

# Faculty Handbook



## TABLE OF CONTENTS

<b>THE FACULTY HANDBOOK .....</b>	<b>7</b>
PURPOSE OF THE FACULTY HANDBOOK .....	7
INTERPRETATION .....	7
AMENDMENTS .....	7
<i>Initiation</i> .....	7
<i>Approval</i> .....	8
<i>Restrictions</i> .....	8
<i>Publication and Distribution of Amendments</i> .....	8
<b>THE AMERICAN UNIVERSITY OF SHARJAH .....</b>	<b>8</b>
PREAMBLE .....	8
MISSION STATEMENT .....	9
STRATEGIC DIRECTIONS AND GOALS .....	9
<b>CHAPTER 1 FACULTY ROLES, RANKS, AND TITLES .....</b>	<b>11</b>
<b>1.A REGULAR FACULTY .....</b>	<b>11</b>
1.A.1 <i>Professor</i> .....	11
1.A.2 <i>Associate Professor</i> .....	11
1.A.3 <i>Assistant Professor</i> .....	12
1.A.4 <i>Senior Lecturer</i> .....	12
1.A.5 <i>Lecturer</i> .....	12
1.A.6 <i>Senior Instructor</i> .....	12
1.A.7 <i>Instructor</i> .....	12
<b>1.B NON-REGULAR FACULTY .....</b>	<b>13</b>
1.B.1 <i>Research or Visiting Faculty</i> .....	13
1.B.2 <i>Adjunct Faculty</i> .....	13
1.B.3 <i>Special Contract Faculty</i> .....	13
<b>1.C FACULTY ADMINISTRATORS .....</b>	<b>13</b>
<b>1.D HONORARY TITLES .....</b>	<b>14</b>
1.D.1 <i>Distinguished Professor</i> .....	14
1.D.2 <i>Faculty Emeritus/Emerita</i> .....	14
1.D.2.a <i>Professor Emeritus/Emerita</i> .....	14
1.D.2.b <i>Dean Emeritus/Emerita</i> .....	14
1.D.2.c <i>Chancellor Emeritus/Emerita</i> .....	14
<b>CHAPTER 2 FACULTY CONTRACTS .....</b>	<b>15</b>
<b>2.A TYPES OF CONTRACTS FOR REGULAR FACULTY .....</b>	<b>15</b>
2.A.1 <i>Initial Contract</i> .....	15
2.A.2 <i>Second Contract</i> .....	15
2.A.3 <i>Four-Year Rolling Contract</i> .....	15
<b>2.B OTHER CONTRACT CONSIDERATIONS .....</b>	<b>16</b>
2.B.1 <i>Terms of Service</i> .....	16
2.B.2 <i>UAE Labor Law</i> .....	16

2.C	SEARCH AND APPOINTMENT FOR REGULAR FACULTY POSITIONS.....	16
2.C.1	Initiation of Search.....	17
2.C.2	Search Committee.....	17
2.C.3	Appointment.....	18
2.C.4	Acceptance of Appointment.....	18
2.C.5	Joint Appointments.....	18
2.D	SEARCH AND APPOINTMENT FOR OTHER FACULTY POSITIONS.....	19
2.D.1	Emergency and Visiting Faculty Hiring.....	19
2.D.1.a	Emergency Hiring.....	19
2.D.1.b	Visiting Professor (full-time).....	19
2.D.1.c	Sabbaticants, Fulbright Scholars and Other Positions.....	19
2.D.2	Adjunct Faculty.....	19
<b>CHAPTER 3</b>	<b>FACULTY RIGHTS AND RESPONSIBILITIES .....</b>	<b>21</b>
3.A	RIGHTS.....	21
3.A.1	Non-Discrimination Policy.....	21
3.A.2	Academic Freedom.....	21
3.B	RESPONSIBILITIES .....	21
3.B.1	Teaching.....	22
3.B.1.a	Responsibility as a Teacher .....	22
3.B.1.b	Presence .....	22
3.B.1.c	Teaching Load .....	23
3.B.1.d	Undergraduate Academic Activities outside Scheduled Timings .....	24
3.B.1.e	Eligibility for Teaching of Graduate Courses.....	24
3.B.2	Scholarly Activities.....	24
3.B.2.a	Intellectual Property: Copyrights and Patents.....	25
3.B.3	Service .....	25
3.B.4	Professional Conduct, Ethics, and Conflicts of Interest .....	25
3.B.4.a	Professional Conduct .....	25
3.B.4.b	Professional Ethics.....	25
3.B.4.c	Academic Ethics and Responsibility .....	25
3.B.4.d	Conflicts of Interest.....	28
3.C	OCCASIONAL WORK .....	28
3.C.1	Summer Term Appointments .....	28
3.C.2	Outside Employment.....	28
<b>CHAPTER 4</b>	<b>GRANT PROGRAMS.....</b>	<b>29</b>
4.A	FACULTY CONFERENCE GRANT PROGRAM .....	29
4.B	FACULTY SCHOLARLY ACTIVITIES GRANT PROGRAM .....	29
4.B.1	The Seed Grant.....	29
4.B.2	The Faculty Research Grant .....	30
<b>CHAPTER 5</b>	<b>LEAVES.....</b>	<b>31</b>
5.A	SABBATICAL LEAVE .....	31
5.A.1	Eligibility and Duration .....	31
5.A.2	Budget and Number of Sabbatical Leaves .....	32
5.A.3	The University Sabbatical Leave Committee .....	32

5.A.4	<i>Remuneration and Benefits</i> .....	32
5.A.5	<i>Return from Sabbatical Leave</i> .....	32
5.B	<b>LEAVE WITHOUT PAY</b> .....	32
5.C	<b>PARENTAL LEAVE</b> .....	32
5.D	<b>EXTENDED MEDICAL LEAVE</b> .....	34
<b>CHAPTER 6 FACULTY PERFORMANCE EVALUATION</b> .....		<b>36</b>
6.A	<b>INFORMATION AND MATERIALS REQUIRED FOR FACULTY PERFORMANCE EVALUATION</b> 36	
6.B	<b>RELATIVE WEIGHTS OF THE MAIN PERFORMANCE AREAS</b> .....	36
6.C	<b>PROCEDURE FOR FACULTY PERFORMANCE EVALUATION</b> .....	37
6.C.1	<i>Evaluation for Merit Pay Decisions</i> .....	37
6.C.2	<i>Evaluation for Promotion Decisions</i> .....	37
6.C.2.a	Eligibility .....	37
6.C.2.b	Promotion Procedure .....	38
6.C.2.c	Preparation and Submission of Applications for Promotion Consideration.....	38
6.C.2.d	Guidelines Regarding External Peer Review .....	39
6.C.2.e	Minimum Criteria by Rank .....	40
6.C.2.e.1	Senior Instructor.....	40
6.C.2.e.2	Senior Lecturer.....	40
6.C.2.e.3	Assistant Professor.....	40
6.C.2.e.4	Associate Professor .....	40
6.C.2.e.5	Professor .....	41
6.C.3	<i>Evaluation for Contract Decisions</i> .....	41
6.C.3.a	Awarding of the Second Contract.....	41
6.C.3.b	Awarding of the Four-Year Rolling Contract.....	41
6.C.3.c	Extension of Existing Rolling Contract .....	42
6.D	<b>THE IN-DEPTH EVALUATION PROCESS</b> .....	42
6.E	<b>STRUCTURE OF EVALUATION COMMITTEES</b> .....	43
6.E.1	<i>Faculty Personnel Committee</i> .....	43
6.E.2	<i>Advisory University Faculty Evaluation Committee (AUFEC)</i> .....	44
6.F	<b>PERFORMANCE EVALUATION CRITERIA</b> .....	44
6.F.1	<i>Teaching</i> .....	45
6.F.1.a	Teaching Activities .....	45
6.F.1.b	Instructor Course Evaluations.....	45
6.F.2	<i>Scholarly Activities</i> .....	45
6.F.3	<i>Service</i> .....	45
<b>CHAPTER 7 SEPARATION POLICIES AND PROCEDURES</b> .....		<b>47</b>
7.A	<b>RESIGNATION</b> .....	47
7.B	<b>DISMISSAL</b> .....	47
7.B.1	<i>Assurances</i> .....	47
7.B.2	<i>Justifications</i> .....	48
7.B.2.a	Adequate Cause .....	48
7.B.2.b	Discontinuance of Academic Programs.....	48
7.B.2.c	Financial Exigency.....	48
7.B.3	<i>Procedure for Dismissal for Adequate Cause</i> .....	48

7.B.4	<i>Discontinuance of an Academic Unit or a Unit</i>	48
7.B.5	<i>Financial Exigency</i>	49
7.B.5.a	<i>Declaration</i>	49
7.B.5.b	<i>Retrenchment</i>	49
7.B.6	<i>Payment of Salaries in Cases of Separation from Employment</i>	50
<b>CHAPTER 8</b>	<b>GRIEVANCE CODE</b>	<b>51</b>
8.A	<b>APPLICABILITY</b>	51
8.B	<b>DEFINITION OF A GRIEVANCE</b>	51
8.C	<b>OUTLINE OF GRIEVANCE PROCESS</b>	52
8.C.1	<i>Informal Attempts at Conflict Resolution</i>	52
8.C.2	<i>Notice of Grievance</i>	52
8.C.3	<i>Formation of the Senate Executive Subcommittee (SES)</i>	53
8.C.4	<i>Notice and Suspension of Proposed Administrative Actions</i>	53
8.C.5	<i>Formation of the Grievance Committee</i>	53
8.C.5.a	<i>Mandate of the Grievance Committee</i>	54
8.C.5.b	<i>Procedures for the Grievance Committee</i>	54
8.C.6	<i>Confidentiality Requirement</i>	56
8.D	<b>ROLE OF THE CHANCELLOR</b>	56
<b>APPENDICES</b>		<b>57</b>
	<b>APPENDIX A: DEPARTMENT HEADS POLICY</b>	58
	<b>APPENDIX B: HONORARY TITLES</b>	60
	<b>APPENDIX C: CONSULTING POLICIES</b>	66
	<b>APPENDIX D: COPYRIGHT AND PATENTS POLICY</b>	70
	<b>APPENDIX E: SABBATICAL LEAVE APPLICATION PROCEDURES</b>	80

*Please note that the Faculty Handbook is an organic document and changes from time to time.*

*The official version of the handbook resides on the AUS website at the following URL:*

*<http://www.aus.edu/facultyhandbook/>*

## ***The Faculty Handbook***

The Faculty Handbook consists of three parts:

1. a preamble (preliminary issues) section explaining the nature of the Faculty Handbook and giving general information about AUS (mission statement, **strategic directions and goals**, etc.)
2. a main section outlining the policies and procedures that govern faculty work at AUS
3. appendices providing details for some of the policies

### ***Purpose of the Faculty Handbook***

The Faculty Handbook contains the main policies approved to date by the Board of Trustees of AUS and/or the University's higher administration, and policies that are produced in consultation with the faculty (through the Senate) and the Council of Deans. The Faculty Handbook is meant to serve as the primary reference for policies pertaining to the faculty members' work at AUS.

AUS colleges and school can have their own manuals, which may state specific internal policies. However, policies contained in or appended to the AUS Faculty Handbook apply to all AUS faculty and supersede college/school statements.

### ***Interpretation***

The policies presented in the Faculty Handbook are binding to both the faculty members and the administrators. Interpretation of the Faculty Handbook in specific instances and resolution of conflicts over them is made jointly by the University's higher administration (the Chancellor and the Provost) and the Senate Executive Committee.

### ***Amendments***

Amendments can be made to existing policies and consequently to the Faculty Handbook as explained below. New policies take effect once announced by the Chancellor's office or the Provost's office. New policies will appear in the next version of the Faculty Handbook.

Amendments to the Faculty Handbook affect all University faculty members. Therefore, all amendments must be reviewed by the faculty as set forth below:

#### ***Initiation***

Proposals for amendments to the Faculty Handbook may be submitted by the Chancellor, the Faculty Senate, or by written petition of 10% of the total faculty, through the Faculty Senate and through its committee structure. The proposal will include the amendment and the rationale for the proposed amendment. Proposals for amendments must be submitted in the proper style and format for insertion into the Faculty Handbook. The Senate's recommendation on any proposal will be distributed in writing to all members of the Faculty Assembly, together with the rationale.

### *Approval*

Recommendations for approval of amendments proposed by the Faculty Senate and the Faculty Assembly (see the Faculty Organization Plan) are forwarded to the Chancellor. A two-thirds majority is required for a positive recommendation. The two-thirds requirement for the Faculty Assembly will be based on the number of Faculty Assembly members present and voting. If the Chancellor also approves the proposed amendment(s), he/she submits the amendment(s) to the Board of Trustees for final action.

### *Restrictions*

Faculty review of amendments to the Faculty Handbook will not be conducted during periods when a significant portion of faculty members are absent from campus, such as during holidays and summer sessions.

### *Publication and Distribution of Amendments*

The Office of the Provost has the responsibility for publishing and distributing approved amendments to this Faculty Handbook to the faculty within 30 days of the date of final approval by the Board of Trustees.

## *The American University of Sharjah*

### *Preamble*

The American University of Sharjah (AUS) was founded in 1997 by His Highness Sheikh Dr. Sultan Bin Mohammad Al Qassimi, Member of the Supreme Council of the United Arab Emirates and Ruler of Sharjah. His Highness Sheikh Dr. Sultan articulated his vision of a distinctive institution against the backdrop of Arab-Islamic history and in the context of the aspirations and needs of contemporary society in the UAE and the Gulf region.

AUS was mandated to:

- reinforce the efforts of the leaders of the UAE “to ensure that science and education regain their rightful place in the building and advancement of our society and shaping the lives of our children”
- join other institutions of higher education in seeking “to reshape fundamentally the minds of our youth to enable them to address the challenges of life using the scientific method”
- become a “center for educational development and the solution of social problems”
- become “organically linked” to the economic, cultural, scientific and industrial sectors of society in “productive cooperation”
- exercise the “independence and objectivity in teaching and research” necessary for the achievement of these goals

## **Mission Statement**

The American University of Sharjah (AUS) is a comprehensive, independent, non-profit, coeducational institution of higher education that fosters excellence in teaching, learning and research. Based on an American model of higher education and grounded in the culture of the Gulf region, AUS fosters a community that embraces cultural diversity and whose members are committed to the ideals of open intellectual inquiry, ethical behavior and social and civic responsibility. An engaged, productive and effective member of society, AUS educates lifelong learners who display mastery in the core competencies of their areas of specialization, and who communicate clearly, think critically and solve problems creatively.

## **Strategic Directions and Goals**

### **I – Strategic Direction: Academics**

AUS provides an academic environment that fosters innovative teaching, learning and research; offers educational programs of relevance to its setting; and educates lifelong learners who display mastery in the core competencies of their areas of specialization, communicate clearly, think critically, solve problems creatively, and who demonstrate commitment to the ideals of academic integrity.

Goal 1: Continuously improve the quality of undergraduate and graduate teaching and learning

Goal 2: Address regional needs for intellectual capital and skilled leadership

Goal 3: Enhance the volume, quality, and reputation of research

Goal 4: Structure and implement planning and assessment mechanisms to ensure that AUS can make informed decisions

### **II – Strategic Direction: Building Campus Community**

AUS fosters a diverse and culturally vibrant community that embraces the ideals of open intellectual inquiry, ethical behavior and social and civic responsibility and that provides meaningful engagement for students, faculty, staff, alumni and the public.

Goal 1: Develop a social and physical environment that enhances the quality of campus life and encourages the involvement of students, faculty, staff and alumni in the activities of the University

Goal 2: Establish ties with external institutions whose activities related to social and civic responsibilities will enhance the quality of campus life for the AUS community

Goal 3: Develop an environment that values, enhances, and reinforces ethical behavior and responsibility

Goal 4: Structure and implement assessment mechanisms that ensure AUS meets its campus community goals

### **III – Strategic Direction: Building Mutually Beneficial External Relationships**

AUS contributes to the development of its external environment by building mutually productive and sustainable strategic relations with key partners and stakeholders.

Goal 1: Identify and partner with strategic external organizations and institutions to serve the needs of AUS and the external community

Goal 2: Promote events that develop a mutually beneficial relationship between AUS and its external community

Goal 3: Develop and deliver a range of educational training programs to enhance human capital within identified constituent groups and to meet the needs for lifelong learning

Goal 4: Contribute to knowledge, with emphasis on local needs, through consultancy activities, basic and applied research and creative pursuits

Goal 5: Structure and implement assessment mechanisms that ensure AUS meets its external community goals

### **IV – Strategic Direction: Institutional Effectiveness**

AUS enhances organizational and operational structures that ensure the efficient utilization of physical, human and financial resources in achieving the University's academic goals.

Goal 1: Maintain and enhance the physical, operational and governance infrastructures that support the teaching, learning, research and service mission of the University

Goal 2: Secure the long-term funding necessary to attract and retain outstanding faculty and staff, increase financial grants and graduate stipends, and revitalize the campus

Goal 3: Provide an environment that supports and encourages personal growth and the professional development of students, faculty, staff and alumni

Goal 4: Structure and implement assessment mechanisms that ensure AUS meets its institutional effectiveness goals

## **CHAPTER 1 Faculty Roles, Ranks, and Titles**

To carry out its instructional responsibilities to students and to conduct scholarly activities and perform services to society and the University community, the American University of Sharjah employs faculty members in the following roles:

- A. Regular Faculty: Professor, Associate Professor, Assistant Professor, Senior Lecturer, Lecturer, Senior Instructor and Instructor
- B. Non-Regular Faculty: research or visiting faculty, adjunct faculty and special contract faculty
- C. Faculty Administrators: Chancellor, Provost, Vice Provost for Research and Graduate Studies, Vice Provost for Undergraduate Affairs and Instruction, Dean, Associate Dean, Director of the Achievement Academy, Director of the Academic Achievement Center, Director of International Exchange Programs, Director of the Faculty Development Center, Department Head, Graduate Program Director.

### **1.A Regular Faculty**

An essential requisite for membership in the regular AUS faculty is a commitment to both the advancement and the communication of knowledge. Permissible ranks among the regular faculty are Professor, Associate Professor, Assistant Professor, Senior Lecturer, Lecturer, Senior Instructor and Instructor.

#### **1.A.1 Professor**

The rank of Professor is usually attained by promotion from Associate Professor or the equivalent after a positive evaluation of performance. An appointee to this rank normally will hold the recognized terminal degree in the discipline. Requisite professional experience equivalent to a terminal degree may be considered. The candidate for the rank of Professor normally will have had at least five years of full-time teaching experience in a college or university at the rank of Associate Professor or the equivalent. The candidate also will have achieved a record of significant and substantial contribution to the scholarly activities of the field, and will have demonstrated superior teaching ability and strong record of service.

#### **1.A.2 Associate Professor**

The rank of Associate Professor is usually attained by promotion from Assistant Professor or the equivalent after a positive evaluation of performance. An appointee to this rank normally will hold the recognized terminal degree in the discipline. Requisite professional experience equivalent to a terminal degree may be considered. The candidate for the rank of Associate Professor normally will have had at least five years of full-time teaching experience in a college or university at the rank of Assistant Professor or equivalent. The candidate also will have demonstrated the capability for scholarly achievement and professional growth, will have demonstrated superior teaching and strong record of service.

