



# Faculty Statutes

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**SECTION I  
MANAGEMENT OF THE COLLEGE**

**Part 1. Board of Trustees**

- 1.101 The property, affairs, business and concerns of the College shall be managed by its Board of Trustees, acting in accordance with its by-laws, the charter of the College and Article 5 of the Education Law of the State of New York. The Board of Trustees shall promulgate the Statutes of St. John Fisher College and such other rules and orders, not inconsistent with law or with the regulations of the University of the State of New York, as to them shall seem necessary and appropriate for the management of the College.
- 1.102 The Board of Trustees shall:
- Have the ultimate responsibility for the determination of all policies of the College;
  - Have power to delegate the interpretation and application of those policies to the regularly constituted College officers, retaining, however, responsibility for the proper exercise of all delegated powers;
  - Have power to grant degrees to those students recommended by the faculty;
  - Have power to confer honorary degrees;
  - Elect the President;
  - Have power to approve the appointment of other major officers of the College upon the recommendation of the President;
    - a. Have power to confirm initial appointments to the faculty, promotion of and the granting of tenure to faculty members, and appointment of department heads;
    - b. Have power to approve policies and programs for the faculty and administration staff concerning conditions of service, faculty rank, tenure, promotion, remuneration, retirement and similar matters;
    - c. Have power to approve the form of contracts between the College and members of its faculty and administrative staff;
    - d. Have power to approve tuition and fees;
    - e. Have power to approve the investment of endowments and other resources;
    - f. Have power to adopt the budget;
    - g. Exercise financial control over the College;
    - h. Have power to approve plans for the physical development and expansion of the College;
    - i. Have power to adopt by-laws for the conduct of its business; and
    - j. Have power to approve the Faculty Statues, by-laws, rules or other standards adopted by groups and organizations within the College.

SECTION II  
FACULTY STATUTES

Part 1. Definitions

3.1.1 The general forum for the expression of faculty views at St. John Fisher College is the Faculty Assembly and this body shall have primary responsibility for the formation of educational policies of the college. The Assembly ensures open discussion of academic and professional matters by the faculty. It may initiate consideration of particular academic and contractual issues by voting to place such issues on the agenda of the Faculty Council or one of the Faculty Committees, or individuals may introduce proposals under "old or new business."

3.1.2 The Faculty Council shall be the executive body of the faculty of St. John Fisher College. It shall act in its name and on its behalf. Faculty Council, along with the various Faculty Committees, shall have primary responsibility for the drafting of educational policies forwarded to the Faculty Assembly for consideration. Faculty Council shall report all actions taken since the previous Faculty Assembly meeting. Faculty Council, Faculty Committees, or individual Faculty members may bring proposals to the Faculty Assembly in the form of motions. The Assembly may reject, modify, or refer back to its source any motion presented to it. All such motions except for proposals to establish new programs, departments, or schools, must be approved by the Assembly before they are forwarded to the President.

All proposals to establish new programs, departments, or schools must be submitted as motions to the Faculty Assembly before they are forwarded to the President. The President's prerogatives regarding motions approved by the Assembly are defined in Section 3.2.7. If a motion to establish a new program, department, or school is disapproved by the Faculty Assembly, the President may refer it back to the Assembly for further consideration. A motion disapproved by the Faculty Assembly may be presented to the Board of Trustees only after the President has provided detailed, compelling reasons for doing so, in writing, to the Assembly. Faculty Council ensures that established policies are duly implemented.

3.1.3 To facilitate the discussion of academic and professional matters, membership of the Faculty Assembly at St. John Fisher college includes:

- a. Full-time teaching faculty, part-time faculty teaching credit courses who have completed at least six semesters of service at St. John Fisher College in the previous four years, and emeritus faculty, as certified by the Faculty Council and the Provost.
- b. The President; the Provost, Dean of Undergraduate Studies, Dean of Adult and Graduate Education, professional librarians and the SGA President (or Vice-President) as voting members of the Faculty Assembly. Only voting rights in the Assembly are hereby granted these members of the Faculty Assembly.
- c. Other administrative officers whose expertise is frequently pertinent to the discussions of the Faculty Assembly have *Honorary*, non-voting membership in the Faculty Assembly: the Registrar, the Director of Higher Education Opportunity Program, the Director of the Student Development Center, the Dean of Enrollment Management, the Dean of Students/Associate Provost, Dean of School of Adult & Graduate Education (SAGE)/Associate Provost, and Dean of Undergraduate Studies/Associate Provost.

3.1.4 The right to elect and the right to be elected to Faculty Committees shall belong only to the full-time teaching members except where otherwise stated (See Faculty Welfare Committee).

## Part 2. The Faculty Assembly

- 3.2.1 The officers of the Faculty Assembly shall be a chair, a Chair, and a secretary.
- 3.2.2
- a. The President of the College shall be the Honorary Chair of the Faculty Assembly, but the duties and powers of this office shall regularly be exercised by the Chair. If the Chair shall be unable or unwilling to assume the Chair, the office shall devolve on the Vice Chair or the Chair of the Faculty Council, respectively.
  - b. The Chair of the Faculty Assembly shall be elected from the full-time teaching faculty by the Faculty Assembly for a term of two academic years. This election will be held at the annual elections meeting of the Faculty Assembly (see 3.3.12.f) in the second year of the current Chair's term. The new term shall begin on the next September 1 or at the beginning of the next academic year, whichever comes first. The Chair may be re-elected. A vacancy during the Chair's term of office shall be filled by an election at the next meeting of the Faculty Assembly, and the Chair so elected shall serve for the remainder of that the original term of office.
- 3.2.3 The Faculty Assembly shall convene at least twice each semester in two sessions of one or more meetings, the first Session to begin near the opening and the second near the middle of the semester. Standing committees and designated ad hoc committees will report to the Assembly at each session, and each session will continue in subsequent meetings, normally at two-week intervals, until its business is concluded. A special elections meeting will be held each year between the first and second sessions of the Spring semester (see 3.3.12.f). The Faculty Council will set the dates for regular sessions and meetings of the Assembly (see 3.3.3.a).
- 3.2.4 Delegates
- a. Definition  
The Faculty Assembly delegates will consist of one representative from each of the 19 academic departments and the Provost, for a current total of 20.
  - b. Duties
    1. The Faculty Assembly delegates (hereinafter "delegates") are to attend all Faculty Assembly meetings (whose schedule will be published at the beginning of each semester). Delegates who cannot attend a given meeting will inform their alternates, who should attend in their stead.
    2. At the meetings, delegates (or alternates) should sign in with the Faculty Secretary, so that a count of delegates present can be easily taken. Since the delegates (or alternates) have agreed to serve in this capacity, their attendance will be part of the Assembly record.
  - c. Selection  
Each department will select a delegate and alternate for its department and give their names to the Secretary of the Faculty Assembly. Delegates and alternates will ordinarily be members of that department. Each delegate or alternate can represent only one department.
- 3.2.5 The Secretary
- a. The secretary shall be nominated from the faculty and elected by the faculty at the last faculty meeting of the year and shall serve for the next academic year. The secretary may be re-elected.

- b. The secretary shall circulate the agenda as specified in 3.2.6a, shall be responsible for recording the minutes of each meeting of the Faculty Assembly, and shall distribute the minutes no later than one month following each meeting.

3.2.6 Meetings of the Faculty Assembly shall follow Roberts Rules of Order as they have been qualified by the faculty for the conduct of its business. The following procedural motions have been adopted:

- a. The agenda for the meeting of the Faculty Assembly shall be drawn up in the following way: The secretary shall collect from the President of the College, the Chair of the Faculty Council and from all standing committees, all items needing faculty consideration and approval. In addition, any member of the Faculty Assembly may request in writing to have items placed on the agenda under New Business. The President of the Student Government Association may submit to the Chair of the Faculty Council a written list of items pertinent to the student body, for consideration by the Faculty Assembly.

The Chair of the Faculty Assembly shall draft the agenda. At least 7 days before each regularly scheduled meeting, the Chair of each Assembly committee shall submit in writing a report of committee activities, with all motions and supporting documents to be brought before the Assembly. At least 3 days before the meeting, the Secretary will distribute the agenda, with these reports, motions, and supporting documents, to all Assembly members.

In case an agenda is not published for any given meeting, the agenda shall be considered as follows:

Minutes  
Approval of Agenda  
Correspondence and Announcements  
Report from the Faculty Council  
Reports from Standing Committees  
Reports from Ad Hoc Committees  
Old Business  
New Business

- b. That the Faculty Assembly, after the reading of the minutes of the previous meeting, make as its fixed second item of regular business the formal adoption of the agenda of the day.
- c. Notice of proposals on educational policy shall be circulated to the faculty at least three days prior to the scheduled meeting of the Faculty Assembly at which they are to be considered. The requirement of earlier notice may be waived by a simple majority of the full-time faculty (as defined in 3.1.3a), or by a simple majority of the delegates in circumstances where a quorum was reached through delegate representation.
- d. Determination of the quorum.

A quorum can be achieved in either of two ways:

1. The quorum of the Faculty Assembly shall be equal to a simple majority of the total number of full-time teaching faculty minus the number of those individuals who are on sabbatical or medical or unpaid leaves of absence formally granted by the college. Though not counted in determining the quorum number, individuals on sabbatical or other leaves of absence are entitled to attend and participate fully in Faculty Assembly meetings.
2. In the absence of a traditional quorum, the presence of 15 delegates (as defined in 3.2.4) among those attending will also constitute a quorum. In this case, all

members in attendance retain their full privileges to speak and vote.

- e. The Faculty Assembly is a continuing body throughout the academic year, that is, from September 1 to August 31 of the following year.

3.2.7 Decisions of the Faculty Assembly shall be embodied in the form of resolutions.

- a. It shall be the responsibility of the officer of the Assembly presiding when the resolution was passed, in cooperation with the secretary, to be sure that copies of the resolution are transmitted to the President of the College and to the appropriate Vice President or other administrative officer(s) most concerned with the subject.
- b. The President of the College, acting for himself/herself or for the appropriate administrative officer, may refer back to the Assembly for further discussion any resolution passed by the Assembly. This referral must contain a specific list of reasons for this action. The referral back to the Assembly must occur as soon as possible and no later than the beginning of the next regularly scheduled meeting of the Assembly.
- c. If the Assembly passes this resolution again, in the same or amended form, the President shall present the resolution to the Board of Trustees of the College, with his/her own recommendations, at the next regularly scheduled meeting of the Board.
- d. A resolution of the Faculty Assembly shall become the policy of the College if, following the placement of the resolution with the Board of Trustees, no action is taken by the Board at its next regular meeting. The Board of Trustees may take action on the resolution in whole or in part: to approve, to disapprove, giving a statement of its reason(s) thereof, or to postpone decision, but not longer than the following regular meeting of the Board. The Board may also allow the policy of the resolution, in whole or in part, to become effective by declining to act.

3.2.8 Whenever the College Statutes require that an action be taken by a certain date, and appropriate action is not taken as recommended in the Statutes, the Faculty Council should be informed. If no action is taken within a two-week period, the proper notice should be given to the appropriate bodies.

## Part 3A. Committees of the Faculty

3.3A.1 Faculty Committees are standing or *ad hoc*. Their members may be elected (as specified in Section 3.1.4) or appointed in accordance with the Statutes. Ad hoc committees, whether elected or appointed by the faculty, may draw their membership from within or outside the faculty.

3.3A.2 The Standing Committees are: (a) Faculty Council (b) Graduate Program Council (c) Curriculum and Instruction; (d) Rank and Tenure; (e) Enrollment Management; (f) Library, (g) Faculty Welfare; (h) Academic Standing; (i) Elections; (j) Strategic Review.

### 3.3A.3 The Faculty Council

- a. Duties and Responsibilities: At each meeting of the Faculty Assembly the Faculty Council shall submit for approval by the Assembly all actions taken since the previous Faculty meeting. This report shall be given first among the reports of faculty committees.

The Faculty Council shall set, as early as practicable, the dates for regular meetings of the Faculty Assembly. The Faculty Council or the President of the College may convene additional meetings of the faculty whenever the need shall arise. The faculty may request that the Faculty Council convene an Assembly meeting by submitting a written petition signed by at least one-fourth of the full-time faculty. Upon receipt of this petition, the Chair of the Council, acting for the Council, shall convene a meeting of the Assembly.

Meetings of the Faculty Council shall be open to all members of the faculty of the College, except for those meetings which the Council shall judge by a two-thirds majority vote of its members to involve matters too personal or too private to be openly considered. Except for the closed meetings as defined in the preceding sentence, members of the Faculty Assembly shall be furnished with the notice of the date, time and place of each meeting of the Faculty Council together with an agenda for that meeting. Such material shall be placed in the mailbox of each member of the Faculty Assembly at least three days before each regular meeting of the Faculty Council. The two last sentences shall not apply to special meetings called to consider emergency situations arising from emergency conditions. Persons other than the faculty may attend the meetings of the Faculty Council with prior notice given to the Chair, and with the consent of the Council's members.

