

# Skidmore College

## Faculty Handbook



2015-2016



SKIDMORE COLLEGE

FACULTY HANDBOOK

2015-16

TABLE OF CONTENTS

**PREAMBLE .....VII**

**PART ONE – FACULTY RIGHTS AND RESPONSIBILITIES..... 101**

I. THE FACULTY ..... 101

II. FACULTY STATUS..... 101

III. ACADEMIC FREEDOM..... 101

IV. ACADEMIC FREEDOM AND TENURE ..... 102

V. ACADEMIC FREEDOM AND INTELLECTUAL PROPERTY..... 102

    A. *Intellectual Property Policy*..... 102

        Part A - Copyright..... 104

        Part B - Patents ..... 105

        Part C – Resolution of Disputes ..... 106

        Part D – Revisions to Policy..... 107

        Part E – Effective Date ..... 107

VI. APPOINTMENTS TO THE FACULTY..... 107

    A. *Tenure-Track Appointments*..... 107

    B. *Fully Dedicated Tenure-Track Lines in ID Programs*..... 107

    C. *Tenure-Track Lines Apportioned between Departments/Programs* ..... 108

    D. *Pre-Tenure-Track Appointments* ..... 109

    E. *Non-Tenure-Track Appointments*..... 109

    F. *Appointments to Endowed Chairs*..... 111

VII. RIGHTS, OBLIGATIONS, AND RESPONSIBILITIES OF ALL FACULTY ..... 111

    A. *Rights of Members of the Faculty*..... 111

    B. *Obligations Pertaining to All Members of the Faculty*..... 111

    C. *Academic Responsibilities*..... 111

        1. Availability ..... 112

        2. Class Sessions..... 112

        3. Academic Advising ..... 112

        4. Office Hours ..... 112

        5. Administrative Meetings..... 112

        6. College Functions..... 112

        7. Student Evaluations ..... 112

        8. Grading ..... 112

        9. Other Academic Policies ..... 112

VIII. EVALUATION OF FACULTY FOR CONTINUED SERVICE AND ADVANCEMENT IN RANK ..... 112

    Preamble..... 112

    A. *Tenured and Tenure-Track Faculty*..... 113

        1. Teaching ..... 114

        2. Scholarship..... 115

        3. Community Service ..... 117

    B. *Pre-Tenure-Track Faculty*..... 118

    C. *Non-Tenure-Track Faculty* ..... 118

        1. Library Faculty..... 118

2. Artists- and Writers-in-Residence .....	119
3. Instructors.....	119
4. Teaching Professors .....	119
5. Lecturers .....	119
<b>D. Reappointment.....</b>	<b>119</b>
1. Reappointment of Full-Time Tenure-Track and Library Faculty in Professorial Ranks.....	119
a. Second Year .....	119
b. Third Year .....	120
2. Reappointment of Librarians .....	121
3. Reappointment of Artists- and Writers-in-Residence .....	122
4. Reappointment of Instructors.....	123
a. Second Year .....	123
b. Third Year .....	123
5. Reappointment of Teaching Professors and Full-Time Lecturers .....	124
6. Other Non-Tenure Track Appointments (Visiting Artist- or Writer-in-Residence, Lecturer, Visiting Instructor, Research Associate, Department Assistant) .....	124
<b>E. Tenure .....</b>	<b>125</b>
1. Guidelines for Tenure .....	125
2. Institutional Considerations and Budgetary Considerations .....	125
3. Eligibility .....	125
4. Criteria for Determining Years of Service .....	126
5. Procedures for Granting Tenure .....	127
6. Review of Negative Tenure Decisions.....	130
7. Appeal of Negative Tenure Decisions .....	130
<b>F. Promotion .....</b>	<b>131</b>
1. Guidelines for Advancement in Rank.....	131
2. Procedures for Promotion .....	132
a. Professorial Ranks .....	132
b. Librarian Ranks .....	134
c. Artists-in-Residence and Writers-in-Residence .....	134
d. Instructors .....	135
e. Teaching Professors.....	135
e. Lecturers.....	135
<b>IX. LEAVES OF ABSENCE.....</b>	<b>135</b>
<b>A. Sabbatical Leaves of Absence.....</b>	<b>135</b>
1. Purpose.....	135
2. Eligibility .....	135
3. Procedures.....	136
a. Application .....	136
b. Consideration .....	136
c. Reporting .....	136
4. Criteria for Evaluating Proposals.....	136
5. Sabbatical Salaries .....	137
<b>B. Pre-Tenure Paid Research Leaves of Absence.....</b>	<b>137</b>
1. Purpose.....	137
2. Eligibility .....	137
3. Procedures and Criteria .....	137
<b>C. Leaves of Absence Without Pay.....</b>	<b>137</b>
<b>X. RESIGNATIONS .....</b>	<b>137</b>
<b>XI. DISCIPLINE AND DISMISSAL OF TENURED FACULTY .....</b>	<b>138</b>
<b>A. Standards of Conduct .....</b>	<b>138</b>
<b>B. Note on Confidentiality.....</b>	<b>138</b>
<b>C. Procedures for Imposition of Sanctions Other than Dismissal .....</b>	<b>138</b>
<b>D. Appeal against Sanctions Other than Dismissal .....</b>	<b>139</b>
<b>E. Procedures of the FAB and the Grievance Panel (GP) in Cases Involving Sanctions Other than Dismissal .....</b>	<b>140</b>
<b>F. Dismissal of a Faculty Member .....</b>	<b>140</b>