### **1.A.3 Assistant Professor**

An appointee to the rank of Assistant Professor normally will hold the recognized terminal degree in the discipline. Requisite professional experience equivalent to a terminal degree may be considered. The candidate for the rank of Assistant Professor normally will have demonstrated potential as an effective teacher as well as dedication to service, or have shown promise of future professional growth in his/her field.

### **1.A.4 Senior Lecturer**

The rank of Senior Lecturer is usually attained by promotion from Lecturer or by reappointment from the rank of Associate Professor. An appointee to this rank normally will hold the recognized terminal degree in the discipline. Requisite professional experience equivalent to a terminal degree may be considered. The candidate for the rank of Senior Lecturer normally will have had at least five years of full-time teaching experience in a college or university at the rank of Lecturer, hold the rank of Associate Professor, or have equivalent experience, pursue professional development actively, and show dedication to service.

### **1.A.5 Lecturer**

An appointee to the rank of Lecturer normally will hold the recognized terminal degree in the discipline. Requisite professional experience equivalent to a terminal degree may be considered. A candidate for the rank of Lecturer would normally qualify for the rank of Assistant Professor, having a superior teaching record and dedication to service, pursuing professional development actively, but not meeting the scholarly requirements of the professorial ranks. The teaching load for the rank of Lecturer or Senior Lecturer should be greater than the corresponding professorial rank, reflecting the reduced demands of scholarly activities. The proportion of Lecturers and Senior Lectures should not exceed 15% of the current faculty in the college or school.

### **1.A.6 Senior Instructor**

The rank of Senior Instructor is usually attained by promotion from Instructor or equivalent after a positive evaluation of performance. The candidate for the rank of Senior Instructor normally will hold a master's degree in a field appropriate to the instructional responsibilities, and have completed at least five years of full-time teaching experience in a college or university at the rank of Instructor, or have equivalent experience. The candidate also will have demonstrated effective teaching, professional development, and dedication to service.

### **1.A.7 Instructor**

An appointee to the rank of Instructor normally will hold a master's degree in a field appropriate to the instructional responsibilities. Requisite equivalent professional experience may be considered. The candidate also will have demonstrated potential for effective teaching, professional development, and dedication to service.

## ***1.B Non-Regular Faculty***

*[Note: This section is in the process of being revised.]*

### **1.B.1 Research or Visiting Faculty**

Research or visiting faculty positions normally are one or two semesters in length. A person who is on leave from the regular teaching faculty of an accredited college or university or from a comparable educational, research, corporate and/or policy institution may be appointed on an annual basis as a Research or Visiting Professor, Research or Visiting Associate Professor, Research or Visiting Assistant Professor, Visiting Senior Lecturer, Visiting Lecturer, Visiting Senior Instructor, or Visiting Instructor. Those faculty members new to the profession also may be appointed to one-year terms as visiting faculty.

Recommendations for reappointment of research or visiting faculty shall be made annually by the appropriate unit through the Dean to the Provost. A visiting appointment normally is not extended beyond a second year.

Faculty on visiting appointments may apply for regular positions. The same qualifications and procedures shall apply to them as to other applicants for initial appointments to regular faculty ranks.

### **1.B.2 Adjunct Faculty**

Adjunct faculty members are employed on a part-time basis. A part-time faculty appointment allows an individual to contribute to the instructional program of a college or school on a part-time basis. Persons may serve as adjunct faculty without limit of time through successive appointments on an as-needed basis. These appointments offer none of the employee benefits of a full-time (regular, research, or visiting) faculty appointment. Whereas the conditions of employment and perquisites of employment are not the same as for full-time faculty, all other rules, policies and procedures that relate to teaching responsibilities and professional conduct at AUS apply.

### **1.B.3 Special Contract Faculty**

A special contract faculty appointment allows an individual possessing special skills or knowledge needed to complete a particular curriculum to contribute to the instructional program of a college or school on a part-time basis. Special contract appointments are made at the rank of Professor, Associate Professor, Assistant Professor, Senior Lecturer, Lecturer, Senior Instructor, and Instructor. The terms, conditions and limitations of such appointments are at the discretion of the appropriate Dean(s) and Provost. Such an appointment may be renewed annually.

## ***1.C Faculty Administrators***

A faculty administrator is a regular faculty member who is appointed or elected to an administrative position, in which capacity s/he holds responsibility for supervising and/or evaluating other members of the faculty. These administrative positions include but are not limited to Chancellor, Provost, Vice Provosts, Deans, Associate Deans, Directors and Department Heads. Faculty administrators are members of their departments and of the Faculty

Assembly and retain their faculty status, including consideration for promotion in rank or an appointment on the same basis as other regular faculty members.

Department Heads (the Department Heads policy is provided as Appendix A), Associate Deans, and Graduate Program Directors are appointed by the Dean after consultation with the Provost. In the case of Department Heads, the Dean will consult with the members of the department; in the case of the Associate Dean, the Dean will consult with the Department Heads and faculty; and in the case of Graduate Program Directors, the Dean will consult with the members of the faculty in the relevant area and the Vice Provost for Research and Graduate Studies.

## **1.D Honorary Titles**

### **1.D.1 Distinguished Professor**

The honorary title of Distinguished Professor is bestowed by the Board of Trustees to a faculty member who has exceptional merit as evidenced by a high level of international recognition of his/her scholarship. Examples of such recognition are the award of a well-known international prize for their scholarship, the receipt of exceptionally large scholarship grants from international organizations, having received a similar recognition at another prestigious university, or other evidence of outstanding international reputation. The faculty member must meet eligibility criteria that include a record of exceptional scholarly contributions recognized worldwide. The title is bestowed by the Board of Trustees upon the recommendation of the Chancellor in accordance with the procedures described in Appendix B.

### **1.D.2 Faculty Emeritus/Emerita**

#### **1.D.2.a Professor Emeritus/Emerita**

The honorary title of Professor Emeritus/Emerita is the highest distinction bestowed by the University upon a retired faculty member. It is an award at the discretion of the University, not an entitlement of the individual. The faculty member must meet eligibility criteria that include a minimum length of service to AUS and a record of strong teaching, scholarly activities, and service. The title is bestowed by the Board of Trustees upon the recommendation of the Chancellor in accordance with the procedures described in Appendix B. *[Note: The administration is reviewing this policy at the request of the Board of Trustees.]*

#### **1.D.2.b Dean Emeritus/Emerita**

The honorary title of Dean Emeritus/Emerita is the highest honor that is bestowed by the University upon a retired Dean. It is an award at the discretion of the University, not an entitlement of the individual. The honor is bestowed by the Board of Trustees upon recommendation of the Chancellor in accordance with the procedures described in Appendix B.

#### **1.D.2.c Chancellor Emeritus/Emerita**

The honorary title of Chancellor Emeritus/Emerita is the highest honor that is bestowed by the University upon a retired Chancellor. It is an award at the discretion of the University, not an entitlement of the individual. The honor is bestowed by the Board of Trustees upon the recommendation of the Chancellor in accordance with the procedures described in Appendix B.

## **CHAPTER 2 Faculty Contracts**

### **2.A Types of Contracts for Regular Faculty**

#### **2.A.1 Initial Contract**

Initial **regular** faculty appointments are for three years. The academic performance of each faculty member is evaluated annually. A description of the evaluation process may be found in Chapter 6, Faculty Performance Evaluation.

#### **2.A.2 Second Contract**

After the first two years and during the faculty member's third year of service at AUS, a review is conducted as described in Chapter 6, Faculty Performance Evaluation. If the faculty member receives a favorable recommendation, a second three-year contract is issued. A faculty member who is not recommended for a second three-year contract receives a one-year, terminal contract effective the following fall.

#### **2.A.3 Four-Year Rolling Contract**

The initial and second contracts constitute the probationary period for a regular faculty member at AUS. As noted, the University reserves the right to terminate a faculty member at the conclusion of the first three-year contract. For faculty who are approved for a second three-year contract, an in-depth review in the sixth year determines either the conferral of a four-year rolling contract or a notice of the termination of the faculty member contract effective one year from the following fall.

The four-year rolling contract is a mutually acknowledged expectation of continuing employment. A four-year rolling contract is renewable each year based on annual evaluation of the faculty member's performance. If the outcome of the annual evaluation of the faculty member with a four-year rolling contract is not positive, the faculty member will complete the remaining three years of his/her contract before termination.

In the sixth year of full-time employment at AUS, the faculty member is entitled to apply for a four-year rolling contract. An in-depth evaluation of the performance of the faculty member throughout the previous years of initial and second contract is conducted as described in Chapter 6, Faculty Performance Evaluation. If the faculty member is approved for a four-year rolling contract by the Board of Trustees, the faculty member will be placed on such a contract effective the following fall. If a four-year rolling contract is not recommended, the faculty member will receive a one-year, terminal contract effective the following fall (the faculty member's seventh year).

A faculty member may request an early evaluation of rolling contract eligibility if he or she has come to AUS from a tenured position at a comparable institution. If an applicant has extensive experience in his/her field prior to employment with AUS, up to two years of credit may be awarded toward a four-year rolling contract, making the faculty member eligible to apply during his/her fifth (one year credit) or fourth year (two years credit) at AUS. Any such credit must be stated in the faculty member's initial contract.

The four-year rolling contract expires at the date of voluntary retirement or earlier if the faculty member's employment at the University has been terminated for other reasons. If a faculty member resigns from the University and is later selected for reappointment, his or her situation with respect to the four-year rolling contract should be set forth in clear, unequivocal language in the letter of appointment. If the returning faculty member has been away from AUS for five years or more, he/she shall be offered a three year contract; the decision regarding renewal is made in the third year.

## **2.B Other Contract Considerations**

### **2.B.1 Terms of Service**

Initial appointment, contract renewal, awarding of a four-year rolling contract and promotion are separate actions. The University shall give prompt written notice to the concerned member of the regular faculty setting forth the following:

- the rank of initial appointment
- the rank to which he or she is promoted
- the renewal or non-renewal of an existing contract
- the award of a four-year rolling contract
- the denial of a four-year rolling contract
- any final action taken in regard to rank and the four-year rolling contract

Contracts concluded for a specified period will automatically terminate at the end of the period. This provision constitutes sufficient notice to this effect. However, contracts may be renewed on the initiative of the University.

### **2.B.2 UAE Labor Law**

UAE labor laws require the University to place limitations on faculty and staff service. The University will not employ faculty who have reached age 70. The University has adopted the following provisions:

- Contracts in effect on January 1, 2006 will be honored for all faculty and staff members, regardless of current age. In the case of multi-year contracts, this means through the last year of the contract.
- For faculty, no contract will be renewed or extended beyond the academic year (the year ending August 31st) in which a faculty member has reached age 70.

## **2.C Search and Appointment for Regular Faculty Positions**

*[Note: This section is in the process of being revised.]*

The University is fully committed to equal opportunity at all levels without discrimination on the basis of race, gender, religion, age, family status, or national origin. In addition, discrimination is prohibited on any other basis prohibited by law that applies to the faculty member's employment at the University. As a university formed on American models, AUS will give priority to

candidates who have substantial experience in American models of higher education. Regular faculty members are appointed to positions at the University in the manner outlined below.

### **2.C.1 Initiation of Search**

*[Note: This section is in the process of being revised.]*

Based on demonstrated need of a unit's academic program, the Dean, after receiving approval from the Provost, initiates the search for a new faculty member. The position may be new or a replacement for someone who has resigned, retired, gone on leave, or otherwise left the University.

### **2.C.2 Search Committee**

*[Note: This section is in the process of being revised.]*

A thorough search and careful selection precedes any recommendation of appointment from any academic unit. The length and complexity of this process depends upon the nature of the appointment. The Head of the academic unit shall consult with the faculty of the academic unit about the needs of the program, providing faculty full opportunity to help define the qualifications and to formulate the description of the position. The Dean, in consultation with the academic unit faculty shall appoint a search committee appropriate to the position to be filled. The Head of the academic unit shall be a member of the search committee. The search committee will submit to the Dean a shortlist of a minimum of three candidates, if possible, including a rationale for the selection. The Dean, in consultation with the search committee, will submit a recommendation for appointment to the Provost.

The following guidelines describe the main steps to be followed for hiring into regular faculty positions.

1. The search committee should represent the faculty body of the academic unit and must include:
  - a. at least three faculty members from the department (identified by the department, with the approval of the Dean) including, when possible and appropriate, one who is familiar with the area of expertise of the advertised position
  - b. the Department Head as an ex-officio member
2. The initial search is conducted by the search committee based on the advertised criteria, such as degree requirements, rank and nature of experience, area of specialty, as well as on considerations of diversity, including gender, ethnic, and racial backgrounds.
3. The search committee makes available to the department faculty all applications, divided and clearly marked between qualified and unqualified applications, except for an application where the applicant has asked that his/her application be kept confidential.
4. The search committee will evaluate all applications that pass this initial stage of search taking into consideration all written faculty comments in the process.
5. Except where circumstances preclude them, the search committee conducts phone interviews with the qualified candidates to develop and present an unranked short list of acceptable candidates along with recommended academic ranks to the Dean.

6. The Dean may add to the shortlist of candidates after consulting with the committee and the Provost.
7. The Dean or Department Head will provide the department faculty with the list of short-listed candidates. After the shortlist is announced, no AUS employee other than the Dean or his designee may contact a short-listed candidate.
8. It is the responsibility of the Dean to arrange for in-person interviews with the short-listed candidates. When feasible, these candidates may be invited for on-campus interviews provided that candidates for the same position are treated in an equitable manner. Interview reports brought back by the Dean are shared with the search committee
9. The Dean recommends to the Provost the candidate(s) to whom an offer is to be made.
10. Throughout the process, written reports will be provided by one reviewing body to the next, justifying recommendations being made. All such recommendations will be provided by the Dean to the Provost.
11. The Dean or Department Head will inform the departmental faculty of the acceptances of offers as soon as it is practical to do so.

### **2.C.3 Appointment**

All appointments to faculty ranks are made by the Chancellor on the recommendation of a college, school, department or other appropriate academic or administrative unit with the concurrence of the appropriate Dean and the Provost. The University does not normally promote faculty at the time of initial appointment. Those with substantial professional experience who are new to academia may be appointed to the rank of Associate Professor.

Notification of appointment is made by letter from the Chancellor. This letter of appointment specifies (a) academic unit, (b) rank, (c) salary and related financial conditions, (d) benefits and (e) the length and type of contract. Previous correspondence between the Head or Dean and the prospective faculty member concerning these matters is unofficial and not binding on the University.

### **2.C.4 Acceptance of Appointment**

The signed contract constitutes the terms of employment. All employment is subject to satisfying the conditions for a UAE residency and work visa.

Those appointed to the faculty are expected to observe the professional standards and procedures set forth in the Faculty Handbook. Included within these standards is the expectation that all those appointed to the faculty will provide the University with full and accurate information about their credentials, including official transcripts. It is expected that faculty satisfactorily perform their teaching and other duties, including scholarly activities, and service.

### **2.C.5 Joint Appointments**

Joint appointments involve participation in the teaching and scholarly activities of two or more departments. The primary academic unit with which the faculty member is affiliated, and through which all matters of promotion, salary raise, and contract are processed, is the “home” unit. On all matters, there must be appropriate consultation between the “home” unit and the Department

Head and faculty of the other academic unit(s). Where joint appointments involve equal time in two or more units or service primarily within an interdisciplinary program, it is the shared responsibility of the Department Heads, Deans, or other administrative officers to make appropriate recommendations; in such cases, one of the two units should be designated as the “home” unit. The original appointment letter must specify the faculty member’s home unit, administrative reporting relationships, and the peer group(s) to be consulted in contract and promotion recommendations. The University recognizes that as the shape of knowledge changes, new disciplinary and interdisciplinary needs may emerge that do not precisely correspond to existing administrative or departmental lines within the University. Therefore, adjustments to the original appointment letter’s affiliations may be made at a later date.

## **2.D Search and Appointment for Other Faculty Positions**

*[Note: The section is in the process of being revised.]*

### **2.D.1 Emergency and Visiting Faculty Hiring**

#### **2.D.1.a Emergency Hiring**

When a vacancy occurs late in the normal recruiting/hiring time-frame, the Dean may petition the Provost to conduct an emergency hire. After consulting with the Department Head (who, in turn, should consult with the department faculty when possible), the Dean will recommend to the Provost hiring a faculty member for a one-semester or one-year contract. Only in unusual circumstances will an emergency hire be made for more than one year. As soon as possible, the Dean will inform the Department Head when a person has been hired to fill the vacancy.

#### **2.D.1.b Visiting Professor (full-time)**

Visiting faculty will be hired through the same processes as described above for regular faculty positions. In cases of emergency, the emergency hiring process may be used. Visiting faculty are rarely hired for more than one year.

#### **2.D.1.c Sabbaticants, Fulbright Scholars and Other Positions**

Appointments to these kinds of positions are made through recommendations to the Dean from the Department Head. Such recommendations should include conditions of the appointment, and express the willingness of the department to help meet those conditions. The Dean, in turn, makes his/her recommendation to the Provost, who renders the final decision and articulates to the Dean those conditions the University can accommodate. The Department Head will be notified as soon as possible by the Dean when the outcome is known.

### **2.D.2 Adjunct Faculty**

The University makes important use of the service of adjunct faculty in many academic units. Adjunct faculty are identified, employed, reviewed, counseled, encouraged, retained, or terminated as part of a coherent academic plan. The duties, expectations, and rights of adjunct faculty can be obtained from the appropriate Dean’s office.

It is the Department Head’s responsibility to inform adjunct faculty about the mission and objectives of the department in its relation to the institution, as well as about the conditions

(curriculum, general rules, and policies) under which students are taking the course or under which the scholarly activities fulfill the institution's objectives. Toward this end, it is important, wherever possible, for adjunct faculty to receive appropriate unit, college/school and University communications, and to be invited to unit meetings, as well as appropriate public events, seminars, and symposia.

## **CHAPTER 3 Faculty Rights and Responsibilities**

### **3.A Rights**

#### **3.A.1 Non-Discrimination Policy**

No officer or employee of the American University of Sharjah shall discriminate against any person because of race, color, religion, national origin, age (within the constraints of UAE labor laws), non-disqualifying handicapping condition, ethnic group, or gender, in any of its programs, activities, contracts, personnel administration practices or any other actions it undertakes. Furthermore, the University will maintain and advance those practices, processes, and circumstances that afford equal opportunity to all individuals. Without limiting this non-discrimination policy, the American University of Sharjah is committed to complying with all laws that apply to a faculty member's employment at the University.

#### **3.A.2 Academic Freedom**

Institutions of higher education exist for the common good. The common good depends upon an uninhibited search for truth and its open expression. Hence, it is essential that faculty members are free to pursue scholarly inquiry without undue restriction, and to voice and publish individual conclusions concerning the significance of evidence that they consider relevant.

