

**NUMBER:** 1490

**TITLE:** Administrative and Professional Faculty

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I. Background

Pursuant to [§23.1-1002, \*Eligibility for Restructured Financial and Administrative Operational Authority and Financial Benefits\*](#), subdivision B10 states that public institutions of higher education may "adopt policies for the designation of administrative and professional faculty positions at the institution pursuant to the conditions and provisions provided in subsection E of [§2.2-2901](#)." These designations shall be reserved for positions that require a high level of administrative independence, responsibility, and oversight within the organization or specialized expertise within a given field as defined by the Board of Visitors.

II. Definitions for Administrative and Professional Faculty (A/P Faculty)

Administrative faculty normally report no lower than two levels below the President. Administrative faculty typically serve in executive level leadership roles such as vice president, vice provost, dean, and assistant or associate vice president or dean. Administrative faculty require the performance of work directly related to the management of the educational and general activities of the institution, department, or subdivision. Incumbents in these positions should exercise discretion and independent judgment, generally direct the work of others, and regularly exercise discretionary actions.

Professional faculty normally report three or more levels below the President. Professional faculty may direct or provide support for vital university functions such as academic, administrative, outreach, athletic or other programs. Professional faculty must regularly exercise professional discretion and judgment and the work produced must be intellectual and varied in character and should not be standardized. Professional faculty required advanced learning and experience acquired by prolonged formal instruction and/or specialized work experience. This category is normally limited to librarians, counselors, coaches, lawyers, physicians, and other professional positions serving education, research, athletic, medical, student affairs, and development functions or activities. Some information technology positions may also be included in this category.

Qualification criteria:

- must perform the duties and responsibilities associated with this category 50 percent or more of the contractual time;

- must have advanced degree, or training and work experience at a level that equates to an advanced degree

Medical administrative faculty are professional faculty who primarily work in medical clinical settings performing various clinical duties. This type of professional faculty is subject to the terms of this policy and the AP Guidebook, except for annual leave accrual, which shall be at a rate of 13.5 hours per month.

Residents and fellows are medical trainees who have restricted professional faculty appointments, made annually, with a limited number of renewals, based on program length. This type of administrative and professional faculty receives stipends and are covered by the Graduate Medical Education Policies and Procedures concerning stipends, work duties and hours, and benefits eligibility.

Requests for any exception to these criteria must be made to the President. The Vice President for Human Resources, Diversity, Equity and Inclusion may provide assistance as required by the President.

Professional librarians are covered by a separate policy concerning rank and term appointments.

### III. Academic Rank

- A. Two types of academic rank are awarded to administrative and professional faculty members at Old Dominion University:
  1. Rank without academic departmental designation - On initial appointment, an administrative and professional faculty member may be assigned rank without academic departmental designation to perform service in that department in teaching, research, or professional service upon recommendation of the appropriate vice president or director and approval of the president, the Board of Visitors, and the governor. Normally only holders of the earned doctorate will be awarded ranks above that of instructor, but exceptions may be made on the basis of experience and training.
  2. Rank with academic departmental designation - Upon initial appointment, an administrative and professional faculty member may be awarded rank in an academic department upon recommendation of the chair of the academic department (after consultation with the Promotion and Tenure Committee of the department or with the tenured faculty of the department) and the dean to the provost and vice president for academic affairs. Award of rank in an academic department usually implies that the faculty member will be performing service in that department in teaching, research, or professional service.
- B. A/P faculty members initially appointed to rank without academic departmental designation may request consideration for granting of rank with academic

departmental designation from the chair of the academic department. The procedures for the granting of academic departmental designation are the same as for initial appointment with the academic departmental designation.

#### IV. Promotion in Rank

- A. For A/P faculty members holding rank without academic departmental designation the following terms apply:
1. An A/P faculty member without academic departmental rank may be proposed for promotion by that person's immediate supervisor. The supervisor should clearly indicate criteria being used and reasons for promotion. Normally promotion should not take place in a shorter time period that would be used for promotion to the same rank for teaching and research faculty.
  2. In areas reporting to the provost and vice president for academic affairs, the initial recommendation is made through the normal administrative line to the Provost and Vice President for Academic Affairs, who approves or disapproves the recommendation. The A/P faculty member has the right to request that the President review the decision of the Provost and Vice President for Academic Affairs. The decision of the President is final.
  3. In areas not reporting to the Provost and Vice President for Academic Affairs, the recommendation is considered through the normal administrative line and a final recommendation made by the appropriate vice president, or director, to the President. The President, after consultation with the Provost and Vice President for Academic Affairs concerning the appropriateness of the rank within university practices, takes final action on the recommendation.
- B. For persons holding rank with academic departmental designation the following apply:
1. Persons who have held rank with academic departmental designation for the normal length of time before consideration for the next higher rank may request that the chair of the academic department evaluate their performance. In this evaluation, it is appropriate that the departmental chair take into consideration the fact that the faculty member cannot have performed the quantity of teaching, research, and departmental service that would be expected of a full-time member of the teaching faculty of the department. On the other hand, it should be expected that the A/P faculty member would hold credentials such that, if the person were being appointed initially to an administrative or professional post, the faculty and chair of the academic department would be willing to grant the rank to which promotion is proposed.

