall be staggered. A member of the College Committee may not participate in the review of candidates from the same department. An alternate faculty member shall be elected annually to serve on the Committee in place of a regularly elected member when matters relative to promotion or Career Status of a regularly elected member or of another individual within the member's department are under discussion, or when the regularly elected member is unable to serve. The alternate faculty member shall attend, deliberate, and have voice and vote only in the specific cases requiring the alternate's participation.

If the candidate for promotion or Career Status believes that any member of the Promotion and Review Committee cannot, because of personal, financial, or professional reasons, render a judgment in the candidate's case that is based only on the facts of the case, the candidate may request that an alternate serve. This request shall be submitted to the chair of the College Faculty Assembly with the reason for suspecting bias. The decision regarding whether the alternate shall be asked to serve will then rest with the chair of the College Faculty Assembly. Similarly, any member of the committee who feels that a conflict of interest exists in the member's judgment of a particular case may submit to the Chair of the College Faculty Assembly an explanation of the conflict and a request that the member be excused from hearing that case or participating in the decision.

- b. **Procedures of the College Level Faculty Promotion and Review Committee:** The College Level Faculty Promotion and Review Committee will have access to the materials submitted by the candidate and the department to the Dean for the members to review prior to the Committee meeting. The Chair of the Committee shall determine from the candidate and the Department Chair if any material changes have occurred since the department review, and shall seek clarification of any questions raised by members of the Committee.

Five voting members must be present to provide a quorum. If the candidate requests an opportunity to appear before the committee, he or she may do so. The committee may also invite the candidate to appear. The Committee shall recommend with at least three votes that the faculty member be promoted, granted Career Status, or have their seven year contract renewed. The Committee shall prepare a written recommendation and present it to the dean of the college. The Committee shall discuss its recommendation with the Dean.

The Committee shall forward its recommendations along with the report of the department review committee, any response of the faculty member under review, and the recommendations of the department and its chairperson to the Dean for review and recommendation. For faculty administratively assigned to MCP, the Dean should also consult with the head of MCP. If the Committee has recommended denial of Career Status, seven year contract reappointment, or promotion and the Dean disagrees with its recommendation, the Dean shall send the committee's report back to it with a statement of reasons asking for reconsideration. If the committee again votes to deny Career Status, seven year contract reappointment or promotion, the Dean shall provide the faculty member with a copy of the decision, with accompanying rationale of the Committee, and the review will end at that point. If the Committee's decision is positive, either originally or upon reconsideration, the Dean shall then forward the material submitted by the college committee and the dean's own recommendation to the Provost/Vice President of Academic Affairs for review and recommendation. At the same time, the faculty member involved shall receive a copy of the recommendations of the college committee and the Dean. The nature of the Dean's recommendation shall be made known to the Department and the College Committee.

5. **The President:** The President, after reviewing the materials submitted to the Provost/Vice President of Academic Affairs and the recommendation of the Provost/Vice President of Academic Affairs, renders final decisions on recommendations concerning term reappointments, promotions, and Career Status.
6. **Reduced Contract Terms:** If it is the consensus of the members of the faculty and administration involved in the review process (Department Review Committee, Dean, head of MCP where appropriate, College Review Committee, Provost/Vice President of Academic Affairs and President) that the candidate for

reappointment has not satisfied the requirements for reappointment to a seven year contract then the candidate may be offered a reduced term contract (of up to two years). Candidates may be awarded such reduced term contracts only once during their career at HPU and issuance of such a contract is not automatic. Reduced term contracts are offered only to career faculty and only with the expectation that the candidate can satisfy the conditions for a full reappointment term during the reduced contract period.

7. Appeals:

Regular Faculty members may appeal the nonrenewal of term appointments, a reduced contract term, and the denial of promotion or Career Status only on grounds alleging: (1) the violation of academic freedom; (2) failure to follow stated procedures or apply stated criteria; or (3) impermissible discrimination as defined in this document or in university policy statements or that is otherwise unlawful. The burden of proof is clear and convincing evidence and rests with the faculty member. The Faculty Assembly Faculty Promotion and Review Committee shall consider appeals of faculty members following the procedures outlined below.

The Faculty Assembly Faculty Promotion and Review Committee will be a standing committee of the Faculty Assembly and shall consist of seven Regular Faculty who are voting members of the Faculty Assembly and who have at least three years of service at the University. The seven members shall include: 2 members at Assistant Professor rank, 3 members at Associate Professor rank, and 2 members at Professor rank. Members will be elected at large for two year terms. Election of members will be staggered so as to have no more than four new members in any given year. The Committee chair will be elected from the members serving in the second year. The Committee shall establish its own procedures for conducting its deliberations.

The Committee will not substitute its judgment on the merits for that of the original recommending or decision-making body. If the Faculty Assembly Faculty Promotion and Review Committee decides there has been a violation of rights or procedure, it shall indicate the point where the infringement occurred. The committee shall then send the case back to that point to be reevaluated in a manner that eliminates any violation of rights or procedure. Otherwise, it shall dismiss the appeal.

8. Materials to be Used for Regular Faculty Reviews

a. Materials to be Submitted by Candidates for Diagnostic Reviews

(1) prefatory letter requesting reappointment.

(2) reflective narrative self-review evaluating the extent of one's own cumulative professional development and contributions under each qualification for reappointment and/or promotion. The candidate should evaluate whether or not she or he is meeting university standards and personal goals in each area of review. The narrative self-review should address trends in the candidate's peer and student evaluations as well as how the evaluation was used to improve teaching-learning practices and outcomes, thereby increasing educational effectiveness. Copies of prior annual Professional Development Plans and progress reports, and indications of immediate and future plans in each area will be included in this self-review.

