



**Medaille College**

**POLICY MANUAL**

**FACULTY HANDBOOK / VOLUME IV**

**Approved by the Board of Trustees  
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## Faculty Handbook / Volume IV

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### 4.0 Introduction

#### 4.0.1 *Role of the Faculty Handbook/Volume IV*

The *Faculty Handbook/Volume IV* contains and explains the policies and processes relating to the faculty and faculty status. Effort has been made in this *Faculty Handbook/Volume IV* to avoid duplication of information that appears in other documents, e.g. Volumes I (Governance and Administration), II (Campus Community Policies), III (General Institutional Employment Policies), V (Personnel Policies for Administrative and Hourly personnel), VI (Academic Policies), and VII (Student Life and Development). Faculty members are recommended to become familiar with the contents of those documents that have significance for their professional performance.

This *Faculty Handbook/Volume IV* is incorporated by reference into the individual faculty agreement of each faculty member. Under extraordinary circumstances, when the terms and provisions of an individual appointment agreement of a faculty member are different from the general policies contained herein, the provisions of the individual appointment agreement shall control. Otherwise, the provisions of this *Faculty Handbook/Volume IV* control and shall remain in effect until this or any other Handbook applicable to faculty members is changed by the processes contained in Section 4.14. Should there be any perceived misapplication, misinterpretation, or violation of specific provisions in this *Faculty Handbook/Volume IV*, faculty members are entitled to work through the appropriate channels as specified in Section 4.13.

While authority to change policy ultimately rests with the Board of Trustees, all faculty members and committees are entitled to recommend changes through the appropriate channels as specified in Section 4.14.

Medaille College, its Board of Trustees, administration, and faculty members are committed to a model of shared governance and affirm that demonstrable effort shall be made to ensure that this *Faculty Handbook/Volume IV* is implemented in a manner that protects the interests of faculty members in compensation and benefits, rank, status, title, appointment, reappointment, promotion, and/or tenure as well as guarantees the treatment of faculty members in a manner that is both supportive and humane.

#### 4.0.2 *Academic Freedom at Medaille College*

Medaille College is guided by this adaptation of the 1940 statement of the American Association of University Professors regarding academic freedom:

The purpose of this statement is to promote public understanding and support of academic freedom and tenure, as well as an agreement upon processes to assure academic freedom and tenure in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual faculty member or the institution as a whole. The common good depends upon the free search for truth and its free expression.



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 faculty member in teaching and of the student to freedom in learning. Academic freedom carries with it duties correlative with rights:

1. The faculty member is entitled to full freedom in research, scholarship, and in the publication of the results.
2. The faculty member is entitled to freedom in the classroom in discussing one's subject, but the faculty member should be careful not to introduce into one's teaching controversial matter that has no relation to one's subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
3. The college or university faculty member is a citizen, a member of a learned profession, and an officer of an educational institution. When the faculty member speaks or writes as a citizen, one should be free from institutional censorship or discipline, but one's special position in the community imposes special obligations. As an individual of learning and an educational officer, the faculty member should remember that the public may judge the profession, and the faculty member should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make a documented and/or demonstrable effort to indicate that the faculty member is not an institutional spokesman.

### **4.0.3 Organizational Structure of Academic Affairs**

#### **4.0.3.1 Responsibility for Organizational Structure**

The responsibility for organizing the leadership and management rests with the Vice President for Academic Affairs (VPAA). Changes to the structure should be done in consultation with the faculty and faculty leadership.

#### **4.0.3.2 Operating Units within Academic Affairs**

Various labels or titles can be used to allocate the administrative and managerial responsibilities within Academic Affairs, such as Schools or Divisions. Similarly, within Schools or Divisions, various labels or titles can be used to further allocate the administrative and managerial responsibilities, such as Departments or Programs. Some academic units align with traditional academic departments, such as English. Other Schools/Divisions might be better served by organizing around delivery modes or groups of majors; such as Graduate (Masters-level) Psychology or Online Business. As the different Schools/ Divisions and Departments/ Programs have unique needs, the choice of a particular title is an aspect of the organizational structure of Academic Affairs.

#### **4.0.3.3 Leadership of Operating Units within Academic Affairs**

As the different Schools, Divisions, Departments and Programs have varying responsibilities; e.g., managing laboratories, specialized accreditation issues, unique staffing models, the

specific responsibilities of Deans, Division Heads, Department Chairs and Program Directors, etc. ,will be defined in separate Position Description documents.

The responsibilities will be defined via shared governance between faculty leadership (i.e., Deans, Division Heads, Department Chairs, and Program Directors) and the VPAA.

#### **4.0.4 Role of the Full-Time Teaching Faculty**

The College mission is best served by professional full-time teaching faculty. The College affirms the importance of full-time teaching faculty to fulfill this mission because of their expertise and commitment to the College.

Further, the College affirms the expertise, importance and value of part-time and adjunct faculty.

### **4.1 Faculty Status, Titles and Duties, and Criteria for Faculty Ranks**

#### **4.1.1 Definitions of Faculty Status**

##### **4.1.1.1 Full-Time Teaching Faculty**

A full-time teaching faculty member is an employee of Medaille College who is qualified for appointment and is appointed by the President of the College to one of the academic ranks listed in Subsection 4.1.3.

The full-time teaching faculty consists of faculty members whose primary responsibilities normally involve classroom instruction, academic scholarship, and service and include the following:

1. Tenured and tenure track faculty,
2. Clinical faculty,
3. Professor of the Practice faculty,
4. Visiting faculty,
5. Department Chairs and Directors of Academic Programs,
6. The Library Director and Professional Librarians
7. Faculty listed above who serve in other faculty-elected administrative roles (e.g., faculty-elected Division Heads)

Full-time teaching faculty members ordinarily have full-time teaching duties or have teaching and other duties equivalent to a full-time teaching load and fulfill the duties and responsibilities of a faculty member. Full-time teaching faculty members are full voting members of the faculty. They may be employed to a term, notice, or continuous appointment as outlined in Subsection 4.2.1. A terminal degree is required for all tenured and tenure track positions. Terminal degrees are listed in Appendix 4.1.3.1.

#### **4.1.2 Criteria for Faculty Rank**

The following ranks are recognized for the full-time teaching faculty with tenure track appointments: Assistant Professor, Associate Professor, and Professor. The following ranks are recognized for full-time teaching faculty with non-tenure track appointments: Clinical Instructor, Clinical Assistant Professor, Clinical Associate Professor, and full Clinical Professor; Assistant Professor of the Practice, Associate Professor of the Practice and full Professor of the Practice. The terminal degree, as specified in Appendix 4.1.3.1, is the degree required for all tenure track and tenured appointments.

#### **4.1.3 Tenure Track Ranks**

##### **4.1.3.1 Assistant Professor**

To hold the rank of Assistant Professor with a tenure track appointment, the candidate shall possess:

1. A minimum of at least a terminal degree in an appropriate discipline;
2. Evidence of effective classroom teaching as outlined in Paragraph 4.5.3.1;
3. Evidence of fulfilling responsibilities appropriate to the position(s) held as outlined in Section 4.5.

##### **4.1.3.2 Associate Professor**

To hold the rank of Associate Professor, the candidate shall possess:

1. A terminal degree in an appropriate discipline;
2. Except in unusually meritorious cases, six years of appropriate, successful collegiate experience at the rank of Assistant Professor;
3. Evidence of effective classroom teaching as outlined in Paragraph 4.5.3.1;
4. An established record of sustained success at fulfilling faculty responsibilities appropriate to position(s) held as outlined in Section 4.5;
5. Evidence of scholarship and professional development recognized within the institution.

Outside candidates whose initial appointment is to the rank of Associate Professor shall have held the Assistant or Associate Professor rank and shall normally have completed a total of six years of appropriate, successful experience at either or both ranks.

##### **4.1.3.3 Professor**

To hold the rank of Professor, the candidate shall possess:

1. A terminal degree in an appropriate discipline;
2. Except in unusually meritorious cases, six years of appropriate, successful collegiate experience at the rank of Associate Professor;
3. Evidence of effective classroom teaching as outlined in Paragraph 4.5.3.1;

4. Evidence of excellence in fulfilling faculty responsibilities appropriate to position(s) held as outlined in Section 4.5;
5. Evidence of scholarship and professional development recognized within and beyond the College.

Outside candidates whose initial appointment is to the Professorial rank shall have held the Associate or Professorial rank and normally shall have completed a total of six years of appropriate, successful experience at either or both ranks.

#### **4.1.4 Clinical Ranks (Non-tenure Track Faculty)**

##### **4.1.4.1 Introduction**

The purpose of clinical faculty is to provide students with the opportunity to work and learn with practitioners in their courses. Since clinical faculty perform professional services consistent with their disciplines, they provide a balance of theory and practice in specialized subjects and address the need for a practical approach to be embedded within College programs.

Clinical faculty members bring their special expertise to the classroom and serve as full members of their departments and programs. These faculty members share their professional experiences that enhance the educational experience for College students in a way that traditional faculty members sometimes may not. The criteria and expectations for each clinical faculty position are determined by the Department or instructional unit in which the position is housed, based on the needs of the Department or unit.

Clinical faculty shall provide evidence of their special expertise as practitioners through certification, licensure, and/or work experience, and these professional credentials serve in lieu of the traditional terminal degree.

Clinical faculty may obtain multi-year appointments and rank, but are not eligible for tenure unless they are appointed to a tenure track line (see Paragraph 4.2.1.1).

As with tenure track faculty, all sections of the *Faculty Handbook/Volume IV* shall apply to clinical faculty, except where specifically limited. For example, clinical faculty members are not required to fulfill the responsibility of scholarship unless and until they apply for promotion to clinical associate professor.

##### **4.1.4.2 Clinical Instructor**

To hold the rank of Clinical Instructor, the candidate shall possess:

1. A degree appropriate to the field and, where applicable, current licensure or certification to practice in the profession;
2. Demonstrated competence in clinical practice;
3. A strong indication of potential to fulfill the responsibilities for teaching and mentoring/advising, professional activities, and service to the College appropriate to the position(s) held, as described in Subsection 4.5.2.

#### **4.1.4.3 Clinical Assistant Professor**

To hold the rank of Clinical Assistant Professor, the candidate shall possess:

1. A minimum of at least a master's degree in an appropriate discipline or, where applicable, current advanced licensure or certification to practice the profession;
2. Clinical expertise appropriate to the profession;
3. An established record of success in fulfilling the responsibilities for teaching and mentoring/advising, professional development, and service to the College appropriate to the position(s) held as described in Subsection 4.5.2.

Outside candidates appointed to the rank of Clinical Assistant Professor possess:

1. A minimum of at least a master's degree in an appropriate discipline or, where applicable, current advanced licensure or certification to practice the profession;
2. Clinical expertise appropriate to the profession;
3. A strong indication of potential to fulfill the responsibilities for teaching and mentoring/advising, professional activities, and service to the College appropriate to the position(s) held as described in Subsection 4.5.2.

#### **4.1.4.4 Clinical Associate Professor**

To hold the rank of Clinical Associate Professor, the candidate shall possess:

1. A minimum of at least a master's degree in an appropriate discipline or, where applicable, current advanced professional licensure or certification;
2. Documented satisfactory completion of at least six years at the Clinical Assistant Professor rank;
3. An established record of success in fulfilling the responsibilities for teaching and mentoring/advising, scholarship and professional development, and service to the College appropriate to the position(s) held as described in Subsection 4.5.2.

Outside candidates whose initial appointment is to the rank of Clinical Associate Professor shall possess:

1. A minimum of at least a master's degree in an appropriate discipline or, where applicable, current advanced licensure or certification to practice the profession;
2. Extensive clinical expertise appropriate to the profession;
3. A strong indication of potential to fulfill the responsibilities for teaching and mentoring/advising, scholarship and professional development, and service to the College appropriate to the position(s) held as described in Subsection 4.5.2.
4. Documented satisfactory completion of at least six years of appropriate successful teaching experience at the Clinical Assistant Professor rank or equivalent.

#### **4.1.4.5 Clinical Professor**

To hold the rank of Clinical Professor, the candidate shall possess:

1. A graduate degree in an appropriate discipline;
2. Except in unusually meritorious cases, six years of appropriate, successful collegiate experience at the rank of Clinical Associate Professor;
3. Evidence of effective teaching as outlined in Paragraph 4.5.3.1;
4. Evidence of excellence in fulfilling faculty responsibilities appropriate to position(s) held as outlined in Section 4.5;
5. Evidence of scholarship and professional development recognized within and beyond the College.

Outside candidates whose initial appointment is to the Professorial rank shall have held the Associate or Professorial rank and normally shall have completed a total of six years of appropriate, successful experience at either or both ranks.

#### **4.1.5 Professor of the Practice Ranks (Non-tenure Track Faculty)**

##### **4.1.5.1 Introduction**

The purpose of faculty who serve as Professors of the Practice is to provide students with the opportunity to work and learn with practitioners in their courses. Since Professors of the Practice perform professional services consistent with their disciplines, they provide a balance of theory and practice in specialized subjects and address the need for a practical approach to be embedded within College programs.

Professors of the Practice bring their special expertise to the classroom and serve as full members of their departments and programs. These faculty members share their professional experiences that enhance the educational experience for College students in a way that traditional faculty members sometimes may not. The criteria and expectations for Professors of the Practice are determined by the Department or instructional unit in which the position is housed, based on the needs of the Department or unit.

Professors of the Practice shall provide evidence of their special expertise as practitioners through certification, licensure, and/or work experience, and these professional credentials serve in lieu of the traditional terminal degree.

Professors of the Practice may obtain multi-year appointments and rank, but are not eligible for tenure unless they are appointed to a tenure track line (see Paragraph 4.2.1.1).

As with tenure track faculty, all sections of the *Faculty Handbook/Volume IV* shall apply to Professors of the Practice, except where specifically limited.

##### **4.1.5.2 Instructor of the Practice**

To hold the rank of Instructor of the Practice, the candidate shall possess:

1. A degree appropriate to the field and, where applicable, current licensure or certification to practice in the profession;
2. Demonstrated competence in clinical practice;

3. A strong indication of potential to fulfill the responsibilities for teaching and mentoring/advising, professional activities, and service to the College appropriate to the position(s) held, as described in Subsection 4.5.2.

#### **4.1.5.3 Assistant Professor of the Practice**

To hold the rank of Assistant Professor of the Practice, the candidate shall possess:

1. A minimum of at least a master's degree in an appropriate discipline or, where applicable, current advanced licensure or certification to practice the profession;
2. Professional expertise appropriate to the profession;
3. A strong indication of potential to fulfill the responsibilities for teaching and mentoring/advising, professional activities, and service to the College appropriate to the position(s) held as described in Subsection 4.5.2.

#### **4.1.5.4 Associate Professor of the Practice**

To hold the rank of Associate Professor of the Practice, the candidate shall possess:

1. A minimum of at least a master's degree in an appropriate discipline or, where applicable, current advanced professional licensure or certification;
2. Continued professional expertise appropriate to the profession;
3. Documented satisfactory completion of at least six years at the Assistant Professor of the Practice rank;
4. An established record of success in fulfilling the responsibilities for teaching and mentoring/advising, scholarship and professional development, and service to the College appropriate to the position(s) held as described in Subsection 4.5.2.

Outside candidates whose initial appointment is to the rank of Associate Professor of the Practice shall possess:

1. A minimum of at least a master's degree in an appropriate discipline or, where applicable, current advanced licensure or certification to practice the profession;
2. A strong indication of potential to fulfill the responsibilities for teaching and mentoring/advising, scholarship and professional development, and service to the College appropriate to the position(s) held as described in Subsection 4.5.2.
3. Documented satisfactory completion of at least six years of appropriate successful teaching experience at the Clinical Assistant Professor rank or equivalent.

#### **4.1.5.5 Full Professor of the Practice**

To hold the rank of full Professor of the Practice, the candidate shall possess:

1. An advanced degree in an appropriate discipline;
2. Except in unusually meritorious cases, six years of appropriate, successful collegiate experience at the rank of Associate Professor of the Practice;
3. Evidence of effective teaching as outlined in Paragraph 4.5.3.1;

4. Evidence of excellence in fulfilling faculty responsibilities appropriate to position(s) held as outlined in Section 4.5;
5. Evidence of scholarship and professional development recognized within and beyond the College.

Outside candidates whose initial appointment is to the Professorial rank shall have held the Associate or Professorial rank and normally shall have completed a total of six years of appropriate, successful experience at either or both ranks.

#### **4.1.6 Visiting and Temporary Faculty Appointments**

The College recognizes that on occasion it may be necessary to hire faculty into non-permanent lines. The College may appoint an exceptional individual who possesses superior qualifications by virtue of experience to join the teaching faculty pursuant to a visiting appointment. In addition, the College may appoint a temporary replacement for a faculty member who is on sabbatical, on leave, or who has retired or resigned. Temporary replacement faculty members are appointed by the VPAA upon written recommendation by the appropriate Department Chair or academic unit head and appropriate Dean. Faculty members employed pursuant to visiting or temporary faculty appointments have no right or expectation of appointment renewal beyond the term of their employment contract.

#### **4.1.7 Part-Time Teaching Faculty**

Part-time teaching faculty (have a half-time appointment or serve as adjunct/per-course faculty) shall be limited as described below.

##### **4.1.7.1 Half-time faculty**

Half-time faculty are employed pursuant to their agreement with the College's Voluntary Early Retirement policy and carry the rank as stated in their appointment letter.

##### **4.1.7.2 Adjunct Faculty**

Adjunct or per-course faculty members are employed pursuant to term appointments of one year or less as outlined in Paragraph 4.2.1.1 and carry the rank of Adjunct Instructor. Long-term adjunct faculty may also be appointed to the rank of Senior Adjunct Instructor). Adjunct faculty members carry no more than eighteen credit hours per academic year at the College,. The decision to hire and the selection of adjunct/per-course faculty members shall be completed pursuant to a Department Chair's or Program Director's recommendation, where applicable, and in consultation with the appropriate Dean or Division Head and the VPAA. Such faculty members have no other faculty duties or responsibilities (e.g., committee obligations, mentoring, etc.), except for those specified by their Program, Department, Division, or School , as appropriate. Adjunct faculty are not eligible for sabbatical leave.

#### **4.1.8 Administrators with Faculty Rank**

Administrators with faculty rank are those full-time personnel who function in an instructional capacity outside the classroom, or those who perform a combination of faculty, staff, and professional duties, but are not considered members of the full-time teaching faculty.



Administrators with faculty rank are subject to all responsibilities and standards of teaching performance that apply to other full-time faculty and receive the same academic freedom as other faculty members. With regard to the non-academic aspects of their duties, they are governed by the provisions of *Volume V of the Medaille College Policy Manual: Personnel Policies for Administrators and Hourly Personnel*.

As administrators with faculty rank, the President, VPAA, Assistant or Associate Vice Presidents and College or School Deans are not entitled to be assigned or elected to any faculty standing or elected committees, or participate in the conduct of faculty business, except as specified in the *Faculty Handbook/Volume IV* (see, for example, Sections 4.6, 4.7, and 4.12).

The nonacademic duties of administrators with faculty rank are governed by the provisions of *Volume V of the Medaille College Policy Manual: Personnel Policies for Administrators and Hourly Personnel*.

#### **4.1.9 Emeritus Faculty**

Emeritus is an honor bestowed by the Board of Trustees based on recommendation from the President. Emeritus shall be appended to the title of one's academic or administrative position (e.g. Chair) after the time of retirement.

All full-time faculty members who retire in good standing are entitled to apply for Emeritus status. They must be tenured and hold the rank of full professor at the time of retirement and must have served the College for at least ten years preceding their retirement. Such recognition shall be noted in the Medaille College Catalog.

Emeritus faculty shall be eligible for any discounts accorded to regular full-time faculty (e.g. sporting and special-event tickets, College Store purchases). Likewise, the tuition waiver and audit policies available to full-time employees apply. Privileges include use of facilities and the library. Emeritus faculty may access the College's computer services (including e-mail and internet access) according to the privileges accorded to full-time faculty. Emeritus faculty members are entitled to participate in academic functions (convocations, commencement, etc.) and, when they so choose, are entitled to remain in the Medaille College health insurance pool. From time to time, Emeritus status faculty may be encouraged to participate in recruitment, public relations, or other volunteer endeavors beneficial to the College.

The process for application for Emeritus Faculty status is located in Appendix 4.1.1.5.

#### **4.1.10 Faculty Titles and Duties**

##### **4.1.10.1 Teaching Faculty**

The teaching faculty member has been employed as a professional educator by the College on the basis of the faculty member's credentials and demonstrated competence in his or her discipline. Detailed descriptions of the responsibilities, evaluation, and review of the teaching faculty are located in Section 4.5.

In the spirit of shared governance, any adjustments to an academic department shall be made only in consultation with the teaching faculty.

#### **4.1.10.2 Academic Department Chairs and Program Directors**

The Academic Department Chair/Program Director serves as the chief representative of the department/program (also referred to as an academic unit) within the College. The Board, administration, and faculty shall recognize that the Department Chair has a special responsibility to build a department/program strong in teaching excellence and scholarship. In light of their duties to the faculty members within their respective departments, Chairs shall be consulted concerning all matters in their purview, to include but not be limited to curriculum, students, faculty, committee assignments, and the duties and responsibilities of department members.

The Department Chair/Program Director shall be a member of the full-time teaching faculty, shall be recommended by full-time members of the department by a majority vote, and the applicable Division Head or Division Head/Dean, and shall be appointed by the VPAA.

Before the VPAA appoints a Department Chair/Program Director who is different than the candidate a department recommends, opportunity shall be given for department's full time faculty members to present and discuss their views concerning the candidate.

In the event that a qualified candidate within the department or within the College is not available, the VPAA shall discuss the possibility of a search for an external Chair/Director prior to launching the search. In this instance, the VPAA will follow the procedures for a Faculty Search Committee as specified in Appendix 4.3.1. If the VPAA does not select one of the candidates identified by the Search Committee as having met the required credentials, the Vice President will discuss his or her choice prior to offering the position to the candidate. The newly hired Department Chair/Program Director shall have faculty status and rank.

Chair/Director appointments for the upcoming year shall, if possible, be made before the end of the current academic year. No vacancy shall last longer than one month, though an acting chair may be appointed until such vacancy shall be filled from the full-time teaching faculty or hired as an external candidate using the aforementioned processes. The Chair/Director shall serve for three years without prejudice to reappointment.

Department Chairs/Program Directors shall be compensated by release time and/or a stipend, in accordance with the guidelines established by the Vice President of Academic Affairs. Factors that affect such compensation shall include the number of faculty in a department, the number of faculty being supervised, department-specific accrediting issues, or other special department needs or requirements (e.g. maintaining laboratories or special equipment). In addition, when they so elect, Department Chairs/Program Directors are eligible to receive the training required to perform their duties as administrators, mentors, and evaluators.

The Department Chair/Program Director shall be evaluated each year by the faculty in his or her department and by the VPAA and/or the appropriate Division Head/Dean. The Department Chairs/Program Directors shall use the evaluation instrument created in cooperation with and approved by the full-time teaching faculty. Each department may include additional evaluation items specific to its department.

