



U.S. Department
of Transportation
**Maritime
Administration**

MANUAL OF ORDERS

MARITIME ADMINISTRATIVE ORDER

REVOKES

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EFFECTIVE DATE

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SUBJECT

FACULTY POLICIES

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Section 1. Purpose:

The purpose of this order is to provide, pursuant to provisions of Public Law 96-453, 94 Stat. 1997 (October 15, 1980) (Title XIII of the Merchant Marine Act of 1936, as amended), a statement of policies applicable to faculty members of the U.S. Merchant Marine Academy.

Section 2. Personnel Covered:

This order shall be applicable to all faculty members of the U.S. Merchant Marine Academy. Faculty members are those employees of the U.S. Merchant Marine Academy who hold the rank of Instructor, Assistant Professor, Associate Professor, or Professor, and who perform duties as lecturers, instructors, or teachers, including heads and assistant heads of the academic departments.

Section 3. Responsibilities of Administration:

3.01 The Superintendent of the U.S. Merchant Marine Academy is responsible for the overall supervision and management of the U.S. Merchant Marine Academy in accordance with applicable laws, policies, and regulations. The Superintendent is responsible for making recommendations for changes in policies and practices, which will be in the best interest of good management and the mission of the U.S. Merchant Marine Academy, and consistent with requirements of law; explaining to faculty members policies affecting them and for keeping them informed about such policies; and recommending or approving appointment, promotion, separation, and other personnel actions for faculty members.

3.02 In the absence or non-availability of the Superintendent, the Assistant Superintendent for Academic Affairs will exercise all of the authorities and responsibilities of the Superintendent as set forth herein.

3.03 The Assistant Superintendent for Academic Affairs is responsible for providing faculty leadership and guidance on academic matters, carrying out provisions of established orders and regulations, and making recommendations to the Superintendent for changes in faculty policies consistent with the principles of good management and applicable laws and regulations. Subject to pertinent regulations of the Department of Transportation and Maritime Administration, the Assistant Superintendent for Academic Affairs is responsible for evaluating the education, experience, ability, and general suitability of faculty members, and applicants for such positions, and, after considering the recommendation of the appropriate committee and department head, where applicable, recommending to the Superintendent appointment, promotion, separation, and other personnel actions for faculty members.

3.04 The head of each academic department is responsible to the Assistant Superintendent for Academic Affairs for the administration of his or her department and shall exercise the same educational and personnel responsibilities within the department as rest with the Assistant Superintendent for Academic Affairs for the faculty as a whole.

3.05 The Academy Personnel Officer and the Office of Personnel are responsible for taking appropriate action on appointments, promotions, and other personnel actions in accordance with applicable laws, regulations, personnel procedures, and delegations of authority for personnel administration as contained in Department of Transportation Order 1100.60, Departmental Personnel Manual, and Maritime Administrative Order 720-250.

Section 4. Responsibilities of Faculty Members:

4.01 Introduction. Faculty members at the U.S. Merchant Marine Academy are civilian employees of the United States Government as well as faculty members of an accredited collegiate institution. They are expected to carry out their duties and responsibilities in a competent manner and maintain high standards of conduct which will reflect favorably upon the U.S. Merchant Marine Academy, the Maritime Administration, the Department of Transportation, and the United States Government. As civilian employees of the Federal Government, faculty members are subject to the policies, principles, and standards of conduct applicable to other employees of the Maritime Administration unless specifically excepted. Within the framework of such policies, principles and limitations, the Maritime Administration subscribes to the 1970 statement of principles concerning academic freedom formulated jointly by the American Association of University Professors and the American Association of Colleges, as stated in 4.03, 4.04, and 4.05. Certain research, other outside activity and financial interests are subject to prior approval in accordance with Department of Transportation Order 3700.2, "DOT Regulations on Employee Responsibilities and Conduct" and Maritime Administrative Order 770-735, "Employee Responsibilities and Conduct," as well as applicable sections of Department of Transportation Order 1210.5, "DOT Public Affairs Management Manual," Department of Transportation Order 2100.3, "Employee Inventions," and Maritime Administrative Order 770-735-1, "Employee Inventions."

4.02 Academic responsibilities. Under the direction of the Superintendent, Assistant Superintendent for Academic Affairs and department heads, faculty members have responsibility for the development and conduct of educational courses and programs, research, instruction, and academic counseling of Midshipmen. Faculty members also share departmental and other academic responsibilities.

4.03 Research and professional development. Faculty members have a personal responsibility for continued professional growth which may be evidenced by such activities as advanced study, publication of results of research, consulting, productive activity in their professional area, and overall service to the U.S. Merchant Marine Academy. Faculty members are encouraged to make full use of available opportunities and facilities to conduct research; to write educational and professional articles and textbooks; and undertake other self-development, including attending and participating in conferences and educational activities. Faculty members are expected to keep abreast of developments in their specialized fields of education. The primary objective, as well as the governing factor of such research and professional activity during regular working hours, must be the resulting enrichment and improvement of the U.S. Merchant Marine Academy. Faculty members are encouraged to disseminate the results of their research through publication or other means, subject to applicable regulations specified in section 4.01.