(3) a copy of any special-clause contracts with Hawai'i Pacific University.

(4) copies of syllabi, peer evaluations, and student evaluations of teaching; for faculty undergoing an initial (2nd-year) review, all evaluations from the first year of teaching at Hawai'i Pacific University shall be included; for faculty undergoing subsequent diagnostic reviews, all evaluations from the preceding three years shall be included.

(5) a current and complete copy of the faculty member's curriculum vitae.

b. Materials to be Submitted by Candidates for Initial, Career Status, Sixth-Year and Promotion Reviews

Applications for each Initial, Career Status or Sixth-Year Review and for promotion should be organized in a notebook or electronic portfolio and should include:

- (1) prefatory letter requesting reappointment and/or promotion.
- (2) reflective narrative self-review evaluating the extent of one's own cumulative professional development and contributions under each qualification for reappointment and/or promotion. The candidate should evaluate whether or not she or he is meeting university standards and personal goals in each area of review. Copies of prior annual Professional Development Plans and progress reports, and indications of immediate and future plans in each area will be included in this self-review.
- (3) a copy of any special-clause contracts with Hawai'i Pacific University.
- (4) a current and complete copy of the faculty member's curriculum vitae.
- (5) a list of all supporting materials grouped under appropriate headings.
 - (a) Teaching documents (must include syllabi, peer evaluations, and student evaluations).
 - (b) Documentation of or tangible products of scholarship, professional development, university service, and community service.
- (6) Supporting Narrative and Documents: supporting documents for any claims made in the application relating to teaching, scholarly, and service activities that are reasonably available must accompany the application. In the case of incomplete applications committees have the right to request supporting documents.

Reflective narrative self-review should address trends in the candidate's peer and student evaluations as well as how the evaluation was used to improve teaching-learning practices and outcomes, thereby increasing educational effectiveness. It should also discuss use of electronic forms of presentation (PowerPoint, CD-ROM programs, web-enhanced or e- courses, chat rooms) if they are important to the candidate's field or teaching style.

Supporting documents for Teaching: Course syllabi, peer evaluations, and student evaluations must be included for all courses taught in the period under review. Examples of other supporting documents that may be included are: print versions of PowerPoint presentations; descriptions and/or copies of assignments, lesson plans, handouts or responses to student work; URL's of course web sites; results from Center for Advancement of Innovative Teaching (CAIT) assessments; unsolicited and/or solicited letters or comments from students, colleagues, or Deans about teaching effectiveness or mentoring; external assessment of educational effectiveness.

Supporting documents for Scholarly Activity may include but are not limited to tangible products such as: copies of peer-reviewed journal articles, academic papers, book chapters, or other writing normal to the discipline; reviews of published books and other works; citations by other scholars in the field; letters confirming acceptance of papers for future publication, presentations, exhibits, and performances; conference registration and program listing plus a copy of the paper, speaker's notes, or handouts; photographs of poster sessions; transcripts; confirmation of service as either editor or referee for professional publications; reviews written by others concerning relevant scholarly activities; copies of award letters for research grants, fellowships, prizes, faculty development, or trustees scholarly endeavors awards; and documented results from university-funded activities.

Supporting documents for Service to the University may include acknowledgments of the faculty member's contributions by administrators or other faculty members, minutes from meetings that make clear the extent of the faculty member's contributions, or documents produced as part of the faculty member's service work.

Supporting documents for Service to the Community may include letters from directors of agencies or organizations acknowledging the faculty member's contributions; documents produced pro bono as part of the faculty member's community service; or other items as available.

c. External Reviews of Scholarly Activity:

In reviewing an application for promotion to Professor, the review committees at the department and college level shall consider not only the portfolio submitted by the candidate but also external reviews of scholarly activity. Between AY 2014-2015 and the end of AY 2018-2019, candidates for promotion to Career Status or for promotion to assistant or associate professor may also elect to submit external reviews. Beginning AY 2018-2019 external reviews for ALL promotion applications (including to career status) will be a mandatory component of the promotion process. Procedures for soliciting these reviews are as follows:

Scholarly activities must be evaluated by external reviewers in the field who are in a position to give an objective evaluation. Three reports from external reviewers should be obtained and used as part of the evaluation of the candidate's scholarly activities. These reviewers should not be from universities where standards of performance and expectations are substantially higher or lower than those of Hawai'i Pacific University. The candidate will provide a list of reviewers as part of his/her promotion application. At least one of the reviewers will be chosen from the candidate's list. Remaining reviewers will be chosen by the Department Review Committee and reviews will be solicited by the Chair of that committee. None of the reviewers should be members of the Hawai'i Pacific University faculty, former teachers, co-workers, or students of the candidate. That is, reviewers should primarily be acquainted with the candidate through his or her published work or other professional accomplishments.

The applicant's curriculum vita and copies of scholarly work should be sent to the reviewers, together with a briefing about Hawai'i Pacific University, and an explanation of the conditions and expectations under which the applicant has worked. Since standards of acceptable scholarly activities may properly vary from one unit to another within an institution, and from one institution to another, it is important that the standards applicable to a given application be clearly explained to each external evaluator. A copy of the explanation of conditions and expectations furnished to each reviewer should be included with the application.

