

1 April, 2024

Background Information

Per the Faculty Handbook (2015, Chap. 9), proposed changes to the Faculty Handbook are reviewed by Faculty Council and the faculty members of University Senate. In a resolution approved by Faculty Council on March 29, 2023, and recorded in the minutes of that meeting, Faculty Council divided its responsibilities of review into two phases:

1. A “negotiating team” appointed by the Chair of Faculty Council would “negotiate with the university administration on behalf of Faculty Council, with the aim of achieving an acceptable new Faculty Handbook.”
2. The outcome of negotiations would be “submitted to Faculty Council for approval.”

The negotiating team created under the terms of this resolution comprised four members: the current Chair and Vice-Chair of Faculty Council, the most recent past Secretary of Faculty Council, and the current Chair of the Faculty Council *ad hoc* Faculty Handbook Committee.

Between October 2023 and March 2024, the negotiating team met and corresponded with the Provost, Vice Provost for Faculty Affairs, and other officers of the administration. We now enter the second phase, in which a text is presented to Faculty Council.

Documents for Review

The text presented to Faculty Council for review consists of three documents:

1. The 2015 Faculty Handbook with tracked changes showing all proposed revisions to the integral text of the Faculty Handbook.
2. An updated policy on Graduate Faculty status, to be incorporated in the Faculty Handbook by reference.
3. An updated policy on Consensual Relationships, to be incorporated in the Faculty Handbook by reference.

These documents will be referred to as the “2024 Handbook revisions.” Due to the complexity of these documents, **Faculty Council’s review must take the form of an up-or-down vote** on the 2024 Handbook revisions.

Commentary

One thing must be said firmly, as a collective sentiment: the 2024 Handbook revisions are not the text that the negotiating team had hoped to bring before Faculty Council. Indeed, this text does not begin to register the efforts of the twenty-three Loyola faculty who worked on the Faculty Council *ad hoc* Faculty Handbook Committee between fall 2019 and spring 2022, when Faculty Council submitted its own comprehensive Handbook proposal to the

administration, for review. The 2024 Handbook revisions represent the administration's independent initiative, unindebted to Faculty Council's 2022 proposal and limited mostly to a factual and legal cleanup of the 2015 Handbook.

Recommendation

The recommendation of the negotiating team is nevertheless that **members of Faculty Council vote to approve** the 2024 Handbook revisions. This recommendation is based in the following considerations:

- The 2024 revisions contain important improvements and few visible regressions
- The Handbook must be updated before the University's upcoming HLC accreditation review
- The Office of the Provost offers to work with Faculty Council on several high-priority issues raised in Faculty Council's 2022 proposal and untouched in 2024 Handbook revisions

These considerations are detailed in the following sections. In an appendix, we provide a comprehensive "change log."

Improvements

The 2024 Handbook revisions include important improvements in policy and language:

- Recognizes the Collective Bargaining Unit in CAS
- Regularizes the status of Arrupe College faculty, who will now have the same status as non-tenure-track faculty in other units
- Deletes an inaccurate and inadequate statement about the role and contribution of Non-tenure track, in the statement: "Non-tenure track faculty assist the tenured and tenure-track faculty"
- Recognizes that course syllabi are the protected intellectual property of the faculty who create them
- Clarifies shared governance structures: deletes references to the defunct Faculty Committee of the University Senate
- Recognizes Faculty Council's right to recommend and review, in case of financial exigency
- Adds a land acknowledgment statement
- Adds an obligation to provide timely written response to future proposals for revision of the Handbook

The last of these changes is especially important, as it improves the credibility of current provisions for revision of the Handbook. The right of faculty to propose changes is worthless if there is no corresponding obligation to respond to proposals.

Few Obvious Regressions

We identify few obvious regressions, where the 2024 Handbook revisions are weaker than the 2015 Handbook.

- The 2024 Handbook revisions remove significant detail regarding the responsibilities of the Board of Trustees and the President. Faculty who seek to inform themselves about the expected functions of the Board of Trustees and President will now have to turn elsewhere. A relevant resource is the “Statement on Government of Colleges and Universities,” authored jointly by the American Association of University Professors (AAUP), the American Council on Education (ACE), and the Association of Governing Boards of Universities and Colleges (AGB).
- The 2024 Handbook places the entire burden of compliance with immigration law on individual faculty members. A more just and equitable policy would share this burden.

