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# FACULTY HANDBOOK

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# NJIT

New Jersey Institute of Technology

July 2015

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## **ENDORSEMENTS**

The Faculty of the New Jersey Institute of Technology, upon recommendation of the Provost and the President of the University and approval of the Board of Trustees, sets forth the rules and regulations contained in this Faculty Handbook for its governance and guidance. The purpose of this handbook is to outline Faculty rights, privileges, responsibilities, and obligations and to facilitate effective communication among all components of the University to best support the University's mission. All changes to the Faculty Handbook must be approved by the Board of Trustees on the recommendation of the President of the University, in accordance with the procedures set forth in the Constitution and Bylaws of the Faculty Senate.

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Amitabha Bose, Faculty Senate President

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Fadi Deek, Provost and Senior Executive Vice President

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Joel Bloom, President

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Stephen DePalma, Chair Board of Trustees



## **REVISIONS AND APPROVAL HISTORY OF THIS HANDBOOK**

- March 7, 2007: Revised numbering system; no sections added, removed or repositioned. Reformatted entire document, no sections added, removed or repositioned. Added detailed table of contents, history/approval page, endorsement page, and index. Incorporated internal linking for navigating handbook.
- October 17, 2007: Document edited to correct any spelling, grammar, punctuation, and/or syntax errors. Added Departmental bylaws where available.
- August 15, 2011: Major changes: Sections 1-2.6 were completely rewritten and old sections were replaced. Section 2.26 was added. Old sections 2.5 and 2.6 were renumbered as 2.7 and 2.8. Section 2.14 is added as a place-holder, but has not yet been adopted in the stated form as of August 15, 2011.
- July 23, 2015: Major changes: Sections 2.2.6 and 2.3.2 were added. Section 2.5.2.5, 2.6.5 and 2.15 were heavily revised. Changes were made to sections 2.2.2.1, 2.5.1.1 and 2.6.3.9. With the dissolution of the Faculty Council, Section 2.8 and Appendix A are rendered moot. "Faculty Council" has been replaced in various places by "Faculty Senate".

## **1. THE INSTITUTE AND ITS ADMINISTRATIVE ORGANIZATION**

### ***1.1 History and Development of the University***

In 1877 the New Jersey Centennial Commission noted that "our value as a state depends upon the development of skilled labor." At that time, the City of Newark had grown to be a significant manufacturing center, and a movement to found a technical school was initiated by the Newark Board of Trade. On March 20, 1880, Assemblyman Wilkinson of Essex County introduced "An Act to Provide for the Establishment of Schools of Industrial Education." The bill signaling the birth of what would evolve into New Jersey Institute of Technology was passed in 1881. Pursuant to the act, the New Jersey Legislature appropriated \$5,000 per year for the upkeep of a technical school in any locality, provided that community residents would raise a similar amount by subscription or contributions.

The citizens of Newark raised their share, and the Board of the Newark Technical School (NTS) first met on July 1, 1884. The members decided to establish an evening school which would be tuition free for city residents. The initial curriculum consisted of algebra, geometry, trigonometry, drawing, chemistry, and physics. A building was rented at 21 West Bank Street in Newark, and the first class was held on February 8, 1885.

Dr. Charles Adams Colton was appointed Director of the School. Ninety students, ranging in age from 15 to 42, were selected for the first class. They were machinists, bookkeepers, clerks, draftsmen, carpenters, printers, electricians, plumbers, jewelers, harness makers, tinsmiths, and dyers. Colton's enthusiasm and diligence did much to advance the School. He frequently visited the businesses where students were employed to gain a sense of their needs and levels of accomplishment, and was known to aid students financially when the need arose. Classes were held five evenings a week and most of the students worked in industry during the day.

In 1890, a campaign was launched to fund a permanent building for the school. A plot on the corner of High Street and Summit Place was purchased and, following years of effort and a generous gift from the City, the cornerstone was laid in 1896. On January 4, 1897, classes began in the completed three-story brownstone building. That same year, the Board agreed to allow women and residents of other towns to register. Margaret Bryce, a schoolteacher from Passaic, was the first woman to enroll. For the first time, day classes were offered.

Dr. Colton considered a regular college program as early as 1913, and an engineering program was proposed to the Board of Directors in 1916. In 1918, Dr. Colton announced his decision to retire.

Dr. Daniel Russel Hodgdon, head of the Science Department of the Newark State Normal School, was selected as Colton's successor. Under Dr. Hodgdon's leadership, the School received state approval to offer college-level courses and became known as the Newark College of Technology. The curriculum included a four-year day program leading to Bachelor of Science degrees in chemical, electrical, and mechanical engineering. Approval for these programs was granted by the state on January 7, 1919.

Dr. Alan R. Cullimore, Dean of Engineering at the University of Delaware, was appointed Director of the School and head of the College in 1920. There was evidence that an increasing number of men and women engaged in industry during the day needed to further their education beyond the technical level, and so in the mid-1920s the College instituted an evening program leading to the Bachelor of Science degree. The evening division has continued to grow to serve an important role in the professional advancement of men and women in New Jersey industry and government.

During this time, the cooperative education plan was also put into effect, not only to provide additional funds for students but also to make available practical on-the-job education. Under this plan, students worked in industry during the summers of their first two years and then alternated work and school.

The institution's name was changed to the College of Engineering of the Newark Technical School in 1920, and then to Newark College of Engineering (NCE) in 1930. The focus of activities gradually shifted to the College, and the number of strictly vocational courses was reduced. The courses of the Technical School, which co-existed with the College, began to parallel the first two years of the collegiate curriculum, and by 1926 those students completing the NTS associate engineering course (part-time for four years) were eligible to enter the college program at the junior level.

Dr. Cullimore guided the growth of the College through the Depression and the war years. When he retired in 1947, the institution was firmly established. He fostered a philosophy of education at NCE that stressed "the engineer's duty as a citizen." This philosophy asserted that the engineer, as a result of a specialized education in both rational and creative thought, bore a duty as a citizen perhaps greater than that of members of other professions. The mission of the College was to provide a sound engineering education at the lowest possible cost, consonant with quality, for the men and women attending its various divisions.

Physical expansion of the campus centered on the addition of new buildings: Campbell Hall, 1926; Colton Hall, 1930; and the Laboratory Building Annex, 1947. Eberhardt Hall (formerly the Newark Orphan Asylum) was acquired in 1948.

NCE further expanded with the establishment of graduate-level courses. In 1946, programs were initiated in the chemical, civil, electrical, and mechanical engineering departments leading to the degree of Master of Science.

After Dr. Cullimore's retirement, the Board of Trustees turned to an NCE graduate, Dr. Robert W. Van Houten, as the new president. Among the developments of the Van Houten years were the establishment of the Research Foundation the institution of annual science fairs, the expansion of the graduate school, initiation of the Engineering Opportunity Program, and the physical development of the Newark campus.

The Research Foundation was created in 1957 with the aid of a grant from Thomas M. Cole, President of Federal Pacific Electric Company. Throughout its history, the Foundation has served a dual role as an invaluable communications link between the university and the

corporate community, and as a development arm of the university to help fund research and instructional projects. The Engineering Opportunity Program, the Minority Engineering Scholars Program, the Center for Pre-College Programs, and many of the special research centers at NJIT came about through the creative dialogue and financial support encouraged by the Foundation.

If Dr. Cullimore's years had been devoted to establishing sure footings upon which the College could build, Dr. Van Houten's era was a time of adapting to change in order to prepare for new developments in educational theory and technology. During Dr. Van Houten's tenure, enrollment grew from just under 3,000 in 1947 to just over 6,000 in 1970, and physical size from four buildings on two acres of land to 12 buildings on a 20-acre campus when he retired.

In the 50s and 60s many new academic programs at the baccalaureate, master, and doctoral levels were added to respond to the changing needs of its students and society. The Engineering Opportunity Program for disadvantaged youths (now the Educational Opportunity Program), which had begun in 1968 with 20 students, increased significantly in the ensuing decades.

Another NCE graduate, William Hazell, succeeded Dr. Van Houten as president in 1970. Bachelor of Science programs in engineering technology, computer and information science, and industrial administration were added in 1972. The New Jersey School of Architecture was created in 1973. In 1975, recognizing the new organization and broadened mission of the College, the institution's name was changed to New Jersey Institute of Technology (NJIT). The Institute held to its historic commitment to undergraduate professional education in the 70s under the presidencies of Drs. Paul Newell and Charles Bergmann while furthering graduate programs and research. By that time, a broad range of undergraduate and graduate degrees was being offered, including architecture, engineering, computer science, management, and other science-oriented programs. Cooperative Education Programs were re-instituted in 1976.

In 1978, Dr. Saul K. Fenster became the sixth president of the university. NJIT underwent tremendous growth and diversification under the 24-year leadership of Dr. Fenster. Its enrollment grew to more than 8,300 students, with approximately 1,400 degrees awarded annually from the baccalaureate level through the Ph.D. in an array of engineering and technology disciplines, computer and information science, architecture, management, applied sciences, technical communications, and mathematics. New initiatives with the City of Newark and with nearby colleges and universities led to federated departments and to cooperative degree programs, especially with the Newark campus of Rutgers University and with the New Jersey University of Medicine and Dentistry.

Joining Newark College of Engineering and the New Jersey School of Architecture during Dr. Fenster's presidency were the College of Science and Liberal Arts (1982), the School of Management (1988), the Albert Dorman Honors College (1993) and the College of Computing Sciences (2001).

Dr. Fenster oversaw major changes in the physical campus as well as increased curricular offerings. A new library, the Gutenberg Information Technology building, the York Center for Environmental Engineering and Science, the Microelectronics Center, a remodeled School of Architecture, a refurbished Eberhardt Hall, Enterprise Development Centers, and a multi-level

parking deck all transformed the appearance of the campus. A cooperative effort with neighboring universities led to the development of Science Park, a series of buildings bordering the west side of the campus and dedicated in large part to research in medical technology. Perhaps the most striking change during Dr. Fenster's years as president was NJIT's evolution from a predominantly commuter school to one with 4 residence halls providing dormitory and apartment-style living accommodations for approximately 1,200 students, a development that significantly changed the culture of the campus. In partial recognition of his dedicated leadership of the university during this period of growth, the new administration building, completed in the last year of Dr. Fenster's tenure, was formally dedicated a few years later as Fenster Hall.

Faculty research grew exponentially during Dr. Fenster's presidency. The acquisition of the Big Bear Solar Observatory in California in 1997 represents just one of many examples of state-of-the-art research opportunities available to faculty and students.

After Saul Fenster's retirement in 2002, Dr. Robert Altenkirch was chosen as the new president of NJIT. Under his guidance, there has been a series of improvements in the physical appearance of the campus, most notably in the Campus Center and its surrounding areas. He has been overseen the transition of NJIT's athletic program to Division 1 status, enhancing the university's visibility. Working closely with the City of Newark, President Altenkirch has been instrumental in an ambitious plan to develop the neighborhoods adjoining the campus.

Continuing a fourfold mission of instruction, research, economic development and public service, NJIT is among the leading comprehensive technological universities in the nation. NJIT is today the largest technological university in the New York metropolitan region. With robust Extension and Distance Education programs, NJIT's degree and non-degree programs are available throughout the state and the world.

Today's emphasis on graduate studies and research builds upon the fine undergraduate programs that have distinguished the university since its earliest days. The growth of doctoral programs and the number of degrees awarded resulted in NJIT's reclassification to "Doctoral University II" in the Carnegie Classification system in 1994 and "Doctoral/Research University—Intensive" in 2000.

The NJIT Division of Continuing Professional Education (CPE) allows adult professionals to pursue advanced degrees, certificates, and advanced professional development courses (non-credit) in ways that emphasize convenience and flexibility. By offering a wide range of Distance Learning courses, CPE enables adults to meet work, family, and community responsibilities while continuing to acquire knowledge and develop professionally.

NJIT research initiatives focus on information technology, manufacturing systems, infrastructure, environmental engineering and science, microelectronics, solar physics, architecture and building science, management, and the applied life sciences. NJIT's research program has a strong applications orientation, in which investigators seek responsible solutions to society's problems.

Formal articulation and/or joint admissions agreements exist with most community colleges within New Jersey. Joint programs are offered with Rutgers University, Ramapo College, Stockton State College, Seton Hall University, and the University of Medicine and Dentistry of

New Jersey, as well as with the New York School of Dentistry and the SUNY-State College of Optometry.

The university's 45,000 alumni are employed in almost every state of the nation, many with major corporations. Approximately 20,000 alumni are employed in New Jersey.

## **1.2 Administrative Organization**

### **1.2.1 Board of Trustees**

The NJIT Act of 1995 (Chapter 400 Laws of N.J. 1995; approved January 10, 1996) declares that “the exercise by the university of the powers conferred by this Act shall be deemed to be public and essential government functions necessary for the welfare of the State and the people of New Jersey.”

The Board of Trustees is the governing board of the university and consists of the Governor (or the Governor’s designee) and the Mayor of Newark as *ex officio* non-voting members, in addition to a maximum of 15 citizens of the State, appointed by the Governor with the advice and consent of the Senate.

Regular meetings of the Board are held throughout the year and are open to the public. A schedule of meetings is mailed annually to the *Star Ledger*, the *Passaic Herald News*, the *Vector*, and the City Clerk of Newark. The schedule may also be obtained from the Office of the President of NJIT.

### **1.2.2 Administrative Officers**

The President is the chief executive officer of the university. Appointed by and subject to the authority of the university's Board of Trustees, the President has primary responsibility for all educational and administrative functions of the university, including appointing all faculty committees reporting directly to the President, providing formal communication between the Board of Trustees and the faculty and instructing staff of the university, and presiding at all formally recognized executive forums enabled by the university.

The Provost is the chief academic officer of the university. The Provost reports directly to the President and is Acting President when the President is absent.

The Deans are the chief academic officers of their respective Colleges or Schools. Deans report directly to the Provost. Departments are headed by chairpersons who report directly to the dean of that college. Chairpersons are responsible for the effective operation of their Departments in accordance with Departmental bylaws, collective bargaining agreement policy where applicable, and university policy.

The committee structure at NJIT is an important source of faculty and staff input. The President and the Provost will appoint faculty committees to consider the many complex issues involved in the growth and development of a technological university. Early in the Fall Semester of each academic year, the Provost will distribute to each member of the faculty a current list of university committees and their members.

### ***1. 3 Federated Departments/Units***

Upon the recommendation of the faculty, and with the approval of the administration, an academic Department or other faculty unit, such as a division within a Department, may federate with an academic Department or faculty unit of another university (e.g. Rutgers-Newark). Federation is intended to offer an expanded program, provide better services to students and faculty, and improve overall service. The resulting "Federated Department" exists as a full-fledged academic Department/Unit at both universities.

## **2. POLICIES AND PROCEDURES REGARDING FACULTY AND INSTRUCTIONAL STAFF**

### ***2.1 General Statements on Faculty***

#### **2.1.1 Maintenance of Academic Standards**

The role of the Faculty is integral to shared university governance. It is the Faculty's responsibility to oversee and maintain appropriate academic curricular standards. In cooperation with the university administration, the Faculty assures stakeholders that students are held to standards commensurate with the degrees they pursue. Working within the structure of degree programs, Faculty members maintain, and periodically adjust, requirements and standards for degrees.

#### **2.1.2 Expectations for Instruction, Scholarly Research, and Service**

Effective instruction, scholarly research, and community service are the responsibility of the Faculty. To this end, Faculty members are expected to perform appropriate instruction by helping students understand current practice within their disciplines. As members of the larger academic community, Faculty members are expected to contribute through research and scholarly activities to the advancement of their disciplines. Faculty members are also expected to participate in varied service activities which strengthen the university.

To ensure that the activities of Faculty are known and recognized, Faculty members are required to file annual reports. University administration is responsible for designing the reporting process so that Faculty contributions are recognized.

#### **2.1.3 Faculty Rights**

In order for Faculty to fulfill the expectations that derive from their positions within the university, they should be provided with an environment conducive to teaching, scholarly research, and service. Faculty should expect to undertake a level of teaching, scholarly research, and service comparable to that of Faculty in benchmark universities.

Faculty members work within an environment of academic freedom, including freedom from external pressures to conform to restricted intellectual, pedagogical, or political orientations to their duties. Faculty should be able to participate in governance activities, such as membership in Faculty Senate and collective bargaining through the Professional Staff Association, without hindrance.

Faculty members should have access to privileges traditionally associated with research universities. Such privileges include sabbatical leaves and leaves of absence, as well as support for grant applications, grant administration, and travel related to conferences and research activities.

### ***2.2 Membership in the Faculty and Definition of Faculty Ranks***

#### **2.2.1 Membership**

The Faculty consists of all full-time positions with the tenure-track ranks of Assistant Professor, Associate Professor, Professor, and Distinguished Professor. As presiding university officer, the President is a member of the Faculty. Administrators designated by the President may also be members of the Faculty. Only members of the Faculty have the privilege to vote in Faculty meetings.



## **2.2.2 Tenure-Track Faculty Ranks**

### 2.2.2.1 Assistant Professor

This position is intended primarily for individuals near the start of their academic careers, who are expected to make substantial contributions to the university in teaching, scholarly research, and service. Assistant Professors serve a period of time, not to exceed seven years, while being considered for promotion and tenure. An Assistant Professor may be recommended for promotion before becoming eligible for tenure. A recommendation for tenure of an Assistant Professor must be accompanied by a recommendation for promotion to Associate Professor.

### 2.2.2.2 Associate Professor

This position is intended for individuals who have established a record of excellence in teaching, scholarly research, and service. An individual may be appointed as an untenured Associate Professor with a tenure eligibility date specified or as a tenured Associate Professor. An Associate Professor may be recommended for promotion in any year subsequent to initial appointment.

### 2.2.2.3 Professor

This position is intended for individuals who have built a sustained record of excellence in teaching, scholarly research, and service, and whose accomplishments are nationally recognized in their field(s) of expertise.

### 2.2.2.4 Distinguished Professor

This position is intended for individuals whose accomplishments significantly exceed those of Professors, and include a sustained record of nationally and internationally recognized preeminence in their field(s) of expertise.

Note: The term “scholarly research” may be taken to include alternative demonstrations of individual achievement in disciplines and sub-disciplines in which different standards prevail, such as the production of a body of original, creative, and professionally recognized work by Faculty with fields of expertise in architecture, theater, creative writing, and the arts.

## **2.2.3 Sponsored/Endowed Chairs**

These externally-funded positions are intended for individuals with notable records and expertise in a specific field of academic research. The holder of a sponsored chair may or may not be tenured at the university.

## **2.2.4 Professors Emeriti**

Faculty members who have served the university for an extended period of time may be granted the honorary title of Professor Emeritus (or Professor Emerita) upon retirement. Recommendations for awarding this title originate in the primary academic Department of the retiree and are sent to the appropriate Dean and then to the Provost for consideration. The title itself is conferred by action of the Board of Trustees upon recommendation of the President. Professors Emeriti do not have voting privileges.

## **2.2.5 Associate Faculty Members**

This designation is granted to all Faculty from other universities who are members of Federated Departments, as defined in section 2.4.3. Associate Faculty Members have the right to attend NJIT Faculty meetings with voice, but not vote. However, Faculty from other universities who serve as Chairpersons of Federated Departments are full voting members of the NJIT Faculty for the duration of their terms as Chairpersons.

### **2.2.6. Graduate Faculty**

All NJIT Faculty members are members of the Graduate Faculty. For the rules governing admission of others to the Graduate Faculty, along with information about the privileges and responsibilities of Graduate Faculty membership, see the Guidelines for Graduate Faculty at NJIT on the Provost's website. The Guidelines for Graduate Faculty at NJIT may be amended by the Faculty Senate with the approval of the Provost.

## **2.3 Staff**

### **2.3.1 General Statements on Instructional Staff**

The Instructional Staff consists of members of the university community who hold non-tenure track positions, including University Lecturers, Visiting Professors, Research Professors, Research Associates, Post-Doctoral Fellows, Adjunct Instructors, and Affiliated Faculty Members. The extent of their role in departmental governance is determined by the bylaws of the administrative unit of appointment. Members of the Instructional staff do not have voting privileges in Faculty meetings.

### **2.3.2 Instructional Staff Positions**

*Professor of Practice.* This full-time or part-time non-tenure-track position is intended for accomplished professionals who possess state-of-the-art expertise in contemporary practice in fields such as business, industry, government, the arts and the professions. Appointments are made for one semester or one year in accordance with the policies and procedures of the hiring administrative unit, and may be extended for up to three years based on an annual review by the academic unit.

*University Lecturer.* This full-time, non-tenure-track position is designed to support the instructional role of the Faculty and to provide a degree of flexibility allowing the university to achieve its goals. Intended primarily as a teaching position, the position of University Lecturer can be used to fill an administrative position in special circumstances. Both evaluation and consideration for advancement are managed by the administrative unit of appointment.

*Senior University Lecturer.* This full-time non-tenure-track position is reserved for University Lecturers whose record of sustained instructional excellence warrants advancement to a senior rank. Both evaluation and consideration for advancement are managed by the administrative unit of appointment.

*Visiting Professor (including Visiting Assistant Professor, Visiting Associate Professor, Visiting Professor, and Visiting Distinguished Professor).* These full-time positions are temporary appointments, normally designed for individuals who hold academic appointments at other universities or research centers. Appointments are managed by the host administrative unit.

*Research Professor/Research Associate (including Distinguished Research Professor, Research Professor, Research Associate Professor, Research Assistant Professor, Senior Research Associate, Research Associate, Research Assistant, Post-Doctoral Fellow).* These full-time positions support the research role of the Faculty. Both evaluation and consideration for advancement are managed by the

administrative unit of appointment.

*Adjunct Instructor.* Adjuncts are hired on a term-by-term, part-time basis to fill specific teaching needs. Both evaluation and consideration for advancement are managed by the administrative unit of appointment.

*Affiliated Faculty Member.* This honorific designation is reserved for individuals who are not NJIT employees and are not paid for their services by NJIT, but rather participate voluntarily in Faculty-directed activities involving research or instruction, such as serving on thesis and dissertation committees, mentoring students, participating in curriculum review and strategic planning activities, and assisting with international programs. Affiliated Faculty Members are appointed to three-year, renewable terms on the recommendation of the Chairperson of an academic Department or the Director of a degree program, subject to the approval of the appropriate School or College Dean and the Provost. At the discretion of the university, Affiliated Faculty Members may appear on Department or program websites, may identify themselves as Affiliated Faculty Members outside NJIT, and may be granted access to specific resources at NJIT, such as library privileges and guest parking privileges when they are on campus for relevant activities.

## **2.4 Academic Units**

As a research university, NJIT is structured into traditional academic units: Colleges (or Schools) and Departments. There are six Colleges, five of which are the locus of regular Faculty appointments. Each College is led by a Dean, reporting to the Provost. Newark College of Engineering (NCE), the College of Science and Liberal Arts (CSLA), and the College of Computing Sciences (CCS) contain a number of academic Departments, each headed by a Department Chairperson. The College of Architecture and Design (CoAD) consists of NJ School of Architecture and the School of Art and Design. The School of Management (SoM) consists of a single Faculty unit. The Albert Dorman Honors College (ADHC) is designed to meet the needs of Honors students. Though it is led by a Dean, there are no Faculty appointments within ADHC.

### **2.4.1 Policy on Change of Department Affiliation**

Non-tenured and tenure-track Faculty members may request to change their Department affiliation. To be implemented, this request must be approved by the Promotion and

Tenure Committee of the receiving Department, by the Dean of the College as well as the Dean of the receiving College if the change involves two Colleges, and the Provost. In the case of non-tenured Faculty, this request must be made before the time of tenure eligibility.

In the case of tenured Faculty, the request for a change of departmental affiliation must be approved by the Promotion and Tenure Committee of the receiving Department, by the appropriate Dean(s) and by the Provost.

### **2.4.2 Joint Appointments**

In most cases Faculty appointments are made to a specific Department within a specific College, with promotion and tenure being considered exclusively within that single unit. However, in pursuit of multidisciplinary activities, either in teaching, scholarly research, or both, a Faculty member may seek a joint appointment in more than one academic unit. Unless unusual circumstances indicate otherwise, the request for a joint appointment should be honored.

#### 2.4.2.1 Policies and Procedures on Joint Appointments

General procedures: The request for a joint appointment is initiated by the Faculty member and should be addressed to the Chairperson of each academic unit involved. To be implemented, the request must be supported by both Chairpersons, by both Promotion and Tenure Committees, by the Dean of the College (both Deans, if more than one College is involved), and by the Provost.

Specific implications of joint appointments:

- Each joint appointment involves a primary and secondary status. The primary Department is responsible for evaluation for sabbatical leave, performance-based salary increases, and promotion and tenure. The secondary Department is expected to contribute to these processes through recommendations to the primary Department.
- Teaching assignments and research programs are negotiated between the Faculty member and the Chairpersons of both Departments. A Faculty member is expected to serve on committees within the primary Department, but not in the secondary Department unless the Faculty member asks to serve on a particular committee. Joint appointees are expected to attend Department meetings of the primary Department and should be invited to meetings of the secondary Department.
- Continuation of a joint appointment is by common agreement of all the parties involved. When conflicts arise which cannot be resolved within the Departments, the appropriate Dean(s) and the Provost will make a final determination.
- A Faculty member may also request a joint appointment with a Research Center or with an interdisciplinary program. In such cases the Chairperson of the primary Department consults with the Director of the Center or program to determine the responsibilities of the Faculty member and solicits input regarding promotion and tenure and performance-based salary increases.
- Where a Federated Department or program has been created between NJIT and another university, the Faculty members retain full membership in their Departments at the primary University. Recommendations regarding promotion and tenure and performance-based salary increases are made through the Promotion and Tenure process at the home University, with input from the other University. Teaching assignments, committee activity, scholarly research, leaves, support for publication and for travel to conferences are all based in the Department of the primary University.
- A request for a joint appointment with a Department or Program at another College not Federated with NJIT will be reviewed and negotiated on an individual basis.

#### **2.4.3 Federated Departments**

Upon the recommendation of the Faculty, and with the approval of the administration, an academic Department or other Faculty unit, such as a division within a Department, may

federate with an academic Department or Faculty unit of another university (e.g., Rutgers-Newark) in order to offer an expanded program, provide better services to students and Faculty, and improve overall service. The resulting "Federated Department" exists as a full-fledged academic Department at both universities.

#### 2.4.3.1 Formation and Dissolution of Federated Departments with Rutgers-Newark

- Definition: The appellation "Federated Department" recognizes that each such Department has been created out of two separate Departments or Faculty units, one at NJIT and one at Rutgers-Newark.
- Procedure for Forming Federated Departments: Whenever a majority of the Faculty in an academic Department or Faculty unit at NJIT and a majority of the Faculty in an academic Department or Faculty unit at Rutgers-Newark each vote to establish a Federated Department with each other, a proposal to federate will be brought to the Committee on Academic Affairs and, upon approval, to a meeting of the NJIT Faculty. The recommended federation will be presented to the administrations of both universities for final approval.
- Procedure for Dissolving Federated Departments: Federated Departments will review the issue of federation every three years. If, during a review, either a majority of the members of any one unit comprising a Federated Department, or a two-thirds majority of the full membership of a Federated Department, vote in favor of dissolution, the administrations of NJIT and Rutgers-Newark will meet to discuss the merits of, and steps to dissolve, the federation as quickly as feasible. Further, NJIT and Rutgers-Newark retain their independent managerial right to dissolve a Federated Department.

#### 2.4.3.2 Promotion and Tenure Procedures for Federated Departments with Rutgers-Newark

- The Committee Chairperson: The Chairperson of each Federated Department shall be the Chairperson of that Department's Promotion and Tenure Committee at NJIT and Personnel Committee at Rutgers-Newark. However, a Chairperson from Rutgers-Newark shall not vote when NJIT Faculty members are under consideration, just as a Chairperson from NJIT shall not vote when Rutgers Faculty members are under consideration.
- Committee Composition and Procedures
  - NJIT Faculty: When NJIT Faculty members are under consideration by a Federated Department, the membership, duties, and procedures of the Federated Department's Promotion and Tenure Committee shall be in accordance with section 2.6.5.2, using the criteria in sections 2.2.2 and 2.6. In addition to the P&T Committee, tenured Rutgers Faculty in the Federated Department who are of equal or higher rank than that proposed for a candidate for appointment, reappointment, or promotion shall be non-voting participants in the promotion and tenure process. Their evaluation of the candidate will be recorded in the form of a memorandum that will accompany the Committee's formal recommendation.
  - Rutgers-Newark Faculty: When Rutgers-Newark Faculty members are under consideration by a Federated Department, the membership, duties,

and procedures of the Federated Department's Personnel Committee (i.e., P&T Committee) shall be in accordance with Section V of the Faculty Bylaws of Rutgers-Newark. Tenured NJIT Faculty in the Federated Department who are of equal or higher rank than that proposed for a candidate for appointment, reappointment, or promotion shall be non-voting participants in the personnel process; their evaluation of the candidate will be recorded in the form of a memorandum that will accompany the Committee's formal recommendation.

- Determination of Promotion and Tenure/Personnel Committee and Procedures
  - Faculty members who are tenure-track at the inception of the Federated Department shall have the choice at the beginning of tenure evaluation of being evaluated only by Faculty members who would have evaluated them if federation had not occurred, with or without vote as set forth above. If the Faculty member chooses the latter method and the Chairperson of the Federated Department is not a tenured member of his or her home institution, the Dean of the College in which the federated Faculty member was appointed shall select one of the tenured members of the home institution to act as Chairperson of the P&T Committee.
  - With regard to all other members of a Federated Department, including tenure-track Faculty hired after the inception of a Federated Department, the P&T Committee and procedures of the Federated Department shall be in effect.

#### 2.4.3.3 Federated Department Bylaws

- Creation of Federated Department Bylaws: Each Federated Department shall devise Department bylaws, which may not contradict the NJIT Faculty Handbook, the corresponding document at the other academic institution, or the applicable collective bargaining agreements of either university.
- Approval of Federated Department Bylaws: The bylaws of a Federated Department will be considered to be in effect when they have fulfilled the stipulations in Section [insert section #] and the equivalent regulations for approval of Department bylaws at the other university.

#### 2.4.3.4 Status of Federated Departments and Their Faculties

- Faculty Status in the Event of Dissolution: Should a Federated Department be dissolved, NJIT Faculty shall retain full Faculty status in the NJIT Department out of which the Federated Department was formed, or in another appropriate Department as determined by NJIT.
- Policies: All NJIT policies applicable to Faculty, including collective bargaining agreements, will be fully retained for NJIT Faculty in Federated Departments.

## **2.5 Appointments of Faculty, Department Chairpersons, & Administrators**

### **2.5.1 Faculty Appointments**

#### 2.5.1.1 Search Process

When a Faculty position becomes available in a Department, the Department Chairperson oversees the hiring process, which includes establishing an appropriately diverse Department search committee; searching for candidates; screening applicants; inviting promising candidates to the campus for presentations and meetings with appropriate members of the Department, Faculty outside the Department, and the administration (normally including the Dean); obtaining external references; soliciting opinions from members of the Department and others; and convening the Department P&T Committee to determine appropriate Faculty rank and tenure status of finalists, as well as to make the final decision about which candidate(s) to recommend for appointment. (Department Bylaws may specify the roles of the Chairperson and other Faculty in the Department in this process.) At the end of the process, the Department sends the Dean a recommendation, along with a ranked list of other acceptable candidates from the search. After the Dean has conferred with the Department Chairperson and approved one or more candidates for hire, a recommendation is sent to the Provost.

#### 2.5.1.2 Appointment Letter

An offer of a Faculty position becomes official only when an appointment letter is sent to a candidate from the Provost. The appointment letter contains important details on the offer, including Faculty rank, tenure status (see section 2.5.1.3), departmental affiliation(s), salary, and additional resources that may be made available to the candidate upon hire. In the event that—after a reasonable and specified period of time, during which the terms in the appointment letter may be renegotiated to the mutual agreement of both parties—a candidate declines to accept an offer, or does not reply within a specified period of time, the Provost may send a new appointment letter to the next candidate in the ranked list approved by the Department and the Dean—and so on until a candidate accepts an offer by signing the original or a revised appointment letter from the Provost and returning it to NJIT.