Each reviewer must be requested to justify any conclusions regarding the quality of the scholarly activities of the applicant and do so at a level of detail that permits an understanding of the achievement of the applicant relative to standards of excellence in his or her field. The degree to which the external assessments will be considered is based on the cogency of the argument made.

d. Committee Access To Records

All committees involved in promotion and review procedures will have access to the full promotion and review record of faculty candidates. Confidentiality requirements as outlined in e) below must be rigorously adhered to in reviewing these records. Violations of confidentiality will be sanctioned.

e. Confidentiality of Review Proceedings and External Evaluations

No one other than the responsible academic administrator shall communicate with any review committee on a case under review. Committee members shall not discuss any case under review outside the committee. Violation of confidentiality by persons involved in academic reviews will be regarded by the University as a serious breach of professional ethics, and such persons will be subject to appropriate sanctions. However, the Dean and the Department Chair may, under certain circumstances, reveal their own recommendations on the case to the individual being reviewed before the process is complete.

Letters from external referees may be shown to the candidate only after all identifying information has been excised; the referees should be so informed in the letter soliciting their judgments.

f. Liability of Faculty Serving on Review and Promotion Committees

The University maintains insurance coverage to protect both individuals and the University from potential financial loss during the day-to-day activities of the institution. The University's policies generally provide coverage against various employment-related claims and can be extended, subject to the terms of those policies, to cover those serving on employment review committees so long as relevant actions are within the scope of the applicable review committee's goals and responsibilities and do not contravene the law or University policies.

I. Disciplinary Action or Termination

1. Disciplinary Action

Disciplinary action relates, directly and substantially, to the fitness of faculty members in their professional capacity as professors. Absent a violation of law, or ethical standards cited in the University's Code of Ethical Conduct or in this handbook's Chapter III (Professional Ethics & Academic Freedom), disciplinary action may not be taken if it restrains faculty members in their exercise of academic freedom.

Any of the following types of disciplinary action may be taken as deemed appropriate: reprimand; suspension with or without pay; reassignment; or dismissal.

Disciplinary action may occur at any time during the term of a faculty member's appointment for any of the following reasons:

- (1) Incompetence or a pattern of failure to perform duties;
- (2) A pattern of neglect of duty, including the failure to adhere to class or examination schedules, the failure to attend faculty or committee meetings, the failure to prepare and grade examinations in a timely fashion, or the repeated failure to meet specific faculty obligations as stated in the Academic Policies and Procedures Manual;
- (3) Violation of Board and University rules and policies, including policies prohibiting discrimination, harassment, unlawful retaliation and workplace violence, policies addressing substance abuse, and contributions to unsafe working conditions or practices, and policies set forth in Hawai'i Pacific University's Code of Ethical Conduct;
- (4) Disruptive behavior or breaches of confidentiality;
- (5) Professional misconduct, including but not limited to plagiarism and research misconduct;
- (6) Material misrepresentation in securing an appointment or promotion, and other acts of dishonesty and moral turpitude; and
- (7) Recent conviction of a state or federal crime that is rationally related to faculty duties and responsibilities.

If the Department Chair, in consultation with the Dean (and the head of MCP where appropriate), considers that the conduct of the faculty member justifies imposition of one of these sanctions (short of dismissal), the Department Chair shall notify the faculty member and provide him or her with the opportunity to respond. The faculty member shall have an opportunity to discuss the matter with the Dean, and to respond in writing to the record of the oral or written reprimand or other sanction. A faculty member who believes that a sanction has been incorrectly imposed under this paragraph may petition for a formal hearing by an ad hoc Grievance Committee, as described in Chapter IV, Section J below.

2. Dismissal for Cause:

This section addresses dismissal of faculty members, other than Special Appointment Faculty and Administrators with Faculty Rank which are described in the Academic Affairs Policies and Procedures Manual.

In cases of dismissal of a Regular faculty member whose contract has not expired, for one or more of the causes listed above, the administration carries the burden to prove by a preponderance of evidence the facts upon which the dismissal is based.

When circumstances arise that may justify a dismissal for cause, two procedures – informal and formal – shall be used in sequence.

a) **Informal Procedure:** The administrator(s) of the appropriate unit initiating the action shall discuss the matter with the faculty member concerned, explaining the decision to initiate dismissal proceedings together with the reasons for this decision. This discussion will allow reasonable opportunity for discussion and for the effecting of an agreed resolution. If an agreed resolution was not affected through the informal discussion and the University wishes to continue the action, the Provost/Vice President of Academic Affairs will notify the faculty member in writing by certified mail of the charges and the intent to dismiss. If the faculty member does not respond in writing within two calendar weeks from the date of the receipt of the letter, dismissal shall be deemed accepted and all rights to further appeal are waived. If the faculty member wishes to respond to the charges, the faculty member shall inform the Provost/Vice President of Academic Affairs in writing within the two calendar week period.

At this point, the informal procedure continues with an informal inquiry by the Faculty Assembly Faculty Promotion and Review Committee. The committee shall obtain from the Provost/Vice President of Academic Affairs a statement of the case for dismissal of the faculty member. The committee shall inquire into the case informally in an effort to affect an agreed resolution. The committee may call witnesses but its deliberations shall be confidential. If within 30 days of the written response by the faculty member concerned, an agreed resolution has not been affected, the committee will render its recommendation to the Vice President of Academic Affairs and the faculty member involved. The Provost/Vice President of Academic Affairs will communicate this recommendation to the President. If the Faculty Assembly Promotion and Review Committee recommends dismissal or if it recommends retention and the President disagrees, the President shall send a letter to the faculty member by certified mail stating the decision to dismiss, the grounds for dismissal, and informing the faculty member that a request may be made for a formal hearing before the Dismissal Grievance Committee. If the faculty member does not reply in writing to the President within 30 days after the receipt of the President's letter the dismissal shall be deemed accepted and all rights to any further review of the President's decision, including a hearing, are waived.

b) **Formal Procedure:** Should the faculty member request a hearing, the Provost/Vice President of Academic Affairs will oversee the selection of a Dismissal Grievance Committee within 30 days. This committee consists of five full-time faculty members not previously connected with the case, chosen in the following manner. The pool from which members shall be selected shall consist of all Career faculty. The President or the President's representative and the faculty member shall choose from this list until they have selected five mutually agreed upon members. If there is a failure to agree on a sufficient number, the remaining members shall be selected by the Chair of the Faculty Assembly. These shall constitute the Dismissal Grievance Committee. They shall elect their own chairperson.