Within the bounds of professional behavior, each faculty member is entitled to full freedom in the classroom in discussing the subject being taught. Within the bounds of professional behavior, faculty members also have full freedom to express disagreement with other members of the University community. Although a faculty member observes the regulations of the institution, he or she maintains the right to criticize and seek revision. Faculty members also are citizens or residents of a nation, emirate, and community; therefore, when speaking, writing, or acting outside the classroom, they should be free from institutional censorship. On such occasions, faculty members should make it clear that they are not speaking for the institution. Faculty also must be cognizant of the mores and sensibilities of the host culture.

### **3.B Responsibilities**

Duties of a faculty member shall consist of those responsibilities assigned by the Chancellor and/or an appropriate administrator, such as the Provost, Dean, Program Director or Department Head. Teaching assignments, schedules and other instructional responsibilities shall be performed under the direction of the supervising administrator. Normally, duties and responsibilities shall be related to the expertise and competence of the faculty member. Teaching, scholarly activities, and service shall be subject to evaluation by appropriate administrators and shall be considered in performance-based decisions relating to compensation, retention, promotion, termination, and renewal/extension.

## **3.B.1 Teaching**

### **3.B.1.a Responsibility as a Teacher**

The faculty member accepts the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge and to practice intellectual honesty. Faculty are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching inappropriate matter or matter which has no relation to the subject.

As teachers, faculty members are responsible for the following:

1. to be engaged in the education of undergraduate, graduate and professional students, as appropriate to the mission of each college or school and/or department
2. to conduct each course they have been assigned to teach in general conformity with the content, format, and official description of such course as established by the faculty of the academic unit and approved by the Dean and the Provost
3. to meet and conduct classes and final exams as well as final projects evaluation at all regularly scheduled times and places

The pertinent administrators or a duly appointed representative may authorize a member of the faculty to be absent from classes or to reschedule the work for reasons of health or when in the best interests of the University.

4. to develop in students the free pursuit of learning
5. to strive to obtain and transfer the best scholarly standards of the discipline
6. to demonstrate respect for students as individuals and their privacy in academic matters
7. to adhere to the proper role of intellectual guide and advisor
8. to make every reasonable effort to foster honest academic conduct and assure that the evaluation of students reflects their true merit
9. to notify as promptly as possible the Head/Director of the unit whenever emergencies such as illness or accident prevent meeting a scheduled class
10. to commit to discharging duties and responsibilities primarily on the campus of the University and, when necessary, at other sites as appropriate to the mission of each college or school and/or academic unit

### **3.B.1.b Presence**

Faculty members are required to be available on campus during the academic year as specified in the academic calendar. Faculty members may take a leave of absence for professional development or in an emergency with written authorization from the Department Head and Dean.

Faculty members are expected to be available for advising and individual student conferences throughout the semester by means of regularly scheduled office hours or appointments. Formally scheduled final examinations are to be given only during the time periods officially announced.

Except for official leaves of absence, release-time provided by research or administrative appointments, special ad-hoc arrangements that permit teaching to be concentrated in one term

during a particular academic year, or other official exemptions, faculty are expected to participate fully in the teaching program during each regular term of the academic year.

### **3.B.1.c Teaching Load**

Allocation of teaching loads is defined by the Department Head in consultation with the Dean and with the concurrence of the Provost and takes into consideration student numbers, contact hours, number of preparations, as well as other factors. For Assistant Professors, Associate Professors, and Professors, all of whom are required to maintain a research program, the normal full-time teaching load across the University is the equivalent of six regularly scheduled course sections per year (three each for fall and spring semesters, averaging nine credit hours per semester). Faculty in these ranks who teach undergraduate courses exclusively may in exceptional cases teach up to a maximum of four regularly scheduled course sections per semester on an overload basis, with the approval of the Dean and the concurrence of the Provost. For a faculty member teaching one or more regularly scheduled graduate courses, the maximum teaching load is three sections (nine credit hours) per semester during semesters when the faculty member teaches one or more graduate courses. Instructors and Lecturers are not required to carry out scholarly activities as part of their University appointment. For these faculty members, the full-time undergraduate and graduate teaching load is the equivalent of eight regularly scheduled course sections per year.

Faculty members who teach undergraduate course(s) and also teach graduate course(s) officially scheduled on the weekend may be provided with professional development funds held by the Provost. Any such provision will be negotiated between the Dean and the Provost (or designee).

Multiple sections of the same course are considered as separate courses. In consultation with the Dean, a faculty member may be awarded a course release for scholarly activities, special pedagogical projects or service assignments. Under no circumstances may a faculty member with a course release carry an overload. A faculty member with a course release may be required to submit a report at the end of the semester regarding the activities carried out.

A faculty advisor who serves as chair of a master's thesis committee will earn one credit hour of release time for every master's degree student who successfully completes an accepted six-hour master's thesis or project paper. A full course release will be earned for the successful completion of three master's theses or projects on which a faculty member has served as chair and primary advisor. Release time will be "banked" and cannot be taken until students have graduated. Individual colleges and school will track this. Utilization of the course release must be coordinated in advance with the departmental teaching schedule.

Final course assignments are made at the discretion of the Department Head in consultation with the Dean of the unit. 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. Basic-level courses are not deemed the exclusive province of the junior faculty nor advanced courses the unique domain of the senior faculty. It is important that undergraduates, including freshmen and sophomores, have significant opportunities to learn under eminent scholars. In addition, junior faculty members should not be called upon to bear a disproportionate share of the responsibility for large and pedagogically demanding basic-level courses. This is not to say that teaching assignments should be unrelated to research interests or teaching strengths. On the contrary, the marriage of teaching and scholarly activities 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, graduation projects, and independent study.

### **3.B.1.d Undergraduate Academic Activities outside Scheduled Timings**

Faculty members are to abide by the published schedule for class meeting times. Any additional required meetings (including lectures, exams, laboratories, studios, presentations, etc.) during day-time hours (8:00 a.m. to 6:00 p.m.) of regular class days are prohibited, and those scheduled for evenings and weekends are discouraged. If evening or weekend scheduling is unavoidable, advanced approval of the Dean is required. Required academic activities are not allowed to be scheduled on Fridays and University holidays.

It is recognized that occasionally faculty will be absent from regular class meeting times due to conference attendance or personal emergencies. Faculty should attempt to seek assistance from colleagues to conduct classes in their absence.

Field trips and site visits are recognized as extended learning experiences held off campus. These activities should be pre-announced and dates included in the syllabus of the course. Students who are unable to meet on Saturdays and/or evenings must inform the faculty member by the end of add/drop period to consider alternative venues.

Graduate courses are exempt from these guidelines.

### **3.B.1.e Eligibility for Teaching of Graduate Courses**

Faculty members are assigned to teach in graduate programs by the Dean or designee of the respective college or school. To be eligible to teach in a graduate program, a faculty member should hold a terminal degree in a field appropriate to the instructional responsibilities. Faculty not holding the terminal degree must meet both the alternative standards established by the appropriate United States-based accreditation organization for professional qualification and the provisions of the *CAA Standards for Licensure and Accreditation 2007*, Appendix A, Section I, 4f (iii). Further, the faculty member must demonstrate evidence of a strong record of, or potential for, research and scholarly activity or have significant professional experience in applied fields as a practitioner and meet any additional specific eligibility requirements established by each college/school.

## **3.B.2 Scholarly Activities**

Faculty members at the professorial rank of Assistant Professor and above are expected to conduct scholarly activities and to disseminate the results of such activities in appropriate peer-reviewed venues. They are expected to base their scholarly activities on an honest search for knowledge with due respect to evidence, impartial reasoning and honesty in reporting.

Because of the professional diversity across the four colleges and school of AUS, the University believes the term “scholarly activities,” in this context, must be considered broadly. Therefore, the University defines the term scholarly activity as: scholarship directed toward new discovery, investigations resulting in creative and artistic expressions, the evolution of novel and more effective teaching methodologies and materials, and the integration and application of new methodologies in the profession.

Further information is available in The AUS Guide to Research: Policies and Procedures, which can be obtained from the Office of Research.

### **3.B.2.a Intellectual Property: Copyrights and Patents**

The University encourages faculty to protect both the University's and their own interests in intellectual property. The policy governing these issues may be found in Appendix D.

### **3.B.3 Service**

All regular faculty members, regardless of rank, are expected to contribute to the administrative work of their respective academic unit and college/school through committee participation. Furthermore, faculty members have the opportunity to serve on the Faculty Senate and its committees as well as on University-wide committees. Faculty members can also serve their profession and the community at large by engaging in activities that facilitate the work of these professional and community organizations. Other service opportunities include institutional development, involvement with students in the total life of the University, and activities that further the University's mission in the public sphere.

### **3.B.4 Professional Conduct, Ethics, and Conflicts of Interest**

#### **3.B.4.a Professional Conduct**

To ensure a professional and collegial work environment, the principles of this section on Professional Conduct, Ethics, and Conflicts of Interest apply to all faculty members. Faculty must subscribe to high standards of conduct, which include honesty, integrity, and ethical behavior. Membership in the academic community imposes on students, faculty members, and administrators an obligation to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression.

Faculty must comply with the standards and principles of conduct set forth in this handbook. Complaints of unprofessional conduct will be investigated. A faculty member will be informed promptly by the appropriate Dean of any allegation of unprofessional conduct made against him or her and by whom the allegation was made.

#### **3.B.4.b Professional Ethics**

AUS recognizes and supports the principle that faculty members who speak or write as private citizens should be free from institutional censorship or discipline. However, a faculty member's special position in the community imposes particular obligations and serious responsibilities regarding conduct and behavior and requires faculty members to act in the best interests of the profession and the institution. To address these issues, AUS has developed a policy on academic freedom, ethics and responsibility, and honesty and integrity in teaching and scholarly activities.

#### **3.B.4.c Academic Ethics and Responsibility**

For faculty members the notion of academic freedom is linked to the equally demanding concept of academic ethics and responsibility. As a faculty member, a person assumes certain ethical

obligations and responsibilities to students, to fellow faculty members, to the institution, to the profession, and to society at large. Some of these are listed below.

***Faculty members have ethical obligations and responsibilities to the students of AUS***

- Faculty members shall foster scholarly values in students, including academic honesty, the free pursuit of learning, and the exercise of academic freedom.
- Faculty members shall act professionally in their academic relationships with students.
- Faculty members shall exercise critical self-discipline and judgment in using, extending and transmitting knowledge.
- Faculty members are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into teaching inappropriate matter or matter that has no relation to their subject.
- Faculty members must maintain respect for students as individuals, within their role as intellectual guides and counselors.
- Faculty members must assure that evaluations of students reflect true merit. Faculty members must avoid taking any action that would compromise the honesty and equity of the evaluations.
- Faculty members shall be available at reasonable intervals to students for consultation on course work through posted office hours.
- Faculty members shall duly acknowledge the contribution of students to their scholarship and research.
- Faculty members shall not engage in any exploitation, harassment, or discriminatory treatment of students.
- Counseling of students on non-academic issues should be professional, confidential and within the capabilities of the professor. Students who have serious and sensitive matters, especially if they are related to a specific culture, religion or custom, should be referred to professional counselors available in Student Services.

***Faculty members have ethical obligations and responsibilities to other members of the University community***

- Faculty members shall not engage in any exploitation, harassment, or discriminatory treatment of any members of the University community.
- Faculty members shall acknowledge the academic contributions of others, and strive to be objective in their professional judgment of colleagues. Clearances must be obtained from the relevant persons or individuals when appropriate to the norms of the discipline, and digital and archival material must be used in accordance with the rules of the source.
- Faculty members who are in a supervisory position shall abide by the rules and policies of the current AUS HR (Human Resources) Policy Manual.

### ***Faculty members have ethical obligations and responsibilities to AUS as an institution***

- In determining the amount (if any) and character of work done outside of the institution, faculty members shall recognize that their primary responsibilities are to the institution. Such outside work shall be consistent with University regulations. Faculty members may follow subsidiary interests, but these must be revealed to the institution and must never compromise their freedom and willingness to draw intellectually honest conclusions.
- When considering the interruption or termination of their service, faculty members shall take into account the effect of their decision upon the institution and give notice of their intentions as per their contract.
- Faculty members shall accept their share of faculty responsibilities for contributing to the governance of the institution.

### ***Faculty members have ethical obligations and responsibilities to their profession***

- The fundamental responsibilities of a faculty member as a teacher and scholar include: 1) maintenance of competence in one's field of specialization, including appearances in the public arena such as discussions, lectures, consulting, publications and/or participation in professional organizations and meetings, 2) exhibition of such professional competence in the classroom, studio, library or laboratory, and 3) fostering honest academic conduct as specified in the University regulations.
- The demonstration of professional integrity by a faculty member includes recognition that society at large will judge the profession as well as the institution by his/her statements and behavior. Therefore, the faculty member should strive to be accurate, to exercise appropriate restraint, and to be willing to listen to and show respect to members of the society at large expressing different opinions. Faculty members should make every effort to indicate that they are not speaking or acting for the college or school or the University when speaking or acting as a private person.
- Scholarly conduct must avoid fabrications, falsifications, plagiarism and other practices that deviate from accepted scholarly practice.
- Faculty members must apply scholarly rigor and integrity in obtaining, recording and analyzing data as well as in reporting and publishing results.
- Faculty members undertaking scholarly activities should do so in a manner consistent with professional honesty and within the public interest. Scholarly activities should be designed to enhance knowledge in a particular field of scholarship and should demonstrate sound methodology, accuracy and maintain the factual integrity of the data.
- Faculty members must use funds designated for scholarly activities in the prescribed manner.
- Faculty members must comply with relevant statutes or regulations for the protection and welfare of researchers, human subjects, the public, laboratory animals and the environment.

- It is the duty of faculty members doing scholarly activities, teaching, laboratory/ studio exercises or other activities to protect the privacy of others, to avoid causing mental or physical harm and to promote safe and healthy working practices and environments.

#### **3.B.4.d Conflicts of Interest**

Each regular faculty member owes primary professional responsibility to the University and must avoid outside obligations, financial interests, or employment that can affect the objectivity of decisions as a member of the University community.

- Conflict of interest includes any outside obligations, financial interests, and/or employment that can affect the objectivity of decisions.
- Full-time faculty members owe primary professional responsibility to the University and must avoid conflicts of interest.
- Any potential conflict of interest, financial or otherwise, that might influence a faculty member's decisions when the individual is asked to review manuscripts or applications, test products, conduct scholarly activities, or be permitted to undertake work assisted, supported, or sponsored by outside sources must be revealed to a faculty member's immediate supervisor, sponsors, journals, and funding agencies.
- Full-time faculty members should reveal conflict of interest involving family members, including the hiring or evaluating of a family member as an employee or consultant for any project supported by funds administered through the University.
- Full-time faculty members should reveal any conflict of interest involving University purchasing of equipment, supplies, or services from a source in which they or their families have a substantial interest.
- Faculty and their immediate family members may not accept money or in-kind compensations from students for any services provided.

### **3.C Occasional Work**

#### **3.C.1 Summer Term Appointments**

Regular faculty members are eligible to teach up to the equivalent of seven credits of summer courses. Exceptions to this limitation may be granted by petition to the Dean through the Department Head. Unless other arrangements have been agreed to by the faculty member and the University, faculty members receive additional compensation for summer term teaching. According to current University policy, compensation is calculated as 1/11 of the faculty member's annual salary for each course taught. The minimum and maximum compensation is specified by the Provost.

#### **3.C.2 Outside Employment**

It is recognized that consulting with local firms and institutions adds significant value to the AUS community through enhancement of the faculty's practical experience and new contacts. However, regular faculty members engaging in consulting activities must follow the Consulting Policies given in Appendix C.

## **CHAPTER 4**      **Grant Programs**

Faculty members at AUS should keep informed of developments and innovative teaching methods in their fields. The University provides in-service training and travel funds to assist faculty in attending important professional and industrial conferences and encourages faculty to take advantage of these professional development opportunities. Provisions for faculty development are contingent upon the financial conditions and constraints of the University.

### **4.A**      ***Faculty Conference Grant Program***

Dissemination of scholarly work of faculty through appropriate peer-reviewed channels is essential to recognizing quality of work. Contingent upon availability of funds, other resources, and subject to competition, the University will provide funds for travel to significant professional meetings, conferences, and seminars where faculty members are presenting results of their scholarly activities. The grants cover expenses associated with faculty travel and conference registration fees up to a specified maximum. A faculty member may normally receive only one such grant in any given academic year. However, a faculty member may seek reimbursement for costs of attending one or more additional conferences if conference grant funds remain available at the end of the fiscal year; the same reimbursement limitations apply.

Written requests for conference grants are reviewed and awarded at the academic unit and college/school levels. The program is competitive and each grant request must include information regarding relevance of the conference to the faculty member's professional development as specified by the Office of the Dean.

### **4.B**      ***Faculty Scholarly Activities Grant Program***

The University's motivation for allocating grant funds includes recognition of the following: (a) the institution must support professional development and continuing growth in a systematic way; (b) the institutional reputation and quality of teaching and scholarly activities requires a strong and forward-looking faculty; (c) the institution, to remain competitive, must continue to support efforts to refine and improve scholarly activities and teaching in order to provide students with the best possible education; (d) in as much as research productivity is one of the areas of evaluation for contract renewal/extension and promotion, the institution offers financial support to help its faculty remain productive.

#### **Types of Grants**

The Office of the Vice Provost for Research and Graduate Studies annually administers two internal, faculty peer-reviewed grant competitions to support faculty scholarly activities: the Seed Grant and the Faculty Research Grant.

#### **4.B.1**      ***The Seed Grant***

The purpose of the Seed Grant is to support faculty endeavors in (a) developing or enhancing their scholarly activity programs and (b) developing pilot projects and/or preliminary data necessary to position themselves for garnering competitive internal and/or external funding. This grant competition is limited to new regular faculty members joining AUS or faculty

members who have not received an AUS research grant (Seed or Faculty Research Grant) award within the past three years.

#### **4.B.2 The Faculty Research Grant**

The purpose of the Faculty Research Grant is: (a) to support development of the scholarly activity program at AUS; (b) to stimulate external research support, including support in developing pilot projects and preliminary data necessary to prepare competitive proposals; (c) to assist faculty conducting exemplary scholarly activity in fields where external funding is currently limited; and (d) to complement scholarly activity programs elsewhere in the University. All regular faculty members are eligible for a Faculty Research Grant including faculty members who have previously received Seed Grants and Faculty Research Grants.

## CHAPTER 5 Leaves

For the purposes of this chapter, the term “leave” is used to denote a period of time during which the faculty member does not have obligations to the university in terms of teaching or service; an expectation of scholarly activity may continue, depending upon the type of leave. For some leaves, the University continues to provide salary and benefits. For other leaves, the University does not provide salary continuation or benefits; the latter are referred to as Leaves without Pay (LWOP). If a faculty member has external insurance of any kind, he/she should consult his/her medical insurance contract to determine coverage during a leave without pay.

There are three named leaves that **provide some level of continuation of salary and benefits**:

- Sabbatical Leave
- Parental Leave
- Extended Medical Leave

An additional leave program, Leave without Pay, **does not provide continuation of salary and benefits**, but does provide for return to the position held by the faculty member upon completion of the approved leave.