#### 2.5.1.3 Tenure Status upon Appointment

When a new Faculty member is hired without tenure, the appointment letter from the Provost specifies the year in which the new Faculty member becomes eligible for tenure. A new Faculty member hired at the rank of Associate Professor or Professor may be appointed with tenure with the approval of the Department P&T Committee, the Dean, and the Provost. In such cases, the appointment letter from the Provost specifies that the appointment is being offered with tenure, although (as in all cases) the award of tenure is ultimately made by the Board of Trustees upon the recommendation of the President.

#### 2.5.1.4 Appointment at the Rank of Distinguished Professor

Appointment at the rank of Distinguished Professor requires the approval of the Distinguished Professors Committee (see section 2.6.4.4).

### **2.5.2 Selection and Appointment of Department Chairpersons**

#### 2.5.2.1 Principle of Chair Selection

Department Chairpersons are nominated by their Departments and appointed by the Dean of the College, with the approval of the Provost.

### 2.5.2.2 Term of Department Chairpersons

The term of a Department Chairperson is three years and may be renewed through the procedures described in 2.5.2.5.1.4.

### 2.5.2.3 Eligibility to Serve as Department Chairperson

All tenured Faculty in a Department at or above the rank of Associate Professor are eligible to serve as Department Chairperson.

### 2.5.2.4 Eligibility to Participate in the Chair Selection Process

All faculty (as defined in Section 2.2.1) in a Department are eligible to vote, exclusive of Department Faculty who hold administrative appointments at the level of Associate Dean or above. Faculty with joint appointments are only able to vote in the Chair Selection Process in his/her primary Department.

## 2.5.2.5 Procedures for Selecting a Department Chairperson

### 2.5.2.5.1 Standard Procedure

The Standard Procedure is used unless the Alternative Procedure (as outlined in Section 2.5.2.5.2) has been authorized by the Dean of the College, in consultation with the Department.

#### *2.5.2.5.1.1 Preparation of the List of Eligible Candidates*

When the position of Department Chairperson is about to become vacant—either because the term of the current Chairperson is expiring or because the current Chairperson is unable to complete his/her term—the Dean of the College notifies the Provost, who selects an Elections Coordinator (EC) to oversee the process.

The EC circulates to all eligible voting Faculty in the Department a list of all Faculty who are eligible to serve as Department Chairperson. No later than ten business days from the date of this distribution, eligible Faculty members who wish to be candidates for Department Chairperson must notify the EC in writing of their intention.

If a Department wishes to select its Chairpersons by means of rotation, this objective can be achieved by consensus among eligible candidates at this stage in the process (i.e., if all eligible faculty members remove their names from the list of candidates except the person whose turn it is to serve as Department Chairperson, and the ordered list of successors is approved at a faculty meeting by a process described in departmental by-laws).

#### *2.5.2.5.1.2 Selection of the Nominee by the Department*

Within two weeks of notification by the Dean, the EC distributes the final list of candidates to all Faculty in the Department who are eligible to vote. The EC supervises a general election by secret ballot.

The candidate who receives a majority of the eligible votes is declared the Department's nominee for Chairperson, and the EC forwards his/her name to the Dean of the College for approval. If the voting ends in a tie, both names are submitted to the Dean



who makes the final decision between the two candidates. If, in the case of three or more candidates, no candidate wins a majority of the eligible votes, the EC promptly conducts a run-off election between the two candidates with the highest number of eligible votes.

#### *2.5.2.5.1.3 Appointment by the Dean*

The Dean receives the nominee(s) of the Department and, with the approval of the Provost, appoints the new nominee as the Chairperson or, in the case of a tie, one of the two nominees. If the Dean chooses not to appoint the department's nominee, the case is remanded to the Provost. If the Provost cannot bring about resolution, the Provost and the Dean determine whether the Department should hold a new election for an internal Chairperson according to the Standard Procedure (Sect. 2.5.2.5.1) or conduct a search for an internal or external Chairperson according to the Alternative Procedure (sect. 2.5.2.5.2). An Interim Chairperson may be appointed if necessary (Sect. 2.5.2.6).

#### *2.5.2.5.1.4 Reelection of a Current Department Chairperson*

Within two months of the expiration of his/her term, a Department Chairperson who seeks reappointment conveys this intention to the Dean, who, if in favor of reappointment, notifies the Provost and an EC is selected. The EC circulates a ballot to all eligible voting faculty in the Department. Reelection to a second term requires a 50% majority, while reelection to a third or subsequent consecutive term requires a 2/3 majority of the voting members in the Department. If the current Department Chairperson achieves this result, the EC forwards his/her name to the Dean for approval. If the current Department Chairperson is not reappointed, either by failing to secure the required majority of the voting members in the Department or because reappointment is not made by the Dean, a general election is conducted in accordance with the procedures outlined in 2.5.2.5.1.1-2.5.2.5.1.3. The current Department Chairperson is not eligible to stand in the general election.

#### *2.5.2.5.1.5 Departmental Failure to Nominate a Candidate*

If a Department fails to nominate a candidate through the procedures outlined in Sections 2.5.2.5.1.1-2.5.2.5.1.4, the Dean appoints a Chairperson, with the approval of the Provost.

#### 2.5.2.5.2 Alternative Procedure

The Alternative Procedure is only used when the Dean, in consultation with the Department, has authorized a search for a new Department Chairperson. In such searches, both internal and external candidates are eligible to apply. Except where noted below, such searches follow the guidelines for faculty searches set down in Section 2.5.1.

##### *2.5.2.5.2.1 Formation of a Search Committee*

The Department elects a Search Committee, normally consisting

of five faculty members. Faculty from other Departments and representatives from other stakeholder groups may be included in the Search Committee, but the Search Committee should include at least one faculty member from the Department at the ranks of Assistant Professor, Associate Professor, and Professor/Distinguished Professor unless the small size of the Department precludes doing so. The Dean makes up to two additional appointments to the committee.

#### *2.5.2.5.2.2 The Search Process*

##### *2.5.2.5.2.2.1 Identification of Candidates*

The Dean of the College charges the Search Committee and provides a budget for advertising and for bringing finalist candidates to the campus. Finalist candidates meet with the Search Committee; the current Department Chairperson or Interim Chairperson; the Department Promotion and Tenure Committee (DPTC); directors and coordinators of the Department's programs; other Department Faculty; the Dean of the College; and, if possible, the Provost.

##### *2.5.2.5.2.2.2 Recommendation of Candidates*

After the finalist candidates have visited the campus, the Search Committee must ascertain from the DPTC that candidates from outside the university qualify to be recommended for tenure upon appointment at the rank of Associate Professor or above. The Search Committee then makes its recommendations to the dean, who convenes a Department meeting. The Department receives the Search Committee's recommendation(s) and, after thorough consideration, determines the acceptable candidate(s) for the appointment. If any of the recommended candidates are from outside the University, the DPTC also sends the Dean a recommendation to make a hire at the appropriate faculty rank (Associate Professor or higher), with tenure, in accordance with section 2.5.1.3.

##### *2.5.2.5.2.2.3 Appointment of the Chairperson*

With the approval of the Provost, the Dean of the College selects the successful candidate from the Department's list of nominees. If the successful candidate is already a member of the Faculty of NJIT, the Provost issues an appointment letter to the Chair position. If the successful candidate is from outside NJIT, the Provost issues an appointment letter both to the Faculty and to the Chair position. An appointment to the Faculty is made under the same terms as other Faculty appointments (see Section 2.5.1). Appointment to the Chair position includes the condition of appointment to a three-year, renewable term as Department Chairperson.

#### 2.5.2.6 Acting and Interim Department Chairpersons

When the position of Department Chairperson becomes vacant, either for a fixed period of time (e.g., due to illness or a sabbatical leave) or indefinitely (e.g., due to resignation or long-term disability), the Dean of the College, in consultation with the Department, appoints an Acting or Interim Chairperson respectively. The Acting Chairperson serves until the Chairperson reassumes the post. The Interim Chairperson serves until appointment of a new Department Chairperson, but for no longer than one year. Both Interim and Acting Chairpersons perform all the duties of the office, including chairing the DPTC. If unforeseeable circumstances require the extension of an Interim Chairperson's term of office, the Dean, in consultation with the Department and with the approval of the Provost, may renew the appointment for up to one additional year from the date of original appointment as Interim Chairperson.

#### 2.5.2.7 Implementation

Each Department, in consultation with the Dean, will implement the provisions contained in Section 2.5.2 within three years of the date of its approval by the Board of Trustees.

### **2.5.3 Role of Faculty in Appointments of Senior Administrators**

In accordance with the objectives of shared governance, the following policies and procedures define the involvement of Faculty in the selection of academic and university-wide administrators.

#### 2.5.3.1 Selection of Academic Deans, Provost, Senior Vice President for Research and Development, President

##### 2.5.3.1.1 Selection of Academic Deans

###### *2.5.3.1.1.1 Constitution of the Dean Search Committee*

A Dean Search Committee, reporting to the Provost, is appointed by the Provost in consultation with Faculty Senate. The committee is normally appointed prior to the actual vacancy, but not later than three months after formal notification or creation of the vacancy.

The committee consists of at least seven voting members, chosen as follows: At least five Faculty members are selected by the Provost from a list of no fewer than ten nominations provided by Faculty Senate. The list should be broadly representative of the College or School, with nominees from all constituent units and all Faculty ranks. The Provost selects two additional voting members from the University, including at least one academic Dean. The Provost may also appoint additional non-voting members of the committee, including members of staff and students. The Chairperson of the Dean Search Committee is appointed by the Provost.

###### *2.5.3.1.1.2 The Search Procedure*

The search committee invites promising candidates to the campus to meet and discuss issues with the Provost and President, and with the College community as a whole. At least one session is devoted to meeting with the Faculty, whose input is solicited and considered. When the search committee has completed its work, it sends an unranked list of acceptable candidates to the Provost.

#### *2.5.3.1.1.3 Appointment by the Provost*

Before making the appointment, the Provost consults with the Department P&T Committee of the Department in which the nominee will be appointed, to determine the Faculty rank and tenure status of the appointment. The appointment must be made with tenure, at or above the rank of Professor. If appointment at the rank of Distinguished Professor is under consideration, the approval of the Distinguished Professors Committee must be obtained.

#### 2.5.3.1.2 Selection of the Provost

##### *2.5.3.1.2.1 Constitution of the Provost Search Committee*

The Provost Search Committee is appointed by the President in consultation with Faculty Senate, normally prior to the actual vacancy, but not later than three months after formal notification or creation of the vacancy. The President determines the size and constitution of the search committee, but it must include at least six voting members chosen by the President from a list of no fewer than twelve Faculty members formulated by Faculty Senate. The list of nominees must be broadly representative of the diverse University community and must include Faculty members from all ranks and from all Colleges and Schools. The President also selects three voting committee members from the University community, including at least one academic Dean. The President may also appoint additional non-voting members. The Chairperson of the search committee is appointed by the President.

##### *2.5.3.1.2.2 The Search Procedure*

The search committee invites promising candidates to the campus to meet and discuss issues with the President and with University community as a whole. At least one session is devoted to meeting with the Faculty, whose input is solicited and considered. When the search committee has completed its work, it sends an unranked list of acceptable candidates to the President.

##### *2.5.3.1.2.3 Appointment by the President*

Before making the appointment, the President consults with the Dean and the Department P&T Committee of the Department in which the nominee will be appointed, to determine the Faculty rank and tenure status of the appointment. The appointment must be made with tenure, at or above the rank of Professor. If appointment at the rank of Distinguished Professor is under consideration, the approval of the Distinguished Professors Committee must be obtained.

#### 2.5.3.1.3 Selection of Senior Vice President for Research and Development

##### *2.5.3.1.3.1 Constitution of the Senior Vice President for Research and Development Search Committee*

The Senior Vice President for Research and Development Search Committee is appointed by, and reports to, the President. The

search committee is normally appointed prior to the actual vacancy, but not later than three months after formal notification or creation of the vacancy. The Faculty component of the search committee is appointed by the President in consultation with Faculty Senate. Faculty Senate nominates no fewer than twelve research-active Faculty members, at least four of whom are Distinguished Professors. The list of nominees must be broadly representative of the diverse university research community and must include nominees from all Colleges and Schools. The President chooses no fewer than six of these nominees, at least two of them Distinguished Professors, to serve on the search committee. The Chairperson of the search committee is appointed by the President. The President also selects three voting members of the search committee from the University community, including at least one academic Dean. The President may also appoint additional non-voting members.

#### *2.5.3.1.3.2 The Search Procedure*

The search committee invites promising candidates to the campus to meet and discuss issues with the President and with the University community as a whole. At least one session is devoted to meeting with research-active Faculty, whose input is solicited and considered. When the search committee has completed its work, it sends an unranked list of acceptable candidates to the President.

#### *2.5.3.1.3.3 Appointment by the President*

Before making the appointment, the President consults with the Provost, the Dean, and the Department P&T Committee of the Department in which the nominee will be appointed to determine the Faculty rank and tenure status of the appointment. The appointment must be made with tenure, at or above the rank of Professor. If appointment at the rank of Distinguished Professor is under consideration, the approval of the Distinguished Professors Committee must be obtained.

### 2.5.3.1.4 Selection of the President of the University

#### *2.5.3.1.4.1 Constitution of the President Search Committee*

The President Search Committee is appointed by the Board of Trustees and includes representatives from Faculty, administration, alumni, students, and the Board itself. The Faculty members on the search committee are appointed from a list of nominees submitted by Faculty Senate. This list should be broadly representative and include nominees from all Colleges and Schools.

#### *2.5.3.1.4.2 The Search Procedure*

The search committee invites promising candidates to the campus to meet and discuss issues with the Board of Trustees and with the University community as a whole. At least one session is devoted to meeting with the Faculty, whose input is solicited and considered. When the search committee has completed its work, it sends an unranked list of acceptable candidates to the Board of

Trustees.

#### *2.5.3.1.4.3 Appointment by the Board of Trustees*

Before making the appointment, the Board of Trustees consults with the Provost, the Dean, and the Department P&T Committee of the Department in which the nominee will be appointed, to determine the Faculty rank and tenure status of the appointment. The appointment of the President must be made with tenure, at or above the rank of Professor. If appointment at the rank of Distinguished Professor is under consideration, the approval of the Distinguished Professors Committee must be obtained.

#### 2.5.3.2 Selection of Other University-Wide Administrators

In the selection of all other vice Presidents and university-wide administrators, the President and Provost seek input and feedback from Faculty Senate and appropriate Faculty members.

#### 2.5.3.3 Interim and Acting Positions

##### 2.5.3.3.1 Interim Positions

Until a permanent replacement takes office, a vacant Provost, Dean, or Senior Vice President for Research and Development position shall be filled by an interim officer appointed by the President (in the cases of Provost and Senior Vice President for Research and Development positions) or Provost (in case of a Dean position). The President or Provost shall consider nominations as provided by the Faculty Senate and/or by members of the Faculty. Interim appointments are not normally made for more than one academic year. When an interim administrator is needed for a longer period, Faculty Senate should be consulted concerning such an extension.

##### 2.5.3.3.2 Acting Positions

Acting positions are short-term appointments made by the President or Provost, in consultation with Faculty Senate. Acting appointments are made when the permanent appointee expects to return following a period of temporary absence due to an emergency, temporary assignment of a permanent appointee to another assignment, or sabbatical or other leave. Acting appointees normally should not hold office for more than one year. An acting appointment may be extended only once and only if the process for appointment of a permanent or an interim administrator, as defined above, has been initiated.

## **2.6 Policies and Procedures Regarding Tenure and Promotion**

**2.6.1 General Principles Governing the Promotion and Tenure Process** The promotion and tenure process is governed by the principles of collegiality, professionalism, and integrity. Faculty under review have the right to be treated respectfully throughout the process, to be told clearly and regularly what is expected of them in order to obtain promotion and tenure, and to be judged fairly at each stage of review. Faculty have the responsibility to submit all necessary materials in a timely fashion, including annual summaries of scholarly research, service, and teaching activities and accomplishments, and more comprehensive dossiers or portfolios that document all achievements and contributions by the

Faculty member at the time of the Third Year Review, during the period of tenure eligibility, and whenever a Faculty member is under consideration for promotion.

## **2.6.2 Criteria and Grounds for Assessment**

### 2.6.2.1 General Considerations

To be considered for promotion to a higher rank, or for tenure, a Faculty member must meet the criteria stated in sections 2.2.2 and 2.6.2.2. Additional discipline- specific criteria for promotion and tenure will be determined by the Department P&T Committees, as described in section 2.6.5.2.4.1.

All evaluations and all recommendations to the Provost shall be made by the Department and University Committees on Promotion and Tenure (P&T Committees) and the Deans, in accordance with the current procedures adopted by the Faculty.

### 2.6.2.2 Teaching Effectiveness, Scholarly Research, and Service

#### 2.6.2.2.1 Teaching Effectiveness

As teaching is central to the purpose of the New Jersey Institute of Technology, its effective practice is an essential and primary criterion in the evaluation of the qualifications of every Faculty member.

The principal grounds for assessment include student evaluations; peer evaluations; development of new courses, curricula, and course materials; nominations and awards for teaching excellence; evidence of successful mentoring of students, as demonstrated by senior theses and projects, master's theses, doctoral dissertations, and other student academic accomplishments; and letters from former students that have been solicited by the Department Chairperson (see 2.6.2.3 below).

#### 2.6.2.2.2 Scholarly Research

As a research university, NJIT expects all Faculty to make substantial contributions to scholarly research\* in their fields of expertise.

The principal grounds for assessment include peer-reviewed books, articles, book chapters, and creative works; other publications and performances that are not peer-reviewed; citations and published reviews of a Faculty member's scholarly research; honors and awards that recognize a Faculty member's scholarly research; prestigious, competitive fellowships and grants; invited lectures; conference talks and posters; professional practice; and external peer review letters, solicited by the Department Chairperson, which testify to a Faculty member's accomplishments in scholarly research (see 2.6.2.3 below).

\* See the definition of "scholarly research" in the note appended to section 2.2.2.

#### 2.6.2.2.3 Service

In addition to teaching and research, all Faculty members are expected to make substantial contributions to their Departments and degree programs, their Colleges or Schools, and the university as a whole, as well as to their professional disciplines. Relevant service to the community is also valued.

The principal grounds for assessment include membership on Department, College/School, and university committees; achievements relating to establishing and running academic programs, including program administration and recruiting; contributions to NJIT student activities, such as career mentoring, athletics, and serving as advisor of a student society; participation in NJIT pre-College programs; professional service to one's discipline(s) (especially in a leadership capacity); including involvement with professional societies, service to scholarly journals, providing evaluations of manuscripts or applications for grant agencies (e.g., NSF, NIH, NEH) or publishers; professional consulting that contributes to the reputation of a Faculty member and NJIT; and public or community service, such as contributions to public agencies; and letters from Faculty, administrators, and/or former students, solicited by the Department Chairperson, which testify to a Faculty member's accomplishments in service (see 2.6.2.3 below).

### 2.6.2.3 Reference Letters

Two categories of reference letters are used in the promotion and tenure process: (1) external peer review letters, which mainly evaluate a Faculty member's contributions to scholarly research, and (2) additional reference letters, which mainly evaluate a Faculty member's contributions to teaching and service.

#### 2.6.2.3.1 External Peer Review Letters

Documentation of accomplishments in scholarly research requires reference letters from recognized experts in a Faculty member's field(s). Such letters should be solicited by the Chairperson of the Department P&T Committee in consultation with the members of the Department P&T Committee. Some of the peer reviewers should be chosen from a list submitted by the candidate, while others should be selected by the Department P&T Committee. None should be colleagues at NJIT. A Faculty member under review may request that certain potential reviewers not be chosen.

If the Department P&T Committee recommends a Faculty member for promotion and/or tenure, all peer review letters that have been received must be included with the materials that the Department transmits to the Dean (i.e., the Department P&T Committee may not include some reference letters and exclude others). The letters should be accompanied by information about the professional qualifications of each of the peer reviewers and by copies of all communications with them in regard to this matter. Peer reviewers should be assured that their letters are kept confidential, shown only to those directly involved in the P&T process (with exceptions only in response to lawfully executed and issued subpoenas), and not shown to the candidate. After the P&T process is complete, the letters are held in safe keeping by the Provost.

#### 2.6.2.3.2 Additional Reference Letters

The Department P&T Committee may solicit additional reference letters from among Faculty and administrators with whom a Faculty member has interacted closely, at NJIT or another institution. Such letters are mainly intended to testify to a Faculty member's contributions to institutional and professional service activities.

The Department P&T Committee may also solicit additional reference letters from a Faculty member's former students, in order to provide



evidence about a Faculty member's contributions to teaching and student-related service activities.

All additional reference letters must be solicited by the Chairperson of the Department P&T Committee, not by Faculty members under review. However, Faculty members under review may provide the Chairperson with the names and addresses of, and the nature of his/her interaction with, the individuals whom they would like the Chairperson to contact for this purpose. If a Department P&T Committee recommends a Faculty member for promotion and/or tenure, all additional reference letters solicited in this manner—along with copies of all communications in regard to them—must be included among the materials sent to the Dean (i.e., the Department P&T Committee may not include some reference letters and exclude others).

Additional reference letters from students must be kept confidential, and students should be assured that this is the case. Other additional reference letters may or may not be considered confidential, depending on Department policy and arrangements with the writer of each reference letter.

## **2.6.3 Tenure**

### 2.6.3.1 Tenure Policy

Academic tenure is granted to Faculty members who have demonstrated their fitness for permanent membership on the Faculty by means of a record of excellence in teaching, scholarly research, and service. Such Faculty are characterized not only by their past accomplishments but also by the promise of outstanding future achievement.

Although tenured Faculty members may serve as administrators, their tenure applies only to their Faculty position, not to their administrative position.

### 2.6.3.2 Awarding of Tenure

The Board of Trustees grants tenure on the recommendation of the President of the University. Although tenure may sometimes be granted at the time of appointment, to well-qualified Faculty who join the university at or above the rank of Associate Professor (see section 2.5.1.3), tenure is more commonly granted only after a series of rigorous reviews and evaluations by Department P&T Committees, Deans, the University Committee on Promotion and Tenure, and the Provost. Tenure becomes effective on the first day of the academic year following the granting of tenure by the Board of Trustees.

### 2.6.3.3 Tenure-Track Period (TTP)

The term TTP shall refer to the period during which the Faculty member holds a tenure-track appointment at NJIT prior to being tenured. During the TTP, the Faculty member is evaluated for tenure.

Appointment during the TTP shall normally be for a period of one year at a time and is subject to renewal. The TTP always begins at the start of the academic year in the fall. For persons hired at mid-year, the TTP will commence at the start of the following academic year.

Unless the TTP has been extended according to the procedures discussed below, the TTP shall not exceed seven years, which is the standard TTP for an Assistant

Professor. During the TTP, a decision must be reached to either award tenure or terminate appointment. In the latter case, a terminal-year appointment would be within the allowed TTP period.

#### 2.6.3.3.1 Shortened Tenure-Track Period

The TTP of untenured Faculty who are appointed with a prior record of teaching and research may be the standard seven years or a shorter period, but not less than four years. In such cases, the duration of the TTP is determined at the time of hire by mutual agreement of the Provost—acting on the recommendation of the hiring Department P&T Committee and the College Dean—and the candidate for a Faculty position.

#### 2.6.3.3.2 Extended Tenure-Track Period

In special circumstances, such as an event that severely impedes a Faculty member's ability to perform his/her professional duties for a period of time (including an illness to a Faculty member or a member of his/her family, or primary care given to a newborn or newly adopted child), the TTP may be extended by an authorized leave of absence. However, such an extension can occur only once during the TTP and can last no more than one year. Thus, the maximum duration of the TTP is eight years, during which time a decision must be reached to either award tenure or terminate the appointment.

In order to receive an extension of the TTP through an authorized leave of absence, a Faculty member must submit a written request to the Department P&T Committee in a timely fashion, explaining the reason(s) for the request in detail. The Department P&T Committee reviews the request and makes a recommendation to the Dean. The Dean forwards the Faculty member's request and the Department P&T Committee's recommendation, along with the Dean's own recommendation, to the Provost, who either authorizes or denies the extension.

If a request for an extension of the TTP is made during the Third Year Review, no extension will be granted unless the review results in reappointment. A request for an extension of the TTP cannot be made after the start of the period of tenure eligibility (see section 2.6.3.5).

Application for a leave of absence for personal reasons, or election to use the University's Active-Service Modified-Duties Policy to care for a newborn or newly adopted child (see section 2.14), does not obligate an untenured Faculty member to apply for an extension of the TTP, nor does it replace the requirement for a formal, written request, should the Faculty member desire a TTP extension.

#### 2.6.3.4 Tenure in Relation to Promotion during the Tenure-Track Period

Untenured Faculty members who hold the rank of Assistant Professor are also evaluated for promotion to Associate Professor (see sections 2.2.2.1–2) during the TTP. The award of tenure and promotion to the rank of Associate Professor normally occur simultaneously. In exceptional circumstances, an Assistant Professor may be promoted to Associate Professor prior to receiving tenure, but an Assistant Professor cannot receive tenure prior to being promoted to Associate Professor.

#### 2.6.3.5 Eligibility for Tenure

The period of eligibility for tenure refers to the specific year(s) within the TTP in which a Faculty member can be considered for, and granted, tenure.

#### 2.6.3.5.1 Faculty with a Standard (7-Year) Tenure-Track Period

##### *2.6.3.5.1.1 Tenure Consideration during the Fifth Year*

A Faculty member with a 7-year TTP will be first eligible for tenure consideration during the fifth year. If the Department P&T Committee decides not to recommend a Faculty member for tenure during the fifth year, no tenure recommendation shall be forwarded to the Dean at this time. In general, recommendation for tenure in the fifth year should be reserved for Faculty members who have exceptional credentials by this time. It should not be viewed as a trial period for consideration during the sixth year, and there should be no stigma attached to not being recommended for tenure in the fifth year.

##### *2.6.3.5.1.2 Tenure Consideration during the Sixth Year*

If a Faculty member has not been tenured in the fifth year or had his/her TTP extended according to the stipulations in section 2.6.3.3.2, the Department P&T Committee must forward a recommendation to the Dean in the sixth year, either for or against tenure. The sixth year is the last year of tenure eligibility.

##### *2.6.3.5.1.3 Right of Appeal and Terminal Year*

If a Faculty member in the sixth year of tenure eligibility has not been recommended for tenure by his/her Department P&T Committee, the Faculty member may seek reconsideration of the decision by the Department P&T Committee (see section 2.6.5.2.3.5), and then, if necessary, may appeal to the Dean (see section 2.6.5.2.3.6). If tenure is denied, a terminal one-year appointment shall be given for the subsequent year. That is, the last year of the TTP becomes the terminal year.

#### 2.6.3.5.2 Faculty with an Extended (8-year) Tenure-Track Period

In the case of a Faculty member whose TTP has been extended through the process stated in section 2.6.3.3.2 above, tenure consideration follows the same pattern as in section 2.6.3.5.1, except that the sixth year is the first year of tenure eligibility; the seventh year is the second year of tenure eligibility; and if tenure is not granted, the eighth year becomes the terminal year.

#### 2.6.3.5.3 Faculty with a Shortened (4–6 year) Tenure-Track Period

In the case of a Faculty member whose TTP has been shortened through the process stated in section 2.6.3.3.1, the first year of tenure eligibility will be the penultimate year of the TTP (e.g., if the TTP is four years, tenure eligibility occurs during the third year). A formal review for tenure must be conducted at this time, and the recommendation of the Department P&T Committee shall be forwarded to the Dean. If tenure is denied, a terminal one-year appointment shall be given for the subsequent year, subject to the right of appeal stated in section 2.6.5.2.3.6. That is, the last year of the TTP becomes the terminal year.

### 2.6.3.6 Evaluation of Untenured Faculty

#### 2.6.3.6.1 Annual Review

A review of the progress of untenured Faculty shall be made each year by the Department Chairperson, in consultation with the Department P&T Committee. The result of that review must be communicated to the Faculty member in writing. The Faculty member should be made aware of the Department P&T Committee's expectations for tenure and promotion, and every effort should be made to suggest strategies for helping the Faculty member to attain that goal.

#### 2.6.3.6.2 Third Year Review

During the third year of the TTP, the Department P&T Committee carries out an intensive, documented review of a Faculty member's progress toward tenure and promotion. The Third Year Review evaluates all aspects of a Faculty member's professional activities and accomplishments and is similar to a tenure review during the period of Tenure Eligibility, except that no reference letters are sought from outside or inside the university. The Faculty member under review shall be formally apprised of the results of the Third Year Review by the Department Chairperson, who sends the written review to the Dean of the College, who forwards it to the Provost.

If the Third Year Review establishes that satisfactory progress is being made, the review normally includes a recommendation to the Dean for retaining the Faculty member until the period of Tenure Eligibility. If the Third Year Review concludes that a Faculty member's progress is unsatisfactory, the Department P&T Committee may recommend to the Dean either to terminate the appointment or to re-appoint with conditions that must be met in order to continue the appointment until the period of Tenure Eligibility.

#### 2.6.3.6.3 Tenure Eligibility Review

During the period of tenure eligibility, the Department P&T Committee shall conduct an intensive documented review of a Faculty member's qualifications for tenure—including external peer review letters and additional reference letters—and shall make a recommendation to the Dean, in accordance with section 2.6.5.2.4.

### 2.6.3.7 Non-Reappointment and Appeal Prior to the Tenure Eligibility Period

#### 2.6.3.7.1 Non-Reappointment

Every untenured Faculty member shall be considered for reappointment by his or her Department P&T Committee on an annual basis. The Department recommendation is then submitted to the appropriate Dean, and by the Dean to the Provost. If the Department recommendation is for non-reappointment, due to a failure of the Faculty member to meet the Department's performance standards regarding teaching, scholarly research, and service, and if the Dean and Provost concur, the Faculty member shall receive a notice of terminal assignment consistent with the controlling collective bargaining agreement.

#### 2.6.3.7.2 Notification and Appeal

If a Department P&T Committee makes a preliminary decision to recommend an untenured Faculty member for non-reappointment, the

Department Chairperson must inform the affected Faculty member prior to taking any further action. At that time the Chairperson must also inform the Faculty member that he or she has the right to submit a written appeal. If, after considering an appeal, the Department P&T Committee votes to recommend non-reappointment, this recommendation is forwarded by the Chairperson to the Dean and then to the Provost in a file containing a written statement of the reasons for the recommendation and any appeal letter of the Faculty member. This file must be reviewed by both the Dean and the Provost before a terminal appointment letter is sent to the Faculty member.

#### 2.6.3.8 Staff Reduction

Should reduction in the full-time teaching staff become necessary, those holding tenure shall be given preference for continued employment over those not holding tenure and shall be retained as far as practicable according to seniority. In the event staff is rehired, tenured staff shall be rehired first, according to seniority. No individual reductions in base salary are to be made for persons on tenure unless fiscal exigencies warrant a salary decrease for all members of the staff, and then such reduction in salary shall be on an equitable basis.

#### 2.6.3.9 Removal Procedures

If conditions arise that, in the opinion of the President of the University, may warrant removal of a tenured Faculty member, the Faculty member has the option of bringing the case before the Executive Committee of the Faculty Senate. This committee shall report to the Faculty Senate at a Meeting in Closed Session to decide on a course of action. The Faculty Senate will then submit its final report to the Board of Trustees, which will make a final determination.

### **2.6.4 Promotion**

#### 2.6.4.1 Awarding of Promotion

All academic promotions are conferred by the Board of Trustees on the recommendation of the President, after a series of rigorous reviews and evaluations by Department P&T Committees, Deans, the University Committee on Promotion and Tenure, and the Provost.

#### 2.6.4.2 Promotion to Associate Professor

As stated in sections 2.2.2.1 and 2.6.3.4 above, the process of promotion from Assistant Professor to Associate Professor is normally identical to the process of earning tenure, although in exceptional circumstances a Faculty member may be promoted to Associate Professor before receiving tenure.

#### 2.6.4.3 Promotion to Professor

##### 2.6.4.3.1 Annual Review

Faculty at the rank of Associate Professor are eligible for consideration for promotion each year and shall be reviewed annually by their Department P&T Committees.