- b. Number of Members: eleven.
- c. Composition: Three members elected from the faculty in their first through sixth year of cumulative full-time teaching service at the College.

Three members elected from the faculty who have more than six years of cumulative full-time teaching service at the College

Three members elected at large from the faculty.

The President of the College, or a representative, and one appointee of the President.

- d. Voting Privilege: All members.
- e. Officers: The Chair and Vice Chair shall be elected by secret ballot of the Council for a term of one year and may be re-elected for no more than one successive term.
- f. Term of Service: Elected members shall have terms of three years. One member from

each group shall be elected every year. Members may be re-elected.

- g. Election of Council's Members: By secret ballot of the faculty members of the Faculty Assembly (as defined in section 3.1.4 and section 3.3.13) during the regular elections meeting in the Spring of each semester of each academic year.
- h. Provisions of Paragraph 3.3.13 of the Faculty Statutes shall apply to the Faculty Council, except as these provisions are specifically limited. All faculty members are eligible for election to the Faculty Council without regard to the number of elected standing committees they are serving on but they may not serve on more than ONE standing committee and the Faculty Council.

#### 3.3A.3.A Graduate Program Council

- a. Duties and Responsibilities: The Graduate Program Council shall meet regularly to oversee all graduate programs and support services. The Council shall establish degree requirements, admission and academic standards, and academic policy, including grading practices and procedures, for graduate programs. The Council must approve all new programs and all changes in these requirements and policies. It shall also resolve student appeals regarding the application of these requirements and policies. All proposals having broad academic impact on the College, including those to establish new programs, departments, or schools, must be submitted as motions to the Faculty Assembly. All proposals which modify the academic programs of more than one department or of the College as a whole must be submitted as motions to Faculty Assembly (see Section 3.1.2)
- b. Composition: The Provost; the Dean of School of Adult and Graduate Education (SAGE); the School Dean, where applicable, the Directors of the graduate programs, the Chair of the Curriculum & Instruction Committee; one representative elected at-large from the Faculty Assembly who shall have taught at least one graduate course in each of the prior four semesters for a term of two years; and at the Council's discretion, from one to three students.
- c. Voting Privileges: all members.
- d. Graduate Program Directors: Directors shall hold full-time faculty appointments and teach in their respective graduate programs. Directors shall be appointed for a term of three years by the Board of Trustees upon the recommendation of the School Dean, where applicable, the Provost and the President. Existing programs or departments shall nominate candidates for appointment following the procedures for electing Department Chairs (see statutes 3.5.2). Where there is no existing program or department, the Dean of SAGE/Associate Provost may nominate a Director.

Directors shall: oversee curriculum and curricular change in consultation with the teaching faculty in their respective graduate programs; provide academic leadership in the ongoing efforts to maintain and develop instructional programs of high quality; coordinate course scheduling and staffing in cooperation with the appropriate department chairs; provide students with academic advising.

- e. Evaluation of Graduate Program Directors: Directors who are members of existing academic departments will receive departmental evaluations by their department chairs in accordance with Section 3.9 of the Faculty Statutes. For Directors in departments or programs without other tenured, full-time faculty, the Dean of SAGE/Associate Provost, or School Dean, where applicable, will evaluate each Director's performance as Graduate Director, following procedures for Annual Evaluation in the Faculty Statutes (Section 3.9.3). In accordance with these statutes, the Dean of SAGE/Associate Provost, or School Dean, where applicable, may call upon other tenured faculty

members to assist in this evaluation.

#### 3.3A.4 Committee on Curriculum and Instruction

- a. Duties and Responsibilities: The committee shall establish: requirements for degrees; the structure and balance of degree programs; grading practices and policies. The committee shall also initiate and/or approve or disapprove of (a) changes in types of instruction which modify the programs of more than one department or of the College as a whole, and (b) curricular proposals which modify the programs of more than one department or of the College as a whole. The committee's academic decisions will be subject to the approval of the Faculty Assembly.
- b. Number of members: fifteen
- c. Composition: Nine elected faculty members: one each from Business, Education, Nursing, four from Arts and Sciences (one from each of the divisions and one at-large), and two tenured, at-large faculty. Additional members: the Provost the Library Director (or designee), the Registrar, the Associate Registrar and two students.
- d. Voting Privileges: elected faculty, students and Provost.
- e. Qualifications: Elected members must be full-time or qualified part-time teaching faculty (see 3.1.3.a). Appointed students (see h. below) must be any sophomore, junior or senior who is a member of the Student Government Association and a full-time student in good academic standing.
- f. Chair: To be elected by and from the faculty members of the committee for a term of one year. The Chair may be re-elected.
- g. Term of Service: Faculty, staggered three year terms with the possibility of re-election. Students, one year with the possibility of reappointment.
- h. Election: Each elected faculty member will be elected by secret ballot and by a simple majority vote of each division Or school, as appropriated, at the regular Spring elections meeting of each year; each at-large faculty member will be elected by Faculty Assembly as a whole; appointment of student members by the Student Government Association (see e. above).

#### 3.3A.5 Committee on Rank and Tenure

- a. Duties and Responsibilities: The committee shall regularly evaluate candidates for promotion and/or for the granting of tenure or for the awarding of special non-tenured, post-probationary multi-year appointments through the application of the criteria that govern eligibility for promotion and tenure. It shall make the appropriate recommendations to the President, with copies to the Provost, the School Dean, where applicable, the chair of the candidate's department, and the candidate.

In evaluating the candidates, the committee shall compile written information from the chair of the department (see 3.5.6), the School Dean, where applicable, and the Provost. When it is deemed necessary, it shall seek additional information from any sources mentioned in 3.5.6; from an ad hoc committee chosen from among students or former students of the faculty member; from interviews with the faculty member in question; and from professional colleagues outside the College, including colleagues proposed by the candidate.

In addition, this committee shall monitor the due observance of provisions governing academic freedom, due process, rank and tenure, and shall initiate appropriate proceedings where such provisions appear not to have been followed. These include:

1. Categories of faculty rank, status, and privileges (3.8.1-3.8.8);
2. Rights of faculty to grievance hearings, appeals, the right to legal counsel, etc. (3.13.1-13.8; 3.15.1-3.15.5);
3. Method of notification to individual faculty members concerning changes in rank and/or tenure status, salary or dismissal (3.6.5a-3.6.5g; 3.8.6a; 3.8.7a; and 3.8.7d.);
4. Observance of policy governing the equivalency of teaching experience at other institutions of higher learning (3.6.5e), and observance of policy in determining full-time or part-time status at the College (3.6.5a.);
5. Practice of faculty members regarding notice of intention to leave College service (3.12.1-12.3);

The committee may seek legal counsel and the advice of the American Association of University Professors in determining its recommendations.

- b. Number of members: six.
- c. Composition: The Provost and five elected faculty.
- d. Voting Privilege: All members except the Provost.
- e. Qualifications: Elected members must be full-time teaching faculty who have tenure.
- f. Chair: To be elected by and from its elected membership for a term of one year. The Chair may be re-elected.
- g. Term of Service: For elected members, five years on a staggered basis. Members may not serve consecutive terms.
- h. Election of Committee Membership: By secret ballot of the faculty. Election of this committee shall take place during regular spring elections meeting of each academic year.

### 3.3A.6 Committee on Enrollment Management

- a. Duties and Responsibilities: To formulate and oversee the College's Enrollment Management policy. The Committee (1) periodically reviews this policy and initiates new policy by bringing recommendations to the Faculty Assembly; (2) may assist the Enrollment Management Office in deciding Enrollment Management cases, especially on difficult/marginal applications; (3) helps find ways to attract new students to the College, with special attention to the composition of the student body; (4) helps establish guidelines for College scholarship policy; and (5) keeps the faculty informed about College Enrollment Management through reports to the Faculty Assembly.
- b. Number of Members: Twelve.
- c. Composition: The Provost or designee; the Vice President of Enrollment Management & Planning, the Director of Freshmen Admissions, the Director of Transfer and Pharmacy Admissions, and six elected faculty members: one each from Business, Education, Nursing, and three from Arts & Sciences (at-large); and two appointed students designated by the Student Government Association.
- d. Voting Privilege: All members with Faculty Assembly voting privileges and the appointed students.
- e. Qualifications: Any faculty member and any sophomore, junior, or senior who is a

member of the Student Government Association and a full-time student in good academic standing.

- f. Chair: To be elected by the committee from among its teaching faculty membership for a term of one year. The Chair may be re-elected.
- g. Term of Service: Faculty members, three years on a staggered basis with the possibility of re-election; students, one year with the possibility of reappointment.
- h. Faculty members shall be elected by secret ballot at the regular Spring elections meeting of each year.

### 3.3A.7 Committee on Library

- a. Duties and Responsibilities: This committee shall participate with the Director of the Library and his/her staff in formulating general policy, surveying library resources, allocating acquisition funds to the departments and adopting rules and regulations for library use, taking into consideration the recommendations of the Middle States evaluation committee reports, and accreditation guidelines for disciplines.
- b. Number of Members: eleven
- c. Composition: Eight elected faculty members: one each from Business, Education, Nursing, Pharmacy, four from Arts and Sciences (one from each of the three divisions and one at-large). Additional members: one graduate student; one undergraduate student and the Director of the Library.
- d. Voting Privilege: All members.
- e. Qualifications: Elected members must be full-time or qualified part-time teaching faculty (see 3.1.3.a). Appointed undergraduate student (see h. below) must any full-time sophomore, junior or senior who is a member of the Student Government Association and full-time student in good academic standing. Appointed graduate student must be in good academic standing.
- f. Chair: To be elected by and from the faculty members for a term of one year. The Chair may be re-elected.
- g. Term of Service: Faculty, staggered three year terms with the possibility of re-election. Students, one year with the possibility of reappointment.
- h. Election: Each elected faculty member will be elected by a secret ballot and by a simple majority vote of each division or school, as appropriate, at the regular Spring elections meeting of each year; appointment of student members by the Student Government Association and the Graduate Program Council (see e. above).

### 3.3A.8 Committee on Faculty Welfare

- a. Duties and Responsibilities: The committee shall concern itself with salary, benefits and other matters concerning the working conditions and economic welfare of the full-time and part-time faculty.
- b. Number of Members: thirteen.
- c. Composition: Ten elected faculty members: one each from Business, Education, Nursing, Pharmacy, four from Arts and Sciences (one from each division and one at-large), one faculty member in retirement or on the Bridge to Retirement, and one part-time member of the faculty. Additional members: the Provost, the Vice President for

Financial Affairs and the Director of Human Resources.

- d. Voting Privilege: All elected members.
- e. Qualifications: Elected members must be full-time or qualified part-time teaching faculty (see 3.1.3.a); a retired faculty member must have *emeritus* status
- f. Chair: The committee shall elect a Chair from among its voting members for a term of one year. The Chair may be re-elected.
- g. Terms of Service: Elected faculty members, will serve staggered three year terms with the possibility of re-election.
- h. Election: Each elected faculty member will be elected by a secret ballot and by a simple majority vote of each division or school, as appropriate, at the regular Spring elections meeting of each year; the faculty member in retirement or on the Bridge to Retirement and the part-time faculty member will be elected the Faculty Assembly as a whole.

#### 3.3A.9 Committee on Academic Standing

- a. Duties and Responsibilities: This committee shall: (1) certify students for graduation, (2) certify students for academic honors, (3) evaluate and enforce academic requirements to determine student status as to good standing, probation, dismissal, and (4) evaluate transfer credits.
- b. Number of Members: ten or eleven
- c. Composition: Six elected faculty members: one each from Business, Education, Nursing, and three faculty members from Arts and Sciences (one from each of the three divisions). Additional members: the Provost; the Registrar and/or the Associate Registrar; and two representatives from the Office of Academic Affairs (one from the Center of Academic Excellence and one from Freshman Advising).
- d. Voting Privilege: All elected members and the Provost.
- e. Qualifications: Elected members must be full-time or qualified part-time teaching faculty (see 3.1.3.a).
- f. Chair: To be elected by and from the faculty members of the committee for a term of one year. The Chair may be re-elected.
- g. Term of Service: Staggered three year terms with the possibility of re-election.
- h. Election: Each elected member will be elected by a secret ballot and by a simple majority vote of each division or school, as appropriate, at the regular Spring elections meeting of each year; appointment of Office of Academic Affairs representatives by the Director of Office of Academic Affairs.

#### 3.3A.10 Committee on Elections

- a. Duties and Responsibilities: To prepare, supervise and conduct all faculty elections according to the procedures outlined below.
- b. Number of members: Four.
- c. Composition: Members shall be elected from the faculty at large.