### 5.A *Sabbatical Leave*

Through sabbatical leaves, the University provides faculty members with opportunities to enhance their teaching, scholarly activity, and service. The release from normally assigned duties is granted with the expectation that faculty members will utilize their leave for scholarly endeavors of an academic, artistic, or professional nature. These activities should enhance their careers and their ability to contribute to the work of the University.

Below is a brief description of the main elements of the competitive sabbatical leave program. Application procedures for sabbatical leave are available in Appendix E.

#### 5.A.1 **Eligibility and Duration**

Sabbatical leave should be regarded not as a right, but as a privilege competitively awarded on the basis of the merit of proposals. Only regular faculty members on rolling contracts are eligible to apply for sabbatical leave. Sabbatical leave may be granted as follows:

- one semester at full pay, or
- two semesters at 50% of the annual pay

Applications for sabbatical leave may be made only for the academic year subsequent to the academic year in which the application is submitted. Faculty members may submit applications either:

- during or after the sixth year of credited service from the date of appointment, or
- during or after the sixth year of credited service following a previous sabbatical leave

### **5.A.2 Budget and Number of Sabbatical Leaves**

To the extent possible, the University shall announce early in each academic year the allocated sabbatical leave budget for the subsequent academic year.

### **5.A.3 The University Sabbatical Leave Committee**

The Chancellor shall, in consultation with the President of the Faculty Senate, designate a University Sabbatical Leave Committee to review the applications for sabbatical leave and submit recommendations for awards.

### **5.A.4 Remuneration and Benefits**

Faculty members granted sabbatical leave remain eligible for benefits to which they are entitled when in regular employment status. However, faculty members approved for sabbatical leave must, as a condition of the leave, inform the University of any remuneration and other payments to be received during the sabbatical leave period. The University reserves the right to offset remuneration and other payments received from non-University sources against corresponding payments from the University to the extent that the corresponding non-University and University payments would otherwise exceed the normal remuneration and other payments the faculty member would have received from the University.

The period of any leave without pay shall not be counted as years of credited services for purposes of sabbatical leave applications.

### **5.A.5 Return from Sabbatical Leave**

Faculty members, upon applying for sabbatical leave, must acknowledge in writing their obligation to return to the University following the leave period and to serve the University for a period not less than one academic year. The University reserves the right to withhold any payments or benefits to which a faculty member would otherwise be entitled should he or she leave the University within one year of return from sabbatical leave.

Within six weeks of the beginning of the academic term that follows the leave period, the faculty member will submit a report to the Dean of the unit evaluating the sabbatical experience in terms of its fulfillment of the sabbatical leave plan. The report should be supported with relevant documentation.

## **5.B Leave without Pay**

Leave without pay may be granted to faculty members on regular or rolling contracts for a maximum of one academic year. A leave request must include details for the reasons for requesting a leave and assurances that the faculty member intends to return to the University following the leave. The policy is expressly intended to provide faculty members an opportunity to take care of personal and family circumstances or to take advantage of professional opportunities for development away from the University. Under extraordinary circumstances, a leave without pay may be extended when there is a clear and compelling reason to do so.

Applications for leave without pay must be submitted in writing to the Dean through the Department Head. If the Department Head and Dean approve the request, it is submitted to the Provost for final action.

The faculty member is withdrawn from the benefits plan offered by the University while on leave without pay. If a faculty member has external insurance of any kind, he/she should consult his/her medical insurance contract to determine coverage during a leave without pay.

The University's contractual terms of employment with a faculty with regard to a rolling contract or promotion may be placed in abeyance for the period of the leave without pay. A request to the University to "stop the clock" should be filed in writing at the time when the leave without pay is requested and needs to be confirmed upon approval. Years on leave without pay do not count towards eligibility for sabbatical.

Faculty members on leave without pay will retain their housing unit subject to availability as determined by the Director of the Operations Department in consultation with the Provost. Faculty who wish to retain their housing unit while on leave must indicate this request in writing when applying for leave.

### **5.C Parental Leave**

The University recognizes the importance of supporting faculty as they balance career and family life, and acknowledges the benefits that accrue to the University in recognition of this support. This policy provides income continuation for faculty members during time off to care for a newborn child. There is a maximum of one parental leave, per faculty, per year. Retention of position, salary, and benefits for faculty will continue during the maternity/paternity leave period. Health insurance premiums must continue to be paid by the faculty member to avoid lapse of coverage. In some circumstances, and if feasible, a part-time work load may be arranged.

Faculty members must use (in order): parental leave, then vacation (for those who accrue vacation days). Additional leave will be leave without pay.

To be eligible for parental leave an individual must have completed at least one year as a full-time faculty member prior to beginning parental leave. Paid leave is applicable only to the parent(s) of a newborn child.

The maternity/paternity leave policy for faculty provides for one semester leave with pay for the birth mother, and a total of two calendar weeks paid leave for the father.<sup>1</sup> The leave period for the mother is to be taken during the semester in which delivery is expected to take place. If that time is between fall and spring semesters, the faculty member has the choice of which semester she will be on leave.

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<sup>1</sup> *UAE Labor Law*, Article 30, specifies that a female worker is entitled to 45 days of maternity leave at full pay provided she has completed one year of continuous service. A female faculty who has been employed for less than one year is paid at half pay.

The faculty member should notify his or her Departmental Head as far in advance as possible of any paternity or maternity leave. The faculty member should request the parental leave in writing, specifying the semester of leave. There will be no teaching expectations of the birth mother during maternity leave. The birth mother may participate in department, college/school, and University governance during maternity leave, but such participation is not required. Expectations for scholarly activity during maternity leave are suspended.

The University will bear the cost of providing replacement faculty for the semester that the faculty member is on maternity leave.

Extensions of further unpaid leave under this policy must be granted by the Provost. If a faculty member has external insurance of any kind, he/she should consult his/her medical insurance contract to determine coverage during a leave without pay.

The University's contractual terms of employment with a faculty member with regard to a rolling contract or promotion may be placed in abeyance for the period of maternity leave and/or subsequent leave without pay. A request to the University to "stop the clock" should be filed in writing at the time when the parental leave is requested and needs to be confirmed on the approval. A decision to stop the clock will not otherwise affect the evaluation standards of contract or promotion determinations by the evaluating parties.

Final decisions regarding eligibility, interpretation, administration and any questions regarding the policy rest with the Provost.

#### ***5.D Extended Medical Leave***

The University recognizes that medical leave beyond the University's regular sick leave (for those who accrue sick leave) may be necessary in extenuating circumstances. This policy provides benefits while the faculty member is recovering from illness or injury. The University recognizes that retention of faculty is mutually beneficial and that implementation of this policy serves both parties.

Extended medical leave (EML) provides income continuation due to non-work related illness or injury of the Faculty. It is in addition to any sabbatical leave to which a faculty member may be entitled. Occupational-related illness or injury is covered by the University Occupational Illness/Injury Leave Policy (60.7)<sup>2</sup>

A faculty member's position, pay, and benefits will continue during the EML benefit period. Pay under the policy is at full pay for a maximum of six months. Applicable health insurance premiums must continue to be paid by the faculty member to avoid lapse of insurance coverage.

The Dean and the Department Head will work with faculty to determine how best to cover the responsibilities of a faculty member on EML.

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<sup>2</sup> This policy (60.7) states that a faculty member who has a work related illness or injury is entitled to full pay for up to six months and half pay for the next six months. Benefits beyond one year are handled by the university's Personal Accident/Sickness Insurance Policy.

To be eligible for EML, the faculty member must have been a full-time faculty member at AUS for one year or more. A physician's certificate is required supporting the faculty member's inability to perform job duties. In some cases a second opinion may be required (by the faculty member or by AUS).

Maximum leave under the EML policy is six months per occurrence. EML leave may be combined with other leave, e.g. annual leave (for those who accrue annual leave) to extend beyond six months. In the event EML leave extends beyond six months, the faculty member may apply to take leave without pay (LWOP). LWOP may be granted only on the approval of the Provost. If a faculty member has external insurance of any kind, he/she should consult his/her medical insurance contract to determine coverage during LWOP.

The University's contractual terms of employment with a faculty member with regard to a rolling contract or promotion may be placed in abeyance for a period of one year for a faculty member on EML. A request to the University to "stop the clock" should be filed with the Department Head as soon as possible after the faculty member determines to take a EML, but under no circumstances later than the end of semester during which extended medical leave is to be taken.

A decision to defer will not otherwise affect the evaluation standards of contract or promotion determinations by the evaluating parties.

The faculty member must submit the proper application requesting EML, if physically possible. The faculty member may apply to take LWOP if he/she is unable to return to work at end of the EML period. LWOP may be granted only on the approval of the Provost. Otherwise, the faculty member may request long-term disability benefits if he/she is unable to return to work at end of the EML period.

Final decisions regarding eligibility, interpretation, administration and any questions regarding the policy rest with the Provost.

## **CHAPTER 6 Faculty Performance Evaluation**

*[Note: This chapter is in the process of being revised.]*

Faculty performance evaluations are conducted periodically to support and encourage excellence by recognizing and rewarding outstanding academic performance; to provide guidance to faculty members regarding professional improvement and development; and to obtain information relevant to contract renewal/extension, promotion, termination, or merit pay decisions.

### **6.A Information and Materials Required for Faculty Performance Evaluation**

Evaluations shall be based on the professional responsibilities of the faculty member in the areas of teaching, scholarly activities, and University and external service. It is recognized, however, that within the broad definitions of these areas, the activities in which the faculty engage in the pursuit of fulfilling their professional assignments can vary from one academic unit to another. Each faculty member should meet with the Head/Director of the academic unit to establish goals and objectives for the upcoming evaluation period and discuss their relevance within the context of the goals of the unit. A professional performance file shall be maintained in the Dean's office. Each faculty member should continuously update his/her professional performance files as needed and add documented evidence of the achievements and challenges in all areas of professional responsibilities. It is the faculty member's responsibility to ensure that the file is complete. As a minimum guide, the information and materials used for evaluation must include the faculty annual reports, courses taught each semester, student enrollment in each course, course assessment, teaching evaluations, publications, performances and presentations, and University and external service activities. Academic units shall ensure that information related to courses taught and teaching evaluations are updated regularly.

### **6.B Relative Weights of the Main Performance Areas**

Although it is not appropriate to assign a specific weight to each of the main performance areas across the University, there are minimum and maximum values that are compatible with the mission of AUS. Those minimum and maximum values are:

Teaching:	50%	to	80%
Scholarly activities:	10%	to	35%
University and external service:	5%	to	25%

The minimum and maximum values for each unit, which must be within the above limits, are available in the office of the respective Dean.

Each faculty member should discuss the appropriate weights for his/her case with the Head/Director of the academic unit at the beginning of the upcoming evaluation period. The relative weights typically reflect the percent of time that the faculty member spends in the different areas. The weights could change from year to year to accommodate the particular needs of the faculty member, the academic unit, and the college/school. If a faculty member does not formally negotiate specific weights with the academic unit Head/Director at the start of the evaluation period, the default weights are 65 % for teaching, 20 % for scholarly activities, and 15 % for University and external service unless otherwise defined by the unit. The Dean must

approve the distributions of weights in all academic units within the college/school. Weights that are outside the above-mentioned limits must be approved by the Provost.

The specific criteria used in the evaluations can vary among the colleges/school. The criteria for each unit are developed by the unit, reviewed by the Council of Deans, and approved by the Provost. Copies of the current criteria are available in the offices of the Deans.

## **6.C Procedure for Faculty Performance Evaluation**

At the beginning of each academic year the Provost shall establish deadlines for the completion of the performance evaluation processes.

### **6.C.1 Evaluation for Merit Pay Decisions**

Assessments for the purpose of awarding merit raises are conducted at the end of the spring semester each year. The following procedure must be followed:

1. The Head/Director of the academic unit considers the Faculty Annual Reports (FARs) and submits his/her recommendations to the Dean of the unit for evaluation at the unit level.
2. The Dean reviews the FARs, and submits his/her recommendations to the Provost.
3. The Provost reviews the recommendations, and submits his/her recommendations to the Chancellor.
4. The Chancellor reviews the recommendations and informs the faculty members of the decision.

The deadline for notification of merit increase decisions is September 30.

### **6.C.2 Evaluation for Promotion Decisions**

At certain points during their employment history, faculty members may elect to apply for promotion. It is the responsibility of the Heads/Directors of the academic units to inform faculty, early on, of the expectations for the granting of promotion within a given unit and the University as a whole.

To be considered for promotion, a candidate must:

1. meet minimum eligibility requirements, which include time-in-rank as set forth in this chapter of the Faculty Handbook
2. meet clear and distinct criteria established by the administration and faculty members as set forth below

#### **6.C.2.a Eligibility**

A faculty member is considered for promotion to higher rank based on demonstrated excellence in teaching, scholarly activities and service, and normally becomes eligible to apply for promotion after a period of five years in the preceding rank with a minimum of one year under faculty contract at AUS. When a new faculty member has approved post-terminal degree professional experience that relates to the intended area of teaching and scholarly activities, the Dean of the hiring unit, with approval of the Provost, may award a maximum of two (2) years of credit toward promotion eligibility at AUS. This credit must be documented in the initial AUS

employment contract signed by the incoming faculty member. Additionally, at least three (3) years of full-time teaching experience must be evidenced to be eligible to apply for promotion.

### **6.C.2.b Promotion Procedure**

Though the promotion application procedure may vary across the University's units, the evaluation procedures should achieve a fair and objective evaluation of the applicant's total record in terms of teaching, scholarly activities, and service.

The promotion procedure follows the following steps:

1. The eligibility of a faculty member for promotion is established by the Dean of the unit in consultation with the Head/Director of the academic unit.
2. A candidate for promotion prepares and submits to the Dean of the unit an application for promotion consideration. The Dean adds other necessary documents as detailed in section 6.C.2.c.
3. The Dean, in consultation with the Head/Director and other appropriate members of the academic unit, selects appropriate external evaluators of the scholarly activities of the candidate from lists provided by the candidate and the Head/Director. Guidelines regarding external peer review are described in section 6.C.2.d.
4. The in-depth evaluation process as detailed in section 6.D is followed.

### **6.C.2.c Preparation and Submission of Applications for Promotion Consideration**

An application for promotion consideration is prepared by the faculty member and should include the following:

1. a cover letter incorporating the faculty member's request for consideration for promotion and list of attachments
2. a general information form (available from the Dean's office) completed by the candidate
3. the applicant's current curriculum vita
4. a list of scholarly publications and a copy of each scholarly publication, providing complete and accurate documentation of all scholarly activities and including complete bibliographic listings of publications, and status of journals (e.g., refereed, indexed, etc.)

Copies of published items and other reported scholarly activities must be available for examination by reviewers.

5. a list of scholarly contributions considered in a previous promotion

The candidate should incorporate in the portfolio details of any previous promotions supported by official documents, including a list of counted material (e.g., papers, books, patents, etc.), date of submission for promotion, etc.

6. a list and copies of unpublished work (optional)
7. a list and description of service at all levels

When providing evidence to support achievement in relation to service to the relevant profession, academic peers and the wider community, applicants are encouraged to relate their claims to measurable outcomes that demonstrate their contribution to the initiation and maintenance of links between the University and external groups. Documentation of all service activities is required.

8. any other relevant information

The faculty member's contribution to the file is considered complete when the above documents are submitted to the Dean of the unit. All pages of the application are to be numbered consecutively by the applicant. Submission of the full application no later than October 1 is required for action during the current academic year. When practical, earlier submission is encouraged.

To complete the application, the Dean adds the following:

1. letters from appropriate Deans and Heads/Directors of academic units evaluating the candidate's record in teaching, scholarly activities, and service
2. Hard copies of these letters shall be made available to the candidate at his/her request.
3. copies of letters sent to the external evaluators, a statement regarding the procedures used in selecting them, and a brief statement concerning their qualifications
4. all letters from external evaluators addressing the quality of the applicant's scholarly contributions, including information about any relationship to the candidate
5. material demonstrating the applicant's record as a teacher, including student surveys and class visit reports

#### **6.C.2.d Guidelines Regarding External Peer Review**

Scholarly activities must be evaluated by external reviewers in the field who are in a position to give an objective evaluation. As much as possible, three or more 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 schools where standards of performance and expectations are substantially higher or lower than those of AUS. At least one of the reviewers will be chosen from the candidate's list. None of the reviewers should be members of the AUS 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 AUS 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. The acceptable level of the quality of the scholarly work and its impact on a promotion recommendation or decision is a matter of judgment at the various steps of the evaluation process.

#### **6.C.2.e Minimum Criteria by Rank**

The University has established the following minimum criteria for promotion to the academic rank cited.

##### **6.C.2.e.1 Senior Instructor**

Promotion to Senior Instructor normally requires five years of full-time teaching as an Instructor, or equivalent professional experience, including at least one year of full-time service as an Instructor at AUS. A candidate for Senior Instructor shall demonstrate effectiveness in teaching, production of appropriate scholarly work, and constructive participation in service, according to the promotion guidelines developed in the college/school.

##### **6.C.2.e.2 Senior Lecturer**

Promotion to Senior Lecturer normally requires at least five years in the rank of Lecturer, including at least one year of full-time service at that rank at AUS. A Senior Lecturer shall possess a doctorate or appropriate professional degree in the field. The candidate shall have demonstrated high teaching effectiveness and substantial service to the University and the community at large. A Senior Lecturer shall display consistently mature performance in course and curriculum planning, guiding and counseling students, mentoring, and participating in University and community service. The Senior Lecturer is expected to demonstrate the highest levels of character and professional ethics when representing the University, and to be a role model for junior faculty members.

##### **6.C.2.e.3 Assistant Professor**

When not awarded at the signing of the original contract, promotion to Assistant Professor normally requires at least one year of full-time service as an Instructor at AUS. The Assistant Professor shall have a doctorate or appropriate **terminal** professional degree. He or she shall exhibit promise of originality and excellence in teaching and scholarly activity, as well as the ability to guide and counsel students. The Assistant Professor is expected to demonstrate the highest levels of character and professional ethics when representing the University.

##### **6.C.2.e.4 Associate Professor**

Promotion to Associate Professor normally requires at least five years in the rank of Assistant Professor, including at least one year of full-time service in the rank of Assistant Professor at AUS. An Associate Professor shall possess a doctorate or appropriate **terminal** professional degree and have substantial experience in teaching and scholarly activity or applicable professional experience. The candidate shall demonstrate teaching effectiveness and have the interest and capacity for continuing growth as a teacher, scholar, and member of his or her profession. An Associate Professor shall display consistently mature performance in course and curriculum planning, guiding and counseling students, mentoring junior faculty, and participating

in University and community service. The Associate Professor is expected to demonstrate the highest levels of character and professional ethics when representing the University, and to be a role model for junior faculty members.

#### **6.C.2.e.5 Professor**

Promotion to Professor normally requires at least five years in the rank of Associate Professor, including at least one year of full-time service in the rank of Associate Professor at AUS. The rank of Professor recognizes the attainment of authoritative knowledge and the achievement of effective teaching skills. The Professor shall have attained an excellent reputation in his or her field of expertise, as evidenced by scholarly activities, teaching excellence, leadership within his or her department and within his or her professional or learned organizations, and effective participation in University and community service. The Professor is expected to demonstrate the highest levels of character and professional ethics when representing the University, and to be a role model for junior faculty members.