##### 2.6.4.3.2 Recommendation for Promotion to Professor

If, after a full, intensive, and documented review—including external peer review letters and additional reference letters—a Department P&T Committee determines that an Associate Professor meets the criteria for the rank of Professor (see section 2.2.2.3), it may make a recommendation for promotion to the Dean, in accordance with the procedures stated in section 2.6.5.2.4.

#### 2.6.4.4 Promotion to Distinguished Professor

Nominations for promotion to the rank of Distinguished Professor may be made directly to the Provost by any member of the Faculty or by a Department P&T Committee. The Provost transmits such nominations to the Distinguished Professors Committee, consisting of all Faculty members who hold the rank of Distinguished Professor except the Provost and the President. The Distinguished Professors Committee processes and reviews all such nominations and sends its recommendations to the Provost, who confers with the President. The President then makes recommendations for promotion to the Board of Trustees.

### **2.6.5 Promotion and Tenure Procedures**

#### 2.6.5.1 Guidelines and Notifications

Not later than September 15 each year, the Provost shall transmit to all Faculty and Instructional Staff, academic Departments, Colleges and Schools—as well as post in an accessible location—guidelines, including any changes in procedures that may have resulted from Faculty or Administrative action, the PSA Contract, or Affirmative Action, concerning:

- Promotion and Tenure
- Reappointment and termination or non-renewal of contract
- Third Year Review of tenure-track Faculty

These guidelines shall specify the procedures to be followed, and the deadlines to be met, in the preparation and submission of dossiers containing the credentials of each Faculty member under review, the solicitation of external reference letters, the formulation of discipline-specific criteria for promotion and tenure, the processes for reappointment and termination or non-renewal of contracts, and other relevant information. No material in support of recommendations for any category shall be due before October 15.

Also not later than September 15, the office of the Provost shall notify Faculty of the procedure and deadline for completing the Faculty Annual Report, documenting their research, service, and teaching activities and accomplishments for the previous academic year.

#### 2.6.5.2 The Department Promotion and Tenure (P&T) Committee, and the Role of the Deans

##### 2.6.5.2.1 Membership

###### *2.6.5.2.1.1 Composition*

###### *2.6.5.2.1.1.1 General Principle of Composition in All Academic Units*

The Department P&T Committee shall consist of all tenured Faculty with primary appointments in the Department. In a College or School without Departments, the College or School P&T Committee shall consist of all tenured Faculty with primary appointments in the College or School.

###### *2.6.5.2.1.1.2 Composite Department P&T Committee*

Each Department P&T Committee must have at least three members at or above the rank of Professor. If necessary, the Dean and the Department Chairperson shall jointly recommend to the Provost one (or if necessary, two or three) Faculty members at or above the rank of Professor from outside the Department to make up the requisite three members, normally serving three-year renewable terms. In the case of

Federated Departments, one of these individuals may be a colleague of appropriate rank in the Federated Department. All Composite Department P&T Committees must be approved by the Provost.

#### *2.6.5.2.1.2 Chairperson*

##### *2.6.5.2.1.2.1 Department Chairperson as Chairperson of the Department P&T Committee*

Unless subject to the exception noted in Sect. 2.6.5.2.1.2.2 below, the Department Chairperson, serves as the Chairperson of the Department P&T Committee and is involved in deliberations and voting on all matters, regardless of rank.

##### *2.6.5.2.1.2.2 Exception When the Department Chairperson Is an Associate Professor*

An Associate Professor who is serving as Department Chairperson and is himself/herself being considered for promotion or annual review must recuse himself/herself from all participation in his/her own case. In such instances, the Professors and Distinguished Professors shall elect among themselves an Acting Chairperson of the Department P&T Committee for this purpose only. The Acting Chairperson shall assume all duties and responsibilities relating to these cases, including communications, actions, and appeals, and his/her appointment shall end as soon as these cases have been resolved.

##### *2.6.5.2.1.2.3 Chairperson of a College or School P&T Committee*

The P&T Chairperson in a College or School without departments shall be a Professor or Distinguished Professor elected annually by the College or School P&T Committee. In such cases the Dean of the College or School does not participate in deliberations or voting in the P&T Committee on cases involving promotion and tenure. The P&T Committee may invite the Dean to make a presentation to the committee. The Chairperson of the P&T Committee reports to the Dean, who performs the same role in the promotion and tenure process as the Deans of the other colleges.

#### 2.6.5.2.2 Duties

The Department P&T Committee jointly makes all decisions regarding recommendations for Faculty hiring, evaluation, promotion, tenure, and termination or non-renewal of contract within the Department. Specifically the Department P&T Committee will

- Provide advice and concurrence to the Department P&T Committee Chairperson in the hiring of Faculty.
- Communicate through its Chairperson each case of termination or non-renewal of contract with the Dean of the College or School concerned before sending a recommendation to the Dean.
- Review the records, including Faculty Annual Reviews, of all Department members who are candidates for promotion and/or tenure, to determine who meets the requirements for promotion and/or tenure.
- Assist the Chairperson in evaluating each Faculty member who is not a member of the Department P&T Committee.
- Conduct a Third Year Review of each non-tenured Faculty member during his/her third year since hire.

- Make promotion and tenure recommendations to the Dean of the College or School, who sends them to the University Committee on P&T.

### 2.6.5.2.3 Procedures

#### *2.6.5.2.3.1 Compliance, Criteria and Confidentiality*

All decisions on promotion and tenure must be in compliance with Department and university goals. Affirmative action considerations shall be a component of these decisions. Each Department P&T Committee will determine criteria for promotion and tenure consistent with the discipline(s) represented in the Department and with the general university criteria specified in the Faculty Handbook, and those criteria will be transmitted with each candidate's dossier to the Dean, according to the guidelines distributed by the Provost (see 2.6.5.1). The Department P&T Committee must maintain adequate written records of its deliberations. In view of the sensitive nature of the proceedings of the Department P&T Committee, confidentiality shall be maintained by the members of the committee. All communications shall be made through the Department P&T Committee Chairperson. During the period of committee deliberations, it is deemed inappropriate for candidates to discuss their status except with the Department P&T Committee Chairperson or the full committee.

#### *2.6.5.2.3.2 Voting Procedure*

All members of a Department P&T Committee shall be eligible to deliberate and vote on all matters under consideration by the committee, with the following exceptions: (1) Tenured Associate Professors serving as Department Chairpersons are subject to the restriction in Section 2.6.5.2.1.2.2; (2) Tenured Associate Professors shall not participate in deliberations and voting on annual review of tenured Associate Professors and on cases involving promotion above their rank. After discussions of the qualifications of all candidates for promotion, tenure, reappointment and termination, the committee will vote on the candidates in accordance with the established criteria. Candidates for promotion and tenure receiving a majority will be recommended, with the numerical vote recorded. The vote of the Chairperson will be specified and included in any recommendation sent to the Dean. The individual votes of other members of the Department P&T Committee will not be identified.

#### *2.6.5.2.3.3 Submission of Recommendations*

Recommendations for tenure and for promotion to the ranks of Associate Professor or Professor are submitted to the Dean. In cases where more than one person is recommended for promotion or tenure, the Department P&T Committee shall give the order of preference in each category. Before any reports are submitted to the Dean, the Department P&T Committee Chairperson must notify each Faculty member being considered, in writing, of the Department P&T Committee's decision, and each Faculty member shall be given an opportunity to meet with the Department P&T Committee to review his or her case (see Section 2.6.5.2.3.5).

The Department P&T Committee Chairperson shall submit recommendations and supporting material to the Dean no later than the dates specified for the various categories by the Provost (Section 2.6.5.1). Any material submitted by the candidate



to the Department P&T Committee Chairperson after the dates specified by the Provost will be accepted, but with no assurance that it will affect the deliberations of the University Promotion and Tenure Committee. A minority report supported by at least one third of the Department P&T Committee may accompany any recommendation. All reports, both majority and minority, will be available to every member of the Department P&T Committee before submission to the Dean.

#### *2.6.5.2.3.4 Action by the Dean*

After receiving the supporting material from the Department Promotion and Tenure Committee, the Dean makes an evaluation in writing, which is included in the candidate's dossier. The Dean then submits the dossier to the University P&T Committee and sends a copy of his/her evaluation to the Chairperson of the candidate's Department P&T Committee, for distribution to the entire committee.

#### *2.6.5.2.3.5 Reconsideration of a Negative Recommendation*

A member of the Faculty who has held the rank of Assistant Professor or Associate Professor for at least five years and who has been eligible for consideration for promotion for at least two years, or who is in his/her last year of eligibility for consideration for tenure but has failed to receive a majority recommendation from his/her Department P&T Committee, may request and must be granted an opportunity to meet with the Department P&T Committee prior to the submission of its recommendations to the Dean. At this meeting, the Faculty member may present, orally and in writing, the reasons why he/she believes a recommendation for tenure, and/or promotion is warranted.

#### *2.6.5.2.3.6 Appealing a Negative Recommendation*

If, after further deliberation, the Department P&T Committee upholds its original decision and if, upon notification (which shall be within one week), the affected Faculty member does not accept this decision, he/she may submit an appeal in writing, along with any pertinent material, to the Dean, who transmits it to the University Committee on P&T with an evaluation. This shall be done no sooner than one week and no later than eight weeks after the meeting with the Department P&T Committee, which must be advised of the Faculty member's action. The Department P&T Committee may forward a report supporting its decision to the Dean, who transmits it to the University Committee on P&T with an evaluation. A minority report of one or more members may also be submitted. For promotion, the Faculty member may exercise the appeal procedure described above once every three years; for tenure, only in the last year of eligibility for consideration for tenure.

### 2.6.5.3 The University Committee on Promotion and Tenure (P&T)

#### 2.6.5.3.1 Membership

The University Committee on P&T is to be constituted so as to have three members directly appointed by the Provost and four members chosen by the Provost from a slate nominated by Faculty Senate. The Provost will strive for a maximum range of disciplines and Departments to be represented on this Committee. All members must have tenure at the rank of Professor or higher. Two rules will be applied to determine the composition of the University Committee on P&T: (1) there shall be at least

one representative from each of the five Colleges or Schools, and (2) there shall be two representatives from each of the two Colleges or Schools with the largest numbers of tenured and tenure-track Faculty. The University Committee on P&T will select its Chairperson each year.

Members will serve three-year terms and will not be eligible to serve more than three years in any consecutive six-year period. This shall not include time served as a replacement for a member who was unable to complete his or her term. In March of every year, or whenever necessary, each Department will nominate a candidate for each Faculty Senate- designated Committee vacancy. The name of the nominee is then to be submitted to the Faculty Senate. By May 1, the Faculty Senate will recommend to the Provost, from among the names submitted to it, two persons for each available position. The Provost will make the final choice from these recommendations. In the event that a committee member is unable to complete his or her term, the same procedure will be employed to secure a replacement, who will serve only to the end of the unexpired term.

A member of the University Committee on P&T shall not sit on a Department P&T Committee while serving on the University Committee on P&T, except to participate in deliberations not related to promotion and tenure. He or she shall not be a party to any deliberations by a Department P&T Committee which might involve discussions and decisions on matters that have to be reported to the University Committee on P&T.

#### 2.6.5.3.2 Duties

The University Committee on P&T will receive and consider the recommendations from the Department P&T Committees and the Deans' evaluations pertaining to promotion and tenure, and will pass along to the Provost any Department P&T Committee recommendations in addition to its own recommendations. The University Committee on Promotion and Tenure may also serve as an advisory body to the President if requested. The University Committee on P&T must maintain adequate written records of its deliberations.

#### 2.6.5.3.3 Procedures

##### *2.6.5.3.3.1 Confidentiality*

Members of the University Committee on Promotion and Tenure must maintain strict confidentiality. Any questions regarding committee business shall be directed to its Chairperson alone.

##### *2.6.5.3.3.2 Voting*

The University Committee on P&T will discuss and vote on all the candidates recommended for promotion or tenure. Department P&T Committee recommendations supported by a majority of the University Committee are sent directly to the Provost.

##### *2.6.5.3.3.3 Submission of Recommendations*

The University Committee on P&T Chairperson is responsible for passing on the Committee's decisions to the Provost, and to each candidate's Dean and Department Chairperson. The latter, in turn, will inform each person recommended by the Department P&T Committee of the status of his or her candidacy.

#### *2.6.5.3.3.4 Appealing a Recommendation*

##### *2.6.5.3.3.4.1 Appeals by the Department*

In the event of a difference of opinion between the two committees, the Department P&T Committee may, if it wishes, submit additional materials and written arguments supporting its position to the Dean, who reviews these materials and arguments and submits them to the University Committee on P&T with an evaluation of their merit. If, after consideration of this new information, the University Committee on P&T votes to sustain its original decision, the Department P&T Committee's recommendation, the Dean's evaluation, and the University Committee on P&T's decision will be sent to the Provost. If the University Committee votes to reverse its decision, a positive recommendation will at this point be sent to the Provost.

##### *2.6.5.3.3.4.2 Appeals by a Candidate*

The University Committee will consider the merit of all appeals by individual Faculty members (see section 2.6.5.2.3.6) and will transmit its findings to the Dean, who will in turn transmit them to the Department P&T Committee Chairperson, who informs the individual Faculty member concerned. If a majority of the University Committee finds an appeal to have merit, the Dean will ask the Department P&T Committee to reconsider its original decision. If the Department P&T Committee reverses its decision, the name of the affected Faculty member will be added to, and ranked with, any others recommended in the same category.

If the Department P&T Committee reaffirms its original decision, the University Committee on P&T will evaluate the Faculty member's credentials in the same way it would evaluate those of Faculty members recommended in the ordinary way for promotion, tenure, or both. However, at least five of the seven members of the University Committee on P&T must support any recommendation before it may be construed as a positive recommendation to be sent to the Provost.

#### 2.6.5.4 Final Recommendations by the Provost and the President

Upon receiving the recommendations from the University Committee on P&T and the appeals from Department P&T Committees (see section 2.6.5.3.3.4.1), the Provost may confer with the University Committee on P&T for clarification, if necessary, and confers with the President. The President makes the final recommendations for promotion and tenure to the Board of Trustees for approval.

## **2.7 Evaluation of Faculty, Chairpersons, Academic Dean and other Senior Academic Administrators**

This section provides procedures for the evaluation of faculty members, Chairpersons, academic deans and other senior academic administrators. These procedures are in addition to other assessments made by peers and academic administrators. Evaluations shall be conducted on a regular basis to assure quality and consistent performance at all levels.

### **2.7.1 Evaluation of Faculty**

Academic Departments shall conduct evaluations of faculty by students on an annual basis for all course offerings. The evaluation form shall be approved by the Departmental faculty. Attributes might include: classroom setting, quality of instruction, course organization, course materials, teaching-aids, etc.

- These evaluations shall be diagnostic and are intended to maintain or improve the quality of instruction.
- The evaluation forms shall be retained by the instructor for at least one year.
- Data from these evaluations may be used at the discretion of the instructor. If the data is not submitted by the instructor for promotion and tenure review, it shall be so stated in the appropriate forwarding documents.
- All data from these evaluations submitted to promotion and tenure committees shall be conveyed using either forms designed by the Faculty Senate or in any form chosen by the instructor.

### **2.7.2 Evaluation of Provost, Vice Presidents, Deans and Chairpersons**

With the knowledge and cooperation of the President, the Faculty Senate will conduct periodic evaluations (at least every three years) by the faculty of the Provost, Vice Presidents, Deans, and Department Chairpersons. The Council, after consultation with the President, may also evaluate the performance of other administrative officers whose work impacts academic affairs. The President of the Faculty Senate is responsible for transmitting the results of these evaluations to the President in the case of the Provost, and to the Provost for all others administrative evaluations.

## **2.8 Faculty Council**

The Faculty Council is a representative body established in 1966 to provide a more effective voice for the faculty and instructing staff of New Jersey Institute of Technology. Members are elected by the various academic Departments. The Chair of the Faculty Council normally presides at faculty meetings. The By-laws of the Faculty Council may be found in [Appendix A](#). Further information about Council operations may be obtained from the Chairperson or from a Departmental representative.

## **2.9 Secretary of the Faculty**

The Secretary of the Faculty shall serve a three-year term, with unlimited re-elections permitted. Nominations for the post are limited to tenured faculty and will be made by the faculty to the

Faculty Senate, which in turn will choose two or more candidates. The faculty will then vote by mail ballot. If no candidate receives a majority of the votes cast, a run-off election will be held between the top candidates.

The Secretary of the Faculty Shall keep records and minutes of faculty meetings, be responsible for faculty correspondence, and maintain a current copy of the Faculty Handbook. He or she shall also serve as secretary to the Committee on Student Appeals. An appropriate amount of released time will be granted for these services. If the Secretary is unable to complete his or her term of office, the Faculty Senate shall appoint a tenured member of the faculty to fill the unexpired term.

### ***2.10 Parliamentarian***

A member of the faculty may be appointed by the Faculty Senate to serve as the parliamentarian at faculty meetings.

### ***2.11 Faculty and Staff Meetings***

Meetings of the Departmental faculty and staff are called by the Department Chairperson in accordance with Departmental needs.

Faculty meetings and meetings of the combined faculty and instructing staff are held when the occasion warrants during the academic year. Notices of meetings are sent to the university personnel approximately one week in advance of the meeting. All faculty members are required to be present at the meeting unless they have scheduled classes or have secured approval for their absence from the Department Chairperson.

Meetings of the faculty shall be open to members of the instructing staff, the editor of The Vector (or deputy), and the president of the Student Senate (or deputy), with the exception of those meetings which the faculty may vote to hold in executive session. These guests shall be considered observers without the privilege of the floor unless it is specifically voted by the faculty.

Other members of the academic community shall be admitted as observers up to the available seating capacity upon application to the Secretary of the Faculty. A special section shall be set aside for seating the non-members of the faculty.

### ***2.12 Professional Staff Association***

In accordance with Chapter 303, Public Laws of 1968, the Rules and Regulations of the Public Employment Relations Commission (PERC), the university has officially recognized the NJIT Professional Staff Association (PSA) as the exclusive representative for collective negotiations on behalf of all full-time teaching and administrative personnel who qualify for membership in the Association. The By-laws of the Association will be found in the Appendix. Further information may be obtained from the president of the Association.

## **2.13 Leave of Absence**

Full-time members of the faculty or instructing staff may at their own request be granted a leave of absence without compensation for a specific period of time and for a specific purpose at the discretion of the President.

Letters requesting leaves of absence are to be submitted to the President, with a copy sent to the individual's Department Chairperson. All such requests should be made on a timely basis. Leaves will normally be for a period of one academic year.

### **2.13.1 Eligibility**

To be eligible for consideration for a leave of absence an applicant shall have served a minimum of two continuous years on the faculty or instructing staff of New Jersey Institute of Technology and shall have tenure, a three-year contract, or Just Cause protection. Exceptions to these requirements may be made upon the approval of the Department Chairperson and dean.

### **2.13.2 Implications**

- All leave time shall be credited to the faculty member's years of service, and such leave time shall not constitute an interruption of continuity of service.
- The leave period shall not count as a normal period of employment as to eligibility for promotion and tenure.
- Fringe benefits during the leave are subject to the current Professional Staff Association agreement. For specific information the applicant should contact the Personnel Office.
- The returning faculty member will be placed on the same range and step of the salary schedule as before the leave and shall be entitled to any general salary increases that may have taken place during the intervening period.
- The acceptance of a paid position or contracting for compensated services with another employer while on a leave of absence will not affect the provisions of the leave of absence.
- Requests for an extension of a leave of absence may be made by following the above procedure.
- The acceptance of a leave of absence does not obligate the recipient to return to New Jersey Institute of Technology. However, it is expected that appropriate notice be given to the President and the Department.

## **2.14 Active-Service Modified-Duties Policy for Tenured and Tenure-Track Faculty**

NJIT is committed to providing policies and resources to facilitate the opportunity for faculty to strike an appropriate balance between academic and family life. Often, leave policies find their origins in the illness of an employee, the desire to take a leave of absence without pay, or the Family Medical Leave Act but do not adequately address the unique circumstances of the birth or adoption of a child by tenured or tenure-track faculty. Career demands can place faculty members beginning a family, particularly women faculty, at a potential disadvantage with respect to their peers. No one should be in a position to have to choose between family and

profession. Consequently, it is important to have special policies that address the birth or adoption of a child by a tenured or tenure-track faculty member as compared to leave policies that serve different purposes.

Eligibility: Following the event of an adoption or birth of a child by a tenured or tenure-track faculty member or their spouse, and if the primary caregiver is an NJIT tenured or tenure-track faculty member, he or she has the option of using the Active-Service Modified-Duties Policy. Under this policy, the faculty member is relieved of university service assignments and scheduled teaching (e.g., classroom) responsibilities for up to only one semester, without reduction in pay and with continuation of all rights and benefits of regular employment, as follows:

- If the birth or adoption takes place during Fall semester, the modified duties period can extend into the Spring Semester for a total of no more than one semester only.
- If the birth or adoption takes place in the Spring semester, the modified duties period can extend through that Spring semester only.
- If the birth or adoption takes place in the Summer before the start of Fall semester, the modified-duties period can extend through the Fall semester only.

In addition, if the primary care giver is a tenure-track faculty member, the Tenure-Track Period (TTP) will be automatically extended by one year. An individual can only be on Active-Service Modified-Duties under this policy twice during his or her career at NJIT. During the Modified-Duties period, the primary care faculty member is expected to fulfill student research, advising, and other research responsibilities. The use of the Active-Service Modified-Duties Policy obligates the recipient to serve as a member of the university faculty for at least one year following the completion of the leave or to reimburse the university for all salary paid during the Active-Service Modified-Duties period.

## **2.15 Sabbatical Leave**

NJIT's sabbatical leave policy exists to enhance the professional development and increase the research and scholarly production of Faculty by relieving them of their teaching and service responsibilities for a semester or an academic year.

### 2.15.1 Eligibility

To be eligible for a sabbatical leave, a Faculty member must have tenure and must have served a minimum of six continuous years on the NJIT Faculty. No Faculty member shall have more than one sabbatical leave within any seven-year period.

### 2.15.2 Terms

#### 2.15.2.1 Duration, Salary, and Benefits

A sabbatical leave may be granted for an academic year at 80% of salary or for a semester with full pay, with all rights and benefits of regular employment continuing in either option.

#### 2.15.2.2 Commitment to Return after a Sabbatical Leave

The acceptance of a sabbatical leave obligates the recipient to serve as a member of the Faculty for at least one year following the completion of a two-semester sabbatical leave or for at least one semester following the completion of a one-semester sabbatical leave, or else to reimburse the university for all salary paid during the sabbatical leave.

Exceptions to this policy sought by Faculty members require a formal waiver granted by the President on the recommendation of the Provost.

### 2.15.3 The Application Process

#### 2.15.3.1 Provost's Memo, Timeline, and Criteria

In a memo to the Faculty in early September, the Provost shall distribute the requirements for sabbatical leave applications and list the deadlines for all steps in the process. This memo and other information on the sabbatical procedure, consistent with the policy articulated in this section of the Faculty Handbook, shall also be posted on the Provost's website. The documents posted on the website shall include the criteria for granting sabbatical leaves, which can be amended by the Faculty Senate with the approval of the Provost.

#### 2.15.3.2 Submission of Applications by Faculty Members

Eligible Faculty members applying for a sabbatical leave shall submit to their Department Chairpersons by the appointed deadline in early October an electronic application consisting of all the documents identified in the Guidelines for Sabbatical Leave Applications on the Provost's website. Changes to the Guidelines for Sabbatical Leave Applications must be approved by the Faculty Senate and the Provost.

#### 2.15.3.3 Review and Recommendation by Department Chairpersons and Deans

Department Chairpersons shall review the applications for sabbatical leave from Faculty in their Departments and shall transmit electronically to the Dean those that they approve by the appointed deadline in mid-October, along with their recommendation letters (with copies to the appropriate applicants). Each recommendation letter should include a statement on the value of the applicant's sabbatical leave plan for the applicant's career and the Department's scholarly research profile, as well as a statement on the impact of the recommended sabbatical leave on the normal functioning of the Department. By the appointed deadline in early November, the Dean shall transmit electronically all applications to the Chairperson of the University Committee on Sabbaticals, along with the recommendations of the Department Chairpersons and the Dean. The Dean shall send a copy of his/her recommendation letter to the Department Chairperson and the applicant.

#### 2.15.3.4 Opportunity for Faculty Members to Update Applications

By the appointed deadline in late November, applicants for a sabbatical leave may submit to the University Committee on Sabbaticals (with copies to their Department Chairperson and Dean) an additional statement that contains relevant new information supporting the application.

#### 2.15.3.5 Review and Recommendation by the University Committee on Sabbaticals

The University Committee on Sabbaticals consists of Faculty from a wide range of Departments and Colleges/Schools, appointed by the Provost to serve for fixed terms. After receiving and rigorously reviewing all sabbatical leave applications, and after duly considering the recommendations from Department Chairpersons and Deans, the committee shall, by the appointed deadline in December, (1) provide the Provost with a list that ranks and categorizes all the applications as Highly Recommended, Recommended, or Not Recommended, and (2) provide each applicant with the committee's decision on his/her application, accompanied by a written explanation (with copies to the appropriate Department Chairperson and Dean).



#### 2.15.3.6 Right of Appeal to the University Committee on Sabbaticals

In the event that an applicant is not recommended for a sabbatical leave by the University Committee on Sabbaticals, the applicant may, by the appointed deadline, send an appeal to the Chairperson of the committee in writing (with copies to the Department Chairperson and the Dean), responding to the committee's written explanation. The Department Chairperson and the Dean may also send the Chairperson of the committee letters in support of the appeal within the same time frame. The committee shall respond to each appeal in writing by the appointed deadline (with copies to the Department Chairperson and the Dean).

#### 2.15.3.7 Recommendation by the Provost and Approval by the Board of Trustees

After reviewing the applications and the recommendations of the University Committee on Sabbaticals, the Provost shall make recommendations to the President of the University, who shall present the recommendations to the Board of Trustees for final approval. If any of the Provost's recommendations should differ from those of the University Committee on Sabbaticals, the Provost shall provide the committee with a written explanation of the grounds for his/her action in each case (with copies to the Dean, the Department Chairperson, and the applicant). The Provost shall notify all applicants and their Department Chairpersons of the final decision of the Board of Trustees by early February.

### 2.15.4 Post-Sabbatical Leave Reports

#### 2.15.4.1 Submission and Review of Post-Sabbatical Reports

No later than the end of the first semester following their return after a sabbatical leave, all Faculty members shall submit to their Department Chairpersons a report on their activities and accomplishments during their sabbatical leaves. After reviewing each post-sabbatical report, the Department Chairperson shall forward it to the Dean, who shall then forward it to the Chairperson of the University Committee on Sabbaticals. After the committee has reviewed the post-sabbatical report along with any comments made by the Department Chairperson and the Dean, the Chairperson of the committee shall send a letter to the Faculty member (with copies to the Provost, Dean, and Department Chairperson), indicating whether the committee approves the Faculty member's post-sabbatical report.

#### 2.15.4.2 Unsatisfactory Post-Sabbatical Reports

In the event that the University Committee on Sabbaticals finds a Faculty member's post-sabbatical report unsatisfactory, the committee's letter shall contain the reasons for this decision. In such cases, the Faculty member may appeal within ten working days of receiving the committee's letter. Such an appeal should address the objections raised in the committee's letter and may include a revised post-sabbatical report. The committee will then render its final judgment in a letter to the Faculty member (with copies to the Department Chairperson, the Dean, and the Provost). A post-sabbatical report that is considered unsatisfactory by the University Committee on Sabbaticals may have a prejudicial effect on any future applications for sabbatical leave by the Faculty member.

### 2.15.5 Preservation of Records

All applications, recommendations, formal correspondence, and supporting materials relating to sabbatical leaves and post-sabbatical leave reports shall be kept on file by the Provost's office.

## **2.16 Professional Development**

NJIT believes that the primary responsibility of the full-time faculty and instructing staff is the education of NJIT students. The university expects the individual faculty member to continue developing teaching competence by active participation in scholarly and professional activities. The faculty member should select those activities which make a maximum contribution toward professional development and toward the development of the university.

Appropriate scholarly and professional activities include research participation and thesis direction, publication of books and articles, presentation of papers at professional meetings, advanced graduate and post-doctoral study, consulting for business, industry, or government, and participation in professional societies. Teaching schedules are arranged, when possible, within the framework of teaching obligations, so that some time is available for these activities.

Because the university believes that scholarly and professional activities are an integral part of the faculty member's responsibilities to the university, each faculty member should keep the Department Chairperson informed of all professional activities to prevent such activities from unduly interfering with the primary responsibility of teaching. The Chairperson will judge whether these activities impair rather than enhance teaching performance.

It is the personal privilege of all staff members to take on a limited number of other activities, both within and outside the university, provided that they will be of interest or benefit to the university or the community. As each opportunity arises to take on any new activity that will require an appreciable fraction of time, the faculty member should consider it carefully with respect to overall commitments making certain that no conflict of interest or time arises to the detriment of primary commitments to the university.

The university requests faculty observance of the following provisions:

### **2.16.1 New Professional Activities During the Academic Year**

As faculty members assume new professional activity that may require an appreciable fraction of time during the academic year, they are urged to discuss with their Chairperson the nature and extent of these activities. Their reports may be informal or in writing, depending on the Chairperson's preference.

### **2.16.2 Teaching in Other Capacities**

A full-time member of the faculty or instructing staff who wishes to teach a course during the academic year at other institutions, in industry, or in the Division of Continuing Education shall submit a request to the Department Chairperson. If the Chairperson does not approve, he/she shall respond to the faculty member, in writing, of his/her objections. This shall be done in a timely fashion. Appeals can be made through the appropriate dean or the Provost.

### **2.16.3 Reporting Scholarly and Professional Activities**

In order that the Chairperson may be fully informed as promotions and salary adjustments are considered, each member of the faculty and instructing staff shall submit a written summary listing scholarly and professional activities and accomplishments of the previous year. The report will be made upon request on forms provided by the university. It should include everything that can be considered to have furthered the professional development to the staff member.

These professional development provisions apply to Departmental Chairperson as well, except that they shall report to the dean of their college.

Faculty and instructing staff members are urged to attend meetings of professional and learned societies. University funds permitting, all or part of the expenses for attending these meetings may be paid if a faculty member is a member of a panel, presents a paper, is an active officer of the society, or has important committee responsibilities. In certain other situations, the travel expenses of a faculty member attending a meeting may, on the recommendation of the Department Chairperson, also be paid in full or in part by the university.

## **2.17 Faculty Development Resources**

In addition to the funds for travel mentioned above, limited funds are available within the university to support scholarly and professional activities of the teaching staff. Some of these are listed below. Procedures for applying for such support may be obtained from the Department Chairperson.

### **2.17.1 Graduate Study**

The Faculty Development Fund provides assistance for payment of tuition and fees for graduate study toward a degree in a field relevant to the individual's teaching responsibilities. At New Jersey state-supported institutions, maximum assistance is the full amount of tuition charged, but not in excess of the graduate tuition rate in effect for New Jersey residents at NJIT; at private institutions, one-half the tuition charged or the graduate tuition rate in effect for New Jersey residents at NJIT, whichever is larger. Limited tuition assistance is available for full-time staff wishing to take graduate courses at NJIT.

### **2.17.2 Faculty Research**

The NJIT Foundation for the Advancement of Graduate Study in Engineering has limited funds available to assist qualified faculty in initiating their research activities. Grants for summer research, research assistants, and equipment are available. The Foundation also provides assistance in the preparation and submission of proposals for outside support of research activities.

### **2.17.3 Publication Assistance**

Some funds are available for typing, drafting, micro-filming, and other services related to the publication of scholarly articles or books.

#### **2.17.4 Summer Conferences and Institutes**

The university provides supplementary grants toward the cost of attending summer conferences and institutes that are relevant to an individual's responsible.

#### **2.17.5 Professional Meetings**

Limited funds are available for travel to professional meetings. Usually some active involvement in the meeting is required for university support. This might include presentation of a paper or important committee responsibilities.