- d. Chair: The members of the committee shall elect their own Chair from among themselves. The Chair may be re-elected.
- e. Term of Service: Three years on a staggered basis. Members may be re-elected.
- f. Members shall not be subject to the restriction of membership and chairmanship on the other elected standing committees of the faculty.
- g. Election: Faculty members shall be elected by secret ballot at the regular Spring elections meeting of each year. .

#### 3.3A.11 Committee on Strategic Review

- a. Duties and Responsibilities: This Committee shall prioritize the future allocation of positions and resources in the budget categories of Instruction and Academic Support, guided by the principles of the institutional mission and informed by data concerning the budget process, enrollment trends, and departmental performance. It shall make its recommendations for new academic positions directly to the Provost who in turn will convey the recommendations to the Budget Analysis Team as strategic guidelines. The committee shall regularly report on its activities to the Faculty Assembly.
- b. Number of members: Fifteen
- c. Composition: The Provost; the Academic Dean of each School; and nine elected faculty members, one each from Business, Education, Nursing, Pharmacy, and five from Arts & Sciences (one from each of the three Arts & Sciences divisions, two from Arts and Sciences at-large, with no more than one representative per department, and no more than two per division).
- d. Voting Privileges: All elected faculty members
- e. Qualifications: Any member of the full-time teaching faculty
- f. Chair: To be elected by the committee from among its teaching faculty membership for a term of one year. The Chair may be reelected.
- g. Term of Service: Staggered three year terms.
- h. Election: Each School will elect its representative by secret ballot and by a simple majority vote; for Arts & Sciences, divisional representatives will be elected by divisional voting, at-large representatives by School voting after the results of divisional elections are known. Elections will take place annually during the Spring elections meeting.

#### 3.3A.12 Election Procedures

- a. By February 1 of each academic year the Provost shall prepare a list of the full-time teaching faculty in each of the election categories.
- b. The Chair of the Election Committee shall establish a list of the present membership of the committees and a list of the positions to be filled by election that year.
- c. By February 15 of each academic year, the Election Committee shall provide the faculty with a master list, reporting, for each committee, the present membership, the positions

to be filled, and the faculty members eligible to fill them.

- d. For five class days after receipt of the elections master list, members of the faculty may submit written nominations to the Elections Committee. These nominations shall include the names of the nominator and the seconder, the signature of the nominee (to indicate acceptance of the nomination), and the name of the committee for which he or she is nominated.
- e. By the end of the seventh class day following distribution of the elections master list, the Elections Committee shall provide the faculty with a list of the nominees to each committee and the date of the elections meeting.
- f. The annual elections meeting for committees of the Faculty Assembly shall take place after the first session of the Faculty Assembly for the Spring semester is completed and before the second session commences. Further nominations shall be accepted at this meeting, but faculty members are urged to make their nominations in writing so that the voters will have several days to consider the candidates.
- g. Whenever a vacancy develops on an elected standing committee after the regular elections meeting in the Fall semester, the Elections Committee shall conduct a special election, either by mail ballot or at a meeting of the Faculty Assembly, whichever will more expeditiously fill the vacancy. Such a procedure will also be followed whenever *ad hoc* committees of the Faculty Assembly are established.

#### 3.3A.13 Manner of Voting

- a. After the nominations for a committee have ended, the names of the nominees shall be numbered.
- b. Each faculty member shall be provided with a blank piece of paper for each election.
- c. Each faculty member who is eligible to vote in a specific election shall cast his vote(s) by writing the number(s) of the selected nominee(s) on the ballot. When there are multiple vacancies in a specific election, each eligible voter will write up to as many numbers on the ballot as there are positions to be filled.
- d. Without folding the ballot, each voter shall place it face down in the ballot box which will be passed among the voters.
- e. Ballots which contain a number not corresponding to that of one of the nominees, or which contains too many votes (numbers), or which contains duplicate votes (numbers), shall be automatically disqualified.
- f. The ballots shall be counted and the names of those elected to each committee shall be announced immediately after each election. Nominees who receive the most votes shall be deemed to be elected to a given committee according to the number of positions to be filled, except as noted below in Section g. While the ballots are being counted, oral nominations for the next committee election shall be allowed.
- g. To be deemed elected each nominee must receive at least 30% of the ballots cast.
- h. The number of elections for any given committee shall equal the number of positions to be filled. There shall be a separate election for each position.

#### 3.3A.14 General Regulations Affecting Elected Standing Committees:

- a. No faculty member may serve as chair of more than one elected standing committee.

- b. No faculty member may serve on more than two elected committees.
- c. Except where specifically stated otherwise, elections to the standing committees are to be held annually after the first session of the Faculty Assembly for the Spring semester is completed and before the second session commences. Though all committees should hold an organizational meeting of new and continuing members before the end of the Spring semester, the terms of service for all committee members elected in the spring officially begin on the first day of the new academic year.
- d. A quorum of each committee shall be a majority of the voting members.
- e. Vacancies: In case of an elected member's death, resignation, sick leave, or removal, an election to fill the vacancy shall be conducted by the Elections Committee, such election to take place as soon as possible after the vacancy occurs, either by mail ballot or at the next meeting of the Faculty Assembly, whichever is the more expeditious procedure. The person elected to fill the vacancy shall serve only for the remainder of the un-expired term. A faculty member on sabbatical leave or on leave of absence from the College for more than one semester is considered *ipso facto* to have resigned his or her membership on elected standing committees. In the event of any temporary vacancy of one semester or less due to sabbatical or other leave of absence, a member is permitted to retain his/her committee seat(s), but a committee may "co-opt" an eligible faculty member or request an election to fill such vacancy for the specified period.
- f. Recall: An elected member may be recalled by means of a petition signed by one-third of the members of the full-time teaching faculty and a three-fifths majority vote of the full-time teaching faculty taken by secret ballot.
- g. The Chairs of elected standing committees shall be elected by and from among the elected members of those committees.
- h. Elected members may be re-elected when their term expires. Co-opted members may stand for election.
- i. Faculty members may attend meetings of any elected standing committee by the invitation of, or with the consent of, the committee. The Chair shall act as a spokesperson for the committee.
- j. In order to expedite the business of the Faculty Assembly the committees are required to circulate to the faculty a report of the motions they intend to present at the next meeting. Whenever possible such reports should be distributed one week before the Faculty Assembly meets.
- k. No student may serve on more than one elected standing committee at one time.

### 3.3A.15 Method of Amending the Statutes

- a. Amendments to the Statutes may be introduced by any full-time member of the faculty or by any committee of the faculty at any meeting of the Faculty Assembly. Such amendments must be submitted in written form.
- b. Amendments are introduced by committees of the faculty at the time the committee gives its report.
- c. Amendments are introduced by individual faculty members under "New Business." Committees are free to introduce amendments at this time if they so desire.
- d. All motions to amend the Statutes shall be placed on the Assembly's agenda for the next

meeting under “Old Business” where they may then be debated and acted upon. To be approved, such motions need a simple majority of voting Assembly members present. (Voting rights in the Assembly are defined in sections 3.1.3.a and 3.1.3.b).

- e. To be debated or acted upon at the same meeting of the Assembly in which it is introduced, a motion to amend the Statutes would require the approval of a simple majority of all voting Assembly members in the College (including both those present and non-present). (Voting rights in the Assembly are defined in sections 3.1.3.a and 3.1.3.b).

### Part 3B Board of Trustee Committees with Faculty Representation

3.3B.1 According to the Trustee By-Laws, the Chairperson, the President or the Board of Trustees may appoint from time to time committees of the corporation, chaired by a member of the Board and consisting of such additional members (which may include persons who are not on the Board of Trustees) as may be appointed. Committees of the corporation shall have such particular duties as are specifically assigned to them and shall act in an advisory capacity; in no case shall committees of the corporation have the power or authority to bind the Board or the College.

3.3B.2 Faculty Representatives who serve on Trustee Committees will either be elected by the Faculty Assembly for two years on a staggered basis or will serve by virtue of their official role in Faculty governance.

#### 3.3B.3 Faculty-Trustee Committee

According to the Trustee By-Laws, the Faculty-Trustee Committee shall be a committee of the corporation, consisting of six (6) members, three (3) of whom shall be Faculty Members (the Chair of Faculty Assembly, the Chair of Faculty Council, and a full-time Faculty Member elected by the Faculty Assembly), and three (3) of whom shall be Trustees (at least two of whom shall be members of the Executive Committee of the Board). It shall meet at least four (4) times annually. The Faculty-Trustee Committee shall maintain free and open communication between the Faculty and the Board of Trustees, in order to discuss issues of current or long-term importance to the College. More generally, the Committee shall promote respect, understanding, and trust between the Faculty and the Board of Trustee.

#### 3.3B.4 Academic Affairs Committee

According to the Trustee By-Laws, the Academic Affairs Committee shall be a committee of the corporation, consisting of no fewer than seven (7) and no more than twelve (12) members, two (2) of whom may be members of the full-time faculty elected by the Faculty Assembly and one (1) of whom may be a student appointed by the President. It shall meet at least four (4) times annually. The Academic Affairs Committee shall, in cooperation with the President: study and appraise the quality of the College's academic program; measure the program relative to other comparable institutions in terms of teaching load, class size, student-faculty ratios, instructional expenditures, research programs, and other relevant factors; formulate desirable short-and long-range enrollment goals; advise the Finance Committee on the specifications and requirements for financing the academic programs; recommend salary, pension, and other personnel policies concerning the academic personnel; and make such reports and recommendations to the Board of Trustees relative to the forgoing as may be required by the Board.

#### 3.3B.5 Student Affairs Committee

According to the Trustee By-Laws, the Student Affairs Committee shall be a committee of the corporation, consisting of no fewer than five (5) and no more than nine (9) members, two (2) of whom may be members of the full-time faculty elected by the Faculty Assembly and one (1) of whom may be a student appointed by the President. It shall meet at least four (4) times annually. The Student Affairs Committee shall review matters affecting students at the College (other than those relating to the academic program), consider proposals on such matters, and report and make recommendations thereon to the Board of Trustees as may be required by the Board.

#### 3.3B.6 Enrollment Management Committee

According to the Trustee By-Laws, the Enrollment Management Committee shall be a committee of the corporation, consisting of no fewer than five (5) and no more than nine (9) members, two (2) of whom may be members of the full-time faculty elected by the Faculty Assembly and one (1) of whom may be a student appointed by the President. It shall meet at least four (4) times annually. The Enrollment Management Committee will recommend to the Board policies dealing with the recruitment and retention of full-time and part-time credit students, both undergraduate and graduate. The Committee shall review the annual recruiting and retention targets and the current fund budget supporting recruiting and retention activities and make recommendations to the Board. The Committee will receive reports on market research and competitor analysis.

## Part 4. Departments

- 3.4.1 Each department shall be responsible for the development of policy concerning its own educational affairs, and shall have the fullest measure of autonomy consistent with the maintenance of the general educational policy of the School, where applicable, and the College.
- 3.4.2 Departmental authority shall extend to, but not be limited to, the content and frequency of course offerings, major and minor requirements, prerequisites, and other matters which may affect the level and quality of instruction.
- 3.4.3 Each department shall be responsible for transmitting its policy recommendations to the School Dean, where applicable, and if not, to the appropriate faculty committee or the Faculty Assembly.
- 3.4.4 The department shall hold a meeting of all full-time and part-time members at least three times in each semester. Education, personnel and budget policies shall be established at these meetings by a simple majority vote of the voting members.
- 3.4.5 Notice of each meeting must be duly given at least one week in advance and the minutes of each meeting shall be distributed to departmental members by the Secretary. A copy of the minutes shall be forwarded to the School Dean, where applicable and, the Provost.
- 3.4.6 All full-time teaching members have voice and vote privileges in all departmental decisions. Part-time teaching members have voice and vote privileges after one year of service.

## Part 5 Department Chairs and Teaching Faculty

- 3.5.1 The Department Chair shall be the executive officer of his or her instructional department and shall be responsible for carrying out the policies of the department. The Chair shall report to the School Dean, where applicable, and if not, to the Provost and shall be responsible for:
- a. the administrative work of the department such as correspondence and records;
  - b. the assignment of courses to members of the department;
  - c. the academic advisement of those students who have elected to major in that department; this responsibility may be delegated.
  - d. the general supervision of the department;
  - e. the maintenance of an active file of candidates for possible appointment to fill vacancies, and in the event of vacancy the Chair shall have primary responsibility for recruiting candidates.

- 3.5.2 The Chair of the department shall ordinarily be a tenured member of the faculty, appointed for a term of three years by the Board of Trustees upon recommendation of the School Dean, where applicable, and the Provost and the President. A Chair may be reappointed.

When a vacancy occurs or when a term of office is scheduled to expire a departmental meeting or meetings shall be held under the supervision of the outgoing Chair, or if the Chair is not available, of the senior member of the department in years of service at St. John Fisher College. Full and part-time faculty members and the Student Departmental Representative shall be expected to attend and participate in such meeting(s) to consider departmental needs, issues and future activities, and to identify the characteristics desirable in the next Chair. At any meeting(s) the department, through the Chair of the meeting(s), might invite any other person(s) whose participation would be valuable. A substantive account of such meeting(s) shall be sent by the Chair of the meeting to the President with a copy to the Provost .