Necessary updates

The 2024 revisions include changes necessary to bring the Handbook into line with the current structure and functioning of the university:

- Revises from two Provosts to one Provost/Senior Academic Officer
- Adds Parkinson School of Health Sciences and Public Health
- Adds the School of Environmental Sustainability
- Adds reference to the Comprehensive Policy and Office for Equity and Compliance
- Corrects website links

A path forward

In a memo dated 1 March, 2024, the Provost proposes to “form working groups of key stakeholders ... charged with developing updated policies” in several areas raised by Faculty Council, but which proved too complicated to address in the 2024 Handbook revisions. Faculty Council’s negotiating team has welcomed this proposal and is working with the Provost’s Office to define the working groups and their charge. Currently two working groups are in formation, dedicated to review of (i) NTT faculty titles and (ii) annual performance reviews. The negotiating team has argued for a third working group, to review faculty grievance procedures.

Review of the 2024 Handbook revisions by the full membership of Faculty Council serves as an occasion to gather input from members of Faculty Council and the faculty at large, concerning our priorities for a next phase of Handbook revision. A procedure for collecting this input is in preparation.

Summary

The 2024 Handbook revisions fall far short of what we had hoped to accomplish, but they contain important improvements that deserve the approval of Faculty Council. The administration’s good faith and responsiveness in the past two months, since agreeing to the new language on “right to reply,” provide an additional reason for this recommendation.

Respectfully submitted,

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Ian Cornelius (Chair of the Faculty Council *ad hoc* Faculty Handbook Committee)
Jim Devery (Chair, Faculty Council)
Patricia H. Lee (past Secretary, Faculty Council)

Appendix: Revisions to the LUC Faculty Handbook

This change log aims to record all proposed substantive changes to the current Loyola University Chicago Faculty Handbook, adopted in 2015. Updates to web addresses are not recorded. The change log is based on the changes tracked in PDFs circulated by the Office of the Provost to the Faculty Council *ad hoc* Faculty Handbook Committee between July 17, 2023 and March 26, 2024 and serves as a synoptic summary of the changes tracked in the latest, authoritative version, dated March 26, 2024.

Chap. 1 (Untitled)

- 1.B *Loyola University Chicago – Past and Present*. Update statistics; add paragraph on LUMC; add paragraph on the Union; record schools founded since 2015 (Parkinson, SES)

Chap. 2. University administration and divisions

- 2.A.1 *Board of Trustees*. Delete internal detail
- 2.A.2 *President*. Delete list of duties
- 2.A.3 *Senior Academic Officer*. Record consolidation of roles. Correct plural forms to singular, *passim*.
- 2.B.1 *Deans*. Record existence of D.Bioethics degree.
- 2.B.2 *Departmental Chairpersons*. Change assignment of graduate faculty status (see 4.A.3).

Chap. 3 Shared Governance and Faculty Committees

- 3.A *University Senate*. Delete provisions for Extraordinary Committee of the University Senate.
- 3.D *Faculty Development Review Committee*. Clarify that this is the university-wide committee.
- 3.E *Faculty Appeals Committee*. Add limitation “Except as otherwise provided in Chapter 7 of this Faculty Handbook” to statement “President shall refer to the Faculty Appeals Committee appeals alleging ...”

Chap. 4 Faculty

- 4.unnumbered. Assign review-authority to Faculty Council (retaining Senate) in decisions to change the system of faculty titles; delete exception for Arrupe College faculty; add a paragraph on faculty participation in shared governance (moved up from 4.A).
- 4.A.3 *Graduate Faculty*. Reduce detail and link out to an external policy.
- 4.A.5 Delete section *University Professors*
- 4.B *Non-Tenure-Track Faculty: Appointment and Titles*. Delete statement that “Non-tenure track faculty assist the tenured and tenure-track faculty”; state instead that “Non-tenure track appointments are of various kinds and contribute to the mission of the University by various combinations of teaching, research, service, professional practice, and/or administration.”
- 4.B.1 *Full-time Renewable Lab Instructors, Instructors, Lecturers, and Clinical Faculty*. Add cross-reference to 4.C.4; add paragraph on SSOM contributed service (?) faculty
- 4.B.5 Add new section *Full-time Unionized Faculty*
- 4.C.1 *Part-time Faculty*. Add paragraph on unionized faculty.
- 4.C.5 *Contributed Service Faculty*. Delete and move to 4.D.5 (after *Courtesy and Honorific Appointments*)
- 4.C.6 *Arrupe College*. Delete section
- 4.D.4 *Emeritus*. Add new eligibility criteria