Duties of the Chair/Director of an academic department include, but are not limited to, the following:

#### 4.1.10.2.1 ***Duties to Faculty***

1. To promote high academic quality;
2. To develop, organize, and revise the academic program, as necessary, in conjunction with the faculty members in the department;
3. To supervise Academic Program Directors in their department;
4. To evaluate and review department faculty, according to Subsection 4.5.2, and evaluate instructional staff;
5. To assist, as necessary, department faculty in their teaching effectiveness according to Paragraph 4.5.3.1;
6. To serve on the College or School committee responsible for curriculum as required by this *Faculty Handbook/Volume IV*;
7. To coordinate and inform mentoring/advising activities of department faculty and staff;
8. To orient new full-time and part-time department faculty;
9. To plan and Chair regular department meetings and maintain minutes;
10. To recommend to the VPAA, or designee, the need for selecting additional full-time department faculty and personnel;
11. To select and recommend part-time faculty for appointments;
12. To serve as a member and/or Chair of committees that are appropriate to the department (e.g. a program advisory committee);
13. To represent the department with the office of the appropriate College or School Dean, or other appropriate administrative offices, and serve as a liaison between them.

#### 4.1.10.2.2 ***Administrative Duties***

1. To schedule courses and assign appropriate faculty and staff;
2. To participate in College-wide scheduling;
3. To maintain necessary department files and records;
4. To assist in preparing the annual budget;
5. To authorize requisitions and expenditures in conformity with established department budgets;
6. To recommend the acquisition of audiovisual materials and library holdings;
7. To supervise and evaluate non-instructional department personnel (e.g., the department secretary);
8. To assist representatives from Admissions in the recruitment of students;

9. To assign faculty member(s) to evaluate the content of the portfolio(s) for Prior Learning Assessment;
10. To assign faculty member(s) to prepare, administer, and evaluate challenge examinations;
11. To ensure the implementation and regular review of the department's student learning assessment plan(s).

#### 4.1.10.2.3 *Duties to Students*

1. To assist in reviewing the pre-graduation review documents generated by the Office of the Registrar;
2. To assist in evaluating transcripts of transfer students in conjunction with the Registrar;
3. To facilitate forms or waivers for students in department programs as required by the Registrar;
4. To serve as a resource with respect to academic matters or issues for faculty, administration, and students.

#### 4.1.10.3 **Directors of Academic Programs**

Because of varying needs, some academic programs will function like academic departments. In those situations, the responsibility of the Program Directors is described above. In situations where programs reside within an academic department; e.g., the Honors Program, the responsibilities of the Program Director is described in this section.

The Director of an Academic Program is responsible to the Department Chair in which the program resides and/or the Division Head or Division Head/Dean, as appropriate. The Director serves as a representative of that program within the department or school and for the College. The Director shall be a member of the full-time teaching faculty, recommended in writing by the Department Chair and/or the appropriate College or School Dean, and appointed by the VPAA.

The appointment of Directors of Academic Programs for the upcoming academic year shall, if possible, be made before the end of the current academic year.

Program Directors may be compensated by release time or a stipend, as determined by the College or School Dean and Chair, where appropriate, and approved by the VPAA.

Duties of the Academic Program Director include, but are not limited to, the following:

1. To promote high academic quality in the program;
2. To develop, organize, and revise the academic program, as necessary, in conjunction with the Department Chair or School Dean and appropriate faculty;
3. To maintain necessary files and records;
4. To recommend the acquisition of audio-visual materials and library holdings;
5. To assist Admissions representatives in the recruitment of students;

6. To authorize requisitions in conformity with the established budget and purchasing procedure;
7. To orient full-time and part-time faculty who are new to the program;
8. To serve as a member on committees appropriate to the department or School.

#### **4.1.10.4 Coordinators of Academic Field Placements**

The Coordinators of Academic Field Placements arrange internships, student teaching, and other placements for students, as well as serve as an official liaison between the College and external organizations, particularly for presentation and clarification of the responsibilities and prerogatives of each placement.

Duties of the Academic Field Placement Coordinator include, but are not limited to, the following:

1. To arrange placements for students;
2. To serve as an official liaison between the College and the external organization, particularly for presentation and clarification of the responsibilities and prerogatives of each placement;
3. To assign, with the approval of the Department Chair or designee, students to designated field supervisors within the College;
4. To visit students during the field placements;
5. To arrange and conduct any seminars associated with field placement;
6. To assign students a final grade for the placement experience;
7. To report regularly to the Department Chair (or Program Director) or designee and provide evaluation material as requested;
8. To design and provide for administration of evaluation instruments in conjunction with the Department Chair (or Program Director) or designee;
9. To assist students with their academic preparation for each new field period, including a well-designed learning contract with appropriate educational goals and objectives and assessment activities;
10. To assess the effectiveness of the field experience component in the overall major curriculum and to help students achieve program and college-wide educational outcomes.

#### **4.1.10.5 Library Director**

As the chief academic librarian for the College and its libraries, the Library Director reports to the VPAA. The Library Director is a member of the full-time teaching faculty and administers library programs and supervises library personnel. The Library Director is recognized as a full-time teaching faculty member, even though his or her job duties are both similar to and different from those of other full-time teaching faculty. As a result, the Library Director is subject to applicable provisions of Section 4.5.

Duties of the Library Director include, but are not limited to, the following:

1. To administer library programs and to supervise its personnel;
2. To evaluate and review full-time library faculty, in accordance with Subsection 4.5.2, and to evaluate other library staff;
3. To recommend to the VPAA, or designee, the need for selecting additional full-time library faculty and personnel;
4. To assist in preparing the annual budget;
5. To develop and administer long-range library strategic and tactical plans in conjunction with the College mission and goals;
6. To develop, oversee, and coordinate library collection development and acquisitions;
7. To develop electronic library resources in compliance with state and regional guidelines, and in keeping with the needs of the College and its programs;
8. To prepare library reports for administrative review when requested to do so;
9. To formulate and enforce policies, rules, and regulations relating to the library, its users, and its holdings;
10. To represent the library on internal faculty and/or College committees;
11. To promote the use of the library among members of the College community and the greater Western New York area;
12. To explore ways to maximize library resources, including cooperative projects with other regional libraries;
13. To represent the College and its library on regional and/or other state library committees and organizations.

#### **4.1.10.6 Professional Librarians**

The Professional Librarians are members of the full-time teaching faculty and report to the Library Director. Professional Librarians shall have obtained a terminal degree approved by the American Library Association. Professional Librarians are recognized as full-time teaching faculty even though their job duties and responsibilities are both similar to and different from those of other full-time teaching faculty. As a result, Professional Librarians are subject to applicable provisions of Section 4.5.

Duties of the Professional Librarians include, but are not limited to, the following:

1. To participate in the process of teaching and research through traditional and electronic instruction to students, faculty, and staff;
2. To assist in selection and maintenance of all library resources and materials in both print and electronic format;
3. To provide reference and research services;

4. To provide the technical services of cataloging, revising the catalog, completing automated applications, generating statistical information, and overseeing book processing;
5. To provide automated technical library services;
6. To develop and maintain the library's periodical collection, using both print and electronic formats;
7. To provide access to remote information resources through the library's web page;
8. To represent the library on internal faculty and/or College committees;
9. To maintain appropriate affiliations with other external library committees and organizations.

## **4.2 Policies Pertaining to Faculty Appointments**

### **4.2.1 Types of Appointments**

#### **4.2.1.1 Term Appointments**

Term appointments are issued for a clearly defined, limited period to per-course, temporary, and visiting full-time faculty members. Faculty members employed pursuant to term appointments have no right or expectation of appointment renewal. Term appointments also may be issued to full-time faculty in special circumstances, with the approval of the VPAA, in order to meet short-term curricular needs of the College. Term appointments also may be used for summer term teaching, when not part of the appointee's academic year load.

#### **4.2.1.2 Notice Appointments**

Faculty members with notice appointments may expect the appointment to be renewed pursuant to the progressive schedules described below, unless otherwise notified pursuant to the terms of the applicable appointment agreement. The initial appointment is for one year. All notice appointments are subject to the separation policies and processes found in Section 4.8 of the *Faculty Handbook/Volume IV*.

##### **4.2.1.2.1 Annual Notice Appointment, Tenure Track**

A full-time teaching faculty member, hired into a tenure track position, may expect the appointment to be renewed pursuant to the progressive schedule below unless otherwise notified pursuant to the terms of the applicable appointment agreement. The initial appointment for a tenure track position is for a period of one academic year. For faculty recommended for renewal, this will be followed by a second one-year appointment, followed by a two-year and then a three-year appointment. Tenure track faculty members are subject to the annual (Subsection 4.5.4) and periodic (Subsection 4.5.5) review provisions, as well as the promotion (Section 4.6) and tenure (Section 4.7) processes set forth in this *Faculty Handbook/Volume IV*.

In order to be granted a renewals after the initial one-year appointment, Assistant and Associate Professors with a tenure track appointment must show evidence of meeting the evaluation criteria in Subsection 4.5.3.

In the fall of the sixth year of service (or its equivalent), tenure track faculty members shall be required to apply for tenure pursuant to the processes set forth in Section 4.7.

If tenure is not granted or the faculty member elects not to apply for tenure, the faculty member shall be given a notice of release and a one-year terminal appointment, or a settlement may be negotiated.

Promotion of an Assistant Professor with a tenure track appointment to Associate Professor shall follow the requirements and procedures as found within Section 4.7 of this *Faculty Handbook/Volume IV*.

In the case of an initial tenure track appointment to the College, faculty with appropriate prior full-time experience may receive up to three years of credit toward the six year tenure track period required for a tenure decision. Such credit for prior teaching is to be negotiated with the VPAA and reflected in the faculty member's initial appointment letter. Such credit toward the tenure track period will alter the calendar for periodic review in the tenure track period, as outlined in Paragraph 4.5.5.1, subparagraph 2.

#### **4.2.1.2.2 Annual Notice Appointment, Clinical (Non-Tenure Track)**

A faculty member with a notice appointment, and who is not on a tenure track appointment, may expect the appointment to be renewed unless otherwise notified pursuant to the terms of the applicable appointment. The initial appointment is for a period of one year, followed by a two-year appointment, to be approved by the VPAA. Clinical faculty members who continue beyond the first three years of service at the College are eligible to receive successive three-year appointments beginning in their fourth year of employment at the College. Three-year contracts for clinical faculty require review by the Promotion and Tenure Committee and approval by the VPAA.

Clinical faculty members are subject to the reappointment process outlined in Subparagraph 4.2.1.2.2, as well as the annual (Subsection 4.5.4) and periodic (Paragraph 4.5.5.2) review provisions of the *Faculty Handbook/Volume IV*, except that clinical faculty shall not be required to fulfill the scholarship responsibility, as described in Paragraph 4.5.3.3, unless and until they apply for promotion to Clinical Associate Professor.

#### **4.2.1.2.3 Continuous Appointment/Tenure**

Continuous appointment/tenured faculty members are entitled to annual appointment renewal. The appointment shall be subject to the terms and conditions of employment that exist at the time of each annual renewal, the Periodic Professional Review, Paragraph 4.5.5.3, as well as the separation policies in Section 4.8.

### **4.2.1.3 Applying for Tenure Track**

If an applicable tenure track position opens at Medaille College, a qualified faculty member with an appropriate degree may apply for that position. The position is to be filled in



accordance with the processes set forth in the *Faculty Search Committee Manual*, which is included in Appendix 4.3.1. If the faculty member is hired into a tenure track position after a good faith search has been conducted, some or all of the faculty member's years of service at the College may, at the discretion of the VPAA and on written request from the faculty member, count toward the time by which a tenure decision is due.

#### **4.2.2 Locus of Appointment**

All full-time faculty members, regardless of teaching assignments at various Schools, Colleges, or campus locations, shall have a locus of appointment in an applicable Academic Department or other instructional unit that shall be stated in the appointment agreement.

#### **4.2.3 Issuance and Receipt of Appointment Agreement**

All appointments to full-time teaching faculty positions, including moving from a non-tenure track to a tenure track appointment, are to be filled in accordance with the processes set forth in the *Faculty Search Committee Manual*, which is included in Appendix, Section 4.3.1.

All appointments shall:

1. Ordinarily run from August 15 to June 15. Each appointment shall specify the type of appointment and the locus of appointment, as well as the dates during which the appointment is operative.
2. Explicitly state the academic rank to be held by the faculty member during the period of the appointment. If the faculty member is promoted during the appointment term, a revised appointment agreement shall be issued that states the appropriate rank of the faculty member.
3. Specify the total cash payment to be made directly to the faculty member for services during the appointment period. Faculty shall receive written notification from the VPAA of their salaries for the subsequent year on or before June 15 of the current academic year.
4. Stipulate that the responsibilities of the faculty members shall be those as outlined in Section 4.5. Exceptions to this section are permissible in extraordinary circumstances, when agreed to by the faculty member and the College.
5. Incorporate by reference all the provisions of the *Faculty Handbook/Volume IV*, unless, under extraordinary circumstances, as otherwise specifically excepted, itemized, and agreed to by the faculty member and the College.
6. The initial appointment becomes official when the appointment is offered by the President to the prospective faculty member and is signed in triplicate by both parties. A copy is retained on file in the Office of the Director of Human Resources, the second copy is retained on file in the Office of the VPAA, and the third copy is retained by the faculty member. Subsequent re-appointments and annual salary letters shall come from the VPAA.

#### **4.2.4 Appointment Review**

Appointment reviews for full-time faculty in the tenure track will follow the procedures for the annual and periodic reviews and will be made by the respective Department Chair or academic unit head (e.g. Library Director), the appropriate Dean(s), and the VPAA. If the decision of both the Department Chair or academic unit head and Dean is positive, and the Vice President concurs with their decision, the new appointment shall take place at the beginning of the new academic year, unless otherwise stipulated. If the Department Chair or academic unit head and the Dean do not agree on granting a new contract to a faculty member, then their reasons shall be forwarded to the VPAA. The VPAA shall meet with the Department Chair or academic unit head and the Dean to come to a decision. Lacking a decision from the meeting, the final arbiter will be the VPAA. In all cases of non-renewal of tenure track appointments, whether they be by unanimous decision of the Department Chair or academic unit head, the Dean, and the VPAA, or the final decision of the Vice President of Academic Affairs alone, the faculty member shall have the option to petition the Promotion and Tenure to review the decision. Upon review by the Promotion and Tenure Committee, the Committee will submit a written report and discuss the report with the Vice President of Academic Affairs. If the decision not to grant the contract stands, all full-time faculty members shall be guaranteed the notice provisions outlined in Subsection 4.8.4. on Separation.

#### **4.3 Academic Affairs Search and Screen**

In order to ensure that the College obtains and retains the faculty members most qualified to fulfill its academic mission, all faculty selection decisions shall be made consistent with the processes set forth in the *Faculty Search Committee Manual*, which is included in Appendix 4.3.1. In the case of selecting a Department Chair, input from the department's full-time faculty shall be sought prior to the position being advertised and also prior to the position being offered to the candidate. Should the candidate chosen be other than one preferred by the department, the VPAA shall present the criteria and reasons for the decision.

In addition, in order to fulfill the academic mission of the College, all faculty selection decisions for tenure track, clinical, professor of the practice and part-time faculty lines shall take in to account the recommendation of the Department Chair College or School Dean and the VPAA.

#### **4.4 Faculty Personnel Records**

Because appointment as a ranked faculty member may lead to a continuing relationship with the College, it is essential that adequate and detailed documentation exist to support those actions pertaining to appointment, including reappointment, promotion, tenure, layoff, and dismissal. These official records shall be kept in confidence to the extent required by law. The material set forth below constitutes the official file of each faculty member. The faculty member's portfolio, containing evidence of teaching and mentoring/advising, scholarship and professional development, as well as service to the College and the community at large, is not included in the official records and is discussed in Paragraph 4.5.4.3. (See also *General Institutional Employment Policies/Volume III*, Section 3.2, Personnel Records.)

#### **4.4.1 Official Faculty File**

Each faculty member shall have an Official Faculty File housed in the Office of Academic Affairs. The faculty member has absolute right to access his or her own file. Access to the faculty member's files by others shall be limited to those persons authorized to view the records, subject to limitations described in Paragraph 4.4.1.3.

Documents to be found include, but shall not be limited to:

1. All acceptance and appointment agreements;
2. Annual evaluation and periodic performance review materials, including summary data from all student opinion surveys, as specified in Paragraph 4.5.4.6;
3. Official transcripts;
4. A current vita;
5. Access log signed by authorized viewers.

Faculty members are required to keep their records up to date; specifically, information regarding degrees, publications, professional background and accomplishments, addresses, and telephone numbers shall be kept current.

##### **4.4.1.1 File Inclusion Process**

The originator of any document, other than student opinion surveys, to be included in a faculty member's file must sign and date the document.

With one exception, a copy of any new material shall be sent to the faculty member by the VPAA at the same time that the item is deposited in the file. This exception occurs when the size, shape, weight, or other physical characteristic of the new material makes it unfeasible or impractical to copy and send the same to the faculty member. In this case, the VPAA shall notify the faculty member in writing of the new deposit in the file. This notice shall contain a brief and concise summary or description of the content or character of such new material. In addition, the new material shall be made available for the faculty member to view in its entirety.

The VPAA shall notify the faculty member concerning the faculty member's right, if desired, to submit a written response, commentary, or other explanation as it pertains to the new material. Upon receipt by the VPAA, the faculty member's written response, commentary, or explanation shall be attached to the original document within the file.

##### **4.4.1.2 File Inclusion Process Appeal**

The faculty member may appeal the inclusion of material in his or her file to the Grievance Committee (Section 4.13) based on the following allegations:

1. Process error, i.e., inconsistencies with the policies or processes in *Faculty Handbook/Volume IV*, including violation of due process;
2. Factual error;
3. Lack of credibility of the source;
4. Lack of relevance to the appointment of a full-time teaching faculty member.

#### **4.4.1.3 Access to File**

The faculty member has an absolute right to access his or her file. The Official Faculty File is available on a need-to-know basis only to the President, the VPAA, appropriate financial officer(s), legal counsel, the Director of Human Resources, the appropriate Department Chair or academic unit head, the appropriate College or School Dean, and others to the extent required or permitted by law. Faculty members shall be notified in writing of any request by any outside entity to view their file, except as prohibited by law.

#### **4.4.1.4 Copies of File**

Faculty members shall be furnished with copies of their files upon request to the extent required by law. Further, to the extent required by law, the College may permit access to and copying from such files pursuant to lawful requests, and identification, of federal or state agencies relevant to investigations, hearings, or other proceedings pending before such agencies or the courts. To the extent required by law, the faculty member shall be notified in writing prior to access to and copying from their files.

### **4.5 Teaching Faculty Responsibilities: Evaluation and Review**

#### **4.5.1 Responsibilities**

The primary purpose of the College is education and development. Within the framework of the requirements set forth by the New York State Education Department and appropriate accrediting bodies, and in conjunction with the College administration, the faculty shall determine the academic requirements for the degrees offered and when such requirements have been met.

The faculty also has paramount responsibility for such fundamental areas as curriculum, research, and those aspects of College life that relate to the education process. Faculty peers shall play an important and necessary role in determining reappointment, rank, and tenure status of faculty members. Where final review or decision-making authority regarding faculty matters lies with the Board of Trustees, or has been delegated by the Board to the College President, such administrative authority shall be exercised only after faculty views and/or recommendations have been discussed in a meeting between the Faculty Council and the President. Should a decision be made which remains contrary to the faculty's views or recommendations, the President and VPAA will explain the decision and its ramifications to the Faculty Council or directly through a meeting with the faculty as a whole.

#### **4.5.1.1 Full-Time Teaching Faculty Responsibilities**

The full-time teaching faculty member has been employed as a professional educator by the College on the basis of the faculty member's credentials and demonstrated competence in his or her discipline.

Accordingly, the faculty member is charged with the following responsibilities:

1. Teaching effectiveness and academic mentoring/advising;

2. Scholarship (except for Clinical Instructors and Clinical Assistant Professors) and professional development;
3. Service to the College.
4. Appropriate academic management (e.g., submitting grades on a timely basis).

Definitions of these terms, descriptive details, and examples of these three broad areas of faculty responsibility are outlined in Subsection 4.5.3.

In order to fulfill these responsibilities, full-time teaching faculty are encouraged to request professional development funds (Subsection 4.9.1), and educational leave with or without pay (Subparagraph 4.11.2.1.4 and Paragraph 4.11.2.2.) or course release time (Paragraph 4.10.1.2).

#### **4.5.2 Faculty Evaluation and Review**

A College-wide commitment to a substantive, ongoing, and collegial program of faculty development is an important component for ensuring quality instruction for its students. Such commitment also is crucial to enhancing faculty morale and the faculty's sense of purpose and engagement in their disciplines, as well as providing professional accountability to the College community, the Board of Trustees, and the public.

Faculty members evaluate and review their own and each other's performance throughout their careers in the three areas of their responsibility: 1) teaching effectiveness and academic mentoring/advising; 2) scholarship and professional development; and 3) service to the College, as outlined in Paragraph 4.5.1.1, Full-Time Teaching Faculty Responsibilities, and explained in Subsection 4.5.3, General Evaluation Criteria. The evaluation and review process documents the faculty's sustained performance and encourages continued professional growth and development.

Faculty are encouraged to develop a faculty culture that sustains their excellence as teachers, scholars, academic innovators, creative exemplars, as well as significant contributors to student learning, their designated field of expertise, and the College. In the process of evaluation and review, the faculty affirms and support traditions of academic freedom, shared governance, continual professional development, self-direction, collegiality, and peer review.

#### **4.5.3 General Evaluation Criteria**

Of the three areas, teaching holds primacy, but faculty members are expected to demonstrate that they have met their responsibilities, as applicable, in the other two areas as well.

The weighting of teaching in relation to the other two criteria will vary from faculty member to faculty member, depending on personal interests, responsibilities, and duties, and also is likely to vary over time within any individual faculty member's career at the College. The Library Director and Professional Librarians also shall be evaluated and reviewed, where applicable, on the professional responsibilities appropriate to their disciplines (Paragraphs 4.1.10.5 and 4.1.10.6.).

### **4.5.3.1 Teaching Effectiveness**

#### **4.5.3.1.1 *Components of Teaching Effectiveness***

The College recognizes that excellence in teaching is the most important attribute of a faculty member. Performance reviews in the area of teaching effectiveness may address, but shall not be limited to, the following:

1. Command of the subject matter taught;
2. Knowledge of current developments in the disciplines taught;
3. Connecting the subject matter taught to related areas of knowledge;
4. Planning and executing a substantive, well-organized course, including creation and distribution at the beginning of each course of a syllabus that addresses course expectations, the basis of evaluation, and other necessary information;
5. Contributions to course content, curricular development, course outlines, and course syllabi;
6. Knowledge of current developments in pedagogy, that is, teaching methods and strategies;
7. Use of effective pedagogy;
8. Use of feedback from evaluations and reviews to modify pedagogy;
9. Integrity, open-mindedness, and use of multiple perspectives in presenting material;
10. Punctuality and effective use of class time;
11. Skill in communicating with students;
12. Stimulation and broadening of student interest in the subject matter;
13. Challenging and enabling students to go beyond what is required;
14. Promptness, fairness, and care in evaluating students' work and overall performance in a course;
15. Accessibility for academic mentoring/advising students outside of class, where appropriate.