4.04 Freedom in teaching. Consistent with established standards of conduct for Federal employees, a faculty member is entitled to present and discuss relevant material in the classroom as he or she believes it to be most effective.

4.05 Private activities. When any faculty member speaks or writes as a private citizen, he or she should remember that the public may judge his or her profession and the U.S. Merchant Marine Academy by the statements made. Therefore, every effort should be made to indicate he or she is not speaking on behalf of the United States Government.

4.06 Bearing and dress. Each faculty member, whether in uniform or civilian attire, has an obligation to maintain an acceptable appearance in bearing and dress. Uniforms, when required, are prescribed by Maritime Administrative Order 750-594 and appropriate Superintendent's instructions.

Section 5. Faculty Panel and Faculty Committees:

5.01 Establishment. There are hereby authorized to be established and maintained a Faculty Panel, a Faculty Personnel Committee and a Faculty Incentive Awards Committee. The members of the committees shall be drawn from the Faculty Panel as described below. The Faculty Personnel Committee shall make recommendations to the Assistant Superintendent for Academic Affairs with regard to reappointment, tenure, promotion, faculty qualification standards and waivers thereof, and waivers of academic rank and tenure limitations. The Faculty Incentive Awards Committee shall make recommendations with respect to cash and honorary awards for faculty members and sabbatical leaves.

5.02 Faculty Panel.

- 1 The Faculty Panel shall consist of twelve faculty members elected by the faculty as follows:
 - (1) Two tenured faculty members, one in the rank of professor and the other in the rank of associate professor elected by the members of each of the following departments: Engineering, Marine Transportation, Mathematics and Science, Humanities, and Athletics and Physical Education.
 - (2) Two tenured professors elected on a faculty-wide basis without regard to departmental affiliation.
- 2 Each faculty member with a minimum of one full academic year of service at the U.S. Merchant Marine Academy, except a faculty member serving under a temporary appointment, shall be entitled to one vote for each panel vacancy to be filled within his or her department, and for each professor panel vacancy to be filled on a faculty-wide basis.
- 3 If a department has an insufficient number of tenured professors to meet the requirement set forth in (1) above, a tenured associate professor may be elected as a substitute.
- 4 Membership on the Faculty Panel shall be for a term of three years and no elected member shall serve consecutively beyond one three-year term. A set of staggered terms will be used for the initial establishment of the panel as follows:

<u>Term</u>	<u>Departmental Representative</u>
3 Years	Marine Transportation - 1 Professor Engineering - 1 Associate Professor Mathematics & Science - 1 Professor Humanities - 1 Associate Professor Athletics & Physical Education - 1 Associate Professor Faculty-wide - 1 Professor
2 Years	Marine Transportation - 1 Associate Professor Engineering - 1 Professor Mathematics & Science - 1 Associate Professor Humanities - 1 Professor Athletics & Physical Education - 1 Professor Faculty-wide - 1 Professor

- 5 In the event that there are insufficient tenured faculty members of appropriate rank to meet the limitation on more than one consecutive three-year term set forth in 4 above, that limitation shall be waived.

5.03 Membership of Faculty Personnel Committee and Faculty Incentive Awards Committee.

- 1 At the beginning of each academic year the Assistant Superintendent for Academic Affairs shall appoint five members of the Faculty Panel to serve as the Faculty Personnel Committee.
 - (1) Each academic department shall have one faculty representative on the committee.
 - (2) At least three members of the committee will be full professors who were elected by their respective departments.
- 2 The two professor members of the Faculty Panel who were elected by the collective faculty will be appointed as alternate members of the Faculty Personnel Committee.
 - (1) The alternates will replace the associate professor members of the committee when the committee is evaluating faculty members for promotion to the rank of professor and when professors are being considered for reappointment, tenure, or removal for cause.
 - (2) The alternates may also be appointed to replace other members of the committee who might be unavailable for service on the committee due to unavoidable long absences.
- 3 The remaining five members of the Faculty Panel will be appointed to the Faculty Incentive Awards Committee.

5.04 Functions of the Faculty Personnel Committee.

- 1 The Faculty Personnel Committee shall evaluate all faculty members being considered for reappointment, tenure or promotion, and removal for cause as requested, and submit its recommendations, in writing, to the Assistant Superintendent for Academic Affairs. Candidates recommended for tenure or promotion shall be listed in rank order of merit. Minority reports may also be submitted.
- 2 The committee shall make recommendations concerning waivers of qualification standards for promotion and tenure in cases which are referred to the committee by the Assistant Superintendent for Academic Affairs with the concurrence of the Superintendent.
- 3 When appropriate, the committee shall make recommendations to the Assistant Superintendent for Academic Affairs concerning waivers of academic rank and/or tenure limitations.
- 4 Periodically, or when so requested by the Superintendent or Assistant Superintendent for Academic Affairs, the Faculty Personnel Committee shall review the faculty qualification standards and submit recommendations for revision of those standards to the Superintendent, via the Assistant Superintendent for Academic Affairs.

- 5 Committee recommendations shall be determined by affirmative vote of a simple majority of the members present, with all five members constituting a quorum, provided that only full professors shall be eligible to vote on actions involving promotion to full professor, or tenure or reappointment of a full professor, or removal for cause. All five full professors must be present to constitute a quorum.
- 6 Upon timely request from a faculty member per section 12.04 of this order, the Faculty Personnel Committee will conduct a review of a proposed removal for cause and prepare its recommendations for submission to the deciding official via the Assistant Superintendent for Academic Affairs.