### **6.C.3 Evaluation for Contract Decisions**

#### **6.C.3.a Awarding of the Second Contract**

Assessment for the purpose of awarding a second contract is conducted during the last academic year of the existing contract. Based on this assessment as described in section 6.C.1 and on annual reviews, the Dean of the unit recommends to the Provost either awarding the faculty member a second contract, or conducting an in-depth evaluation of the faculty member's academic performance at AUS. The Provost reviews the file, decides on the case, and informs the faculty member by September 15. A decision to conduct an in-depth evaluation is non-grievable. If an in-depth evaluation of the faculty member's academic performance file is conducted, it follows the process detailed in section 6.D.

The outcome of the in-depth evaluation is one of the following:

- a three-year renewal of the contract, or
- a one-year, terminal contract effective the following fall

#### **6.C.3.b Awarding of the Four-Year Rolling Contract**

Assessment for the purpose of awarding rolling contracts is normally conducted during the sixth year of full-time employment at AUS. The cumulative file of the previous five years is used in this evaluation. More information on the eligibility to apply for a four-year rolling contract is provided in section 2.A.3. The in-depth evaluation process detailed in section 6.D is followed.

The outcome of this evaluation is one of the following:

- award of a four-year rolling contract starting the fall semester of the following academic year, or
- a one-year, terminal contract effective the following fall (making up the faculty member's seventh year)

### **6.C.3.c Extension of Existing Rolling Contract**

Assessment for the purpose of extending an existing rolling contract is conducted every year and is based on assessment of the faculty member's academic performance as described in section 6. F and as reflected in merit pay recommendations, the Dean of the unit recommends to the Provost either extension of the faculty member's rolling contract for another year, or an in-depth evaluation of the faculty member's academic performance. The Provost reviews the file, decides on the case and informs the faculty member by September 15. A decision to conduct an in-depth evaluation is non-grievable. The deadline for the Provost to send a letter stating the extension of the rolling contract for one year is December 31. Notwithstanding the foregoing, an in-depth evaluation will be carried out during the sixth year since the last in-depth review. A review resulting in promotion will count as an in-depth evaluation. If an in-depth evaluation of the faculty member's academic performance file is conducted, the process as detailed in section 6.D is followed.

The outcome of this in-depth evaluation is one of the following:

- extension of the rolling contract, or
- non-extension of the rolling contract on a rolling basis but with a probationary year during the academic year immediately following the decision

If the performance of the faculty member during both semesters of the probationary year meets the expectations of the University under the stated evaluation procedures, the contract shall be renewed on a rolling basis. If it does not, the original non-extension decision holds as of its date of issuance.

- non-extension of the rolling contract

In all of the above contract-related evaluations (sections 6.C.1 to 6.C.3), the Dean shall provide a summary of the unit's evaluations to the faculty member and shall meet with the faculty member to discuss the review. The faculty member has the option of attaching a written response to the file. If shortcomings are identified, appropriate plans for professional development and improvement should be worked out between the faculty member, the Head/Director of the academic unit, and the Dean. The plan shall be part of the performance record for future reference.

### **6.D The In-Depth Evaluation Process**

A candidate will be evaluated independently by his/her Department Head, his/her Dean, the Faculty Personnel Committee (FPC), and the Provost; the latter, after receiving the three independent evaluations, may refer the file to an Advisory University Faculty Evaluation Committee (AUFEC) before conducting his/her own assessment. The structure of the FPC is detailed in section 6.E.1 and the structure of the AUFEC is detailed in section 6.E.2.

The following steps provide details on the process:

1. The Department Head and the unit FPC send their reports/recommendations to the Dean, who adds his/her independent report/recommendation and forwards the file with the three reports to the Provost.
2. The Dean informs the faculty member of the unit's recommendations.

3. The Provost reads the reports and decides which cases should be reviewed by the AUFEC and which will receive a final recommendation without further input. The AUFEC deliberates and sends the Provost an independent report/recommendation. The Provost sends his/her recommendation and a compilation of the preceding recommendations to the Chancellor.
4. The Provost informs the faculty member of his/her decision.
5. The faculty member may file a grievance at this stage, using the guidelines specified in Chapter 8 of the Faculty Handbook. The grievance is to be directed at the decision of the Provost.
6. If the Chancellor concurs with a positive recommendation for awarding a rolling contract or promotion, the Chancellor submits the case to the Board of Trustees for the final decision. The Chancellor makes the final determination for extension of an existing rolling contract, or awarding a second contract.
7. The Chancellor informs the faculty member of the final decision.

## **6.E**     *Structure of Evaluation Committees*

### **6.E.1**   **Faculty Personnel Committee**

In September, members of each college and school Faculty Personnel Committee (FPC) are randomly selected from a pool of experienced faculty.

- 1 The pool will consist of 12 individuals identified as follows:
  - eight individuals identified by the Dean and Department Heads through joint consultation
  - four additional individuals identified by the academic unit Senators through joint consultation
- 2 Selection of FPC “permanent” members:
  - The college or school Dean and a Senate representative draw three faculty names from the college/school pool of 12 to serve on the FPC. At least one must hold the rank of Professor. As much as possible, diversity of representation from different departments shall be sought by drawing additional names.
  - The President of the Faculty Senate and the Provost draw two additional faculty names for each of the college’s/school’s FPCs. Those names are drawn from the combined pools of the remaining nine names from each college/school. For each college/school FPC, drawing continues until two faculty are identified who are neither from the same college/school nor from the host college/school. The drawing also will continue until three Professors are picked.
- 3 Department representation:
  - Two additional members from a given department will serve as “temporary” members for evaluations from that department only; at least one of the two must be an “experienced” person. One of these two additional members is appointed by the Dean in consultation with the Department Head; the other representative is selected from

among the rest of the eligible group of faculty by those members of the department who are not being evaluated and without the involvement of the Department Head.

- First-year faculty members and faculty on leave (either for the year or a semester) are not eligible to serve on an FPC. If possible, a faculty member who has been drawn to serve on another school FPC should not be picked to represent the department.

#### 4 Definitions

- “Experienced Evaluator”: a faculty member who has been a Department Chair/Head, served on a unit or University FPC, or been on a tenure committee at another university
- “Permanent FPC Member”: a faculty member who will deliberate on all cases for that academic year
- “Temporary FPC Member”: a faculty member from a given candidate’s department who will deliberate on that department’s cases only

5 The FPC selects its chair from among the permanent members, preferably from members of the host college/school.

6 In rolling contract cases, all FPC members may vote/recommend; in promotion cases only members at the rank sought or above are eligible to vote.

### **6.E.2 Advisory University Faculty Evaluation Committee (AUFEC)**

The Advisory University Faculty Evaluation Committee (AUFEC) serves as an as-needed advisory body to the Provost on some four-year rolling contract and promotion recommendations. In arriving at its advice to the Provost, the committee is guided by the Faculty Handbook and considers all information that is relevant to the assessment of candidates in the three categories of teaching, scholarly activities and service. The committee’s deliberations are confidential, and the committee presents its advice only to the Provost.

The Advisory University Faculty Evaluation Committee consists of three members who shall be chosen by the Chancellor after the Chancellor has received advice and recommendations from the Faculty Senate and the Provost and has resolved any differences between them. The Chancellor designates the chair of the committee. Although members of the committee will be members of the various academic units of the University, the members of the committee are not representatives of those units. They represent the interests of the University as a whole as representatives of the faculty across the University.

At the initial meeting of each academic year, the committee shall select a secretary. No person may serve more than three consecutive years. It is desirable that successive chairs of the committee be members of different academic units.

### **6.F Performance Evaluation Criteria**

Satisfactory performance in the areas of teaching, scholarly activities, and University and external service is expected. Evidence of excellent performance is necessary for awarding and maintaining rolling contracts. In addition, performance evaluations will be conducted in the context of the faculty member’s overall support of and contribution to the common educational mission, institutional objectives, and the standards of the disciplines.

## **6.F.1 Teaching**

### **6.F.1.a Teaching Activities**

Teaching includes educational activities that directly involve students. Activities in this area may include the following: classroom instruction; advising; developing and testing new educational methods; developing and testing new evaluation methods; developing, testing and teaching new courses; serving as a course coordinator; and/or revising and improving existing courses. Teaching should be evaluated using multiple measures, which may include student surveys, peer evaluations, evaluations by Department Heads/Directors of academic units, preparation of students for subsequent classes, teaching portfolios, and other appropriate means.

### **6.F.1.b Instructor Course Evaluations**

Students' surveys and faculty class visit reports, although imperfect, provide useful measures and observations on the manner in which a faculty member's teaching is received and perceived by students. Summary data of student surveys on the teacher and the course should be included in the application file.

## **6.F.2 Scholarly Activities**

While there is no concise definition of what may constitute evidence of scholarly activities, it is generally recognized that a scholar has a wide and critical command of his or her field of study as well as broad cultural interests. As part of scholarly activities, creative work may include, but is not limited to, literary publications, drawings, paintings, models, exhibitions, installations, digital creations and built work, as well as work and publications authored by the candidate. Assessment of creative work will be through examination of the normal products of such activity.

The highest indication of scholarly activities is the development, presentation and documented acceptance of original work in the professional community. Excellence in scholarly activities typically reveals itself as continuing scholarly work documented primarily in publications appearing in the relevant journals, in the form of books published by companies respected in the professional community, or adjudicated exhibitions of creative works. Citation of a candidate's work in the professional literature is another indicator of scholarly standing.

The publication of a textbook can be considered either under the category of teaching or of scholarly activities, depending upon the nature of the textbook and the contributions it makes to the field. A judgment on this matter should be requested from the outside evaluators as part of their written statements.

## **6.F.3 Service**

Service is non-remunerated work other than teaching or scholarly activity on behalf of the University or external to the University. Below are examples of service work to the University. The University commends faculty for undertaking a variety of volunteer work external to the University, but to be included in the evaluation for rolling contract or promotion, it must be related to the faculty member's professional expertise.

Evidence of professional service may include but is not limited to:

1. chairing of professional sessions at internationally recognized conferences
2. serving on editorial boards of scholarly publications recognized in the profession

Evidence of administrative and committee work may include but is not limited to:

- serving on the AUS Faculty Senate and contributing to its standing committees
- contributing to University committees, measured by the number of committees, type of committees, their importance and meeting frequency, and the applicant's effectiveness
- contributing to curriculum and program/division development and course design
- contributing to students' study programs (advising, consultation, field visits, securing training opportunities and joint projects with industry, etc.)
- professional consulting work within the University
- contributing to consultation and service center work (joining in visits, securing projects, conducting workshops and seminars, etc.)
- performing administrative duties
- contributing to student activities (societies, organizations, seminars, recruitment activities etc.)
- contributing to the wider community, local society, and professional organizations as related to discipline
- contributing through the initiation or maintenance of links between the University and external groups such as graduates, professional organizations and government organizations

Since an applicant's record of relevant service may not always be known and may thus be easily overlooked, it is important to direct particular attention to this category in the preparation of the file.

## **CHAPTER 7      Separation Policies and Procedures**

These guidelines apply to any condition whereby a faculty member, whether on initial, term or rolling contract appointments, may be separated from employment with the University prior to the expiration of the faculty member's contract. These conditions include resignation and dismissal.

Nothing in this chapter nullifies conditions of employment contained in the letter of appointment.

### **7.A      Resignation**

If for any reason a member of the full-time faculty intends to terminate his or her relationship with the University, due notice must be given in writing to the Dean of his or her college or school at least eight months prior to the date of termination. The University reserves the right to prorate termination benefits if due notice is not given. Copies of the resignation letter must go to the Provost and the Chancellor.

Unless an earlier date is specified, the effective date of a faculty member's resignation shall be the termination date of the faculty member's current appointment at the date of submission of the resignation. If a resigning faculty member holds research grants or contracts from outside agencies, the administration should be consulted for proper arrangements of the liquidation or transfer of grant funds and the disposition of any equipment secured under the grant or contract.

Faculty who resign from their positions at AUS must fulfill all obligations to their college/school prior to final departure, and the Dean of the respective college/school must confirm in writing that they have fulfilled their obligations prior to the delivery of final payment. Such obligations include turning in all papers, exams, grades, etc. related to their last semester of teaching at AUS.

### **7.B      Dismissal**

Dismissal is the termination of employment of a faculty member of the American University of Sharjah before the term of appointment has expired. Dismissal recommendations for reasons of academic performance or programmatic considerations initiated by the Provost must be approved by the Chancellor.

#### **7.B.1      Assurances**

University policies and procedures for faculty dismissals must ensure the following:

1. The rights of the individual are protected under these policies and procedures.
2. Dismissal shall not violate the rights of an individual under applicable law.
3. The threat of dismissal shall not be used to restrain faculty members in their exercise of academic freedom.
4. Dismissal procedures provide for timely written notice of impending dismissal, which specifies the grounds on which dismissal is sought.
5. A faculty member notified of impending dismissal may avail him/herself of the right of grievance, provided the necessary conditions are met as specified in Chapter 8.

## **7.B.2 Justifications**

Dismissal may be justified by one or more of the following:

### **7.B.2.a Adequate Cause**

Dismissal for adequate cause may include grounds related to dishonesty, proven incompetence in teaching or scholarly activities, serious neglect of professional or academic responsibilities, and/or personal misconduct affecting the community or the institution.

### **7.B.2.b Discontinuance of Academic Programs**

Termination of employment may be based on the discontinuance of an academic program reflecting judgments concerning the educational mission of the University.

### **7.B.2.c Financial Exigency**

Termination of employment is justified by a demonstrated and bona fide financial crisis that threatens the continuation of one or more academic programs or units in their present form, and that cannot, in the judgment of the Board of Trustees, be appropriately addressed by less drastic means.

## **7.B.3 Procedure for Dismissal for Adequate Cause**

Dismissal for adequate cause of any faculty member, whether on initial, term or rolling contract appointment, requires formal notification in writing to the affected faculty member by the Provost. This notice shall inform the faculty member of the decision to dismiss and the specific grounds for dismissal. If the affected faculty member wishes to challenge the dismissal, he/she must notify the Chancellor in writing of his/her intention to appeal the decision. Such notification must be received by the Chancellor's office within 10 working days of receiving notification from the Provost.

The Provost may recommend to the Chancellor immediate suspension of the faculty member, if the Provost believes such action is warranted based on the grounds for dismissal (see "Adequate Cause" above). The Chancellor makes the suspension determination.

If the faculty member notifies the Chancellor of his/her intent to appeal the Provost's decision, the Chancellor, in consultation with the President of the Faculty Senate, will constitute an evidence committee to establish the facts in the case. The evidence committee shall offer the faculty member the opportunity to respond to the charges. This committee will file a report within fifteen working days unless the Chancellor provides an extension for good reason.

If the facts support the original charge, the faculty member will be dismissed. A dismissed faculty member shall normally receive salary and benefits until the effective date of dismissal unless otherwise determined by the Chancellor. The decision to dismiss is non-grievable.

## **7.B.4 Discontinuance of an Academic Unit or a Unit**

The recommendation to discontinue a department or a college or school shall be made by the Provost on the basis of educational considerations and only after consultation and review as set forth herein. When the Provost believes that a discontinuance is necessary, he or she shall inform and seek the advice of the Council of Deans and the Faculty Senate. The request for advice shall

be accompanied by written supporting documentation. The Faculty Senate shall promptly inform and seek the advice of the affected groups. The Faculty Senate will, in turn, provide advice and consultation to the Provost.

The final decision to discontinue a department or a college or school may be made only by the Board of Trustees. A plan for the discontinuance of a department or a college or school, approved through appropriate channels of consultation, will be presented by the Chancellor to the Board of Trustees before action is taken to discontinue. Termination of faculty appointments or major changes in academic programs must conform with principles established in the approved plan, as well as the provisions of this document. The plan may provide for the termination of continuing-contract faculty members in the discontinued program while probationary-contract faculty members are retained in another program. Academic considerations will be primary in making program and personnel decisions. The discontinuance requires the affirmative vote of the Board of Trustees.

After the decision to discontinue, major steps for dealing with the affected parties will be reviewed jointly by the Chancellor (or Provost) and the Faculty Senate. Prior to issuing notices of dismissal to faculty in cancelled academic programs, the Chancellor, based on the recommendation of the Provost, shall give careful consideration to all reasonable alternatives and ensure that decisions to terminate faculty under the plan conform to all applicable laws.

### **7.B.5 Financial Exigency**

#### **7.B.5.a Declaration**

The declaration of an exigency requires that the dismissal of faculty is likely, even if such dismissals are not imminent. When the Chancellor of the University believes a bona fide financial exigency exists, he/she shall promptly inform the Board of Trustees and seek the advice of the Provost, the Council of Deans and the Faculty Senate. The Chancellor will provide advice and consultation to the Board of Trustees. The decision to declare a financial exigency may be made only by the Board of Trustees.

#### **7.B.5.b Retrenchment**

After the declaration of an exigency, major steps for dealing with the financial crisis will proceed along the lines as described in the case of discontinuance of academic units, or units. Consultation between the Chancellor and the Faculty Senate is central to this process.

A retrenchment plan must be developed by the Chancellor and approved by the Board of Trustees before actions are taken pursuant to a declaration of financial exigency. Termination of faculty appointments or major changes in academic programs must conform with the principles established in the retrenchment plan, as well as the provisions of this document. Academic considerations will be primary in making program and personnel decisions.

The Board of Trustees may declare that a financial exigency no longer exists. However, nothing in this section shall imply that notice of dismissal issued to any individual during a period of declared exigency is automatically withdrawn or otherwise invalid.

### **7.B.6 Payment of Salaries in Cases of Separation from Employment**

If a faculty member is separated from employment for adequate cause (7.B.2.a), the faculty member's salary shall be terminated effective upon the date of dismissal.

If a faculty member is separated from service because of discontinuation of an academic unit or a unit (7.B.4) or declaration of financial exigency (7.B.5), the faculty member's salary shall be terminated according to the provisions specified in accordance with the plans developed under the terms of 7.B.4 and 7.B.5.

## **CHAPTER 8    Grievance Code**

This chapter provides the Grievance Code, under which a faculty member who has a complaint against an administrative action or individual(s) at the level of the academic unit, the unit or the central administration is able to seek a remedy within the University. A grievance procedure is a very serious matter and should not be entered into lightly. As responsible citizens of the University community, faculty members should proceed with good faith and should make a sincere effort to resolve disputes before resorting to the grievance process. Furthermore, resort to the grievance process should occur only for those cases stated within section 8.B, Definition of a Grievance.

A grievance procedure is not a formal judicial proceeding and therefore is not required to comply with rules of evidence that are applicable in a court of law. To the extent that any provision of this code conflicts with any applicable law, the applicable law prevails.

Before pursuing remedies outside the University, a faculty member is obligated to exhaust the procedures outlined in this code.