2. Consideration of the promotion should begin with the academic department's promotion committee and proceed in exactly the same manner as for full-time teaching faculty members<sup>1</sup>.

V. Tenure for A/P Faculty Members

- A. No administrative or professional faculty member holds tenure or other right of continuance in their appointment.
- B. Time spent at Old Dominion University in an A/P faculty appointment does not count toward the probationary period for tenure. If a nontenured faculty member accepts a full-time A/P faculty post, the time spent in that position is not counted toward the probationary period for tenure.
- C. Tenured faculty members who accept administrative posts retain tenure in their academic departments.
- D. An A/P faculty member may request tenure consideration by an appropriate academic department. Such consideration begins with the academic department/school Promotion and Tenure Committee and then proceeds to the department chair. From there, the application for tenure proceeds to the College Promotion and Tenure Committee, then the dean, then the University Promotion and Tenure Committee, then the Provost and Vice President for Academic Affairs. The department/school standards that have been approved by the tenured faculty (as well as the College Dean and the Provost) in that unit should set the criteria by which tenure consideration should be determined.
- E. An A/P faculty member initially appointed to the rank of full professor with academic departmental designation may be considered for award of tenure without probationary period in accordance with the policy and procedures governing full-time faculty members initially appointed to the rank of full professor.

VI. Notice of Termination of A/P Faculty Members

- A. No person has a right of continuance in a specific administrative assignment, and any administrative or professional faculty member may be reassigned to different responsibilities at any time. The following policies and procedures, therefore, refer to continuance of salary and of appointment to the university.
- B. Administrators or professionals holding rank without academic departmental designation:
  1. A/P Faculty in this category shall be given the following notice of termination:
    - a. At least ninety (90) days for A/P faculty in their first twenty-four months of service.

- b. At least one hundred and eighty (180) days for A/P faculty with more than twenty-four months of service.
- 2. Initial notification of termination is by the A/P faculty member's immediate supervisor. The A/P faculty member has a right to request a review up the chain of command to the President. The decision of the President concerning termination is final.
- 3. Effective July 1, 1995, in the event an administrative or professional faculty member is involuntarily separated from employment by the University for reasons that are not performance or behavior related, the notice of termination period (provided in paragraph VI.B.1 and 2 above) will be reduced by the number of weeks of severance pay benefits provided by the Workforce Transition Act of 1995. The net benefit for the dismissed employee shall not be less than that which is provided by this policy. This paragraph shall be in force and effect only so long as the Workforce Transition Act of 1995, or successor legislation, is effective. Involuntary separation is defined as position elimination due to budget reductions, work force downsizing, university or departmental reorganization or other causes not related to performance or employee conduct but shall not include voluntary resignations. Notice of termination of appointment is not an involuntary separation that qualifies for severance benefits.
- 4. A shortening of the termination notice for cause can take place under the following conditions:
  - a. Inability, unwillingness, or failure to perform assigned duties and professional responsibilities at a satisfactory level. Termination for this reason may not be undertaken until the A/P faculty member has been advised, in writing, of the deficiencies of his/her performance and afforded a reasonable opportunity (at least 90 days) to correct such identified deficiencies.
  - b. Violation(s) of University policies and/or procedures.
  - c. Violation(s) of applicable administrative or professional ethics or responsibilities.
  - d. Criminal convictions for acts of conduct occurring on or off the job that are related to job performance or are of such a nature that to continue the A/P faculty member in the assigned position could constitute negligence in regard to the University's responsibilities to the public or to its students or other employees.
  - e. In the event the appointing official or other appropriate supervisory administrative officer determines that termination of an A/P faculty member's employment is warranted, the A/P faculty member shall be

advised, in writing, of the intended action and the reason(s) therefore, and shall be afforded the opportunity to respond, in writing and in person, to the intended action and the reasons upon which the intended action is based.

- f. If the A/P faculty member elects to respond to the notice of intended termination, and the response is deemed unsatisfactory, the appointing official should proceed to implement the termination action by notifying the A/P faculty member, in writing, of the termination action and the effective date thereof. The written notification shall state specifically the reasons for the termination and shall inform the individual of the right to appeal the termination decision.
- g. A/P faculty members may appeal a dismissal for cause through the Grievance Policy for Administrative and Professional Faculty if they believe the dismissal resulted from an improper application of policy or is arbitrary and capricious.

C. A/P Faculty holding rank with academic departmental designation:

- 1. A/P faculty in this category who do not hold tenure are entitled to the same notice as that given to nontenured A/P faculty members.<sup>2</sup> During all or a portion of the time under which the A/P faculty member is on terminal notice, reassignment to the academic department as a teaching faculty member may be made.
- 2. A/P faculty holding rank with academic departmental designation but not having tenure may request a review of the termination decision through the President. The decision of the President is final.
- 3. A/P faculty holding rank with academic departmental designation and tenure return to the tenured teaching faculty of the department if they leave their administrative post for any reason. Dismissal from the university can only occur under the policies and procedures for dismissal of tenured faculty members.

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<sup>1</sup>See the "[Policy on Promotion in Rank.](#)"

<sup>2</sup> See the policy on "[Reappointment/Annual Review or Nonreappointment of Faculty](#)," Section III.B.5.