G. Procedures of the FAB and the GP in Cases Involving Dismissal .....	141
H. Appeal against Dismissal.....	141
I. Extension of Time Periods .....	142
XII. APPOINTMENT AND REVIEW OF DEPARTMENT CHAIRS .....	142
A. Criteria for Appointment .....	142
B. Procedures for Appointment .....	142
C. Procedures for Review .....	142
D. Obligations Pertaining to Department Chairs .....	143
1. Leadership .....	143
2. Curriculum .....	143
3. Personnel .....	143
4. Communication.....	143
5. Support .....	144
XIII. APPOINTMENT, REVIEW, AND EVALUATION OF DIRECTORS OF INTERDISCIPLINARY PROGRAMS ..	144
A. Criteria for Appointment .....	144
B. Procedures for Appointment .....	144
C. Procedures for Review .....	144
D. Obligations Pertaining to Program Directors .....	144
1. Leadership .....	144
2. Curriculum .....	145
3. Personnel .....	145
4. Communication.....	145
5. Support .....	145
E. Procedures for Evaluation of Directors Tenure-Track or Tenured to a Department .....	145
XIV. ESTABLISHMENT OR ELIMINATION OF A DEPARTMENT .....	146
XV. TERMINATION OF FACULTY STATUS DUE TO THE ELIMINATION OF A DEPARTMENT .....	146
XVI. ESTABLISHMENT OR ELIMINATION OF A MAJOR .....	146
XVII. ESTABLISHMENT OR ELIMINATION OF A MINOR .....	147
XVIII. REIMBURSEMENT FOR PROFESSIONAL ACTIVITIES .....	147
XIX. FACULTY GOVERNANCE .....	147
XX. PROCEDURES FOR HANDBOOK AMENDMENTS .....	148
<b>PART TWO - FACULTY GOVERNANCE .....</b>	<b>201</b>
PREAMBLE .....	201
I. FACULTY MEETING BY-LAWS .....	202
Article I. The Faculty Meeting .....	202
Article II. The Presiding Officer .....	203
Article III. The Agenda and Minutes.....	203
A. Agenda.....	203
B. Minutes.....	203
Article IV. Quorum .....	203
Article V. The Right to Speak.....	204
A. At Faculty Meetings.....	204
B. Committee of the Whole .....	204
C. Informal Consideration .....	205
Article VI. Taking Votes.....	205
Article VII. Special Rules.....	205
A. Vote on Questions of Policy.....	205
B. Executive Sessions .....	206
Article VIII .....	206
Article IX. Adoption and Amendment of the By-laws.....	206
II. COMMITTEES OF THE FACULTY .....	209
A. Voting Rights and Eligibility .....	209
B. Election Schedule.....	209
C. Committee Chairs .....	209