A formal dismissal proceeding shall be initiated by a communication from the Provost/Vice President of Academic Affairs to the faculty member and to the chairperson of the Dismissal Grievance Committee containing:

- 1) a statement giving the grounds for dismissal; and
- 2) a statement that the Dismissal Grievance Committee will conduct a hearing on the charge or charges; and
- 3) a statement of the time and place for the hearing, such time being set to permit the faculty member sufficient opportunity to prepare a defense; and
- 4) a copy of University policies and regulations pertinent to the case and regulations governing procedural and substantive rights and responsibilities for the faculty member and the University in hearings of this kind, as detailed in the following paragraph.

The President or the President's representative and the faculty member have a right to be present at all Dismissal Grievance Committee hearings. The President and faculty member have a right to call witnesses. Meetings of the Committee are normally private, but may be public with the unanimous written agreement of the parties. Both parties have the right to know the identity of witnesses giving statements and the right to question all witnesses, provided, however, such procedures do not violate federal or state laws or regulations. The Dismissal Grievance Committee will accept oral arguments and written briefs and will not be bound by Rules of Evidence or any formal court procedure; but rather, any relevant matter upon which responsible persons customarily rely in the conduct of serious affairs may be considered. Any dispute about procedures will be adjudicated by the Dismissal Grievance Committee. A full and complete recording or transcription of the proceedings shall be maintained, which, together with documentation and exhibits submitted by both parties, shall constitute the hearing record. Faculty members who fail without good cause to appear and proceed at such hearing shall be deemed to have waived their right to be present, and the hearing may proceed in their absence.

The Committee will reach its decision in private conference. Findings and recommendations will be sent in writing to both the President and the faculty member within 10 days after the closure of the hearing. This communication will be private.

Ordinarily, the University will treat the transcript of the proceedings as confidential matter. However, if the dismissed faculty member or his/her representative discloses any aspect of the dismissal or the proceedings in any public or private forum or public news medium, the University may, at its discretion and to the extent appropriate, release pertinent portions or the entire record of the proceedings – including those proceedings held in private – in the public or private forum or news media.

Complaints concerning offenses as defined by external agencies, such as discrimination as defined by federal or state laws, sexual or other forms of harassment, workplace violence, or access to university resources by faculty members with disabilities are beyond the scope of this policy.

3. Termination Due to Financial Exigency or Discontinuation of Educational Programs

a. Declaration of Financial Exigency

A financial exigency is a condition where it is clearly evident that a financial crisis exists which threatens the survival of the institution as a whole or that of a school and which cannot be alleviated other than by declaring a state of exigency. When the President and the Board of Trustees formally declare that such a condition exists with respect to the University, the President will inform the Faculty Council about the situation and the action of the Board of Trustees. The administration shall consult with the Faculty Council before financial exigency is declared.

The Faculty Council will have the opportunity to prepare options to be considered in response to the emergency. The Administration shall provide reasonable consultation and cooperation in the preparation of options or shall join in a collaborative process of developing options.

b. Discontinuation of Educational Programs

The President may discontinue educational programs for reasons pertaining to productivity, cost effectiveness, academic quality, and/or fit with the mission of the University. The termination of faculty members, either Career, tenured or career-track, may occur as a result of such changes.

Discontinuance of educational programs may result from the routine program reviews undertaken by the Office of Academic Affairs. The President may also request that the Provost/Vice President of Academic Affairs and the Faculty Council initiate a special review of the program to evaluate the advisability of program reorganization or termination. An academic program will not be eliminated to an extent that requires termination of Career or tenured faculty without, as an integral part of the process, review of the program by the Faculty Council and consultation with the College and department involved.

c. General Procedures for Termination Due to Financial Exigency or Discontinuation of Educational Programs

The following policies and procedures apply to occasions when financial exigency requires the termination of Regular Faculty members. These procedures also apply, with appropriate modifications, to termination for reasons of program discontinuation.

- 1.) Once the existence of a condition of financial exigency has been declared or a decision to discontinue educational programs has been made by the President and the Board of Trustees, the appropriate officers of the administration, in consultation with the Faculty Council, shall identify academic areas and faculty positions discontinuance and make recommendations on discontinuance to the President. Notification of these proposed changes will be given to the Faculty Assembly Faculty Promotion and Review Committee, which may present comments if it chooses. These recommendations shall be presented within 30 days of the notification unless the President specifies otherwise.
- 2.) These recommendations shall take into account the following criteria in identification of faculty positions to be terminated. In proceeding to reduce faculty positions because of a financial exigency or program discontinuation, the rights of Career or tenured faculty will be given the most careful consideration. The criteria for retention will include teaching effectiveness, departmental curricular needs, length of service, scholarly productivity and affirmative action guidelines.
- 3.) If Regular Faculty members are affected by program discontinuance, the University will make every effort to find other suitable employment within the University. If no such positions are available, the terminated faculty member will be given assistance by the University in searching for employment outside the University.
- 4.) When termination is required for reasons of financial exigency or discontinuation of an educational program, the Career-track faculty member will finish out his/her academic contract year. The Career or tenured faculty member will be given one additional academic year contract.
- 5.) When termination is required for reasons of financial exigency or discontinuation of an educational program, the University will not appoint a new person to fill substantially similar duties as performed by the terminated faculty member for at least three years from the date of the program termination, unless the terminated faculty member is first offered reinstatement with rank, pay and benefits, and Career or tenure status no less than that held at the time of termination.

d. Appeal of Termination Decision

- 1.) The faculty member terminated by reason of financial exigency or discontinuation of an educational program will have the right of appeal to an ad hoc Dismissal Grievance Committee, described in Chapter IV, Section 2 above.
- 2.) The issues in this hearing are limited to whether the criteria for identification for termination of individual faculty positions were properly applied in this individual case.