5.05 Functions of the Faculty Incentive Awards Committee.

- 1 The Faculty Incentive Awards Committee shall perform the functions, with respect to cash and honorary awards for faculty only, as described in Maritime Administrative Order 740-451.
- 2 The committee will consider recommendations from the department heads and from the Assistant Superintendent for Academic Affairs and may initiate recommendations for cash and honorary awards for faculty members based upon special or meritorious accomplishments or other valuable contributions to the mission of the U.S. Merchant Marine Academy, the Maritime Administration and the Department of Transportation.
- 3 The Committee shall review sabbatical leave requests referred to it by the Assistant Superintendent for Academic Affairs and submit recommendations to the Assistant Superintendent for Academic Affairs. Candidates recommended for sabbaticals shall be listed in rank order of merit by the committee.
- 4 Committee recommendations shall be determined by affirmative vote of a simple majority of the members present with four members constituting a quorum.
- 5 At least one annual meeting of the committee must be held at a time or at times specified by the Assistant Superintendent for Academic Affairs.

5.06 Miscellaneous. Each committee described in this section is an administrative body reporting to the U.S. Merchant Marine Academy management.

- 1 All deliberations, reports and recommendations of the committees shall be administratively confidential and the contents of deliberations, reports and recommendations shall not be divulged or released except to the Assistant Superintendent for Academic Affairs, or Superintendent. Faculty members concerned shall receive a copy of each recommendation by appropriate authorities as specified in this order.
- 2 Unauthorized release of information described in 1 above may result in disciplinary action.

- 3 The committee chairpersons shall be kept informed by the Assistant Superintendent for Academic Affairs of the current status of committee recommendations and the chairperson shall inform members of the committee.
- 4 The Academy Personnel Officer will provide technical guidance and assistance to each committee as necessary.

Section 6. Appointments and Promotions:

6.01 Authority. Members of the faculty covered by this order are excepted from the competitive civil service under schedule A, section 213.3114(h)(10) of the Civil Service Regulations. Appointments made under this authority are called "excepted appointments." Appointments, promotions, and other personnel actions involving faculty members must conform with the provisions of this order and with appropriate Office of Personnel Management regulations applicable to appointments under schedule A, rather than to competitive civil service procedures.

6.02 General Requirements.

- 1 Appointments and promotions are contingent upon the availability of appropriated funds and personnel ceilings and the decision of the Superintendent to utilize such resources for appointment or promotion of faculty members.
- 2 When an appointment or promotion is to be made, except as may be authorized by law, the best qualified individual shall be selected based solely on merit, fitness and qualifications without regard to race, color, religion, national origin, marital status, sex, age, physical handicap (which does not interfere with the performance of duties of the position), political affiliation, employee organization affiliation or personal favoritism.
- 3 Limitations. The distribution of the faculty by academic rank, excluding department heads and assistant department heads, normally shall be within the following limits:
 - (1) The total number of professors in each department normally shall not exceed one-half of the department's total faculty.
 - (2) The total number of professors and associate professors in each department normally shall not exceed two-thirds of the department's total faculty.
- 4 Qualifications. Appointments and promotion of faculty members, including department heads and assistant department heads, shall be in accordance with qualification standards required for each faculty rank. Such standards are published by the Office of Personnel, Maritime Administration, based on recommendations submitted by the Superintendent. Each applicant for appointment or promotion must meet the requirements of this order and the appropriate qualification standards not later than the effective date of his or her appointment or promotion.

5 Effective date.

- (1) Appointments shall normally be effective at the beginning of the first pay period of the academic year, but may be effective on other dates as circumstances require.
- (2) Promotions to a higher rank shall normally be effective at the beginning of the first pay period of the next academic year.

6.03 Exceptions. Upon recommendation of the Superintendent and approval by the Director, Office of Personnel, Maritime Administration, criteria for appointment and promotion may be waived in exceptional or meritorious cases when it is determined that applying said criteria would operate to the disadvantage of the U.S. Merchant Marine Academy.

6.04 Appointment of Faculty Members, other than Department Heads.

- 1 Temporary Appointments are excepted appointments for specific periods of one year or less, either on a full-time, part-time or intermittent basis. Such appointments normally are not "tenure-track" appointments.
- 2 Term Appointments are excepted appointments for specified time periods, normally two years. Such appointments normally are "tenure-track" appointments.
- 3 Tenure Appointments are excepted appointments without time limitation. These are permanent appointments.

6.05 Appointment of Department Heads.

- 1 General. Department heads shall be appointed for an initial period of three years and may be reappointed for an additional three-year term upon the recommendation of the Assistant Superintendent for Academic Affairs and approval of the Superintendent. The incumbent may be reappointed for an additional period of time after the sixth year as department head, provided that he or she is granted a tenure appointment as a faculty member pursuant to the provisions of this order.
- 2 Tenure Appointment. A department head shall be evaluated for a tenure appointment in his or her academic rank by the Faculty Personnel Committee in accordance with the provisions of this order.
- 3 Non-reappointment. In the event that an incumbent is not reappointed as a department head, and has not been granted tenure, he or she may be reappointed within the department, in his or her current academic rank, upon the recommendation of the Assistant Superintendent for Academic Affairs and approval of the Superintendent. Time served as department head will count toward the time eligibility requirements and limitations for tenure. An incumbent who is not reappointed as a department head, but who has been granted tenure, shall be retained at the appropriate academic rank in his or her department.