Either immediately following the meeting(s) described above or a few days thereafter, the full-time members of the department and the part-time faculty members who have completed at least six semesters of service at St. John Fisher College in the previous four years shall meet and cast individual, secret nominating ballots for the office of Chair. Full-time faculty may only vote for the chair of the department in which they hold a full-time appointment. The Chair of the Faculty Council or a designate should tabulate the results of the nominations, and make them known to the meeting. The Chair of the Faculty Council or a designate shall then transmit the complete results to the President with a copy to the Provost . A record of the result of the vote shall be kept in the file of the Chair of the Faculty Council for a year.

Selection of the Chair of the department shall ordinarily follow the majority plurality preferences of department members. In doubtful cases, a meeting of the full-time members of the department and part-time faculty members who have completed at least six semesters of service at St. John Fisher College in the previous four years shall be called by the President, in which further consultations shall take place to clarify the reasons for an appointment other than that preferred by the members of the department.

- 3.5.3 The Chair shall have authority to initiate policy and action concerning departmental affairs, subject to the conditions imposed by article 3.4.4 of these Statutes, and the standing policies of the Faculty Assembly.
- 3.5.4 The Chair shall preside at department meetings and represent the department whenever such representation is required or desirable.
- 3.5.5 The Chair shall prepare the tentative budget for the department and discuss it with the School

Dean, where applicable, the Provost prior to submitting it to the Budget Committee.

- 3.5.6 The Chair shall be responsible for assuring a careful yearly evaluation of each faculty member of the department. The Chair should ordinarily ask the other members of the department to assist with this evaluation. The evaluation should serve two primary purposes: to provide the Chair with necessary information on the status of the non-tenured faculty members in the department, and for both tenured and non-tenured faculty members, to provide information indispensable in requesting promotions and merit increases in salary.

"The major commitment of the faculty of St. John Fisher College is excellence in teaching, with an emphasis on close interaction with students. To be effective in the classroom and to serve as models of academic excellence, faculty must also remain actively engaged in scholarship."  
[Excerpted from the St. John Fisher College Mission Statement]

Further, every faculty member has a service obligation to the College as a member of the collegium. Service to the profession and to the community complement this obligation.

No faculty member is expected to be equally active in scholarship and service, but excellence in one or more categories is not compensatory for the absence of effective professional performance in either teaching, scholarship, or service to the College.

See Sections under 3.9.6 for criteria for evaluation.

- 3.5.7 When recommending for or against reappointment, promotion or tenured appointment, the Chair shall submit a full report of the information gathered through the evaluation procedures, together with his/her recommendations, to the Committee on Rank and Tenure with copies to the School Dean, where applicable, the Provost and the President of the College.
- 3.5.8 Full-time faculty members are normally expected to attend: (1) all scheduled faculty meetings, (2) departmental meetings as scheduled by the Chair, (3) meetings of those committees on which they hold membership.
- 3.5.9 Participation by full-time faculty in Commencement exercises is expected unless excused by the Provost or the President. Participation in the Baccalaureate and other College functions, social, cultural, or educational, is strongly recommended.
- 3.5.10 At the beginning of each course faculty members will inform students about requirements including the ordering or arrangement of submitted work, quizzes, the basis of grades and other pertinent details. Written work of the students is to be available to them. Faculty members will retain final exams in their files for at least one year after they have been given.
- 3.5.11 Faculty members are expected to make themselves available to students seeking advice and help. A schedule of office hours must be posted on each faculty office, and the faculty member is expected to be present at the hours posted. Although the College does not require that each member of the faculty be present on campus for a fixed number of hours each day, it should be understood that all faculty members should be reasonably available to students.
- 3.5.12 When it is necessary for a member of the faculty to be absent he/she will inform the Department Chair, the School Dean, where applicable, or the Provost .
- 3.5.13 A large amount of faculty participation in the administration of the College is accomplished through the work of committees, both elected and ad hoc. Each faculty member is expected to serve on one or more committees if elected or appointed. Such work shall be presumed to be part of one's professional responsibilities.
- 3.5.14 The academic schedule of classes shall be established under the supervision of the Provost in consultation with the School Dean, where applicable, and if not, with Department Chairs. Reasonable attempts will be made to distribute the faculty members' loads equitably over the academic week. Requests for special hours may be made through the Department Chair, to the School Dean, where applicable, and if not, to the Provost. Reasonable attempts will be made to

honor requests for special consideration in scheduling classes.

5 A School Deans

- 3.5.A.1 The School Dean is the academic leader and chief administrative officer of the School and reports directly to the Provost for aspects of the operation of the School, including its conduct and development as an instructional, research, and service unit. In carrying out responsibilities, the School Dean consults advisory bodies within the School and outside the School, and College. The Dean is the senior administrative representative of the School in dealing with officers of the College.
- 3.5.A.2 The School Dean shall be appointed by the Board of Trustees upon recommendation of the majority of the school faculty, Provost and President.

When a vacancy occurs, a meeting of School faculty shall be held under the supervision of the outgoing Dean, or if the Dean is not available, of the senior member of the School in years of service at St. John Fisher College. Full and part-time faculty members and the Student Departmental Representative shall be expected to attend and participate in such meeting(s), to consider School needs, issues and future activities, and to identify the characteristics desirable in the next Dean. At any meeting(s) the School, through the Chair of the meeting(s), might invite any other person(s) whose participation would be valuable. A substantive account of such meeting(s) shall be sent by the Chair of the meeting to the President with a copy to the Provost.

The department chairs within the School shall initiate a search process for candidates, internal and external to the College. Once the process yields at least three (3) viable candidates, the full-time members of the School and the part-time faculty members who have completed at least six (6) semesters of service at St. John Fisher College in the previous four (4) years shall meet and cast individual, secret nominating ballots for the Dean. Full-time faculty may only vote for the Dean of the School that includes the department to which they hold full-time appointment.

The Chair of the Faculty Council, or a designate should tabulate the results of the nominations, and make them known to the meeting. The Chair of the Faculty Council, or a designate shall then transmit the complete results to the President with a copy to the Provost. A record of the result of the vote shall be kept in the file of the Chair of the Faculty Council for a year.

Selection of the School Dean shall ordinarily follow the majority plurality preferences of School members. In doubtful cases, a meeting of the full-time members of the School and part-time faculty members who have completed at least six (6) semesters of service at St. John Fisher College in the previous four (4) years shall be called by the President, in which further consultations shall take place to clarify the reasons for an appointment other than that preferred by the members of the School.

## Part 6 Academic Freedom and Tenure

Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

- 3.6.1 Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- 3.6.2 Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of appointment.
- 3.6.3 College or university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As individuals of learning and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.
- 3.6.4 Academic tenure is a means to certain ends, specifically:
- a. Freedom of teaching and research and of extra-mural activities, and
  - b. a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.
- 3.6.5 Upon successful completion of a probationary period,<sup>1</sup> teachers shall have tenure, and their service shall be terminated before retirement only for adequate cause. Exceptions to this rule may only be made as follows:
1. a tenured position is not currently available to an individual faculty member (see also section 3.8.1, second paragraph including items 1-6);
  2. upon recommendation of the department chair and the School Dean, where applicable, and with the approval of the Committee on Rank and Tenure, the Provost, and the President, a multi-year contract which does not imply tenure extending beyond the end of the probationary period may be offered to the faculty member;
  3. all reasons and conditions of any such contract must be indicated and agreed to in writing by the individual and the School Dean, where applicable, and the Provost with a copy to the Committee on Rank and Tenure;
  4. the total number of these special contracts shall not exceed 20% of the full-time faculty;

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<sup>1</sup>These new regulations apply only to initial appointments effective July 1, 1973, or later.

5. the holding of such a multi-year contract does not necessarily assure an individual of first choice for a tenured position, should one become available;
  6. any faculty member holding such a contract will be considered among the non-tenured faculty.
- a. For the purpose of this section, full-time teaching or a full-time teaching appointment shall ordinarily include a minimum of nine hours per week in which students are taught as a group in a formal setting as in lectures or seminars.<sup>2</sup> Unless the faculty member shall obtain written approval of the Provost in consultation with the School Dean, where applicable, and if not, the department chair, the faculty member teaching fewer than nine hours shall not be deemed to hold a full-time teaching appointment. Should a question arise regarding the full-time status of any particular teaching assignment, a ruling shall be made before the completion of the semester by the Provost. The ruling shall be made after consultation with the individual concerned and the department chair, and after consideration of the provisions of the faculty member's contract.
  - b. The "probationary period" means that period of full-time teaching prior to the acquisition of tenure. In order to enter upon this probationary period, the faculty member shall hold the required academic qualifications, i.e., the Ph.D. degree or its professional equivalent. Exceptions shall be made only by a written agreement of the chair of the department involved, the School Dean, where applicable, the Provost, and the President of the College.
  - c. The terms and conditions of every appointment to the faculty shall be stated or confirmed in writing and signed by both parties, and a copy of the document shall be supplied to the faculty member. In order to be valid, any subsequent extensions or modifications of an appointment, and any special understandings, or any notices incumbent upon either party to provide, shall be stated or confirmed in writing and signed by both parties. Each party shall receive a copy of the agreement and any modifications.
  - d. With the exception of special appointments clearly limited to a brief association with this College, and reappointments of retired faculty members on special conditions, all full-time teaching appointments to the rank of instructor or higher are of three kinds: (1) probationary appointments which may be for one year, or for other stated periods, subject to renewal; (2) appointments with continuous tenure; and (3) special multi-year appointments not implying tenure extending beyond the end of the probationary period as outlined in the opening paragraph of this section 3.6.5. Except for faculty members who have tenure, individuals with a full-time teaching appointment of any kind shall be informed each year in writing of their appointment and of matters relative to their eligibility for the acquisition of tenure.
  - e. The probationary period shall not exceed seven years of full-time teaching at this College. Those faculty members with previous full-time teaching experience performed after the receipt of the Ph.D. or its professional equivalent and at the rank of instructor or higher in other accredited institutions of higher education may receive credit for up to three years of experience against the probationary period of this College. When a question arises as to the equivalency of teaching experience at other accredited institutions of higher education, such questions shall be decided by the President after consultation with the individual concerned, the department chair, and the School Dean, where applicable, and the Provost. If a shorter probationary period is agreed to at the time of appointment of a faculty member, to be valid the conditions of such agreement

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<sup>2</sup>In those academic fields using laboratories, a minimum of a twelve-hour combination of laboratories and lectures ordinarily constitutes a full load. If directed independent study is to be calculated as constituting part of the minimum teaching load, this must be agreed to in writing by the Chair of the department, the School Dean, where applicable, and the Provost.

shall be stated in writing and a copy placed in the candidate's professional file. These conditions shall be communicated to the Committee on Rank and Tenure.

Previous service at the College of those faculty members who return to the College after a permanent separation shall be treated as full-time service at another institution of higher education. Time spent on sabbatical leave is counted toward the probationary period, unless the faculty member and the College agree in writing to waive this provision at the time the sabbatical is granted. A leave of absence with pay for less than an academic year will count toward the probationary period. A leave of absence without pay for one academic year or more will not count toward the probationary period unless the faculty member and the College agree in writing to the contrary at the time the leave is granted.

- f. Regardless of the stated term or other provisions of any appointments,<sup>3</sup> written notice that a probationary appointment or a post-probationary non-tenured appointment is not to be renewed shall be given to faculty members in advance of the expiration of their appointment, as follows: (1) not later than February 1 of the first academic year of service within the probationary period, if the appointment expires at the end of that academic year or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination; (2) not later than December 15 of the second academic year of service within the probationary period if the appointment expires at the end of the academic year or, if the appointment terminates during an academic year, at least six months in advance of its termination; (3) at least two semesters before the expiration of the third year of service within the probationary period; (4) at least twelve months before expiration of an appointment after two full calendar years or more of service within the probationary period and/or after it in case of special, non-tenured post-probationary appointments.
- g. By April 15 of each year, the College shall notify faculty members of the salary to be attached to their appointment for the forthcoming academic year.
- h. Dismissal for cause may occur and will terminate the continuous appointment of a tenured faculty member in one or more of the following instances:
  - i. financial exigency of the College which shall be demonstrably bona fide;
  - ii. when a specific program area or department is closed by the College, in which case the College will provide at least one year's notice to the faculty member(s) affected and will offer reappointment to those faculty members affected if the program or department is reinstated within two years from the time it is closed;
  - iii. professional incompetence;
  - iv. protracted failure to discharge a significant portion of the primary responsibilities of a faculty member, e.g., scholarship and creativity, classroom teaching, research, student advising;
  - v. moral turpitude.

