

Statement of Principles Governing Faculty Relationships

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Academic Freedom and Responsibility

A concern to provide for faculty and students a University atmosphere where there is freedom to pursue truth and to discuss all relevant questions has led the trustees of Emory University to accept the general principles and purposes embodied in the 1940 Statement of Principles on Academic Freedom and Tenure, originally cosponsored by the Association of American Colleges and the American Association of University Professors, and subsequently endorsed by more than a score of major educational associations and learned societies.

According to the authors: "The purpose of this statement is to promote public understanding and support of academic freedom and tenure, and agreement of procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual faculty member or the institution as a whole. The common good depends on the free search for truth and its free exposition."

The 1940 Statement emphasizes that for maximum effectiveness faculty members should have security adequate for freedom to teach and to seek truth. This includes security of position after a reasonable period of probation, income commensurate with professional attainments, and assurance of explicit contract. As a citizen, the faculty member is also entitled to the right to participate in activities related to citizenship in a democratic society.

The 1940 Statement further emphasizes the correlative obligations and responsibilities imposed by the special position occupied by the faculty member. Most important is the obligation for effective performance of duty. In addition, the 1940 Statement emphasizes that when the faculty member speaks or writes as a citizen, he or she should remember that the public may judge his or her profession and institution by those utterances. Hence, the faculty member should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should indicate that he or she speaks as an individual and not for the institution.

With the acceptance by trustees, administrative officers, and faculty members of the related principles of freedom and obligation, the individual faculty member is assured of reasonable protection against arbitrary pressures and procedures; and the institution, students, and the general public are assured of reasonable protection against incompetence and irresponsible utterance.

Appointment and Tenure:

1. Appointments to the faculty shall be of two kinds: limited and continuous. A limited appointment is one which is terminated at the close of a period of time specified in writing to the

appointee. A continuous appointment is one which will not be terminated by the university except for adequate cause as specified below or by retirement in accordance with the provisions of the Emory University Retirement Plan.

2. a. As provided in Article IV, Sec. 3, of the by-laws of Emory University: "Limited appointment shall be made by the president upon recommendation of the dean of the school or college primarily concerned and the executive vice president for academic affairs or the executive

vice president for health affairs, whoever is appropriate, and shall be reported to the Board of Trustees or its Executive Committee.

"Continuous appointments shall be made by the Board of Trustees or its Executive Committee upon the recommendation of the president, who shall have conferred regarding such recommendation with the dean of the school or college primarily concerned and the appropriate academic executive vice president."

"The deans shall establish and communicate to their faculty the procedures for expressing faculty opinion in matters of individual appointment, promotion and termination. The precise terms and conditions of each appointment shall be stated in writing, shall be in accordance with the principles approved and published by the Board of Trustees, and shall be in possession both of the University and the appointee before the appointment is final."

b. Copies of the procedures mentioned above shall be filed with the executive vice president for academic affairs or the executive vice president for health affairs, whoever is appropriate, and the University Faculty Advisory Council of the Senate.

3. Except as otherwise provided herein, the following conditions shall apply to full-time appointments in the ranks of professor, associate professor, assistant professor, and instructor:

a. Appointments to the rank of professor shall be continuous unless otherwise specifically agreed upon.

b. Appointments to the rank of associate professor may be continuous or limited. In the School of Medicine limited appointments at the rank of associate professor shall not exceed three years.

c. Appointments to the ranks of assistant professor and instructor shall be limited except in the School of Medicine, where appointment at the rank of assistant professor may be either limited or continuous, but a continuous appointment at this rank shall not be made until the individual has served at the rank of assistant professor or a lower rank (including associate and senior associate ranks) for a total of at least seven years at Emory or at another academic institution or in a combination thereof.

d. Limited appointment at Emory in any rank enumerated above or in a combination of these ranks shall not exceed seven years, except that in certain cases the seven years will be counted from the time the terminal degree is received.

4. Appointment to the rank of professor (clinical), associate professor (clinical), assistant professor (clinical), professor (research), associate professor (research), assistant professor

(research), associate or senior associate (used only in the Division of Health Sciences) shall be limited. Such appointments carry no restrictions on years of service in these ranks and may be reserved for those individuals who serve in specialized capacities in which advancement to continuous appointment would not ordinarily be anticipated. A person holding any of these ranks may be eligible for promotion to regular faculty rank under paragraph 3 above.

5. In cases where appointment to one of the ranks enumerated above is inappropriate, the title of lecturer, special lecturer, senior lecturer, or other appropriate title may be given. Such appointment shall be limited.

6. Visiting, part-time, acting, temporary, and uncompensated appointments are governed by the written conditions of each individual appointment but shall, in all cases, be limited.