J. Grievance Procedures for Cases other than Dismissal or Non-Reappointment

1. **Purpose:** This section applies to grievances that may be lodged by Regular Faculty members who have been sanctioned, as noted in Chapter IV, Section I.1 above. In addition, situations may occur in which a faculty member believes that the fair and consistent application of a university policy affecting him or her has not been followed. In most cases, that faculty member will be able satisfactorily to address such concerns with his or her Department Chair and Dean and the head of MCP if appropriate. However, when a recent or continuing problem has not been resolved, the faculty member may require an alternative vehicle for resolving his or her concerns.

The intent of this grievance policy is to resolve disputes over significant issues, not minor disagreements. No faculty member will be subjected to discrimination, retaliation, or any adverse treatment for filing a grievance or participating in a grievance procedure. No faculty member is obligated to file a grievance under this policy. Faculty who choose to pursue other avenues of redress, such as complaints filed to external agencies or pursuit of civil lawsuits, shall be permitted to do so.

This policy applies to all Regular Faculty of the University. In addition to grievances by faculty members who have been given sanctions short of dismissals, this policy can apply to complaints about violations of academic freedom, unsafe or inappropriate work assignments (as determined by persistence or degree); unsafe working conditions; and misapplication of University policies. It does not apply to cases of non-reappointment or denial of Career Status or Promotion (see “Appeals,” Chapter IV, Section H.6 above) or to cases of dismissal for cause (Chapter IV, Section I.2) or termination due to financial exigency or discontinuation of an educational program (see “Appeal of Termination Decision,” Chapter IV, Section I.3.d above). The policy does not apply to complaints that might be made against a faculty colleague or staff member not in a supervisory position over the faculty member. Complaints concerning offenses as defined by external agencies, such as discrimination as defined by federal or state laws, sexual or other forms of harassment, workplace violence, or access to university resources by faculty members with disabilities are beyond the scope of this policy and should be referred to the Faculty Actions Office immediately.

2. Confidentiality: To the extent possible, strict confidentiality will be maintained by all parties regarding all matters relating to grievances. Although the University will endeavor to handle all complaints with discretion and due regard for privacy, other obligations and considerations may preclude the University from maintaining confidentiality in all circumstances.

3. Burden of Providing Evidence: Any faculty member who files a grievance has the burden of providing evidence that he or she has been wronged. If, at the conclusion of the grievance process, the grievant fails to provide sufficient evidence supporting a grievance, the finding should be in the respondent’s favor.

4. Grievance Coordinator: The University Ombudsperson serves as the grievance coordinator, to whom formal, written grievances must be submitted. (If the office of Ombudsperson is vacant, the Chair of the Faculty Assembly may nominate a Career faculty member to be appointed by the President as grievance coordinator.)

5. Timetable and Distance: Time sensitivity is important in the success of any grievance procedure. Grievances must be filed within two years from the date on which knowledge of the alleged incident became available to the grievant. While haste should be avoided in the discussion and resolution of a grievance, hindering a meaningful resolution by delaying discussion or work on the issues involved must also be avoided. This policy establishes a time limit for each step in the procedure. An extension may be granted if necessitated by time limitations resulting from the University’s calendar or other special circumstances. Requests for extensions must be approved by the opposing party and the grievance coordinator. The grievance coordinator may consult with the appropriate University officials if necessary and will convey the decision to the involved parties. Because of the complexity of the university’s network of extended campus locations, any grievance process involving individuals not domiciled on the island of Oahu may be conducted by telephone, teleconference, or other real-time communications technology.

6. Informal Procedure. In most cases, it is expected that disputes over the application or interpretation of a university policy can be resolved through communication within a particular department or work area. Thus, the first step in the grievance process is a discussion between the grievant and the supervisor or the Human Resources Department

The faculty member can initiate this step in one of two ways:

- a. Communicate with his or her supervisor. The grievant should promptly bring the matter to the attention of the immediate supervisor, explaining the nature of the problem and the desired

solution. The supervisor must respond within five working days, in writing.

b. Communicate with the Human Resources Department. If a faculty member cannot decide whether to initiate a grievance or is reluctant to discuss the matter with the supervisor, the faculty member may seek advice from the Human Resources Department. The Human Resources Department or the supervisor must provide a written response to the faculty member within five working days of Human Resources Department's notification to the supervisor.

7. Formal Procedure. If the matter is not resolved in step 1, the grievant may proceed to step 2 by submitting a written statement to the grievance coordinator. This statement should contain the following information.

- a. The name and department of the respondent.
- b. The university policy that the grievant believes has been violated;
- c. The relevant facts that form the basis of the faculty member's grievance;
- d. The action the grievant has already taken in an effort to resolve the situation; and
- e. The resolution sought.

Upon receipt of the faculty member's written statement, the grievance coordinator will determine whether the statement asserts a valid grievance, as set forth in Chapter IV, Section J.1. If the statement does not assert a valid grievance, the issue will not go through the grievance procedure, and the grievance coordinator will consult the grievant accordingly. If the statement does set forth a valid grievance, the grievance coordinator will advise the faculty member's supervisor of the grievance and determine if the step 1 procedure was complied with. (If the step 1 procedure was not followed, the grievance coordinator will refer the employee back to step 1 unless the grievance coordinator believes that such referral is not likely to resolve the matter.)