#### **4.5.3.1.2 *Evidence of Teaching Effectiveness***

Teaching effectiveness may be evaluated by the following types of evidence, as contained in the faculty member's Official Faculty File (Subsection 4.4.1) and portfolio (Paragraph 4.5.4.3). The evidence may include, but shall not be limited to, the following:

1. Self-evaluations;
2. Samples of teaching materials;
3. Videos of lectures and discussions;
4. Classroom evaluations by the Department Chair or academic unit head;

5. Evaluations or statement by professional peers;
6. Student opinion surveys;
7. Student work or statements;
8. Other demonstrations of effective teaching methods associated with a faculty member's discipline.

#### **4.5.3.2 Academic Mentoring/Advising**

##### **4.5.3.2.1 *Components of Mentoring/Advising***

Mentoring/advising are means whereby faculty members help to enhance student learning, as well as the accomplishment of the mission of the College and department and/or program goals. Performance reviews in the area of academic mentoring/advising may address, but shall not be limited to, the following:

1. Providing students with the best information and counsel on policies, processes, and programs of the College;
2. Making students aware of the range of services and educational opportunities pertinent to their objectives;
3. Assisting students in choosing educational, professional, and related life objectives that are well-suited to their interests and abilities;
4. Making students aware that they carry the ultimate responsibility for acquainting themselves with academic and other College regulations, as well as for planning their courses in accordance with published requirements for majors, minors, concentrations, certifications, and other College policies and processes.

##### **4.5.3.2.2 *Evidence of Mentoring/Advising Effectiveness***

The effectiveness of mentoring/advising may be evaluated by the following types of evidence, as contained in the faculty member's Official Faculty File (Subsection 4.4.1) and portfolio (Paragraph 4.5.4.3). The evidence may include, but shall not be limited to, the following:

1. Self-evaluations;
2. Evaluations or statements by professional peers;
3. Student opinion surveys;
4. Student work or statements;
5. General performance evaluations by the Department Chair or academic unit head;
6. Other demonstrations of mentoring/advising effectiveness associated with the faculty member's discipline.

### 4.5.3.3 Scholarship

#### 4.5.3.3.1 *Types of Scholarship*

Scholarship is an intrinsic element of the academic life of the College. To acknowledge that scholarly productivity is an essential component of a faculty member's duties is not to diminish the importance of excellent teaching, but rather to ensure that teaching, which lies at the heart of the College's responsibility to its students, is able to impart the intellectual richness that typically characterizes a community of scholars. The specific form and intensity of appropriate scholarly activity within the College shall vary among academic departments and programs due to the inherent differences among the disciplines.

Scholarship within the various disciplines is broadly construed as formal and informal interactions, in any of the four following broadly defined categories of scholarship, with peers external to the campus community in one or another discipline. Such interactions may consist of, but shall not be limited to, any of the following, as adapted from Boyer's *Scholarship Reconsidered: Priorities of the Professionals* (Carnegie Foundation for the Advancement of Teaching, 1990).

1. The Scholarship of Teaching, which entails the contribution of new knowledge or practice to the improvement of pedagogy. The Scholarship of Teaching involves the disciplined discovery, evaluation, and transmission of information about the learning process. Examples include publications about pedagogy and methodology, development and publication of instructional materials, conducting workshops on innovative teaching methods, or the creation of online instruction in areas relating to one's discipline.
2. The Scholarship of Discovery, which entails innovative and original research, presentation, or performance in a discipline. The Scholarship of Discovery involves work that is so highly original that it cannot be regarded as merely interpretive, interdisciplinary, or an extension of the work of others. Examples of the scholarship of discovery include: in the sciences, the development of new materials and drugs, the discovery of unknown physical phenomena, or the identification of laws governing physics or mathematics; in the social sciences, empirical research that involves the use of quantitative techniques and analysis to explain phenomena. The Scholarship of Discovery also includes creative work of the faculty in the literary, visual, and performing arts.
3. The Scholarship of Integration, which involves the dissemination of knowledge through published summaries, or synthesis of the work in one's discipline or among disciplines, The Scholarship of Integration involves work that seeks better to understand existing knowledge by making connections across disciplines, illuminating data in a related manner, drawing together otherwise isolated factors, or placing known information into broader contexts. Examples include interdisciplinary work that uses economic and/or psychological analysis, or evaluative or interpretive essays that probe the merits of another's work from a particular point of view – such as a political, religious, or gender-based perspective.



4. The Scholarship of Application, which entails creative and original applications of theory or knowledge that contribute to the betterment of real world situations. The Scholarship of Application involves work that seeks to relate the knowledge in one's discipline beyond academia to the affairs of society. Examples include work that uses social problems as the agenda for scholarly investigation, the drafting of model legislation, or participating on the editorial board of a referred publication.

The four categories as outlined above do not embrace the entire range of valuable scholarship. Rather, the categories denote four areas of scholarly activity that the College has chosen to recognize as particularly significant. By outlining these categories, the College makes it possible for faculty members and individual academic departments and programs to identify more clearly the role of scholarship at the College.

See Appendix 4.5.3.3, *Criteria for Assessing Scholarship*, for a description of the criteria used to evaluate faculty scholarship.

#### 4.5.3.3.2 *Standards for Interpreting Scholarship*

Faculty members within each academic department or program and the College shall define, adopt, and periodically revise standards that interpret the College's four categories of scholarship. These standards shall articulate the minimum expectations for scholarly productivity on the part of all faculty members in the academic department or program by taking into account the mission of the department or program, the various constituencies served, the types and qualities of scholarship identified in Subparagraph 4.5.3.3.1, and the time and resources available to faculty members for scholarly activities, all of which vary throughout the College.

The standards adopted pursuant to this Paragraph 4.5.3.3. must reflect both the importance of demonstrating evidence of continuing scholarly productivity and the fact that rigid timetables for research and scholarship are often unrealistic. In addition, the standards must recognize that the focus and direction of a faculty member's scholarly activities are subject to seasonal change throughout a person's career. Moreover, the standards must not so narrowly define acceptable forms to scholarship as to inhibit the pursuit of new forms of scholarship within the College, or to narrow the range or varieties of scholarship that may apply to clinical faculty members.

These standards shall be used by the Department Chairs and academic unit heads to inform annual and periodic evaluations and reviews as described in Subsection 4.5.4 and Subsection 4.5.5.

The standards of the individual academic departments and programs shall provide that all faculty members, except clinical faculty members (unless and until they apply for promotion to Clinical Associate Professor), are expected to devote some portion of their time, on a regular basis, to at least one of the forms of scholarship in Subparagraph 4.5.3.3.1.

The standards adopted by the individual academic departments and programs shall be incorporated into the *Criteria for Assessing Scholarship* per Appendix 4.5.3.3. upon their completion.

#### 4.5.3.3.3 *Evidence of Scholarship*

Scholarship may be evaluated by the following types of evidence, as contained in the faculty member's Official Faculty File (Subsection 4.4.1) and portfolio (Paragraph 4.5.4.3). The evidence may include, but shall not be limited to, the following:

1. Self-evaluations;
2. Evaluations or statements by professional peers;
3. Publications and exhibitions;
4. Citations of published scholarship;
5. Awards, grants, prizes, or commendations;
6. Artistic, written, editorial, data collection, experimental, or technical achievements;
7. Other demonstration of scholarship associated with a faculty member's discipline.

#### 4.5.3.4 **Academic Management**

All faculty have a responsibility to effectively manage the administrative aspects of teaching including, but not limited to

1. Creation of a syllabus that clearly describes intended learning outcomes, grade calculation method, attendance expectations, and other class policies.
2. Use of the campus' learning management system (LMS); e.g., BlackBoard.
3. Submitting attendance and academic warnings through the academic monitoring system; i.e., Medallion.
4. Posting grades within the deadlines set by the VPAA in consultation with Faculty Council.
5. Holding office hours for at least four hours per week.
6. Collecting artifacts and other data necessary for conducting assessment and completing other tasks required by the College's accrediting agencies, and NY State Ed.

#### 4.5.3.5 **Professional Development**

##### 4.5.3.5.1 *Components of Professional Development*

Professional development is part of the way the faculty members serve the constituency of their peers. Performance reviews in the area of professional development may address, but shall not be limited to, the following:

1. Active participation or important contribution to national or regional professional organizations, including holding office, serving on committees, or writing or editing newsletters, electronic resources, or other organization publications;

2. Collaboration with other professionals outside of the College to enhance the knowledge base of both the faculty member and students;
3. Application of professional knowledge or skills to a volunteer or other organization;
4. Attendance at a national or regional convention of a professional organization.

#### **4.5.3.5.2 Evidence of Professional Development**

Professional development may be evaluated by the following types of evidence, as contained in the faculty member's Official Faculty File (Subsection 4.4.1) and portfolio (Paragraph 4.5.4.3). The evidence may include, but shall not be limited to, the following:

1. Self-evaluations;
2. Statements by professional peers;
3. Commendations from professional or volunteer organizations for professional service;
4. Artistic, editorial, managerial, or technical contributions to professional or volunteer organizations;
5. Other demonstrations of professional development associated with a faculty member's discipline.

#### **4.5.3.6 Service to the College**

##### **4.5.3.6.1 Components of Service to the College**

Service to the College addresses the ways that faculty members contribute to the betterment of the College outside the classroom. A faculty member shall participate in the required service activities listed below. Involvement in some recommended service activities is also expected, but faculty members are free to choose what type of recommended service they will provide.

Performance reviews in the area of service to the College may address, but shall not be limited to, the following:

1. Required Service Activities
  - a. Faculty Assembly Meetings  
The Faculty Assembly is the forum for full-time faculty involvement in the affairs of the College, and all full-time faculty members are expected to attend the Faculty Assembly, unless excused by Faculty Council.
  - b. Applicable Program, Department, School, or College Meetings  
These meetings are held on a scheduled basis to discuss the concerns of a program, department, or school to suggest methods of improving curriculum, to explore new endeavors, and to determine the progress of students. All full-time faculty members are expected to attend unless excused by the appropriate College or School Dean, Department Chair, or academic unit head.
  - c. Academic Functions  
Members of the full-time faculty are expected to:

- i) Be present at Commencement, Honors Convocation, and other College events;
  - ii) Serve on faculty (Elected or Standing) Committees;
  - iii) Participate in testing and registration of students based on department and program requirements;
- 2. Recommended Service Activities
  - a. Service to the College
 

Faculty members are encouraged to:

    - i) Attend lectures, concerts, dramatic productions, athletic events, and other educational activities sponsored by the College;
    - ii) Serve as a Department Chair or Program Director;
    - iii) Represent the College to the larger community or to participate in activities outside the College that are of benefit to the College;
    - iv) Mentor new faculty.
  - b. Service to the Student Body
 

The quality of education at the College requires faculty members to engage in formative involvement with students not only in a purely academic setting. Faculty members are encouraged to:

    - i) Advise a student organization, club, or team;
    - ii) Moderate student activities;
    - iii) Plan or participate in enrichment activities related to the curriculum, but outside normal course offerings;
    - iv) Participate in orientation and other student recruitment activities.
    - v) Attend student events, such as sporting events.

#### ***4.5.3.6.2 Evidence of Service to the College***

Service to the College may be evaluated by the following types of evidence, as contained in the faculty member's Official Faculty File (Subsection 4.4.1) and portfolio (Paragraph 4.5.4.3). The evidence may include, but shall not be limited to, the following:

1. Self-evaluations;
2. Statement by professional peers;
3. General performance evaluations by the Department Chair, academic unit head, or Division Head/Dean;
4. Statements by supervisors and administrators;
5. Other demonstrations of service to the College.

### **4.5.3.7 Service to the Community at Large**

#### ***4.5.3.7.1 Components of Service to the Community at Large***

The College strongly encourages faculty members to become involved in service to the community outside the strictly academic field and values the work of faculty members who are so involved. Performance reviews in the area of service to the community at large may address, but shall not be limited to:

1. Self-evaluations;
2. Statements by professional peers;
3. General performance evaluations by the Department Chair, academic unit head, or Division Head/Dean;
4. Statements by supervisors and administrators;
5. Other demonstrations of service to the College.

#### ***4.5.3.7.2 Evidence of Service to the Community at Large***

Service to the community at large may be evaluated by the following types of evidence, as contained in the faculty member's Official Faculty File (Subsection 4.4.1) and portfolio (Paragraph 4.5.4.3). The evidence may include, but shall not be limited to, the following:

1. Self-evaluations;
2. Statements and commendations by community and non-profit organizations;
3. Other demonstrations of service to the community at large.

### ***4.5.4 Annual Evaluation Materials and Processes***

Because faculty evaluation operates as a means to enable the continued and ongoing professional development of teaching faculty within the College, evaluation seeks to document fairly and accurately both the strengths and the weaknesses of a faculty member's teaching and advising/mentoring, scholarship and professional development, and service to the College, so that appropriate incentives or assistance can be more suitably and effectively applied. The annual evaluation process is formative and developmental in nature. The role of the College principally is to provide support, appropriate resources, and encouragement for specific faculty activities to help advance individual professional development and to promote the mission of the College, the objectives of each academic department or program, and the career interests of the individual faculty members.

#### **4.5.4.1 Curriculum Vitae**

The faculty member's curriculum vitae should be up-to-date, thorough, and shall be placed in the Official Faculty File (Subsection 4.4.1).

#### **4.5.4.2 Self-Evaluation**

On or before January 15 of each academic year, every full-time teaching faculty member must complete an annual self-evaluation (covering the period of the preceding calendar year), the form for which is the Annual Self-Evaluation Form found in the Appendices (Appendix 4.5.4.2), which references specific documents in the faculty portfolio (Paragraph 4.5.4.3) and may include but shall not be limited to, discussion of the following:

1. Progress toward, and attainment of, short-term and long-term objectives for effective teaching and mentoring/advising, scholarship and professional development, and service to the College according to the general evaluation criteria in Subsection 4.5.3;
2. Annual accomplishments not anticipated in previous self-evaluations;
3. Future short-term and long-term objectives and goals for further professional development, especially with regard to the allocation of necessary program, department, and College resources;
4. Contributions to the program and/or department's missions, goals, and outcomes;
5. Commentary on or explanation of a faculty member's previous or current professional work.

Additionally, the self-evaluation shall address progress on any recommendations shared with the faculty member by the Department Chair/Program Director, or Division Head/Dean, during the previous annual or periodic evaluation (Paragraph 4.5.4.4 and Subsection 4.5.5), and, where applicable, a Faculty Development Plan (Subsection 4.5.6).

The self-evaluation shall be submitted to the faculty member's Department Chair, academic unit head, or appropriate College or School Dean. The Department Chair, academic unit head, or Division Head/Dean shall send originals of the self-evaluation to the Office of Academic Affairs for placement in the faculty member's Official Faculty File (Subsection 4.4.1).

By February 15, the Department Chair, academic unit head, or appropriate Dean shall provide an evaluative response, in writing, to the faculty member concerning the Annual Self-Evaluation. The faculty member shall sign and date the Chair's or appropriate Dean's response to indicate that the faculty member has read the response. The faculty member may also reply in writing, no later than March 1, to the Chair or Division Head/Dean's response. The Department Chair or Division Head/Dean shall keep a copy of both the response to the faculty member and any written reply and shall send the originals of both documents to the Office of Academic Affairs for inclusion in the faculty member's Official Faculty File on or before March 15.

#### **4.5.4.3 Faculty Portfolio**

Evaluations of a faculty member are rooted in the faculty member's portfolio, which consists of paper documents or electronic media. This material is in addition to the faculty member's Personnel file, located in the Office of Human Resources, and the Official Faculty File, located in the Office of Academic Affairs (Subsection 4.4.1).

The description of evaluation criteria (Subsection 4.5.3) provides the general structure for faculty portfolios that will make them useful for many purposes over a long career. All faculty members are encouraged to design their portfolios within these general guidelines and in consultation with their Department Chair, academic unit head, or appropriate Dean. (See Appendix 4.5.4.3, on Faculty Portfolio).

Faculty members shall review their portfolio on a yearly basis to update it and to discard any unnecessary items and dependent on personal preference may wish to store those materials either on-line or on a disk.

In order to enhance ongoing and collegial professional development, as well as successful annual and periodic evaluations and reviews, portfolios may include, but are not limited to the following:

1. Brief table of contents;
2. A personal statement, which may include:
  - a. Reflective overview of philosophy, strategies, and objectives;
  - b. Summary of past and present professional experiences;
  - c. Description of steps taken to evaluate and improve the faculty member's performance in relation to his or her duties and responsibilities;
  - d. Brief outline of the appended supporting materials;
3. Evidence of effective teaching and mentoring/advising, scholarship and professional development, and service to the College as outlined in Subsection 4.5.3, General Evaluation Criteria.

#### **4.5.4.4 Evaluation by the Department Chair, Academic Unit Head, or Division Head/Dean**

All non-tenured, full-time teaching faculty members shall be evaluated annually by their Department Chair, academic unit head, or appropriate Dean. Associate professors who seek promotion also shall be subject to this two-part evaluation process by the Department Chair, academic unit head (e.g., Library Director), or Division Head/Dean, during the academic year of their application for promotion to full professor.

The Department Chair, academic unit head, or appropriate Division Head/Dean also is required, annually, to evaluate part-time faculty who are likely to be considered for reappointment, and may be assisted in this task by other full-time faculty members of the department or program. The chief aim of such evaluation is to insure integration of part-time faculty into the department or program and to assist them in their professional and pedagogical development.

The annual evaluation takes place at the department or program level and, in keeping with the spirit of peer evaluation, this process facilitates a department or program's ability to apply specific or sensitive criteria, standards, or sources of evidence as discussed, for example, in Subparagraph 4.5.3.3.2, Department or Program Standards for Interpreting Scholarship.

The annual evaluation shall, for every full-time non-tenured faculty member, provide an opportunity to exchange useful feedback on the faculty member's contribution to the mission

of the College, as well as student learning outcomes, in order to create the context in which the faculty member and the Department Chair, academic unit head, or Division Head/Dean can plan objectives for future achievement and the allocation of resources.

These annual evaluations also carry a mentoring connotation. Each new faculty member, in his or her first semester, shall meet with the Department Chair, academic unit head, or Division Head/Dean to discuss the three areas of responsibilities listed in Subsection 4.5.1, Teaching Faculty Responsibilities. The Department Chair, academic unit head, or Division Head/Dean also shall provide assistance with structuring the faculty member's portfolio, as discussed in Paragraph 4.5.4.3, which will accumulate a record of performance and contribution throughout the faculty member's career at the College.

The annual evaluation shall have two components: Classroom Evaluation and General Performance Evaluation. The appropriate College or School Deans have the central role in ensuring that Department Chairs and academic unit heads conduct annual evaluations in an effective and equitable manner.

#### ***4.5.4.4.1 Classroom Evaluation***

A classroom evaluation visit by the Department Chair, academic unit head, or Division Head/Dean shall take place at least once a year in the fall semester for all full-time, non-tenured faculty members, and for tenured faculty members once every five years. The course, time, and date shall be mutually agreed upon by the observer and the faculty member. The evaluation shall be based on the teaching effectiveness criteria (Paragraph 4.5.3.1).

A copy of the Department Chair, academic unit head, or Division Head/Dean's written evaluation shall be forwarded to the faculty member, and the faculty member shall be permitted to provide commentary or other written response to the classroom evaluation. The Department Chair, academic unit head, or Division Head/Dean or Division Head/Dean shall meet with the faculty member to discuss the classroom evaluation.

At the request of the faculty member, classroom evaluations may be done more often. If faculty members choose to videotape the activities in their classrooms, they are encouraged to do so.

By December 15, the Department Chair, academic unit head, or Division Head/Dean or Division Head/Dean shall send originals of the evaluation, along with the faculty member's commentary or other written response, to the Office of Academic Affairs for placement in the faculty member's Official Faculty File (Subsection 4.4.1).

#### ***4.5.4.4.2 General Performance Evaluation***

An annual general performance evaluation shall be completed by the Department Chair, academic unit head, or appropriate Dean on or before February 15 for all full-time, non-tenured faculty members, and for tenured faculty members once every five years. In years when a non-tenured faculty member is applying for promotion (Subsection 4.6.3) and/or tenure (Paragraph 4.7.2.2) and/or reappointment (Paragraph 4.5.5.2, clinical faculty only), those processes and timelines constitute an augmented general performance evaluation. Full-time clinical faculty are subject to periodic review in their first and third years of service, and may be granted three-year contracts beginning in their fourth year of service (see Paragraph 4.5.5.2). As a result, full-



time clinical faculty shall be required to complete the general performance evaluation only every third year after their third year of service (i.e., years six, nine, twelve, etc.), as part of their periodic review for reappointment.

The Chair, academic unit head, or Division Head/Dean's general performance evaluation shall be based upon the evaluation criteria outlined in Subsection 4.5.3, General Evaluation Criteria, as adjusted by the department or program and thereby customized to each faculty member.

The Department Chair, academic unit head, or Division Head/Dean shall review the documents in the faculty member's Official Faculty File (Subsection 4.4.1) and in the faculty member's portfolio (Paragraph 4.5.4.3). Then, pursuant to the general evaluation criteria outlined in Subsection 4.5.3, as well as the faculty titles and criteria for rank in Subsection 4.1.3, the Department Chair, academic unit head, or Division Head/Dean shall render a judgment as to whether the faculty member meets the guidelines for faculty performance at the specified rank. On or before February 15, the faculty member shall be informed of the judgment in writing, which specifically shall address the contents of the portfolio (Paragraph 4.5.4.3), the Official Faculty File (Subsection 4.4.1), the evaluation criteria in Subsection 4.5.3, and the faculty titles and criteria for rank in Subsection 4.1.3.

In addition, keeping in mind the schedule for the faculty member's next reappointment (clinical faculty only), promotion review (Subsections 4.6.2 and 4.6.3), or tenure review (Paragraphs 4.7.2.1 and 4.7.2.2), the Department Chair, academic unit head, or Division Head/Dean's report shall include recommendations of ways in which the faculty member can continue to develop in order to meet the guidelines for reappointment, promotion, or tenure, as well as a timetable or schedule for recommended improvements pursuant to the general evaluation criteria in Subsection 4.5.3 and the faculty titles and criteria for rank in Subsection 4.1.3.

On or before March 1, the faculty member shall acknowledge receipt of the decision in writing and shall meet with the Department Chair, academic unit head, or Division Head/Dean to discuss the evaluation, recommendations for improvement, and the timetable or schedule for improvement. The faculty member shall be entitled to provide commentary or other written response to the Department Chair, academic unit head, or Division Head/Dean's decision, as well as to suggest alternative and suitable means and/or timetable designed to help the faculty member suitably and effectively develop in order to meet the guidelines for reappointment, promotion, or tenure according to the evaluative criteria in Subsection 4.5.3 and the faculty titles and criteria for rank in Subsection 4.1.3.

When a faculty member chooses, he or she shall be entitled to include another tenured faculty member, and either the appropriate College or School Dean (when the evaluator is the Chair) or the VPAA (when the evaluator is the Dean), in the discussion with the Department Chair, academic unit head, or Division Head/Dean about recommended improvements and the timetable or schedule for improvement.

A copy of the evaluation shall be forwarded to the faculty member, and the faculty member shall be permitted to provide commentary or other written response to the general performance evaluation. By March 15, any such response must be submitted to the Department Chair, academic unit head, or Division Head/Dean, who shall send the original copy of the evaluation, along with the faculty member's commentary or other written response, to

the Office of Academic Affairs for placement in the faculty member's Official Faculty File (Subsection 4.4.1) on or before April 1.