6.06 Appointment Procedure.

- 1 When an initial appointment, either term or temporary, is to be made to the faculty, the Assistant Superintendent for Academic Affairs shall appoint an Ad Hoc Committee consisting of three faculty members, as follows:
 - (1) The head of the department in which the vacancy exists, who shall serve as chairperson. (If the vacancy is for a department head see 6.06 5 below.)
 - (2) Two tenured faculty members. To the maximum extent practicable, at least one of the faculty members shall be in the same academic discipline area as the candidate being recruited.
 - (3) The Academy Personnel Officer shall provide technical guidance and assistance to the committee as necessary.

- 2 The Ad Hoc Committee shall:
 - (1) Assure that recruitment is sufficiently broad to provide an adequate number of highly qualified candidates for consideration.
 - (2) Evaluate the qualifications and experience of all available candidates in accordance with the regulations and orders of the Office of Personnel Management, Department of Transportation and Maritime Administration, prepare a list of qualified candidates, and conduct personal interviews as required.
 - (3) Report on the candidates in rank order of merit and recommend the best available candidate to the Assistant Superintendent for Academic Affairs.

- 3 The Assistant Superintendent for Academic Affairs, after receiving the recommendations of the Ad Hoc Committee and considering all available data, shall submit a recommendation, together with the committee's, to the Superintendent. If the Superintendent approves the selection, the appointment shall be submitted to the Office of Personnel, Maritime Administration, for processing and approval as required by MAO 720-250.

- 4 Upon approval of a faculty appointment by the Office of Personnel, a new faculty member shall be advised in writing by the Assistant Superintendent for Academic Affairs of the terms and conditions of appointment including the following:
 - (1) Type of appointment
 - (2) Academic rank

- (3) Effective date
- (4) Termination date
- (5) Starting salary and salary step
- (6) Any waivers or special conditions which must be satisfied for reappointment/tenure
- (7) U.S. Maritime Service rank, if applicable, and eligibility for a uniform allowance.

The new appointee shall sign a copy of the appointment letter and return it to the Assistant Superintendent for Academic Affairs to indicate acceptance of the appointment.

- 5 In the event the vacancy is for a department head, the Ad Hoc Committee shall be appointed by the Superintendent as follows:
 - (1) Normally, the committee shall consist of the Assistant Superintendent for Academic Affairs, who shall serve as Chairperson, two faculty members appointed by the Superintendent, and two faculty members elected by the faculty of the department concerned.
 - (2) At least one of the elected faculty members and one of the appointed faculty members shall be tenured. Committee members shall be permitted to come from outside the department concerned.
 - (3) The committee's responsibilities shall be the same as set forth above in 6.06 2, except its report and recommendation shall be submitted to the Superintendent.

Section 7. Reappointment:

7.01 Annually, normally not later than October 1, department heads shall submit recommendations to the Faculty Personnel Committee concerning the reappointment of faculty members whose appointments will expire at the end of the academic year. Each recommendation shall be accompanied by an up-to-date dossier submitted by the faculty member concerned.

7.02 The Faculty Personnel Committee shall evaluate each faculty member under consideration for reappointment taking into account the individual's qualifications and performance, the department head's recommendation, and all other relevant information. The committee shall interview the faculty member, and the department head and, at its discretion, may also interview other faculty members.

7.03 Committee recommendations shall be determined by affirmative vote of a simple majority of the members present, with all five members constituting a quorum, provided that only full professors shall be eligible to vote on actions involving reappointment of a full professor, and all five full professors must be present to constitute a quorum.

7.04 Upon completion of the evaluation process, the committee shall submit its recommendations for reappointment to the Assistant Superintendent for Academic Affairs normally not later than seven months prior to the expiration of the current appointment. The recommendation shall state why the candidate is considered suitable or unsuitable for reappointment and the vote of the committee.

7.05 The Assistant Superintendent for Academic Affairs shall review the Committee's recommendations and shall forward the candidate's dossier with his or her own recommendations, together with those of the committee and the department head to the Superintendent for decision, subject to approval by the Office of Personnel.

7.06 Each candidate for reappointment shall be advised in writing of the Superintendent's final decision.

7.07 If denied reappointment by the Superintendent, a faculty member shall be informed of the reason.

7.08 Upon approval of reappointment by the Office of Personnel as recommended by the Superintendent, a faculty member shall be advised in writing by the Assistant Superintendent for Academic Affairs of the terms and conditions of the reappointment. The reappointment letter shall contain the same information prescribed in 6.06 4.

Section 8. Faculty Promotion and Tenure:

8.01 Eligibility. Faculty members who meet the minimum qualification requirements for either tenure or promotion to the next higher academic rank, or who will meet the requirements prior to the date that such action would become effective, are eligible for consideration for either tenure or promotion.