D. Operating Code and Minutes .....	209
E. Annual Reports .....	209
F. Faculty Governance Structure .....	209
1. The Service Cycle .....	209
2. Faculty Governance Committees .....	210
a. FACULTY EXECUTIVE COMMITTEE (FEC) — Elected .....	210
b. COMMITTEE ON APPOINTMENTS, PROMOTIONS, AND TENURE (CAPT) — Elected.....	211
c. COMMITTEE ON EDUCATIONAL POLICIES AND PLANNING (CEPP) — Elected .....	211
d. COMMITTEE ON ACADEMIC FREEDOM AND RIGHTS (CAFR) — Elected.....	212
e. CURRICULUM COMMITTEE — Elected.....	212
f. FACULTY DEVELOPMENT COMMITTEE (FDC) — Elected .....	212
g. TENURE REVIEW BOARD — Elected .....	212
h. TENURE APPEAL COMMITTEE .....	213
i. PERICLEAN HONORS FORUM COUNCIL — Elected.....	213
j. MASTER OF ARTS IN LIBERAL STUDIES COMMITTEE (MALSC) — Elected .....	213
k. ATHLETIC COUNCIL — Elected.....	213
l. COMMITTEE ON ACADEMIC STANDING (CAS) — Appointed .....	214
m. FACULTY ADVISORY BOARD (FAB) – Elected .....	214
n. ADVISORY PANEL (AP) – Appointed .....	215
o. GRIEVANCE PANEL (GP) – Appointed.....	215
G. AD HOC COMMITTEES, TASK FORCES, AND WORKING GROUPS .....	215
H. OTHER COMMITTEES .....	216
III. ACADEMIC POLICIES.....	216
A. Examinations .....	216
B. Class Attendance .....	216
C. Grading .....	216
D. Policy to Appeal a Final Failing Grade .....	217
E. Peer Evaluations of Teaching.....	218
F. Student Evaluations .....	218
1. All-College Student Evaluations .....	218
2. Departmental Student Evaluations.....	219
<b>PART THREE - ALL-COLLEGE GOVERNANCE .....</b>	<b>301</b>
I. ALL-COLLEGE COMMITTEES .....	301
A. Preamble .....	301
B. Specific College Committees .....	301
1. THE INSTITUTIONAL POLICY AND PLANNING COMMITTEE (IPPC) — Elected.....	301
2. BOARD OF APPEALS — Appointed.....	301
3. HONOR CODE COMMISSION — Appointed .....	302
4. INSTITUTIONAL REVIEW BOARD — Appointed.....	302
5. INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE — Appointed .....	302
6. SAFETY IN THE WORKPLACE COMMITTEE — Appointed .....	302
II. THE HONOR SYSTEM .....	303
A. The Contract .....	303
B. Violations of the Honor Contract.....	303
C. Administrative Discipline .....	304
<b>PART FOUR - BENEFITS.....</b>	<b>401</b>
I. FLEXIBLE BENEFITS PLAN .....	401
II. DOMESTIC PARTNERS BENEFITS .....	401
III. PARENTAL LEAVE FOR FACULTY .....	401
IV. TUITION BENEFITS.....	403
V. RETIREMENT .....	403
A. Definition .....	403
B. Basic Retirement Plan.....	403
C. Early Retirement .....	404