8. Grievance Committee: Should the faculty member request a hearing, the grievance coordinator will oversee the selection of a Grievance Committee within 21 days. (This committee is similar to the Dismissal Grievance Committee chosen on an ad hoc basis, as described in Chapter IV, Section I.2 above.) It consists of five full-time faculty members not connected with the case, chosen in the following manner. The pool from which members shall be selected shall consist of all Career faculty. The President or the President's representative and the faculty member shall choose from this list until they have selected five mutually agreed upon members. If there is a failure to agree on a sufficient number, the remaining members shall be selected by the Chair of the Faculty Assembly. These shall constitute the Grievance Committee. They shall elect their own chairperson.

Once the grievance committee has been formed, the grievance coordinator will designate a date and place for the grievance meeting. A representative of the Human Resources Department will be present at the meeting. The Human Resources representative will assist the grievance coordinator with the administrative arrangements for the meeting and will take minutes. The grievance coordinator will chair the meeting. At the meeting, both the grievant and the respondent will have the opportunity to present their points of view. Grievance committee members will have the opportunity to ask questions of both parties. The committee will then deliberate, and the chair will render a written decision within five working days following the meeting. Both the grievant and the respondent will be given a copy of the decision.

The grievance committee meeting is not an adversarial procedure and is not subject to the legal procedures of a court of law. The presence of legal counsel at the meeting is not permitted. The decision and recommendation(s) of the grievance committee will be submitted to the President and the grievant in writing within five working days of the grievance meeting. The President shall decide what if any action is to be taken as a result of the committee's recommendation. If the President determines that as a result of a failure to follow policy the grievant suffered a financial loss, the university may provide compensation to the employee for that loss, if the grievant signs an appropriate release concerning the grievance.

K. Amendments to Chapter IV of the Faculty Handbook

Amendments may be proposed by the President, by the Chair of the Faculty Assembly, or by a petition submitted by

at least 30 members of the Regular Faculty. An electronic vote of the Regular Faculty shall be held between 21 and 30 days after the submission of the amendment. The amendment will be considered to have been endorsed by the faculty if it receives a majority vote from the Regular Faculty. The vote is advisory to the Board of Trustees, which has the final authority over the provisions of the Faculty Handbook.

CHAPTER V: ACADEMIC ADMINISTRATION

A. Provost/Vice President of Academic Affairs (VPAA)

As leader of the Office of Academic Affairs (OAA), the Provost/VPAA guides the establishment of overall directions for the University's academic programs; anticipates future developments in higher education and their impact on the University, identifies the threats and opportunities they pose, and evaluates the needs inherent in meeting these challenges creatively and effectively. The Provost/VPAA is responsible for ensuring the academic quality of all departments, programs, and services within OAA through the appropriation and allocation of necessary resources, through the oversight of hiring and evaluation activities, and through the establishment and coordination of policies and priorities. The Provost/VPAA oversees activities and functions that endeavor to maximize student success by providing the best available curricular, co-curricular, and extra-curricular opportunities to the student body.

The Provost/VPAA has primary responsibility for securing internal and external funding in support of academic programs and services; establishes policies for and retains ultimate responsibility over the management of budgets within OAA; authorizes the creation and elimination of faculty and academic staff positions and appropriate to the plans and priorities of the University and its academic units, and oversees that the allocation of resources to the various program within the unit reflects established priorities; oversees the ongoing evaluation of personnel and assessment of programs to ensure appropriate levels of quality throughout OAA; makes recommendations for promotion, Career Status, seven year contract renewal and reappointment to the President.

The Provost/VPAA oversees the development of the University Strategic Plan as it applies to academic affairs, assigns responsibilities for its implementation, reviews academic policies for their consistency with the Strategic Plan and University mission, and has responsibility for the overall evaluation of the plan's implementation and outcomes. The Provost/VPAA coordinates initiatives and ongoing program across all areas of academic affairs and guides the establishment of annual and long-term priorities.

B. Deans of the Colleges

As leaders of the academic colleges, Deans are responsible for the overall direction of programs within their units. Attuned to the institutional and societal contexts affecting current and potential programs within their colleges, Deans coordinate and motivate the efforts of department chairs, program chairs, and faculty to respond creatively to these contexts. The Deans ensure the effective implementation of these goals through allocation and management of resources, through appropriate initiatives for external funding, and through evaluation of the quality of personnel and related services.

Deans coordinate the use of budgeted funds to ensure appropriate staffing within their colleges (balance of full-time, part-time, and overload) and recommend areas within their colleges that require additional staffing. The Deans coordinate course offerings within their colleges to meet departmental and general education needs. They coordinate and make recommendations concerning departmental and program initiatives and their budgetary priorities.

Deans oversee that department and program planning are consistent with missions of the University and their college, and evaluate the assessment efforts of departments and programs to ensure that results yield meaningful information which is used in ongoing planning. The Deans work closely with chairs, program directors, and faculty in implementing program improvements. The Deans are responsible for the summative, administrative evaluation of their college's faculty and make recommendations to the Provost/VPAA in matters of salary, promotion, reappointment, and Career Status. The Deans also assure appropriate faculty development activity throughout their colleges.

C. Department Chairs

As leaders of their academic departments, Department Chairs foster a sense of cohesive team building within their units and represent their departments to other areas of the University. Chairs direct and motivate faculty efforts to explore new directions for their departments as well as exercise oversight to ensure the academic quality of their departments' existing programs. Toward these ends, major responsibilities of the Chairs include attention to

curricular and programmatic issues and the annual professional development plans of the faculty, including the development of teaching schedules for the Regular and Special Appointment Faculty in the department.