#### **4.5.4.5 Optional Peer Evaluation**

A faculty member may request another member of the full-time teaching faculty to conduct a classroom evaluation visit. The course, time, and date will be mutually agreed upon by the peer faculty member and the faculty member to be evaluated. The peer faculty member's evaluation shall be based upon the teaching effectiveness criteria presented in Paragraph 4.5.3.1. A copy of the evaluation shall be forwarded to the evaluated faculty member. The faculty member may elect to have the evaluation placed in the faculty member's Official Faculty File (Subsection 4.4.1).

No faculty member is obligated to conduct an optional peer evaluation visit. Such evaluations are completely at the discretion of the peer faculty member.

#### **4.5.4.6 Student Opinion Surveys**

The ultimate value of teaching effectiveness and student learning are addressed collectively in the outcomes assessment plan of the College. Student opinion surveys also operate as a measure of a faculty member's teaching responsibilities as listed in Paragraph 4.5.3.1, Teaching Effectiveness, but faculty evaluations shall not rely exclusively on these surveys.

Faculty members engaged in teaching credit-bearing courses, including Field Placement, shall be reviewed by all of their students in every course, every term, according to the process outlined below. (Different categories of courses/programs (e.g., online, accelerated, field placement, Directed or Independent Study may use different student opinion surveys.)

Copies of the various current Student Opinion Survey forms are located in Appendix 4.5.4.6. The Office of Academic Affairs will distribute the forms to each Department Chair, academic unit head, or Division Head/Dean. Summary survey data and typed copies of individual student comments will become part of the Official Faculty File. Faculty members shall also be provided with copies of the summary survey data and typed student comments. Faculty members shall be permitted at any time to provide commentary or other written response to student opinion surveys, which shall be included in the faculty member's Official Faculty File (Subsection 4.4.1) in the Office of Academic Affairs.

#### **4.5.5 Periodic Professional Review Materials and Processes**

The periodic professional review is distinguished from the annual evaluation in that it requires faculty and administrators to assess the faculty member's achievements and goals over a longer period of time.

The specific nature and form of the periodic professional reviews will vary with the individual's type of appointment, rank, and tenure status. Over the course of a faculty member's career, he or she may develop more than one career profile, with multiple orientations and varied activities. The review process takes into consideration this individual career development, as well as the nature of the individual's department or discipline, and uses fair and reasonable performance expectations by rank as established by faculty peers in the department.

Collectively, the reviews codify department expectations in teaching and mentoring/advising, scholarship and professional development, and service to the College. Resources for faculty development can then be more effectively allocated in support of department and College objectives.

Subsequent to the faculty member's meeting with the Department Chair, academic unit head, or appropriate Dean to discuss and assess the member's achievements and goals, the Department Chair, academic unit head, or Division Head/Dean shall write a report that shall address the full-time teaching criteria, as outline in Subsection 4.5.3, as well as the student opinion surveys, the classroom and general evaluation, and all material in the Official Faculty File and portfolio in a way that clearly:

1. States how the faculty member has performed in terms of effective teaching and mentoring/advising (as appropriate), scholarship and professional development, and service to the College in the context of the member's particular rank and College department or program;
2. Describes the faculty member's performance during the period under review;
3. Assesses or critiques, in the spirit of collegial professional development, how well the member performed each of his or her major responsibilities during the review period by reference to specific documents in the faculty member's portfolio;
4. States, in those cases where there is demonstrable evidence of substantial and continuing proficiency in the performance of the faculty member, what will be expected in the future so that the faculty member can continue to contribute excellent performance until his or her next review;
5. Identifies, specifically, in those cases where there is demonstrable evidence of substantial and continuing deficiency in the performance of the faculty member, any deficiency that, unless corrected, will require participation in a faculty development plan (Subsection 4.5.6.)

To enable the periodic professional review process, the College shall commit resources not only to the process itself, but also to an accompanying faculty development program, including funds for travel, research assistance, extended study, special projects, equipment, and course release time.

#### **4.5.5.1 Periodic Review Process for Assistant Professors and Associate Professors with a Tenure Track Appointment**

The periodic professional review process, built on the annual general performance evaluation, is initiated for all tenure track faculty during the first and third years of the tenure track period, prior to their application for tenure, and every five years after they receive tenure.

Faculty whose tenure track period of service at the College has been reduced in recognition of prior full-time teaching shall have a periodic review according to the following timetable: those who have received one year's credit within their initial appointment shall be evaluated in their first and third year of service; those who have received two years of credit shall be evaluated

during their second year of service; and those who have received three years of credit shall be evaluated during their first year of service.

Building on the annual general performance evaluation, the two pre-tenure faculty reviews—generally during the first and third years, when there is no credit for prior teaching—are designated to provide formative guidance as the faculty member approaches the tenure year by encouraging professional development and by pointing out ways in which the faculty member can improve his or her effective teaching and mentoring/advising, scholarship and professional development, and service to the College. These periodic reviews shall become part of the Official Faculty File (Subsection 4.4.1) and inform the deliberations of the Promotion and Tenure Committee during the reviews for promotion (Subsection 4.6.3) and tenure (Paragraph 4.7.2.2). The summative tenure judgment is discussed in Section 4.7, Tenure Policies and Processes.

As part of the third-year periodic review process for assistant professors with a tenure track appointment, the Department Chair, academic unit head (e.g., Library Director), or Division Head/Dean and the faculty member shall discuss the faculty member's priorities with regard to the three areas of a faculty member's responsibility: 1) effective teaching and mentoring/advising; 2) scholarship and professional development; and 3) service to the College. During this discussion, the faculty member will help the supervisor understand to what extent the faculty member will focus on or prioritize the three areas of responsibility. In addition, the Department Chair, academic unit head, or Division Head/Dean and the faculty member will discuss how such focus on or prioritization of the three areas of responsibility will help guide the faculty member's individual professional development and achievement of reappointment, tenure, and promotion.

#### **4.5.5.2 Periodic Review Process for Non-Tenure Track Clinical Faculty and Professors of the Practice**

Professors of the Practice and Clinical faculty with full-time appointments shall be subject to periodic review in their first, third, and sixth years of service, as well as every three years subsequently. These period reviews, based on the annual general performance evaluation, will be the basis on which the Chair or appropriate Dean and the Promotion and Tenure Committee recommend clinical faculty for contract renewal. Clinical faculty may, with the approval of the VPAA, be offered an initial one-year contract, followed by a two-year contract, followed by renewable three-year contracts.

As part of the review process for Clinical Instructors, Clinical Assistant Professors, Assistant Professors of the Practice, Clinical Associate Professors, Associate Professors of the Practice, Full Clinical Professors and Full Professors of the Practice, the Department Chair, academic unit head, or appropriate Dean and the faculty member shall discuss the faculty member's priorities with regard to the three areas of a faculty member's responsibility: 1) effective teaching and mentoring/advising; 2) scholarship (where appropriate) and professional development; and 3) service to the College.

These discussions shall include the requirement of a clinical faculty member to perform scholarship appropriate to department or program's agreed upon norms in order to be promoted to Clinical Associate Professor (Paragraph 4.6.2.1). During this discussion, the faculty

member will help the supervisor understand to what extent the faculty member will focus on or prioritize the three areas of responsibility. In addition, the Department Chair, academic unit head, or Division Head/Dean and the faculty member will discuss how such focus on or prioritization of the three areas of responsibility will help guide the faculty member's individual professional development and achievement of reappointment and promotion.

Such discussions growing out of the period review process shall be documented according the guidelines and timeline of the annual general performance evaluation (Subparagraph 4.5.4.4.2), of which the periodic review is an augmentation.

#### **4.5.5.3 Periodic Professional Review for Tenured Faculty Members**

Periodic professional review occurs within the context of the tenure system and shall not be used to build a case for dismissal. Material from the review may be requested and used by the Hearing Committee when the Committee deems the review meaningful to its deliberation. The review provides a systematic opportunity for tenured faculty, by continuing the successful efforts that brought them tenure, to reflect on and to continue to develop their teaching and mentoring/advising, scholarship and professional development, and their service to the College.

After being granted tenure, faculty members shall participate in five-year reviews (years 12, 17, 22, etc.) that shall utilize existing sources of information, i.e., annual self-evaluations, student opinion surveys, the faculty portfolio, and a classroom and general performance evaluation by the Department Chair, academic unit head, or appropriate Dean. Tenured faculty are required to have a classroom and general performance evaluation (required annually for non-tenured faculty) only once every five-year.

Tenured faculty members are encouraged to time their application for promotion to full professor to follow immediately after one of these periodic reviews. (For example, the associate professor completes this review in time for application to full professor in the sixth year.)

##### ***4.5.5.3.1 Periodic Professional Review Session for Tenured Faculty***

In this session that shall take place once every five years, the Department Chair, academic unit head, or appropriate Dean shall convene a Periodic Professional Review Committee (PPRC) to discuss the three areas of faculty responsibility listed in Paragraph 4.5.1.1, Teaching Faculty Responsibilities, as well as all the material in the tenured faculty member's Official Faculty File and portfolio. The goal of the discussion is to provide peer support and feedback, in the spirit of collegiality, for the tenured faculty member's ongoing professional development. The supervisor and the tenured faculty member up for periodic professional review shall strive to make assessments about his or her contributions in light of how the traditional areas of evaluation receive different emphasis at different points in any person's career.

The PPRC shall consist of three members: a tenured faculty member from the faculty member's department or academic unit; a tenured faculty member from outside the faculty member's department or academic unit; and the Department Chair, academic unit head, or appropriate Dean. The two faculty members on the PPRC shall be chosen by mutual agreement between the faculty member and the Department Chair, academic unit head, or appropriate Dean. If the faculty member and the Department Chair, academic unit head, or appropriate Dean cannot

agree on the two appointees, the VPAA shall make the appointments, having consulted with both the faculty member and the Department Chair, academic unit head, or appropriate Dean.

#### **4.5.5.3.2 Periodic Professional Review Report for Tenured Faculty**

After the review session, the Department Chair, academic unit head, or appropriate Dean shall write a report, a copy of which shall be delivered to the tenured faculty member. The two tenured faculty members on the PPRC shall either sign the report, indicating their concurrence, or either or both may write a dissenting opinion to accompany the report. The tenured faculty member shall acknowledge receipt of the report in writing and shall meet with the supervisor, in the spirit of collegial professional development, to discuss the report. The tenured faculty member may request that the two faculty members on the PPRC attending this meeting. In addition, the tenured faculty member shall be entitled to provide commentary or other written response to the Department Chair, academic unit head, or Division Head/Dean's report. The report, as well as any dissenting opinions from either or both faculty members on the PPRC and any commentary or written response by the tenured faculty member, shall be placed in the Official Faculty File (Subsection 4.4.1).

The timeline for the supervisor's report and any response from the faculty member shall follow the timeline for annual general performance evaluation in Subparagraph 4.5.4.4.2.

The Department Chair, academic unit head, or Division Head/Dean's report shall address the full-time teaching responsibilities and evaluative criteria, as outlined in Subsection 4.5.3, as well as the student opinion surveys, the classroom and general evaluation, and all material in the tenured faculty member's Official Faculty File and portfolio in a way that clearly:

1. States how the tenured faculty member has performed in terms of effective teaching and mentoring/advising, scholarship and professional activity, and service to the College in the context of his or her particular rank and department at the College;
2. Describes the faculty member's performance during the period under review;
3. Assesses or critiques, in the spirit of collegial professional development, how well the faculty member performed each of his or her major responsibilities during the review period by reference to specific documents in the faculty member's portfolio;
4. States, in those cases where there is demonstrable evidence of substantial and continuing proficiency in the performance of the faculty member, what will be expected in the future so that the faculty member can continue to contribute excellent performance until his or her next review;
5. Identifies, specifically, in those cases where there is demonstrable evidence of a substantial and continuing deficiency in the performance of the faculty member, any deficiency that, unless corrected, will require participation in a faculty development plan (Subsection 4.5.6).

For tenured faculty members found to be performing above a satisfactory level overall, the Department Chair, academic unit head, or Division Head/Dean's report also can include a recommendation that such faculty members receive reward for their excellent performance. Such recommendations may include, but shall not be limited to, the following:

1. A salary increase;
2. Reallocation of department resources to fund additional research interests or opportunities for curriculum development;
3. Additional research, administrative, or clerical support;
4. College-wide recognition for achievement, especially through the resources of the Faculty Development and Sabbatical Leave Committees.

#### **4.5.6 Faculty Development Plan**

It is expected that most non-tenured and tenured faculty members shall be found to be performing their responsibilities and duties satisfactorily. Only when there is demonstrable evidence of substantial and continuing deficiency, in any tenured or non-tenured faculty member's performance, shall such faculty member be required to participate in the design and implementation of a faculty development plan as part of an ongoing and collegial conversation about the faculty member's professional development.

Any single area of unsatisfactory performance out of the three areas in Paragraph 4.5.1.1 will be addressed in a faculty conversation and improvement plan at the department level. In rare cases, when there is demonstrable evidence of substantial and continuing deficiency in any faculty member's performance overall, the faculty member shall be required to participate in a collegial conversation and in the design and implementation of a faculty development plan that includes participation of the appropriate College or School Dean and the VPAA.

The faculty member, the Department Chair or academic unit head, the two faculty members from the PPRC, and when applicable, the appropriate College or School Dean and the VPAA, shall participate in the design and implementation of the faculty development plan. Tenured faculty members shall have the option of submitting the member's plan to the Promotion and Tenure Committee for their input and recommendations. Meetings among these participants shall be held to discuss the demonstrable evidence of substantial and continuing deficiency in a faculty member's performance, as well as how best to correct said problems.

The faculty development plan shall be tailored to meet College and department objectives, as well as a faculty member's individual circumstances. The plan will:

1. Identify specific goals and objectives that will address the demonstrable evidence of substantial and continuing deficiency in a faculty member's performance of his or her responsibilities or duties;
2. Outline the necessary activities that must take place to achieve the goals;
3. Set time lines for accomplishment of such activities;
4. Indicate the criteria for assessment of progress;
5. Identify College resources necessary to support the plan and identify how and when such resources will be made available to the faculty member.

On a schedule to be developed by the VPAA in consultation with the PPRC, the faculty member, the Department Chair or academic unit head, the two faculty members from the PPRC, and (when applicable) the appropriate College or School Dean and the VPAA, shall also participate

in review of the faculty development plan on a periodic basis to achieve its successful implementation. During these periodic meetings, the participants may design a new and more appropriate professional development plan that fits the changing circumstances of the individual faculty member, the department, or the College.

When the faculty development plan has been successfully implemented, the Department Chair, academic unit head, or appropriate Dean shall write a report that so indicates. The two tenured faculty members on the PPRC shall either sign the report, indicating their concurrence, or either or both may write a dissenting opinion to accompany the report. A copy of the report, including any dissenting opinions from either or both of the two faculty members on the PPRC, shall be forwarded to the faculty member, who shall be entitled to provide commentary or other written response to the report. A copy of the report, as well as any dissenting opinions from the two faculty members on the PPRC and any commentary or written response from the faculty member, shall be placed in the faculty member's Official Faculty File (Subsection 4.4.1).

## **4.6 Promotion Policies and Processes**

### **4.6.1 Philosophy**

Faculty status and related matters—including hiring recommendations, ongoing and collegial professional development, appointment renewals, decisions not to renew, promotions, the granting or tenure, and separation—are important elements of faculty responsibility. Faculty responsibility for such matters is based upon the fact that faculty judgment is central to general education policy. Furthermore, faculty members have the competence for judging the work of their colleagues and such competence includes responsibility for both adverse and favorable judgments. Determinations in these matters first shall be by faculty action through the established processes of the appropriate faculty committees, reviewed by the VPAA or a designee, and acted upon by the President. On questions of faculty status, as in other matters where the faculty has responsibility, the opportunity shall be given for further discussion and presentation of views in cases where the appropriate faculty committee position is not accepted.

Neither promotion nor tenure subsequently shall be taken away or suspended during a faculty member's employment by the College, except according to procedures for separation set forth in Section 4.8.

### **4.6.2 Initiation of Review for Promotion**

#### **4.6.2.1 Promotion Review**

Promotion from Instructor to Assistant Professor (clinical faculty only), Assistant to Associate Professor (Clinical Faculty), and from Associate to Full Professor (tenure track only) is self-initiated. Assistant Professors seeking promotion to Associate Professor shall follow the procedures and requirements found in Section 4.7. Instructors and Assistant Professors (Clinical Faculty only) and Assistant to Associate Professors (Clinical Faculty) at Medaille College who are eligible to apply for advancement in rank shall submit their applications in writing to the VPAA, with a copy of the application letter to the Department Chair, or Division Head/Dean. All applications shall be submitted to the Office of Academic Affairs on or before October 1.



### **4.6.3 Review Processes for Promotion**

Review for promotion (Paragraph 4.6.2.1) by all participants to the process (Department Chairs, academic unit heads, and/or Division Head/Deans, the Promotion and Tenure Committee, the VPAA, and the President) is based solely upon a faculty member's Official Faculty File (Subsection 4.4.1), including the curriculum vitae, official transcripts, self-evaluations, the classroom and general evaluations of the Department Chair, academic unit head, or Division Head/Dean, optional peer evaluations, periodic review materials and summary data and typed comments from student opinion surveys. The candidate shall also submit an updated portfolio (Paragraph 4.5.4.3) and a cover letter of application for promotion, which along with the materials from the Official Faculty File become the evidence on which the decision regarding promotion is made.

On or before October 15, the VPAA shall request that the faculty member's Department Chair, academic unit head, or Division Head/Dean review the materials from the faculty member's portfolio and the previous performance reviews and evaluations from the faculty member's Official Faculty File in relation to the general review criteria as outlined in Section 4.5.

On or before November 15, the Department Chair, academic unit head, or Division Head/Dean shall submit to the VPAA a written recommendation that indicates whether the faculty member should be promoted, a copy of which shall be forwarded to the respective faculty member. The Department Chair, academic unit head, or Division Head/Dean's written recommendation specifically shall address the general evaluation criteria in Section 4.5, as well as the faculty titles and criteria for rank in Subsection 4.1.3, with specific reference to items in the faculty member's Official Faculty File and portfolio. The VPAA shall include the Department Chair, academic unit head, or Division Head/Dean's written recommendation in the faculty member's Official Faculty File.

On or before December 1, the VPAA shall make available to the Promotion and Tenure Committee: 1) the faculty member's portfolio, and 2) the faculty member's Official Faculty File, including all performance reviews and evaluations. The VPAA shall be present during the Promotion and Tenure Committee's deliberations, but shall not have voting privileges.

Decisions and recommendations of the Promotion and Tenure Committee shall be based exclusively on its review of the above referenced recommendations, the faculty member's Official Faculty File, and portfolio. No item shall be utilized in making decisions or recommendations unless the faculty member has been notified of its presence in the faculty member's Official Faculty File or portfolio and the faculty member has had a least 48 hours in which to respond to it by following the Inclusion Appeals Process in Paragraph 4.4.1.2.

The Promotion and Tenure Committee, at its discretion, is entitled to call a faculty member, Department Chair, academic unit head, and/or Division Head/or Division Head/Dean to provide necessary clarification or explanation of evidence in the faculty member's Official Faculty File (Subsection 4.4.1) or portfolio (Paragraph 4.5.4.3).

On or before March 15, the Promotion and Tenure Committee shall submit its written report, indicating the Committee's recommendations concerning promotion, to the VPAA. The Committee's report specifically shall address the general evaluation criteria in Section 4.5, as

well as the faculty titles and criteria for rank in Subsection 4.1.3, with specific reference to items in the faculty member's Official Faculty File and portfolio.

The VPAA shall forward all recommendations received from the Committee, together with the Vice President for Academic Affairs's recommendation, to the President on or before April 15. The recommendation of the VPAA specifically shall address the general evaluation criteria in Section 4.5, as well as the faculty titles and criteria for rank in Subsection 4.1.3, with specific reference to items in the faculty member's Official Faculty File and portfolio.

If the decision from the Promotion and Tenure Committee is favorable, but the Committee's decision is overruled by the VPAA, the VPAA shall submit in writing the justification for his or her decision, and shall discuss such decision with the Promotion and Tenure Committee prior to submitting his or her recommendation to the President.

After review of all recommendations and the faculty member's Official Faculty File and portfolio, the President shall decide on the faculty member's promotion for the subsequent academic year and shall communicate the decision to the faculty member in writing on or before May 15.

The President's written decision specifically shall address the general evaluation criteria in Section 4.5, as well as the faculty titles and criteria for rank in Subsection 4.1.3, with specific reference to items in the faculty member's Official Faculty File and portfolio.

If the decision is favorable, the promotion becomes effective at the beginning of the following academic year.

If the decision from the Promotion and Tenure Committee is overruled by the President, the President shall discuss such decision with the Promotion and Tenure Committee prior to notification of the faculty member. At the request of the faculty member, the President and the VPAA shall meet with the faculty member to discuss the decision. Written justification for denial of promotion shall come from the VPAA and become part of the faculty member's Official Faculty File.

Appeals to the recommendation and/or decisions rendered pursuant to Section 4.6 shall be brought in accordance with procedures outlined in Section 4.13.

Deadlines for communication to and from the faculty applicant will be strictly observed. It is expected that other deadlines for the promotion review process outlined in Subsection 4.6.3 will be met. However, failure strictly to adhere to such deadlines, other than those for communication to and from the faculty applicant, is grievable only if it materially affects the outcome.

## **4.7 Tenure Policies and Processes**

### **4.7.1 Philosophy**

Medaille College is guided by this adaptation of the 1940 statement of the American Association of University Professors regarding tenure:

Tenure is a means to certain ends, specifically:

1. Freedom of teaching, research, and of extramural activities;

2. 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.

A tenured faculty member's service shall be terminated only for adequate cause as described in Subsection 4.8.6, medical reasons as described in Subsection 4.8.3, retirement as described in Subsection 4.8.2, or under extraordinary circumstances as described in Subsection 4.8.5.

In the interpretation of this principle, it is understood that the following represents acceptable academic practice:

1. The precise terms and conditions of every appointment should be stated in writing and be in the possession of both the College and the faculty member before the appointment is signed and becomes official (Subsection 4.2.3).
2. Beginning with appointment to the rank of full-time tenure track assistant professor or a higher rank, the tenure track period shall not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of tenure track service of more than three years in one or more institutions, a faculty member is called to another institution, it may be agreed in writing that the individual's new appointment is for a tenure track period of not more than four years, even though thereby the individual's total tenure track period in the academic profession is extended beyond the normal maximum seven years. Notice should be given at least one year prior to the expiration of the tenure track period if the faculty member is not to be continued in service after the expiration of that period.
3. During the tenure track period, a faculty member should have the academic freedom that all other members of the faculty have.

#### ***4.7.2 Tenure Policy for Full-time Teaching Faculty***

All full-time tenure track teaching faculty members holding the academic rank of assistant professor or higher at Medaille College for six years must either be granted or denied tenure. Only full-time faculty members who have either attained or have been recommended for promotion to associate professor will be eligible for tenure consideration. Under ordinary circumstances, a decision for tenure and promotion to associate professor shall be made during the sixth year of the tenure track period. Only when the Promotion and Tenure Committee has recommended the faculty member for associate professor, shall the committee consider the tenure case. If the candidate is not recommended for associate professor, the faculty member is not eligible to be considered for tenure and shall be given a terminal contract or a settlement shall be negotiated. The granting of tenure is required for continued employment beyond the tenure track period.