Chap. 5 Academic Rights, Duties, and Responsibilities

- 5.B *Academic Duties and Responsibilities*. Add cross-reference to CBA
- 5.C.2 *Conflict of Interest*; 5.C.3 *Computing and IT*; 5.C.4 *Security*; and 5.C.5 *Business, Entertainment and Travel Expenses*. Consolidate policies for Lakeside and Health Sciences campuses.
- 5.D.1 *Intellectual Property*. State that syllabi are protected intellectual property of the faculty who create them
- 5.D.3 *Conflicts of Interest in Externally Funded Projects*. Consolidate policies for Lakeside and Health Sciences campuses.
- 5.E.1 *Student Matters*. Add reference to an LUC student code of conduct and expectation that faculty will report violations
- 5.E.2 *Students with Disabilities*. Update office name to “Student Accessibility Center (SAC)”. Record existence of the Academic Center for Excellence and Accessibility in the Stritch School of Medicine.
- 5.E.3 Add new section *Pregnant and Parenting Students*.
- 5.E.5 *Faculty/Student Relationships*, formerly 5.E.4. Rewrite and link out to HR policy, supplied separately.
- 5.F *Use of Faculty Titles and Resources of Loyola*. Specify that letterhead is a protected resource
- 5.G.1 *Salary/Pay Periods*. Delete exception for Arrupe College faculty.

- 5.H.1 *Annual Evaluation*; and 5.I *Promotion and Tenure*. Add cross-reference to CBA.
- 5.I *Promotion and Tenure*. Delete reference to University Professors (see 4.A.5).
- 5.I.3.a *Timing of tenure decisions*. Specify conditions for early consideration.

Chap. 6 Faculty Development Opportunities, Obligations and Benefits

- 6.A.1 *Faculty Development Leave Program*. Clarify that not all schools have a school-level Faculty Development Review Committee; provide a pathway to the dean's review in such schools.
- 6.A.b *Subvented Leaves*. Correct "Faculty Administration" > "Faculty Affairs".
- 6.A.7 *Extensions of Leaves of Absence*. State that the Senior Academic Officer has authority to grant extensions "beyond one year".
- 6.B *Non-Loyola Activities*. Include "facilities" among protected resources.
- 6.B.1 *Outside Employment* and 6.B.2 *Professional Consulting*. Delete exceptions for Arrupe College faculty.
- 6.D.1 *Identification Cards*. Link out to additional information for Health Sciences Campus.
- 6.D.2 *Library Privileges*. Delete reference to Loyola University Health System.

Chap. 7 Discipline, Termination, Grievance, Appeals

- 7.A *Faculty Conduct*. Add cross-reference to CBA.
- 7.C.2 *Non-Reappointment of Full-Time Non-Tenured Faculty*. Clarify that this policy applies to non-unionized faculty.
- 7.C.3.c [*Termination of*] *Visiting Faculty / Temporary Faculty / Coterminous Faculty / Part-Time Faculty...* Clarify that this policy applies to non-unionized faculty; delete references to Arrupe College Faculty; add sentences on clinical/contributed service (?) faculty at SSOM
- 7.C.3.d Add new section, *Unionized Faculty*, with cross-reference to CBA.
- 7.C.4 *Financial exigency and program closure*. Add reference to Faculty Council (retaining Senate)
- 7.C.6 Add new section, *Immigration Laws*, stating "Employment or continuation of employment of all faculty is contingent upon meeting appropriate authorization as required by the U.S. Immigration Reform and Control Act of 1986, as amended. The faculty appointment of any faculty member who is not in compliance may be immediately terminated."
- 7.D *Grievance*. Add exception for Title IX claims.
- 7.E.1 *Issues Subject to this Faculty Appeals Procedure*. Add clarifying limitation (cf. 3.E); add exception for Title IX claims.
- 7.E.4 *Membership of the Faculty Appeals Committee*. Clarify that terms are staggered; delete reference to the Faculty Committee of the University Senate (cf. 3.A); add condition that "No member of the Committee may at the same time serve on the Executive Committee of the Faculty Council"

Chap. 8 Nondiscrimination

- 8.A *Nondiscrimination policy*. Rewrite, referencing current law; link out to The Comprehensive Policy and Office for Equity and Compliance.
- 8.B Add new section, *Land Acknowledgment Statement*.

Chap. 9 Amendments and approval

- 9 *Amendments and approval*. State legal and contractual limitations on the authority of the Faculty Handbook; delete references to Faculty Committee of the University Senate (cf. 3.A); state that proposals for revision of the Handbook “will receive written responses within a reasonable period of time”