- 1 The minimum qualification requirements for such actions are those set forth in the Qualification Standards for Faculty Appointment and Promotion published by the Office of Personnel, Maritime Administration.
- 2 Faculty members seeking tenure appointment must also meet the following requirements:
 - (1) Must be serving under a limited term appointment.
 - (2) Must have completed four academic years of service at the U.S. Merchant Marine Academy under term or full-time temporary appointments or a combination thereof. Total years of service as a faculty member under term or full-time temporary appointments or a combination thereof shall not exceed six years.

- (3) Must have demonstrated significant accomplishments, performance and ability under the primary criteria of the faculty qualification standards.
 - (4) Must have made significant contributions to the mission and operation of the U.S. Merchant Marine Academy.
 - (5) Must be serving at the assistant professor rank or higher.
- 3 To be eligible for promotion, in addition to meeting the minimum qualification standards referred to in 8.01 1 above, and the requirements listed in 8.01 2(1), (3), and (4), an untenured faculty member must be serving at least in the third full academic year under term appointment.
 - 4 In an exceptional case involving a faculty member who does not meet the minimum eligibility standards for promotion or tenure, the Assistant Superintendent for Academic Affairs, with the concurrence of the Superintendent, may refer the case to the Faculty Personnel Committee for its consideration. The committee shall consider the question of waiver concurrently with its evaluation for promotion or tenure.

8.02 Denial of Tenure. A faculty member denied tenure at the end of the fourth year of service may be reappointed for an additional limited term of one year or two years, and shall be given an opportunity to be considered again before expiration of the additional term. A faculty member denied tenure a second time shall be separated at the end of the additional term appointment. No faculty member shall be reappointed after six years of service unless he or she has been granted tenure.

8.03 Tenure and Promotion Evaluation Procedures.

- 1 Consideration of faculty members for tenure and promotions shall take place annually.
- 2 Normally, not later than the Tuesday following Labor Day, faculty members will be notified that applications for promotion and tenure and complete dossiers must be submitted to the Faculty Personnel Committee by October 1.
- 3 The Academy Personnel Officer will review each application against the appropriate qualification requirements set forth in 8.01 above to determine which faculty members are eligible for consideration. The Academy Personnel Officer shall notify the committee of the names of eligible faculty members, normally not later than October 10. Faculty members found not eligible for consideration shall be notified at the same time, in writing, and told the reasons for the finding of ineligibility.

- 4 Department heads shall be requested to submit their evaluation and recommendation concerning each eligible candidate to the committee, normally not later than November 1. The department head shall provide a copy of his or her recommendation to the faculty member concerned.
- 5 The committee shall evaluate each eligible candidate taking into account the department head's evaluation, the criteria set forth in the Qualification Standards and all other relevant information. The committee shall interview each eligible candidate and his or her department head, and may interview other faculty members.
- 6 Committee recommendations shall be determined by affirmative vote of a simple majority of the members present, with five members constituting a quorum. Only full professors shall be eligible to vote on actions involving promotion to full professor or tenure consideration of a full professor, and five full professors must be present to constitute a quorum.
- 7 Upon completion of its evaluation process, the committee shall submit its recommendations for promotion and tenure, along with the applications and dossiers, to the Assistant Superintendent for Academic Affairs. Recommendations for promotion shall be submitted normally not later than the last business day in February. Recommendations for tenure shall be submitted normally not later than December 15. The recommendations shall state the reason why the candidates are or are not recommended and shall include the vote of the committee. All recommendations are purely advisory. The committee shall provide a copy of its recommendation to the faculty member concerned.
- 8 The Assistant Superintendent for Academic Affairs shall review the Committee's recommendations and forward each candidate's application and dossier, his or her own recommendation, and the committee's and the department head's recommendations to the Superintendent for decision. The Assistant Superintendent for Academic Affairs shall provide a copy of his or her recommendation to the faculty member concerned.
- 9 Each eligible candidate for promotion or tenure shall be advised in writing of the Superintendent's final decision. Eligible candidates for promotion shall be advised normally not later than April 15. Eligible candidates for tenure shall be advised normally not later than February 15. An individual denied tenure or promotion shall be informed of the reason.

8.04 When a faculty member holding a tenure appointment accepts an appointment of specified duration in an administrative position with the U.S. Merchant Marine Academy, he or she may be given reemployment rights as a faculty member with tenure. In such case, the time spent in the administrative post shall be counted for step increases within academic rank and may be considered as time in rank for promotion.

8.05 A person who previously acquired tenure as a faculty member of the U.S. Merchant Marine Academy may be reemployed as a faculty member with tenure provided other applicable requirements are met.

8.06 Tenure Limitation. The number of tenured faculty members normally should not exceed 80 percent of the total faculty.