D. Phased Employment.....	404
E. Post-Retirement Health Benefits .....	404
<b>PART FIVE - THE ADMINISTRATION .....</b>	<b>501</b>
I. THE PRESIDENT .....	501
A. <i>The Office of the President</i> .....	501
B. <i>President's Cabinet</i> .....	501
II. THE VICE PRESIDENT FOR FINANCE AND ADMINISTRATION AND TREASURER .....	501
III. THE VICE PRESIDENT FOR ADVANCEMENT .....	502
IV. THE DEAN OF THE FACULTY/VICE PRESIDENT FOR ACADEMIC AFFAIRS .....	502
A. <i>The Office of the Dean of the Faculty/Vice President of Academic Affairs</i> .....	502
B. <i>Academic Staff</i> .....	503
C. <i>The Associate Dean of the Faculty (faculty affairs)</i> .....	503
D. <i>The Associate Dean of the Faculty (student academic affairs)</i> .....	503
V. THE DEAN OF SPECIAL PROGRAMS .....	504
VI. THE DEAN OF STUDENTS AND VICE PRESIDENT FOR STUDENT AFFAIRS .....	504
VII. THE VICE PRESIDENT AND DEAN OF ADMISSIONS AND FINANCIAL AID .....	504
VIII. REVIEW OF SENIOR ADMINISTRATIVE OFFICERS .....	505
<b>PART SIX - EQUAL EMPLOYMENT OPPORTUNITY, DIVERSITY, AND ANTI-HARASSMENT: POLICIES AND PROCEDURES .....</b>	<b>601</b>
I. INTRODUCTION .....	601
II. ACADEMIC FREEDOM.....	601
III. SUMMARY STATEMENTS OF POLICY .....	602
A. <i>Policy on Equal Employment Opportunity</i> .....	602
B. <i>Policy on Diversity</i> .....	602
C. <i>Policies on Accessibility and Accommodations</i> .....	603
D. <i>Policy on Anti-Harassment</i> .....	603
E. <i>Policy on Retaliation</i> .....	603
F. <i>Policy on Consensual Sexual Relationships Involving Students</i> .....	604
1. <i>Policy on Consensual Sexual Relationships with Current Students</i> .....	604
2. <i>Policy on Consensual Sexual Relationships with Students When There Is No Formal Authority over the Student</i> .....	604
IV. REVIEW AND LIABILITY.....	604
A. <i>Policy Review</i> .....	604
B. <i>Employees' Liability for Violations of these Policies</i> .....	604
V. PROCEDURES REGARDING EQUAL EMPLOYMENT OPPORTUNITY AND DIVERSITY.....	605
A. <i>Scope</i> .....	605
1. <i>Educational Environment</i> .....	605
2. <i>Employment Environment</i> .....	605
B. <i>Administration: Roles and Responsibilities</i> .....	606
VI. ANTI-HARASSMENT POLICY .....	607
A. <i>Harassment Defined</i> .....	607
B. <i>Sexual Harassment Defined</i> .....	608
C. <i>Third-Party Harassment</i> .....	609
VII. PROCEDURES FOR RESOLVING COMPLAINTS OF HARASSMENT OR DISCRIMINATION AGAINST FACULTY MEMBERS .....	609
A. <i>Definition of Terms</i> .....	610
B. <i>Reporting Suspected Harassment and Discrimination</i> .....	610
C. <i>Informal Complaint Resolution</i> .....	613
D. <i>Formal Complaint Procedures</i> .....	614
E. <i>Advisory Panel (AP)</i> .....	614
F. <i>Investigation</i> .....	615

<i>G. Legal Review</i> .....	615
<i>H. Administrative Review</i> .....	615
<i>I. Disposition of Complaint</i> .....	616
<i>J. Outcomes</i> .....	616
<i>K. Appeals</i> .....	616
VIII. ADDITIONAL EXPECTATIONS .....	616
<i>A. Cooperation with Investigations and Hearings</i> .....	616
<i>B. Extension of Time Periods</i> .....	617
<i>C. Retaliatory Actions</i> .....	617
<i>D. False Allegations</i> .....	617
<i>E. For Additional Information or Assistance</i> .....	618



**FACULTY HANDBOOK**

**PREAMBLE**

The Faculty Handbook describes the rights, rules, and procedures that the Skidmore Faculty has adopted in order to govern itself fairly and effectively. These rights, rules, and procedures have evolved over time in response to changing circumstances, and continue to do so. The function of this Handbook is to codify and clarify them in their current form.

The Handbook is divided into six parts:

- Part One specifies faculty rights and responsibilities and has the force of contract.
- Part Two describes the faculty governance system, including Faculty Meeting by-laws, the function and membership of faculty committees, and academic policies.
- Part Three describes the All-College governance system, including information on All-College committees and the Skidmore College Honor Code.
- Part Four describes benefits extended to the Faculty.
- Part Five describes the College administration and is primarily informational in nature.
- Part Six describes the College policy for equal employment opportunity, diversity, and anti-harassment, and is also primarily informational in nature.

The Faculty Handbook is revised annually by the Faculty Executive Committee (FEC) in consultation with other entities as required, and is presented for adoption by the Faculty early in the academic year. The specific procedures for Faculty Handbook revisions are spelled out in Part One, Article XX. Comments and questions about this Handbook should be directed to FEC.