Chairs keep abreast of developments in the content and pedagogy of their disciplines to ensure the currency and appropriateness of curricular offerings. Chairs support further activities (advising, student organizations and/or honor societies, events for majors/minors, etc.) which complement the curricula of their majors to ensure students a complete and high quality educational experience. Chairs coordinate their departments' strategic planning in these curricular and programmatic areas and ensure that assessment of goals is conducted and used in ongoing planning.

Chairs assist departmental faculty in the creation and implementation of individual professional development plans and engage in formative evaluation of the faculty, the primary purpose of which is to advance professional development. Chairs also make recommendations to Deans in matters of hiring, contract renewal, promotion, salary, and Career Status.

CHAPTER VI: IMPORTANT UNIVERSITY POLICIES FOR FACULTY

A. Conflict of Interest

A conflict of interest exists when a faculty member's ability to discharge University responsibilities and functions in an ethical manner is compromised because of other professional, financial, or personal interests.

Faculty members must be sensitive to situations in which there is a potential for conflict of interest and actively avoid such a conflict. Such conflicts may arise when a faculty member serves in any administrative or service capacity that provides an opportunity to evaluate a family member or a colleague whom he or she cannot judge fairly. It may also arise when a faculty member is a consultant for, or has some other financial interest in, a business venture that is related to his or her own research or teaching.

Such situations pose the danger that basic standards of fairness, academic principles, or educational priorities will or may appear to be distorted by the opportunity for special advantage on the part of a faculty member, an academic unit in which he or she works, or even the University itself. Failure to disclose actual or potential conflicts of interest shall result in disciplinary and corrective action.

Before accepting outside employment, a Regular Faculty member must write a letter fully disclosing the nature of the employment to the Provost/Vice President of Academic Affairs to obtain written approval to engage in such employment. Prior to accepting a faculty appointment to the Hawai'i Pacific University, new Regular Faculty members must also inform the Provost/Vice President of Academic Affairs about whether they are employed or own a business which provides income and, if so, obtain written authorization from the Provost/Vice President to continue such employment while also being employed by the University. The University has no desire to interfere with outside interests as long as these interests do not interfere with the faculty member's performance or the goals and objectives of the University. Outside employment or income should not be full-time nor should it be with an organization that is in direct competition with our University.

Hawai'i Pacific University's complete statement of policy on Conflicts of Interest that apply to faculty can be found in Chapter 1 of the Academic Policies and Procedures Manual.

B. Intellectual Property Rights

[Being developed.](#)

C. Responsible Conduct of Research

Hawai'i Pacific University is committed to the responsible conduct of research and shall not tolerate misconduct in research. It has formal procedures to investigate and impose sanctions for actions that undermine the integrity of scholarly activity. "Misconduct in research" includes, but is not necessarily limited to, plagiarism; fabrication or falsification of evidence or data; unauthorized use of privileged information; and deliberate and substantial violation of federal, state, or University regulations relating to the conduct of research. It does not include honest error or honest differences in interpretation of data.

Faculty members are expected to abide by the provisions relating to Research in the Code of Ethical Conduct (Section 6.0). The full Policy on Misconduct in Research is set forth in Chapter 1 of the Academic Policies and Procedures Manual and is incorporated here by this reference. Further information on the responsible conduct of research and associated federal regulations, including policies on research with human subjects, may be obtained from the Office of Sponsored Projects.

D. Discrimination and Harassment

Hawai'i Pacific University prohibits discrimination and/or harassment on the basis of age, sex, religion, race, color, ancestry, national origin, disability, marital status, veteran's status, sexual orientation, arrest and court record,

citizenship or any other classification protected under state or federal law. All faculty members are responsible for compliance with this policy. Faculty members violating the policy against discrimination and/or harassment, including sexual harassment, will be subject to immediate and appropriate disciplinary action, including possible termination.

Definition of Discrimination: Decisions regarding employment should be based on legitimate, non-discriminatory business reasons. This includes decisions regarding recruitment, hiring, placement, training, promotion, compensation, benefits, transfers, layoffs, discipline, termination, and other terms and conditions of employment.

It is prohibited to base employment actions, or the terms and conditions of employment, on an individual's age, sex, religion, race, color, ancestry, national origin, disability, marital status, veteran's status, sexual orientation, arrest and court record, citizenship or any other classification protected under state or federal law. Furthermore, it is prohibited for faculty members to be subjected to intimidation or harassment (including physical or verbal abuse, offensive comments, degrading words, threats) based on their protected classifications.

Definition of Sexual Harassment: Sexual relations between students and faculty members with whom they also have an academic or evaluative relationship are fraught with the potential for exploitation. The respect and trust accorded a professor by a student, as well as the power exercised by the professor in an academic or evaluative role, make voluntary consent by the student suspect. In their relationships with students, members of the faculty are expected to be aware of their professional responsibilities and to avoid apparent or actual conflict of interest, favoritism, or bias.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by any faculty member to any other individual, or by a vendor, supplier or student to any faculty member, constitute inappropriate sexual conduct which can form the basis for sexual harassment claims. Inappropriate sexual conduct can take many forms. It is not limited to overt physical assaults, unwelcome or unwanted sexual advances, and requests or demands for sexual favors. It can also involve:

- Unnecessary or unwanted physical contact (including patting, pinching, hugging or intentionally brushing up against another employee's body);
- Verbal conduct (including offensive sexual flirtations, advances, propositions, verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual or the telling of "dirty jokes");
- Non-verbal conduct (including the display in the work place of sexually suggestive objects, sexual pictures in the work place, winking, lingering glances, wolf whistles, sexual gestures);
- Inappropriate sexual conduct becomes sexual harassment when: (1) the unwelcome or unwanted sexual conduct or advances interferes with another person's work performance or creates an intimidating, hostile or offensive work environment; (2) personnel decisions (including transfers, promotions, scheduling, etc.) made by a supervisor are based on the employee's submission to or rejection of a sexual advance; and/or (3) submission to a sexual advance is used as a condition of keeping a job, whether expressed in explicit terms or implied.