### **2.18 Teaching Contracts**

Teaching contracts for the following academic year are usually issued in March or April to untenured full-time staff. Persons joining the teaching staff after February 1, 1965, may be required to teach one evening per week as part of their regular teaching load. Such persons cannot be assigned additional teaching for extra compensation. Persons who joined the teaching staff prior to February 1, 1965, may teach one evening per week for extra compensation.

### **2.19 Oath of Allegiance**

Under the provisions of the Laws of the State of New Jersey (NJSA 18A:6-7) no one may begin teaching in a public educational institution in New Jersey before subscribing to an oath of allegiance and office. The following oath is required of those who are citizens of the United States:

*"I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will faithfully discharge the duties of \_\_\_\_\_ according to the best of my ability."*

The statutes also provide for an appropriate oath to be taken by an alien to support the Constitution of the United States while so employed.

### **2.20 Teaching Loads**

Every attempt is made to keep teaching loads at a level consistent with practices at other accredited universities. The Chairperson and Associate Chairperson of each Department determine the individual teaching loads necessary to perform the work of the Department within guidelines established for the teaching staff loads formalized by the Executive Committee of the Faculty on February 18, 1970:

#### **2.20.1 Guidelines**

The following guidelines are intended to facilitate the setting of faculty loads so as to maximize equity and efficiency. These guidelines apply only to the basic teaching load. They do not apply to overtime teaching, where this is permitted. Requests for load reductions and special schedules must be made early in the preceding semester, to allow time for evaluation and distribution of teaching loads.

### **2.20.2 Course Preferences**

Each semester, after course offerings and Departmental loads for the coming semester have been established, a list should be circulated among the faculty with a place for faculty members to indicate their teaching preferences in those courses where a choice of instructors is possible. These preferences should be considered by the Chairperson and the associate Chairperson when assignments are made. No instructor should receive an assignment requiring more than three different preparations. Two preparations would be preferable, whenever feasible.

### **2.20.3 Load Reductions**

- General: The Chairperson and associate Chairperson should consider the requests of faculty members for load reductions before assignments are made for a forthcoming semester. Such reductions may be made to prepare new courses, develop new laboratories, conduct research, and meet other needs in consonance with the objectives of the university. The Department as a whole should play a role in establishing general priorities for load reduction so as to reduce the possibility of conflicting demands upon available released time.
- Doctoral Students and Full-time M.S. Students: Teaching load allowance for graduate student advisement (if any) is subject to negotiation as and where appropriate between the PSA and the university.

### **2.21 Definition of Academic Year**

For a definition of the academic year please refer to current PSA contract.

### **2.22 Attendance at Commencement Exercises**

All members of the faculty and instructing staff are required to attend annual commencement exercises unless specifically excused by the President, or when there is a conflict with an assigned class or administrative duty at the university for the particular time involved.

### **2.23 Eligibility of Staff Members as Degree Candidates**

A member of the Instructing Staff with the rank of Special Lecturer or Adjunct may work toward a degree offered at the university with the approval of his/her Department Chair, the Dean of the college, and the Provost. Members of the Faculty with professorial rank may not ordinarily work toward a degree offered at the university, although exceptions may be made by the Provost after consultation with the Department Chairs and Deans involved.

### **2.24 Research**

The university encourages its faculty and student body to participate in research that will contribute to professional development. During the academic year, faculty teaching loads will be reduced appropriately for time spent on funded research projects.

There will be no extra compensation or overtime pay for academic year research.

## **2.25 Department Bylaws Policy**

### **2.25.1 General**

Each academic Department or unit shall operate according to bylaws which set forth its organization and the procedures by which the Department shall conduct its internal affairs.

Department bylaws are intended to foster and encourage the widest possible degree of faculty participation in the governance of the Department, create an atmosphere of open and collegial discussion of all major issues affecting the daily operation and future development of the Department, and provide opportunities for service and for professional growth in teaching and research within the spectrum of the Department's activities for every faculty member in a fair and equitable way.

### **2.25.2 Adoption of Bylaws**

The Faculty and Board of Trustees have adopted and approved standard bylaws which are a part of this policy and are included in [Appendix C](#). Each academic Department shall adopt bylaws of its own construction, or the standard bylaws.

Department bylaws, when adopted and approved, will be placed in [Appendix C](#) of this handbook as a matter of public record and as a resource for other Departments.

### **2.25.3 Bylaws Organization**

Department bylaws normally include sections on the following topics: Department membership, meetings, administrative structure, executive committee, Standing Committees, Ad Hoc Committees, course scheduling and assignments, Department funds, space allocation, authority on parliamentary procedure, adoption, and amendment. Each Department may adapt this organization to its own situation.

### **2.25.4 Compliance with Faculty Handbook and PSA Contract**

Department bylaws are subordinate to the Faculty Handbook, the Professional Staff Association (PSA) Contract, and other Institute policies adopted by the faculty and approved by the Board of Trustees. These NJIT policies, the Handbook, and the Contract are collectively designated "Approved Institute Policy." Department bylaws shall not conflict with or contravene any provisions of Approved Institute Policy.

Whenever such a conflict exists between Department bylaws and Approved Institute Policy, the latter shall prevail and the conflicting passages of the Department bylaws shall be null and void. The Department should then amend its bylaws to remove the conflict as prescribed below.

The preceding provision applies equally to all cases of conflict including those arising from changes in Approved Institute Policy.

### **2.25.5 Adoption and Amendment of Department Bylaws**

New Department bylaws as well as amendments to them must be adopted by a two-thirds vote of the current voting members of the Department, i.e., the voting members

but not including those who do not vote because of sabbatical leave, sick leave, or leave of absence. In this context, “a two-thirds vote” shall mean “two-thirds of the faculty at an officially scheduled faculty meeting for which the proposed changes (or original draft) of the Bylaws was circulated at least ten working days in advance.” Faculty who are on leave may vote on the adoption of bylaws or amendments to them, in which case they shall be included in the current voting members of the Department.

Proposed bylaws and proposed amendments to bylaws may be adopted at any regular Department meeting, provided that every voting member has been afforded full opportunity to consider them and have discussions with colleagues. The bylaws or amendments shall be distributed to the Department members in writing at least ten working days before the first Department meeting at which they will be considered. Thereafter the proposal shall be discussed at one or several meetings of the Department, as required for its thorough discussion and consideration.

#### **2.25.6 External Review of Department Bylaws**

Following adoption or amendment of its bylaws, the Department Chairperson shall submit a copy of the new or revised bylaws to the Provost, the Dean of the school or college, and the Faculty Senate, for review. The Dean and the Faculty Senate shall:

- Review the bylaws for consistency with Approved Institute Policy.
- Submit their written reviews to the Provost and to the academic Department.

Reviewers shall submit their reviews within twenty working days after receiving the bylaws from the Department. The absence of a response from a reviewer within the time limit shall constitute a favorable review of the bylaws as submitted by the Department.

#### **2.25.7 External Approval of Department Bylaws**

The Provost, acting as the President’s representative, shall verify that the bylaws are consistent with Approved Institute Policy (2.25.4). If the Provost determines that the bylaws are consistent with Approved Institute Policy, the Department shall be given written notice that the bylaws are approved as submitted.

If the Provost determines that any part of the bylaws conflicts with Approved Institute Policy, the Department shall be presented with a written notice setting forth each conflicting passage, an explanation of each conflict, and suggested alternate language to resolve the conflict and obtain approval. The Provost shall also send a copy of the notice of conflict to the Faculty Senate. While the process of resolving differences takes place, the Department may choose to use either its current bylaws or the Standard Bylaws. The Department shall give the Provost written notice of such change.

The Provost shall notify the Department of approval or of conflicts within twenty working days after receiving the timely reviews. No response by the Provost within the time limit shall constitute approval of the bylaws as submitted.

Department bylaws shall become effective upon approval by the Provost. Such approval is either explicitly given via written notice, or implicitly via non-response within the proscribed time limit.

#### **2.25.8 Efforts to Remove Conflict**

The Faculty Council shall, upon request, provide assistance to an academic Department for the purpose of achieving Institute approval of its bylaws. The Faculty Council shall establish and maintain a Standing Committee to review and interpret Institute policy on Department bylaws, and to provide assistance to academic Departments and to the Institute.

#### **2.25.9 Waiver of Time Limits**

The time limits imposed above in Sections [2.25.6](#) and [2.25.7](#) may be extended an additional ten working days by written notification to all parties involved before the expiration of the time limit.

Further extensions of the time limit require the consent of the Provost and the Department.

Consent of the Department requires a majority vote of the current voting members of the Department. ([2.25.5](#))

#### **2.25.10 Inclusion of Bylaws in This Handbook**

When Department bylaws or amendments have received approval and are thereby in effect, the Faculty Council representative from the Department shall promptly deliver a copy of the bylaws to the Faculty Handbook Committee for inclusion in [Appendix E](#).

### **2.26 Restructuring of Academic Units**

#### **2.26.1 Principles**

To allocate its resources effectively, the University may from time to time merge, reduce or discontinue academic units (defined in section 2.26.2) when they are no longer central to the University's mission or when resources must be allocated to other units deemed more critical to its mission. Such changes are hereafter referred to as restructuring. Although it is expected that changes in the academic structure of the university through merger, reduction, or discontinuance of academic units will occur infrequently, they are potentially disruptive, so that procedures are needed to ensure fair treatment of faculty, staff, and students housed in the affected units. The procedures are outlined in section 2.26.5. To the extent that similar issues arise in the creation of new academic units (including splitting an existing unit into two), these procedures should apply to those cases also.

#### **2.26.2 Definitions**

- “Academic unit” refers to a department, school, or college within the university.
- “Program reduction” refers to the elimination of part of an academic unit, such as a sequence of courses, a track or specialty, or a major program of study within an academic unit.



- “Merger” refers to the joining of the faculty of two or more academic units through administrative action, one consequence of which could be program reduction.
- “Discontinuance” refers to the elimination of an academic unit.

### **2.26.3 Responsibility and Duties of the President**

The NJIT Board of Trustees has ultimate responsibility for approval of the University's mission, role, and scope, and for the degree programs offered by the University. The Board delegates to the President responsibility for administration of the University and its programs of instruction, research, and service. Decisions to restructure academic units are the responsibility of the President. The President has the duty to seek the advice of administrators and faculty within the University in considering such decisions and to ensure that all faculty and staff who might be affected by such restructuring are consulted before a final decision is made, and to ensure that the decision takes into account the rights and needs of current faculty, staff, and students.

### **2.26.4 Role of the Faculty Senate**

In cases where the proposed restructuring can be accomplished without significant impact on faculty appointments, the role of the Faculty Senate shall be limited to responsibilities described in section 2.1 of the Faculty Handbook. In cases that do result in significant impact on faculty appointments (e.g. termination or significant change of duties of a tenured or tenure track appointment before the end of the time specified for that appointment in the Faculty Handbook), an ad-hoc committee (referred to hereafter as the Committee) formed under the auspices of the Faculty Senate shall represent faculty interests, with the intention of ensuring appropriate reassignment of impacted faculty. The function of the Committee will be to oversee the procedures laid out in 2.26.5, step 3a, to ensure that the Provost receives objective and unbiased information on the matter. The Committee shall consist of seven tenured faculty members, with four members appointed by the Faculty Senate and three appointed by the Provost. The Provost shall not appoint any person who is currently a Dean, Assistant or Associate Dean, Assistant or Associate Provost, or Vice President. To ensure Committee objectivity, due diligence will be given regarding each appointment to the Committee to avoid real or apparent conflicts of interest. In particular, no members shall be appointed from academic units directly affected by the restructuring, and no more than two of the members appointed by either the Faculty Senate or the Provost shall be faculty members of the same college or school. The Committee elects its own chairperson from among its members.

### **2.26.5 Procedure**

When a Dean, after consultation with the Provost and any other appropriate Deans or department chairs, believes it necessary to consider restructuring of an academic unit, the procedure herein shall be followed. In cases where the restructuring above is a merger, reduction, or discontinuance of colleges or schools, the Provost shall perform the duties assigned to the Dean in this document, and the first recommendation shall be made to the President rather than to the Provost.

1. The Dean shall convene a meeting of the appropriate faculty of the affected units. At this meeting the Dean shall explain the reasons for considering restructuring and propose the terms and conditions of any changes in faculty status resulting from the proposed restructuring, such as termination of faculty positions, reassignment of faculty, modifications in research or teaching assignments, changes in reporting channels, or retraining that would be provided to facilitate continued employment of

- faculty. The Dean shall ask the faculty to introduce any information in support of continuation of the academic unit or to suggest alternatives. This information may be conveyed to the Dean orally or in writing, individually or in groups, and must be received within a reasonable period of time following the meeting (normally two weeks). In addition, any faculty member with tenure who believes that reassignment or modifications in research or teaching assignments is tantamount to termination of his/her appointment with the University (hereafter referred to as *impacted faculty*) shall inform the Dean in writing, providing reasons for his/her concern, within this same period of time. If, after a reasonable period following the meeting with the unit in question (normally two weeks), the Dean decides to pursue the proposed merger or discontinuance, and there are no impacted faculty, he or she shall proceed to step 2. If the Dean has received written responses from impacted faculty, he or she shall proceed to step 2a.
2. The Dean shall convey the reasons for considering the restructuring, along with a summary of all responses received, to the Provost, Deans, and the Faculty Senate. It is expected that the Provost will consult with the UCRC, Graduate Council, and CAA regarding academic and administrative impact of the proposed restructuring. A copy of the summary conveyed by the Dean shall be available to the faculty in the office of the academic unit under consideration. Such notification is to provide opportunity to identify consequences that may have been overlooked or elicit suggestions for alternatives. The Dean shall allow a reasonable period (normally thirty days during the fall and spring semester) for these groups to respond. If, after receiving any responses from these groups, the Dean decides to proceed with consideration of the restructuring, and no faculty appointments are to be terminated, the Dean shall proceed to step 3.
  3. The Dean shall submit a recommendation to the Provost. This recommendation shall include all information and advice regarding the proposed restructuring that has been offered by individuals or groups, including the report of the Committee and vote of the Faculty if step 3a has been invoked. In all cases, the Dean's recommendation shall include proposed provisions to allow students already enrolled to complete their degree requirements.
  4. The Provost is responsible for reviewing the recommendation for restructuring from the Dean, and for ensuring that all steps in these procedures have been followed. The Provost may ask for additional information or clarification concerning items included in the Dean's recommendation, and may seek advice from knowledgeable parties on campus or elsewhere. The Provost shall make a final recommendation to the President, which recommendation shall be made public.
  5. The President, after studying the recommendation from the Provost, and obtaining any additional information, clarifications, or advice that he or she thinks necessary, shall make the decision whether to restructure the academic units. If the President decides to restructure units, provisions shall be made to allow students already enrolled to complete their degree requirements. Every effort will be given to finding continued employment at the University for administrative, technical, or clerical staff members whose jobs might be lost.

- 2a. If the Dean has received written notice from affected faculty in step 2, the Dean shall inform the Faculty Senate. Within a reasonable period (normally two weeks), the Dean shall convene a second meeting of the faculty of the affected units, with members of Faculty Senate invited, and convey to them a summary of whatever information has been assembled and the alternatives suggested. The Dean shall provide a written statement explaining plans for all impacted faculty members. If the Dean's plan is accepted by the impacted faculty members, the Dean shall proceed to step 2. Otherwise, the Dean shall continue with step 3a.
- 3a. Those impacted faculty not satisfied by the Dean's written plan shall indicate their concerns to the Dean in writing within a reasonable period (normally two weeks), requesting that the restructuring be reviewed by the Faculty Senate, and the Committee shall be constituted. The purpose of the Committee's work shall be to provide objective and unbiased information on the matter to the Faculty Senate and the Provost. The Faculty Senate shall request the Committee to determine whether the restructuring is based on sound educational considerations. Examples of factors that may be considered include program viability (based on demand for a program and the potential for growth), and the need to avoid duplication, or to effect economies in management, or to strengthen related programs. An academic unit's record of excellence will be a consideration in decisions regarding soundness of the restructuring, but will not be the sole deciding factor. The Committee shall have a summary of all data gathered and shall have access to the original materials from which the summary has been compiled. The Committee is free to gather other material at its discretion; it may seek advice from knowledgeable parties on campus or elsewhere. Normally the committee should complete its work within thirty days. The committee shall convey its report to the Faculty Senate, who then shall make a recommendation regarding acceptance. The report and the Faculty Senate acceptance recommendation will be presented to the university faculty who will vote on concurrence. The committee's report, together with the Faculty Senate's recommendation and the vote of the Faculty, shall be conveyed to the Dean, who shall then proceed to step 3.

### **3. POLICIES AND PROCEDURES REGARDING STUDENT AFFAIRS**

#### **3.1 *Dean of Students***

The Dean of Student Services is responsible for a wide range of student services. The Dean and his or her staff oversee student activities, orientation and advisement of freshmen, counseling, placement, international students, athletics and physical education, veterans' affairs, health services, and residence life.

#### **3.2 *Academic Standing***

##### **3.2.1 *Minimum Grade Point Average***

Students are expected to maintain a minimum grade point average (GPA) of 2.00. It is the responsibility of the student to bring to the attention of the Office of the Dean of Student Services, the Committee on Academic Standing, or the Associate Chairperson of his/her professional Department, either directly or through his/her advisor, any extenuating circumstances which are beyond the student's control and which may have an adverse effect upon his/her academic standing. This action should be taken immediately upon the development of such circumstances.

- Students who earn a GPA of less than 2.00 in their most recent semester shall be placed on academic probation.
- A student's probationary status will be removed when he/she earns a GPA of 2.00 or better in the most recent semester and his/her cumulative GPA is raised to 2.00 or better.
- A student will be subject to suspension whenever:
  - He/she has been assigned probationary status for two successive semesters.
  - He/she earns a GPA of less than 1.50 in his/her most recent semester.

The Committee on Academic Standing will review the academic records of students. In extreme cases where student performance is deteriorating rapidly, suspension will be made effective immediately. For all other cases, suspension will be deferred to the end of the academic year. The Committee on Academic Standing may stipulate specific requirements which the student will be obliged to fulfill in order to retain the privilege of initiating or maintaining registration in any following semester.

##### **3.2.2 *Appeals***

- Before instituting an appeal, students shall consult with the Dean of Students Services.
- All appeals shall be in writing.
- The decision of the Committee on Student Appeals is final.

##### **3.2.3 *Reinstatement Following Academic Suspension***

After a lapse of at least one semester (not including summer), a student may be reinstated. The application for reinstatement is submitted to the Admissions Office

and is subject to review by the academic Department in which the student wishes to pursue a degree.

### **3.3 Examinations**

#### **3.3.1 Final Examinations**

A comprehensive final examination will be scheduled in each course where such an examination is deemed to be justified by the nature of the course material. The final examination shall constitute approximately one-third of the grade of the lecture/recitation component of a course.

A course may be exempt from a final examination, or from the one-third of the grade standard set above, by vote of the Departmental faculty.

To insure adequate time for students to prepare for finals, no major new papers or projects are to be assigned during the last two weeks of a term, except where presentation of a project constitutes the final examination in a course. All regular classes in all courses will end before the five days of examinations. All sections of a course will have their examinations scheduled at the same time in order to facilitate the giving of common exams. However, the decision whether to administer common or separate examinations in a course is left up to the Departments. Three examination periods of two and a half hours each will be scheduled for each of the five examination days. No student shall be required to take more than two examinations on any single day.

Students who have two examinations scheduled for the same hour, or three examinations scheduled for the same day, may defer one of the examinations to the last period of the last day of examinations, which is reserved for the resolution of such conflicts. Alternatively, students may make special arrangements with the Departments concerned.

#### **3.3.2 Major Examinations**

As in the case of final examinations, no student is required to take more than two major examinations on one day, including examinations in evening courses. For the purposes of this provision, a major examination is one which constitutes 20% or more of a student's final course grade.

To minimize the likelihood of a student having more than two major examinations scheduled on the same day:

- At least one month before the start of each term, the Registrar shall distribute to the faculty and instructional staff the dates on which common examinations will be held.
- Instructors whose students are likely to be taking courses with common examinations shall avoid scheduling examinations on those dates.
- Dates of major examinations will be clearly designated on all course syllabi and distributed to the students during the first week of class.

- It is the student's responsibility to notify the instructor at least two weeks before a scheduled examination date that the student has more than two examinations scheduled on that date.
- When a student notifies the instructor of a course with the lowest precedence (according to the guidelines below) that the student has more than two examinations on the same date, the instructor may elect to allow the student to take the examination on a different date.
- The choice of which examination to reschedule is governed by the following guidelines:
  - Common examinations taken outside of class hours take precedence over other examinations.
  - Examinations in multi-sectioned courses take precedence over single-sectioned courses.
  - Among like courses, the course with the higher number takes precedence.

### **3.4 Honors**

#### **3.4.1 Dean's List**

The Dean's List is comprised of students with a GPA of 3.00 or higher and is published each semester.

#### **3.4.2 Commencement Honors**

Academic Honors are awarded at commencement to undergraduate students who have successfully completed 70 credits in their particular degree curriculum at NJIT and have achieved a cumulative GPA in one of the following categories:

- 3.40 - 3.64.....Cum Laude
- 3.65 - 3.84.....Magna Cum Laude
- 3.85 - 4.00.....Summa Cum Laude

### **3.5 Reporting of Grades**

Final grades for each semester are reported on forms provided by the Registrar. Grades are submitted to the Department Chairperson, who reviews them before submitting them to the Registrar. Grades are due in the Registrar's Office no later than 72 hours (exclusive of Saturday, Sunday, and days when the university is closed) after the last day of final examinations.

No final grades shall be submitted by an instructor until after the last class meeting of the section involved. It is understood that the work of this class will be considered in determining the final grade. Grades may be released by a Department after they have been approved by the Department Chairperson and forwarded to the Registrar's Office, provided this is not done before the grades for the day sections are due in the Registrar's Office.

### **3.5.1 Incomplete**

The grade of Incomplete ("I") is given in rare instances where a student could not complete the work of the course. The "I" grade must be removed in the next regular semester. If the "I" grade is not removed by the end of the following semester the student's grade will be changed to a failing grade. When giving a grade of "I", the instructor must notify the student, in writing, of the exact work to be completed and the date by which it must be submitted.

### **3.5.2 Grade Point Average**

The GPA is computed by multiplying the number grade in each course by the number of credits for the course, adding these products for the courses taken, and dividing the sum by the total number of credits.

### **3.5.3 Academic Dismissal**

- A student who is suspended on two or more occasions is subject to Academic Dismissal. Only in the most exceptional circumstances should dismissed students be readmitted.
- Course Repetition
  - Courses numbered between 100 and 299: A student may repeat any course numbered between 100 and 299 an unlimited number of times. Only the highest of the grades obtained in the original and first repeat shall be counted in a student's overall GPA. In second and subsequent repeats of a course, all grades received will be averaged with the highest of the first two grades in a student's overall GPA.
  - Courses numbered between 300 and above: A student may repeat any courses numbered 300 or above an unlimited number of times. However, all grades received shall be included in the computation of a student's overall GPA.

### **3.5.4 Withdrawal**

- A student may withdraw from a course up to the last day of the ninth week of the semester and receive a grade of "W." In order to do so, the student must obtain the signature of the instructor on a withdrawal form and submit it to the office of the Registrar.
- All instructors shall make an effort to assess the quality of students' work prior to the ninth week of the semester, so as to be able to counsel them on the advisability of withdrawing from the course.
- A "W" may not be assigned if withdrawal from a course takes place after the semester deadline for withdrawal, unless a student withdraws from all courses before the end of the twelfth week. In such cases, a "W" will be assigned for each course.
- A student who ceases to attend a course after the semester deadline for withdrawal must receive a grade other than "W" in that course. In cases where it

- is evident that a student has failed to initiate proper action for withdrawal before the end of the twelfth week, an instructor must give a grade other than "W."
- If unforeseen circumstances have prevented compliance, the student may appeal to the Dean of Student Services. In such cases, the instructor may give a "W" with the concurrence of the Dean of Student Services.

### **3.6 Confidentiality of Student Records**

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law which grants students the right to inspect their own educational records, as well as the right to a hearing if they wish to challenge the contents of these records or make explanations for challenged information. FERPA also provides for the confidentiality of student records, except with respect to special cases noted in the legislation.

The Registrar at NJIT is responsible for student records. Educational records include transcripts, admission files, and placement records. Students wishing to review their files must make a written request to the Registrar listing the items of interest. Student health records are maintained by the Director of Health Services and may be examined by a professional of the student's choice. Files covered by FERPA will be made available within 45 days of the request. Students may have copies made of their records at their own expense at prevailing rates. Exceptions to the right of inspection include financial aid records and records of institutional, supervisory, and administrative personnel as well as educational personnel ancillary thereto. These records are the sole possession of the makers or their substitutes.

Within the university community, only those members acting in the student's interest, individually or collectively, are allowed access to student files. These include personnel in the Registrar's, Admissions, Student Services and Finance Offices, and academic personnel within the limitations of their need to know.

With the exceptions stated in FERPA, no one outside the university shall have access to a particular student's educational records without the written consent of the student, except in extraordinary circumstances such as emergencies, where the student's files may be opened to accrediting agencies carrying out their accrediting function, and to certain state and federal officials. A record of access and the reasons for granting it will be kept by the university and will be accessible to the student.

The university may, at its discretion, provide directory information in accordance with the provisions of FERPA, including the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height if the student is a member of an athletic team, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended. Students who wish to withhold directory information should notify the Registrar in writing, within two weeks of each year's first academic enrollment.

Requests to withhold directory information will be honored by the university for one academic year and must be filed annually. If a student disagrees with an entry, he or she should attempt



to resolve the question with the Office of the Registrar. Failing resolution, either the university or the student may request a formal hearing. The hearing, in accordance with FERPA's requirements, will be held within 30 days following the request and will be conducted by a university official or other person without a direct interest in the outcome. The student will be given a full and fair opportunity to present relevant evidence, and a written decision will be rendered within 15 working days after the hearing.

Students who believe that the adjudications of their challenges were unfair or not in keeping with the provisions of the Act may request, in writing, assistance from the President of the university. Students who believe that their rights have been abridged may file complaints with The Family Educational Rights and Privacy Act Office, United States Department of Education, Washington, D.C. 20201.

### **3.7 Class Attendance**

#### **3.7.1 Attendance Requirements**

The policy stated below applies to day and evening undergraduates.

- Freshmen are expected to attend all regularly scheduled classes.
- Sophomores, except those with Dean's List rating, are expected to attend all regularly scheduled classes.
- Attendance at regularly scheduled classes shall not be mandatory for Juniors and Seniors.

Attendance, by itself, shall not constitute a basis for grading except for certain clearly designated courses.

Instructors are not obligated to make allowances for student absences, unless those absences are due to illness or similarly unavoidable causes. Early in each semester, instructors should clearly explain what is expected of students in terms of class attendance and participation, reading assignments, reports, and so forth.

#### **3.7.2 Responsibilities of the Student**

It is understood that this policy on attendance in no way relieves a student of the following personal responsibilities with respect to presence in class.

- To gain an understanding of the basic ideas, and techniques presented in the course.
- To gain mastery of the subject matter, ideas, and techniques presented in the course.
- To take examinations, tests, quizzes.
- To participate in oral presentations, seminars, field trips, etc..
- To participate in group activities such as laboratory experiments, study projects, etc.
- To remain fully informed as to class plans, announcements, assignments, etc.

When, in the opinion of the instructor, a student is jeopardizing the successful completion of the academic requirements for a subject due to excessive absences, the

instructor shall transmit an absence warning (Academic Warning Notice) to the Registrar for mailing and distribution.

### **3.8 Student Advisement**

All incoming freshmen are assigned academic advisers. Whenever feasible, students should be permanently assigned an adviser in an area of the student's professional interest. This will usually occur after completion of the freshman year. Major Departments assign formal curriculum advisement to members of the teaching staff and maintain a file of student records.

It is recognized that much important advisement occurs in informal student-faculty contacts, and it is hoped that the teaching staff will encourage such contacts as an essential component of NJIT's advisement activities. If a member of the teaching staff feels that a student needs more extensive vocational counseling, or has a personal problem, he/she should feel free to suggest that the student visit the Counseling Center, which customarily works with students to resolve such problems.

### **3.9 Drugs and Narcotics**

Any person, whether a member of the faculty, staff, or student body, who illegally possesses, uses, manufactures or prepares, buys, sells, gives away, or otherwise dispenses any legally controlled substance or non-narcotic drug becomes liable for suspension and subsequent dismissal. The Committee on Professional Conduct, which is composed of members of the faculty, students, and staff will consider action regarding any student so charged. Information provided by students who have been involved with drugs and seek assistance from the University's counseling staff in dealing with this problem will be treated with the strictest confidence.

### **3.10 Demonstrations and Protests**

The students of NJIT have the right to participate in peaceful demonstrations such as picketing, rallies, vigils, marches, or other legitimate means of protest. However, all rights must be exercised responsibly. Any actions interfering with the operation of the university or with the rights of others are grounds for disciplinary action. Interfering actions include, but are not limited to, the blocking of access to classrooms or buildings and the unauthorized occupancy of any university building, or any part thereof, either during or after hours of operation.

### **3.11 New Jersey Institute Of Technology Student Professional Conduct Code**

#### **3.11.1 Article 1: Preamble**

- NJIT's mission is "... in undergraduate, graduate, and continuing professional education, preparing students for productive careers and amplifying their potential for lifelong personal and professional growth." The university seeks to create a community where rights and mutual responsibilities are both recognized

and valued. The university promotes the intellectual and personal development of its student population within an environment of freedom of inquiry. In order to preserve this climate of academic freedom, students are expected and required to adhere to high standards of moral, ethical, and professional behavior.

- The university will regulate conduct affecting its interests as an academic community. All members of the community are obligated to observe and adhere to the civil and criminal laws of the local, state, and federal authorities as well as to university regulations and policies.
- This document refers to the procedures and regulations comprising the Professional Conduct Code. Additional judicial procedures and regulations applying to students can be found in the Undergraduate/Graduate Catalogs and publications about Greek Life, Residence Life, Sexual Harassment, and other published documents.
- The guidelines set forth below are intended to ensure that all persons accused of violating the NJIT Professional Conduct Code are treated in a fair and just manner and afforded an opportunity to have an alleged violation fairly adjudicated. The Professional Conduct Code describes prohibited types of behavior, the sanctions which can be imposed, and procedures for adjudicating offenses committed by students.
- NJIT reserves the right to modify, alter, or repeal any of the procedures, rights, or responsibilities set forth in this statement at any time. Such changes will be publicly posted prior to taking effect.

### 3.11.2 Article 2: Definitions

These definitions apply for the purposes of the Professional Conduct Code:

- **University** means New Jersey Institute of Technology (NJIT).
- **Student** means any individual enrolled in one or more courses at the university, whether graduate, undergraduate, full-time, part-time, matriculated, non-matriculated, day, evening, or maintaining registration. Students living in university residences and attending other post-secondary institutions are included within this definition.
- **Faculty** means any person having faculty, instructing staff, or special lecturer status.
- **Dean of Student Services** means those officials or individuals designated by the Dean of Student Services to fulfill any of the responsibilities under this document.
- **Investigator** means the official or individual designated by the Dean as responsible for researching, investigating, and presenting alleged violations of the Professional Conduct Code before the hearing panel.
- **University Official** means any person authorized by the University to act in a representative capacity within the scope of their professional or administrative responsibilities.
- **Member of the University Community** means any student, faculty member, university official, guest, licensee, or staff member of the university.

- **University Premises** means any building, land (including adjacent streets and sidewalks) or facility, fixtures or equipment owned, leased, operated, controlled, or supervised by the university.
- **Organization** means a Student Senate/Graduate Student Association/University recognized group of any number of students.
- **Group** means any group of students, which although not officially chartered by the university, has been granted certain privileges or accommodations by the university.
- **Judicial Body** means any person, or recognized group of persons, authorized by the University to determine whether a student has violated the Professional Conduct Code or [Academic Honor Code](#) and recommend and/or determine appropriate sanctions.
- **Business Day** means any day, except Saturday and Sunday, when the university administrative offices are open.
- **University Sponsored Activity** means any activity, on or off campus, which the university officially recognizes, participates in, or supervises.
- **Shall** is used in the imperative sense.
- **May** is used in the permissive sense.
- **Respondent** means any student or organization accused of a violation of University policy.
- **Complainant** means any individual who has brought forth a complaint resulting in a charge of violation(s) of university policy.
- **Policy** means any regulation of the university found or referenced in, but not limited to, the Professional Conduct Code, the [Academic Honor Code](#), the Student Handbook, the Residence Life Guide, or the Undergraduate/Graduate Catalogs.