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<sup>3</sup>The periods of service referred to in this section apply only to service at this College and not to the total number of years of probationary service which may have been credited for prior experience.

## Part 7. Faculty Appointments

- 3.7.1 All members of the faculty receive their appointment to the College and their assignment to academic rank from the President of the College. Department Chairs will make recommendations for appointment to the School Dean, where applicable, and to the President after they have completed the steps outlined in the following sections.
- 3.7.2 The Chair of a department will request approval from the School Dean, where applicable, and the Provost to fill an academic position; it is expected that sufficient data will be presented with a request to justify approval. The probable rank and salary appropriate to this rank, to be offered to an applicant, will be decided when approval is given by the Provost, in consultation with the School Dean, where applicable.
- 3.7.3 In recommending the rank to be offered a new faculty member, the Department Chair must be guided by the norms set forth in the current Faculty Statutes. The Chair, in consultation with the School Dean, where applicable, will recommend the beginning salary in keeping with the current salary scale and the rank to be offered. If, in rare cases, it is necessary to make any additional arrangements concerning conditions of appointment with an individual faculty member, these must be made in writing by the Provost. In all instances final approval for financial arrangements must be given by the President.
- 3.7.4 The Department Chair will request candidates to supply the following information:
- a. A completed application form or letter of application, as determined by the department concerned.
  - b. Transcripts of the applicants' work in the colleges and universities at which they have earned degrees, and/or have worked towards a degree.
  - c. Letters of recommendation from appropriate sources are required. In all instances a letter of recommendation must be received from the immediate past employer of the candidates. Candidates who have had previous teaching experience must also supply a letter of recommendation from the institution in which they held their last teaching appointment.
  - d. Candidates who have not had previous teaching experience shall furnish appropriate recommendations from professors who have known them as students and who are competent to judge their fitness for the expected assignment.
- 3.7.5 Department Chairs will submit to the School Dean, where applicable, and to the Provost a copy of the proposed faculty member's completed application, transcripts and letters of recommendation. Chairs will consult with the School Dean, where applicable, and the Provost to secure his/her opinion concerning the prospective faculty member.
- 3.7.6 Department Chairs will interview candidates for the position. They will make every effort to introduce a prospective faculty member to members of the department and invite them to evaluate the candidate's qualifications for an appointment to the faculty.
- 3.7.7 Department Chairs will then submit their recommendations to the School Dean, where applicable, and to the Provost. Chairs shall also submit their recommendations directly to the President, along with copies of transcripts and letters of recommendations. The School Dean, where applicable, and the Provost will likewise submit his/her recommendations directly to the President who will make the final decision. Beginning salary and rank are defined by the President on the advice of the Department Chair, the School Dean, where applicable, and the Provost. [NB: 3.6.5e, 3.8.6, 3.11.2 and 3.11.3].
- 3.7.8 The Provost, in consultation with the School Dean, where applicable, must authorize any long distance travel necessary to bring a prospective candidate to the campus. Arrangements will be

made to reimburse the candidate after an account has been submitted.

## Part 8. Faculty Rank and Privileges

3.8.1 Decisions regarding faculty positions are primarily a faculty responsibility; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal. The primary responsibility of the faculty for such matters is based upon the fact that its judgment is central to general educational policy. Furthermore, scholars in a particular field or activity have the chief competence for judging the work of their colleagues; in such competence it is implicit that responsibility exists for both adverse and favorable judgments. Likewise this provision recognizes the more general competence of experienced faculty personnel committees which have a broader charge. Determinations in these matters should first be by faculty action through established procedures, reviewed by the School Dean, where applicable, the Provost and President with the concurrence of the Board. The governing board and president should, on questions of faculty rank and privileges, as in other matters where the faculty have primary responsibility, concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail.

While the merits, intellectual contributions and scholarly accomplishments of the individual faculty members are of crucial importance in all matters pertaining to faculty rank and privileges, other factors may also play a role and may induce the principal academic officers and/or the Board of Trustees to differ from faculty recommendations. These other factors include, but are not limited to, the following:

1. the professional make-up and academic balance of the department or division; or School, where applicable.
2. the balance of tenured and non-tenured faculty in both the department or division, or School, where applicable, and the College as a whole;
3. curricular trends in both the department or division, or School, where applicable, and the College as a whole;
4. enrollment trends in the department, division, or School, where applicable, or the College as a whole;
5. the financial status of the College; and
6. contractual understandings and conditions established in writing between the College and the individual.

3.8.2 Faculty rank is extended to full-time and to part-time teaching members of the faculty according to their contracts. Faculty rank may be extended by contract to administrative officers who have qualifications for an academic appointment in an existing department of the College.

3.8.3 Faculty rank is specified by the instructional level of instructor, assistant professor, associate professor, professor, and, upon retirement, emeritus or emerita with any professorial rank (see 3.8.6 and 3.8.8).

Appointees to part-time positions with faculty rank shall be designated as special lecturers or with the prefix "adjunct" used with the specified academic ranks (see 3.8.7).

3.8.4 An administrative appointment is not compatible with full-time teaching. In this provision the departmental chair is not considered an administrative appointment.

3.8.5 Service in an administrative appointment shall not be considered part of the probationary period leading to the acquisition of tenure. The acceptance of an administrative appointment at the College by a non-tenured member interrupts the probationary period unless the contrary is agreed to in writing.

## 3.8.6 FULL-TIME TEACHING RANKS

- a. **INSTRUCTOR:** Instructors shall ordinarily have an earned doctorate or its professional equivalent. Exceptions shall be made only by a written agreement of the Chair of the department involved, the School Dean, where applicable, the Provost, and the President of the College.

If individuals accepting the appointment come to the College with no full-time college teaching experience, the maximum time they might normally expect to remain in the rank of Instructor is five years. If individuals accepting the appointment come to the College having already completed two or more years of the probationary period toward tenure at another accredited institution, they should not normally expect to hold the rank of Instructor for more than three years.

Notification of renewal or non-renewal of an appointment as Instructor shall be made according to the provisions of Section 3.6.5f.

- b. **ASSISTANT PROFESSOR:** The rank of Assistant Professor will ordinarily be extended to faculty who hold an earned doctorate or its professional equivalent. They may be given a one-year contract upon initial appointment, if they have not had full-time teaching experience in an institution of higher learning. If they have had such full-time teaching experience, they will be given a two or three year contract at the time of appointment.

Upon the recommendation of the Department Chair, the School Dean, where applicable, and the Provost, faculty members may be promoted to the rank of Associate Professor without completing the six years which is ordinarily expected. Promotion in rank does not automatically confer tenure.

Notification of renewal or non-renewal of an appointment as Assistant Professor shall be made according to the provisions of Section 3.6.5f.

- c. **ASSOCIATE PROFESSOR:** For promotion or appointment as Associate Professor candidates must possess the qualifications for an Assistant Professor, and in addition a record of significant achievement in their field or profession as a teacher or as an administrator. Evidence of scholarship, research or creative activity may be manifested through scholarly publications in professionally recognized media as well as through such subsidiary evidence as direction or significant participation in research projects and in the scholarly activities of learned societies. There shall furthermore be evidence that their alertness and intellectual energy are respected in the academic community.

Appointment or promotion to the rank of an Associate Professor does not automatically confer tenure.

Notification of renewal or non-renewal of an appointment as Associate Professor shall be made according to the provisions of Section 3.6.5f.

- d. **PROFESSOR:** For promotion or appointment as Professor the candidate must possess the qualifications of an Associate Professor, and in addition a record of distinguished intellectual, teaching, educational or artistic achievement. There shall be evidence of continued growth and of general recognition among scholars and educators outside the immediate academic community.

Promotion to the rank of Professor will at the same time confer tenure.

Faculty initially appointed to this rank without being granted tenure at the time of their appointment (cf. 3.11.2, 3.11.3) will have their case for tenure reviewed by the Committee on Rank and Tenure within not more than two years.

- e. VISITING FACULTY: The prefix "visiting" may be used with any of the regular faculty ranks. A full-time appointment as a visiting faculty member is by its nature temporary, and will normally not extend beyond a maximum of two years. Duration and other conditions of the appointment shall be specified in writing at the time of the initial appointment.

### 3.8.7 PART-TIME TEACHING FACULTY

- a. Part-time teaching faculty members shall hold the ranks indicated in Section 3.8.4b. When they are appointed or reappointed, their ranks shall be arrived at in consultation with the Department Chair (where applicable), the School Dean, where applicable, and the Provost.
- b. A part-time teaching faculty member who does not hold the earned doctorate or its professional equivalent shall be designated a special lecturer.
- c. In order to hold the rank of adjunct assistant professor, adjunct associate professor, or adjunct professor the part-time teaching faculty member shall hold the earned doctorate degree or its professional equivalent. Exceptions shall be made only by written agreement of the chair of the department involved (where applicable), the School Dean, where applicable, and the Provost.
- d. Part-time appointments are temporary in nature for specific periods not to exceed one academic year for each appointment. Part-time faculty members may be reappointed. All terms and conditions shall be specified in writing at the time of the appointment or reappointment. The part-time appointment expires at the end of the specified period, and no notice of non-reappointment is required.
- e. Service as a part-time faculty member shall not count as part of the probationary period.
- f. Voting rights are limited according to Section 3.1.4.

### 3.8.8 EMERITUS STATUS

The Committee on Rank and Tenure may designate a faculty member "emeritus" or "emerita" at the last rank held upon retirement from the teaching faculty. The individual shall continue to enjoy such privileges as use of the library, attendance at academic convocations and social events, use of dining facilities, etc.

## Part 9. Faculty Evaluation

### 3.9.1 GENERAL STATEMENT

St. John Fisher College is committed to hiring, retaining, and promoting the best possible faculty. A faculty evaluation process that establishes objective criteria for reappointment demonstrates this commitment. Such an evaluation process assists faculty by providing constructive and balanced information which will promote their professional development. This process is also a means by which individual departments and the College can make evaluative judgments concerning reappointment of non-tenured faculty and promotion in rank and merit increases in salary for tenured as well as non-tenured faculty.

### 3.9.2 TYPES OF EVALUATION

The annual evaluation outlined below is the basic model for faculty evaluation at the College. When a non-tenured faculty member is required to participate in mid-probationary or tenure review at the departmental level, the annual evaluation is supplemented in the ways outlined in 3.9.4 below, and in Section 3.11. The departmental evaluation for promotion of both tenured and non-tenured faculty is also based on the annual evaluation, but differs from it in the ways indicated in Section 3.10. The annual evaluation and the augmented versions of it which apply to mid-probationary review, tenure review, and review for promotion all take place at the departmental level. Consideration for promotion and/or tenure by the Committee on Rank and Tenure is a separate matter and is discussed in Sections 3.10 and 3.11 of the Faculty Handbook.

### 3.9.3 ANNUAL EVALUATION

Each full-time faculty member for whom continuing appointment is anticipated undergoes an annual departmental evaluation. This evaluation provides the Chair, the School Dean, where applicable, and the Provost with necessary information on the status of all faculty members, and it supports recommendations for advancement in rank and for merit increases in salary. In addition, the evaluation should help all faculty to fulfill their academic responsibilities by encouraging professional development and by pointing out any deficiencies before they become serious.

The annual evaluation is conducted by the Department Chair in consultation with the individual faculty member and, where appropriate, with other members of the department. Prior to the evaluation, the Chair asks the faculty member to submit an updated curriculum vitae and a self-evaluation. This self evaluation should comment on the faculty member's performance in all the areas listed in Criteria for Evaluation (3.9.6) in which he/she has been active. There is no self-evaluation form; faculty are simply asked to write, commenting in detail on their work for the year in question.

When the Chair has received the faculty member's curriculum vitae and self-evaluation, the evaluation can begin. The faculty member may submit and the Chair may request documentation, in addition to the self-evaluation, of the faculty member's activities in each area to be evaluated. In every case, the faculty member and the Chair will review the results of the student survey form, and the faculty member will provide copies of any published research or creative work. Other methods of demonstrating effectiveness are listed under each of the Criteria for Evaluation in 3.9.6, below.

Having collected and reviewed the appropriate documentation, the Chair meets with the faculty member to discuss his/her case. Any dissatisfaction on the part of the Chair with the faculty member's performance should be voiced in this meeting and the faculty member invited to respond. If the Chair continues to have reservations about the faculty member's performance, these should be reflected in the letter of evaluation the Chair writes to every faculty member after his/her evaluation interview. This letter of evaluation, which is part of every annual review, should

summarize the faculty member's accomplishments and make constructive suggestions about any areas of deficiency. The letter should also invite the faculty member to respond to the Chair in writing, if he/she wishes to do so, within two weeks.

The Chair's letter of evaluation, a summary analysis of student opinion, and any response from the faculty member become part of the individual's personnel file.

Annual evaluation of the Chair is conducted by the School Dean, where applicable, or if not, by the full-time faculty member in the department with the most seniority at the College, who also writes the required letter of evaluation.