Full-time tenure track teaching faculty members who come to the College with full-time collegiate service at the rank of assistant or associate professor may have the tenure track period reduced by a maximum of three years, according to the guidelines set forth in

Subparagraph 4.2.1.2.1. Any such reduction in the tenure track period must be stipulated in the initial contract and may not be changed.

An individual tenured faculty member at another accredited college or university may apply for tenure at Medaille College according to the schedule set forth in the initial appointment agreement. In extraordinary circumstances, the President may permit such an individual to be appointed with tenure upon the recommendation of the VPAA and the Promotion and Tenure Committee.

#### **4.7.2.1 Initiation of Review for Tenure**

The VPAA shall notify in writing by September 1 those faculty members who will be considered for tenure during that year.

#### **4.7.2.2 Review Processes for Tenure**

Review for tenure by all participants in the process is based on the faculty member's Official Faculty File including the curriculum vitae, self-evaluations, the classroom and general evaluations of the Department Chair, academic unit head, or Division Head/or Division Head/Dean; optional peer evaluations; and student opinion surveys. The candidate shall also submit an updated portfolio (Paragraph 4.5.4.3) and a cover letter of application for tenure and for promotion to Associate Professor (unless the candidate already holds that or a higher rank). The portfolio and application letter, along with the materials from the Official Faculty File, become the evidence on which the decision regarding tenure and promotion is made.

On or before October 1, the faculty member shall submit their updated portfolio and application for tenure and promotion to Associate Professor to the Office of Academic Affairs.

On or before October 15, the VPAA shall request that the faculty member's Department Chair, academic unit head, or Division Head/or Division Head/Dean review the materials from the faculty member's portfolio and the previous performance reviews and evaluations from the faculty member's Official Faculty File in relation to the general review criteria as outlined in Section 4.5.

On or before November 15, the Department Chair, academic unit head, or Division Head/or Division Head/Dean shall submit to the VPAA a written recommendation that indicates whether the faculty member should be awarded tenure and, when applicable to the assistant professor with a tenure track appointment, be promoted to associate professor. Such written recommendation shall specifically address the evaluation criteria in Section 4.5, as well as the faculty titles and criteria for rank in Subsection 4.1.3, with specific reference to items in the faculty member's portfolio and Official Faculty File. The VPAA shall include the Department Chair, academic unit head, or Division Head/or Division Head/Dean's written recommendation in the faculty member's Official Faculty File.

On or before December 1, the VPAA shall make available to the Promotion and Tenure Committee: the curriculum vitae, official transcripts, self-evaluations, classroom and general evaluations of the Department Chair, academic unit head, or Division Head/or Division Head/Dean, optional peer evaluations, and summary data and typed comments from student opinion surveys, all from the Official Faculty File.

The VPAA shall be present during the Promotion and Tenure Committee's deliberations and shall contribute to the discussions, but shall not have voting privileges. Decisions and recommendations of the Promotion and Tenure Committee shall be based exclusively on its review of the Official Faculty File and portfolio, which must include specific reference to the evaluative criteria and faculty rank, as well as documentation placed in the faculty member's Official Faculty File and portfolio. The Promotion and Tenure Committee is entitled to call a faculty member, Department Chair, academic unit head, or Division Head/or Division Head/Dean to provide necessary clarification or explanation of the evidence in the faculty member's Official Faculty File (Subsection 4.4.1) or portfolio (Paragraph 4.5.4.3).

No item in the faculty member's Official Faculty File shall be utilized in making decisions or recommendations unless the faculty member has been notified of its presence in the faculty member's Official Faculty File or portfolio and has had at least 48 hours in which to respond to it by following the File Inclusion Appeals process in Paragraph 4.4.1.2.

The Promotion and Tenure Committee shall consider whether the minimum requirements for tenure have been met and whether the Official Faculty File, portfolio, and written recommendations appropriately meet the evaluation criteria in Subsection 4.5.3, as well as the faculty titles and criteria for promotion in Subsection 4.1.3. After evaluating all the data, the Committee shall determine, by ballot vote, its recommendation. The Promotion and Tenure Committee's written recommendation specifically shall address the evaluation criteria in Subsection 4.5.3, as well as the faculty titles and criteria for promotion in rank in Subsection 4.1.3, with specific reference to the items in the faculty member's Official Faculty File and portfolio.

On or before March 15, the Promotion and Tenure Committee shall present its written recommendation to the VPAA. At the request of the VPAA, the Committee will meet with the VPAA to discuss its recommendation. The VPAA shall forward the faculty member's Official Faculty File and portfolio, as well as all recommendations received, together with the written recommendation of the VPAA on the faculty member's tenure, to the President by April 15. The written recommendation of the VPAA also specifically shall address the evaluation criteria in Section 4.5, as well as the faculty titles and criteria for promotion in rank in Subsection 4.1.3, with specific reference to items in the faculty member's Official Faculty File and portfolio. A recommendation for tenure must be supported by a clear and convincing demonstration that the candidate meets the standards and criteria set forth in Section 4.5.

In any case in which the VPAA decides against the majority vote of the Promotion and Tenure Committee, the VPAA shall submit in writing justification for decision against the Committee's majority vote, and shall discuss such decision with the Promotion and Tenure Committee prior to submitting the rejection and any other recommendation to the President.

The President shall make the final decision on the faculty member's tenure and, in the case of an assistant professor with a tenure track appointment, promotion to associate professor. The President shall communicate this decision and the reasons for it to the faculty member in writing by May 15 of the applicable year. The President's written decision and reasons specifically shall address the general evaluation criteria in Section 4.5, as well as the faculty titles and criteria for promotion in rank in Subsection 4.1.3, with specific reference to items in the faculty member's Official Faculty File and portfolio.

If the recommendation from the Promotion and Tenure Committee is overruled by the President, the President shall discuss this rejection decision with the Promotion and Tenure Committee prior to notification of the faculty member.

Deadlines for communication to and from the faculty applicant will be strictly observed. It is expected that other deadlines for the tenure review process outlined in Paragraph 4.7.2.2 will be met. However, failure strictly to adhere to such deadlines, other than those for communication to and from the faculty applicant, is grievable only if it materially affects the outcome.

### **4.7.3 Denial of Tenure**

At the written request of the faculty member, the President and the VPAA shall meet with the faculty member to discuss the summative tenure decision. The faculty member also has the right to know the reasons for the decision to deny tenure and to have them, upon request, in writing. Written justification for denial of tenure shall come from the VPAA and become part of the faculty member's Official Faculty File (Subsection 4.4.1.)

If the faculty member believes that: 1) the process in the *Faculty Handbook/Volume IV* was not properly followed, that 2) the negative decision constitutes a violation of academic freedom, or that 3) the decision to deny tenure was the result of inadequate consideration, the faculty member may pursue the processes in Subsection 4.13, and Paragraph 4.7.3.1.

A request for review must be lodged by the faculty member who has been denied tenure in accordance with Section 4.13, Section 4.7, and Paragraph 4.7.3.1 on or before October 1 of the subsequent academic year. The Grievance Committee's report and recommendations shall be forwarded to the President, the VPAA, the Promotion and Tenure Committee, and the faculty member within twenty days after receiving a request for review.

#### **4.7.3.1 Processes for Review of an Appeal to Denial of Tenure**

1. In so far as the petition for review alleges that improper processes were followed, the Grievance Committee shall:
  - a. Seek to settle the matter by informal methods;
  - b. Determine whether improper processes were followed by a Department Chair, academic unit head, or Division Head/or Division Head/Dean, the VPAA, the President, in any aspect of the decision to deny tenure pursuant to Subsection 4.1.3, Section 4.5, Section 4.7, and/or any other section in the *Faculty Handbook/Volume IV*;
  - c. Provide the Promotion and Tenure Committee with a report that contains written description of the specific respects in which the processes of the Department Chair, academic unit head, or Division Head/or Division Head/Dean, VPAA or the President were deemed improper within twenty days after receipt of the request for review;

- d. Provide copies of its report and recommendations to the faculty member, the Promotion and Tenure Committee, the VPAA, and the President within twenty days after receipt of a request for review;
  - e. Request reconsideration by the Promotion and Tenure Committee when the Grievance Committee concludes that improper processes were followed by the Department Chair, academic unit head, or Division Head/or Division Head/Dean, the VPAA, or the President;
  - f. When the faculty member alleges and the Grievance Committee concludes that improper processes were followed by the Promotion and Tenure Committee, the Grievance Committee shall decide, if the matter remains unresolved, whether or not the evidence submitted in support of the request for review warrants a recommendation that a formal proceeding be conducted as described in Section 4.13 of the *Faculty Handbook/Volume IV*, with the burden of proof resting upon the grieving faculty member. The Grievance Committee also shall provide the faculty member, the VPAA, the President, and the Promotion and Tenure Committee with a report and recommendations that contain written description of the specific respects in which the Committee's processes were improper within twenty days after receipt of a request for review.
  - g. Not substitute its judgment on the merits for that of the Promotion and Tenure Committee;
2. In so far as the petition for review alleges a violation of academic freedom or improper discrimination, the Grievance Committee shall:
- a. Determine whether the decision not to grant tenure constitutes on its face a violation of academic freedom or improper discrimination;
  - b. Seek to settle the matter by informal methods;
  - c. Decide, if the matter remains unresolved, whether or not the evidence submitted in support of the request for review warrants a recommendation that a formal proceeding be conducted as described in Section 4.13 of the *Faculty Handbook/Volume IV*, with the burden of proof resting upon the grieving faculty member;
  - d. Provide copies of its report and recommendations to the faculty member, the Promotion and Tenure Committee, the VPAA, and the President within twenty days after receipt of a request for review.
3. In so far as the petition for review alleges inadequate consideration, the Grievance Committee shall:
- a. Determine whether the decision not to grant tenure was the result of inadequate consideration;
  - b. Not substitute its judgment on the merits for that of the Promotion and Tenure Committee;

- c. Request reconsideration by the Promotion and Tenure Committee when the evidence concludes that due consideration was not given to the faculty member's records;
- d. Provide a written report to the President, the VPAA, and the Promotion and Tenure Committee that contains a description of the specific respects in which consideration may have been inadequate within twenty days after receipt of the request for review;
- e. When the faculty member alleges and the Grievance Committee concludes that improper inadequate consideration was given by the Promotion and Tenure Committee, the Grievance Committee shall decide, if the matter remains unresolved, whether or not the evidence submitted in support of the request for review warrants a recommendation that a formal proceeding be conducted as described in Section 4.13 of the *Faculty Handbook/Volume IV*, with the burden of proof resting upon the grieving faculty member. The Grievance Committee also shall provide the faculty member, the VPAA, the President, and the Promotion and Tenure Committee with a report and recommendations that contain written description of the specific aspects in which the Committee provided inadequate consideration within twenty days after receipt of a request for review.

## **4.8 Separation**

At times, Medaille College or individual faculty members may find it necessary to end their employment relationship. To protect the interests of both parties, categories of separation are provided in this Section 4.8 and the policies and procedures related to each are set forth. In establishing these policies and procedures, Medaille College is guided by the principles, policies, and standards related to termination of services, as specified in applicable AAUP Policy Documents and Reports. Should any conflict arise between this *Faculty Handbook/Volume IV* and the AAUP Policy Documents and Reports, the policies in *Faculty Handbook/Volume IV* shall prevail.

### **4.8.1 Resignation**

Resignation is a severance action by which a faculty member voluntarily seeks to be released from an appointment with the College. The effective date of a resignation shall coincide with the concluding date of the semester or the academic year, so as to avoid disruption of the work of the College, provided that the faculty member gives at least 60 calendar days' notice in writing to the VPAA and the President. Alternatively, an effective date may be mutually agreed upon by the faculty member and the VPAA or the President.

### **4.8.2 Retirement**

Any faculty member contemplating retirement shall, to the extent possible, discuss retirement plans with the VPAA at least six months prior to the desired effective date of retirement. Information regarding Social Security provisions is available in the Human Resources Office.



### **4.8.3 Termination for Medical Reasons**

Termination of a faculty member for medical reasons will be based upon medical evidence that a faculty member is or will not be able to perform the essential functions of the faculty member's position because of ill health with reasonable accommodations. A faculty member or the faculty member's designated family member or legal representative has the right to present medical evidence of the faculty member's state of health to the VPAA.

The decision to terminate will be reached after there has been appropriate consultation, to include reasonable accommodations, and after the faculty member or the faculty member's family member or legal representative has been informed, in writing, of the basis for the proposed action. The faculty member or designated representative must be afforded an opportunity to present their position and to respond to the evidence.

A tenured faculty member does not lose tenure, but may request an unpaid leave of absence for up to twelve months following the regular procedures, until such time as the faculty member shall be able to resume teaching duties. A decision to terminate will, if the faculty member so requests, be reviewed by the Faculty Hearing Committee before a final decision is made by the VPAA as to how to proceed.

For faculty members who are on a notice appointment, the College may not renew the appointment at the end of the appointment period, as indicated in the appointment letter. Termination of such an appointment before the end of the period of appointment shall follow the consultative procedures described above. The faculty member or the faculty member's designated family member or legal representative may request that the situation be reviewed by the Faculty Hearing Committee before final action is taken by the VPAA or the President. In all cases, the policy for short and long-term disability is to be applied, if applicable. (See also the College's Family and Medical Leave policy, 3.3.4.4.)

### **4.8.4 Non-Reappointment of Non-Tenured Faculty**

In the case of non-renewal of a notice appointment, the President shall inform the faculty member in writing of the decision and, upon the faculty member's request in writing, advise the faculty member of the reason(s) for the non-renewal. A notice appointment faculty member may appeal or grieve the non-renewal of contract, if the reasons for the non-renewal are faulty or questionable, even though proper procedures have been followed. The appointments of faculty with tenure, i.e., continuous appointment/tenure, must be honored except as set forth in Subsection 4.8.5 (Layoffs).

Legitimate reasons for non-reappointment of a full-time non-tenured faculty member may include, but are not limited to, the following:

1. Discontinuance or elimination of an academic program as determined within the parameters of Subsection 4.8.5;
2. Need for reduction in staff due to enrollment emergency and/or financial exigency;
3. A pattern of unfavorable reviews of the faculty member's major appointment responsibilities of teaching, as evaluated according to the criteria and procedures in Section 4.5; and

4. A pattern of inadequate performance of the faculty member's other appointment responsibilities, as illustrated throughout this *Faculty Handbook/Volume IV* and as evaluated according to the procedures of the appropriate parts of Section 4.5.

In the event of a decision not to renew an appointment, the faculty member should be informed of the decision in writing and, upon request, be advised in writing of the reasons which contributed to that decision by the VPAA.

Written notification must be given to the faculty member in accordance with the schedule below:

1. During the first year of faculty service in the College, written notice must be given on or before March 15 or, if the appointment expires during an academic year, at least three months in advance of its termination.
2. During the second year of faculty service in the College, written notice must be given on or before December 15 or, if the appointment expires during an academic year, at least six months in advance of its termination.
3. After two or more years of faculty service in the College, written notice must be given on or before June 15, or if the appointment expires during an academic year, at least twelve months prior to the expiration of the faculty member's appointment.

#### **4.8.5 Layoffs**

Layoff is a severance action by which the College terminates the services of a ranked faculty member before or at the expiration of the ranked faculty member's current appointment, without prejudice as to the ranked faculty member's performance.

##### **4.8.5.1 Academic Program Discontinuation Based on Educational Considerations**

Layoff of a faculty member may occur as a result of a discontinuance of an academic program. The VPAA shall make decisions regarding such discontinuance after consultation with the appropriate College/School Curriculum Committee, with the Department Chair or academic unit head of the impacted department or program, with the applicable College or School Dean, and with the faculty as a whole.

The decision to formally discontinue an academic program or department of instruction shall be based primarily upon educational considerations, as determined primarily by the appropriate College/School Curriculum Committee and the faculty as a whole.

"Educational considerations" do not include cyclical or temporary variations in enrollment. These considerations must reflect long-term judgments that the remaining educational programs of the institution as a whole shall gain or maintain strength and vitality by the discontinuance. The Vice President of Academic Affairs must provide the Curriculum Committee and the faculty as a whole with documented evidence and other data evidencing the need for the discontinuance of an academic program and the possible termination of individual appointments.

Individual layoff decisions resulting from academic program discontinuance shall follow the “General Procedures” described in Paragraph 4.8.5.4.

The termination of an appointment with tenure, or of a non-tenured appointment before the end of the specified term, may occur as a result of the formal discontinuance of an academic program, or as a result of enrollment emergency or financial exigency.

Faculty laid off under the formal discontinuance of an academic program or department of instruction, or as a result of enrollment emergency or financial exigency, shall receive notice according to the schedule in Paragraph 4.8.5.5. The College shall normally end such programs and the faculty member’s relationship with the College at the end of an academic semester or year.

Faculty laid off under this paragraph have the same rights as those terminated under enrollment emergency or financial exigency policies as delineated in Paragraphs 4.8.5.2 and 4.8.5.3.

#### **4.8.5.2 Enrollment Emergency**

An enrollment emergency is an unplanned decline in student enrollment, the detrimental financial effects of which are either too great or too rapid to be offset by normal procedures outlined in *Faculty Handbook/Volume IV*. When a decline in enrollment or loss of funding, in whole or in part, are of such a nature that the College’s projected budget for a given academic year is unable to be balanced and clearly indicates that no other alternatives except program shifts or cuts are available, the President of the College, after consultation with the VPAA, the respective Curriculum Committee, the Division Head/Dean of the respective Division/College/School, and the faculty, shall make the internal declaration that the College is in a state of enrollment emergency. An enrollment emergency is based upon the number of FTE students as calculated by the Registrar’s Office. Individual layoff decisions resulting from an enrollment emergency shall follow the “Order of Layoff” procedures described in Paragraph 4.8.5.4.

#### **4.8.5.3 Financial Exigency**

Medaille College’s ability to fulfill its mission is dependent upon maintaining financial strength and solvency. The President and the Board of Trustees recognize that the faculty represent critical stakeholders with a legitimate interest in the financial position of the College.

Accordingly, the President shall, upon written request of the Faculty Council, present the following financial data:

1. The most recently audited financial statements prepared by the College;
2. Current in-house quarterly financial statements;
3. Other relevant information which the President or the Faculty Council deems necessary for an understanding of the financial condition of the College.

“Financial exigency” is an urgent need to reorder the nature and magnitude of financial obligations due to an imminent financial crisis in such a way as to restore or preserve the financial ability of the institution and which cannot be alleviated by less drastic means.

“Financial ability,” as defined by the College, means the ability to provide from current income, both cash and accrued, the funds necessary to meet current expenses, including current debt payment and reserves, without depleting reserve funds to the point of jeopardizing the long-term existence of the college.

The Board of Trustees, upon recommendation of the President of the College, who shall previously have consulted with the VPAA, the Department Chairs, the College and School Deans, and the Faculty Council, shall advise if a financial crisis that meets the criteria of a financial exigency exists and should be declared. The above groups shall also advise the Board of Trustees of the administrative processes relating to curtailment or termination of instructional programs because of financial exigency and of suggested options to alleviate this condition.

Circumstances of financial exigency pose special problems. The faculty as a whole shall be informed as early and as specifically as possible of significant impending financial difficulties. The faculty shall not bear the entire burden of the financial exigency since such exigency affects the entire institution. The faculty, with substantial representation from its tenured and non-tenured faculty members, and broad representation from all disciplines and all faculty segments, shall participate at the Departmental, School or College, and institution-wide levels in key decisions as to the future of the institution and of specific academic programs within the institution.

Once the Board of Trustees decides that a financial exigency exists, the President, in consultation with the VPAA, the Department Chairs, the College and School Deans, and the Faculty Council, and after receiving approval from the Board of Trustees, shall recommend appropriate action in terms of curtailment or discontinuation of academic programs. Such action shall be grounded primarily in educational considerations and executed as defined in Paragraph 4.8.5.1.

If the President and the Board of Trustees determine that a condition of either existent or imminent financial exigency exists, the President may terminate appointments with tenured faculty after not less than twelve (12) months notice to the respective faculty member. These decisions may not be made without the disclosure to the Faculty Council of the following financial data:

1. The most recently audited financial statements prepared by the College;
2. Current in-house quarterly financial statements;
3. Copies of federal and state agency reports related to funding;
4. The current auditor’s management letter;
5. Other relevant information which the President or the Faculty Council deems necessary for an understanding of the decision to declare financial exigency.

The College shall make a demonstrable effort to place affected faculty members in other suitable positions with reappointment based on seniority within area of expertise, rank, terminal degree, and educational considerations. Educational considerations must reflect curriculum needs and overall instructional quality.

If the appointment of a faculty member with tenure is terminated because of financial exigency, no one else, neither full- nor part-time, may be hired to teach in a field in which the released faculty member is qualified to teach until the latter has been offered reappointment. Such an offer shall be sent by Registered Mail, postage prepaid, and addressed to the faculty member at the last address provided by the faculty member to the Human Resources Office. The faculty member must accept the offer within fifteen calendar days after such offer is received or the College can revoke the offer.

Individual layoff decisions resulting from financial exigency shall follow the “Order of Layoff” procedures described in Paragraph 4.8.5.4. The President and the Board of Trustees have final authority in all matters related to financial exigency after following the procedures listed herein.

#### **4.8.5.4 Order of Layoff within a Department, Program, College, or School**

The President, in consultation with the VPAA and the Faculty Council, shall determine the layoff of specific faculty in a particular department, College or School according to the guidelines outlined below. The President of the institution makes the final decision.

Program integrity is paramount. Within this context, tenure, rank, and seniority shall be primary. When qualifications are equal, time of service from the date of original appointment shall determine which faculty members are laid off. The original appointment shall mean the date of the faculty member’s first appointment to College service followed by continuous and uninterrupted service within the College up to the time of reduction and abolishment of positions. Authorized leave of absence shall not be deemed an interruption of service within the College (except that such leave may not count toward the tenure track period, as described in Subsection 4.7.2). In the event a faculty member believes the first appointment date has been incorrectly determined, the faculty member shall so advise the College and indicate the appropriate date.

If and when layoffs occur, for any reason, the administration shall, to the extent practical, make plans to permit the process of attrition to be utilized to effect the required reduction of faculty, only to the extent that the attrition is compatible with academic and program integrity.

When insufficient attrition of existing faculty does not allow for placement of other faculty members, the institution, prior to layoffs and with faculty participation, shall make a demonstrated and documented effort to place the faculty member concerned in another suitable position within the institution. Further, voluntary measures shall be considered, such as the possibility of voluntary, early, or phased retirements. If the institution terminates appointments pursuant to Subsection 4.8.5, it shall not at the same time make new appointments except in extraordinary circumstances where a serious distortion in the academic program would otherwise result.

After due consideration to ensuring academic and program integrity, faculty shall be laid off according to the following guidelines:

All administrators with faculty rank shall be laid off from teaching within the department, program, College, or School.

Next, all faculty members with term appointments shall first be eliminated within the department, program, College, or School.

Notice faculty members shall be terminated third within the academic department, program, College, or School involved.

The VPAA shall provide the Faculty Council, the Dean of the College/School, the President, and interested parties with appropriate documentation supporting program integrity, as well as rank, degrees, and seniority.

The appointment of a faculty member with a continuous appointment and tenured faculty shall not be terminated in favor of retaining a faculty member without tenure, except in demonstrated extraordinary circumstances where a serious distortion of the academic program would otherwise result.