8.07 Professor Emeritus.

- 1 General. The Maritime Administrator may confer the honorary title of professor emeritus upon a retired faculty member in the rank of professor who has rendered distinguished service to the U.S. Merchant Marine Academy.
- 2 Designation Procedures. To be designated professor emeritus, a retired faculty member shall be recommended by the department head, via the Assistant Superintendent for Academic Affairs, to the Superintendent. In the case of a retired department head, the Assistant Superintendent for Academic Affairs shall initiate the recommendation. Before making a recommendation to the Superintendent, the Assistant Superintendent for Academic Affairs shall solicit advice from the Faculty Personnel Committee. The Superintendent shall submit a recommendation to the Maritime Administrator who, if in agreement, shall confer the title on the individual concerned.
- 3 Privileges. In addition to the privileges afforded all retired faculty members, a professor emeritus shall be accorded the following:
 - (1) When determined to be feasible, office space in the appropriate department.
 - (2) Full library privileges.
 - (3) Inclusion of name on department rosters and in the catalog.
 - (4) The leading position in the faculty procession at commencement exercises.
 - (5) Membership in the Officers' Club, in accordance with the club bylaws.
 - (6) An appropriate honorarium when invited to give lectures.
 - (7) Faculty rate for tickets to athletic events and other campus activities.

Section 9. Hours of Duty:

9.01 Faculty members are subject to provisions of Maritime Administrative Order 760-610 concerning hours of duty. During working hours, when not engaged in actual teaching, office hours, committee work or other assigned tasks, faculty members may engage in course and lecture preparations, research, professional development and other related activities. Normally, such activities are to be performed on U.S. Merchant Marine Academy premises but may be performed elsewhere if a valid reason is given by the faculty member and when approved in advance by the faculty member's department head or higher authority. Such approval will normally be valid for the duration of the work project or for a specific period of time appropriate to the nature of the work being performed. If the request is disapproved a valid reason will be given.

9.02 Faculty members who are employed for less than full-time work should have a regular part-time tour of duty established when specific recurring hours of duty can be scheduled. When it is not practicable to establish a regular tour of duty of specified hours on a continuing basis, intermittent employment may be authorized on an occasional or irregular basis without regularly scheduled hours of duty.

9.03 Faculty Teaching Loads.

- 1 Faculty teaching loads shall be expressed in total weekly load hours. One load hour is defined as one scheduled 50-minute lecture period per week. Teaching assignments, and teaching loads, shall be made by department heads after consultation with the faculty member involved and approval by the Assistant Superintendent for Academic Affairs.
- 2 Faculty teaching loads should not exceed twelve load hours and should not involve more than three separate course preparations in any academic quarter. This means that the average teaching load for any faculty member over an academic year should not exceed twelve hours. For this purpose, 1 1/2 laboratory hours shall be counted as the equivalent of one load hour. However, if a faculty member teaches laboratory courses only, and does not prepare and grade written examinations or grade laboratory reports as part of his or her assigned duties, up to 21 laboratory hours may be assigned. To the extent practicable, efforts will be made to avoid assignment of a 21-hour load.
- 3 In assigning individual teaching loads, due regard shall be given to such factors as the total number of preparations required per week; sea project preparation and evaluation; whether a faculty member is introducing a new course or repeating an old one; the difference in scope and/or difficulty of the course or courses being taught; class size; average teaching load over the full academic year; emergency conditions; budgetary limitations; and personnel ceilings. Subject to such considerations, load hour equivalents may be granted for approved research activities, remedial instruction, supervision of laboratories and continuing education, and special assignments.

- 4 In addition to the scheduled load hours, teaching duties include work preparation and equipment preparation required for conducting laboratory or lecture courses, administration of tests and examinations, grading, student evaluation, and the scheduling of at least one office hour per week for appointments with members of each section assigned, at an hour during which the section has no other assigned classes. Further, a faculty member is required to attend departmental meetings and faculty meetings and is expected to serve on faculty committees to which appointed or elected.

Section 10 - Faculty Salary:

10.01 Authority. Under authority of section 1308(d) of the Merchant Marine Act of 1936, as amended, (46 App. U.S.C. 1295g(d)), members of the faculty who are subject to this order are compensated according to a faculty salary schedule approved by the Associate Administrator for Administration, Maritime Administration. Each faculty member shall receive compensation according to his or her assigned academic rank and the provisions of this section. Provisions of 5 U.S.C. 5504 govern the computation of biweekly salaries of faculty members, except as otherwise specifically provided by law.

10.02 Faculty Salary Schedule. The U.S. Merchant Marine Academy faculty salary schedule shall be the same as the U.S. Naval Academy faculty salary schedule of January 3, 1988, for the ranks of Instructor through Professor (Steps 1-66), with the exception of the first six steps of the Professor Scale (Steps 25-30).

10.03 Cost of Living Increases. Government-wide cost of living increases applied to the U.S. Naval Academy faculty salary schedule shall be applicable to the U.S. Merchant Marine Academy faculty salary schedule.

10.04 Salary Step Increases.

- 1 Each faculty member shall be granted a one salary step increase annually provided the faculty member:
 - (1) Is serving under other than a temporary appointment of one year or less;
 - (2) Will have completed the preceding academic year as a faculty member at the U.S. Merchant Marine Academy as defined in this order. (Persons entering on duty after the beginning of the academic year or who are in a non-pay status during the academic year are ineligible for a step increase for that academic year unless the individual participated in the Academy's return-to-sea program or other Academy mission-oriented program);

- (3) Has a performance rating of fully successful or better; and,
 - (4) Meets the acceptable level of competence required for the position and is so certified by his or her department head and the Assistant Superintendent for Academic Affairs, or in the case of department heads, by the Assistant Superintendent for Academic Affairs and the Superintendent.
- 2 An acceptable level of competence is determined based on the requirements set forth in the Performance Management System issued by the Maritime Administration.