### 3.11.3 Article 3: Judicial Authority

- Section 1: Final Authority: Final authority for the discipline of students rests with the Board of Trustees, which delegates that authority through the President and the Faculty to the Dean of Student Services, the Committee on Professional Conduct, and the Committee on Student Appeals.
- Section 2: Dean of Student Services: The Dean of Student Services will administer the disciplinary process.
- Section 3: Judicial Bodies: Disciplinary hearings may be held by any of the following judicial bodies:
  - Residence Life Judicial Board (described in the Residence Life Guide).
  - Interfraternity-Sorority Council Judicial Board (described in the Statement of Relationship Between New Jersey Institute of Technology and Social Fraternities and Sororities).
  - Dean of Student Services or his/her designee.
  - Administrative Hearing Panel or Officer designated by the Dean of Student Services.
  - Committee on Professional Conduct.
  - Committee on Student Appeals.

- Section 4: Judicial Decisions: Decisions of a judicial body shall be final, pending the appeal process as described in this Code.

#### **3.11.4 Article 4: Prohibited Conduct**

- Section 1: Guidelines
  - The University will protect the safety and well being of the campus community as well as University-related facilities and property. This right includes taking disciplinary action for offenses occurring off campus when in the determination of the judicial body they pose a substantial danger to, or adversely affect, the University community and/or the pursuit of its objectives.
  - The University will charge and sanction any student organization or group when prohibited conduct is engaged in or related to the activities and/or interests of that organization/group, or such conduct is engaged in by a collection of individuals representing the organization/group. For any given violation of this Code, action may be taken against individuals, student organizations, groups, or any such combination.
  - Being under the influence of drugs and/or alcohol does not diminish or excuse a violation of the Code, and may result in more severe sanctions.
  - Guests must adhere to campus policies. A student whose guest has violated any provision of this Code shall be held responsible for such behavior, and will face appropriate disciplinary action.
  - If a violation of University rules and/or regulations, published in this or other University document or public statement, is also a violation of law, the University may take disciplinary action against student offenders. Such action is independent of, and may proceed before, during or following, civil or criminal action. Such actions are not subject to challenge on the basis that civil or criminal charges involving the same incident have been reduced or dismissed. Normally the University does not adjudicate violations of policy that may also be legal violations taking place off campus, unless such violations have, or pose a threat of, an adverse effect on the University community and/or the pursuit of its objectives.
  - Any student who withdraws from, or fails to return to, the University while disciplinary action is pending against him/her will be ineligible for readmission unless the charges are dismissed or resolved. The University reserves the right to restrict individuals from the campus while unresolved disciplinary charges are pending.
  - Attempts to engage in acts or behaviors prohibited by this Code, or assisting others to violate this Code, shall be treated as though the behaviors were completed, and may result in sanctions being applied as if the acts or behaviors were completed.
- Section 2: Rules and Regulations
 

Any student or student organization found to have committed the following misconduct is subject to the disciplinary sanctions described in Article 5.

Generally, the sanctions imposed will fall within the range suggested for each violation stated below. However, in unusual circumstances, the judicial body may use its discretion in choosing sanctions outside these guidelines, including expulsion in severe circumstances, or in case of repeated, lesser offenses.

These include, but are not limited to, the following:

- Cheating, plagiarism, or other forms of academic dishonesty as described in the NJIT [Academic Honor Code](#). Refer to the Academic Honor Code for sanctions.
- Violations of the most serious nature which may result in expulsion:
  - f* Assaulting, physically abusing, threatening, harassing, stalking, intimidating, coercing, or otherwise endangering the welfare of any person (including, but not limited to, acts of discrimination, sexual harassment, or assault). Range of sanctions ([Article 5](#)): Minimum: # 4; Maximum: # 12
  - f* Hazing, as defined by the [New Jersey State Statute 2C:40-3](#) or by the joint definition of the Fraternity Executives Association, the National Interfraternity Conference, and the National Panhellenic Conference (both definitions appear in the Statement of Relationship Between New Jersey Institute of Technology and Social Fraternities and Sororities). Range of sanctions ([Article 5](#)): Minimum: # 4; Maximum: # 12
  - f* Forging, altering, tampering, fabricating, or misusing any University document, record, or instrument of identification. Range of sanctions ([Article 5](#)): Minimum: # 4; Maximum: # 12
  - f* Use, possession, manufacture, distribution, or dispensing of a narcotic or other controlled dangerous substance except as expressly permitted by law. Note: “controlled dangerous substance” is defined in [N.J.S.A. 2C:35-2](#), and includes, but is not limited to, opiates, narcotics, barbiturates, and hallucinogenic substances. Range of sanctions ([Article 5](#)): Minimum: # 3; Maximum: # 12
  - f* Illegal or unauthorized possession of firearms, explosives, other weapons, including but not limited to knives (other than small pocket-type or table knives), compressed air, BB, pellet, and paint ball rifles or pistols, martial arts weapons, ammunition, or dangerous chemicals. Misuse of chemical agents, tools, or other potentially harmful objects. Range of sanctions ([Article 5](#)): Minimum: # 3; Maximum: # 12
  - f* Violations of the Policy on the Responsible Use of Computing Resources. Range of sanctions ([Article 5](#)): Minimum: # 3; Maximum: # 12
  - f* Abuse of the Student Judicial System, including, but not limited to:
    - Failure to respond to notice to meet with a University official, and/or failing to appear before a judicial body as the respondent after notice has been issued, and without legitimate excuse as determined by the hearing panel. No

witness shall be found to be in violation of this Code solely because of failure to appear before a judicial body. If the respondent fails to appear after proper notice, the hearing may be conducted in his/her absence.

- Falsifying, distorting, or misrepresenting information before a judicial body.
- Disrupting or interfering with the orderly procedure of a judicial investigation or hearing.
- Knowingly initiating a judicial proceeding without cause.
- Attempting to discourage a person's proper participation in, or use of, the judicial system.
- Attempting to influence the impartiality of a member of the judicial body prior to, and/or during the proceeding.
- Verbally or physically harassing and/or intimidating a member of the judicial body prior to, during, and/or after a hearing proceeding.
- Failing to comply with, or obstructing the implementation of, sanctions established by a judicial body; violating the terms of disciplinary probation; violating the Code while on disciplinary probation.
- Influencing another person to commit an abuse of the judicial system.

Range of sanctions (Article 5): Minimum: # 3; Maximum: # 12

*f* Interfering with the safety of others through negligent or intentionally improper acts including, but not limited to, propping open doors which are normally locked, improperly using or damaging fire prevention/fighting equipment, intentionally sounding a false alarm, or setting a fire or explosive device.

Range of sanctions (Article 5): Minimum: # 3; Maximum: # 12

*f* Violation of University policies, rules, or regulations published herein or in any other university publication or posted announcement. Range of sanctions (Article 5): Minimum: # 2; Maximum: # 12

*f* Any other conduct or action in which the University can demonstrate a clear and distinct interest and which threatens any educational process or other legitimate function of the University or the health, safety, or reasonable interests of any member of the University community. Range of sanctions (Article 5): Minimum: # 2; Maximum: # 12

*f* Theft of, damage to, and/or possession of, stolen or unauthorized personal property of any individual, the university, or of public property (including but not limited to defacing, misusing, or misappropriating property). Range of sanctions Article 5): Minimum: # 3; Maximum: # 12

- Serious violations which may result in suspension: Participation in a demonstration which disrupts the normal University operations and/or

infringes on the rights of other members of the University community; unauthorized occupation of a University facility; leading or inciting others to disrupt scheduled and/or normal activities within any building or area; intentional obstruction which unreasonably interferes with freedom of movement on or off campus. Range of sanctions (Article 5): Minimum: # 2; Maximum: # 11

- Violations which may result in disciplinary probation and discretionary sanctions:
  - f* Tampering with the electoral process of any university recognized organization. Range of sanctions (Article 5): Minimum: # 4; Maximum: # 10
  - f* Willfully furnishing false information on any matter, either orally or in writing, to any University official or faculty member, or intentionally causing a false report, warning, or threat of fire, explosion, or other emergency. Range of sanctions (Article 5): Minimum: # 3; Maximum: # 10
  - f* Disrupting, obstructing, or interfering with University functions or any University activity, including but not limited to teaching, research, administration activities, and campus functions. Range of sanctions (Article 5): Minimum: # 3; Maximum: # 10
  - f* Unauthorized entry into, use of, or misuse of university property, including data and/or voice communication networks, and facilities or property of another student or university employee. Unauthorized possession, duplication or use of keys and/or codes to any university facilities or premises. Range of sanctions (Article 5): Minimum: # 3; Maximum: # 10
  - f* Use, possession, manufacture, distribution, or dispensing of alcoholic beverages except as expressly permitted by law and University regulations, or public intoxication. Range of sanctions (Article 5): Minimum: # 3; Maximum: # 10
  - f* Disorderly, lewd, or indecent conduct; breach of peace; aiding, abetting, or inducing another person to breach the peace on University premises or at functions sponsored, or participated in, by the University. Range of sanctions (Article 5): Minimum: # 3; Maximum: # 10
  - f* Intentionally discriminating against any person on the basis of race, color, religion, national origin, sex, age, disability, or sexual orientation, except where such distinction is required by law. Range of sanctions (Article 5): Minimum: # 3; Maximum: # 9
  - f* Failure to comply with the directives of University officials acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so. Range of sanctions (Article 5) is: Minimum: # 2; Maximum: # 9
  - f* Obstruction of the free flow of pedestrian or vehicular traffic on university premises, or at University sponsored functions. Range of sanctions (Article 5): Minimum: # 2; Maximum: # 9



### 3.11.5 Article 5: Sanctions

- Section 1: Sanctions for Individuals: Any combination of one or more of the following sanctions may be imposed upon any student who has violated the Professional Conduct Code:
  - Academic Sanctions: Violations of the [Academic Honor Code](#) may result in sanctions stated herein and/or academic sanctions as specified in the Academic Honor Code.
  - Warning: Finding that the student or organization has violated university regulations with no further action is being taken; notice that continuation or repetition of such behavior may result in more severe sanctions.
  - Reprimand: A written reprimand stating that the student or organization has violated university regulations, and that continuation or repetition of prohibited conduct may result in more severe sanctions.
  - Disciplinary Probation: A written notice to the student or organization which has violated university regulations stating that his/her/their status as a student or organization in good standing has been removed and that they are subject to sanctions beyond the maximum stated penalty upon continuation or repetition of prohibited conduct. Disciplinary probation is imposed for a specified time period, during which the student's or organization's conduct will be observed and evaluated. Any violation of the terms of probation shall be charged as a separate offense, subject to the hearing procedures set forth in this Code, with sanctions to include extension of probation, loss of privileges, suspension or expulsion.
  - Loss of Privileges: The student or organization may be excluded from participation in co-curricular activities including, but not limited to, eligibility to receive non-academic or non-financial awards/honors, representing the university in an official capacity, or engaging in intramural or intercollegiate athletics. Any restrictions imposed shall be designated as to length, character, and restoration of privileges.
  - Restitution: Compensation to the university, organization or individual for property damage or other established loss, or for medical expenses due to personal injury, resulting from the violation of the Professional Conduct Code.
  - Fines: Payment to the university pursuant to other university policy (e.g. parking).
  - Change of Campus Residence: Required moving from current on-campus housing to another campus location as a condition of remaining in residence on campus, or removal from on-campus housing on either a temporary or permanent basis.
  - Discretionary Sanctions: These are sanctions unique in character and dependent upon the specific conduct. They may be imposed in concert with other sanctions. Examples include, but are not limited to, participation in specified programs, such as an alcohol education program; completion of a research paper related to the nature of the violation; temporary or permanent loss of parking privileges; loss of

- access to University computing facilities; repair or restoration of damaged/stolen property.
  - Suspension: Exclusion from enrollment, University premises, and other privileges or activities for a specified time period, after which the student is eligible for readmission. Suspension may be imposed during an academic term of enrollment and may continue for one or more additional terms as specified not exceeding two years. Conditions for readmission may be specified. Notice of this action shall appear on the student's transcript for a specified time period.
  - Indefinite Suspension: Exclusion from enrollment, University premises, and other privileges or activities for an indefinite time period in excess of two years. Conditions for readmission shall be specified. Notice of this action shall appear on the student's transcript until the student is declared eligible to return to the University.
  - Expulsion: Permanent exclusion from enrollment, university premises, and all other privileges or activities. Notice of this action shall appear permanently on the student's transcript.
- Section 2: Sanctions for Organizations/Groups: Any combination of one or more of the following sanctions may be imposed upon any student organization which has violated the Professional Conduct Code:
  - Those sanctions listed above.
  - Temporary Suspension of Official University Recognition: Loss of all privileges enjoyed by organizations, including but not limited to funding, participation in campus activities, use of campus facilities, and solicitation/selection of new members. Suspension shall be imposed for a specified time period.
  - Permanent Suspension - Withdrawal of Official University Recognition: Loss of all privileges, and permanent loss of opportunity to exist as a campus organization.
- Section 3: Student Disciplinary Records: A record of violations is kept in the student's personnel file in the Office of the Dean of Student Services. In cases not involving suspension or expulsion, all disciplinary records in the student's personnel file shall be removed seven years after the student's last period of enrollment at the university.

### **3.11.6 Article 6: Interim Suspension**

- Section 1: Initial Interim Suspension: Interim suspension from campus residence or from the University may be temporarily imposed, immediately and without prior notice, by the Dean of Student Services in extreme circumstances, wherein it is determined by the Dean of Student Services that a student poses a definite and immediate threat to the safety and welfare of him/herself, other persons, University property, or the normal University operations. During interim suspension, the student may lose regular privileges, such as the right to be present in campus residences and/or on campus or engage in any university activities or privileges, as determined to be appropriate by the Dean of Student Services. The interim suspension shall be in effect until the preliminary hearing

is held. The hearing shall be held as soon as practicable and will have priority in the scheduling of hearings.

- Section 2: Preliminary Hearing: A preliminary hearing regarding the continuation of the interim suspension shall, except in extraordinary circumstances, be held within three business days of the decision. The preliminary hearing shall be held by the Vice President for Academic and Student Services or his/her express designee other than the Dean of Student Services. The purpose shall be to determine the reliability of the evidence of alleged misconduct, and whether it reasonably justifies the continuation of the interim suspension pending a full hearing on the charged conduct before the Committee on Professional Conduct.
- Section 3: Completion of Term: If, following the conclusion of the pre-hearing and/or hearing processes, the student is permitted to complete the academic term, s/he shall be allowed to make up any class-work missed during the interim suspension.

### **3.11.7 Article 7 Hearing Process**

- Section 1: Pre-hearing Procedures
  - Complaint or Referral: Any individual may report a student suspected of violating this Code to the Dean of Student Services. If another office is notified, it shall forward the matter directly to the Dean of Student Services. If alleged conduct is criminal in nature and is appropriately reported to Public Safety, or other applicable law enforcement agency, the Dean's office shall be notified, and the student conduct investigation may continue. A University official may act as a complainant on behalf of the University and/or third parties. A complaint should be submitted as soon as possible after the alleged offense occurs, preferably within ten business days. However, there is no time limitation regarding the filing, and subsequent commencement of, proceedings hereunder.
  - Investigation: When an incident is reported to the Dean of Student Services, an investigation is undertaken to determine whether further action is necessary. Interviews are held with the person reporting the incident (complainant), the person accused of the violation (respondent) and appropriately identified witnesses to the incident, as the investigator deems relevant. The investigator may request written statements.
  - Determination of Charge(s) and Specification(s): The investigator determines whether a hearing should be conducted and which judicial body shall hear the case. If a hearing is deemed necessary, the investigator prepares a charge sheet consisting of a summary of the investigation, witnesses' written statements (if any), appropriate Public Safety reports, and other relevant material.
  - The respondent has the option to waive the right to a hearing before the Committee on Professional Conduct if s/he does not dispute the facts of the case giving rise to the charge(s) and admits responsibility for his/her actions, provided that the respondent is notified of his/her right to a hearing. The respondent has the right to waive a hearing at any point in

the investigatory process prior to the scheduling of a hearing before the Committee on Professional Conduct. To waive a hearing, the respondent must sign the Waiver of University Judicial Hearing statement. The respondent must also provide a signed written statement disclosing the facts surrounding the incident and acknowledging responsibility for his/her actions. Based upon this statement, the information gathered during the investigation by the Dean of Student Services Office which was revealed to the respondent, and the respondent's past disciplinary record, the Dean of Student Services will determine the appropriate sanctions. These may include any combination of those specified in this document. The respondent has the right to appeal the sanctions. However, the decision to waive the right to a hearing and the admission of responsibility, including the contents of the statement of responsibility, may not be appealed. All appeals will be taken in accordance with the procedures for judicial hearings stated in this document.

- Notice of Charge(s) and Hearing: The respondent is advised of charge(s), a summary of the evidence gathered, names of the witnesses, procedures to be followed, and the date, time, and location of the hearing. The written summary and the charges are provided to the respondent at least five business days prior to the hearing.
- The respondent may request that specific judicial board members be removed from the case if sufficient evidence is provided to the Dean of Student Services that such members would not be able to maintain objectivity due to previous contact with the respondent. This information is forwarded to the Chair of the judicial board. The decision regarding removal shall be made solely by the Chair of the judicial board.
- Section 2: Resolution By Hearing Officer or Judicial Boards
  - Investigatory Interview: When the respondent takes full responsibility for the violation(s) and signs the Waiver of University Judicial Hearing statement, the Dean of Student Services shall determine the sanctions to be imposed. Only the sanctions may be appealed to the Committee on Student Appeals.
  - Informal Hearing: Except for claims involving sexual harassment, in which case the procedures set forth in that policy will be followed, and with the consent of the respondent, an informal hearing upon alleged violations will be conducted before an Informal Hearing Panel, the members of which are designated by the Dean. If either the Dean of Student Services, the complainant, or the respondent disagrees with the decision of the Informal Hearing Panel and wishes to appeal, they must notify the Dean within three business days of receipt of the decision. In this event, a full hearing shall be held before a panel of the Committee on Professional Conduct. An independent authority with expertise in the area of the alleged violation may be asked to interpret the details of the case (e.g. a faculty member from the School of Architecture may interpret drawings and provide appropriate advice).

- Formal Hearing: A panel selected from the Committee on Professional Conduct shall be comprised of three students (two undergraduates and one graduate if the respondent is an undergraduate student; two graduates and one undergraduate if the respondent is a graduate student), two faculty members, two university officials, and the Chair of the Committee on Professional Conduct. If one member leaves permanently during a hearing, the respondent is asked whether the proceeding should continue or be recessed to a later time. If two members must leave the hearing, the Chair calls a recess and sets a time for the proceeding to continue. An independent authority with expertise in the area of the alleged violation may be asked to interpret the details of the case as stated above. No member of the judicial panel may abstain. Decisions are based upon majority vote with the Chair voting only in instances of a tie.
- If the Committee on Professional Conduct is unable to meet due to the end of a term or during the summer, cases may be resolved by a subcommittee of this hearing body. The determination to convene a subcommittee to act for the full committee shall be at the discretion of the Dean of Student Services. The subcommittee shall be comprised of two students (one undergraduate and one graduate), one faculty member, one university official and one additional member of the Committee who will serve as the Chair. All procedures for a full Committee on Professional Conduct hearing will be followed.
- A pool for the Committee on Professional Conduct shall be comprised of students appointed to serve a one-year term (normally re-appointed for two additional years to facilitate continuity), faculty members and university officials normally appointed to serve three-year terms. The Student Senate appoints six undergraduate students. The Graduate Student Association appoints four graduate students. The Provost appoints six faculty members and four university officials. Members are selected on a rotational basis to serve on a particular hearing panel. Student members must be in good academic standing and have no record of violation of the Professional Conduct or [Academic Honor Code](#).
- Training: All new members of the pool for the Committee on Professional Conduct shall participate in training at the beginning of the academic year of appointment.
- The Committee on Professional Conduct may recommend impeachment of a member for neglect of duty. Such action requires a two-thirds vote of the Committee. Student members found to be in violation of the Professional Conduct or [Academic Honor Code](#) shall be automatically removed from the pool for the Committee on Professional Conduct. The appropriate constituency shall be notified and requested to name a replacement.
- Section 3: Judicial Procedures

- In order to maintain confidentiality, hearings are conducted in private. Admission of any individual to the hearing shall be at the discretion of the judicial body chair.
- The complainant, respondent, and the judicial body may present witnesses. The Chair shall make all determinations regarding the propriety and relevancy of witnesses' testimony, and may place limitations upon witnesses' testimony accordingly.
- The complainant and/or the respondent may have an advisor present at the hearing, providing the advisor is a member of the university community, and is not an attorney. The advisor shall not participate directly in the proceedings, but may be consulted by the complainant or respondent.
- Neither complainants nor respondents may have an attorney present at any point in the pre-hearing or hearing disciplinary processes.
- The Chair distributes the written material to the members of the hearing panel and discusses the procedure to be followed. Time is provided for the members to read the statements.
- The Chair calls the complainant and the respondent into the hearing room. The tape recorder is started and the Chair calls the hearing to order. The Chair reads the charge(s) and specification(s) and asks the respondent if s/he has had adequate time to prepare, if there are any questions regarding procedure, and how the respondent pleads to each of the charge(s) and specification(s). Final decisions on procedural matters during the hearing shall be made by the Chair.
- Opening statements are given by the investigator and the respondent. These statements are general in nature and do not describe the details of the case.
- The investigator presents the case in detail and may bring witnesses who testify as appropriate. Following questions of witnesses by the members of the hearing panel, the respondent may ask questions of the witnesses.
- The respondent presents testimony and may bring witnesses who testify as appropriate. Questions may be asked of the witnesses by the members of the panel, the complainant, and the investigator.
- Witnesses appear individually and do not remain for the testimony of others. Witnesses must have observed the alleged incident or provide direct, relevant information.
- If new information is provided, additional witnesses may be called to testify.
- Closing statements are given by the respondent and the investigator. The members of the hearing panel may ask further questions, if necessary.
- The respondent may request up to two character witnesses to speak on his/her behalf. Testimony is limited to the character of the respondent, and the members of the panel may ask questions regarding this testimony.

- The information-gathering session is concluded. All non-hearing panel members are excused from the room. The tape recorder is turned off. The investigator is available, if needed, but is not present during the deliberation.
- Members of the hearing panel deliberate deciding whether the charge(s) and specification(s) are true or false, based solely on the evidence presented at the hearing. Each charge and specification is considered separately. Determination of truth or falseness is based on reasonable certainty that the respondent violated the Code. If one or more of the charges is found to be true, the past conduct record of the respondent is reviewed by the Chair. The panel determines the nature of the sanctions.
- The Chair sends a letter to the respondent indicating the date of the hearing, the charge(s) and specification(s) involved and the conclusions, including any sanctions. A copy of the letter and appropriate written material used in the hearing shall be placed in the respondent's personnel file, located in the Office of the Dean of Student Services.
- A record of the proceeding shall be made (normally a tape recording). This record belongs to the university. One free copy shall be provided to the respondent upon request.

### **3.11.8 Article 8: Appeals**

- Section 1: Grounds For Appeal
  - A respondent who has signed the Waiver of University Judicial Hearing statement may appeal only the sanctions to the Committee on Professional Conduct if s/he (or the organization charged) disagrees with the sanctions imposed against him/her/it.
  - The respondent may request a Formal Hearing before the Committee on Professional Conduct if s/he (or the organization charged) questions the fairness of the action taken against him/her/it in an Informal Hearing.
  - A respondent found responsible for an offense by the Committee on Professional Conduct may request an appeal before the Committee on Student Appeals. Such an appeal shall be based upon any of the following grounds: prejudicial departure from the hearing procedure, new and significant evidence, or convincing evidence that the sanction was arbitrary or capricious.
- Section 2: Appeal Procedure
  - If the respondent who signed the Waiver of University Judicial Hearing statement chooses to appeal sanctions, a written request shall be made to the Dean of Student Services within three business days following notice of the hearing results. Such requests shall be approved.
  - If the respondent chooses not to accept the decision of the Informal Hearing, and requests a Formal Hearing before the Committee on Professional Conduct, a written request shall be made to the Dean of Student Services within three business days following notice of the Informal Hearing results. Such requests shall be approved.

- If the respondent chooses to appeal the decision of the Committee on Professional Conduct to the Committee on Student Appeals, a request shall be submitted, in writing, to the Provost within ten business days following notice of the Formal Hearing results.
- The Committee on Student Appeals considers an appeal on the basis of the respondent's written request, a written statement from the complainant and/or Chair of the Committee on Professional Conduct, or Dean of Student Services, and on the record of the case. The Committee first decides whether to grant the appeal. If the appeal is granted, the Committee shall review the written record of the case and, if appropriate, the audio recording (in part or in full) of the hearing being appealed. A new hearing shall not be conducted by the Committee on Student Appeals.
- Appeal Decisions: The Committee may affirm the finding and sanctions imposed, affirm the finding and reduce, suspend or remand the determination of sanction to the Committee on Professional Conduct, or remand the case to the Committee on Professional Conduct for reconsideration. All decisions of the Committee on Student Appeals are final, and not subject to further appeal.

### **3.11.9 Article 9: Amendments**

Any amendment to this Code, other than a procedural change, must be adopted by a minimum of a two-thirds vote of the Student Senate, a two-thirds vote of the Graduate Student Association, a majority vote of the faculty voting upon the amendment, and a majority vote of the Board of Trustees.

Approved by the Board of Trustees 4/22/99



## **4. MISCELLANEOUS OPERATIONAL POLICIES AND PROCEDURES**

### **4.1 *Equal Employment Opportunity Policy***

NJIT does not discriminate against any applicant for admission as a student or any applicant for employment because of race, creed, color, sex, national origin, ancestry, or age. This policy applies to the availability of campus facilities, employment, promotion, transfer of employees, rate of compensation, and termination of employment. It is the obligation of all supervisory personnel to follow procedures that will implement this policy.

### **4.2 *Employment of Relatives***

Relatives may be employed at the College provided that they do not work in the same Department or the same immediate work area, and provided that no relative controls the budget from which the pay of another is drawn.

Marriage of fellow employees in the same Department requires that one spouse will either transfer or terminate. Problems relating to the employment of relatives will be considered by the President.

### **4.3 *Medical Treatment for Emergency Accidents and Accident Reports***

When an accident or medical emergency occurs, the following procedures are recommended:

- Notify the switchboard operator of the nature and location of the accident and whether emergency assistance is needed.
- If possible, perform first aid as necessary to minimize further injuries.
- Report all accidents, regardless of how trivial, on an accident report form obtainable from the Health Services Office.

### **4.4 *Class Scheduling***

The College considers reliability and promptness in starting and dismissing classes to be of great importance. It is essential to the operation of the university as a whole that classes meet and be dismissed at the stroke of the bell. Individual members of the teaching staff do not have authority to cancel or reschedule class meetings. Such changes are made by the Department Chairperson only when absolutely necessary. When a staff member knows in advance of an unavoidable absence, he/she should arrange with his/her Chairperson for the class to be covered so that the normal work of the class may continue.

Rescheduling of a class at a time other than that specified by the Registrar can very easily create hardship for students. Such rescheduling should be done for only the most compelling reasons and then only if all students agree and the Chairperson approves.

Under no circumstances are classes to be rescheduled during times reserved for student activities: Mondays, 11:30am-1:00pm; Wednesdays, 2:30pm-5:45pm and Fridays, 8:30am-10:00am.

#### **4.5     *Suspension of Classes***

In the event that severe weather prevents classes from being held, announcements will be made on radio stations WOR 710 AM, WVNJ 1160 AM, WPAT 930 AM, and WNEW 1130 AM. The switchboard will open at 6:45 a.m. whenever weather conditions appear hazardous. With respect to administrative, secretarial, and clerical staff, only personnel performing essential services will be expected to report to work on the first day of such a suspension of classes. On the second and succeeding days of suspension, all staff will be notified by personal telephone call if they are expected to report to work.

A system has been devised whereby students and staff would be notified of a decision to suspend classes in the event that a serious snowstorm or disaster develops while school is in session. Such a decision will be merely a guide to administrative and Departmental offices. No member of the non-teaching staff may leave the University before receiving permission to do so from an immediate supervisor.

#### **4.6     *Use of Facilities on Sundays and Legal Holidays Observed by the University***

Sundays and legal holidays observed by NJIT are not considered to be normal working days for any employee. On such days, all buildings are to be secured with only minimal operational staff. NJIT maintains procedures for access to campus buildings and facilities by faculty, students, and staff.

Activities will be permitted in University buildings on Sundays and holidays observed by NJIT only if the following rules are observed:

- The use must be in accordance with the established written policy governing the use of NJIT facilities.
- The administrator responsible for the activity in the building, or a designated member of his/her professional staff, must be present during use of the building. Under no circumstances may students be present without responsible staff supervision.
- The building may be utilized only by the group and for the stated purpose(s) for which special permission has been granted.

This policy is not intended to limit access of faculty to their offices, research, and research associated areas.

#### **4.7     *Parking***

Because the area in which the University is located is congested, it is of great importance that city parking regulations be carefully observed so that violations do not occur. Parking areas are available for use by the students, faculty, and staff of the University. Each car using these areas

must be registered and bear a decal with a registration number. A non-transferable charge is made for the registration and decal, except for cars using semester permits.

Questions on parking should be directed to the Director of Physical Plant, who will also supply current written rules and regulations.

#### **4.8 Public Statements and News Releases**

Any public statement emanating from or about the University carries the possibility of benefit or damage to one's colleagues and the University. Public statements or news releases issued on behalf of any Department or organization within the university should be issued by, or in cooperation with, the Office of the Director of Public Relations. If circumstances prevent such procedure, the President should be informed of the nature of the statement before it has been released to the public.

Nothing in this policy should discourage any individual on the University staff from commenting publicly on any faculty or student matter. However, if he/she speaks as an individual and not as a sanctioned representative of the University, he/she has an obligation to make this distinction clear.

#### **4.9 Use of University Property and Services**

University facilities, letterhead, forms, other stationery, stamps, and mailing services are not to be used by members of the staff for personal purposes or in connection with private activities conducted for profit, including consulting. Similarly, the services of clerical, stenographic, technical, or other personnel may not be used by any staff member for personal purposes during regular working hours. The use of stationery and services in connection with the work of professional societies and public service organizations is permissible provided clearance is granted by the Department Chairperson or immediate superior.

#### **4.10 I.D. Cards**

All students, teaching staff, and other NJIT employees must have authorized NJIT identification cards. Cards must be presented upon request to any security guard or employee of the university.

#### **4.11 Facilities and Services Available to Staff**

##### **4.11.1 Dining Facilities**

A dining room open only to members of the faculty and staff is provided. The main student dining facilities are located in the Student Center. Hours are posted. The dining facilities are operated by the University at the lowest possible cost consistent with a good quality of food.

Private dining rooms are also available in the Center for luncheons and dinners. Information is available from the Food Services Supervisor.

#### **4.11.2 Library**

Library services are described in the University Library Faculty/Staff Users Manual. These manuals are available in paper format at the Library or [online](#). Library hours, catalog, and database information may also be found on the [Library Homepage](#).

Teaching staff may borrow circulating books for specified periods. The Library asks for prompt return of materials that are no longer in use, or have been requested by others. Journals do not circulate. The libraries of Rutgers' Newark division and the Newark Public Library are also available resources, as are other sources through interlibrary loan. The Library's Interlibrary Loan/Document Delivery Office offers services such as the UNCOVER database and article ordering system, as well as traditional interlibrary loan. [A web version of the ILL request form is available](#).

The Library's Technical Reference Librarians maintain on-going contact with the Faculty through the Library Liaison program. For more information about the Liaison Program and a listing of each Department's Library Liaison, consult the Library Faculty/Staff Users Manual or the Library Homepage.