## FACULTY HANDBOOK

### PART ONE

#### FACULTY RIGHTS AND RESPONSIBILITIES

##### I. THE FACULTY

The Faculty consists of all full- and part-time teaching and library personnel and those in shared appointments holding the ranks defined in Part One, Article VI (Appointments to the Faculty), Sections A (Tenure-Track Appointments), D (Pre-Tenure-Track Appointments), and E (Non-Tenure-Track Appointments). The rights and privileges of faculty members vary according to type and status of appointment. These rights are defined in various parts of the Handbook. See in particular Part One, Articles VI (Appointments to the Faculty), VIII (Evaluation of Faculty for Continued Service and Advancement in Rank), and XIX (Faculty Governance); Part Two, Article I (Faculty Meeting By-Laws), sub-Article I (The Faculty Meeting), Section C (Eligibility to Vote); and Part Four (Benefits).

##### II. FACULTY STATUS

Faculty status and related matters, including appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal, are primarily a faculty responsibility based upon the fact that its judgment is central to general educational policy. Determinations in these matters are first made by the Committee on Appointments, Promotions, and Tenure (CAPT) through established procedures. Recommendations from CAPT and the Dean of the Faculty/Vice President for Academic Affairs are made to the President, who makes final recommendations to the Board of Trustees, which makes final decisions. It is the expectation of the Faculty that the President and the Board of Trustees shall, on questions of faculty status, as in other matters where the Faculty has primary responsibility, concur with the faculty judgment except in rare and exceptional instances and for compelling reasons, which should be stated in detail. In all instances of disagreement, the President and CAPT should have an opportunity for further discussion before reporting to the Board.

##### III. ACADEMIC FREEDOM<sup>1</sup>

Skidmore College vigorously endorses the principle of academic freedom.

Faculty and other members of the academic community are entitled to full freedom in research and in publication of the results. The extent to which research activities may be pursued is subject to the adequate performance of other academic duties. Research, consultation, or additional employment for pecuniary return shall be based upon prior agreement with the Dean of the Faculty/Vice President for Academic Affairs.

Faculty are entitled to freedom in the classroom in discussing their subject, but should be careful not to introduce into their teaching controversial issues which have no relation to their subject matter. Controversy that is directly related to a teacher's subject matter is recognized as an important part of intellectual inquiry, and it is not the intent of this statement to limit such controversy.

Faculty are members of the community, members of learned professions, and professional representatives of an educational institution. When they speak as members of the community, they should be free from institutional censorship or discipline, but their special position in the community imposes obligations. As persons of learning and as educational officers, they should remember that the public may judge their profession and the College by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not institutional spokespersons. The College recognizes the right and the responsibility of faculty members to speak as members of the community on issues of public concern.

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<sup>1</sup> This statement is Skidmore College's adaptation of the 1966 Statement on Government of Colleges and Universities by the American Association of University Professors as amended. Reprinted in AAUP Policy Documents & Reports, 10<sup>th</sup> Edition, 2006. Some changes in wording and emphasis have been introduced.

## FACULTY HANDBOOK

### IV. ACADEMIC FREEDOM AND TENURE

The Committee on Academic Freedom and Rights (CAFR) and CAPT have been recognized by the Board of Trustees, the President, and the Faculty as representing the Faculty of Skidmore College in discussions with the President, the Dean of the Faculty/Vice President for Academic Affairs, and the corresponding committee of the Trustees on matters of common concern and responsibility. On questions of academic freedom and tenure, CAFR and CAPT represent the Faculty to the President, the Dean of the Faculty/Vice President for Academic Affairs, and the Trustees and make recommendations for their consideration. The confidential nature of these discussions is respected by all parties taking part.

### V. ACADEMIC FREEDOM AND INTELLECTUAL PROPERTY

The Faculty has adopted an Intellectual Property Policy for the purpose of (a) promoting the creativity of the entire College community and to reflect the contributions of inventor(s) and the institution in the determination of the rights of ownership, use, and the distribution of equity interest; (b) ensuring that discoveries, inventions, and other creations generated by the Skidmore College community, are utilized in ways most likely to benefit the public; (c) assisting the Skidmore community in properly disclosing their scholarly work, in complying with applicable laws and formal agreements, and in gaining the protection available under US law; and (d) sustaining and enhancing the College's ability to engage in sponsored research and scholarship, funded by federal, state and private sponsors who require that policies and procedures exist for the management of intellectual property interests.