#### **4.8.5.5 General Notice Procedures Regarding Layoff**

Faculty members laid off for reasons described in this Subsection 4.8.5 shall be given a severance salary not less than as prescribed in Paragraph 4.8.5.10 (Terminal Salary on Layoff) and shall receive notice, to the extent feasible, as follows:

##### ***4.8.5.5.1 Notice of Layoff of Notice Faculty***

If the College determines to terminate the appointment of a notice faculty member due to program discontinuance, enrollment emergency, or financial exigency, the faculty member shall be notified, to the extent feasible, in accordance with the following guidelines:

In the case of termination due to enrollment emergency or financial exigency, not fewer than 180 calendar days (exclusive of June 16 through August 14 after the effective date of the financial exigency or enrollment emergency; and

In the case of termination due to discontinuance of an academic program of the College, not fewer than 180 calendar days (exclusive of June 16 through August 14) after the effective date of the reorganization, elimination, or curtailment.

In all cases, faculty members affected shall be able to complete the semester in which notice is given.

##### ***4.8.5.5.2 Layoff of Continuous Appointment/Tenure Faculty***

If the College determines to terminate the appointment of a notice faculty member pursuant to Section 4.8.5, notice to a particular continuous appointment/tenured faculty member shall be given, to the extent feasible, in accordance with the following guidelines:

In the case of financial exigency or enrollment emergency, where short notices and effective action are necessary, all tenured faculty/continuous appointment faculty shall receive one year's notice from the date of officially receiving the decision of the Board of Trustees;

In the case of discontinuation of a curricular requirement or an academic program in whole, all continuous appointment and tenured faculty shall receive two year's notice from the date of officially receiving the decision of the Board of Trustees.

Tenured/continuous appointment faculty who have been laid off shall be offered non-teaching positions at the College if there are openings for which they are qualified; and

The College shall attempt to, and document efforts to, assist displaced tenured/continuous appointment faculty to find employment in industry, government, or in other educational institutions.

#### **4.8.5.6 Content of Notice**

The notice shall specify the cause of the termination, provide a summary description of the facts relied on by the College and reference the faculty member's right to a hearing before the Faculty Hearing Committee. Notice shall be sufficient if placed in Registered Mail postage prepaid and addressed to the faculty member at the last address provided by the faculty member to the Human Resources Office. It shall be the duty of the faculty member to keep the College informed of the faculty member's current address.

#### **4.8.5.7 Transfer Eligibility**

Faculty members whose appointments are terminated or whose workloads, as defined by the *Faculty Handbook/Volume IV* are reduced, shall be eligible to transfer to any other vacant position at the College for which the faculty member is qualified. The faculty member is subject to the terms and conditions of employment attendant to that position. A faculty member's qualification for a formally advertised position shall be reviewed by the VPAA, based on the job description for the position, after consultation with the Department Chair or academic unit head and applicable College or School Dean (if a faculty appointment) or other administrative offices.

A faculty member who exercises the rights accorded under this Paragraph 4.8.5.7, and who is determined by the VPAA to be qualified, shall be eligible for the position over any other applicant except another faculty member exercising eligibility accorded under this paragraph who is also qualified and has greater length of service with the College. Length of service shall be equivalent to the years of service credited to the faculty member by the VPAA.

#### **4.8.5.8 Re-employment**

If a ranked faculty member is to be laid off for reasons described in this Subsection 4.8.5, the place of the faculty member concerned shall not be filled by a replacement unless the released faculty member has been offered reappointment under conditions, compensation, and benefits comparable to those held at the time of layoff. A faculty member who is laid off shall be offered re-employment in the same or similar position, including compensation and benefits accorded the faculty member at the time of layoff, provided that the faculty member is qualified by fitness and ability. Such an offer shall be sent by Registered Mail, postage prepaid, and addressed to the faculty member at the last address provided by the faculty member to the Human Resources Office. The faculty member must accept the offer within fifteen calendar days after it is received or the College may revoke the offer.

#### **4.8.5.9 Appeals on Layoff**

If the administration issues notice to a particular faculty member of an intention to terminate the appointment because of the reasons discussed in Paragraphs 4.8.5.1, 4.8.5.2, and 4.8.5.3, the faculty member shall have the right to a full hearing pursuant to the grievance procedures set forth in Subparagraph 4.8.6.2.2. The issues in the hearing may include:

1. The existence and extent of the condition of financial exigency. (The burden rests on the administration to prove the existence and extent of the condition. Previous findings of the hearing committee involving the same issue may be introduced.)
2. The validity of the educational judgments and the criteria for academic program discontinuance. (The recommendations of the appropriate School/College Curriculum Committee on these matters shall be considered presumptively valid.)
3. Whether the criteria are being properly applied in this individual case.

#### **4.8.5.10 Terminal Salary on Layoff**

If the appointment is terminated due to layoff, the faculty member shall receive either the notice provision in Paragraph 4.8.5.3 and Subparagraph 4.8.5.5.2 OR salary in accordance with the following schedule:

1. For at least three months if the final decision is reached three months prior to the expiration of the first year of service.
2. For at least six months if the decision is reached after nine months but prior to eighteen months of service.
3. For at least one year, if the decision is reached after eighteen months of service or if the faculty member has tenure or continuous appointment.

This provision for salary need not apply in the event that there has been a finding that the conduct which justified dismissal involved unprofessional conduct, including but not limited to the conduct outlined in Paragraph 4.8.6.1.

The VPAA or the President, after discussion with the Faculty Hearing Committee, may take into account the length and quality of service of the faculty member in determining what, if any, payments shall be made beyond the effective date of dismissal.

#### **4.8.6 Dismissal for Cause, Suspension and Other Sanctions**

Dismissal for cause is a severance action by which Medaille College terminates its contract with the faculty member for adequate cause subject to procedures in Paragraph 4.8.6.2. Any faculty contract is subject to action under this subsection. Dismissal for cause must be directly and substantially related to the fitness of a faculty member to continue in the faculty member's professional capacity. Dismissal shall not be used to restrain a faculty member's academic freedom.

Nothing in Volume IV – Faculty Handbook is relevant in the case of dismissal, suspension and/or other sanctions against a faculty member arising out of a violation of Title VII and/or Title IX. The investigation and resolution of Title VII and/or Title IX complaints against a faculty member,



including the actions of dismissal, suspension and/or other sanctions are the purview of Volume II §2.4.

#### **4.8.6.1 Grounds for Dismissal**

Termination of a continuous appointment or tenured faculty member for cause or termination for cause prior to the expiration of a tenured or non-tenured faculty member's appointment may be effected by the institution only for adequate cause.

Dismissal proceedings for adequate cause may be instituted on the following grounds:

1. Professional incompetence;
2. Continued neglect of academic duties, in spite of oral and written warnings;
3. Serious personal misconduct, including harassment;
4. Deliberate and serious violation of the rights and freedom of fellow faculty members, administrators, or students.
5. Serious failure to follow the code of ethics of one's particular academic discipline or sub-discipline;
6. Conviction of a crime directly related to faculty member's fitness to practice the faculty member's profession;
7. Serious failure to follow the professional ethics of the academic discipline;
8. Falsification of credentials and experience;
9. Failure, after oral and written warnings, to follow standards set forth in this *Faculty Handbook/Volume IV of the Medaille College Policy Manual*.

#### **4.8.6.2 Procedures for Dismissal for Cause**

##### **4.8.6.2.1 Preliminary Procedures**

Dismissal of a faculty member with tenure or continuous appointment or with a notice or term appointment before the end of the specified term, shall be preceded by:

1. Written notice to the faculty member from the VPAA. This notice shall contain a written statement of the grounds upon which the recommendation is to be made, and a brief summary of information supporting such grounds;
2. A demonstrable opportunity for the faculty member to meet with the VPAA to present the faculty member's defense concerning the dismissal recommendation, before a recommendation to the President is made; and
3. A recommendation from the VPAA to the President that dismissal or other sanction should be considered in the case of the individual faculty member.

##### **4.8.6.2.2 Hearing Committee Procedures**

When the President determines, based on the preliminary procedures that there may be sufficient grounds for dismissal of a faculty member, he or she shall convene Faculty Hearing

Committee, which shall review the case and make a recommendation to the President in accordance with the procedures outlined below.

The Hearing Committee shall be a faculty committee elected at the beginning of the academic year with terms normally set for one full year; however, once assigned to a case, that Committee shall continue until the case is resolved. The Hearing Committee shall be comprised of five elected faculty members and four alternates, all of whom shall be tenured faculty members. Members shall recuse themselves due to a conflict of interest either on the request of a party or on their own initiative. Each party shall have a maximum of two challenges without stated cause.

1. Pending a recommendation by the Hearing Committee, the faculty member shall be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to the faculty member or others is threatened by continuance. Before suspending a faculty member, pending an ultimate determination of the faculty member's status through the institution's hearing procedures, the administration shall consult with the Faculty Council concerning the propriety, the length, and the other conditions of the suspension. A suspension which is intended to be final is a dismissal and shall be treated as such. Salary shall continue during the period of the suspension.
2. The Hearing Committee may, with the consent of the parties concerned, hold joint pre-hearing meetings with the parties in order to (i) simplify the issues, (ii) effect stipulations of facts, (iii) provide for the exchange of documentary or other information, and (iv) achieve such other appropriate pre-hearing objectives as shall make the hearing fair, effective, and expeditious.
3. Service of the notice of hearing with specific charges in writing shall be made at least twenty calendar days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause, the Hearing Committee shall evaluate all available evidence and rest its recommendation upon the evidence in the record.
4. The hearings shall be private.
5. During the proceedings, the faculty member and administrator shall be permitted to have an advisor. The advisor shall only address the Hearing Committee with the permission of the Committee's chair.
6. A verbatim record of the hearing or hearings shall be taken and a typewritten copy shall be made available to the faculty member without cost, at the faculty member's request.
7. The burden of proof that adequate cause exists rests with the institution and shall be satisfied only by a preponderance of evidence in the record considered as a whole.
8. The Hearing Committee shall grant adjournments to enable either party to investigate evidence based upon which a valid claim of surprise is made, within a reasonable time frame and given the facts and circumstances then existing.

9. The faculty member shall be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration shall cooperate with the Hearing Committee in securing witnesses and making available documentary and other evidence.
10. The faculty member and the administration shall have the right to confront and cross-examine all witnesses. Where the witnesses cannot or shall not appear, but the Committee determines that the interests of justice require admission of their statements, the Committee shall identify the witnesses and disclose their statements.
11. The Hearing Committee shall not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in determining the issues involved.
12. The findings of fact and recommendation of the Hearing Committee shall be based on the record of the case. The Committee's recommendation shall be communicated in writing to the President within thirty calendar days of the conclusion of the hearing.
13. The Hearing Committee's deliberations and records shall remain confidential.
14. If the Hearing Committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it shall so report to the President. If the Hearing Committee concludes that adequate cause for dismissal has been established, but that an academic penalty less than dismissal would be more appropriate, it shall so recommend, with supporting reasons. If the Hearing Committee concludes that adequate cause for dismissal has been established, it shall so recommend to the President with supporting reasons.

#### ***4.8.6.2.3 Action by the President and Board of Trustees***

Within thirty days of receipt of the Hearing Committee's recommendation, the President shall determine whether action is required in the form of dismissal or other sanction as outlined in Paragraph 4.8.6.3. If the President rejects the Committee's recommendation, the President shall state the reasons for doing so in writing to the Hearing Committee and to the faculty member. If the President's final decision is dismissal, he or she shall transmit to the Board of Trustees the record of the case including all transcripts and communications. The Board of Trustees shall review the President's recommendation and determine whether the decision is arbitrary and capricious, based on the Hearing Committee's record. Should the Board of Trustees determine that the President's decision is arbitrary and capricious, it shall request a new determination from the President, based on the Board of Trustees' recommendations. The Board of Trustees' decision is final.

#### **4.8.6.3 Procedures for Imposition of Sanctions Other than Dismissal**

##### ***4.8.6.3.1 Severe Sanctions***

If the administration believes that the conduct of a faculty member, although not constituting adequate cause for dismissal, is sufficiently grave to justify imposition of a severe sanction, the administration may institute a proceeding to impose such a severe sanction. The proceeding to

be followed shall be the same as that which governs dismissal for cause as set forth in Subparagraph 4.8.6.2.2.

#### **4.8.6.3.2 *Minor Sanctions***

If the administration believes that the conduct of a faculty member justifies imposition of a minor sanction, it shall notify the faculty member of the basis of the proposed sanction and provide the faculty member with an opportunity to persuade the administration that the proposed sanction should not be imposed.

#### **4.8.6.3.3 *Appeal***

A faculty member who believes that a sanction has been too severe or incorrectly imposed under this Paragraph 4.8.6.3, may petition the Faculty Grievance Committee under Section 4.13 for such action as may be appropriate only in the limited matter regarding the imposition of sanctions.

### **4.9 Professional Development**

#### **4.9.1 *Professional Faculty Development***

Professional faculty development is defined as the activities that enhance ongoing and collegial career growth. Medaille College is committed to establishing and maintaining an environment that fosters this professional development of the faculty member, focusing on the faculty member as a teacher, a scholar, a professional, and as an actively engaged citizen of the community.

The development of professional excellence by the faculty member is beneficial to the faculty member, the students, and the College. Within this definition of professional development, the faculty member is encouraged to continue to develop teaching and learning, to contribute to one's profession, and to collaborate, in the spirit of collegiality, with other faculty members and the community.

Through the Faculty Development Committee, the faculty and the College provide funds and other resources, including course release time, for travel, scholarship, professional activities, and the preparation for promotion and tenure.

Faculty development, therefore, involves the acquisition of knowledge and/or the development of skills related to the faculty member's professional responsibilities to Medaille College.

#### **4.9.2 *Sabbatical Leave***

##### **4.9.2.1 Purpose**

A sabbatical is a paid leave of absence designed to provide the opportunity for continued professional development and new or renewed intellectual achievement through academically-oriented study, research, writing, creative projects, or travel. The professional development and/or academically-oriented study may or may not be toward a degree.

#### **4.9.2.2 Duration**

A sabbatical may be requested for two consecutive semesters at half pay or one semester at full pay.

#### **4.9.2.3 Eligibility**

Any tenured full-time faculty member or clinical faculty member or professor of the practice with six years of either tenured or non-tenured service to Medaille may request a sabbatical. Leaves with or without pay are not to be counted as time toward a sabbatical. A faculty member is eligible for a sabbatical leave every seven years.

#### **4.9.2.4 Sabbatical Provisions**

The faculty member has an obligation to return to employment with the College for a period of not less than one calendar year immediately following the expiration of the faculty member's sabbatical leave, unless other arrangements are mutually agreed upon. The precise terms of the sabbatical shall be in writing and shall be given to the faculty member prior to the commencement of the sabbatical.

A sabbatical shall not be considered a termination or breach of the faculty member's appointment agreement. The faculty member on sabbatical leave shall be returned to the same position, rank, tenure, and seniority.

Every faculty member on sabbatical shall retain the right to all fringe benefits specified in *Campus Community Policies/Volume II* and *General Institutional Employment Policies/Volume III*, Section 3.3 (Employee Benefits).

A faculty member on sabbatical may receive a grant for further study, research, and travel from institutions of learning or organizations other than the College.

#### **4.9.2.5 Sabbatical Leave Process**

The Sabbatical Leave Committee shall evaluate the applications for sabbatical leave according to the application and award processes described below. The Committee shall make a recommendation to the VPAA.

##### ***4.9.2.5.1 Process and Criteria for Sabbatical Leave***

Applicants must provide evidence that the sabbatical leave will provide ongoing professional development and/or opportunities to pursue scholarship as described in Paragraph 4.5.3.3. The applicant therefore shall submit, in writing, a proposal that details the purposes and nature of the project and specifies the resources needed to develop and complete such project. The proposal shall be accompanied by a recommendation from the Department Chair, academic unit head, or Division Head/Dean, reflecting their judgment of the appropriateness and value of the project as well as identifying the resources required to replace the faculty member for the sabbatical period in question.

Proposals will be evaluated according to the following criteria:

1. Contribution of the project to the applicant's professional development and/or Medaille College;
2. Clarity of the proposal;
3. Evidence to support the applicant's claims;
4. Service of the applicant to the College.

#### **4.9.2.5.2 Sabbatical Leave Award Process**

The Sabbatical Leave Committee shall invite applications from eligible faculty on or before April 15 each year. Applications must be submitted to the Office of Academic Affairs or before September 15 of the academic year prior to the intended leave.

On or before October 1, the VPAA shall forward all sabbatical applications to the Sabbatical Leave Committee. Following its review and recommendations, the Committee shall, on or before December 1, forward to the VPAA a full list of applicants, together with its recommendations, commentary, or priorities. The Committee's recommendations, commentary, or priorities shall be in writing and specifically shall address the evaluation criteria in Subparagraph 4.9.2.5.1. The Committee is entitled to recommend to the VPAA that no applicant has met such criteria.

Taking into account the Chair, academic unit head, or Division Head/Dean's report on resources required to replace the faculty member for the sabbatical period in question, the VPAA shall determine which faculty member(s) are to be awarded a sabbatical, if any, and shall notify each applicant in writing of the action taken on his or her application. Such written decision shall specifically address the criteria for sabbatical leave in Paragraph 4.9.2.5, and the VPAA shall deliver such written decision to each applicant on or before January 15 for the following academic year.

In any case in which the VPAA decides against the majority vote of the Sabbatical Leave Committee, the VPAA shall submit in writing the justification for this decision, and shall discuss this decision with the Sabbatical Leave Committee prior to announcing Sabbatical Leave award(s).

On or before June 15 (for sabbaticals ending in the Spring semester) or February 15 (for sabbaticals ending in the Fall semester), the VPAA shall require a report that summarizes the sabbatical leave from the faculty member. In addition, the sabbatical recipient shall make available a copy of such summary report to the Sabbatical Leave Committee.

#### **4.9.2.6 Grieving Sabbatical Decisions**

An applicant shall have the right to grieve a sabbatical decision with respect to failure of the Committee or the VPAA to observe the processes set forth above or in so far as other provisions of the *Faculty Handbook/Volume IV* allegedly have been violated (Section 4.13).

#### **4.9.2.7 Resubmission of Sabbatical Proposal**

A faculty member may resubmit a sabbatical proposal without prejudice.

#### **4.9.3 *The Dr. Brian R. Shero Teaching Excellence and Campus Leadership Award***

Medaille College recognizes the importance of faculty members who contribute excellent service to the College, as well as to its students, and rewards faculty members who make such contributions. The policies and processes that govern the Dr. Brian R. Shero Teaching Excellence and Campus Leadership Award are contained in Appendix 4.9.3.

#### **4.9.4 *Professional Conferences and Meetings***

The College urges its faculty to hold membership in appropriate professional societies. The College shall give full reimbursement (for transportation by air, train, bus, or, in the case of an automobile, at the IRS deduction rate per mile; for a registration fee where applicable; and for food and lodging) to faculty members who:

1. Represent the College officially at the explicit request of the President or the VPAA;
2. Are assigned by the President or the VPAA to attend a professional meeting, convocation, seminar, or general meeting outside the College.

Full-time faculty members who attend or participate in regularly scheduled meetings of appropriate professional societies and associations may request full or partial reimbursement for projected expenses. This request shall be made to the VPAA with the recommendation of the immediate supervisor or Department Chair, academic unit head, or Division Head/Dean. To receive approved reimbursements, the faculty member shall furnish the business office with receipts. Further information can be found in Appendix 4.9.4, the guidelines for the Faculty Development Committee.

### **4.10 Faculty Working Conditions**

#### **4.10.1 *Faculty Workload***

##### **4.10.1.1 Teaching Workload**

A standard undergraduate full-time teaching load is ordinarily 24 credit hours per academic year. . Exceptions in course load and course load distribution require the approval of the Department Chair, academic unit head, or Division Head/Dean, and the VPAA. All additional hours shall be compensated according to the guidelines for overload pay established by the College in consultation with the Faculty Compensation Committee. Full-time faculty may vary their course load during the academic year by teaching up to fifteen credits in one semester and as few as nine credits in the next.

No full-time teaching faculty member shall be required to teach an overload unless, in extraordinary circumstances and on a short-term basis, the appropriate College or School Dean or the VPAA communicates to the appropriate Department Chair or academic unit head, and the faculty member, in writing, the reasons for the temporary overload assignment. The supervisor and the full-time faculty member then shall be given sufficient time to respond and either accept or decline the assignment without threat to the full-time teaching faculty member's status, rank, reappointment, promotion, or tenure.

Faculty members who teach a combination of graduate and undergraduate courses in any given semester may be eligible for additional compensation according to the guidelines for overload pay established by the College in consultation with the Faculty Compensation Committee.

#### **4.10.1.2 Non-Teaching Workload**

A full-time teaching faculty member's non-instructional workload includes academic mentoring/advising, scholarship (where applicable), faculty assembly meetings, committee service, and other required activities as described in Section 4.5.

### **4.10.2 Outside Activities**

#### **4.10.2.1 Outside Employment**

Faculty are encouraged to participate in professional activities that contribute toward satisfactory annual and periodic reviews, and the College recognizes the value to the College when a faculty member elects to be recognized as an employee of the College while participating in these activities. It is expected that such activities, including outside employment, will not interfere with the faculty member's rights and responsibilities and will not constitute a conflict of interest. The first responsibility of full-time faculty members is to their responsibilities and duties at Medaille College. Except for visiting appointments while on leave from Medaille College, faculty members may not hold full-time faculty appointments at other institutions of higher learning.

#### **4.10.2.2 Political Activities**

Faculty members, as citizens, are free to engage in political activities. Any member of the faculty who wishes to engage in direct political activities (e.g., holding or running for political office, managing a campaign, directing group action on behalf of a political candidate or issue) that will involve a substantial amount of time away from the performance of College responsibilities is expected to work out a mutual agreement for leave of absence, as set forth in Subparagraph 4.11.2.2.2, with the VPAA before undertaking such activity. The terms of such leave of absence shall be set forth in writing.

### **4.10.3 Plagiarism**

Plagiarism is not limited to the academic community, but also includes taking over the ideas, methods, or written words of another individual, including those of students, without acknowledgement and with the intention that they be taken as the work of the deceiver. Plagiarizing the work of another, particularly the work of one's students, is the antithesis of the honest labor that characterizes true scholarship and without which mutual trust and respect among scholars is impossible.

Accordingly, every faculty member scrupulously should recognize all intellectual debts, be they in the form of ideas, methods, or expressions, by means of an appropriate form of communication and acknowledgment. Any discovery of suspected plagiarism shall be reported to the appropriate Department Chair or academic unit head and College or School Dean, who will bring the matter to the attention of the affected parties, the VPAA, and, as appropriate, to



the community at large – typically through reviews in or communications to relevant scholarly journals.

Scholars must make clear the respective contributions of colleagues on a collaborative project, and professors who have the guidance of students as part of their responsibility must exercise the greatest care not to appropriate a student's ideas, research, or presentation to the professor's benefit; to do so is an abuse of power and trust.

#### **4.10.4 Discrimination and Harassment**

Faculty members affirm that sexual and any other form of discrimination or harassment are unacceptable and shall not be tolerated. (Faculty, like other members of the Medaille community, are subject to the Institutional Policy on Discrimination and Harassment, Subsection 2.4, of the *Campus Community Policies/Volume II of the Medaille College Policy Manual*.)