The annual evaluation for every faculty member should be completed no later than March 1, and responses from individual faculty members should be received by the Chair no later than March 15.

### 3.9.4 MID-PROBATIONARY EVALUATION

In order to initiate the mid-probationary evaluation, the Provost in consultation with the School Dean, where applicable, writes to the Department Chair by September 2, indicating that a thorough evaluation of the faculty member should be undertaken by the department. The purpose of these evaluations is to provide information for faculty to aid them in pursuing their careers in expectation of tenured appointments. The procedure is the same as for the annual evaluation, except that 1) at least two tenured faculty other than the Chair must assist in the evaluation; 2) these additional evaluators are chosen by the Chair, from within the department whenever possible; 3) if the department does not include two tenured members other than the Chair, the Chair asks tenured faculty in another department to assist in the evaluation; 4) each evaluator must observe the faculty member in the classroom at a time or times agreed to by the member and must assess his/her scholarship, research, and/or creative work; and 5) the Chair and all other evaluators must write letters of evaluation to which the faculty member may respond.

The mid-probationary review replaces the annual evaluation for the year in which it takes place, and appropriate documentation of the review is included in the faculty member's personnel file (3.9.3). This documentation includes, but is not necessarily limited to, letters from the evaluators, responses from the faculty member, and a summary analysis of student opinion. Since the mid-probationary review is intended to prepare faculty for later tenure review, the Provost writes to the faculty member with a copy to the School Dean, where applicable, and to the Department Chair indicating his/her assessment of the results. This assessment is also included in the personnel file, along with any response from the faculty member to the Provost.

The mid-probationary evaluation takes place in the third year of service for faculty with no credit for prior teaching. Faculty whose probationary period has been reduced in recognition of prior full-time teaching will have a mid-probationary evaluation according to the following timetable: those who have received one year's credit at the time of their initial appointment will be evaluated in their third year of service; those who have received two years of credit will be evaluated in their second year of service; and those who have received three years of credit will be evaluated in their first year of service.

In the unusual circumstance in which a Department Chair is subject to mid probationary evaluation, the School Dean, where applicable, or if not, the full-time faculty member in the department with the most seniority at the College conducts the review.

### 3.9.5 EVALUATION OF PART-TIME FACULTY

In addition to evaluating full-time faculty, the Chair, assisted where appropriate by other members of the department, should evaluate part-time faculty who are likely to be considered for reappointment. The chief aim of such evaluation is to insure integration of part-time faculty into the department and to assist them in their professional and pedagogical development.

### 3.9.6 CRITERIA FOR EVALUATION

"The major commitment of the faculty of St. John Fisher College is excellence in teaching, with an emphasis on close interaction with students. To be effective in the classroom and to serve as models of academic excellence, faculty must also remain actively engaged in scholarship." [Excerpted from the St. John Fisher College Mission Statement]

Further, every faculty member has a service obligation to the College as a member of the collegium. Service to the profession and to the community complement this obligation.

No faculty member is expected to be equally active in scholarship and service, but excellence in one or more categories is not compensatory for the absence of effective professional performance in either teaching, scholarship, or service to the College.

#### 3.9.6.1 Teaching Effectiveness. The attributes and qualifications by which a faculty member may demonstrate teaching effectiveness include, but are not necessarily limited to:

- a. command of and currency in an academic discipline;
- b. clear, logical, and imaginative organization and presentation of subject matter in the classroom;
- c. ability to provoke and broaden student interest in the subject matter;
- d. fairness, open-mindedness, integrity, and objectivity in teaching;
- e. effective use of teaching methods appropriate to the subject matter;
- f. development of new courses or programs and/or adjustments to existing courses;
- g. directing independent study and honors projects, and internships;
- h. receptivity to, and implementation of, constructive evaluation;
- i. involvement in activities designed to improve teaching and/or to enhance command of the subject, such as attending workshops and conferences, taking specialized courses, team-teaching, or teaching an honors course.

Documentation of teaching effectiveness may include, but is not necessarily limited to:

- a. self-evaluation;
- b. evaluation by Department Chair, and School Dean, where applicable, and/or Provost;
- c. peer evaluation;
- d. systematic gathering of student opinion;
- e. review of course syllabi, reading lists, exams and other relevant documents, such as independent study, honors, and internship projects.

#### 3.9.6.2 Academic Advising. The faculty member's responsibilities as an academic advisor may include, but are not necessarily limited to:

- a. a academic advising and/or tutoring of one's own students, designated advisees, and other students when appropriate;
- b. participation in academic enrichment activities, including advising student groups.

Documentation of effective advising may include, but is not necessarily limited to:

- a. self-evaluation;
- b. evaluation by Department Chair, the School Dean, where applicable, and/or Provost;
- c. peer evaluations;
- d. systematic gathering of student opinion.

3.9.6.3 Scholarship, Research, and Creative Work. Effective teaching necessitates active involvement in the intellectual and scholarly developments in a discipline. Scholarship is defined as a concrete demonstration or evidence of authority or expertise in one's academic field or discipline as adjudged through peer review. Because what is considered appropriate research may vary from discipline to discipline, research, performance or creative work should be evaluated in terms of its quality, as evidenced by:

- a. publications (e.g., books, articles, and reviews published in refereed journals or academic presses; relevant professional publications), professional papers and speeches, projects, productions in the mass media, patents and/or inventions, performances, artistic exhibitions, and the results of acting as a professional consultant;
- b. involvement in professional activities such as receipt of fellowships or grants, membership in professional organizations, attendance at professional conventions, conferences or institutes.

A peer reviewed demonstration of excellence in scholarship may include, but is not necessarily limited to:

- a. juried and/or peer reviewed publications, and other noteworthy publications;
- b. recognized achievement in the creative arts, mass media, or business/industrial community;
- c. evaluation or statements by professional peers;
- d. documented report of activities;
- e. reviews and citation of research in other works;
- f. professional honors and awards for completed projects and grants for prospective ones;

3.9.6.4 Service to the College. Productive service to the College may include, but is not necessarily limited to:

- a. performance of department or program responsibilities, and initiative in the work of the department or program;
- b. service on faculty committees and attendance at faculty meetings;
- c. willingness to accept administrative assignments, including service on institutional committees and as Department Chair;
- d. participation in academic fairs and other recruitment activities;
- e. involvement in special college programs such as institutes, symposia, faculty colloquia, or public lectures;
- f. service as advisor for or other participation in student activities; career or personal counseling of students when appropriate.

Demonstration of service activities may include, but is not necessarily limited to:

- a. individual report of activities;

- b. evaluation by Department Chair, the School Dean, where applicable, and/or Provost ;
- c. statements from a committee or committee chair or from the office sponsoring a particular activity (Enrollment Management, Student Academic Services, Student Life, Development, etc.);
- d. report from outside sources.

3.9.6.5 Service to your Profession. Service to your profession may include, but is not necessarily limited to:

- a. serving on an editorial board;
- b. anonymous reviewing of scholarship;
- c. participation in a peer review;
- d. serving on the board or as an officer of a professional organization;
- e. organizing a professional conference;
- f. chairing a session or panel at a professional conference;
- g. performing administrative work in a professional organization;
- h. being an active member of a professional organization;
- i. acting as a professional consultant.

Demonstration of professional service activities may include, but is not necessarily limited to:

- a. individual report of activities;
- b. evaluation by Department Chair, the School Dean, where applicable, and/or Provost ;
- c. statements from a committee or committee chair or from the office sponsoring a particular activity (Enrollment Management, Student Academic Services, Student Life, Development, etc.);
- d. report from outside sources;
- e. letters of invitation to review scholarly work.

3.9.6.6 Service to the Community. A faculty member may provide service to the community by working with people and/or organizations outside his/her professional field. Such service may include, but is not necessarily limited to:

- a. service to community groups in a professional capacity.
- b. lectures to non-professional, community groups;
- c. participation and leadership in non-profit organizations designed to serve the general public.

Sources of documentation may include, but are not necessarily limited to:

- a. individual report of activities, adequately documented and indicating, where not self-evident, amount of time spent;
- b. community service awards;
- c. testimony by leaders of community groups.

## Part 10. Promotion Procedures

### 3.10.1 GENERAL STATEMENT

As an institution of higher learning, St. John Fisher College continually seeks to enhance its academic stature. This goal is best achieved by maintaining and improving the quality of the faculty. Promotion in academic rank is a means by which the College encourages, recognizes and rewards faculty members for excellence in the performance of their duties.

### 3.10.2 ELIGIBILITY FOR PROMOTION

Faculty members are promoted on the basis of their fulfilling qualifications discussed in this section; in Section 3.9, Faculty Evaluation; and in Section 3.5.6. Application for promotion should be made when the faculty member perceives that he/she meets the requirements for rank outlined in Section 3.8.7. In considering application for promotion, the faculty member should also keep in mind the recommended minimum time in rank set forth in Section 3.8.7, recognizing that only extraordinary merit makes early promotion appropriate.

### 3.10.3 INITIATING REVIEW FOR PROMOTION

The Provost writes to all full-time faculty by September 1 of each year informing them that applications for promotion must be submitted to Department Chairs by October 15. The individual faculty member initiates the promotion process by requesting a meeting with the Department Chair to review his/her case and the needs and plans of the department. This meeting should take place by October 1. If the faculty member wishes to pursue his/her promotion case on the basis of this meeting, he/she informs the Chair, who must then alert the tenured members of the department that the faculty member in question is applying for promotion, and that the member will supply a dossier to the Chair by October 15.

If the Department Chair applies for promotion, his/her promotion review is conducted by the School Dean in accordance with the procedures specified herein (substituting School Dean for Department Chair where appropriate).

For faculty who are in the sixth year of their probationary period and must be considered for tenure, the same dates apply for both tenure and promotion.

### 3.10.4 THE DOSSIER FOR PROMOTION

The candidate is responsible for providing a dossier of materials on which the promotion decision is based. This consists of 1) an updated curriculum vitae; and 2) a detailed and reflective cover letter from the candidate establishing a compelling case for his/her case promotion; 3) appropriate documentation of the candidate's performance in all areas of Criteria for Evaluation (3.9.6) in which he/she has been active; and 4) a list of any recommendations the candidate has solicited from outside his/her own department or from outside the College. Such letters should be sent directly to the Department Chair and must include at least one from an outside expert in the candidate's academic field who can comment on the faculty member's professional work. This complete dossier must be received by the Department Chair no later than October 15. The Chair will add to the dossier systematic, uniform gatherings of student opinion from the departmental files.

### 3.10.5 DEPARTMENTAL REVIEW FOR PROMOTION

When all tenured members have had access to the dossier, the Chair calls a meeting in which the promotion case is discussed. After the discussion, the members (including the Chair) vote by signed ballot on the case. The Chair then tallies the votes and announces the result to those voting, without indicating how any particular faculty member voted. If the department vote is unanimous, all members may simply sign the letter that the department chair writes to the

Provost in the next step of the process (see next paragraph). If the department vote is not unanimous, each department member writes a detailed letter explaining his/her individual vote. If fewer than a majority have approved, the Chair informs the candidate, who may choose to withdraw the application for promotion. If the candidate does not withdraw the application, those voting proceed as above, writing individually to the Chair explaining their decision. The Chair is obliged to respect the confidentiality of these proceedings and should instruct department members to do the same.

By November 1, the Department Chair forwards all signed ballots and letters regarding the case to the School Dean, and writes a cover letter supporting or not supporting the promotion. The School Dean also writes a letter supporting or not supporting the case for promotion. If the Chair's or Dean's decision in the case does not reflect the majority view in the department, the cover letter should clearly state his/her reasons for dissent. In order to insure the confidentiality of department members' recommendations in the case, no copies of their letters are retained in the department files. Originals are kept in the Office of the Provost and are available only to the Committee on Rank and Tenure, the School Dean, the Provost, and the President. By November 15<sup>th</sup>, the School Dean forwards the candidate's dossier along with the Dean's recommendation to the Provost.

### 3.10.6 PROMOTION REVIEW BY THE COMMITTEE ON RANK AND TENURE

The School Dean, forwards all promotion cases to the Provost. The Provost forwards all promotion cases, along with supporting dossiers and letters, to the Committee on Rank and Tenure by December 1. The committee reviews each case and sends its recommendation, along with any necessary supporting documents, to the President by May 15. Copies of the letter of recommendation are sent to the candidate, the Provost, the School Dean, and the Department Chair.

The Committee on Rank and Tenure may request the School Dean, the Chair or other members of the candidate's department who voted on the case to appear before it to present further information concerning the application. The Committee may also seek additional information from outside references and from any sources of information detailed in Section 3.9.

### 3.10.7 ACTION ON RECOMMENDATIONS FOR PROMOTION

Upon receipt of recommendations on promotion from the Committee on Rank and Tenure, from the School Dean, and from the Provost, the President prepares a recommendation to the Board of Trustees. If the President is inclined to recommend contrary to the Committee on Rank and Tenure, he/she meets with the committee prior to submitting a recommendation to the Board of Trustees. All promotions are made by the Board of Trustees, after it has been informed of the recommendations of the President, the Provost, the School Dean, to the Committee on Rank and Tenure, and the individual department via the Department Chair.