#### **4.11.3 Recreational and Athletic Facilities**

Administrative and teaching staff, and their families, may use the facilities of the gymnasium and the athletic fields when these facilities are not being used by a team or in a program of instruction directed by the Physical Education Staff.

Requests for the use of these facilities are to be directed to the Director of the Division of Health, Physical Education, and Athletics.

University staff wishing to bring guests to the athletic facilities in other than a spectator capacity must obtain a guest permit from the Director. Questions concerning guest rules and the use of the athletic facility should be directed to the Division Office. Identification cards are available for families of staff through the Secretary of the University.

#### **4.11.4 Procedure for Making Facility Reservations**

Applications for the use of a room or facility must be obtained from, and approved by, the office responsible for the facility. The offices to contact are:

- Classrooms and Lecture Hall: The Registrar
- Department Conference Room: The Department
- Student Center: Director of Student Activities
- Alumni Center: Director of Alumni Relations
- Physical Education Building: Office of the Director
- Food Services: Food Service Supervisor

- The Theater: Director of the Theater

Any reservation requested by an organization or group not affiliated with NJIT must have the approval of one of the following:

- Industrial or Professional Groups: Director of Continuing Engineering Studies
- Community or Civic Groups: The President
- Groups Associated with Students: Dean of Students

As a rule, facilities will not be made available to non-NJIT groups, individuals, or organizations when the intention is to use the facility for a profit-making venture. Reservations should be made with a minimum of one-week advance notice.

#### **4.11.5 Audio-Visual Services**

Members of the instructing staff requiring assistance in the development of audio-visual material are urged to consult with the Instructional Media Services Center. Requests for media equipment (film projectors, etc.) should be made directly to Media Services.

#### **4.11.6 Auxiliary Services**

Auxiliary enterprise services provided by the university, namely those of the bookstore, food services, and parking facilities are non-profit, self-supporting operations. Since these services are provided on a non-profit basis to the user, no discounts can be offered and none are intended. Prices compare favorably with those of private concerns in the immediate area.

## **APPENDIX A: Bylaws of the Faculty Council of New Jersey Institute of Technology**

### **A.1 Article I: Purposes**

The administration of the New Jersey Institute of Technology is vested in the Board of Trustees of the Institute and is carried out by its officers, who are appointed by the Trustees. However, certain powers and responsibilities in the areas of curriculum, academic standards, and discipline appertain to the faculty (teaching staff of professorial rank). In addition, the entire teaching staff has a vital interest in policies relating to conditions of employment, promotion, and professional development of the faculty, collectively and individually.

A Faculty Council was established at Newark College of Engineering during the academic year 1965-1966, in response to a perceived need for increased Faculty participation in all aspects of NCE activity. This perception defines the mission of the Council: to make the spirit of the faculty felt and its voice heard on all matters of concern to the NJIT community. In particular, the Faculty Council is committed to facilitating communication among the Faculty, administration, and Trustees; to enhancing Faculty governance; and to promoting the harmonious, efficient, and educationally effective operation of the Institute.

### **A.2 Article II: Functions**

The Faculty Council shall speak for and represent the Faculty and instructing staff at NJIT in academic matters as well as in other areas of traditional Faculty interest. The Council shall exercise, in the areas of its responsibility, the power to:

- Communicate
- Initiate
- Investigate
- Deliberate
- Recommend

Good **communication** is essential for attaining a high degree of cooperation between the officers of the Institute and the Faculty and attaining excellence by collective action. Furthermore, free discussion and exchange of ideas is an inherent function of any university faculty. The Faculty Council, committed to facilitating communication among the Faculty, the administration, and Trustees, will solicit contributions to the matters within its purview from the entire Institute community, communicate the results of its deliberations to the entire Institute community, and provide forums for oral and written communication to the Faculty.

The Faculty Council will **initiate** Faculty and Institute action by focusing attention on specific areas of the University environment, contributing appropriate proposals for those areas, and advocating its ideas among members of the Faculty, students past and present, NJIT officers, and the Board of Trustees.

The **investigative function** will be exercised whenever the Council must gather, on behalf of the Faculty, the pertinent facts bearing on problems in the domain of the Faculty's responsibility and concern.

**Deliberation** is an exhaustive discussion of issues, facts, and consideration of alternatives. This function is inseparable from the Faculty Council's existence and will be exercised by the Council in its quest to clarify problems and propose appropriate solutions.

**Recommendations** may be made directly to one or more of the following: the faculty, the instructing staff, the President, the Board of Trustees, or any person, duly constituted committee, or other academic body of the Institute. In matters falling within the scope of an existing Institute committee, the Council shall also present its recommendations to that committee.

#### **A.2.1 Section 1: Limited Authority of the Faculty Council**

The Faculty Council must obtain prior consent for any act of Council to be binding on the Faculty of NJIT. "Prior consent" means a resolution for the specific act must have been approved by a vote of the Faculty of NJIT.

#### **A.2.2 Section 2: Special Duties and Powers of the Faculty Council**

- The Council shall originate ideas and act as a clearing house for the ideas and suggestions of others, especially members of the Faculty.
- The Council shall stand ready to function as a special committee of the Faculty.
- The Council shall assist in improving cooperation at all levels throughout the Institute. In discharging this duty, the Council may act as a liaison between NJIT officers and Faculty as a whole or individually. It shall encourage other constituents of the Institute to present their views to the Council in writing, by interview, or by invited appearance.
- At its discretion, the Council may call meetings which are open to the entire faculty.

### **A.3 Article III: Council Organization**

#### **A.3.1 Section 1: Composition**

- The size of the Faculty Council shall be determined by the number of existing academic Departments. Each Department of the University shall elect one member to the Council. The term "Department" currently refers to the following divisions.
  - School of Architecture
  - Department of Chemical Engineering
  - Department of Chemistry and Environmental Science
  - Department of Civil and Environmental Engineering
  - Department of Computer Science
  - Department of Information Science
  - Department of Biomedical Engineering
  - Department of Electrical & Computer Engineering

- Department of Engineering Technology
- Department of Federated History
- Department of Humanities & Social Science
- School of Management
- Department of Mathematical Science
- Department of Mechanical
- Department of Industrial & Manufacturing Engineering
- Department of Physics
- The immediate past Chairperson of the Council may attend Council meetings and exercise all membership privileges, except the right to vote.

**A.3.2 Section 2: Officers**

The officers of the Council shall consist of a Chairperson and a Vice-Chairperson (Chairperson-Elect).

**A.4 Article IV: Council Membership**

**A.4.1 Section 1: Term of Faculty Council Members**

- Faculty Council members are elected to their positions. Their term of office is three years beginning on September 1<sup>st</sup>.
- In the event that academic Departments are changed or combined, their elected Faculty Council members shall complete the terms to which they were elected.
- Terms shall be arranged so that approximately one-third of the membership changes each year. The Faculty Council is empowered to alter terms of members to reestablish this condition if the need arises.

**A.4.2 Section 2: Eligible Faculty**

All Faculty of professorial rank holding full-time teaching appointments in academic Departments of the Institute (with the exception of Department Chairpersons and members of the Executive Committee) and employed by the Institute for a minimum of five years at the time of election, are eligible for Council membership. These requirements do not apply to the Department of Aerospace Studies, to Departments with only one member, or to new Departments during the first five years after their formation.

**A.4.3 Section 3: Succession**

Elected members of the Faculty Council may not succeed themselves if they have served more than one calendar year on the Council. Former members shall be eligible for additional terms, provided that there is a lapse of at least one year between their terms of office.

**A.4.4 Section 4: Temporary Substitute for a Council Member**

In order to provide continuity, a Council member temporarily unable to serve may name an eligible Departmental substitute, who will serve for a maximum of six months during the regular member's absence from the Council.



## **A.5 Article V: Election of Council Members**

### **A.5.1 Section 1: Voting Faculty**

All Faculty of professorial rank holding full-time teaching appointments in academic Departments of the Institute are eligible to vote in their Department's elections for Council members.

### **A.5.2 Section 2: Timely Election of Council Members**

- Before the end of the academic year in which the normal term of office of a Council member will end, the Department concerned shall elect a successor who will take office on September 1<sup>st</sup>, following the election. The same shall apply to those exceptional terms of office described in [A.6.2](#).
- When, for any reason, the Council member from an academic Department does not complete his/her term, the affected Department shall elect a replacement for the unexpired portion of the term without delay.

### **A.5.3 Section 3: Conduct of Elections**

- The election of Council members may be held at any meeting of the Department, or at a special meeting called for that purpose by the incumbent Council member of the Department. All such elections require a notice of ten working days.
- The incumbent Council member of the Department shall conduct the election of his/her successor. If such a member is not available, the Chairperson of the Council shall name another member of the Department to conduct the election.

### **A.5.4 Section 4: Department Decision to Change Its Faculty Council Member**

- An academic Department may change its elected Faculty Council member, provided that he/she is not a Council officer. Faculty Council officers cannot be removed from Council membership or from office except by the Faculty Council according to these bylaws.
- A Department may change its elected Faculty Council member by a two-thirds vote of the eligible voting constituency at a regular meeting, or at a duly convened special meeting. Ten working days previous notice of the proposed election is required.
- If a change is approved by the Department, it shall proceed without delay to fill the unexpired term according to the provisions of [A.5.1](#), [A.5.2](#) and [A.5.3](#) above.
- Following the election, the Department Chairperson shall send written notification to the Council confirming the results of the election.

### **A.5.5 Section 5: Duties of Council Members**

- Foremost among the duties of its members is to initiate individually, and with their colleagues, contributions to the Council's mission and functions as set forth in these bylaws.
- It shall be understood that Council members represent the interests of the Faculty as a whole, not only those of their respective Departments.

- Faculty Council members are expected to maintain a rapport with Faculty at all levels and to present to the Council the ideas, opinions, and suggestions of the Faculty and instructing staff.
- Council members shall be particularly sensitive to the welfare and concerns of non-tenured faculty, especially those within their own academic Department. Council members shall promptly present such concerns to the Council for consideration.
- Members shall attend all meetings of the Faculty Council and are expected to keep the Faculty informed at all times of the business of the Council.

## **A.6 Article VI: Faculty Council Officers**

### **A.6.1 Section 1: Election of Council Officers**

- Each year the Council shall elect one of its members as the next Vice-Chairperson (Chairperson Elect). The Vice-Chairperson shall be elected by the affirmative vote of a majority of the Faculty Council membership. Such election shall take place at a duly convened election meeting, or at a Council meeting for which previous notice of such election has been given. The election shall be held near the end of the academic year.
- On the first day of September following the expiration of the Chairperson's term, the Vice-Chairperson shall accede to the position of Chairperson.

### **A.6.2 Section 2: Terms of Office**

- The term of office of the Chairperson of the Faculty Council is one year beginning on September 1<sup>st</sup>.
- The term of office of the Vice-Chairperson of the Faculty Council is one year beginning on September 1<sup>st</sup>.
- In the event that a member with only one year remaining to be served on the Council should be chosen Vice-Chairperson-Elect, his/her term shall automatically be extended to encompass the one-year period as Chairperson. The election of a successor, which would normally take place in accordance with [A.5.2](#), shall not take place. Instead, an election shall be held one year later, at which time a successor shall be elected for a term of two years only. The two-year term will reestablish the election calendar.
- Should a vacancy occur, the Council can fill the unexpired term by electing a new officer. The election procedure specified in [A.6.1](#) above shall be used.

### **A.6.3 Section 3: Duties of Faculty Council Officers**

- The Chairperson shall prepare the agenda for Council meetings, call Council meetings, and be the presiding officer at meetings. The Chairperson may vote on any issue before the Council.
- The Chairperson shall appoint, or recommend for appointment, Council members to standing and special committees according to these bylaws with due regard to

Council needs and individual preferences. The Chairperson and Vice-Chairperson shall be members ex-officio of all Faculty Council committees.

- The Chairperson or Vice-Chairperson shall represent the Council at CAA and other Institute activities as directed by the Council, make timely reports to the Council on all Institute proceedings and issues, and perform other duties appropriate to their offices.
- The Chairperson shall present to the Council an annual report containing assessments of the implementation of its mission (Articles I through IIB of these bylaws), the effectiveness of all facets of Council activities, including the activities of the Council's committees, and citing areas to which the Faculty Council should direct its efforts.
- The Vice-Chairperson shall have all the duties and responsibilities of a Council member. He/she shall share the responsibility of executing Council tasks as assigned by the Chairperson and shall be involved and/or become familiar with all aspects of the Council's functions and activities. He/she shall perform all duties of the Chairperson in the latter's absence, including the signing of Council documents.
- The Vice-Chairperson shall be present during all meetings or discussions engaged in by the Chairperson with the President or Provost of NJIT, and during meetings on official Faculty Council business as determined by the Council. In the event that the Vice-Chairperson cannot be present, the Council shall direct another member to accompany the Chairperson.
- All Council related actions taken and formal communications made by any officer of the Faculty Council shall reflect the considered opinion of the Council.

#### **A.6.4 Section 4: Removal of Faculty Council Officers**

The Council may remove any of its officers by a two-thirds majority vote of the members present at a regular meeting. The voting shall be done by secret ballot. Notification of a request for removal must be made by petition to the Council by at least five elected members. The petition for a hearing and a vote for removal must be acted upon at the first regularly scheduled Council meeting after ten working days following the initial notification.

#### **A.6A Article VIA: Secretary of the Faculty Council**

##### **A.6A.1 Responsibilities of the Secretary**

The Secretary of the Faculty Council shall be responsible for tabulating votes taken during Council meetings, preparing accurate minutes of such meetings and distributing the minutes to Council members within one week after each Council meeting, maintaining the complete collection of the official records of Council meetings (approved minutes), and maintaining membership records and records of other Faculty Council matters as requested by the Council.

### **A.6A.2 Election and Duration of Service**

The Secretary may be elected by the Council or appointed by the Chairperson, and shall serve a term of one year.

## **A.7 Article VII: Meetings**

### **A.7.1 Section 1: Regular Meetings**

The Council shall normally meet once per week during the academic year. The first meeting of the Council in any academic year shall be held during the month of September. An election meeting shall be held near the end of the academic year.

### **A.7.2 Section 2: Special Meetings**

Additional meetings shall be held as determined by the Chairperson or by consensus of the Council. Upon the written request of one-third or more members, the Chairperson shall call a special meeting of the Council on the subject of the petitioners' interest.

### **A.7.3 Section 3: Quorum**

The quorum for meetings of the Faculty Council is a majority of its voting membership.

### **A.7.4 Section 4: Rules of Order**

- The rules contained in the current edition of [Robert's Rules of Order Newly Revised](#) shall be followed at Faculty Council meetings in all cases to which they apply, provided they are consistent with these bylaws and any special rules the Council may adopt.
- The Faculty Council generally meets as a committee of the whole for the purpose of permitting unlimited discussion of a subject without requiring its introduction by a formal motion.

## **A.8 Article VIII Committees**

### **A.8.1 Section 1: Authority to Form a Committee System**

- The Faculty Council is responsible for overseeing many diverse areas on behalf of the Faculty, as well as special areas that it must study and for which it must prepare resolutions for consideration by the Faculty. By dividing responsibilities among its members, the Council can operate with greater freedom and accomplish a greater quantity of business than could be accomplished if the whole Council devoted itself to each subject from the preliminary through final steps.

To better carry out its commitment to serve the Faculty and the Institute, the Faculty Council shall create a system of Standing Committees. It is also authorized to form additional committees as required. Faculty who are not Council members may serve on committees along with Council members and make significant contributions to the Faculty Council's service to the Faculty and the Institute.

- Committees shall be created, or retired, as set forth in the current edition of [Robert's Rules of Order Newly Revised](#).

A description of each Standing Committee, setting forth the committee name, area of responsibility, and charge shall be attached to, and considered a part of, these bylaws.

#### **A.8.2 Section 2: Committee Membership**

- Committee members shall be elected by the Council, or appointed by the Chairperson acting at the direction of the Council, as set forth in the current edition of [Robert's Rules of Order Newly Revised](#). However, a majority vote of the Faculty Council is required to appoint a non-Council member to one of its committees.
- Members of Standing Committees shall be chosen to include Faculty with a strong interest or experience in matters in the province of the committee.
- In addition to membership in the committee of the whole, every Faculty Council member shall be a member at least one Standing Committee.

#### **A.9 Article IX: Amendments**

All amendments to these bylaws shall originate with the members of the Faculty. Proposed amendments shall require the approval of the Council by a two-thirds vote of its elected membership in order to be placed before the Faculty for deliberation and ratification. Such ratification shall require a simple majority of the Faculty voting on the amendment. The vote may be taken at a duly constituted meeting of the Faculty, or by mail balloting supervised by the Faculty Council.

## **APPENDIX B: Constitution and Bylaws of the Professional Staff Association/American Association of University Professors at the New Jersey Institute of Technology**

### ***B.1 Article I: The Association***

This Association shall be known as the New Jersey Institute of Technology Professional Staff Association/American Association of University Professors, Inc.

### ***B.2 Article II: Purposes of the Association***

#### **B.2.1 Preservation and Protection of Rights and Privileges**

To provide an autonomous organization for the professional staff of New Jersey Institute of Technology, as defined in [Article IV](#) of this constitution, whereby individual, professional, and academic rights and privileges of its members may be preserved and pursued under law.

#### **B.2.2 Compensation and Support**

To originate and promote efforts on behalf of the professional staff at NJIT in support of professional rates of compensation, suitable conditions of employment, quality institutional research, modern educational facilities, and policies and goals directed toward increased excellence in higher education.

#### **B.2.3 Supporting Faculty Governance**

To cooperate with and support the Institute's Faculty in maintaining and enhancing Faculty governance.

#### **B.2.4 Collective Bargaining**

To serve as the representative of the professional staff of the Institute in any collective negotiations under Public Law 1968, Chapter 303, N.J. (and including any subsequent changes or additions thereto) dealing with those economic issues, working conditions, and other conditions of employment not included within the scope of faculty governance as hereinafter defined.

#### **B.2.5 General Policy**

To support, as a matter of general policy, only those aims, plans, policies, and recommendations which are in the best interests of the entire professional staff at NJIT.

### ***B.3 Article III: Faculty Governance***

The Association shall cooperate with the Faculty of NJIT in maintaining and promoting those practices associated with faculty governance in institutions of higher learning. This cooperation shall be sufficiently extensive to assure the autonomous functioning of the Faculty in those matters traditionally associated with faculty governance. Nothing in this document is intended in any way to abrogate the traditional rights, privileges, and responsibilities of the Faculty in their determination of, and participation in, institutional governance. Neither does this Constitution preclude the Association from acting on behalf of Faculty at the request of the Faculty. The

Governing Board of the Association shall cooperate with the Faculty Council in all matters of mutual interest and concern, especially with regard to actions relating to Faculty governance at the Institute.

#### ***B.4 Article IV: Membership***

This Association shall be composed of Active and Life Members.

##### **B.4.1 Section 1: Active Members**

Any member of the professional employee's bargaining unit at NJIT (as defined by P.E.R.C.) who has paid membership dues and current assessments shall be considered an Active Member of the Association.

##### **B.4.2 Section 2: Life Members**

All Active Members of the Association shall, at the time of retirement, become Life Members in good standing. Life Members shall enjoy all privileges of the Association except those of voting and holding elective office and shall be exempt from the payment of all dues and assessments.

#### ***B.5 Article V: Governing Board***

##### **B.5.1 Section 1: The Governing Board**

The Governing Board shall be elected from among the Active Members of the Association. The number of members and the method for election or recall of any members of the Governing Board is provided for in the bylaws.

##### **B.5.2 Section 2: Term of Office**

The term of office shall be two years. The members of the newly constituted Governing Board shall assume the duties of their offices at the first meeting the May after the election results have been certified.

##### **B.5.3 Section 3: Selection of Officers**

At its first meeting, which will be held within one week of the date of Commencement, the newly constituted Governing Board shall elect a President and Vice-President from among its elected members. The Governing Board shall appoint the Treasurer and Secretary from among the Active Members. The method for the election or removal of any officer is provided for in the bylaws.

##### **B.5.4 Section 4: Meetings of the Governing Board**

The Governing Board shall meet at the President's call for planning, recommending, and executing the purposes of the Association as provided for in the Constitution and bylaws. The President shall call a meeting at the request of a majority of the members of the Governing Board. The Governing Board shall meet at least 12 times per year. Active Members of the Association may attend meetings of the Governing Board as observers.

### **B.5.5 Section 5: Duties and Powers Governing Board**

The Governing Board shall carry out the purposes of the Association as provided for in the Constitution and in the bylaws Bargaining Unit.

The Board shall have the power to collect moneys required to conduct the business of the Association. It shall also be empowered to accept gifts and bequests to the Association and to administer all funds and properties of the Association. The Governing Board shall not enter into any binding agreements affecting conditions of employment of members of the Bargaining Unit without the express approval or ratification of the Association membership. The Governing Board shall disseminate information regarding its activities. It shall be authorized to issue Association publications. It shall provide adequate means for dissemination of ideas originating in its Board and shall be required to receive and consider all communications from members of the bargaining unit.

## **B.6 Article VI: Officers**

### **B.6.1 Section 1: Officers Association**

Officers of the Association shall be a President, Faculty Vice-President, professional staff Vice-President, Secretary, and Treasurer (or a Secretary/Treasurer). The President and the Vice-Presidents shall be elected for a term of two years, and may be elected to succeed themselves. The method for the election of these officers is provided for in the bylaws. The elected officers shall assume the duties of their offices at the first meeting of the newly constituted Governing Board. The office of professional staff Vice-President may be left vacant if there is no consenting candidate. The Secretary and Treasurer (or Secretary/Treasurer) shall each be appointed for a term of one year and may be reappointed for succeeding terms.

### **B.6.2 Section 2: Duties of Officers**

- President: The President is the chief executive officer of the Association and shall be empowered to act as its official representative on behalf of the best interest of the entire bargaining unit. The President shall call meetings of Governing Board and the Association and shall preside at such meetings. The President shall appoint standing and special committees in accordance with the provisions of [Article VII](#) of this constitution. The President shall be an ex-officio member of all committees and shall perform such other duties as necessary.
- Vice-President: A Vice-President, in the absence of the President, shall perform all of the duties and enjoy all the privileges of that office according to the by laws. Should the President be unable to fulfill the duties of the office, the Governing Board shall elect either the Faculty Vice-President or the professional staff Vice-President to the office of President. That individual shall serve in that capacity for the duration of the two-year term. The resulting vacancy in one of the Vice-Presidencies shall be left vacant until the next regular election. The Vice-President shall perform other duties as directed by the President.



- Treasurer: The Treasurer shall collect and have custody of all funds of the Association, pay out such funds as are necessary upon approval of the Governing Board, keep the accounts of the Association, make an annual itemized report in writing of such accounts, and perform other such duties as necessary.
- Secretary: The Secretary shall keep a proper record of all meetings of the Association and of the Governing Board. The Secretary shall carry on such correspondence as is necessary in the transaction of the business of the Association. The Secretary shall make available a copy of the constitution, the by-laws and the records of any meetings, to any member requesting them, and shall be custodian of the Association records, excepting financial records. The Secretary shall perform such other duties as necessary.
- Secretary/Treasurer: The offices of Secretary and Treasurer may be combined at the discretion of the Governing Board.

**B.7 Article VII: Committees**

Committees shall be appointed and discharged by the President with the advice and consent of the Governing Board. The members of any committee shall hold office until their successors are appointed or the committee is discharged. Members of committees shall be members of the Association in good standing.

**B.8 Article VIII: Association Records**

The records and accounts of the Association and of its Governing Board, officers, and committees shall be kept in books provided by the Association. These books shall be the property of the Association and, exclusive of privileged information, including grievance files and confidential labor management communications, shall open to the inspection of its members at the Association office. Every officer, member or employee of the Association having funds, papers, books, records, or property of any description belonging to the Association shall relinquish them, on demand, to the person authorized by the officers to receive them.

**B.9 Article IX: Quorum**

The quorum for a meeting of the Association shall be one-third of the Active Members. The quorum for a meeting of the Governing Board, or any committee, shall be a majority of the members of the particular group.

**B.10 Article X: Amendments to the Constitution**

**B.10.1 Section 1: Proposal of Amendments**

Amendments to the Constitution may be proposed for consideration by either the Governing Board or by a petition signed by not less than 50 Active Members of the Association.

**B.10.2 Section 2: Recommendation for Ratification**

Consideration of proposed amendments to the constitution must take place at an Association meeting or at a special hearing called to propose amendments. A majority

of those present and voting shall be necessary in order for an amendment to be submitted to a ratification referendum.

### **B.10.3 Section 3: Ratification**

Ratification of approved amendments shall require a majority vote of the Active Membership of the Association. Ratification shall be conducted by the Governing Board.

## **B.11 By-Laws**

### **B.11.1 Article I: Fiscal Year, Budget, Dues, and Assessments**

- Section 1: Fiscal Year: The fiscal year of the New Jersey Institute of Technology Professional Staff Association/American Association of University Professors, Inc., shall begin July 1 and end June 30.
- Section 2: Annual Budget: Each year before the regular Fall meeting of the Association, the proposed annual budget for the Association shall be approved by the Governing Board. The Treasurer, President, Vice-Presidents, and the Association staff shall present the proposed budget at the regular Fall meeting of the Association. Adoption of the budget shall require a majority vote of the Association's Active Members present and voting.
- Section 3: Dues and Assessments
  - Dues: Changes in the annual dues shall require a vote of the Governing Board and ratification by the membership. Dues may be paid in one sum or in payroll deduction installments.
  - Assessments: Assessments to cover expenses incurred by the Association in activities directly related to collective negotiations shall be billed to every member of the bargaining unit. Assessments shall be proposed by the Governing Board and approved by a majority of those present and voting

### **B.11.2 Article II: Meetings of the Association**

- Section 1: Regular Meetings: Regular meetings shall be held in the Fall and Spring semesters.
- Section 2: Special Meetings: Special meetings may be called by the President or by a majority vote of the Governing Board at any time.
- Section 3: Notices: Notices of regular meetings and their agendas shall be publicized no less than seven calendar days in advance. Special and ratification meetings shall require individual notification and their agendas shall be publicized in advance of such meetings.
- Section 4: Voting on New Items: Any motion relating to an item not on the published agenda cannot be voted upon at that meeting without the approval of two-thirds of the membership present.
- Section 5: Minutes: Minutes of each meeting of the Association shall be available from the Association office no later than ten days after the date of such a meeting.

### **B.11.3 Article III: Cooperation and Affiliation**

- Section 1: Cooperation: The Association may cooperate or consult informally with other groups, organizations, or entities in order to facilitate the achievement of its purposes.
- Section 2: Formal Affiliation: Formal affiliation with any group, organization, or individual for the purpose of enhancing the Association's effectiveness in negotiations shall require ratification by a majority of the Active Members in accordance with the procedures described herein for amending the constitution.

### **B.11.4 Article IV: Negotiations**

- **Section 1: Authorization:**  
The Association, its agents, or representatives shall be authorized to act for the members of the bargaining unit pursuant to Chapter 303 Public Laws of 1968, of the State of New Jersey, for the purposes of collective negotiations.
- **Section 2: Individual Members:**  
The Association, its agents, or representatives shall be empowered to assist any individual member of the bargaining unit as requested by said member within the provisions of negotiated pursuant to Chapter 303.

### **B.11.5 Article V: Standing Committee**

Standing Committees and their Chairs shall be appointed by the President from among the Active Members of the Association with the approval of the Governing Board.

- Section 1: Budget Committee: The Budget Committee shall consist of no fewer than three members. It shall assist the Governing Board in preparing the annual budget and shall carry out other such duties as assigned.
- Section 2: Research Committee: The Research Committee shall consist of no fewer than three members. It shall advise and serve in the gathering, treatment, and interpretation of the data and information necessary to the fulfillment of Association purposes.
- Section 3: Membership Committee: The Membership Committee shall be comprised of no fewer than three members. This committee shall encourage members of the bargaining unit to join the NJIT PSA/AAUP. The PSA/AAUP staff shall keep records of the active membership of the Association.
- Section 4: Negotiations Committee
  - Duties: The Negotiations Committee shall act as the negotiating team on matters affecting the welfare of the members of the members of the bargaining unit, except as provided for in [Article III](#) of these bylaws. It shall negotiate for all the members of the bargaining unit at NJIT, pursuant to Chapter 303, N.J. Public Laws of 1968.
  - Negotiated Agreements: All negotiated agreements of this committee shall be ratified by a majority vote of the entire Active Membership of the Association. Balloting may be accomplished by letter ballot or at a regular or special meeting.
  - Professional Advisor: The Negotiations Committee, with the approval of the Governing Board, may utilize or employ the services of professional

advisers in the preparation, presentation, and execution of any legal documents or negotiated agreements.

- Section 5: Grievance Committee: The Grievance Committee shall assist in meeting the commitments of the Association to the members of the bargaining unit with respect to any grievance.
- Section 6: Nominating Committee
  - Composition: The Nominating Committee shall consist of five members of the Governing Board selected by a majority vote of the Governing Board. The Nominating Committee shall select its own Chairperson. No member of the Nominating Committee may be nominated for any office.
  - Procedure: At a Governing Board meeting held in the month of September, the Nominating Committee shall solicit nominations for the offices of President, Faculty Vice-President, and professional staff Vice-President. Additionally, the committee shall solicit nominations from the general membership. The Nominating Committee shall nominate candidates who have been Active Members for at least three years.
  - The Nomination Committee shall designate at least one nominee for the positions of President and Faculty Vice-President. The position of professional staff Vice-President shall remain vacant in the event that there is no consenting nominee. The approved list of nominees shall be distributed to the membership. The Nominating Committee shall receive nominating petitions for a period of 14 days following the distribution of the approved slate. The Nominating Committee shall include on the final ballot all Active members nominated by valid petition (containing the signatures of 50 Active members).

#### **B.11.6 Article VI: Election, Appointments, Recall**

Voting Divisions: Voting divisions shall be established among the membership of the Professional Staff Association for accomplishing the nomination and election of members of the Governing Board.

- Section 1: Governing Board: Members of the Governing Board shall be nominated and elected in accordance with the rules and regulations as specified in these bylaws. There shall be one voting division for each academic Department or school with ten or more members. Each academic voting division shall have one representative on the Governing Board; the professional staff shall have four representatives to the Governing Board. There will be seven at-large representatives, with four to be voted upon one year and the remaining three to be voted upon in the succeeding year. A division may have, at most, three of its Active Members on the Board: one an assured divisional representative and the others, if elected, as at-large representatives originating from that division.
  - The nomination and election of divisional representatives shall take place during the month of April. The Governing Board in office will appoint one Active Member to oversee the process of nomination and election in each voting division in which a vacancy occurs. Any Active Member of the division may be nominated by another Active Member of that division.

The election shall be by closed mail ballot, or by closed ballot at an election meeting. In order to be declared the divisional representative, the member must receive the votes of a majority of the Active Membership in that division.

- Elections to fill at-large vacancies on the Board shall be held, as soon as practicable, after the divisional elections and nominations. Voting in at-large elections shall be by closed mail ballot. A vote shall be considered valid when and only when a ballot indicates a vote for the number of at-large candidates that is equal to the number of at-large positions available for that election. At-large elections shall be supervised by the Governing Board.
- Section 2: Terms of Office: The term of office for Governing Board members shall be two years. Terms shall be staggered so that approximately one half of the seats become vacant each year.
- Section 3: Recall of Board Members: Recall of any individual member of the Governing Board may be accomplished by a vote of two-thirds of the entire active membership of the individual's constituency. Initiative of a recall election shall be by a petition signed by at least 25% of the entire active membership of the member's constituency.
- Section 4: Election of Officers: The President and Vice-President shall be elected by closed mail ballot, by a simple majority of votes cast by the active membership. If no candidate receives a simple majority, a run-off election shall be held between the two candidates with the largest number of votes. Members may exercise the option of writing-in candidates. Write-in candidates must have been active members of the Association for at least three years. The outgoing President will preside over these elections, unless he/she is a candidate for re-election, in which case the old Governing Board shall appoint another member to fulfill that function and to act as temporary Chairperson until the process has been completed. The procedure for the election of replacement representatives, exclusive of a mandated election calendar, is the same as that for Departmental representatives provided for in [Article VI, Section 1](#) of these bylaws.
- Section 5: Appointment of Officers: The Secretary and Treasurer or Secretary/Treasurer shall be appointed by the Governing Board from the Active Members of the Association.
- Section 6: Removal of Officers: Any officer may be removed by a two-thirds majority vote of the Board.