### ***8.A    Applicability***

Individuals in the following positions may not grieve under this code: all administrators, including the Chancellor, Provost, Vice Provosts, Deans, Associate Deans, Directors and Department Heads. A faculty member serving as Associate Dean, Department Head or Director may invoke the code if, in his or her capacity as an individual faculty member (and not because of any action or omission in his or her capacity as Head of an academic unit), he or she is subjected to any of the actions listed in 8.B of this chapter. The Senate Executive Subcommittee (see below) will resolve questions concerning which capacity, as faculty member or administrator, gave rise to the complaint. (Procedures for grievances by administrators or faculty in administrative capacities may be found in the HR Policy Manual.)

### ***8.B    Definition of a Grievance***

A grievance is a formal complaint by a member of the faculty that his/her terms or conditions of employment at the American University of Sharjah (hereinafter “the University”), or ability to act in his/her professional or academic capacity at the University has been significantly impaired due to serious violations as a result of one or more of the four items listed below. A grievance is not an opportunity for a faculty member to express disagreement over the judgment rendered by an administrator or committee; rather, it provides the opportunity to redress one of the following:

1. violation of academic freedom as defined in section 3.A.2
2. discrimination on the basis of age, disability, ethnic or national origin, gender, race or religion

Note that University policy, in keeping with UAE labor law, does not allow extension of contracts after an individual has reached age 70.

3. violation or misapplication of an applicable University contractual provision, practice, procedure, regulation or rule
4. violation of accepted standards of behavior in the workplace of the University as stated in the Faculty Handbook

The grieving faculty member must demonstrate the occurrence of procedural or factual errors in the case.

## **8.C Outline of Grievance Process**

The order in which adversarial parties should attempt to solve their disputes is outlined as follows:

1. informal attempts of reconciliation by the adversarial parties
2. the Notice of Grievance
3. the grievance hearing
4. the report of the Grievance Committee
5. the final decision of the Chancellor

### **8.C.1 Informal Attempts at Conflict Resolution**

Before a formal grievance is filed, a potential grievant should attempt to resolve the grievance informally.

### **8.C.2 Notice of Grievance**

If informal resolution fails, a faculty member who believes that he or she has a grievance must file a Notice of Grievance with the highest ranking member of the Senate Executive Committee who is not a party to the complaint or from the same unit as parties to the grievance.

The Notice of Grievance shall contain a concise statement of the reasons that led the faculty member to feel aggrieved and shall specify the remedy requested. The grievant must file the notice within sixty (60) days of an officially documented action. (As used throughout the text of this code, the word “day” refers to academic calendar days. Weekends and holidays are excluded.)

The Notice of Grievance includes basic information regarding the person submitting it, including the name, office addresses and phone number(s), the unit, the individuals against whom the grievance is being filed, the date that the aggrieved action occurred, and the date of submission.

The Notice of Grievance should be thorough, but as clear and concise as possible, and contain the following information:

- the (administrative or collegial) acts to be reviewed
- the names and phone numbers of all parties involved, as well as those of any witnesses who may be called to testify, along with a brief summary of their testimony
- how these acts adversely affected the grievant
- the applicable sections or subsections of the grievance code
- the section(s) and specific provision(s) of the applicable University rules, regulations or contracts alleged to have been violated, if any, and how these provisions were violated
- the remedy being requested

Appropriate documentation should be included to substantiate any claims.

### **8.C.3 Formation of the Senate Executive Subcommittee (SES)**

As soon as a Notice of Grievance is filed, the Senate Executive Committee shall form a subcommittee (hereinafter SES) of itself. If the grievance notice is filed after the end of the tenth week of the spring semester, the SES may defer, for practical reasons, some or all of its duties until the first day of the following regular semester. The SES will consist of all members of the Senate Executive Committee who are not from the same unit as parties to the grievance. The chair of the SES shall be the highest-ranking member of the SES. The SES fulfills the following duties:

- determines within ten (10) working days whether or not the complaint is a grievable matter and sends its report in this regard to the Chancellor and to the grievant  
The chair of the SES may request additional information from the grievant only to assist the SES in determining whether the complaint is grievable.
- if the SES determines that the complaint is a grievable matter, informs the person against whom the grievance is filed and includes a copy of the Notice of Grievance
- selects the members of the Grievance Committee
- determines what evidence provided by the grievant is admissible
- provides guidance and direction for the Grievance Committee
- reviews the findings and recommendations of the Grievance Committee and identifies any flaws in the grievance procedure
- ensures the integrity of the grievance process

### **8.C.4 Notice and Suspension of Proposed Administrative Actions**

The following actions – dismissal, suspension without pay, reduction in academic rank, reduction in salary, denial of promotion or reappointment – shall take effect only if the administrative officer of the University who intends to take action gives to the faculty member affected by the proposed action written notice of at least thirty (30) days in advance of its effective date, unless provisions to the contrary are explicitly stated in the AUS Faculty Handbook. Such notice shall be confidential, unless the faculty member affected by the proposed action waives confidentiality in writing.

However, the above-mentioned actions shall not take effect if the faculty member affected by the proposed action invokes the procedures of this code. In all cases of dismissal or non-renewal, efforts shall be made to bring the grievance procedure to conclusion by the end of spring semester classes.

Nothing in this section nullifies the conditions of employment contained in the letter of appointment.

### **8.C.5 Formation of the Grievance Committee**

The SES shall by majority vote select a Grievance Committee of five (5) members from the eligible pool of faculty members. The eligible pool of faculty members shall consist of all faculty members who have at least two years of service at the American University of Sharjah and are neither part of the current Faculty Senate Executive Committee nor are members of any unit that is involved in the grievance.

Individuals in the following positions may not serve on a Grievance Committee under this code: all administrators, including the Chancellor, Provost, Vice Provosts, Deans, Associate Deans, Directors and Department Heads. The committee will elect its own chair. The SES must exercise due diligence that appointees are free of reasonable perceived bias, conflict of interest, or such previous association with the issues that are raised by the grievance and/or close association with the parties to the grievance as would recommend that the appointee not serve.

No person must be involved in the pending grievance process who has rendered a previous judgment on any of the parties to the grievance in the case at hand.

The Grievance Committee shall receive a copy of the Notice of Grievance and any supporting documents filed by the parties to the grievance. The Grievance Committee shall also receive the report of the SES stating which matters are grievable. Non-grievable matters as determined by the SES should not be investigated.

#### **8.C.5.a Mandate of the Grievance Committee**

The responsibility of the Grievance Committee is two-fold: (1) to reach a decision regarding the validity of the grievance, and, if the grievance is upheld, (2) to recommend an action to provide relief to the grievant.

In reaching its recommendation for relief, the committee should consider the relief requested by the grievant(s), but the committee has wide discretion and may recommend appropriate relief within University guidelines and regulations.

The type and extent of relief may, at the committee's discretion, be influenced by the committee's views about factors such as:

- whether a violation was intentional or unintentional
- whether a violation involved negligence or was a reasonable misinterpretation of responsibilities
- the likelihood of the harm and its possible magnitude for situations in which possible future harm is involved

#### **8.C.5.b Procedures for the Grievance Committee**

Once the SES has determined that a Notice of Grievance has been appropriately filed and all necessary information has been included, it shall convene the organizational meeting of the Grievance Committee within seven (7) days and shall instruct the Grievance Committee to:

1. elect a chair
2. establish procedures necessary for a fair and orderly hearing
3. forward a copy of the Notice of Grievance to all parties against whom the grievance is filed
4. solicit documents or other hard copy or electronic evidence from parties to the grievance

The committee may not meet if more than one member is absent. Decisions must be reached by a majority vote of members present, and votes shall be tabulated and recorded without designating how any individual voted.

The Notice of Grievance and the solicitation of documents shall be delivered to the campus office address of the parties to the grievance.

Parties to the grievance must complete their submissions no later than ten (10) days after receiving the solicitation from the Grievance Committee. The first day of the ten is the first day after an adversarial party has received the request from the Grievance Committee.

Not more than five (5) days after the deadline for submissions of documents and evidence from parties to the grievance, the chair shall convene the first meeting to consider the written documents and evidence submitted by the parties. Beginning with the grievant, all parties will be invited to make oral presentations and to submit supplementary written evidence.

Strict rules of evidence and procedures shall not apply, but parties must be permitted to be present when the committee receives oral statements and all parties must receive all documents submitted in evidence by any party.

Parties to the grievance may choose to be assisted by an advisor throughout the hearings. The committee may also have an advisor. All advisors must be employees of the University.

At any time before or during its deliberations, the Grievance Committee may, by majority vote, determine that it is necessary to obtain further information and may call witnesses for oral testimony, or seek any additional documents or information from any source, including by way of addressing hard copy or electronic questions to any party. Witnesses are called to give testimony and are not to attend other portions of the proceedings. The same individual cannot serve as both witness and advisor.

The manner in which oral proceedings are conducted shall be determined by the chair of the Grievance Committee, in consultation with the members of that committee. The chair shall make all reasonable efforts to give all relevant parties a reasonable amount of advance notice as to the procedures that will be followed during the oral proceedings. At the discretion of the committee, parties and their advisors may be allowed to question witnesses.

Meetings of the committee shall be recorded, and the committee shall prepare a report of its deliberations and its recommendations, specifying the rationale(s) for its recommendation, to assist the Chancellor in his/her final decision in the case.

Once the committee has completed its receipt of oral and written evidence, it shall meet in executive sessions to consider its conclusions and recommendations. In executive session, only members of the committee shall be present, provided, however, that, at the committee's discretion, a personnel officer or legal advisor of the University may be present as an advisor to the committee.

Unless the SES, for good cause, extends the deadline for completion of the committee's report, the committee's recommendation must be submitted to the SES within thirty (30) days after the organizational meeting. Copies of the committee's recommendations and report shall also be forwarded to the parties to the grievance.

Parties to the grievance may respond to the report by filing in writing with the SES.

The SES shall review the report of the committee as well as any comments from any of the parties involved in the grievance process; add its own comments, concerns and suggestions to the file; and forward the file to the Chancellor for final action. Copies of comments from the SES shall be made available to the parties of the grievance. Unless the Chancellor, for good cause,

extends the deadline, he/she will inform the parties to the grievance and the SES of his/her decision within fifteen (15) working days of receiving the file. The Chancellor will notify the parties to the grievance and the SES of any deadline extension.

The Chancellor's decision, in all cases, is final.

### **8.C.6 Confidentiality Requirement**

Unless confidentiality is waived in writing by all parties, participants are required to maintain the confidentiality of the proceedings. Documented failure to comply that has been presented in writing to the chair of the SES and confirmed as such by the SES will be added to the grievance file.

Once concluded, none of the involved parties to the grievance is to discuss any aspect of a case. The final documentation (reports and/or tapes) will be filed in the Chancellor's office. To the extent allowed by law, notices are privileged and cannot be compelled in any other proceeding.

Information concerning a grievance may be provided to appropriate officials of the University on a need-to-know basis. Any person so informed shall be bound by confidentiality requirements.

### **8.D Role of the Chancellor**

The Chancellor of the University is the final decision maker under the terms of this code and is responsible to the Board of Trustees for actions as the chief executive officer of the University. The Chancellor is not subject to the grievance provisions of this code for decisions made or actions taken as Chancellor, whether based upon the advice of others or upon independent judgment of the needs and interests of the University.

In all matters, the Board of Trustees expects the Chancellor to adhere to the rules and regulations of the University and personally to maintain high professional and ethical standards. Any faculty member having complaint that the Chancellor has violated the rules and regulations of the University or has failed to abide by appropriate professional and ethical standards may address his/her concerns in writing to the chair of the Academic Affairs Committee of the Board of Trustees. Correspondence should be addressed to: "Chair, Academic Affairs Committee, AUS Board of Trustees, c/o Office of the Chancellor," with a copy of the complaint and any supporting documentation sent to the Chancellor.

The chair will inform the complainant and the Chancellor of the process to be followed and, when completed, the result of the review.

## **Appendices**

- A. Department Heads Policy**
- B. Honorary Titles**
- C. Consulting Policies**
- D. Copyright and Patents Policy**
- E. Sabbatical Leave Application Procedures**

## ***Appendix A: Department Heads Policy***

The Department Head is responsible to the Dean for administering the department in ways that sustain the highest standard of performance of faculty, students and staff. Accordingly, the Department Head is responsible for actively facilitating the efforts of departmental faculty and staff to achieve excellence in teaching, research and service in fulfilling the University's mission. In carrying out these responsibilities, the Department Head engages collaboratively with the faculty of the department as part of the AUS shared governance model of academic administration.

The responsibilities of the Department Head are broad and differ in detail from one college or school to another, and from one department to another. The following are generally descriptive; individual colleges/school and departments may wish to further articulate responsibilities within this framework.

### **A.1 Accountability**

#### 1. Personnel evaluations and recommendations

- faculty evaluations and recommendations (annual, contract extensions, promotions)
- staff evaluations (annual)
- faculty hiring – the precise role of the Department Head differs among the colleges/school, but the Head is responsible for providing input to the Dean as requested by the Dean

#### 2. Curricula facilitation and development

- currency and relevance (keeping current with trends and issues in the discipline, including courses, programs, pedagogy, and uses of technology)
- assessment

#### 3. Budget implementation

- developing departmental budget recommendations in consultation with departmental faculty
- overseeing the budget and keeping faculty apprised of its utilization

#### 4. Strategic planning – in collaboration with departmental faculty and in conjunction with college/school planning

#### 5. Faculty development – encouraging, facilitating and mentoring both instructional and scholarly development of faculty

### **A.2 Specific responsibilities related to management**

#### 1. Effectively and efficiently managing human, fiscal, and physical resources, including:

- establishing and maintaining within the department an environment of shared purpose and responsibility
- planning and anticipating faculty and space needs, developing teaching assignments and class schedules, and overseeing space utilization

- assigning/delegating departmental responsibilities with consideration given to service interests solicited from the departmental faculty
- ensuring University policies, procedures and processes are followed

2. Addressing student issues and concerns

3. Serving as communication conduit (both directions) between the Dean and the department (this includes faculty seeking clarifications or resolutions through the Department Head)

### **A.3 Contractual conditions**

- The Department Head serves at the discretion of the Dean, but is appointed and continued in consultation with continuing departmental faculty. Such consultation includes the individual departmental faculty providing to the Dean an indication of the suitability of the candidate or incumbent for the position of Department Head.
- External candidates for Department Head normally will be brought to campus for interviews.
- The term is for three years and renewable at three-year increments. The Dean evaluates the Department Head annually, and an in-depth review of performance is conducted by the Dean in consultation with the departmental faculty toward the end of each three-year term.
- The Department Head is given a 12-month, administrative contract:
  - The salary will be negotiated by the Dean with Provost approval.
  - Forty-five days vacation are provided, with no more than six weeks during summer (negotiated with Dean).
  - Up to one week of absence is permitted per semester while classes are in session to attend professional meetings.
  - Department Heads are expected to teach; the teaching assignment for a given twelve month period will be recommended by the Dean and approved by the Provost.
  - Department Heads are not eligible for overload or independent study payments/compensation.
  - A maximum of one summer course may be taught for additional compensation, but annual leave time must be deducted for the days of compensated instruction.
- If a Department Head holds an academic rank other than Professor, the person's eligibility and evaluation for promotion is based on the same criteria applicable to other faculty – teaching, scholarly activities and service. Considerations of contributions as Department Head come under a fourth category (administration), which is not a part of the evaluation for promotion.
- Department Head evaluations for annual salary increases focus primarily on performance with respect to administrative (Department Head) responsibilities. Recommendations made by the Dean to the Provost for annual salary increases for Department Heads are based upon: 1) administration as Department Head, 2) teaching, 3) scholarship, and 4) service, in that order of priority. If recommended increases are in percentage terms, the increase will apply to the full salary of the Department Head.

## *Appendix B: Honorary Titles*

### **B.1 Honors Review Committee**

Each fall, the Provost in consultation with the Senate President will appoint and chair an Honors Review Committee. The committee will consist of at least one member of the Senate, at least one college/school Dean, and three faculty members at the rank of Professor. In the case of consideration of staff members for emeritus status, at least one senior staff member will be added to the committee. Individuals who may be considered for emeritus status will recuse and absent themselves from committee deliberations pertaining to their nomination.

### **B.2 Distinguished Professor**

#### **B.2.1 Definition**

The honorary title of Distinguished Professor is bestowed by the Board of Trustees to a faculty member who has exceptional merit as evidenced by a high level of international recognition of his/her scholarship. Examples of such recognition are the award of a well-known international prize for their scholarship, the receipt of exceptionally large scholarship grants from international organizations, having received a similar recognition at another prestigious university, or other evidence of outstanding international reputation.

The faculty member must meet eligibility criteria that include a record of exceptional scholarly contributions recognized worldwide.

The title is bestowed by the Board of Trustees upon the recommendation of the Chancellor in accordance with the procedures described below.

#### **B.2.2 Eligibility Criteria**

**1. Affiliation and length of service:**

The nominee must be an employee of the University at the time of nomination.

**2. Academic rank:**

The faculty member is expected to hold the rank of Professor at the time of recognition.

**3. Contributions to his or her field and dedication to the institution:**

The faculty member must have an exceptional record of scholarly contributions recognized at the highest international levels.

#### **B.2.3 Nomination Process**

Nominations for the title normally originate in the nominee's department or program but may be made by the Dean or any member of the faculty holding the rank of Professor. Nominations must be accompanied by supporting documentation, including a current curriculum vita and a nomination letter making the case why the candidate deserves such an honor. If the Chancellor concurs in a positive recommendation following the evaluation process outlined below, the nomination is presented to the Board of Trustees.

#### **B.2.4 Evaluation Process**

1. The initial nomination is submitted to the department/program of the nominee. The department/program can concur or disagree with the nomination, or demur. After internal deliberations, the Department Head/Director forwards the nomination, his/her recommendation, and supporting materials to the Dean.
2. The Dean adds his/her recommendation and forwards the file to the Provost.
3. The Honors Review Committee evaluates the nomination and makes a recommendation.
4. The Provost forwards the committee's recommendation to the Chancellor.
5. The Chancellor makes a recommendation and, if positive, forwards it to the Board of Trustees.
6. Only the Board of Trustees can bestow the designation of Distinguished Professor.

#### **B.2.5 Time of Recognition**

Nominations for award of the Distinguished Professor title may be considered at any time. The title typically is conferred during commencement.

#### **B.2.6 Privileges**

The title of Distinguished Professor will be held as long as the honored faculty member remains at AUS. The privileges stated below will be bestowed for four years and are subject to renewal.

The Distinguished Professor will have his/her salary determined in the usual way. S/he can choose between: 1) a normal teaching load plus a \$10,000 annual stipend, or 2) a reduced teaching load (e.g., 2 courses per semester). In addition, the Distinguished Professor will be eligible for a \$10,000 annual grant for professional activities, which includes conference grant support. In all other matters their contractual conditions (rolling contracts, sabbaticals, merit) will be guided by the Faculty Handbook.

### **B.3 Emeritus Titles**

#### **B.3.1 Professor Emeritus/Emerita**

##### **B.3.1.a Definition**

The honorary title of Professor Emeritus/Emerita is the highest distinction bestowed by the University upon a retired faculty member. It is an award at the discretion of the University, not an entitlement of the individual. The faculty member must meet eligibility criteria that include a minimum length of service at AUS and a record of strong teaching, scholarly activities, and service. The title is bestowed by the Board of Trustees upon the recommendation of the Chancellor in accordance with the procedures described below. *[Note: The administration is reviewing this policy at the request of the Board of Trustees.]*

##### **B.3.1.b Eligibility Criteria**

###### **1. Rank at the American University of Sharjah at the time of retirement:**

The faculty member must hold the rank of Professor at the time of retirement.