When the Board of Trustees makes its decision on promotion, the President communicates the decision in writing to the faculty member, to the Provost, the School Dean, to the Chair of the Committee on Rank and Tenure, and to the Department Chair. This written communication should take place within one week of the June meeting of the Board of Trustees. The decision of the Board on all matters of promotion is final.

### 3.10.8 QUICK REFERENCE CHART FOR PROMOTION DEADLINE

It is expected that these deadlines will be kept. Failure strictly to adhere to them, however, does not constitute a procedural violation on which an appeal for the reversal of a negative decision can be based.

<u>Required Action</u>	<u>Date</u>
Letter from Provost inviting applications	September 1
Candidate's preliminary meeting with Department Chair	October 1
Candidate's dossier to Department Chair	October 15
Candidate's dossier and department recommendation to School Dean	November 1
Candidate's dossier, departmental recommendation, and School Dean's recommendation to Provost	November 15
All promotion materials forwarded to Rank and Tenure Committee	December 1
Committee on Rank and Tenure's recommendation to President	May 15
Final decision by the Board of Trustees June meeting. Candidate notified within one week of Board decision.	

## Part 11. Policies on Tenure

### 3.11.1 GENERAL STATEMENT

Academic tenure means that a faculty member is explicitly guaranteed the continuance of full-time appointment until retirement or resignation.

Tenure is a means to certain ends. Specifically, it allows freedom in teaching, research, and in extramural activities, and it provides a sufficient degree of economic security to make the profession attractive to individuals of ability. Tenure protects faculty members from untoward pressures from inside or outside the academic community; it also ensures academic freedom which is essential to the search for and free exposition of truth. Hence, tenure is indispensable to the success of the College in fulfilling its obligations to its students and to society.

Tenured faculty can be dismissed only according to those provisions stipulated in Section 3.6.5h.

### 3.11.2 ELIGIBILITY FOR TENURE

Tenure may be granted only to full-time faculty members, at the rank of Assistant Professor or above, who show promise of remaining productive members of the academic community and of the College and who are judged to have expertise which the College deems pertinent to the advancement of its educational goals.

A faculty member beginning a full-time appointment at the rank of Instructor or higher is normally subject to a seven-year probationary period before being considered for tenure. Up to three years of full-time teaching at another institution of recognized standing may be counted toward the probationary period, but the precise terms of any such credit toward the probationary period must be set forth in the faculty member's initial letter of appointment (cf. 3.6.5e).

Time spent on sabbatical leave is counted toward the probationary period, unless the faculty member and the College agree in writing to waive this provision at the time the sabbatical is granted. A leave of absence with pay for less than an academic year will count toward the probationary period. A leave of absence without pay for one academic year or more will not count toward the probationary period unless the faculty member and the College agree in writing to the contrary at the time the leave is granted.

A faculty member may be granted tenure after the seven-year probationary period. The decision whether or not to grant tenure must be made in the sixth year, however, and the faculty member's tenure contract, should tenure be granted, becomes effective in the eighth year of service. In rare instances where early tenure is granted, there is a similar one-year hiatus before the tenure contract becomes effective. Such early tenure may be granted only when the faculty member shows extraordinary merit in teaching, scholarship and research, and institutional service.

With the approval by the Committee on Rank and Tenure, it is also possible in unusual circumstances for tenure to be granted at the time of initial appointment. Such tenure ordinarily presumes tenure at another institution of recognized standing, a distinguished record of teaching, scholarship and research, and institutional service, plus the recommendation of the department in which the faculty member is to be tenured.

### 3.11.3 PROCEDURES FOR DECISIONS ON TENURE

By September 1 of each year, the Provost advises individual faculty members who are entering the sixth year of their probationary period that they must be evaluated for tenure if they wish to be considered for reappointment on a tenure contract at the end of their probationary period. Copies of this letter are sent to the School Dean, the Department Chair and to the Chair of the Committee on Rank and Tenure. The faculty member is instructed to submit a complete dossier

in support of his/her tenure (and promotion, if applicable) to the Department Chair, by October 15. If the candidate is applying for promotion at the same time, the promotion and tenure cases are considered together, and the deadlines for tenure review apply in both cases. (See 3.10.3, above.) The Chair then informs tenured members of the department of the pending case and arranges for them to examine the candidate's dossier.

If the Department Chair is to be considered for tenure, his/her tenure review is conducted by the School Dean in accordance with the procedures specified herein (substituting School Dean for Department Chair where appropriate).

In the unusual case of appointment with tenure, the Provost, in agreement with the Department Chair in question, asks the Committee on Rank and Tenure to review the case and recommend for or against the proposed tenured appointment. If a majority of the Committee opposes the appointment, it may be pursued only in accordance with the procedures outlined in 3.11.7, below.

#### 3.11.4 THE DOSSIER FOR TENURE

The candidate is responsible for providing a dossier of materials on which the tenure decision is based. This consists of 1) an updated curriculum vitae; and 2) a detailed and reflective cover letter from the candidate outlining his/her case for tenure; 3) appropriate documentation of the candidate's performance in all areas of Criteria for Evaluation (3.9.6) in which he/she has been active; and 4) a list of any recommendations the candidate has solicited from outside his/her own department or from outside the College. Such letters should be sent directly to the Department Chair and must include at least one from an outside expert in the candidate's academic field who can comment on the faculty member's professional work. This complete dossier must be received by the Department Chair (see 3.11.3, above) no later than October 15. The Chair will add to the dossier systematic, uniform gatherings of student opinion from the departmental files.

#### 3.11.5 DEPARTMENTAL REVIEW FOR TENURE

As soon as the Provost notifies the School Dean and Department Chair that a member is due for tenure evaluation, the Chair confers with the tenured members of the department to arrange a schedule of classroom observations at times agreed to by the candidate. In the event that there are fewer than three tenured members in the department, the Chair convenes a committee of at least three tenured faculty, mutually agreed upon by the faculty member under review and by the Chair. If the Chair is to be considered for tenure, the review is organized by the School Dean in accordance with the procedures specified herein (substituting School Dean for Department Chair where appropriate). Every tenured member involved in the review process should observe at least one class taught by the candidate. When the classroom visits are complete, and when all tenured members have had access to the dossier, the Chair calls a meeting of the tenured faculty in which the tenure case is discussed. After the discussion, the tenured members (including the Chair) vote by signed ballot on the tenure case (and on promotion, if applicable). The Chair then tallies the votes and announces the result to those voting, without indicating how any particular faculty member voted. Whatever the outcome of the vote, each tenured member writes to the Chair explaining his/her decision. The Chair is obliged to respect the confidentiality of these proceedings and should instruct department members to do the same.

By November 1, the Department Chair forwards all signed ballots and letters regarding the case to the School Dean and writes a cover letter supporting or not supporting the case for tenure. The School Dean, also writes a letter supporting or not supporting the case for tenure. If the Chair's decision in the case does not reflect the majority view in the department, the cover letter should clearly state his/her reasons for dissent. In order to insure the confidentiality of department members' recommendations in the case, no copies of their letters are retained in the department files. Originals are kept in the Academic Affairs Office and are available only to the Committee on Rank and Tenure, the Provost, and the President. By November 15<sup>th</sup>, the School Dean forwards the candidate's dossier along with the Dean's recommendation to the Provost.

## 3.11.6 TENURE REVIEW BY THE COMMITTEE ON RANK AND TENURE

The Provost forwards all tenure cases, along with supporting dossiers and letters, to the Committee on Rank and Tenure by December 1. The Committee reviews each case and sends its recommendation, along with any necessary supporting documents, to the President by May 15. Copies of the letter of recommendation are sent to the candidate, the Provost, the School Dean, and the Department Chair.

The Committee on Rank and Tenure may request the School Dean, the Chair or other members of the candidate's department who voted on the case to appear before it to present further information concerning the tenure review. The Committee may also seek additional information from outside references and from any sources of information detailed in Section 3.9.

## 3.11.7 ACTIONS ON RECOMMENDATIONS FOR TENURE

Upon receipt of a recommendation on tenure from the Committee of Rank and Tenure, the President prepares a recommendation to the Board of Trustees. If the President is inclined to recommend contrary to the Committee on Rank and Tenure, he/she meets with the committee prior to submitting a recommendation to the Board of Trustees.

All grants of tenure are made by the Board of Trustees, after it has been informed of the recommendations of the President, the Provost, the Committee on Rank and Tenure, the School Dean, and the individual department via the Department Chair.

When the Board of Trustees makes its decision on tenure, the President communicates the decision in writing to the faculty member, to the Provost, to the Chair of the Committee on Rank and Tenure, the School Dean, and to the Department Chair. This written communication should take place within one week of the June meeting of Board of Trustees. The decision of the Board in all tenure cases is final.

3.11.8 QUICK REFERENCE CHART FOR TENURE (OR TENURE AND PROMOTION) DEADLINES. It is expected that these deadlines will be kept. Failure strictly to adhere to them, however, does not constitute a procedural violation on which an appeal for the reversal of a negative decision can be based.

<u>REQUIRED ACTION</u>	<u>DATE</u>
Letter from Provost Office inviting applications	September 1
Candidate's dossier to Department Chair	October 15
Candidate's dossier and department recommendation to School Dean	November 1
Candidate's dossier, department recommendation and School Dean's recommendation to Provost	November 15
All tenure materials forwarded to Rank and Tenure Committee	December 1
Committee on Rank and Tenure's recommendation to President	May 15
Final decision by the Board of Trustees June meeting	
Candidate notified within one week of Board decision	

## Part I2. Resignation of Faculty Members

- 3.12.1 When faculty members decide to resign they should notify the chair of the department and School Dean, where applicable, as soon as possible.
- 3.12.2 A faculty member who decides not to accept a contract should notify the President in writing and return the unsigned contract as soon as possible. The contract must be returned thirty calendar days from its date of reception by the faculty member. Failure to return the contract within this time will be understood as the resignation of the faculty member, unless an extension is granted in writing by the President of the College.
- 3.12.3 Pre-emptory resignation at a very late date inflicts a real hardship on the institution and is considered by the profession to be an ethically questionable practice.

## Part 13. Academic Due Process

- 3.13.1 PRELIMINARY PROCEEDINGS CONCERNING THE FITNESS OF A FACULTY MEMBER. When reason arises to question the fitness of a college or university faculty member who has tenure or whose term appointment has not expired, the appropriate administrative officers should ordinarily discuss the matter with him/her in personal conference. The matter may be terminated by mutual consent at this point; but if an adjustment does not result, the Rank and Tenure Committee elected by the faculty and charged with the function of rendering confidential advice in such situations should informally inquire into the situation, to effect an adjustment if possible and, if none is effected, to determine whether in its view formal proceedings to consider his/her dismissal should be instituted. If the Committee recommends that such proceedings should be begun, or if the President of the institution, even after considering a recommendation of the Committee favorable to the faculty member, expresses his conviction that a proceeding should be undertaken, action should be commenced under the procedures which follow. Except where there is disagreement, a statement with reasonable particularity of the grounds proposed for the dismissal should then be jointly formulated by the President and the faculty committee; if there is disagreement, the President or his representative should formulate the statement.

If a member of the Rank and Tenure Committee is involved as one of the principals in a case, that person shall not sit on the Committee when it investigates that case.

- 3.13.2 COMMENCEMENT OF FORMAL PROCEEDINGS. The formal proceedings should be commenced by a communication addressed to the faculty member by the President of the institution, informing the faculty member that, if he/she so requests, a hearing to determine whether removal from his/her faculty position on the grounds stated will be conducted by a faculty committee at a specified time and place. In setting the date of the hearing, sufficient time should be allowed the faculty member to prepare a defense. The faculty member should be informed, in detail or by reference to published regulations, of the procedural rights that will be accorded to him/her. The faculty member should state in reply whether he/she wishes a hearing and, if so, should answer in writing, not less than one week before the date set for the hearing, the statements in the President's letter.
- 3.13.3 SUSPENSION OF THE FACULTY MEMBER. Suspension of the faculty member during the proceedings involving him/her is justified only if immediate harm to himself/herself or others is threatened by his continuance. Unless legal considerations forbid, any such suspension should be with pay.
- 3.13.4 THE HEARING COMMITTEE. This Committee shall be an ad hoc committee called into being by the Rank and Tenure Committee after its preliminary investigation has determined there is cause for a formal hearing. The membership of this Committee will be constituted of five tenured faculty members - one chosen by the defendant, one chosen by the President of the College, two elected by the tenured faculty, one chosen by the preceding four members, who will then elect a Chair from among themselves.