#### **B.11.7 Article VII: Rules of Order**

[Robert's Rules of Order](#) shall govern the meetings of the Association, the Governing Board and all committees, insofar as these rules are consistent with the Constitution and bylaws of the NJIT PSA/AAUP.

#### **B.11.8 Article VIII: Amendments to Bylaws**

The procedure for amending the bylaws is the same as that for amending the Constitution.

## **APPENDIX C: STANDARD/DEFAULT DEPARTMENT BYLAWS**

### **C.1 Article I: Preamble**

The Department of \_\_\_\_\_, referred to herein as the Department, shall operate according to these bylaws, which set forth its organization and the procedures by which it shall conduct its internal affairs.

### **C.2 Article II: Purpose**

Department bylaws are intended to:

- Foster and encourage the widest possible degree of faculty participation in the governance of the Department.
- Create an atmosphere of open and collegial discussion of all major issues affecting the daily operation and future development of the Department.
- Provide opportunities for service and professional growth in teaching and research, within the spectrum of the Department's activities, for every faculty member in a fair and equitable way.

This document, together with the Faculty Handbook and Professional Staff Association (PSA) Contract, is the official statement of the rights and privileges enjoyed by, and the obligations imposed upon, the Faculty of the Department by the system of faculty governance in effect at NJIT.

### **C.3 Article III: Voting Membership**

#### **C.3.1 Membership**

The voting membership of the Department consists of all faculty members holding permanent, full-time teaching appointments in the Department and possessing the rank of Distinguished Professor, Professor, Associate Professor, or Assistant Professor, including those holding joint appointments in other Departments. Excluded from the voting membership are Visiting Professors, Instructors, Special Lecturers, and Adjuncts.

#### **C.3.2 Current Voting Members**

The current voting members of the Department are the voting members exclusive of those who do not vote because of sabbatical leave, sick leave, or leave of absence.

#### **C.3.3 Joint Appointment**

A person holding a joint appointment in another Department shall decide in which Department he/she wishes to be a voting member. The Department of \_\_\_\_\_ will respect the member's decision. The voting members may exclude a person holding a joint appointment in another Department from the voting membership by a two-thirds vote, but only if such exclusion has not been effected in the other Department.

## **C.4 Article IV: Department Meetings**

### **C.4.1 Regular Meetings & Reserved Meeting Times**

Regular meetings shall be called by the Department Chairperson. During the first semester for which these bylaws are in effect, the \_\_\_\_\_ day of each month shall be reserved for regular Department meetings. Thereafter, before the end of each semester, the Chairperson shall announce the reserved dates for regular meetings for the following semester.

### **C.4.2 Special Meetings**

Special meetings of the Department may be called by the Chairperson and shall be called upon the written request of 25% of the current voting members of the Department. A special meeting called upon Faculty request must be held within two weeks of the date the Chairperson receives the request. Due regard shall be given to the purpose for which it is called, the necessity to give proper notice, and the importance of obtaining maximum attendance.

### **C.4.3 Annual Meeting**

At the first meeting of the Spring Semester, the Chairperson shall announce the time and date of the Department's Annual Meeting. At least four work weeks notice shall be given.

### **C.4.4 Notice of Meetings**

Each call for a Department meeting shall include notice of the date, time and place, and an agenda of specific items to be discussed at the meeting, with indication of items requiring a vote. Except in cases of emergency, the call for a meeting shall be distributed in writing to the Department faculty at least one week in advance.

### **C.4.5 Quorum**

The quorum for meetings of the Department of \_\_\_\_\_ is a majority of its current voting members.

### **C.4.6 Rules of Order**

The rules contained in the current edition of [Robert's Rules of Order Newly Revised](#) shall be followed at Department meetings in all cases to which they apply, provided that they are consistent with these bylaws and any special rules the Department may adopt.

### **C.4.7 Order of Business**

The order of business at regular Department meetings shall be as follows:

- Reading and Approval of Minutes\*
- Correspondence
- Chairperson's Report \*\*
- Committee Reports \*\*\*
- Scheduled Business Items \*\*\*\*
- Unfinished Business
- New Business

- Adjournment

\* The first action of the Department shall be the approval of the minutes of the previous meeting. Upon approval, the minutes become the official record of the previous meeting.

\*\* At each meeting the Chairperson shall report on activities of the Department and matters of interest to or affecting the Department.

\*\*\* The Chairperson, or any voting member present, may request reports from the standing and Ad Hoc Committees as well as from the Department representatives to Faculty Council and the PSA, and, if requested, reports shall be made at the proximate meeting. Reports shall be made in writing if requested by a majority vote at a previous meeting.

\*\*\*\* Scheduled business items may be included on the agenda by the Chairperson, a Department committee, the Faculty Council, or PSA representative. They may also be placed on the agenda by a majority vote of the Department at a previous meeting, or at the written request of any member of the Department. Business items shall be listed in the order in which they are received by the Recording Secretary.

#### **C.4.8 Voting Procedures**

Except as modified by other rules in these bylaws, all decisions of the Department shall be made by its current voting members, either at a scheduled meeting or by mail ballot. The terms "majority vote of the Department" and "two-thirds vote of the Department" mean, respectively, the affirmative vote by a majority or two-thirds of the current voting members of the Department, whether or not they are present at the meeting. The Chairperson shall not vote except when the voting is by secret ballot. He/She and cannot vote twice, once as a member and then again as a presiding officer. Moreover, the Chairperson shall not cast a vote in any decision requiring Chairperson concurrence.

At the request of any voting member, a vote shall be taken by secret ballot during the meeting. A vote by mail ballot must be authorized by a majority vote at a Department meeting. In cases where voting members are absent on previously scheduled Institute business, the Department may permit, by majority vote, absentee ballots for a specific issue, provided that the permitting vote occurred at a previous meeting.

#### **C.4.9 Recording Secretary**

The Recording Secretary shall be responsible for preparing a list of business items for each Department meeting, tabulating votes taken during meetings, preparing accurate minutes of such meetings, distributing the minutes to Department members within ten working days after each meeting, maintaining a complete collection of the official records of Department meetings (approved minutes), and making them available to the members of the Department.

The Recording Secretary shall be elected by the current voting members of the Department and shall serve a term of one year. The Recording Secretary shall be a voting member of the Department Faculty.



If the Department declines to elect a Recording Secretary or if a temporary Recording Secretary is required, the Chairperson shall make the appropriate appointment.

#### **C.4.10 Prior Notice of Motions**

Certain motions indicated in various sections below require prior notice, which means that an announcement that the motion will be introduced, precisely indicating its content, must be made at the previous meeting, included in the call of the meeting at which the motion will be introduced, or distributed by a proponent of the motion within a reasonable amount of time in advance of the meeting.

### **C.5 Article V: Department Administration**

#### **C.5.1 The Chairperson**

The Chairperson is that Faculty member of the Department of \_\_\_\_\_ designated as its chief administrative officer.

In addition to the duties and responsibilities of the Chairperson which are listed in Section 1.4 of the Faculty Handbook, the Chairperson shall perform the following functions:

- Appoint, or recommend for appointment, Department administrators, such as Associate Chairpersons, Assistant Chairpersons, Directors or Coordinators of Department programs, Administrative Assistants to the Chairperson, Secretaries, and other staff in accordance with these bylaws and NJIT policy.
- Appoint, or recommend for appointment, Faculty members to standing and ad hoc Department committees in accordance with these bylaws and with due regard to Department needs and individual preferences.
- Preside at Department meetings in accordance with these bylaws. Preside at meetings of the Department Promotion and Tenure (P&T) Committee in accordance with the Faculty Handbook. Coordinate with the Chairpersons of the Department Committees to insure the smooth functioning of the Department.
- Plan, or oversee the planning of, teaching schedules with due regard to Department needs, individual Faculty preferences, and a manifest policy of Faculty intellectual and professional development.
- Recommend to Institute administration new Faculty and teaching staff appointments upon the recommendation of the Department P&T Committee and faculty search committees.
- Oversee the Department's budget in consultation with, and on behalf of, the Department Faculty as provided by these bylaws.
- Conduct an annual assessment of the Department including the Department's mission, implementation of that mission, and the smooth and effective functioning of the Department's Faculty committees and administration.
- Represent the Department at CAA and other Institute activities.
- Report to the Department Faculty on all Institute proceedings and issues and on the annual assessment of the Department.

- When absent with intention to return, the Chairperson shall be represented for a specific period of time by a Department Faculty member, designated in writing by the Chairperson and approved by the Dean.

### **C.5.2 Associate Chairpersons**

- The Position of Associate Chairperson: Associate Chairperson positions may be created or abolished according to need and subject to approval by the Dean at any regular meeting of the Department by a two-thirds vote and the concurrence of the Chairperson, provided previous notice of the motion has been given.
- Appointment to the Position: For the smooth and effective functioning of the Department, Associate Chairpersons must be acceptable to both the Chairperson and the Department Faculty. Because of the nature of responsibilities assigned to the Associate Chairperson, he/she must be a Faculty member.

### **C.5.3 Periodic Evaluation of the Chief Administrative Officer of the Department**

- There shall be a periodic evaluation of the Chairperson by the Department Faculty according to Approved Institute Policy.
- There shall be an annual evaluation of the chief administrative officer of the Department if he/she is an interim or temporary appointee, such as an acting Chairperson.

## **C.6 Department Committees**

### **C.6.1 Purpose**

The Faculty has primary responsibility for such fundamental areas as curriculum, course content and methods of instruction, quality of instruction, academic standards, professional conduct, research, and faculty rank and status including appointment, reappointment, non-reappointment, promotion, tenure, and dismissal. The Faculty sets the requirements for degrees, determines when the requirements have been met, and authorizes the President and the Board of Trustees to grant the degrees thus achieved.

The collective exercise of this responsibility by members of Department Committees is part of the system of Faculty governance at NJIT. By the prudent use of committees, all Faculty can participate effectively in the governance of the Department and efficiently accomplish the Department's business.

To this end the Department shall create a system of Standing Committees to carry out its work. It is also authorized to form additional committees as required. This section describes the nature of committee functions, the procedures required to establish and retire them, and their responsibilities and rules of procedure.

### **C.6.2 The Nature of Committee Functions**

Committees may perform supervisory, supportive, and other tasks for the faculty, thus contributing to the smooth functioning of the Department. When they are charged with acting on behalf of the Department, or are assigned responsibility to effect specific decisions of the Department, their powers are limited to those specifically assigned by the Department faculty. Within the scope of their charge, committees may investigate, deliberate, and make recommendations to the Department.

- Standing Committees: Standing Committees perform continuing functions in the governance or operation of the Department and require permanence to carry out their charges effectively. Thus the term of committee members should extend over several years (normally three) and only a minority of the membership should be changed each year. Standing Committees have perpetuity and are terminated only by the specific action of the Department.
- Ad Hoc Committees: Ad Hoc Committees are formed for a specific purpose but do not require permanence to complete their charge. Ad Hoc Committees shall cease to exist upon the completion of their charge.

### **C.6.3 Establishing and Retiring Department Committees**

- Except as provided below, Standing Committees may be created according to need at any regular meeting of the Department by a two-thirds vote of the Department, provided that previous notice of the motion has been given. Regardless of the requirements for its creation, a Standing Committee may be retired at any regular meeting of the Department by a two-thirds vote of the Department, provided that previous notice of the motion has been given.
- Except as provided below, Ad Hoc Committees may be created according to need by the written announcement of the Chairperson acting at the direction of the Department, or by a majority vote of the Department. Regardless of the requirements for its creation, an Ad Hoc Committee may be retired at any regular meeting of the Department by a majority vote, provided that previous notice of the motion has been given.
- Any committee having standing authority on specific matters requires for its creation a two-thirds vote of the Department and the concurrence of the Chairperson.
- The motion to establish a committee shall include the charge to the committee, which sets forth its duties and area of responsibilities. The number of committee members, their eligibility criteria, their term of service, and method of appointment shall be included in the same motion or in a subsequent motion.
- An Ad Hoc Committee shall not be appointed or directed to perform a task that falls within the assigned function of a Standing Committee. Ad Hoc Committees shall not perform continuing functions; these functions must be assigned to Standing Committees. Conflicting or overlapping committee responsibilities shall be resolved at the proximate Department meeting.
- A committee charge may be changed according to need by the same procedure required to establish the committee. See above.
- A description of each Standing Committee which sets forth the committee name, its area of responsibility, its charge, and the number, eligibility criteria, term of

service, and method of appointment of committee members shall be attached to, and considered part of, these bylaws. The descriptions shall be revised to reflect changes in the committees as they occur.

#### **C.6.4 Committee Membership**

- Members of Standing Committees shall be chosen to include Faculty with a strong interest or experience in matters within the committee's province. Broad Department representation is mandated in committees of a principally academic nature, such as those concerned with the implementation and supervision of curricula, degree programs and academic standards, professional development of faculty, research facilities, and those which deliberate and make recommendations to the Department for its consideration.
- With the exception of membership in the committee of the whole and the Department Promotion and Tenure Committee, a faculty member shall not be a member of more than two Standing Committees or a Chairperson of more than one Standing Committee.
- The members of each Ad Hoc Committee shall be chosen at the time the committee is established. Additional members may be appointed as the need arises. Ad Hoc Committees chosen to implement an order of the Department should be small and consist only of those in favor of the actions to be carried out. When an Ad Hoc Committee is chosen for deliberation or investigation, however, it should be larger, including, as far as possible, all points of view in the Department so that its recommendations will carry maximum weight.

#### **C.6.5 Methods of Appointment**

Committees shall only be appointed or selected by one of the following methods, or a combination thereof. The Department, by resolution, may adopt a policy specifying which methods are to be used.

- Election by Ballot: Under this procedure, nominations may be made by the Chairperson, from the floor, by ballot or by petition. The nominations are then voted on by ballot, a majority vote being necessary to elect. The selection of the committee Chairperson may be treated as a separate piece of business to be voted on in the same ballot, or he/she may be elected from among the committee members on a subsequent ballot, unless it is determined that the selection should be left to the committee.
- Confirmation of Nominations Made by the Chairperson: Under this procedure the Department Chairperson names the same number of persons as there are to be members of the committee, always naming the proposed committee Chairperson first. Thereafter, any person may move to strike one or more names, but not to insert new ones. Only the Department Chairperson may propose new names and indeed must do so if a motion to strike out is adopted. Following the nomination process, the entire slate must be confirmed by ballot, a majority vote being necessary for confirmation.

- Appointment by the Chairperson Acting at the Direction of the Department: Under this procedure the Department, upon establishing the committee, may vote to direct the Chairperson to appoint the committee members, subject to whatever conditions it may impose. Appointments to the committee after adjournment of the meeting must be made by written announcement to the Department. The committee cannot act until such announcement is made. The committee membership shall be confirmed by the Department Chairperson at the next meeting and recorded in the minutes.
- Adoption of a Motion Naming Committee Members: Under this procedure the names of the proposed committee members may be included in the motion proposing to appoint the committee, or the membership may be the subject of an amendment to the original motion or of a subsequent motion. If other names are proposed while the original motion is pending, all such names and those in the motion shall be treated as nominations and shall be voted on as in the case of an election.

### **C.6.6 Committee Rules**

- Committee Chairperson: The committee Chairperson may be chosen when the committee is established, or the committee may elect one of its members to be Chairperson. The Chairperson shall have demonstrated concern for, and whenever feasible, experience in, matters which are in the province of the committee.
- Committee Meeting Times, Notification, and Attendance: Committee meetings must be scheduled at a time when a quorum may be obtained, and must be announced in writing to the entire Department at least one week prior to the meeting time. Each call for a committee meeting shall include notice of the date, time and place, and an agenda of specific items to be discussed at the meeting. Department members may attend all committee meetings with the exception of the meetings of the Department P&T Committee and search committees; attendance at meetings of these committees requires the committees' permission. Announcements of committee meetings must be made by timely posting in a prominent area designated by the Department.
- Committee Reports and Recommendations: Committee Chairpersons shall report regularly to the Department at Department meetings. On request of the Department, committee reports shall be in writing and available to all Department members.
- Committee recommendations to the Department shall be in writing and shall be distributed to the members of the Department ten working days before the meeting at which they will be offered for approval.
- Committee Minutes: Committee Chairpersons shall keep records of all committee deliberations, decisions, actions, and committee correspondence and are responsible for passing records on to their successors. These shall serve as minutes of the committee.

### **C.6.7 Review and Change of Committees**

The Department Chairperson and Faculty shall review existing Standing Committees before the annual meeting. This review may be conducted by a committee charged with this responsibility and reporting to the Department. The Chairperson shall present any recommendations for changes in the existing Standing Committees or their charges at the Department's annual meeting. (See above.)

### **C.6.8 Selection of Committee Members**

Any voting member of the Department may nominate anyone eligible for committee membership. The Department shall fill opening committee vacancies at the annual meeting from a list of nominees for each Standing Committee. The list shall be generated by nominations distributed to the Department well in advance of the annual meeting.

The Department shall establish a program of rotating committee membership to assure that all Faculty members participate in as wide a range of committees as possible. Persons who have requested membership on a certain committee but have not yet served on it shall be given first priority for membership. Those who have served most recently have last priority. Faculty shall not be reappointed to a committee when there is a waiting list of Faculty who have requested membership in that committee.

### **C.6.9 List of Committees**

A list of Department committees setting forth, for each committee, the committee name, area of responsibility, members, and their respective terms shall be posted in a prominent area designated by the Department. The list shall be revised to reflect changes in the committees as they occur.

### **C.6.10 Committees Mandated by Approved Institute Policy**

- Chairperson Search Committee: When the position of Chairperson becomes vacant, a search committee shall be formed in accordance with Section 2.4.2 of the Faculty Handbook to search for qualified candidates to fill the position.
- Promotion and Tenure Committee: The Department P&T Committee is formed and functions in accordance with Section 2.23.2 of the Faculty Handbook.

## **C.7 Approval of Department Bylaws**

### **C.7.1 Vote Required**

Approval of these bylaws requires a two-thirds vote of the current voting members of the Department. (See Section C.4.8 above and Bylaws Policy 2.22.5.)

### **C.7.2 Amending the Bylaws**

Proposed bylaws and proposed amendments to bylaws may be adopted at any regular Department meeting, provided that every voting member has been afforded full opportunity to consider them and discuss them with colleagues. The bylaws or amendments must be circulated in writing to the voting members of the Department at least ten working days before the first Department meeting at which they will be

considered. Thereafter the proposal shall be discussed at one or several meetings of the Department as required for thorough discussion and consideration. Approval of amendments to these bylaws requires a two-thirds vote of the current voting members of the Department. (See [Bylaws](#) Policy A.9.)

**C.A DEPARTMENT BYLAWS (RESERVED FOR APPROVED DEPARTMENTAL BYLAWS)**



*/*  
**(IDJ) New Jersey  
Institute of  
Technology**  
*j*

Newark College of Engineering  
Department of Civil and Environmental Engineering

MEMORANDUM

May 5, 1993

TO : Dr. Gary Thomas */*  
Provost  
Dr. George Pincus  
Dean, NCE  
Dr. Sol Rosenstark  
President, Faculty Council

FROM: Joshua Greenfeld */*  
Faculty Council Rep., Dept. of **Civ** Environmental Engineering  
Department of Civil & Environmental Engineering Bylaws

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Enclosed is a copy of the Bylaws of the Department of Civil & Environmental Engineering. These Bylaws have been adopted unanimously by the faculty members of the department at the May 4, 1993 meeting. Subsequently, the Faculty council voted to approve these Bylaws (unanimously) at the May 5, 1993 meeting.

Please review these Bylaws for consistency with Approved Institute Policy for final approval.



UnNetsCyHe>ghls  
New Jersey 07102  
(201) 596-2444/2447

DEPARTMENT OF CIVIL & ENVIRONMENTAL ENGINEERING BYLAWS**NEW JERSEY INSTITUTE OF TECHNOLOGY*****I. Preamble***

The Department of Civil & Environmental Engineering, referred to herein as the Department, shall operate according to these bylaws, which set forth its organization and the procedures by which the Department shall conduct its internal affairs.

***II. Purpose***

Department bylaws are intended to 1) foster and encourage the widest possible degree of Faculty participation in the governance of the Department, 2) create an atmosphere of open and collegial discussion of all major issues affecting the daily operation and future development of the Department, and 3) provide opportunity for service and for professional growth in teaching and research within the spectrum of the Department's activities for every Faculty member in a fair and equitable way.

This document, together with the Faculty Handbook and PSA Contract, is the official statement of the rights and privileges enjoyed by and the obligations incumbent upon, the Faculty of the Department by the system of Faculty governance in effect at NJIT.

***III. Voting Membership***

- A. The Voting Membership** of the Department consists of all Faculty members holding a fulltime, tenure-track teaching appointment in the Department with the rank of distinguished professor, professor, associate professor, or assistant professor.
- B. Current Voting Members:** The current voting members of the Department are the voting members exclusive of those who do not vote because of sabbatical leave, sick leave, or leave of absence.
- C. Joint Appointment:** Establishing a joint appointment in the Department of Civil & Environmental Engineering shall follow the procedure set forth for hiring a new Faculty. A person holding a joint appointment in another Department shall decide in which Department he or she wishes to be a voting member. By a two-thirds vote the voting members may exclude from the voting membership a person holding a joint appointment in another Department, but only if such exclusion has not been effected in the other Department.

***IV. Department meeting***

- A. Regular Meetings and Reserved Meeting Times:** Regular meetings shall be called by the Department Chairperson at least twice per semester. The Department Chairperson shall announce the reserved dates for regular meetings for each semester.
- B. Special Meetings:** Special meetings of the Department may be called by the Chairperson and shall be called upon the written request of twenty-five percent of the current voting members of the Department. A special meeting called upon Faculty request must be held within two weeks of the date the Chairperson receives the request.

**C. Notice of Meetings:** Each call for a Department meeting shall include notice of the date, time, and place, and an agenda of specific items to be discussed at the meeting. Except in cases of emergency, the call for a meeting shall be distributed in writing to the Department Faculty at least one week in advance.

**D. Quorum:** The quorum for meetings of the Department of Civil & environmental engineering is a majority of its current voting members.

**E. Rules of Order:** The rules contained in the current edition of Robert's Rules of Order Newly Revised shall be followed at Department meetings in all cases to which they apply, provided they are consistent with these bylaws and any special rules the Department may adopt.

**F. Order of Business:** The order of business at regular Department meetings shall include:

1. Reading and Approval of Minutes
2. Chairperson's Report
3. Committee Reports
4. PSA
5. Scheduled Business Items
6. New Business
7. Adjournment

**G. Voting Procedures:** Except as modified by other rules in these bylaws, all decisions of the Department shall be made by its current voting members at a scheduled meeting. The terms "majority vote of the Department" and "two-thirds vote of the Department" mean the affirmative vote by a majority of, and two-thirds of, the voting members present at a Department meeting. At the request of any voting member, a vote shall be taken by secret ballot during the meeting.

**H. Recording Secretary:** The Recording Secretary shall be appointed by the Chairperson and shall be responsible for preparing a list of business items for each Department meeting, tabulating votes taken during Department meetings, preparing accurate minutes of such meetings and distributing the minutes to Department members.

## **V. Department Administration**

**A. The Chairperson:** The Chairperson is that Faculty member of the Department of Civil & environmental engineering designated as its chief administrative officer. In addition to the duties and responsibilities of the Chairperson which are listed in the Faculty Handbook, the Chairperson shall perform the following functions:

1. Appoint, or recommend for appointment, Department administrators, such as associate Chairpersons, assistant Chairpersons, directors or coordinators of Department programs, administrative assistants to the Chairperson, secretaries, and other staff in accordance with these bylaws and Institute policy.
2. Appoint, or recommend for appointment, Faculty members to standing and ad hoc Department committees in accordance with these bylaws and with due regard to Department needs and individual preferences.

3. Preside at Department meetings in accordance with these bylaws. Preside at meetings of the Department Promotion and Tenure Committee in accordance with the Faculty Handbook. Coordinate with the Chairpersons of the Department Committees to insure the smooth functioning of the Department.
4. Plan or oversee the planning of teaching schedules with due regard to Department needs, individual Faculty preferences, and a manifest policy of Faculty intellectual and professional development.
5. Recommend to the Institute administration new Faculty and teaching staff appointments upon the recommendation of the Department Promotion and Tenure Committee and Faculty search committees.
6. Represent the Department at CAA and other Institute activities.
7. Report to the Department Faculty on Institute proceedings and issues and on the annual assessment of the Department.

When absent for a period of one semester or more with intention to return, the Chairperson shall be represented for a specific period of time by a Department Faculty member designated in writing by the Chairperson and approved by the Dean.

**B. Associate Chairpersons:** Positions of associate Chairperson may be created or abolished according to need and subject to approval by the Dean at any regular meeting of the Department by a majority vote and the concurrence of the Chairperson.

**C. Periodic Evaluation of the Chief Administrative Officer of the Department:** There shall be periodic evaluation of the Chairperson by the Department Faculty according to Approved Institute Policy.

**D. The Internal Structure of the Department:** To facilitate the academic function, of the Department is divided into the following divisions by disciplines:

- a. Construction
- b. Environmental
- c. Geotechnical
- d. Structural
- e. Surveying
- f. Transportation
- g. Structural Mechanics

Each section will be led by a division head appointed by the Chairperson. Further, The Chairperson may appoint laboratory directors for all laboratories of the Department. Each section shall be responsible for taking care of all academic details such as curriculum, teaching assignments, etc. Also, each section shall be charged with the responsibility to solicit information from all appropriate sources. Every section shall submit its substantive decisions and recommendations, and semester report, to the Department for review.

## **VI. Department Committees**

**A. Purpose:** The Faculty has primary responsibility for such fundamental areas as curriculum, course content and methods of instruction, quality of instruction, academic

standards, professional conduct, research, and Faculty rank and status including appointment, reappointment, nonreappointment, promotion, tenure and dismissal. The Faculty sets the requirements for degrees, determines when the requirements have been met, and authorizes the President and the Board of Trustees to grant the degrees thus achieved.

The collective exercise of this responsibility by members of Department committees is part of the system of Faculty governance at NJIT. By the prudent use of committees all Faculty can participate effectively in the governance of the Department and efficiently accomplish its business.

**B. The Nature of Committee Functions:** Committees may perform supervisory, support, and other tasks for the Department, thus contributing to the smooth functioning of the Department.

1. Standing Committees: Standing committees perform continuing functions in the governance or operation of the Department. The term of committee members should be at least one year.
2. Ad Hoc Committees: Ad hoc committees are formed for a specific purpose but do not require permanence to complete their charge. Ad hoc committees shall cease to exist upon the completion of their charge.

**C. Committee Membership**

1. Members of standing committees shall be chosen to include Faculty with a strong interest or experience in matters which are in the province of the committee. Broad Department representation is mandated in committees of a principally academic nature, such as those concerned with the implementation and supervision of curricula, degree programs and academic standards, professional development of Faculty, research facilities, and those which deliberate and make recommendations to the Department for its consideration.
2. The members of each ad hoc committee shall be chosen at the time the committee is established. Additional members may be appointed as the need arises. Ad hoc committees chosen to implement an order of the Department should be small and consist of only those in favor of the actions to be carried out.

**D. Method of Appointment:** Committees shall only be appointed or selected by one of the following methods, or a combination thereof. The Department, by resolution, may adopt a policy which specifies which methods are to be used to appoint committee members.

**E. Committee Rules:** Committee Chairperson: The committee Chairperson may be chosen when the committee is established or the committee may elect one of its members to be Chairperson. The Chairperson shall have demonstrated concern for, and whenever feasible, experience in matters which are in the province of the committee.

**F. List Of Committees:** A list of Department committees which sets forth, for each committee, the committee name, its area of responsibility, its members and their respective terms shall be announced.

**G. Committees Mandated By Approved Institute Policy:**

1. Chairperson Search Committee: When the position of Chairperson becomes vacant, a search committee shall be formed in accordance with the Faculty Handbook to search for qualified candidates to fill the position.
2. Promotion and Tenure Committee: The Department Promotion and Tenure Committee is formed and functions in accordance with the Faculty Handbook.

**VII. *Adopting And Amending The Department Bylaws***

Proposed bylaws and proposed amendments to bylaws may be adopted at any regular Department meeting, provided that every voting member has been afforded full opportunity to consider them and have discussions with colleagues. The bylaws or amendments must be circulated in writing to the voting members of the Department at least ten working days before the first Department meeting at which they will be considered. Thereafter the proposal shall be discussed at one or several meetings of the Department as required for thorough discussion and consideration. Approval of amendments to these bylaws requires a two-thirds vote of the current voting members of the Department.

Approved 9/3/03

August 5, 2003

**DEPARTMENT OF PHYSICS BYLAWS**

**NEW JERSEY INSTITUTE OF TECHNOLOGY**

**I. PREAMBLE**

The Department of Physics referred to herein as the Department, shall operate according to these bylaws, which set forth its organization and the procedures by which the Department shall conduct its internal affairs.

**II. PURPOSE**

Department bylaws are intended to 1) foster and encourage the widest possible degree of faculty participation in the governance of the Department, 2) create an atmosphere of open and collegial discussion of all major issues affecting the daily operation and future development of the Department, and 3) provide opportunity for service and for professional growth in teaching and research within the spectrum of the Department's activities for every faculty member in a fair and equitable way.

This document, together with the Faculty Handbook and PSA Contract, is the official statement of the rights and privileges enjoyed by, and the obligations imposed on, the faculty of the Department by the system of faculty governance in effect at NJIT.

**III. Voting Membership**

**A. MEMBERSHIP**

The voting membership of the Department consists of all faculty members holding a permanent, full-time teaching appointment in the Department with the rank of distinguished professor, professor, associate professor, or assistant professor, including those holding a joint appointment in another Department. Excluded from the voting membership are visiting professors, instructors, special lecturers and adjuncts.

**B. CURRENT VOTING MEMBERS**

The current voting members of the Department are the voting members exclusive of those who do not vote because of sabbatical leave, sick leave, or leave of absence.

**C. JOINT APPOINTMENT**

A person holding a joint appointment in another department shall decide in which department he or she wishes to be a voting member. The Department of Physics will respect the member's decision. By a two-thirds vote the voting members may exclude from the voting membership a person holding a joint appointment in another department, but only if such exclusion has not been effected in the other department.

**IV. Department Meetings****A. Regular Meetings & Reserved Meeting Times**

Regular meetings shall be called by the Department Chairperson. During the first semester for which these bylaws are in effect, the first Wednesday of each month shall be reserved for regular department meetings. Thereafter, before the end of each semester, the Department Chairperson shall announce the reserved dates for regular meetings for the following semester.

**B. Special Meetings**

Special meetings of the Department may be called by the Chairperson and shall be called upon the written request of twenty-five percent of the current voting members of the Department. A special meeting called upon faculty request must be held within two weeks of the date the Chairperson receives the request. Due regard shall be given to the purpose for which it is called, the necessity to give proper notice, and the importance of obtaining maximum attendance.

**C. Annual Meeting**

The annual meeting will be held on the first Wednesday of September at 2:30pm.

**D. Notice of Meetings**

Each call for a department meeting shall include notice of the date, time, and place, and an agenda of specific items to be discussed at the meeting with indication of items requiring a vote. Except in cases of emergency, the call for a meeting shall be distributed in writing to the department faculty at least one week in advance.

**E. Quorum**

The quorum for meetings of the Department of Physics is a majority of its current voting members.



**F. Rules of Order**

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall be followed at department meetings in all cases to which they apply, provided they are consistent with these bylaws and any special rules the Department may adopt.