## **2. Contributions to his or her field and dedication to the institution:**

The faculty member must have a record of continuous contributions in the areas of teaching, scholarly work and service beyond the normal duties and responsibilities of an AUS faculty appointment.

### **B.3.1.c Nomination Process**

Nominations for the award of Professor Emeritus/Emerita normally originate in the nominee's department or program but may be made by any member of the faculty holding the rank of Professor. Nominations must be accompanied by a current curriculum vita, a nomination letter, and supporting documentation clearly demonstrating evidence of strong contributions in the areas of teaching, scholarly work, and service. If the Chancellor concurs with a positive recommendation following the evaluation process outlined below, the nomination is presented to the Board of Trustees.

### **B.3.1.d Evaluation Process**

1. Following nomination by a faculty member, the department in which the nominee served is given an opportunity to concur or disagree with the nomination, or to demur. The Department Head/Director of the department forwards the nomination, the department recommendation (if any), and supporting material to the Dean.
2. The Dean adds a recommendation and forwards the file to the Provost.
3. The Honors Review Committee evaluates the nomination and makes a recommendation.
4. The Provost forwards the committee's recommendation to the Chancellor.
5. The Chancellor makes a recommendation and, if positive, forwards it to the Board of Trustees.
6. Only the Board of Trustees can bestow emeritus and emerita status.

### **B.3.1.e Time of Recognition**

Nominations for award of the title Professor Emeritus/Emerita may be considered at any time after the faculty member has ceased employment with the University. The title typically is conferred during commencement.

### **B.3.1.f Privileges**

No monetary compensation will be provided for this honor. However, the Professor Emeritus/Emerita will enjoy the following privileges:

- listing in the University's catalog
- invitations to attend departmental faculty meetings as a non-voting member
- invitations to major University events including academic convocations and commencement
- a University identification card
- library privileges
- inclusion on mailing lists and all other official faculty listings

- use of their former departmental office as a mailing address
  - use of University e-mail ID and departmental stationery
  - access to research funds through the normal faculty research grant competition
  - eligibility to serve the University through its various committee structures if invited
  - access to all American University of Sharjah recreational facilities to which full-time continuing faculty are entitled
  - use of University parking, based on availability of space and payment of any fees
  - use of office space and administrative assistant services based on available resources
- Requests for space and administrative assistant privileges must be approved by the Dean of the college/school.

### **B.3.2 Dean Emeritus/Emerita**

#### **B.3.2.a Definition**

The honorary title of Dean Emeritus/Emerita is the highest honor that is bestowed by the University upon a retired Dean. It is an award at the discretion of the University, not an entitlement of the individual. The honor is bestowed by the Board of Trustees upon recommendation of the Chancellor in accordance with the provisions described below.

#### **B.3.2.b Eligibility Criteria**

Upon the cessation of his/her regular employment with the University, a Dean is eligible for the honorary title of Dean Emeritus/Emerita if the following eligibility criteria are met:

##### **1. Rank at the time of retirement:**

The Dean must hold the rank of Professor at the time of retirement.

##### **2. Outstanding service to his/her college/school and community:**

The Dean has made outstanding contributions to the development of his/her college/school in all areas normally expected of Deans, such as accreditation, growth, reputation, funding, and service to constituents.

#### **B.3.2.c Nomination Process**

1. Initial nominations may come from any constituency of the college/school in which the Dean served to the Provost, provided that the nomination is supported by the signatures of at least 25% of the full-time regular faculty in that college/school.
2. The Provost and an Honors Review Committee of faculty members from the college/school plus one Dean appointed by the Chancellor in consultation with the Senate will oversee the evaluation process.

#### **B.3.2.d Evaluation Process**

1. The Honors Review Committee evaluates the nomination and makes a recommendation.
2. The Provost forwards the committee's recommendation to the Chancellor.

3. The Chancellor presents a recommendation to the Board of Trustees for decision.
4. Only the Board of Trustees can bestow emeritus and emerita status.

#### **B.3.2.e Time of Recognition**

Nominations for award of the title Dean Emeritus/Emerita may be considered at any time after the Dean has ceased employment with the University. The title typically is conferred during commencement.

#### **B.3.2.f Privileges of the Dean Emeritus/Emerita**

No monetary compensation will be given for this honor. However, all persons holding the title Dean Emeritus/Emerita will be:

- listed in the University's catalog
  - invited to attend college/school faculty meetings as non-voting members
  - invited to major University events, including academic convocations and commencements
  - provided a University identification card
  - provided library privileges
  - eligible to continue to use University e-mail ID and college/school stationery
  - included on mailing lists and all other official faculty listings
  - entitled to use their former college/school office as a mailing address
  - granted access to all American University of Sharjah recreational facilities to which full-time continuing faculty are entitled
  - entitled to University parking, based on availability of space and payment of any fees
  - eligible to serve the University through its various committee structures if invited
  - granted office space and administrative assistant services based on available resources
- Requests for space and administrative assistant privileges must be approved by the Chancellor.

### **B.4.3 Chancellor Emeritus/Emerita**

#### **B.4.3.a Definition**

The honorary title of Chancellor Emeritus/Emerita is the highest honor that is bestowed by the University upon a retired Chancellor. It is an award at the discretion of the University, not an entitlement of the individual. The honor is bestowed by the Board of Trustees upon the recommendation of the Chancellor in accordance with the procedures described below.

#### **B.4.3.b Eligibility Criteria**

##### **1. Length of service at the American University of Sharjah:**

The retired Chancellor has at least four years of continuous, distinguished service at AUS.

## **2. Outstanding service to AUS and community:**

The retired Chancellor will have made outstanding contributions to the development of AUS in such areas as accreditation, growth, reputation, and funding.

## **3. Dedication to serving his/her constituents:**

The retired Chancellor provided excellent service to University constituencies.

### **B.4.3.c Nomination Process**

1. Initial nominations may come from any constituency of the University to a Board of Trustees member, the President of Faculty Senate, or the incumbent Chancellor. As a part of the nomination, the nominating party should demonstrate substantial support by faculty and staff.
2. The Provost and the President of the Faculty Senate oversee the evaluation process, including determining support from faculty and staff if not a part of the original nomination.

### **B.4.3.d Evaluation Process**

1. Nominations and supporting materials are forwarded to the Provost.
2. The Honors Review Committee evaluates the nomination and makes a recommendation.
3. The Provost forwards the committee's recommendation to the incumbent Chancellor, who presents the nomination and a recommendation to the Board of Trustees.
4. The title of Chancellor Emeritus/Emerita is bestowed only by the Board of Trustees and conferred by the President of the University.

### **B.4.3.e Time of Recognition**

Nominations for award of the title Chancellor Emeritus/Emerita may be considered at any time after the Chancellor has ceased employment with the University. The title typically is conferred during commencement.

### **B.4.3.f Privileges of the Chancellor Emeritus/Emerita**

No monetary compensation will be given for this honor. However, all persons holding the title Chancellor Emeritus/Emerita will be:

- listed in the University's catalog
- invited to major University events, including academic convocations and commencements
- provided library privileges
- provided a University identification card
- included on mailing lists and all other official University listings
- entitled to use of their former office as a mailing address
- entitled to use of University e-mail ID and University stationery
- granted access to all American University of Sharjah recreational facilities to which full-time continuing faculty and staff are entitled
- entitled to University parking, based on availability of space and payment of any fees
- eligible to serve the University through its various committee structures if invited

## ***Appendix C: Consulting Policies***

AUS's policy governing faculty consulting within the UAE and GCC defines the parameters and limits of such activities and reasons for those limits.

AUS acknowledges that consulting is a means of continuing education for faculty, provides them with experience in their professional fields, and may give faculty experiences that enhance their scholarship and teaching. The University also recognizes that consulting could re-direct faculty activity away from their primary responsibilities to AUS.

AUS's policy governing faculty consulting in the UAE and GCC has two purposes:

1. to define the extent to which faculty may participate in consulting, and to define the AUS policies and procedures governing that participation
2. to ensure adherence to UAE immigration and labor laws

### **C.1 Specific AUS Policies Governing Faculty Consulting**

1. Only with written approval of the appropriate Dean and Provost may a faculty member perform consultancy services in the UAE and/or GCC. The administrative approval process generally follows the process stipulated for grant proposals as outlined in The AUS Guide to Research: Policies and Procedures. The AUS Faculty Consulting Review Form describing the routing and review process for faculty consulting can be obtained from the Office of the Vice Provost for Research and Graduate Studies.
2. Consulting is limited to one working day per week during the academic year.
3. The contract/consultancy is payable to American University of Sharjah, which must be stipulated in the contract/consultancy agreement. AUS will, in turn, pay the faculty consultant.
4. A standard contract must be signed between the client and the University that holds the University from any responsibility for the consulting work performed by the faculty. The recommended format for AUS consultancy agreements can be obtained from the Office of the Vice Provost for Research and Graduate Studies.
5. Only the Chancellor of the University, or his/her designee, may sign a consultancy agreement since a faculty consultancy agreement represents a legal and binding contract between AUS and the client, whether the client is private or public, local, national or international.
6. The signed consultancy agreement is distributed internally as follows: the original to the Finance Department, a copy to the Office of the Vice Provost for Research and Graduate Studies, a copy to the Dean's office, and a copy to the faculty member(s).
7. AUS will charge an indirect cost and administrative fee of 27% to the consulting contract using the modified total direct cost scheme as outlined in OMB Circular A-21.

Fifty percent of this fee will be banked and re-distributed back to academic units annually as follows:

- 15 percent to the budget of the college/school
- 15 percent to the budget of the department

- 15 percent to the budget of the Office of the Vice Provost for Research and Graduate Studies
  - 5 percent to the budget of the Office of the Provost
8. Failure to abide by these policies constitutes a violation of the faculty member's employment contract with AUS.

## **C.2 Definition of Consulting for Purpose of this Policy**

Consulting is a professional activity related to a faculty member's field or discipline, where a fee-for-service or equivalent relationship with a third (non-AUS) party exists. (In the GCC and UAE, all endeavors for financial profit, even those not directly related to a person's field or discipline, are also considered consulting and are governed by this consulting policy.)

In general, in a consulting relationship or fee-for-service arrangement, the faculty member is using his or her professional capabilities to further the agenda of a third, non-AUS, party in return for immediate or prospective gain.

Activities or titles that imply managerial or supervisory responsibility are not permitted under conflict of commitment policies and are not allowable as consulting relations.

Titles such as CEO, director, scientific officer, or vice president, etc., are generally assigned with line management responsibilities. Faculty members must avoid titles that include terms such as executive, officer, director, manager, or chief as they imply or indicate management responsibilities and create real or perceived conflicts of commitment.

Appointments to serve on boards of directors of companies, or on companies' advisory councils or scientific advisory boards and the titles that may pertain to these appointments are not considered managerial roles and titles and are permitted as consulting relations.

## **C.3 Activities Not Considered Consulting**

Several types of faculty activity, other than regular AUS activities, are not considered consulting in the GCC or elsewhere, and are not subject to this policy:

- **Publication:** Scholarly communications in the form of books, movies, television productions, art works, etc., though frequently earning financial profit for a faculty member and for another party (e.g., publisher), are not viewed as consulting.
- **Professional Service (professional affiliation):** Service on national commissions, governmental agencies and boards, granting agency peer-group review panels on visiting committees or advisory groups to other universities and on analogous bodies are not considered consulting.

The distinction between these activities and consulting is that they are public or University service. Although an honorarium or equivalent sometimes is made to the faculty member, service activities are not undertaken for personal financial gain and do not fall within the consulting category.

## **C.4 Faculty Compensation through External Contracts and Grants**

Faculty can supplement their income through external contracts and grants according to the following policy:

### **C.4.1 Summer Supplemental Income from AUS Administered Grants**

The maximum salaries that faculty may be paid from grant(s) administered over the summer through the University are:

- the lesser of 1/9th of annual base salary per month of full-time commitment to the grant project for a maximum of three months, or the amount allowed by the funding agency
- compensation equivalent to 1/18th of annual base salary per month if the faculty member is teaching one course during the six weeks of a six-week summer session
- no compensation during the six weeks of a six-week summer session if the faculty member is teaching two courses
- no compensation during the three weeks of a three-week summer session if the faculty member is teaching one course

### **C.4.2 Summer Supplemental Income from AUS Administered Contracts**

The University does not limit the supplemental income a faculty member may receive from contract(s) during the summer, but does place limits on the time a faculty member may devote to contract work, as follows:

- No limitations are applied if the faculty member is not teaching or does not have administrative responsibilities.
- A limitation of 20 hours per work week during a six-week summer session is applied if the faculty member is teaching one course.
- No time may be committed during the work week of a six-week summer session if the faculty member is teaching two courses.
- No time may be committed during the work week of a three-week summer session if the faculty member is teaching a course.

### **C.4.3 Regular Semester (Fall and Spring) Supplemental Income from AUS Administered Grants**

- Faculty members may not receive supplements to their academic year salaries from grants administered through the University.
- With the approval of the Department Head, Dean, and Provost, and if allowed by the granting or contracting agency, a faculty member may buy out one or more courses through a grant or contract. In such cases, the University normally will receive reimbursement of salary and benefits equal to the faculty replacement cost to cover the course, up to a maximum of 1/6 of the faculty member's annual salary and benefits per course, assuming a full-time teaching load of six courses.

#### **C.4.4 Regular Semester (Fall and Spring) Supplemental Income from AUS Administered Contracts**

The University does not limit the supplemental income a faculty member may receive from contract(s) during regular semesters, as long as contracts are administered through the University, but it does place limits on the time a faculty may devote to contract work for a maximum of one working day per week when classes are in session.

##### **Responsibilities:**

The Department Head, Dean and Provost are responsible for approving salary budgets from grants; the Department Head is responsible for monitoring time devoted to consulting activities; and the Office of the Vice Provost for Research and Graduate Studies, in collaboration with the Finance Department, is responsible for monitoring compliance with approved budgets and this policy.

The determination as to whether an external source of funding administered by the University is a grant or a contract is made by the Provost.

## *Appendix D: Copyright and Patents Policy*

### **D.1 Copyright**

In regard to copyrights, the University believes that the publishable work of its faculty, staff, and student body should be available to all interested scholars. The University also believes that the author should be given full credit for any work and should be entitled to retain proprietary rights to the product of the individual's own initiative and independent labors. Occasionally, however, faculty and staff produce materials as a result of specific University assignments. In such cases, the University reserves the right to determine whether or not the material will be copyrighted, and in whose name, and what rights, if any, the author will retain to the materials. Normally, when materials published under the University's copyright are distributed or sold for educational or scientific purposes only, the author receives no payments. If the materials are marketed commercially, however, the author often receives royalty payments based upon an agreed rate.

Any arrangement relating to copyright matters involving a sponsored project must be referred to the Provost. Some sponsors have established regulations governing the copyright and/or publication of the results of investigations they finance. Before entering a sponsored project, an understanding among the principal investigator, the University and the sponsor should be reached regarding the rights to any copyrightable materials produced by the project.

Traditionally, the right of first publication is the property of the author unless the terms of the grant or contract specify otherwise. Copyrights secured for the University or any of its units are placed in the name of the University and become University property. The Provost will provide interested persons with information concerning the procedures to be followed in applying for a copyright.

Databases created in the course of scholarly activities may be copyrightable and thus fall under the copyright policy. This policy is concerned with the ownership of, and the right to use, original data collected or measured in the course of teaching, academic and scholarly activities involving academic personnel. It is not concerned with data from external sources used in scholarly activities at the University, other than to assert the obligation that publications or theses using such data must recognize and fully document their sources. Academic personnel have the obligation to protect and preserve, for a reasonable period (defined by the norms of the discipline), and to make available to other scholars and non-commercial users, the data on which their work is based. Ownership of data assembled by academic personnel in the course of their scholarly activities may be contentious and, because access to it is important for research and scholarship, ownership shall be jointly held by the University and the creator(s), subject to the following conditions:

- a. To the extent that the creator(s) have rights to such data, the creator(s) grant the University a perpetual, non-exclusive, royalty-free, irrevocable license to copy and use any or all such data in teaching (including distance and continuing education), scholarly and academic activities within the University.
- b. The creator(s) shall make available the resulting data set(s), after completion and publication of the thesis or paper on which the data set is based, to other University personnel for royalty-free, non-commercial use in teaching, scholarly and academic activities within the University.

Notwithstanding the above, all University personnel have the collegial obligation to allow the owner(s) of such data a first opportunity to exploit those data for published work.

The American University of Sharjah owns the copyrights to all multimedia and distance education products and courses produced by AUS full-time faculty members as part of their assigned teaching load at AUS. The University reserves the rights to all electronic and computer based instructional materials produced and delivered by faculty members while employed at AUS. Furthermore, AUS shall have the right to use the course materials developed by AUS faculty as it deems necessary, and maintains the right to reproduce, update, distribute, transmit, alter, and prepare derivative works based on the course materials. AUS may retain copies of the course materials for archival purposes and make them available to any other institutions, universities, or persons it deems appropriate. AUS faculty members shall not include in the content of multimedia, electronic, computer based, or distance education courses developed while employed at AUS, any content that constitutes libel, invasion of privacy, infringement of copyright or literary rights or otherwise violate the legal rights of any persons under UAE law. Multimedia and distance education courses, as well as all electronic and computer based courses created by AUS faculty members while employed by AUS are to be treated as "work-for-hire" by AUS under international copyright conventions. AUS faculty members may, however, use these materials for non-commercial purposes while working at AUS or after leaving AUS.

## **D.2 Publication Royalties**

Any faculty member who has authored or co-authored and published a book or courseware that he or she then assigns as required or recommended material for a course for which that faculty member is the faculty of record has the right to receive any and all royalties normally due to him or her, provided that such material has been published by a recognized publisher under the rules of peer review applicable to that discipline.

If a faculty member produces material to support an AUS course through his/her other own production, or through the services of a "vanity press" or printing facility, s(he) may not benefit financially from the sale or distribution of such material to students in the course. For example, if a faculty member produces a laboratory manual and arranges for the print shop or book store to print or distribute copies of it to his/her students, s(he) may not receive any payments or royalties resulting from the sale or distribution of the manual.

Department Heads are responsible for overseeing the listings of materials required for courses taught through the department. Each Department Head is further responsible for ensuring that assignments of faculty-authored materials conform to the University's high standards for the quality and relevance for courseware. Each Department Head will also ensure that no faculty member will unduly or unnecessarily burden students with course materials that they have authored at the expense of other, more appropriate materials that might be available.