At the request of a non-tenured faculty member the Committee on Rank and Tenure may call an ad hoc hearing committee into being. The membership of this Committee will be constituted of five full-time faculty members - one chosen by the defendant, one chosen by the President of the College, two elected by the full-time teaching faculty, and one chosen by the preceding four members of the Committee, who will then elect a Chair from among themselves.

- 3.13.5 COMMITTEE PROCEEDING. The Committee should proceed by considering the statement of grounds for dismissal already formulated, and the faculty member's response written before the time of the hearing. If the faculty member has not requested a hearing, the Committee should consider the case on the basis of the obtainable information and decide whether he/she should be removed; otherwise the hearing should go forward. The Committee, in consultation with the President and the faculty member, should exercise its judgment as to whether the hearing should be public or private. If any facts are in dispute, the testimony of witnesses and other

evidence concerning the matter set forth in the President's letter to the faculty member should be received.

The President should have the option of attendance during the hearing. He/she may designate an appropriate representative to assist in developing the case; but the Committee should determine the order of proof, should normally conduct the questioning of witnesses, and, if necessary, should secure the presentation of evidence important to the case.

The faculty member should have the option of assistance by counsel, whose functions should be similar to those of the representative chosen by the President. The faculty member should have the additional procedural rights set forth in the 1970 STATEMENT OF PRINCIPLES ON ACADEMIC FREEDOM AND TENURE, and should have the aid of the Committee, when needed, in securing the attendance of witnesses. The faculty member or his/her counsel and the representative designated by the President should have the right, within reasonable limits, to question all witnesses who testify orally.

The faculty member should have the opportunity to be confronted by all witnesses adverse to him/her. Where unusual and urgent reasons move the Hearing Committee to withhold this right, or where witnesses cannot appear, the identity of witnesses, as well as their statements, should nevertheless be disclosed to the faculty member. Subject to these safeguards, statements may when necessary be taken outside the hearing and reported to it. All of the evidence should be duly recorded. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

- 3.13.6 **CONSIDERATION BY HEARING COMMITTEE.** The Committee should reach its decision in conference, on the basis of the hearing. Before doing so, it should give opportunity to the faculty member or his/her counsel and the representative designated by the President to argue orally before it. If written briefs would be helpful, the Committee may request them. The Committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. Publicity concerning the Committee's decision may properly be withheld until consideration has been given to the case by the governing body of the institution. The President and the faculty member should be notified of the decision in writing and should be given a copy of the record of the hearing. Any release to the public should be made through the President's Office.
- 3.13.7 **CONSIDERATION BY GOVERNING BODY.** The President should transmit to the governing body the full report of the Hearing Committee, stating its action. On the assumption that the governing board has accepted the principle of the faculty Hearing Committee, acceptance of the Committee's decision would normally be expected. If the governing body chooses to review the case, its review should be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the Hearing Committee should either be sustained or the proceeding be returned to the Committee with objections specified. In such a case the Committee should reconsider, taking account of the stated objections and receiving new evidence if necessary. It should frame its decision and communicate it in the same manner as before. Only after study of the Committee's reconsideration should the governing body make a final decision overruling the Committee.
- 3.13.8 **PUBLICITY.** Except for such announcements as may be required, covering the time of the hearing and similar matters, public statements about the case either by the faculty member or administrative officers should be avoided so far as possible until the proceedings have been completed. Announcements of the final decision should include a statement of the Hearing Committee's original action, if this has not previously been made known.

## Part 14. Leaves of Absence

- 3.14.1 Recognizing the professional, personal, and medical needs of the faculty, the following is the official policy regarding leaves of absence:

Leaves of absence are applicable only to full-time teaching faculty members of the College and are granted only during the academic year since these staff members have no standing summer obligations to the College.

Time spent on sabbatical leave is counted toward the probationary period, unless the faculty member and the College agree in writing to waive this provision at the time the sabbatical is granted. A leave of absence with pay for less than an academic year will count toward the probationary period. A leave of absence without pay for one academic year or more will not count toward the probationary period unless the faculty member and the College agree in writing to the contrary at the time the leave is granted. (see section 3.6.5c).

- 3.14.2 There are the following kinds of leaves of absence.

1. With pay (see 3.14.3)
  - a) sabbaticals
  - b) medical disability
2. Without pay (see 3.14.4)

- 3.14.3 Policies and procedures for leaves of absence with pay.

a. Sabbatical leaves

1. Purpose: The College recognizes the need to assist faculty members in their professional growth and development as scholars and teachers through new or renewed research, study, writing, or travel.
2. There are two kinds of sabbatical leaves:
  - a) for a full academic year at one-half salary;
  - b) for one semester at full salary.

In either case the College shall continue to cover the faculty member with its full fringe-benefit program during the sabbatical leave.

3. Eligibility and approval:

- a) A sabbatical leave is not earned automatically through length of service at the College.
- b) A faculty member becomes eligible for a sabbatical leave upon completing at least six years of full-time service at the College. Faculty members who have already received a sabbatical leave, may re-apply for such leave after an additional six years of full-time service. Exceptions shall be made only by a written agreement of the department chair involved, the School Dean, where applicable, the Provost and the President of the College.
- c) A request for a sabbatical leave shall include a specific study proposal in writing outlining how the leave is to be used and a listing of expected professional benefits to the faculty member, the College, and the academic life

- in general.
- d) Sabbatical leaves shall have the written approval of the Provost and the President to be granted.
  - e) The College may not be able to grant requests for sabbatical leaves for such reasons as:
    - i. The financial state of the College;
    - ii. Prior requests from other faculty members in the same or related areas.
4. Full-time, paid employment (such as teaching at another college) while holding a paid sabbatical leave is incompatible with the purposes of sabbatical leaves. If a faculty member holding a paid sabbatical leave is gainfully employed (in contrast to holding a study or research grant), the College reserves the right to reduce the amount of sabbatical pay accordingly.
5. Procedures:
- a) Requests for a sabbatical leave shall be submitted as early as possible. Ordinarily, approval will be granted on a "first come, first served" basis. The College must have adequate notification to make necessary staffing arrangements.
  - b) Faculty members shall submit a copy of their request and study proposal to the department chair, the School Dean, where applicable, and Provost at least one semester before the intended sabbatical leave is to begin.
  - c) The department chair shall promptly forward a positive or negative recommendation and its rationale to the Provost. In consultation with the School Dean, where applicable, the department chair (and, if necessary, the faculty member himself/herself) the Provost will analyze the study request as well as departmental staffing needs and resulting budgetary implications.
  - d) On the basis of this consultation and his own awareness of College priorities, needs, and financial resources as well as on the basis of the number and academic areas of other such requests and the apparent soundness of the proposal, the Provost shall make a fully documented recommendation for or against approval to the President. The President shall notify the faculty member of his/her decision, with copies of such decision made available to the Provost, the School Dean, where applicable, and department chair.
6. Post-sabbatical leave policies:
- a) The faculty member accepts the obligation to return to the College for at least one semester unless this understanding is waived in writing by the President.
  - b) The faculty member shall submit a written report on the sabbatical for the information of the department chair, the School Dean, where applicable, the Provost, and the President no later than midway through the first semester back at the College even if the entire project is not yet complete. A subsequent report, if needed, covering the completed project may be submitted later.
  - c) The submission of such a report will be one factor in determining whether or not future sabbatical requests can be honored.

b. Medical leaves.

1. Within the limits of its resources and any contractual understandings, the College will make every reasonable effort to assist faculty members who have medical cases that prevent them from teaching.
2. To this end the College offers medical and disability coverage for full-time staff members.
3. Full-time teaching service at the College assures payment of a full salary for a period of medical need or long term disability of up to six months, after which time Social Security benefits and/or long term disability insurance coverage begins to pay partial salary.
4. Detailed information on the terms of the disability coverage by the College, Social Security and the insurance companies may be obtained from the Human Resources Office.
5. Maternity leaves shall be considered as a medical leave.

3.14.4 Leaves without pay.

1. The College recognizes that there may be academic or personal or community needs which arise outside the framework of paid leaves of absence. When possible the College will seek to honor such leave requests from faculty members.
2. Leaves without pay are usually for one semester or, at the most, for one academic year. Exceptions may be made only with the specific written request from the faculty member to the President of the College, through the department chair, the School Dean, where applicable, and the Provost. A leave of more than one year is ordinarily not approved unless the extension is essential to the needs of the faculty member and is also suitable to the needs of the College.
3. During leaves without pay the faculty member is not covered by the College's fringe benefit program unless an exception is granted in writing by the President by the time the leave is to begin. Any requests for special arrangements involving the College's fringe benefit program shall be included in the faculty member's application for a leave without pay.
4. Written application for a leave without pay should be made at least one semester before the leave is to begin. The application is made to the department chair, the School Dean, where applicable, and Provost. The department chair shall promptly forward his positive or negative recommendation, including its rationale, to the Provost. After consultation with the School Dean, where applicable, the department chair (and, if necessary, the individual faculty member), the Provost shall forward the request with full documentation, including his/her own positive or negative recommendation and its rationale to the President for his/her decision. The President shall communicate his/her decision to the faculty member, with copies of his/her response to the Provost, the School Dean, where applicable, and the department chair.

Employees are entitled to apply for the Family Medical Leave Act (FMLA) in medically necessary situations that allows up to 12 weeks of unpaid leave with job protection and no loss of accumulated length of service. FMLA Leave may be requested for any of the following reasons:

1. When related to the birth of the employees child (either due to childbirth or to care for

a child in the first 12 months after childbirth)

2. When related to the placement of a child with employee for adoption or foster care for a child (within the first 12 months of the placement)
3. When the employee is needed to care for a child, spouse, or parent who has a serious health condition, or
4. When the employee is unable to perform the functions of his or her position because of a serious health condition (serious health condition is a health condition that involves inpatient care in a hospital, hospice, or nursing home, or continuing treatment by a health care provider).
5. Health and dental benefits are protected during this time period, with the employee continuing to make required payments.

## Part 15. Faculty Grievance Procedures

### 3.15.1 Intent

The College espouses principles of equity and fairness in all areas of campus life. These principles require the establishment of procedures to ensure that grievances may be voiced without fear of prejudice or reprisal. The College uses its best efforts to encourage the informal and prompt settlement of grievances, as defined below, and provides, when necessary, for the use of formal processes designed to ensure the equitable consideration of complaints and to protect academic freedom.

### 3.15.2 Definition

A grievance is defined as an allegation by a teaching faculty member(s) that there has been a claimed breach, misinterpretation, or misapplication of the policies or procedures set forth in the Faculty Statutes which relate to compensation, appointment or reappointment, tenure, promotion, dismissal, suspension, reassignment, or termination.

### 3.15.3 Informal Procedures

Any teaching faculty member who thinks that he/she has a grievance should first seek to resolve the difficulty by discussing the issues with the individuals involved. If this is unsuccessful, the faculty member should discuss the situation with the School Dean, where applicable, and his/her Department Chair, unless the grievance is directed at the Department Chair, in which case the faculty member should discuss the situation with the School Dean, where applicable, or if not, with the Provost. If the grievance is directed at the School Dean, the faculty member should discuss the situation with the Provost. If the grievance is directed at the Provost, the faculty member should discuss the situation with the President. These discussions should seek to resolve the grievance whenever possible.

### 3.15.4 The Grievance Committee

If the matter is not resolved through these steps, the faculty member has a conference with the President after the faculty member has drawn up a written statement of the grievance, together with any pertinent supporting evidence. If this conference fails to resolve the grievance, the faculty member has the right to request that the President convene as soon as feasible a Grievance Committee selected as follows: two members chosen by the aggrieved party; two members chosen by the party against whom the grievance is brought (or chosen by the President if the grievance is against the College or any of its departments, offices, or rules and procedures); and one member, who chairs the Committee, chosen by the four above-mentioned members.

### 3.15.5 Formal Procedures

Without delay, the Grievance Committee considers the grievance, including a written statement of the grievance and any supporting evidence, as well as the testimony of the parties to the grievance and that of other witnesses, if any.

Both parties must have the opportunity to question all witnesses. Statements of witnesses may, when necessary, be taken outside the hearing and reported to it. Since this is not a hearing in civil law, the Committee need not follow formal rules of court procedure. The hearing is conducted in private and the parties may make no public statements about the case during the course of the hearing.

Discussions of the Grievance Committee aim at finding the facts in the case, drawing appropriate conclusions, and recommending disposition of the grievance. The recommended disposition must be based solely on the record of the hearing, pertinent College procedures as

set forth in the Faculty Statutes, and considerations of equity and fairness.

The Committee makes a written recommendation concerning the grievance to the President, together with all recorded evidence, if it is requested. Before taking action, the President gives each party the opportunity to respond to the recommendations of the Committee. If the President intends to render a decision contrary to the recommendation of the Committee, he/she must confer with its members to give further consideration to the matter. If the President and the Committee do not reach a consensus, the President must inform the Committee in writing of his/her reasons for issuing a decision contrary to its recommendation.