### **4.11 Faculty Compensation and Leave Policies**

#### **4.11.1 Faculty Compensation**

##### **4.11.1.1 Salary**

The faculty, through its Faculty Compensation Committee, shall be a participant in discussions with the President and/or the VPAA on matters regarding faculty salaries and benefits. The Faculty Compensation Committee shall recommend guidelines for the compensation of faculty members for overloads and teaching graduate courses.

##### **4.11.1.2 Faculty Benefits**

Benefits that pertain to all College employees can be found in *General Institutional Employment Policies/Volume III of the Medaille College Policy Manual*.

#### **4.11.2 Leaves of Absences (Excluding Sabbatical)**

##### **4.11.2.1 Educational Leaves Without Pay**

###### **4.11.2.1.1 Purpose**

An educational leave without pay may be used to provide the opportunity for ongoing professional development, and new or renewed intellectual achievement, through academically-oriented study, research, writing, or travel. Such ongoing professional development and academically-orientated study may or may not lead to an academic degree.

###### **4.11.2.1.2 Duration**

An educational leave may be requested for up one year without pay.

#### **4.11.2.1.3 Eligibility**

After three years of consecutive full-time service, a faculty member may request up to one year leave without pay for purposes of good cause. This leave shall be without loss of position, rank, tenure, or seniority and will not prejudice the faculty member's subsequent salary or benefits.

#### **4.11.2.1.4 Educational Leaves Provisions**

The faculty member has an obligation to return to employment with the College for a period of not less than one calendar year immediately following the expiration of the faculty member's educational leave unless other arrangements are mutually agreed upon. The precise terms of the educational leave shall be in writing and shall be provided to the faculty member prior to the commencement of the leave.

An educational leave without pay shall not be considered a termination or breach of the faculty member's appointment agreement. The faculty member on educational leave shall be returned to the same position, rank, tenure, and seniority. If the leave is for a full academic year, it shall not count toward the tenure track period, as described in Subsection 4.7.2, except when mutually agreed to in writing by the faculty member and the VPAA. Leaves of less than a full academic year will count toward the tenure track period.

A faculty member on educational leave without pay has the option to make arrangements with the Human Resources Office for continuation of all fringe benefits at the faculty member's expense during the leave.

A faculty member on educational leave may receive a grant for further study, research, and travel from institutions of learning or organizations other than the College.

#### **4.11.2.1.5 Educational Leave Process**

The faculty member's Chair, academic unit head, or Division Head/Dean shall evaluate the applications for educational leave according to the application and award processes located in Appendix 4.11.2.1. The Chair, academic unit head, or Division Head/Dean shall make a recommendation to the VPAA, who is ultimately responsible for awarding an educational leave.

#### **4.11.2.1.6 Grieving Educational Leave Decisions**

An applicant shall have the right to grieve an educational leave decision, with respect to the failure of the VPAA to observe the processes set forth above, or in so far as other provisions of *Faculty Handbook/Volume IV* allegedly have been violated (Section 4.13).

#### **4.11.2.1.7 Resubmission of Educational Leave Proposal**

A faculty member may resubmit an educational leave proposal without prejudice.

### **4.11.2.2 Leave with Pay**

#### **4.11.2.2.1 Short Absences with Pay**

Short absences for personal business, illness, jury duty, military duty, and similar limited absences shall normally be granted with full salary. When requesting periods of time off, the

faculty member is expected to take his or her academic responsibilities into consideration. Requests for paid absence shall be submitted to the Department Chair as soon as possible prior to being scheduled. Absences of longer than one week require approval by the VPAA, since these may affect class, laboratory, or other teaching responsibilities.

See *General Institutional Employment Policies/Volume III*, Paragraph 3.3.2.1, for additional information regarding leaves with pay.

#### ***4.11.2.2 Leaves of Personal Necessity***

A leave of absence granted for extraordinary or pressing personal reasons, not otherwise provided for, is at the discretion of the VPAA. Such leaves are usually for one semester. Arrangements to cover teaching and other responsibilities should be discussed with the Department Chair, academic unit head, or Division Head/Dean. In such cases, every effort will be made to ensure that the faculty member's needs are treated in a humane, supportive, and understanding manner.

Leaves of a semester or longer may result in a corresponding delay in the tenure decision and will not count in determining length of service for other purposes. Any impact that the leave may have on the length tenure track period shall be communicated to the faculty member in writing when the leave is approved.

### **4.12 Faculty and Academic Governance**

#### ***4.12.1 Faculty and Academic Governance General Statement***

Medaille College, its Board of Trustees, administration, and faculty are committed to a model of shared governance in higher education.

Two crucial components of shared governance at the College include faculty governance and academic governance. Although the two necessarily overlap, faculty governance (Subsections 4.12.2 – 4.12.4) primarily involves faculty interest in and administration of faculty benefits and compensation, reappointment, evaluation, promotion, and tenure, while academic governance (Paragraph 4.12.4.3) primarily involves assessment of student outcomes, as well as assessment and administration of academic programs, departments, curricula, and services on a College-wide basis.

The faculty has paramount responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, the creation, modification, or deletion of departments and programs, faculty selection decisions, and those aspects of student life that relate to the educational process. On these matters, the power of review or final decision lodged in the Board of Trustees, or delegated by it to the President, shall be exercised adversely only in exceptional circumstances and for reasons communicated to the faculty in writing.

Committees and councils for faculty participation in the shared governance of Medaille College shall be established at each level where faculty have responsibilities. A Faculty Assembly shall exist for the presentation of views of the whole faculty. Faculty Council is the executive body of

the Faculty Assembly and shall be responsible for the presentation of the views of the Faculty Assembly.

Communication is important to the philosophy of shared governance. The means of communication between the faculty and administration include:

1. Circulation of memoranda, reports, and minutes;
2. Faculty representation on appointed committees, councils, and task forces formed by the administration;
3. Faculty representation on appropriate committees of the Board of Trustees;
4. Periodic joint meetings of the faculty and administration.

#### **4.12.2 Conduct of the Faculty Business**

The business of the faculty as a whole is conducted in regularly scheduled meetings of the Faculty Assembly for which attendance is required. The Chair of the Faculty Council or designee presides over the meetings of the Faculty Assembly. The meetings shall be conducted according to *Robert's Rules of Order*, and an elected parliamentarian is the final arbiter when there is doubt or conflicting opinion about the application of Robert's Rules.

Faculty Council shall select a member of the Council to serve as sergeant-at-arms. This individual shall maintain order and proper decorum during general meetings of the Faculty Assembly.

Faculty Council shall also select a member of the Council to serve as secretary. This individual shall record and distribute minutes and perform other duties as determined by the Faculty Council.

The purpose of the Faculty Assembly meetings shall include the following:

1. Criteria for selection, reappointment, promotion, tenure, sabbatical, dismissal, and retirement;
2. Criteria for evaluation of faculty members;
3. At the discretion of Faculty Council, review and discussion of findings of the standing and elected faculty committees as listed in Subsection 4.12.4;
4. To be apprised in advance of and given a consultative voice in such major decisions of the administration as would directly affect:
  - a. The mission of Medaille College;
  - b. Conditions of teaching and learning within Medaille College;
  - c. Search, selection, and evaluation of academic administrators;
5. Further, to concern itself with:
  - a. The general welfare of the faculty and their professional security;
  - b. Relationships between faculty members and groups that comprise the Medaille College community;

- c. The right of the faculty to a voice when its members wish to speak to matters of common concern;
- d. The quality and nature of student development and academic services.

#### ***4.12.3 Meetings of the Faculty Assembly***

The Faculty Assembly shall have a maximum of three regularly scheduled meetings during each semester of the academic year. The process for calling meetings and setting the agenda is as follows:

The Faculty Assembly is held in accordance with a schedule established in advance by the Faculty Council for the whole year. Special meetings are called by the Chair or the VPAA when judged by them as necessary, or when written request for a special meeting has been submitted to the Faculty Council Secretary by one third of the full-time teaching faculty. (Notices of such special meetings shall be furnished to members of the faculty 48 hours in advance.)

The agenda and minutes of any previous Faculty Assembly shall be distributed electronically by the Secretary to all members one week prior to the next regularly scheduled meeting of the Faculty Assembly.

The Faculty Council Chair shall prepare the agenda, but any member of the faculty may present at any meeting (under new business) any matter within the jurisdiction of the faculty for discussion and, if appropriate, for vote at a future Faculty Assembly.

The order of business for the Faculty Assembly shall be:

1. Approval of the minutes of the previous meeting;
2. Discussion of old business;
3. New business.

One half of the full-time voting membership plus one, exclusive of members on leave or on sabbatical, shall constitute a quorum.

On committee recommendations to be sent to the administration, a simple majority vote of the Faculty Assembly present and voting is required.

Upon receipt of items from the administration, the Faculty Assembly shall submit their recommendations within 30 calendar days.

From time to time the Faculty Council may invite members of the administration or others to report or respond to the faculty on issues of common interest or concern. Such attendance entitles the guest with the right to speak when recognized by the Chair.

#### ***4.12.4 Faculty Committees***

In the spirit of shared governance, faculty shall participate in the governance of Medaille College through faculty committees in those areas where faculty rights and responsibilities are involved.

The structure and processes for faculty participation shall be designed and approved by joint action of the faculty and administration. Faculty representatives shall be selected by the faculty according to processes determined by the faculty:

1. Newly formed Elected and Standing Committees shall convene immediately after the elections to select a Chair and reserve meeting times for the rest of the present semester. The name of the Chair shall be forwarded to the Faculty Council;
2. Each Elected and Standing Committee shall maintain written minutes of their deliberations and shall list all those in attendance and those absent;
3. Each Committee's written minutes shall be stored electronically on the Library server. However, Committees that require confidentiality, such as Promotion and Tenure, Grievance, and Hearing, shall maintain their minutes in a place and manner to be determined.

No member of the full-time faculty during their first year of appointment at Medaille College shall be required to serve on an Elected or Standing Committee.

#### **4.12.4.1 Elected Faculty Committees**

Faculty Council, Promotion and Tenure Committee, Grievance Committee, Hearing Committee, Faculty Compensation Committee, Faculty Development Committee, Sabbatical Leave Committee, and the Academic Quality Program Committee shall be elected by and from the full-time faculty at the beginning of each academic year. A quorum shall consist of fifty percent plus one of the number of full-time faculty. The vote required for election is a simple majority of valid votes cast at the meeting called for this purpose; abstentions are not counted. The Faculty Council Chair or designee shall call and conduct these elections.

##### ***4.12.4.1.1 Election Processes for Elected Faculty Committees***

All Elected Committees shall operate according to the following processes:

1. Voting to fill vacancies on the elected committees shall take place at the first duly called Faculty Assembly meeting of the fall semester. Faculty Council shall distribute to the faculty a list of the Elected Committees. This list shall include those full-time teaching faculty who will continue to serve on the Elected Committees and the open slots on those Committees that must be filled;
2. Faculty Council shall facilitate a presentation of the function and agenda of each Elected Committee, as well as a brief report of each Committee's activities during the previous year;
3. Nominations from the floor for the Elected Committees shall be taken if a motion to do so receives a majority vote of the faculty present. The final slate of candidates for all the Elected Committees shall be established at this time;
4. Prior to voting, all nominees shall have a brief opportunity to present their views on Committee-related issues;

5. All vacancies on one Elected Committee shall be filled before voting on another Committee begins. When appropriate, voting for positions on the Elected Committees shall begin with those vacancies requiring tenured faculty;
6. Nomination shall be for one vacancy on a Committee; one vote per faculty member shall be cast for one nominee. The nominee who receives a majority of votes cast shall be elected to the Committee;
7. Nominees for one vacancy on a Committee may request that their name be in nomination for another vacancy on the same Committee.

**4.12.4.1.2 Filling Mid-Term Vacancies on Elected Committees**

Should a vacancy occur in any of the Elected Committees, the Chair shall notify Faculty Council in writing. Such vacancies shall be filled through an ad-hoc election conducted by the Faculty Council within 30 calendar days after the Faculty Council has been notified, with the following exception: no vacancies will be filled between June 15 and August 15.

**4.12.4.1.3 Faculty Council**

Composition	Seven members from the full-time faculty; may be tenured or non-tenured.
Terms of Office	Three-year terms.  When a position becomes vacant, a replacement shall be elected for the duration of the term.
Duties	To represent the interests of the faculty;  To establish an annual schedule of the Faculty Assembly;  To publish, in a timely manner, an agenda for the Faculty Assembly. Items may be placed on the agenda by the Faculty Council Chair, the President, the VPAA, and by Committee Chairs. Items may also be put on the agenda by faculty members from the floor at a Faculty Assembly;  To represent the faculty at meetings with the President, the Cabinet, or the Board of Trustees;  To call special meetings of the Faculty Assembly;  To conduct the business of the Faculty Assembly in a timely and efficient manner;  To receive petitions and conduct Faculty Assembly votes on proposed changes to the <i>Faculty Handbook/Volume IV</i> , in accordance with the provisions in Section 4.14;

#### **4.12.4.1.4 Promotion and Tenure Committee**

Composition	<p>Voting members:</p> <p>Five tenured members of the full-time faculty, one full-time Clinical Professor, at the rank of Associate or higher, and one full-time Professor of Practice, at the rank of Associate or higher, and two tenured alternates.</p> <p>No faculty member may serve on the Promotion and Tenure Committee, the Grievance Committee, or the Hearing Committee at the same time.</p> <p>The full-time Clinical Associate or full Professor will participate and vote only on promotion cases and appointment renewals for clinical or professor of practice faculty.</p> <p>The full-time Associate or full Professor of the Practice will participate and vote only on promotion cases and appointment renewals for clinical or professor of practice faculty.</p> <p>Non-voting member: Vice President for Academic Affairs</p>
Terms of Office	<p>Three-year terms for the five members and two auxiliary members.</p> <p>Alternates are elected to one-year terms.</p> <p>When a position becomes vacant, a replacement shall be elected for the duration of the term.</p>
Duties	<p>To review and make recommendations on reappointment, promotion, and tenure to the Vice President for Academic Affairs in accordance with Section 4.6 and Section 4.7.</p>

#### **4.12.4.1.5 Grievance Committee**

Composition	<p>Five members, at least three must be tenured, and two alternates who may be tenured or non-tenured.</p> <p>If a grievance is filed by a tenured faculty member and includes sanctions or possible dismissal, only tenured faculty may hear the grievance.</p> <p>No faculty member may serve on the Promotion and Tenure Committee, the Grievance Committee, or the Hearing Committee at the same time.</p>
Terms of Office	<p>Three-year terms.</p> <p>Alternates are elected to one-year terms.</p> <p>When a position becomes vacant, a replacement shall be elected for the</p>



duration of the term.

Duties To maintain standard and uniform grievance procedures, and to hear grievances, in accordance with Section 4.13.

**4.12.4.1.6 Hearing Committee**

Composition Five tenured members of the full-time faculty, in accordance with Subparagraph 4.8.6.2.2, and two tenured alternates also chosen from the full-time faculty.

No faculty member may serve on the Promotion and Tenure Committee, the Grievance Committee, or the Hearing Committee at the same time.

Terms of Office All members of the Hearing Committee shall serve one-year terms.  
If a member of the Committee serves on a case that extends beyond the expiration of the term of office, that member shall remain active on that case until the case is resolved.

Vacancies shall be filled only for the duration of the term.

Duties To hear cases in which a faculty member contests termination proceedings that have been brought against the faculty member;  
To maintain a verbatim record of hearings;  
To call expert witnesses when appropriate to provide testimony at hearings;  
To make conclusions of fact and report their conclusions to the President. (See Subparagraph 4.8.6.2.2.)

**4.12.4.1.7 Faculty Budget Committee**

Composition Five members.  
One member must hold the rank of Full Professor.  
One member must hold the rank of Associate Professor.  
One member must hold the rank of Clinical Associate Professor or Associate Professor of Practice.  
One member must hold the rank of tenure-track Assistant Professor.  
At least one member must hold the rank of Clinical Professor or Professor of Practice.  
Representation of faculty from a variety of Departments and Programs is recommended.

Terms of Office	Three year staggered terms. When a position becomes vacant, a replacement shall be elected for the duration of the term
Duties	To attend regular Budget Meetings called by the President. To review both short-term and long-term budget data. To review and make recommendations, when appropriate, on all matters concerning the revenues and expenses of the College budget. To represent the interests of full-time and part-time faculty and to actively participate in the budgetary decision-making process. To report to the Faculty Assembly before the budget is presented to the Board of Trustees.

**4.12.4.1.8 Sabbatical Leave Committee**

Composition	Five tenured or non-tenured members of the full-time faculty.
Terms of Office	Three-year terms. When a position becomes vacant, a replacement shall be elected for the duration of the term.
Duties	To invite and review applications for sabbatical leave and to make recommendations for sabbaticals to the VPAA in accordance with Subsection 4.9.2.

**4.12.4.1.9 Faculty Development Committee**

Composition	Elected members: Nine tenured or non-tenured members of the full-time faculty, elected so as to comprise a variety of academic programs. Selected member: One adjunct faculty member. Appointed member: Director of the Library or designee. Non-voting member: VPAA or designee.
Terms of Office	Three-year terms. When a position becomes vacant, a replacement shall be elected for the duration of the term.

Duties To recommend policies and processes on faculty growth in teaching, learning, and scholarship;  
To recommend allocations for travel, conferences, course release time, and other professional development activities.

#### **4.12.4.1.10 Academic Quality Program Council (AQPC)**

Composition Voting members:  
Nine full-time tenured or non-tenured faculty members elected by the Faculty Assembly as follows:  
At least four full-time faculty members representing the Graduate Program;  
At least four full-time faculty members representing the Undergraduate Program.  
To be eligible for election, the faculty member must teach in the program they wish to represent.  
Non-voting members:  
VPAA;  
Dean of Adult ,Graduate and Online Education;  
Dean of the Undergraduate Education.  
As appropriate, other faculty members and administrators may serve as invited guests.

Terms of Office Three-year terms.  
When a position becomes vacant, a replacement shall be elected for the duration of the term.

Duties To meet regularly and review recommendations made by the Graduate Program Council (GPC) and the Undergraduate Standing Committees;  
To discuss and review other policies and processes.

#### **4.12.4.2 Undergraduate Standing Faculty Committees**

The Undergraduate Standing Faculty Committees include: the Undergraduate Curriculum Committee, the Undergraduate Educational Policies Committee, and the Undergraduate Academic Standards Committee.

Full-time faculty shall be assigned to these Undergraduate Standing Committees by Faculty Council unless otherwise noted. The Undergraduate Standing Committees shall report regularly to the Faculty Council in order to inform them of important developments.

#### **4.12.4.2.1 Common Processes for the Undergraduate Standing Faculty Committees**

Matters may be submitted to each Undergraduate Standing Committee for proposed action by the VPAA, the appropriate College or School Dean, the Department Chairs, any member of the Undergraduate Standing Committee, or any member of the Faculty Assembly.

Each Undergraduate Standing Committee shall meet at least twice a semester, but more frequently as needed. The first meeting of each academic year shall be called by the existing Chair of the Undergraduate Standing Committee.

A quorum is required for an Undergraduate Standing Committee to conduct business. A quorum shall be fifty percent of the voting members, or their official alternates, plus one.

The voting members of each Undergraduate Standing Committee shall elect a Chair at its first official meeting of a new academic year.

Each Undergraduate Standing Committee shall decide on the processes it deems best to adopt for its meetings.

The majority will of the Undergraduate Standing Committee shall prevail in its proceedings on matters of either substance or process.

The Undergraduate Standing Committee Chair shall promptly present any suggested matters that the Chair receives to the members of the Undergraduate Standing Committee for its consideration.

Each Undergraduate Standing Committee shall give an annual report to the full-time faculty, by presentation to the Faculty Council, or as otherwise directed by the Faculty Council Chair.

Each Undergraduate Standing Committee shall decide, in conjunction with the Faculty Council, which of its recommendations will be submitted to the Faculty Assembly for discussion and/or approval before submission to the VPAA or designee. Such recommendations shall be acted upon by the full faculty within 30 calendar days, with the following exception: no Committee business is required to be acted upon between June 15 and August 15.

Each Undergraduate Standing Committee shall submit to the Chair of the Faculty Council a copy of its written recommendations to the VPAA.

Each Undergraduate Standing Committee shall take minutes at every meeting. A copy of these minutes shall be sent to the Library where it shall be available for viewing.

#### **4.12.4.2.2 Membership in the Undergraduate Standing Faculty Committees**

Certain individuals, by virtue of the positions that they hold at Medaille College, automatically shall be asked to serve as members on one or more of the Undergraduate Standing Committees.

Full-time faculty shall be selected to serve as voting members of the Undergraduate Standing Committees as follows:

At the beginning of each academic year, the Faculty Council shall request full-time faculty to list their preferences for serving on the three Undergraduate Standing Committees in order of their preference.

Shortly after holding elections to the Elected Faculty Committees, the Faculty Council shall assign the teaching faculty to the Undergraduate Standing Faculty Committees on the basis of the teaching faculty members' expressed preferences.

No member of the full-time teaching faculty during their first year of appointment at Medaille College shall be required to serve on an Undergraduate Standing Faculty Committee.

Assignments to the Undergraduate Standing Faculty Committees shall be made in such a way that all full-time teaching faculty shall have the opportunity to serve on at least one Elected or Standing Committee.

The Faculty Council shall not make any assignment that results in a faculty member serving on three Elected or Standing Committees, unless the faculty member has requested or specifically agreed to it. In no case shall the Faculty Council make any assignment that results in a faculty member serving on four or more Elected or Standing Committees.

#### ***4.12.4.2.3 Undergraduate Curriculum Committee***

Composition	<p>Voting members:</p> <ul style="list-style-type: none"><li>The Department Chair of each Academic Department</li></ul> <p>Non-voting members:</p> <ul style="list-style-type: none"><li>Dean of the Undergraduate College;</li><li>VPAA;</li><li>Vice President for Enrollment Management or designee;</li><li>Registrar;</li><li>Senior Director of Special Academic Programs;</li><li>Director of Academic Research and Planning or designee;</li><li>Library Director or designee.</li></ul>
Official Alternates	<p>Any member, when necessarily absent, may send an official alternate who has the same rights and duties as the member. The absent member shall notify the Committee Chair of this fact in writing or by e-mail.</p>
Terms of Office	<p>Membership on the Undergraduate Curriculum Committee shall coincide with the members' incumbency in their respective offices.</p>
Chair	<p>Chosen by the voting members of the Committee during its first meeting of the academic year. The Chair shall be chosen from the voting members of the Committee.</p>

Vacancies	Vacancies shall be filled within 30 calendar days of the onset of the vacancy.
Duties	To review and make recommendations in the Undergraduate College on changes to existing courses, changes to existing programs, new courses, new programs, program reviews, and articulation agreements.  To report to the Dean of the Undergraduate College and the Academic Quality Program Council.