## **D.3 Patents and Inventions**

The American University of Sharjah believes that its faculty and staff should be encouraged to contribute to the development of science and technology. For this reason, it is the objective of AUS that any member of the University who invents a patentable device or procedure should benefit financially from its commercial exploitation, wherever possible. While AUS could claim rights in all inventions of faculty or staff members that are in any way related to their

employment, to do so would be inconsistent with that objective. At the same time, however, patentable inventions resulting from the creativity of AUS faculty and staff also may reflect significant investments of University resources. Under some circumstances, therefore, it will be appropriate for AUS to share in the proceeds of an invention's commercialization. The objective of this patent policy is to define the relative rights of faculty/staff inventors and AUS in a variety of different situations.

### **D.3.1 Timely Disclosure**

For the provisions on the division of rights in inventions outlined below to be put into effect, this policy requires that any member of the AUS faculty or staff who believes that he or she may have devised a patentable invention, under any circumstances and without regard to whether such invention was devised on University premises or with the use of University facilities, shall immediately notify the Provost of their intentions prior to any publication or presentation that would have the effect of putting the new intellectual property into the public domain. Such disclosure must include the nature of the intellectual property, the names of all co-creators, the source of funding for the research project out of which the intellectual property emerged, and any other relevant information.

The Provost shall submit the notification report to the AUS-IP Committee (described in section D.5.1) within 30 days of receiving it, or 30 days from the start of the academic year in case a notification is submitted between May 31 and August 30, whichever shall be longer.

The AUS-IP Committee shall have 90 days, or in the case of a notification received by it between May 31 and August 30, until November 30, whichever shall be longer, in which to respond to a report of a possibly patentable invention by indicating into which of the categories detailed in this policy that invention falls. During this period, the faculty/staff member may publish accounts of his or her invention in accordance with the ordinary academic or professional practice. The Provost shall inform the faculty or staff member of the University's decision within 15 days from receiving the recommendation of the AUS-IP Committee, or 15 days from the end of the specified review period of the committee, whichever is shorter. The Provost's response will specify the manner in which rights to the invention shall be apportioned between the individual inventor, AUS, and any third-party grantor or sponsor.

### **D.3.2 Classifications of Inventions and Ownership Determination**

#### **D.3.2.a Inventions resulting from wholly personal research**

These are inventions that a faculty or staff member has devised while working on non-University premises, without the use of University facilities, outside his or her regular working hours, and that have no other connection to his or her duties as a University employee.

Rights in the proceeds of these inventions belong exclusively to the inventor. In the event that he or she seeks University assistance in perfecting, protecting, and/or marketing the invention, an allocation of rights and proceeds will be negotiated between the inventor and AUS.

### **D.3.2.b Inventions resulting from authorized consulting activities external to AUS**

These are inventions devised by a faculty member while pursuing projects on behalf of entities other than AUS, as permitted by University policies on outside consulting activities. These inventions must be devised while working on non-University premises, without the use of University facilities, outside regular working hours and with no connection to duties as a University employee.

Ownership of rights in inventions of this category is governed by the agreement between the inventor and the entity for which the work that gave rise to his or her invention was performed. AUS claims no share in any proceeds from such inventions. In the event that the inventor seeks University assistance in perfecting, protecting, and/or marketing the invention, an allocation of rights and proceeds will be negotiated between the inventor and AUS. To the extent that faculty consulting activities exceed the limits imposed by AUS, rights to inventions arising from them will be governed by other provisions of this policy as appropriate.

### **D.3.2.c Inventions resulting from the use of AUS facilities and services**

These are inventions devised by faculty and staff members, while working on University premises, with any use of University facilities, during the faculty member's regular working hours or with any connection to the faculty member's duties as a University employee. This category also includes inventions that result from research projects receiving specific AUS financial support, including research grants and other special University awards, or that were devised using special equipment supplied by AUS for the use of a particular researcher or research group.

Rights to the proceeds of inventions of this category shall be shared between AUS and the inventor, and in default of an agreement to the contrary, each will be entitled to a 50% share of such proceeds.

### **D.3.2.d Inventions devised in the course of performance of grants of contracts administered by AUS**

This category includes all inventions that result from activities undertaken with external financial support.

The ownership of rights to inventions of this category will be governed by the terms of the grant or contract in question. When those terms permit the retention of rights by the contractor or grantee, the inventor and AUS each will be entitled to a 50% share, unless there has been an agreement to the contrary. AUS and the inventor may negotiate mutually agreeable alternative arrangements with respect to such inventions at any time, but such negotiations shall not involve the grantor or contracting agency in any way.

Where this policy provides for negotiations between a faculty or staff researcher and AUS concerning the allocation of rights to an invention or the proceeds from its exploitation, the officer negotiating on behalf of AUS shall seek the advice of the AUS-IP Committee prior to concluding any final agreement. In such event, the AUS-IP Committee may advise for or against the conclusion of an agreement on particular terms, or recommend additional or alternative terms. The Provost must approve all agreements.

### **D.3.2.e Inventions resulting from collaborative research**

The University encourages researchers to share information and to work in collaboration with others, where this is likely to advance the state of knowledge. Collaboration agreements between academic personnel and researchers at outside institutions, agencies, and companies must specify, in advance and in writing, how the process by which the rights to intellectual property arising out of the collaboration will be determined. The determination of rights shall be based on the extent and nature of the contribution; the University must be a party to the agreement. Any waiver or modification of rights requires informed consent.

## **D.4 Commercial Exploitation of Inventions**

At the time of disclosure (D.3.1), the Provost will determine under which of the categories listed in section D.3.2. the invention falls and based on that the ownership will be determined. In the case of category D.3.2.a or D.3.2.b, the University will inform the creator(s) that they may commercialize the intellectual property themselves, or may offer it to the University to commercialize, and will provide sources of information about those options. The time line described in section D.3.1 should be followed.

### **D.4.1 Commercialization by the Creator(s)/Inventor(s)**

When creator(s) elect to commercialize the intellectual property, they assume responsibility for legally protecting and marketing it, finding a licensee, negotiating a license agreement, and administering that agreement. Any such license agreement must contain full and complete releases and indemnification in favor of the University with respect to the commercialized intellectual property. In cases where AUS has rights to the invention ownership, such creator(s) will pay the University 25% of net revenues arising from the intellectual property or 10% of gross revenue, whichever is greater, on an annual basis. Any such intellectual property shall remain subject to the license and other rights of the University under these policies. The Provost shall represent the University's interest in all matters related to this intellectual property, including but not limited to patents, sale, licensing or any other commercialization activity. If creator(s)/inventor(s) pursue commercialization on their own, the University is not responsible for any legal, development, marketing and other costs they may incur, including patent prosecutions.

### **D.4.2 Commercialization by the University**

In cases where the University claims no ownership to an invention, the creator(s)/inventor(s) may, at their option, offer the intellectual property to the University for commercialization. The University retains the absolute and sole right to determine if it wishes to accept such intellectual property for commercialization. Before the University accepts any assignment, it may seek a commercial and/or technical assessment. Prior to the University conducting any such assessment, the University shall require the creator(s) to enter into an agreement with the following terms and conditions:

- a. If the University accepts the offer, the creator(s) agree to assign all intellectual property rights and other rights to the University, including assignments of patents, if any. The University shall thereafter deal with such rights, including any further assignment to

some specialized external agency, as it deems most expedient. The University shall assume sole responsibility and authority for legally protecting and marketing the intellectual property, finding a licensee or buyer, determining the terms of the license or sale, negotiating a license or sale agreement, and administering that agreement. The University shall retain 75% of net revenue arising from the intellectual property, and the creator(s) shall receive 25%, payable on an annual basis, unless the University and the creator(s) agree to a fixed percentage of gross revenue that is of equal or greater value for the University.

- b. If, because of this assessment, the University decides not to act to protect and/or commercialize the rights to the intellectual property, these rights shall be returned to the creator(s).
- c. If, the University has accepted the assignment of the intellectual property and if, after a period of two years from the later of the date of such assignment (or if a patent is involved, the date of issuance of the patent), the rights to the intellectual property have not been assigned or licensed, they may be, at the creator's request, assigned back to the creator, in return for an agreement by the creator to: (1) reimburse the University for all development expenses prior to any distribution of revenues, and (2) pay to the University 25% of the net revenue arising from the intellectual property or 10% of the gross revenue, whichever is greater, on an annual basis.

University personnel are not obliged to use the University's services, nor is the University obliged to take on any intellectual property brought to it.

## **D.5      Miscellaneous**

### **D.5.1    Administration and Amendments**

Subject to the dispute resolution provision set out in section D.5.2, the Provost is responsible for the administration of this policy. The Provost is also responsible for making determinations regarding various matters referred to in this policy, including determining time periods, limitations on ownership rights, what constitutes private research, and ownership rights of academic personnel conducting externally-sponsored or research activities. Obviously, a policy such as this one cannot anticipate all cases that may arise or dictate exactly how each case will be categorized in terms of that policy when it does arise. Under this policy such determinations are to be made by the Provost, acting on the advice of a standing AUS-IP Committee.

The AUS-IP Committee shall have a membership of five, including no fewer than three members of the full-time faculty, one of whom shall serve as chair. Decisions of the AUS-IP Committee shall be made by a majority of the members present and voting at any regularly scheduled or specially called meeting, except that no decision of the committee shall be effective unless it has the support of at least two full-time faculty members.

It is the responsibility of the Provost to review and evaluate these policies on an annual basis. Any changes to these policies that the Provost recommends shall be provided to the Board of Trustees of the University for consideration.

### **D.5.2 Dispute Resolution**

The University recognizes that disputes may arise between the University and academic or non-academic personnel and students with respect to intellectual property and the implementation of these policies. When an agreement cannot be reached between the University and the creator, the dispute will be referred to an internal three-person panel consisting of persons respected within the community for their knowledge of intellectual property issues. The membership of the panel shall be determined by the Chancellor in consultation with the President of the Faculty Senate. The Chancellor designates the chair of the panel. The panel will attempt to resolve the dispute through mediation but, if that fails, it will arbitrate. The panel will serve as an advisory body to the Chancellor. The final decision, including the results of any arbitration, is subject to approval by the Chancellor. The decision of the Chancellor is final and binding and is not subject to appeal.

Exceptions to these rules are allowed only when the scholarly activity is subject to confidentiality requirements due to contractual arrangements with a sponsoring agency, to publication delays associated with patent applications, or to University ethics constraints on scholarly activities involving human subjects or animals, which are contained in The AUS Guide to Research: Policy and Procedures; the latter may be found on the University's website. In the case of contractual limitations, all collaborators must be made aware of, and agree in advance to, such constraints.

### **D.5.3 Revenues and Expenditures**

- An accounting of incomes and expenditures related to each invention will be provided to the inventor annually or more frequently by special arrangement where circumstances warrant.
- Any net income earned by an invention will be distributed annually as provided for in section D.4 or more frequently by special arrangements where circumstances warrant.

### **D.5.4 Confidentiality**

All University personnel involved in the process of invention disclosure, ownership determination, patentability evaluation, commercialization, and commercial exploitation will make every effort to maintain the confidentiality of the invention until it is protected by patent. Where appropriate, the Provost will use confidentiality agreements to ensure confidentiality when dealing with non-University personnel. All parties involved may be required to sign an AUS-IP confidentiality form.

### **D.5.5 Execution of Contracts**

Contracts arising from patents or inventions will be executed in accordance with established University policies and procedures.

### **D.5.6 Acknowledgement of the University**

In reporting their work, University personnel shall acknowledge the American University of Sharjah for the support it provided. In the spirit of collegiality, creators of intellectual property are encouraged to recognize the University's support through a financial contribution.

### **D.5.7 Use of the University's Name and Marks**

To protect its reputation, the University must control the use of its name and marks. This requirement is especially important in the context of non-University sponsored commercialization of intellectual property. Under no circumstances may the University be presented, directly or indirectly, as endorsing or warranting a particular product. Accordingly, any use of the University's name or any University-owned mark in connection with any product, service, research project or work, apart from indication of the institutional affiliation of the creator(s), requires explicit written permission from the Provost.

### **D.5.8 Definitions**

The following definitions shall apply for the purposes of interpreting these policies on intellectual property:

1. **"Academic Personnel"** shall include all core, complementary, adjunct and visiting faculty, instructors, teaching assistants, post-doctoral fellows, undergraduate and postgraduate students.
2. **"Contributor"** shall mean an individual or organization that contributes to a work. Possible contributions include, but are not limited to ideas, expression, form, design, computer software and criticism.
3. **"Copyright"** shall mean the sole rights granted for specified periods pursuant to the *Copyright Act*, as amended or re-enacted from time to time, or any successor legislation, including the sole right to produce or reproduce an original literary, dramatic, musical and artistic work in any form. Literary works within the meaning of the *Copyright Act* include works consisting of text as well as computer programs. Copyright also includes the sole right to perform a work in public; to publish an unpublished work; to produce, reproduce, perform or publish any translation of a work; to convert a dramatic work into a novel or other non-dramatic work; to convert a novel, non-dramatic work or artistic work into a dramatic work; to make a sound recording, cinematographic film or other mechanical contrivance of a literary, dramatic or musical work; to reproduce, adapt or publicly present a work as a cinematographic work; to communicate a work to the public by telecommunication; to present an artistic work at a public exhibition; and to rent out a computer program or a sound recording of a musical work. Similar rights are included with respect to performers' performances, sound recordings and broadcast communication signals. All of these rights extend both to the work and a substantial part of it and include the right to authorize any of these actions.
4. **"Creator"** shall mean a member of University personnel who creates intellectual property.

5. **"Data"** shall include databases, results of scientific measurements, results of surveys, and the results of computational or experimental simulations, together with a documented description of the format or structure of the data set(s) and, where appropriate (e.g., in scientific experimental measurements), estimates of experimental uncertainties which would allow a non-originator to use them.
6. **"Development Expenses"** shall mean all moneys paid to protect, develop, and/or enhance the marketability or any other aspect of intellectual property, including, but not limited to, the drafting, filing, prosecution, maintenance and enforcement of patent or other registrations, marketing expenses, consulting fees, expenses incurred in dealing with equity interests, travel, legal fees, and research costs. Salaries and general operating expenses of administrative personnel are not included within development expenses.
7. **"Gross Revenue"** shall mean the proceeds from the sale, lease, transfer, assignment, license, grant of right of access, or other conveyance or grant of rights in respect of intellectual property or intellectual property rights therein, including without limitation, any license issue fees, option fees, royalties, and equity interests, except that any equity interests, or portion thereof, received by the University shall not be included in gross revenue unless and until such time as the equity interests, or portion thereof, are sold by the University. The gross revenue in a transaction between affiliated parties, or any parties that are otherwise associated with each other or acting in concert, or in any other non-arm's length transaction, will be the greater of: (i) the actual amount paid, and (ii) the amount that would have been paid in a similar transaction at arm's length.
8. **"Independent Efforts"** with regard to intellectual property means that the ideas for the intellectual property came from the creator; the intellectual property was not made with the use of University support, and is not related to the creator's responsibilities, work or employment at the University.
9. **"Intellectual Property"** shall mean works, data, inventions, ideas, industrial designs, trade-marks, trade names, domain names, integrated circuit topographies, plant varieties, know-how and trade secrets, which can be registered or protected under the law.
10. **"Intellectual Property Rights"** shall mean copyright, patent, industrial design, trademark, domain name, integrated circuit topography, plant breeders' and trade secret rights, and moral rights.
11. **"Invention"** shall mean any new and useful art, discovery, process, machine, composition of matter, article of manufacture, design, model, technological development, biological material, strain, variety, culture of any organism, computer software, research data and tools, whether or not patentable.
12. **"Moral Rights"** shall mean a creator's rights to claim ownership and to protect the integrity of a work under the *Copyright Act*.
13. **"Net Revenue"** shall mean gross revenue less development expenses.
14. **"Non-Academic Personnel"** shall include full-time and part-time administrative, professional, support staff and other persons paid by or through the University and anyone working under University auspices, excluding academic personnel other than undergraduate and post-graduate students performing paid work for the University.
15. **"Patent"** shall mean the grant of exclusive rights, pursuant to the *Patent Act*, as amended or re-enacted from time to time, or any successor legislation, for a period of 20 years from the patent application filing date, to make, construct and use an invention, and sell it to others to be used. In exchange, the patent application is made public by the Patent Office

18 months from the earlier of the filing date, or the filing date abroad under an international treaty. For an invention to be patentable it must be new, useful, and not obvious to someone skilled in the area.

16. **"Teaching Materials"** shall include all printed and digital products created by academic personnel, the presentation of which may or may not be influenced by non-academic personnel, including course notes, course outlines, teaching notes, presentations, and examinations, and including materials used for distance and continuing education.
17. **"University"** shall mean the American University of Sharjah.
18. **"University Personnel"** shall include both academic and non-academic personnel.
19. **"University Support"** shall include the use of University funds, University personnel, facilities, equipment, materials, technological information, or proprietary know-how.
20. **"Work"** shall include all material capable of being protected by copyright including student theses, and all printed material, computer software, data, audio and visual material, circuit diagrams, architectural and engineering drawings, lectures, musical or dramatic compositions, choreographic works, and pictorial or graphic works.

This policy has utilized those procedures developed at the American University (Washington, D.C.), the University of Ontario Institute of Technology (Oshawa, Ontario) and the University of Guelph (Guelph, Ontario).

## *Appendix E: Sabbatical Leave Application Procedures*

Applicants for sabbatical leave must submit a Sabbatical Leave Application Form (SLAF) obtainable from the Deans and Department Heads. The completed form should be accompanied by:

- an outline of the proposed program of work
- an explanation of how the leave would contribute to the individual's professional growth and development
- an explanation of how the grant of the sabbatical leave will benefit the University
- a work plan including dates of major activities
- a summary of expected outcomes of the sabbatical activities
- a current curriculum vitae for the applicant
- other materials which the applicant deems to be of assistance in judging the merits of the application

The following procedures for consideration of completed applications will be followed:

1. Faculty members must submit applications to the Department Head by **October 1** for leaves during the subsequent academic year.
2. Department Heads shall forward applications, along with their recommendations and comments, to the Deans of the respective units no later than **October 15**, indicating how the leave might affect the functions of the department. In cases where there is more than one applicant from an academic unit, Department Heads should rank the applications and provide appropriate rationale.
3. Deans shall forward applications from their unit, along with their recommendations and comments, to the Office of the Provost by **November 1**. In any instance in which the Dean's recommendations do not follow rankings assigned to the applications from a unit by the Department Head, the Dean shall include an explanation in his/her recommendation. The Office of the Provost shall immediately inform the University Sabbatical Leave Committee (USLC) of the availability of the proposals for its review and evaluation.
4. The USLC shall give careful consideration to the proposals, rank them according to their respective merits, and forward them to the Provost by **December 1**. In any instance in which the USLC recommendations do not follow the rankings assigned to the applications from a college/school by the Dean of the college/school, the USLC shall include an explanation in its recommendations.

The Provost shall review the applications, recommendations, comments and the ranking assigned to the applications by the USLC. The Provost shall forward recommendations to the Chancellor by **January 15**, taking into account the availability of funds to support the sabbatical leaves and any special difficulties for academic units and units which might be created by the award of recommended applications. In any instance in which the Provost's recommendations do not

follow the rankings assigned to the applications by the USLC, the Provost shall include an explanation in his/her recommendations.

The Chancellor shall inform the applicants of the disposition of the application as soon as possible after receipt of the recommendation but no later than **January 31**.