Complaint Procedure: Individuals who perceive that they are being discriminated against or subjected to sexual harassment or who observe any employee or student being discriminated against or subjected to sexual harassment should report their complaint immediately to their supervisor, or if they believe their supervisor is part of the problem, to any member of management or the Faculty Actions Office. Reports can also be made to the HPU Compliance Hotline at 1-877-270-5054.

Prohibition Against Retaliation: All faculty members are assured that, by law, there will be no retaliation permitted against a faculty member who is in good faith complaining of, reporting, or participating in the investigation of a discrimination and/or harassment problem. Individuals who feel that they are being retaliated against for making a complaint, reporting a problem and/or participating in an investigation, should report it immediately to their supervisor, or if they believe that their supervisor is part of the problem, they may take the matter up with any member of management or the Faculty Actions Office.

Investigation: Once a discrimination, harassment or retaliation complaint or report is received, the Faculty Actions Office or its designee will conduct an investigation into all of the surrounding circumstances. To the best extent possible, the Faculty Actions Office will attempt to keep the investigation confidential. If the report appears to have merit, appropriate disciplinary action will be taken against the offender. Depending on the severity of the misconduct, and all the circumstances, the disciplinary action against the offender could vary from a warning to an immediate termination.

Hawai'i Pacific University's complete statement on Discrimination and Harassment can be found in Chapter ■ of the Academic Policies and Procedures Manual.

E. Workplace Violence

Hawai'i Pacific University believes that a safe work environment is fundamental to the success of the University. Each faculty and staff member has the right to a work place free from intimidating, threatening or dangerous behaviors. Accordingly, everyone must be treated with dignity, respect and courtesy.

“Zero Tolerance” Policy: Hawai'i Pacific University maintains a “zero-tolerance” policy on workplace violence. The University will not tolerate acts of violence, threats of violence, intimidation, or any conduct that creates an intimidating work environment. This policy applies to all faculty and staff members, vendors, suppliers, contractors, patrons, students, and visitors. Staff members violating the policy against workplace violence will be subject to immediate and appropriate disciplinary action, including possible discharge.

Definition of Workplace Violence: Hawai'i Pacific University's Workplace Violence policy prohibits not only actions which are severe enough to violate state, federal or local laws; it also prohibits conduct and comments which are not severe enough to be unlawful but which are still inappropriate in our workplace. Examples of inappropriate behavior include, but are not limited to:

- Violence (including physical altercations (fighting), inflicting injuries on another person, intentional damage to property);
- Threats (including verbal and/or nonverbal threats of physical harm, physically aggressive behavior, acts or gestures likely to leave another person fearing injury);
- Intimidation (including compelling a person to act or refrain from acting by making verbal and/or nonverbal threats toward that person, gestures intended to harass or intimidate another person).

Reports or Complaints of Workplace Violence: All staff members are responsible for notifying the University's Assistant Director of Safety & Security of any violence, threats or intimidation they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, staff members should also report any behavior that they witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a University controlled site, or is connected to University employment. Staff members are responsible for making this report regardless of the relationship between the individual who initiated the violent, threatening or intimidating behavior and the person or persons who were the focus of the violent, threatening or intimidating behavior. If the University's Assistant Director of Safety & Security is not available, staff should report the threat to their supervisor or the Human Resources Department.

Also, all individuals who apply for or obtain a protective or restraining order which lists University locations as being protected areas, must provide to the Associate Vice President, Human Resources a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

Complaint and Investigation Procedures: The University's response to workplace violence situations, or potential workplace violence situations, will vary from case to case. However, in general, the following procedures should be followed.

Step 1: Complaint. If any staff member believes that he/she has been subjected to violent, threatening or intimidating behaviors, the staff member has the right to file a complaint with their immediate supervisor or department head. Information to be reported should include but is not limited to: name of the person(s)

making the threat; name of the person(s) being threatened; specific language or form of threat; and any specific conduct by the person making the threat.

Step 2: Investigation. Any supervisor or department head who receives a report of workplace violence, as identified in this policy, will immediately report the incident to the Associate Director of Safety & Security, who will, in turn, notify the Provost/Vice President of Administration and the Associate Vice President, Human Resources of the report. All reports of violence will be promptly investigated by the Associate Director of Safety & Security, Provost/Vice President of Administration or the Human Resources Department, which will make every effort to maintain confidentiality to protect the interests of person(s) furnishing reports, witnesses, and the person about whom a report was made. Please note that in order to minimize potential risk to co-workers, the University may take appropriate steps to protect staff against whom threats have been made pending an investigation. It may be necessary to remove an individual from the property during an investigation. As such, to maintain workplace safety and the integrity of its investigation, the University may place staff members on a leave of absence, either with or without pay, pending investigation. Depending on the severity of the threat or incident it may also be necessary to inform the police or the appropriate agency.

Remedial Actions: After the investigation is completed, a resolution to the complaint will be discussed with the alleged victim, the accused, and others on a need-to-know basis. If it is determined that workplace violence has been committed, remedial action will be taken. Staff members who violate this policy will be subject to disciplinary action up to and including termination. Action will be taken against all others (contractors, vendors, suppliers, students and visitors) as permitted by law. Remedial actions may also include criminal prosecution of the person or persons involved when appropriate.

F. Alcohol and Drugs

Being developed.