10.05 Salary Policies for Certain Personnel Actions.

- 1 On Initial Appointment. A faculty member shall be appointed initially at the lowest salary step of his or her academic rank unless an advanced in-hiring rate has been authorized in accordance with section 10.06, except that his or her salary may be based on his or her highest previous Federal salary rate under the policy stated in paragraph 3 of this section. No faculty applicant shall be promised or led to believe that he or she may receive higher than the minimum salary step of the rank for which he or she is being considered, unless prior approval of a higher salary step has been obtained.
- 2 On Promotion. On promotion to a higher rank, a faculty member will be advanced three steps on the faculty salary schedule or to the lowest step of the higher rank, whichever is greater, in addition to any annual step increase to which otherwise entitled.
- 3 On Reemployment:
 - (1) On Reemployment in Federal Service. A present or former employee appointed to a faculty position may be paid at any step rate of the academic rank above the first step, which does not exceed his or her highest previous rate of basic compensation in the Federal service which is creditable as the "highest previous rate" under Civil Service Regulation 531.202, after making allowances for any subsequent upward adjustment in such pay rate by law or regulation. If this adjusted highest Federal pay rate falls between two salary rates of the academic rank to which the faculty member is appointed, his or her compensation may be fixed at the higher of the two rates. If such rate exceeds the maximum rate for the academic rank, he or she may be paid the maximum rate for such rank.

- (2) On Reemployment After Military Service. A faculty member, serving under a tenure appointment and who is entitled to restoration rights after military service, shall be reemployed (1) at the academic rank he or she left to enter military service, at a salary rate which includes any step increases granted to him or her during his or her absence, or (2) if promoted while in the military service to a higher academic rank, at a salary rate which includes any step increases granted during the period between the date of promotion and restoration to duty.
- (3) On Reemployment After Service in Other Than Faculty Position in the Department or Elsewhere. A faculty member who left or leaves a position to accept other employment and who was granted reemployment rights, upon exercise of those reemployment rights within time limits specified in writing at the time he or she left, shall be entitled to the salary step rate in the academic rank which he or she would have been receiving if he or she had rendered continuous, satisfactory service in his or her former faculty position or any faculty position to which promoted in absentia.
- (4) After Service As Department Head. Pursuant to section 6.05, in the event that an incumbent who is a professor is not reappointed as a department head and is retained as a professor, he or she shall receive a salary step on the salary schedule for professors which would have been received if he or she remained as a department head. If a faculty member other than a professor is not reappointed to a department head position and is retained in his or her academic rank, he or she shall receive a salary equivalent to that which would have been received but for the appointment as a department head.

10.06 Advanced In-Hiring Rate.

- 1 In meritorious cases the initial salary of a faculty member may be fixed above the minimum step of the rank. Before a request for an advanced in-hiring rate is made, the recommending officials should assure that adequate attention has been given to relevant factors other than salary, such as the conduct of an adequate recruiting program, benefits to be gained from paying a higher rate, the effect of a higher rate on present faculty members in the same discipline, and pay relationships with faculty members in other disciplines. The request for approval of a rate of compensation above the entrance rate must be justified in writing based primarily on shortage of candidates, high or unique qualifications or special needs in accordance with 10.06 2 below.
- 2 Each recommendation for an advanced in-hiring rate shall be prepared in writing by the department head and the Assistant Superintendent for Academic Affairs and shall include the following:

- (1) An SF-52 "Request for Personnel Action;" SF-171 "Application for Federal Employment," showing the candidate's present salary and the lowest salary the candidate will accept; the report of the Ad Hoc Committee; and other supporting documents.
 - (2) Information concerning the subjects to be taught.
 - (3) A statement as to whether there is or is not a shortage of candidates in the subject matter field including the extensive recruiting efforts made and reasons why the recommended candidate is considered superior to other candidates.
 - (4) A statement of the superior or unique qualifications of the proposed appointee or special need of the U.S. Merchant Marine Academy for his or her services, if applicable, stating how the individual exceeds the qualification standards for the position.
 - (5) The relationship of the proposed appointee's qualifications and proposed salary to those of present faculty members in the same academic discipline and rank listing those with a lower rate of compensation.
- 3 Upon recommendation by the Assistant Superintendent for Academic Affairs, the Superintendent is authorized to approve advanced in-hiring rates.

10.07 Premium Compensation. Faculty members are expected to perform their customary academic duties within their basic 40-hour workweek, for which their regular per annum compensation is payable. However, when a faculty member is temporarily assigned or detailed to other than customary academic duties and responsibilities requiring overtime, compensation may be authorized in accordance with the provisions of Maritime Administrative Order 760-610. Payment, when authorized, shall be computed in accordance with provisions of Maritime Administrative Order 760-610.

Section 11. Faculty Training and Development:

11.01 Faculty development, education and training, and payment of travel, subsistence, or other expenses in connection with attendance at meetings, seminars and symposiums shall be in accordance with the policies and procedures set forth in Maritime Administrative Order 740-410, "Training."