**4.12.4.2.4 Undergraduate Educational Policies Committee**

Composition	<p>Voting members:</p> <p>Six members of the full-time faculty, selected so as to comprise a variety of academic programs.</p> <p>One member shall be from the Veterinary Technology or Mathematics and Sciences faculty.</p> <p>Non-voting members:</p> <p>Dean of the Undergraduate College; Vice President for Enrollment Management or designee;</p> <p>Registrar;</p> <p>Senior Director for Special Academic Services;</p> <p>Director of Academic Advisement.</p>
Official Alternates	Any member, when necessarily absent, may send an official alternate who has the same rights and duties as the member. The absent member shall notify the Committee Chair of this fact in writing or by e-mail.
Terms of Office	Voting members serve three-year terms.
Chair	Chosen by the voting members of the Committee during its first meeting of the academic year. The Chair shall be chosen from the voting members of the Committee.
Vacancies	<p>Faculty Council shall appoint replacements to fill vacancies that arise before the expiration of the member’s term of office.</p> <p>Such vacancies shall be filled within 30 calendar days of the onset of the vacancies.</p> <p>Such appointments shall be only for the duration of the original members’ term of office.</p>

Duties	<p>To recommend the academic calendar for the Undergraduate College and to make recommendations for the Undergraduate College in the areas of admissions, course scheduling, registration, academic advisement, and class size;</p> <p>To evaluate and make recommendations in the Undergraduate College for academic credit requested through established non-traditional means, to report Committee recommendations to all appropriate personnel, such as Department Chairs, mentors, academic advisors, Dean of the Undergraduate College, and the VPAA, as well as to review and recommend new non-traditional means to acquire academic credit.</p> <p>To report to the Dean of the Undergraduate College and the Academic Quality Program Council.</p>
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**4.12.4.2.5 Undergraduate Academic Standards Committee**

Composition	<p>Voting members:</p> <p style="padding-left: 40px;">Five members of the full-time faculty, selected so as to comprise a variety of academic programs.</p> <p style="padding-left: 40px;">One member shall be from the Veterinary Technology or Mathematics and Sciences faculty.</p> <p>Non-voting members:</p> <p style="padding-left: 40px;">Dean of the Undergraduate College;</p> <p style="padding-left: 40px;">Senior Director for Special Academic Services;</p> <p style="padding-left: 40px;">Director of Academic Advisement.</p>
Official Alternates	<p>Any member, when necessarily absent, may send an official alternate who has the same rights and duties as the member. The absent member shall notify the Committee Chair of this fact in writing or by e-mail.</p>
Terms of Office	<p>Voting members serve three-year terms.</p>
Chair	<p>Chosen by the voting members of the Committee during its first meeting of the academic year. The Chair shall be chosen from the voting members of the Committee.</p>
Vacancies	<p>Faculty Council shall appoint replacements to fill vacancies that arise before the expiration of the member’s term of office.</p> <p>Such vacancies shall be filled within 30 calendar days of the onset of the vacancies.</p> <p>Such appointments shall be only for the duration of the original</p>

members' term of office.

- Duties
- To recommend policy and processes for the Undergraduate College on probation, separation, honors, transfer credit, grading, readmission, graduation, scholarship, study abroad, and the Family and Educational Rights and Privacy Act (FERPA);
  - To review student appeals concerning any of the areas listed above and to recommend appropriate action on such appeals to the Dean of the Undergraduate College;
  - To report to the Dean of the Undergraduate College and the Academic Quality Program Council.

#### **4.12.4.3 Academic Councils**

The assessment of student outcomes, as well as assessment and administration of academic programs, departments, curricula, and services on a College-wide basis, involves the following two Councils, namely the Adult Learning Program Council and Graduate Program Council. In the spirit of shared governance and mutual commitment to educational excellence, these Councils shall work, as appropriate, in close communication and collaboration with the Elected and Undergraduate Faculty Standing Committees, and the Faculty Council. In matters of curriculum, these two Councils, like the Undergraduate Curriculum Committee, report to the Academic Quality Program Council (AQPC) as defined in Subparagraph 4.12.4.1.10 of this *Faculty Handbook/Volume IV*.

##### **4.12.4.3.1 Graduate Program Council (GPC)**

- Composition
- Voting members:
    - Graduate program directors;
    - Department Chairs that house graduate programs;
  - Non-voting members:
    - Dean of the School of Adult and Graduate Education;
    - VPAA.
  - As appropriate, administrative advisors from the other campuses may serve as invited guests.
- Official Alternates
- Any member, when necessarily absent, may send an official alternate who has the same rights and duties as the member. The absent member shall notify the Committee Chair of this fact in writing or by e-mail.
- Terms of Office
- Voting members serve three-year terms.
- Chair
- Chosen by the voting members of the Committee during its first meeting of the academic year. The Chair shall be chosen from the voting



members of the Committee.

Vacancies	Membership on the Graduate Program Council shall coincide with the members' incumbency in their respective offices.
Duties	To meet regularly to review and recommend changes, as appropriate, to all graduate programs and support services; To establish degree requirements, admission and academic standards, as well as academic policies, including grading practices and processes for the graduate programs. To report to the Dean of the School of Adult and Graduate Education and the Academic Quality Program Council.

#### **4.12.4.4 Committees of the Board of Trustees**

Several Board of Trustees Committees exist that allow for, or invite, participation of full-time faculty members. As part of the mutual commitment to shared governance and effective communication among the President, the Board of Trustees, administrators, and faculty members, these Board Committees are listed here.

The following Committees have been established by the Medaille College By-Laws as approved by the Board of Trustees (Section 6.1 of the By-Laws): the Committee on Academic Affairs, the Committee on Student Affairs, and the Committee on Institutional Advancement.

The Chairs of these Committees are permitted to appoint special members, including faculty, with the approval of the voting members of the respective Committees (Section 6.1 of the By-Laws).

Each year, at the pleasure of these Committee Chairs, the Faculty Council is invited to assign two faculty members to each Committee.

Unless notified differently by the annually appointed Board Committee Chair(s), the Faculty Council shall continue to assign two faculty members to each Committee at the beginning of any given academic year.

Such appointments shall be for a period of one year.

No written exclusion exists that prevents voting by any special member appointed to these Committees, but voting privileges of the appointed special members remain the prerogative of these Committee Chairs.

#### **4.12.4.5 Other Committees**

*Governance and Administration/Volume I* lists institutional committees on which faculty members are entitled to participate.

#### **4.12.4.6 Establishment of New Faculty Committees**

As the organizational structure of Medaille College changes, it may become necessary to add new faculty committees in those areas for which faculty have primary responsibility under the

new organizational structure. The Faculty Assembly will vote on the addition of proposed committees after appropriate review and deliberation by the Faculty Assembly. A simple majority of the full time teaching faculty is required to add new committees to the *Faculty Handbook/Volume IV*.

#### **4.12.4.7 Review of Faculty Committees**

It shall be the annual responsibility of the Faculty Council, during the spring semester, to review all of the faculty committees listed in Section 4.12 to make recommendations to the Faculty Assembly for their continuance, modification, or elimination. A simple majority of the full time teaching faculty is required to modify or eliminate committees to the *Faculty Handbook/Volume IV*.

### **4.13 Informal Conflict Resolution, Mediation, Faculty Grievance Policy**

#### **4.13.1 Definition of Grievance**

Full-time teaching faculty, Faculty Council, or a group of the faculty, are permitted to file a petition concerning a grievable issue. A grievable issue is an alleged violation of a member's or group's rights constituted by a failure to follow or administer the institution's policies or procedures as stipulated by this *Faculty Handbook/Volume IV* of the *Medaille College Policy Manual* or other subsections pertaining to faculty governance and well-being.

Grievable issues are any of the following:

1. A violation of academic freedom.
2. A failure of the College to follow prescribed policies and procedures in matters related to tenure, advancement in rank, or appointment renewal as set forth in this *Faculty Handbook/Volume IV*.
3. A decision based on considerations that violate the governing policies bearing upon nondiscrimination with respect to race, age, sex, sexual orientation, religion, national origin, marital status, disability, or other factors which cannot lawfully form the basis for an employment decision.
4. Failure of a supervisor and/or an administrator to follow or administer the policies and/or procedures agreed upon by the administration and faculty as set forth in *Faculty Handbook/Volume IV* or other subsections of the *Medaille College Policy Manual* relating to faculty governance and faculty well-being.
5. Consistent and significant unprofessional treatment of a faculty member by an administrator, supervisor, or colleague.
6. Inadequate consideration during review pertaining to appointment, advancement in rank, or tenure.

If any faculty member, Faculty Council, or other faculty group alleges a grievable issue in any matter not covered by the policies and/or procedures described in this *Faculty Handbook/Volume IV* or other subsections concerning faculty within the *Medaille College Policy Manual*, the faculty member or forenamed groups may petition the Grievance Committee for

redress. The petition shall set forth in detail the nature of the grievable issue and shall state against whom the petition is directed (cf. Paragraph 4.13.4.1, Initiation of Formal Grievance). It shall contain factual and other data the petitioner or petitioners deem pertinent to the case, while also setting forth in detail the relief or remedy or remedies the petitioner or petitioners are seeking. The Grievance Committee shall decide whether or not the facts merit a detailed investigation. Submission of a grievable issue, timelines, and documented evidence shall not automatically entail investigation and detailed consideration.

#### ***4.13.2 Informal Conflict Resolution***

Before a grievable issue can be submitted to the Grievance Committee, documented evidence must be provided which demonstrates that informal conflict resolution, has been attempted and failed. Informal conflict resolution must be initiated within ten calendar days after the faculty member first knew, or through the exercise of reasonable diligence, should have known of the occurrence of the event(s) upon which the grievable issue(s) is based. If informal conflict resolution has not resolved the issue(s) within an additional fourteen calendar days, the faculty member may pursue mediation or file a grievance. The petitioner or petitioners have fourteen calendar days to submit the required documentation for either mediation or grievance. Informal conflict resolution may occur during off-contract periods only with the mutual consent of all parties.

It is the responsibility of each individual or group in a conflict or a dispute with another member of the faculty and/or administration to seek resolution through informal conflict resolution. Informal conflict resolution, shall include discussions between the two parties, discussions individually with supervisors, and finally, joint discussions with supervisors or the VPAA. Should these informal steps prove ineffective, and the party or parties wish to proceed in the dispute, the party or parties may pursue formal voluntary mediation and/or file a petition for a grievance hearing. Should the party or parties elect to pursue formal voluntary mediation, the petitioner or petitioners must inform the Grievance Committee in writing within fourteen calendar days after the end of the informal conflict resolution. Should the party or parties elect to file a petition for a grievance hearing, the petitioner or petitioners must inform the Grievance Committee in writing within fourteen calendar days after the end of the informal conflict resolution. All parties involved in informal conflict resolution shall document the dates, times, and substance of the proceedings.

#### ***4.13.3 Voluntary Mediation***

Mediation is a process by which participants to a dispute or conflict voluntarily enlist the aid of a neutral party to systematically identify disputed issue(s) in order to develop options, consider alternatives, and reach a consensual settlement. Either party or parties may refuse to enter into mediation or may opt out of mediation at any point. All parties involved in mediation shall document the dates, times, and substance of the proceedings.

##### **4.13.3.1 Selection, Appointment of Mediators**

A pool of four mediators shall be nominated and elected to a two-year term at the regular meeting specified for faculty elections to faculty committees. Nominees shall be full-time, tenured faculty at Medaille College. Should a vacancy occur in the mediator pool, a special

election shall be held to fill the vacancy for the duration of that term of office. Once chosen, the mediator shall continue until the matter is resolved or is no longer pursued. However, a replacement shall be elected at the expiration of the mediator's term of office, not when an ongoing mediation ends. If mediation is pursued, the Grievance Committee shall select a mediator mutually acceptable to both parties from the pool of candidates within seven calendar days of the request for mediation. If no acceptable mediators are found within the elected pool, the party or parties may then seek a professionally trained mediator at the party or parties' expense, if they choose. Should no mediators be acceptable, then a grievance may be filed pursuant to Paragraph 4.13.4.1.

#### **4.13.3.2 Mediator Responsibilities**

1. The mediator shall bring the parties together to discuss mutually agreeable options for resolving the dispute and setting future goals.
2. The mediator shall encourage the parties to carefully plan and implement their negotiated agreement and, if necessary, to agree on methods of monitoring and evaluating the outcome.
3. If the parties reach an agreement through mediation, the mediated agreement shall be submitted to the Human Resources Office in writing, where it shall be kept for five years. If mediation is unsuccessful, no reasons are to be given; only the lack of success shall be noted.
4. In order to have an open and fair mediation, none of the oral or written works of a party in mediation may be used in a grievance hearing without the approval of that party.

#### **4.13.3.3 Timing of Mediation Process**

The required timetable for mediation is:

1. The mediation shall be completed within thirty calendar days of the point at which an acceptable mediator was agreed upon, unless both parties agree to an extension of time to mediate.
2. If mediation is unsuccessful, the petitioner has fourteen calendar days to file a grievance. Upon petition, the Grievance Committee, by a majority vote, may for good cause grant an extension of the time to file a grievance.
3. Mediation may occur during off-contract periods only with the mutual consent of all parties.

#### **4.13.4 Grievance Procedures**

##### **4.13.4.1 Initiation of Formal Grievance**

Before a grievance inquiry can be initiated, the petitioner or petitioners must inform the Grievance Committee in writing, within fourteen calendar days after the end of the informal conflict resolution, that informal conflict resolution has been attempted and failed. A grievance

is formally initiated when the petitioner(s) notify the Chair of the Grievance Committee in writing of the alleged grievance(s).

The faculty member's or faculty groups' petition shall be as specific as possible and must include:

1. Date of filing.
2. Name, address, telephone number preferred by the petitioner.
3. Department/College/School.
4. Title.
5. Date when alleged grievable issue first occurred (if known).
6. Provision of *Faculty Handbook/Volume IV* allegedly violated (article, section, and page) or any other subsections of the *Policy Manual* pertaining to faculty governance and well-being.
7. Statement of grievable issue.
8. Summary of all attempts at informal conflict resolution.
9. Summary of attempts at solution through mediation, if applicable.
10. Remedy or remedies sought.
11. Petitioner's or petitioners' signatures.

The Grievance Committee shall meet with the petitioner or petitioners within fourteen calendar days to determine if the petitioner or petitioners' grievable issue requires a hearing procedure. Should the Committee determine that the petitioner or petitioners do not have a grievable issue requiring a hearing procedure, it shall notify, in writing, the President and the petitioner or petitioners within twenty-one calendar days after the filing of the petition. Should the Grievance Committee determine that the petitioner or petitioners have a grievable issue requiring a hearing, it shall hear the case, with input and/or documentation from all parties on both substantive and procedural issues.

#### **4.13.4.2 Grievance Hearing**

The Grievance Committee shall have full and complete authority:

1. To determine, after consultation with the parties, when and where the hearing shall be conducted.
2. To call for and receive all materials the Committee determines necessary to make a judgment on substantive and/or procedural issues.
3. To direct the parties that they shall not, in any way or manner, impair or impede the ability of the other to properly prepare for presentation of proof or argument. (Failure to abide by this direction of the Grievance Committee shall be duly noted in the report of the Grievance Committee.)
4. To insure that each party or parties to the grievance may have an advisor present if they choose and to assure the right of each party or parties to question, within

reasonable limits, others who may be called to make statements before the committee. (The advisor may not address the committee without the permission of the Chair.)

5. To provide each party reasonable opportunity to present oral and/or written arguments.
6. To insure that all parties to the grievance have the right to obtain witnesses and present evidence. The College shall cooperate with the Committee in securing witnesses and making available documentary and other evidence requested by the grievant to the extent that that such requests are reasonable and within the control of the College. All parties shall have the right to cross-examine the witness or witnesses. The Committee may grant appropriate continuances to enable either party or parties to investigate evidence or for any other appropriate reason. Effort shall be made to obtain the most reliable evidence available; however, the Committee shall not be bound by evidentiary rules applicable in courts of law.
7. All statements, records, and documents produced from these hearings are strictly confidential.
8. After hearing the case, the Grievance Committee shall make a written recommendation to the President and the parties within thirty calendar days after the completion of the grievance hearing. The recommendation of the Committee shall include findings of fact, conclusions, and disposition of the grievance, all based solely on the hearing record, including documents submitted and testimony heard.
9. Within thirty calendar days of receiving the recommendation of the Committee, the President shall inform, in writing, the petitioner or petitioners and the Committee of the President's decision. In any case in which the President decides against the recommendation of the Grievance Committee, the President shall meet with the Committee to explain the decision. In all cases, the President's decision shall be final.

#### **4.13.4.3 President of the College as Party to Action**

If a grievance is against the President of the College in the first instance, the Grievance Committee shall forward its recommendation to all parties within thirty calendar days of the completion of the grievance hearing. If the President does not follow the recommendation of the Grievance Committee within thirty calendar days, the Committee shall forward its recommendation to the President again, who shall either settle the case to the mutual satisfaction of the grievant and the President or shall forward the Grievance Committee's recommendation to the Chair of the Board of Trustees within fourteen calendar days. The Board or a designated committee of the Board shall receive the grievance at its next regularly scheduled meeting and shall resolve whether the Grievance Committee recommendations should be followed. The Board shall transmit its decision to the Grievance Committee and the parties to the grievance within ten calendar days of its final determination of this matter.

#### **4.13.4.4 General Provisions of Grievance**

The filing of any grievable issue under the provisions of this Section 4.13 shall not prevent the College from taking the action complained of, subject, however, to a final decision regarding the grievance.

1. Failure to communicate a decision regarding the grievable issue within the specified time limits, or such additional period of time, as shall be mutually agreed upon in writing by the parties involved, shall permit the petitioner or petitioners to proceed to the next step.
2. Failure to appeal a grievable issue to the next step within the specified time limits, or such additional period of time as may be mutually agreed upon in writing, shall be deemed to be acceptance of the decision rendered at that step.
3. Extensions of time shall normally be granted for good reason (e.g., illness) by mutual written agreement of the parties and the approval of the Grievance Committee.
4. Settlements between parties at the Grievance Committee level shall not constitute legal precedent. Rather, they are only applicable to the current settlement between the parties.

The President shall submit in an annual report to the Board of Trustees, a synopsis of all grievance decisions, including the substance of the grievance, the recommendation of the Grievance Committee, and the President's decision.

#### **4.14 Revision Process for Faculty Handbook/Volume IV**

Members from all segments of the College community enjoy the privilege and responsibility of contributing to the formulation and alteration of the College policy statements.

Since the faculty is the group most accountable for upholding the academic standards and implementing the mission of the College, it is imperative that the *Faculty Handbook/Volume IV*, be kept up to date and made available to faculty. The policies and procedures from the *Faculty Handbook/Volume IV* are a contract between the faculty and the College; they are incorporated, by reference, into the individual faculty appoint agreements of each faculty member. All members of the College community affected by the *Faculty Handbook/Volume IV* are at all times subject to the current version of the *Handbook*, including all revisions approved by the Board of Trustees and promulgated with dates on which such revisions become effective.

Revisions to the *Faculty Handbook/Volume IV* shall be adopted through procedures which provide for recommendations by the faculty and endorsement by the President before final approval by the Board of Trustees.

##### **4.14.1 Revision Procedures: Faculty, Administration, and Board of Trustees**

Prospective changes to the current *Faculty Handbook/Volume IV* may be proposed by the Board of Trustees, by the President, or by a petition to the Faculty Council of 25% of the full-time teaching faculty.

1. Any prospective changes to the *Faculty Handbook/Volume IV* proposed by the President and/or the Board of Trustees shall be submitted to the faculty for review and recommendation. The Faculty Assembly shall complete its review of any proposed revisions within 120 days of receiving them (excluding the period June 15-August 15), unless an extension is agreeable to both the President and/or the Board of Trustees and the faculty and is expressed in writing.
2. A positive recommendation from the faculty shall require a two-thirds vote of the full-time teaching faculty. The faculty vote shall be conducted by the Faculty Council. Whether or not the faculty puts forward a positive recommendation, the President shall have the option to submit the prospective changes to the Board of Trustees. The President shall include the recommendation of the faculty as well as his or her own. The Board of Trustees shall have the ultimate authority to adopt revisions to the Faculty Handbook. However, if the faculty have not given a positive recommendation regarding the changes, the President and/or the Board of Trustees shall open a dialogue with Faculty Council concerning those proposed changes.
3. Prospective changes to the *Faculty Handbook/Volume IV* proposed by the faculty must be approved by a vote of two-thirds of the full-time teaching faculty. The faculty vote shall be conducted by the Faculty Council.
4. Upon two-thirds approval of the full-time teaching faculty, the proposed changes from the faculty shall be submitted to the President for review and recommendation to the Board of Trustees. Any specific change to the current *Faculty Handbook/Volume IV* recommended by two-thirds of the full-time teaching faculty must be either accepted or rejected by the Board of Trustees within 120 days after it is submitted by the Faculty Council to the President for consideration.
5. Such changes recommended and voted upon by the faculty, endorsed by the President, and ratified by the Board of Trustees shall become part of the *Faculty Handbook/Volume IV* at the beginning of the succeeding academic year unless otherwise specifically dated and specified.
6. If the President and/or the Board of Trustees are not in agreement with any proposed changes to the *Faculty Handbook/Volume IV* which have been recommended and voted upon by the faculty, then the President and/or the Board of Trustees shall open a dialogue with Faculty Council concerning those proposed changes.
7. When the President, after consultation with the Faculty Council, determines that due to natural disasters, acts of God, declared states of emergency or other emergency situations it would be detrimental to the best interests of the College as a whole to follow the provisions set forth herein, he or she shall petition the Chair of the Board of Trustees to suspend the provisions of the *Faculty Handbook/Volume IV*. Such suspension shall continue only so long as necessary to respond to the emergency situation, but in no case no more than six (6) months. The Board of Trustees or the Executive Committee as its agent may accept or reject such a petition. The President shall communicate the decision of the Board of Trustees to the Faculty Council and the Faculty Assembly.



8. Any proposed revisions to any part of the *Faculty Handbook/Volume IV* shall have no status, not even a promissory one, until completion of revision procedures as outlined in this section.

If any provision of the *Faculty Handbook/Volume IV*, as it pertains to faculty policy and procedures, is in conflict with federal, State, or local law, or is otherwise illegal, the remainder of the *Faculty Handbook/Volume IV* shall not be affected. The faculty shall make it a priority to meet and resolve the conflict in conjunction with the President and other applicable administrators.

#### **4.14.2 Dissemination of the Faculty Handbook/Volume IV**

1. All new members of the full-time teaching faculty shall be apprised of the electronic availability of the current *Faculty Handbook/Volume IV* and any other sections of the *Medaille College Policy Manual* pertaining to faculty at the time of their initial appointment. They may print out such sections as they choose to have in hard copy. All other faculty shall be informed of the electronic availability of the current *Faculty Handbook/Volume IV* and any other section of the *Medaille College Policy Manual* pertaining to faculty in each appointment letter.
2. Continuing members of the faculty shall be notified of any amendments to the current *Faculty Handbook/Volume IV* or any other section of the *Medaille College Policy Manual* pertaining to faculty and shall receive notice of any approved amendments to the *Faculty Handbook/Volume IV* with their annual re-appointments during the Spring Semester.
3. All faculty shall have electronic access to the current version of the entire *Medaille College Policy Manual*.
4. A hard copy of the *Faculty Handbook/Volume IV* with current revisions shall be available at the offices of the VPAA, the Library, the Office of the President of the College, and the Office of Human Resources.

# **APPENDICES**

NOTE: Appendices to the *Faculty Handbook/Volume IV* are informational in nature and, as such, are neither incorporated into appointment agreements nor subject to the *Handbook* revision process set forth in Section 4.14.