7. For all limited appointments other than those specified in paragraphs 5 and 6 above, written notice of nonrenewal of contract shall be given as follows:

a. For those in the first year of service- notice on or before January 31 for termination August 31;

b. For those in the second year of service- notice on or before December 31 for termination August 31;

c. For those in the third year of service or later- notice on or before October 31 for termination on August 31.

The terms of limited appointment shall be stated in writing and the details of limited appointment that are contingent upon specified grants or contracts should be described.

Renewal of limited appointments shall be in writing on a yearly basis, and notice of attainment of continuous appointment shall also be in writing.

8. In each case the dean of the school or college primarily concerned shall have conferred regarding any recommendation for appointment, promotion, or nonrenewal of a limited appointment with members of the department or faculty concerned, according to procedures which shall have been previously established and communicated to the faculty.

9. A member of the faculty who intends to resign shall give notice in ample time to permit the university to appoint a successor.

10. A member of the faculty who has served on a regular full-time basis continuously for a period of ten or more years and who is at least age fifty-five, and the total of whose age and years of continuous service equals at least seventy-five, may retire at the end of any semester at the option of the faculty member. Under unusual circumstances, appointments may be extended to retired faculty on a year-to-year basis.

11. A retired member of the faculty who has reached age fifty-five and has served as a member of the Emory faculty for at least ten continuous years, and has a total age and years of continuous service of at least seventy, shall be entitled to the title "professor emeritus." In exceptional circumstances, such title may be conferred by the Board of Trustees upon any retired member of the faculty upon recommendation of the president, who shall have conferred with the appropriate dean and executive vice president.

12. Appointments, whether limited or continuous, may be terminated:

- a. By resignation;
- b. By retirement in accordance with the provisions of the Emory University Retirement Plan;
- c. For one or more of the following reasons: moral delinquency, neglect of academic duty, incompetence, permanent physical or mental incapacity, or other such adequate cause.

13. The Executive Committee of the Faculty Council, in consultation with the provost, shall select five members of the tenured faculty to serve as the Faculty Hearing Committee. The Faculty Hearing Committee shall conduct hearings, make findings of fact, and make recommendations to appropriate university officers when a faculty member's employment is or may be suspended, transferred or terminated for any reason specified in Paragraph 12 © above or Paragraph 14 below. When a faculty member seeks review for a reason listed under paragraph 14 below, the jurisdiction of the Faculty Hearing Committee shall be limited to whether the individual faculty member has been treated in a manner that is arbitrary or capricious and shall not extend to an inquiry into the propriety of any action by the Board of Trustees under paragraph 14 (a) or (c) or of the president under paragraph 14 (b). The methods of invoking jurisdiction of the Faculty Hearing Committee, the procedures to be employed by it, and additional regulation of its membership and responsibilities shall be established by resolution of the Faculty Council approved by the president of the university.

14. Nothing in the provisions set forth above shall be interpreted as restricting:

- a. The right of the Board of Trustees under extraordinary circumstances to discontinue any academic program of the university.
- b. The right of the president, after conference with the appropriate dean and departmental chairs, to assign any faculty member to any appropriate position, provided no such assignment shall carry with it reduction in rank or change of status as to tenure.
- c. The right of the Board of Trustees to reduce the salaries of members of the faculty as financial exigencies may demand.

15. It is the express desire and purpose of the president and the Board of Trustees to use the powers expressly reserved (Paragraph 14 above) only in cases of the utmost necessity, when failure to use such powers might adversely affect the interest of the university.

16. A faculty member on continuous appointment, whose appointment is terminated on the initiative of the university for reasons not involving moral delinquency, shall receive his or her salary for one year from the date of notification of termination, or until such time, within one year, as he or she may have entered into other employment, or commenced receipt of disability income insurance.

17. The provisions set forth above shall not apply to administrative offices. Appointment to, or retirement from, such offices shall not deprive faculty members of their tenure in the highest rank in which they have served prior to or during their service in administrative office.

Promotion: Promotion is based upon departmental needs and upon the faculty member's growth in professional competence and increased service to the university. Recommendations for promotion are made by the dean of the school or college primarily concerned as provided in Paragraph 2 above.

Leaves of Absence: Emory strongly encourages faculty members to take such leaves of absence as may benefit themselves and the university. At intervals of at least six years of continuous service at Emory University, leaves of absence may be granted for a half year on full pay or for a year on half pay. Other leaves of absence may be granted on such terms as may appear justified in individual cases.

In conformity with provisions 2(a) paragraphs 3 and 2(b) of this "Statement of Principles Governing Faculty Relationships," the Dean and Faculty of each School and Division have established more detailed procedures for appointments, promotions, and tenure. Members of the faculty are urged to secure copies of such procedures applicable to their appointments and become familiar with them.

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