11.02 Tenured faculty members may be granted a sabbatical for the purposes of scholarly or creative endeavors which will enhance professional competence and contribute to the improvement of the U.S. Merchant Marine Academy's educational program or otherwise further its mission.

11.03 Leave without pay (leave of absence) for study, research, travel, teaching, sailing on a U.S. Coast Guard license, or other experience may be granted when such leave would result in increased job ability which is expected to result in improvement in the education offered by the U.S. Merchant Marine Academy and the faculty member agrees to return to the U.S. Merchant Marine Academy at the end of the leave period.

- 1 A faculty member who is granted leave without pay for purposes of training, such as sailing on his or her Coast Guard license and updating seagoing experience, technical knowledge, and skill, will have such time credited toward the requirement for a salary step increase.
- 2 Pursuant to current OPM regulations, credit toward civil service retirement is granted for all leave without pay which does not exceed six months in the aggregate in any calendar year.
- 3 Pursuant to current OPM regulations, Federal employee life insurance continues without cost to the employee while he or she is in a non-pay status for up to 365 days.
- 4 Pursuant to current OPM regulations, an enrollment in a Federal health insurance plan continues without salary withholdings from the employee for a period not to exceed 40 hours in a non-pay status. The regular employee contribution is necessary after this period.

Section 12. Separations from the Service:

12.01 Non-reappointment. Subject to the provisions of this order and other applicable laws and regulations, the Superintendent has the responsibility for deciding if a faculty member's temporary or term appointment will not be renewed. A faculty member shall be notified, in writing, of non-renewal of appointment by the Assistant Superintendent for Academic Affairs, in accordance with the following schedule:

- 1 A Temporary Appointment terminates on the date specified on the appointment action. No other notification is required.
- 2 Term Appointments. If a faculty member will be terminated at the end of a term appointment, to extent practicable, written notice of non-reappointment shall be given not less than six months in advance of the termination date.

A faculty member shall be given the reason for non-reappointment, in writing.

If a faculty member has veteran preference and has completed one year of current continuous employment as a faculty member in the excepted civil service, notices of non-reappointment and termination, and subsequent procedures, shall conform with the provision of 5 U.S.C. chapter 75.

12.02 Reduction in Force. A reduction in faculty may be required as a result of a lack of work, shortage of funds, insufficient personnel ceiling, reorganization, the exercise of reemployment rights or restoration rights, or the reclassification of an employee's position due to erosion of duties. In such event, notification and other procedures shall be in accordance with law, rules and regulations, and negotiated provisions of an applicable collective bargaining agreement.

12.03 Resignation and Retirement. Although faculty members may resign or retire voluntarily at any time, to the extent practicable at least six months written advance notice is expected and such separations should normally be arranged to become effective at the end of an academic year.

12.04 Separation for Cause. Separations for cause shall conform to the procedures required by law, rules, regulations, this order, and the negotiated provisions of the collective bargaining agreement.

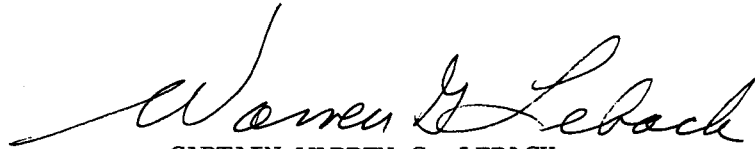
- 1 If a faculty member receives a proposal to remove him/her for cause, the faculty member may request a review before the Faculty Personnel Committee. (See section 5.04 of this order.) The faculty member must request such a review, in writing, not later than five calendar days after receipt of the removal proposal. The request must be made to the Assistant Superintendent for Academic Affairs. Use of this review procedure does not preclude the faculty member from following the procedures in statute or collective bargaining agreement for providing an answer to the removal proposal to the deciding official. Committee recommendations concerning removal shall be submitted in writing to the Assistant Superintendent for Academic Affairs within twelve working days of receipt of the faculty member's request for a review.

Section 13. Laws and Regulations Applicable to Faculty Members:

Section 1308(d) of the Merchant Marine Act of 1936, as amended, (46 App. U.S.C. 1295g (d)) provides that faculty members shall be subject to laws of general applicability to civilian employees of the United States except as specifically authorized by section 1308(d) or other provisions of law. Therefore, faculty members are subject to the provisions of this order and to all other Maritime Administration and Department of Transportation orders pertaining to civilian employees unless specifically excluded from coverage. Thus, faculty members are subject to civil service provisions which pertain to such matters as veteran preference, performance ratings, annual and sick leave, health benefits, retirement, life insurance and incentive awards.

Section 14. Faculty Handbook:

There is hereby authorized to be established a Faculty Handbook in accordance with Maritime Administrative Order 200-1. The handbook may contain information relating to approved policies, procedures, and regulations applicable to faculty members as defined in this order. In addition, rules for the conduct of faculty meetings may be included. However, the handbook shall be in accord with the provisions of this order and other applicable regulations and shall not be used as a means for establishing policy.

A handwritten signature in cursive script that reads "Warren G. Leback". The signature is written in dark ink and is positioned above the printed name and title.

CAPTAIN WARREN G. LEBACK
Maritime Administrator