**G. Order of Business**

The usual order of business at regular department meetings shall be as follows:

1. Reading and Approval of Minutes (\* a)
2. Correspondence
3. Chairperson's Report (\* b)
4. Committee Reports (\* c)
5. Scheduled Business Items (\* d)
6. Unfinished Business
7. New Business
8. Adjournment

(\* a) The first action of the Department shall be the approval of the minutes of the previous meeting. Upon approval, the minutes become the official record of the previous meeting.

(\* b) At each meeting the Chairperson shall report on activities of the Department and matters of interest to or affecting the Department.

(\* c) The Chairperson or any voting member present may request reports from the standing and ad hoc committees as well as from the Department representatives to Faculty Council and the Professional Staff Association, and, if requested, reports shall be made at the proximate meeting. Reports shall be made in writing if requested by a majority vote at a previous meeting. (\* d) Scheduled business items may be included in the agenda by the Chairperson, a department committee, the Faculty Councilor PSA representative; they may also be placed on the agenda by a majority vote of the Department at a previous meeting, or at the written request of any member of the Department. Business items shall be listed in the order they are received by the recording secretary.

**H. Voting Procedures**

Except as modified by other rules in these bylaws, all decisions of the Department shall be made by its current voting members, either at a scheduled meeting or by mail ballot. The terms "majority vote of the Department" and "two-thirds vote of the Department" mean the affirmative vote by a majority of, and two-thirds of, the current voting members of the Department respectively, whether or not they are present at the meeting. The chairperson shall vote only when the department vote is a tie.

At the request of any voting member, a vote shall be taken by secret ballot during the meeting. A vote by mail ballot must be authorized by a majority vote at a department meeting.

**I. Recording Secretary**

The Recording Secretary shall be responsible for preparing a list of business items for each department meeting, tabulating votes taken during department meetings, preparing accurate minutes of such meetings and distributing the minutes to department members within ten (10) working days after each department meeting, maintaining a complete collection of the official records of department meetings (approved minutes) and making them available to the members of the Department.

The Recording Secretary shall be elected by the current-voting members of the Department and shall serve a term of one year.

**J. Previous Notice of Motions**

Certain motions which are indicated in various sections below require previous notice, which means that an announcement that the motion will be introduced, precisely indicating its content, must be made at the previous meeting, or must be included in the call of the meeting at which the motion will be introduced, or must be distributed by a proponent of the motion a reasonable time in advance of the meeting.

**V. Department Administration**

**A. The Chairperson**

The chairperson is that faculty member of the Department of Physics designated as its chief administrative officer. The nominal term is 3 years.

In addition to the duties and responsibilities of the chairperson which are listed in Section 1.4 of the Faculty Handbook, the chairperson shall perform the following functions:

1. Appoint, or recommend for appointment, department administrators, such as associate chairpersons, assistant chairpersons, directors or coordinators of department programs, administrative assistants to the chairperson, secretaries, and other staff in accordance with these bylaws and Institute policy.
2. Appoint, or recommend for appointment, faculty members to standing and ad hoc department committees in accordance with these bylaws and with due regard to department needs and individual preferences.
3. Preside at department meetings in accordance with these bylaws. Preside at meetings of the Department Promotion and Tenure Committee in accordance with the Faculty Handbook. Coordinate with the chairpersons of the Department Committees to insure the smooth functioning of the Department.
4. Plan or oversee the planning of teaching schedules with due regard to department needs, individual faculty preferences, and a manifest policy of faculty intellectual and professional development.

5. Recommend to the Institute administration new tenure track faculty positions and research professor appointments. These recommendations must be approved by The Physics Department Promotion and Tenure Committee.
6. Oversee the Department's budget in consultation with and on behalf of the department faculty as provided by these bylaws.
7. Conduct an annual assessment of the Department including the Department's mission, its implementation of that mission, and the smooth and effective functioning of the Department's faculty committees and administration.
8. Represent the Department at CM and other Institute activities.
9. Report to the department faculty on all Institute proceedings and issues and on the annual assessment of the Department.

When absent with intention to return, the Chairperson shall be represented for a specific period of time by a department faculty member designated in writing by the Chairperson and approved by the Dean.

## **B. Associate Chairpersons**

### **1. The Position of Associate Chairperson**

Positions of associate chairperson may be created or abolished according to need and are subject to approval by the Dean and The Physics Department.

### **2. Appointment to the Position**

For the smooth and effective functioning of the department, its associate chairperson(s) must be acceptable to both the Chairperson and the Department faculty. The associate chairperson will be nominated from within the tenured full professors of the Department. The associate chairperson shall serve for a maximum period of 1.5 (one and a half) years unless otherwise notified.

## **C. Director of Graduate Programs**

### **1. Position of Director of Graduate Programs**

The position of Director of Graduate Programs may be created or abolished according to need at any regular meeting of the Department with the concurrence of the Chairperson, provided previous notice of the motion has been given.

### **2. Appointment to the Position**

For the smooth and effective functioning of the department, Director of Graduate Programs must be acceptable to both the Chairperson and the Department faculty. Because of the nature of responsibilities assigned to the Director of Graduate Programs, he or she must be a tenured faculty member. The Director of Graduate Programs shall serve for a maximum period of three years unless otherwise notified and approved by the chair and the current voting members.

**D. Periodic Evaluation of the Chief Administrative Officer of the Department**

1. There shall be an evaluation of the Chairperson at the end of the 1<sup>st</sup> year of a 3 year term.
2. There shall be an annual evaluation of the chief administrative officer of the Department if he or she is an interim or temporary appointee, such as an acting chairperson.

**VI. Department Committees****A. Purpose**

The faculty has primary responsibility for such fundamental areas as curriculum, course content and methods of instruction, quality of instruction, academic standards, professional conduct, research, and faculty rank and status including appointment, reappointment, non reappointment, promotion, tenure and dismissal. The faculty sets the requirements for degrees, determines when the requirements have been met, and authorizes the President and the Board of Trustees to grant the degrees thus achieved.

The collective exercise of this responsibility by members of department committees is part of the system of faculty governance at NJIT. By the prudent use of committees all faculty can participate effectively in the governance of the Department and efficiently accomplish its business.

To this end the Department shall create a system of standing committees to carry out the work of the Department. It is also authorized to form additional committees as required. This section describes the nature of committee functions, the procedures required to establish and to retire them, and their responsibilities and rules of procedure.

**B. The Nature of Committee Functions**

Committees may perform supervisory, support, and other tasks for the faculty, thus contributing to the smooth functioning of the Department. When they are charged with acting on behalf of the Department, or are assigned responsibility to effect specific decisions of the Department, their powers are limited to those specifically assigned by the Department faculty. Within the scope of their charge, committees may investigate, deliberate and make recommendations to the Department.

**1. Standing Committees**

Standing committees perform continuing functions in the governance or operation of the Department and require permanence to carry out their charges effectively. Thus the term of committee members should extend over several years (normally three years) and only a minority of the membership be changed each year. Standing committees have perpetuity and are terminated only by the specific action of the Department. The standing committees are:

1. Planning Committee
2. Awards Committee
3. Undergraduate Education Curriculum Committee

4. Graduate Committee
5. Undergraduate Advising Committee

## **2. Ad Hoc Committees**

Ad hoc committees are formed for a specific purpose (such as Committee) but, do not require permanence to complete their charge. Ad hoc committees shall cease to exist upon the completion of their charge.

## **C. Establishing and Retiring Department Committees**

1. Any committee having standing authority on specific matters requires for its creation a majority vote of the Department and the concurrence of the Chairperson.
2. The motion to establish a committee shall include the charge to the committee, which sets forth its duties and area of responsibilities. The number of committee members, their eligibility criteria, their term of service, and method of appointment shall be included in the same motion or in a subsequent motion.

**C.B SAMPLE CURRICULUM VITA**

**JANE B. SMART**

**Home Address:**

29 River Street  
Rutherford, NJ 07114  
(201) 666-7442

**Professional Address:**

New Jersey Institute of Technology  
Newark, NJ 07102  
(201) 596-3732

**EDUCATION**

Ph.D. (Electrical Engineering)	1979	University of Delaware
M.S.E.E.	1975	University of Delaware
B.S.E.E. Summa Cum Laude	1973	University of Delaware

**RESEARCH INTERESTS**

Design of VLSI analog circuits, and in CD/CE automation for microelectronics chip design and test design.

**PROFESSIONAL LICENSES**

Professional Engineer No. 19636	New Jersey	Active
Grievance Arbitrator for PERC (Public Employment Relations Commission)	New Jersey	Active

**PATENTS AND COPYRIGHTS**

Smart, J.B., "Minipacket Receiver-Transmitter Lan Controller," USA Patent 4,677,588, November 31, 1984.  
Smart, J.B., "Computerized Robotic Database," USA Copyright No. 283479, December 12, 1980.

**EXPERIENCE**

*Academic Appointment*

Professor (PHYS)	NJIT	1983-present
Associate Professor (PHYS)	University of California, Berkeley	1981-1983

*Non-Academic Employment*

Electrical Engineer	GTE, White Plains, NY	1980-1981
Research Scientist	Factory Mutual Research Corporation, MA	1979-1980

*Consultant*

Dranetz Corp., Spring Field, New Jersey  
PSE&G, Newark, New Jersey  
AT&T, Newark, New Jersey

## **SCHOLARLY ACTIVITIES**

### *Books*

- Smart, J.B., MOS LSI Design and Application, McGraw Hill Book Company, New York, 1984.
- Smart, J.B., T.E. Tate, Semiconductor Memories Design, McGraw Hill Company, 1983.

### *Book Chapters*

- Smart, J.B., "Functional Pulmonary Imaging," in Nuclear Medicine, by M.C. Foley, McGraw Hill Book Company, New York, 1980.
- Smart, J.B., "MAGFET," Solid-State Design, by S.M. Mostoller, McGraw Hill Book Company, New York, 1979.

### *Refereed Articles*

- Foley, M.C., J.B. Smart, "Diffusion Transient Analysis for Field-aided Transport Processes in Pulsed MIS EI Sources," International Journal of Electronics, Vol. 36, No. 5, pp. 17-22, January 1981.
- Smart, J.B., M.C. Foley, "Distributed Packet Switching Queuing Network Design," Solid-State Electronics, Vol. 16, No. 2, pp. 378-379, November 1980.

### *Non-Refereed Articles*

- Smart, J.B., T.E. Tate, et al., "Smoothing Systems Optimal Design," IBM Technical Report, C-6085, 1983.
- Smart, J.B., T.E. Tate, et al., "One Watt Gas Infrared Source," Applied Physics Letters, Vol. 3, No. 5, pp. 134-137, 1982.

### *Professional Presentations*

- Smart, J.B., J.D. Kelly, "Luminescence Displays Using Metal-Insulator-Semiconductor Structures," Chief Investigators Conference, Army Research Office (Durham), Ft. Delvoir, Virginia, March 1980.
- Smart, J.B., "CAD of a Novel Analog Shift Register," IEEE Solid State Circuits Conference, Philadelphia, Pennsylvania, February 1979.

## **GRANTS AND CONTRACTS**

NSF	"Design and Analysis of Audio Logical Devices for Space Application," P.I.	\$110,000	1986-1987
DHE	"Semiconductor Circuits Modelling"	\$7,000	1980-1981

## **SERVICE ACTIVITIES**

### *Professional Affiliations*

- Association for Computing Machinery (ACM)  
Institute for Electrical and Electronic Engineering (IEEE)

### *Community*

- Assistant Scoutmaster, Troop 57, and 75, Girl Scouts of America, Clifton, NJ, 1980-present

Institute Graduate Committee, Member, 1983-1984  
Department Chairman Search Committee, 1985-present

*Professional Societies*

Tau Beta Pi, Eta Kappa Nu, Sigma Xi, Member  
Upsilon Pi Epsilon, Fellow

*Reviewing, Refereeing, and Editing*

Associate Editor, Spectrum, 1982-1985  
Reviewed, Refereed and Edited article for the Spectrum, "Learning from Japan," 1982

**HONORS, AWARDS AND LISTINGS**

1984 B.B. Ewer Award Recipient  
Marquis Who's Who in America, 1982-1985

**MISCELLANEOUS**

More than ten M.S. and Ph.D. theses and dissertations have been completed under Professor Smart's supervision.



## **APPENDIX D: NEW JERSEY INSTITUTE OF TECHNOLOGY ACADEMIC HONOR CODE CONSTITUTION**

### ***D.1 Article 1: Introduction***

#### **D.1.1 Section 1: Purpose**

- NJIT is dedicated to the pursuit of knowledge through teaching and research. The University expects that its graduates will assume positions of leadership within their professions and communities. Within this context, the University strives to develop and maintain high levels of ethics and honesty among all members of its community. The commitment to truth and academic integrity is essential to this goal and is confirmed by the NJIT Academic Honor Code.
- Adherence to the Academic Honor Code promotes the level of integrity required within the University and professional communities, and assures students that their work is being judged fairly with the work of others.
- An environment promoting academic integrity is created by students, Faculty members, and administrators working together to support the principles of the Academic Honor Code.
- The fundamental quality of this Code is that each student shall demonstrate honesty and integrity in the completion of all assignments and in participation in the learning process. This Code defines behaviors violating the principle of academic integrity, describes a range of appropriate sanctions for offenses, and identifies the method for promoting the principle of academic integrity on campus.
- Academic integrity shall be emphasized throughout the student's career at NJIT, beginning with acceptance to the university. Letters informing students of their admission to the university, or of their permission to enroll in one or more classes, shall refer to the Academic Honor Code and include the Honor Code Agreement.

#### **D.1.2 Section 2: Honor Code Agreement**

Students shall be required to sign the following Honor Code Agreement, which will be distributed for signature and returned to the Office of the Dean of Student Services:

- As a student at New Jersey Institute of Technology, I, \_\_\_\_\_, will conduct myself in a professional manner and will comply with the provisions of the NJIT Academic Honor Code. I also understand that I must subscribe to the following pledge on major work (when required by the instructor) submitted for credit as described in the NJIT Academic Honor Code:  
"On my honor, I pledge that I have not violated the provisions of the NJIT Academic Honor Code."  
• I understand that if I do not include this pledge, as required by the instructor, with my signature, the instructor will not grade my work. In those instances where there is an unintentional omission, I shall be given an opportunity to correct it by

signing the Pledge. I recognize that the Academic Honor Code applies to all work attempted, whether or not the Honor Pledge is required, and that I am expected to submit only my own work at all times.

- I have read and understand my responsibilities as outlined in Article 2, Section 1 of the NJIT Academic Honor Code, and will, to the best of my ability, comply with those responsibilities.

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

Print your name: \_\_\_\_\_

Social Security or ID #: \_\_\_\_\_

### **D.1.3 Section 3: Definitions**

Terms defined in the Professional Conduct Code also apply to the Academic Honor Code.

- **Cheating** means deceiving, or attempting to deceive by misrepresentation, that one has learned information pertinent to an academic exercise.
- **Fabrication** means using, or attempting to use, invented or false information in an academic exercise.
- **Plagiarism** means using, or attempting to use, written, oral, or graphic work which was authored or prepared by another and submitting it as one's own.

## **D.2 Article 2: Responsibilities**

### **D.2.1 Section 1: Responsibilities of the Student**

- Every student (undergraduate, graduate, matriculated, non-matriculated, full, or part-time) must comply with all the principles and regulations of the Academic Honor Code and must sign the Academic Honor Code Agreement prior to attending class. The admission process shall not be considered complete until the student has signed the Academic Honor Code Agreement. Signed agreements are sent to the Office of the Dean of Student Services, where they are cross-checked with enrollment.
- Every student is obligated to report any alleged violations of the Academic Honor Code which he/she believes have occurred by bringing them to the attention of any of the following:
  - An appropriate faculty member or instructor.
  - A respective academic Department Chairperson or student advisor.
  - The Dean of Student Services.
  - A representative of the Student Senate or Graduate Student Association.
  - A member of the Honor Commission.
  - The appropriate judicial body when requested.
- Every student is required to write, sign and date the following pledge on all major work submitted (as required by the instructor): ***“On my honor, I pledge that I have not violated the provisions of the NJIT Academic Honor Code.”***

- Failure to write and sign the pledge as required will result in the student's work not receiving a grade. In instances where there is an unintentional omission, the student shall be given an opportunity to correct it by signing the Pledge.

#### **D.2.2 Section 2: Responsibilities of the Faculty**

- The responsibilities of Faculty apply equally to all Faculty, instructing staff and all persons who have instructor status in the classroom, such as teaching assistants.
- The Faculty shall assist in the orientation of new Faculty members, teaching assistants and part-time instructors by explaining the purpose and operation of the Academic Honor Code. A copy of the Code shall be made available to each instructor.
- All Faculty will make the Academic Honor Code Pledge available on major work submitted for credit, to be signed by the student. In instances where the student inadvertently fails to sign the pledge, the instructor shall give the student another opportunity to sign the pledge.
- Faculty are required to provide, to the best of their ability, an environment which contributes to ethical and professional behavior by students and which encourages adherence to the Academic Honor Code.
- Faculty should remind students of the serious and professional intent of the Academic Honor Code. Instructors shall specify how the Academic Honor Code applies in special circumstances, such as working in groups, with lab partners, doing homework, and any other work submitted.
- If, at any time, a student makes a charge of a violation of the Academic Honor Code concerning another student to an instructor, that instructor is obligated to report the matter to the Dean of Student Services without delay.
- When a Faculty member charges that a student has behaved in an unprofessional or unethical manner, or has violated the provisions of the Academic Honor Code, the Faculty member shall implement the action prescribed in this document.

#### **D.2.3 Section 3: Responsibilities of Department Chairpersons or Academic Advisors**

When a charge of a violation of the Academic Honor Code is brought to a Department Chairperson or academic advisor, he/she shall notify the Dean of Student Services and take appropriate action to assure that the procedures prescribed in this document are implemented.

#### **D.2.4 Section 4: Responsibilities of the Student Senate and the Graduate Student Association**

- Provide proper guidance to students regarding the procedures available to respond to charges of a violation of the Academic Honor Code and reasonably assist students in taking the next step in resolving the incident.

- Periodically review the Academic Honor Code Constitution and its implementation, making recommendations to the Faculty and administration of the University.
- Ensuring that all activities of their organizations fall within the guidelines of this Code.

#### **D.2.5 Section 5: Responsibilities of the Dean of Student Services**

- Coordinate all efforts to gather information on every case brought to the Dean.
- Advise each person involved in a potential case of violation of the procedures that are to be followed and of the rights of the respondent, as set forth in the Professional Conduct Code and this document.
- In cases where the alleged violation of the Academic Honor Code can be resolved according to University procedures in an Informal Hearing with the students and Faculty involved, the Dean shall conduct a hearing which reflects the intent and purpose of the Academic Honor Code and is fair to all.
- Take the necessary action to bring violations of the Academic Honor Code to the Committee on Professional Conduct, as appropriate.
- In the case of a hearing by the Committee on Professional Conduct, take appropriate action to assure that all relevant evidence is presented to the Committee at its hearing, and that all persons with direct knowledge of the matter appear before the Committee.
- Maintain student personnel files containing the details of each case in which a violation was determined to have occurred, as well as maintain additional records of the Honor Commission.

#### **D.2.6 Section 6: Responsibilities of the Committee on Professional Conduct**

- In accordance with the Professional Conduct Code and this document, the Committee shall conduct a fair hearing for all persons who appear before it and consider only the evidence presented during the hearing to make its judgment.
- Inform all persons who appear before the judicial body of their rights under the provisions of the Professional Conduct Code and this document, and of their right to appeal to the Committee on Student Appeals. The same information shall be included in written notifications following the hearing.

### ***D.3 Article 3: Violations of the Academic Honor Code***

#### **D.3.1 Section 1: Violations of Academic Integrity and Range of Sanctions**

- Violations of academic integrity are grouped into four general categories, based on the degree of seriousness of the offenses. Descriptions of the violations and the range of sanctions within these categories are provided below. In addition to these sanctions, those stated in the Professional Conduct Code may be applied concurrently.
- Repeated offenses of academic integrity, at the same level of incident, shall be treated at the level above (in seriousness) the original/previous offense.

- Disciplinary actions imposed by the Committee on Professional Conduct will not appear on student transcripts, except in cases of suspension or expulsion. In the case of suspension, the transcript notation will be removed when the student is eligible to return to the University.
- The University reserves the right to adjudicate alleged violations either during the academic term when the incident occurs or after that term, and may revoke a degree awarded before the violation was adjudicated.

### **D.3.2 Section 2: Categories Based on Seriousness of the Offense**

- Level 1: These are the most serious violations, for which sanctions range from suspension to expulsion from the university. Student organizations engaged in violations may face revocation of official University recognition. These violations of academic integrity generally, but not always, entail advanced planning, may include conspiring with others, or involve a substantial part of credit awarded in the course (normally one-third or more). Examples include, but are not limited to:
  - Premeditated, conspiratorial cheating on any examination
  - Taking an examination for another student
  - Unauthorized obtaining or transmitting of examination material before an examination
  - Plagiarizing (in full) written, oral or graphic work which was authored or prepared by another

**Minimum: Suspension; Maximum: Expulsion.**

- Level 2: These are serious violations, for which sanctions range from failure in the affected course and disciplinary probation, to suspension from the University. Student organizations may face temporary suspension from the University. These violations of academic integrity generally, but not always, entail advanced planning or involve a significant part of credit awarded in the course (normally between one-quarter and one-third). Examples include, but are not limited to:
  - Premeditated cheating on an examination
  - Plagiarizing (in part) written, oral, or graphic work which was authored or prepared by another
  - Failing to acknowledge that work submitted for credit is the work of a collaboration
  - Permitting one's work to be submitted by another student for the other student's credit
  - Giving or receiving unfair aid in the completion of an assignment

**Minimum: Failure in course and disciplinary probation; Maximum: Suspension.**

- Level 3: These are significant violations, for which sanctions range from failure in the specific work submitted and disciplinary probation, to failure in the course and disciplinary probation. Disciplinary probation is assigned by the Dean of Student Services. Examples include, but are not limited to:
  - Cheating on an examination, when it is not premeditated
  - Altering any work after it has been graded and re-submitting it for further credit

- Copying laboratory projects, or falsely reporting or tampering with laboratory data
  - Failing to acknowledge that work submitted for credit is the work of a collaboration
  - Giving or receiving unfair aid in the completion of an assignment
  - Permitting another student to copy work during an examination
  - Submission of the same work for more than one course without the permission of the instructors
  - Using material prohibited from an examination, e.g. a calculator
- Minimum: Failure in the specific work submitted and disciplinary probation; Maximum: Failure in the course and disciplinary probation.**
- Level 4: These are significant violations, for which sanctions range from disciplinary probation to failure in the specific work submitted and disciplinary probation. Disciplinary probation is assigned by the Dean of Student Services. These violations of academic integrity may occur because of ignorance or inexperience on the part of the individuals committing them, and involve a minor part of the credit awarded in the course. Examples include:
    - Copying homework assignments and submitting same for credit
    - Failure to properly acknowledge or document references on submitted work which represents a minor part of the credits to be awarded in the course
    - Impeding student access to reference material, i.e. keeping reference material
    - Failing to report students violating the NJIT Honor Code.
    - Giving or receiving unfair aid in the completion of an assignment

**Minimum: Disciplinary probation; Maximum: Failure in the specific work submitted and disciplinary probation.**

#### **D.4 Article 4: Procedures**

##### **D.4.1 Section 1: Filing a Charge**

Procedures for filing a charge by a student, Faculty member or administrator are specified in the Professional Conduct Code. The instructor of the course in which a violation has been reported shall be informed of the allegation if it was not originally reported to him/her, and the details as known.

##### **D.4.2 Section 2: Initial Review, Decision and Action(s)**

The instructor will first discuss the allegation with the accused student(s) and the individual(s) who filed the charge. The instructor may then determine whether a violation has occurred, or may consult with the Department Chairperson or associate Chairperson, Faculty colleagues, the Office of the Dean of Student Services, or a member of the Honor Commission before determining a course of action to resolve the alleged offense. If the conclusion is that a violation did occur and the sanction may include failure in the specific work submitted, as specified within the guidelines of this document ([Article 3, Section 2, Level 4](#)), the Faculty member may assign the appropriate penalty. He/she will inform the student immediately, in writing, of the decision, the basis

for it, and the right of the student to request that the matter be resolved in a hearing. A copy of the letter shall be sent to the Department Chairperson and the Dean of Student Services. The Dean of Student Services shall determine the length of disciplinary probation.

#### **D.4.3 Section 3. Second Review, Decision and Action(s)**

Normally, a second review occurs when:

- The student(s) requests that the matter be resolved in a hearing
- The Dean of Student Services determines that the student(s) involved has a record of violation(s) of university regulations
- The recommendation for a sanction beyond failure in the specific work submitted is made by the instructor or these guidelines.

Student(s) requesting a hearing must do so within five days of receipt of the letter, and in writing to the Dean of Student Services. The Dean shall inform the student(s) and instructor of the date, time, location, and nature (informal or formal) of the hearing. When a graduate student(s) is found to have violated the Academic Honor Code, the results and sanctions shall be reported to the Director of Graduate Studies.

### **D.5 Article 5: The Honor Commission**

#### **D.5.1 Section 1: Membership**

There shall be an Honor Commission comprised of five undergraduate students, three graduate students, four faculty members (one from each school/college), and three administrators. Student members must be in good academic and disciplinary standing. Faculty and administrative members must be full-time employees of the University. Normally persons shall be appointed to three-year terms, arranged such that new members would constitute approximately one-third of the Commission's membership.

#### **D.5.2 Section 2: Elections and Appointments**

- The Student Senate shall appoint undergraduate student members. The Graduate Student Association shall appoint graduate student members. The Provost shall appoint faculty members. Administrative members, including the Dean of Student Services (ex officio) shall be appointed by the Provost.
- The Commission may recommend to the appointing source impeachment of a member for neglect of duty. Such action requires a two-thirds vote of the Commission.
- Members will remain active on the Commission until replaced according to the procedures described above, or upon leaving the University. The Commission may continue to function temporarily while new members are appointed.

#### **D.5.3 Section 3: Officers and Duties**

- Officers of The Honor Commission shall include
  - The Chair
  - The Vice-Chair

- The Publicity Coordinator
  - The Corresponding/Recording Secretary
- The Executive Committee, comprised of these officers, shall be elected at the first Fall semester meeting of the Commission and shall be made up of one person from each constituency listed above.
- Duties of the Chair shall include
  - Calling and presiding over all meetings of the Honor Commission
  - Coordinating activities, such as educational programs and reports of the Honor Commission
  - Informing the appropriate constituencies of the need to replace Commission members
  - Acting as liaison to appropriate university groups
- Duties of the Vice-Chair shall include
  - Presiding over all meetings and Commission events in the absence of the Chair
  - Assisting the Chair with coordinating activities and educational programs as well as other duties when needed
  - Preparing a draft of the Commission's annual report
- Duties of the Publicity Coordinator shall include
  - Overseeing publicity regarding issues of academic integrity and the Academic Honor Code
  - Assisting the Vice-Chair when needed
- Duties of the Corresponding/Recording Secretary shall include
  - Recording and maintaining a record of the minutes of the meetings
  - Maintaining a record of the Commission's activities

#### **D.5.4 Section 4: Responsibilities of Commission Members**

- Creating and implementing educational programs and publicity promoting the principles of academic integrity and the operation of the Academic Honor Code throughout the campus
- Informing all new undergraduate, graduate students, Faculty and staff members of the purpose and operation of the Academic Honor Code
- Providing advisory support to any student wishing to report a violation or being accused of committing a violation of the Academic Honor Code
- Assisting in the design and instruction of a non-credit seminar on Academic Integrity
- Consulting with students, Faculty members, and administrators on issues of academic integrity at the university
- Informing the Dean of Student Services if a faculty member fails to respond to student reports of violations of the Academic Honor Code
- Providing an annual report to the Student Senate, Graduate Student Association, and the Faculty on standards, policies, and procedures regarding academic integrity, recommendations for changes in the Academic Honor Code and a summary of the Commission's activities.
- Participating in training programs as appropriate.



**D.6 Article 6: Amendment**

Any amendment to this Constitution, other than a procedural change, must be adopted by a minimum of a two-thirds vote of the Student Senate, a two-thirds vote of the Graduate Student Association, and a majority vote of the Faculty.

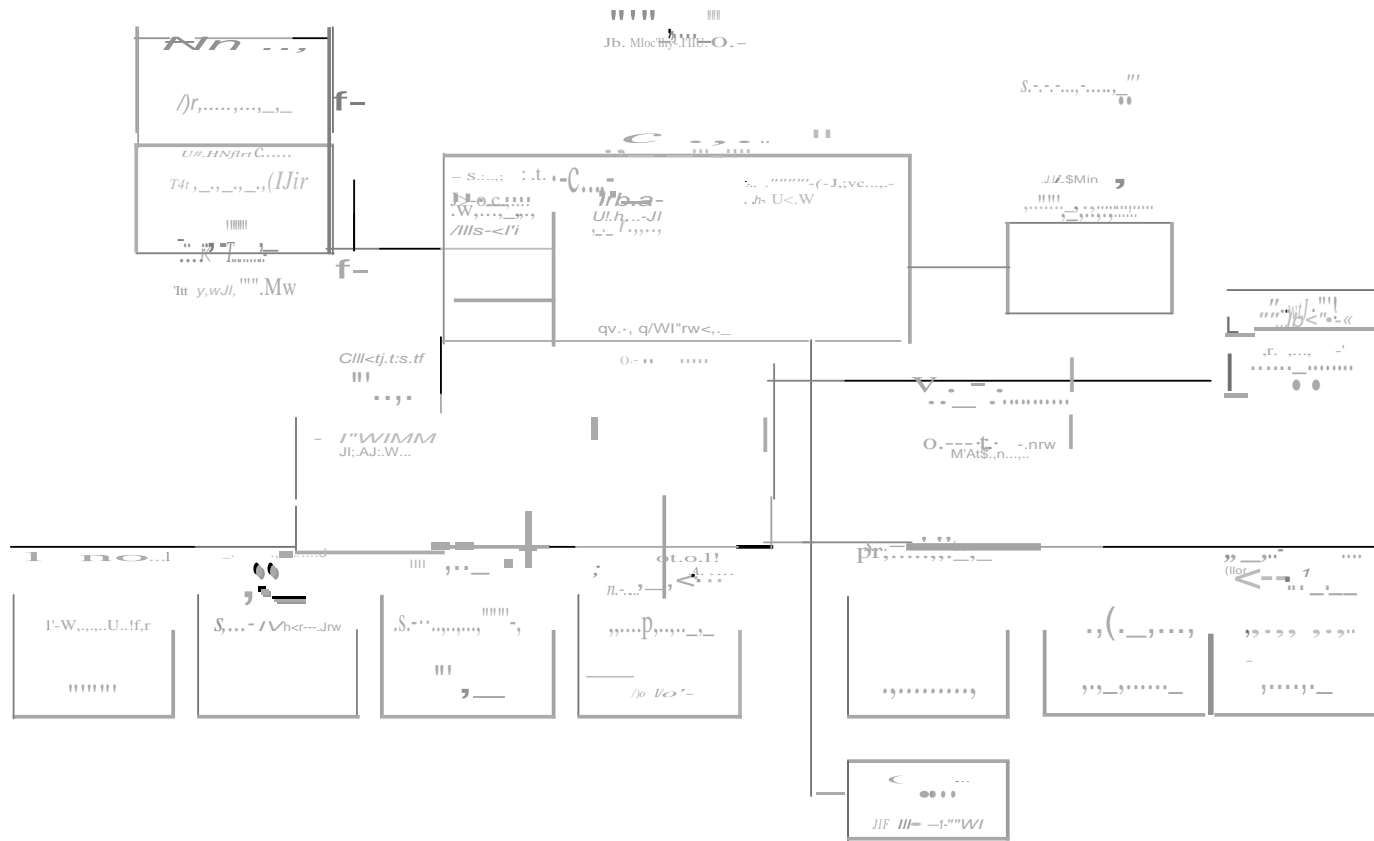
Approved by Faculty 2/25/98

Approved by Board of Trustees 9/17/98

APPENDIX E: ORGANIZATIONAL CHARTS FOR NEW JERSEY INSTITUTE OF TECHNOLOGY

NJIT BOARD OF TRUSTEES, OFFICERS, AND ADMINISTRATION

Fa/12006





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