In addition, U.S. Federal Law (37 CFR Section 401) mandates that all recipients of federal grants or contracts must: (1) have intellectual property policies in place regarding the ownership of derivative intellectual property and that such policies require employees to disclose all such inventions; (2) report the details of inventions and patents that have been made through federal grants or contracts; (3) notify the federal sponsor that it will retain ownership of the invention and take steps to commercialize the invention or request permission to transfer title to a third party; and (4) provide a nonexclusive, nontransferable, irrevocable, paid-up license for the government to practice or have the invention practiced on its behalf throughout the world. The above requirements are also stipulated in Notices of Grant Award, contract terms and in the award policies of each agency.

#### A. Intellectual Property Policy

##### *Introduction*

This policy on intellectual property acknowledges the critical role that creativity plays in the intellectual fabric and identity of the College.

The purpose of this policy is to:

- ensure that members of the Skidmore community remain free to create and enjoy the benefits of their creations;
- establish a framework for making intellectual property developed at Skidmore available for the public benefit;
- encourage the prompt and open dissemination of research results;
- ensure that the College's legal obligations under externally funded grants and third party agreements are met; and
- articulate those circumstances where the College has a legitimate ownership interest in the creations of its employees and students, to establish procedures for the transfer of ownership of such creations from the creator(s) to the College and for the administration of such assigned intellectual property.

## FACULTY HANDBOOK

### *Intellectual Property at Skidmore College<sup>2</sup>*

The following policies apply to ownership of patents and copyrights in works invented or created by members of the Skidmore community using College funds, facilities, or other resources.

#### *Definitions*

**Author** is defined as a person who creates a copyrighted work.

**Community members** are defined to be the President, members of the President's cabinet, faculty, staff and students.

**Copyright** is defined as a form of protection the law provides to the authors of "original works of authorship: for their intellectual works that are "fixed in any tangible medium of expression," both published and unpublished. Examples of works which are eligible for copyright protection include: books; periodicals; software; musical or dramatic works; pictorial or other artistic works; and audiovisual works. Copyright includes a bundle of rights: The right to reproduce the copyrighted work; the right to distribute copies of it; the right to prepare derivative works based upon the copyrighted work; and the right to make public performances or displays of most copyrighted works.

**Institutional Works** is defined as works created by non-faculty employees (either staff or student employees) within the scope of their employment.

**Institutionally Commissioned Work** as used in Part B.II.A is defined as work that the College specifically commissions its employee(s) to create or produce outside their regular scope of employment. Institutionally Commissioned Work does not include works produced with routine support (see definition below) either during the period of an academic appointment or during the summer.

**Intellectual property** is defined as creations of the mind or intellect, the ownership of which is recognized and protected by law. It includes any patentable invention, tangible research property, copyrightable subject matter, trademarks, trade secrets, works of art and inventions or creations that might normally be developed on a proprietary basis.

**Invention** is defined as any new or useful process or discovery, art, method, technique, product, machine, device manufacture, software, composition of matter, or improvement thereof.

**Invention Disclosure Form** is a form that reports and describes a new invention, signed by the inventor(s).

**Inventor** is defined as any individual associated with the College who makes an invention.

**Patent** is defined as a grant issued by the United States or a foreign patent office that gives the inventor or the entity to whom the inventor has assigned ownership rights, the right to exclude others from making, using, or selling the invention within the country within which the patent is issued for a period of twenty years.

**Proceeds** are defined as all compensation of whatever kind received from the sale, license, or other transfer of intellectual property rights by the College to a third party. This includes, but is not limited to, percentage payments, up-front fees, milestone payments, shares of stock, and any other financial or in-kind consideration.

Routine support is defined as whatever resources are regularly provided to that sort of person in that department at that time. Examples of routine support include office or laboratory space and equipment, secretarial and clerical services, divisional travel grants, access to generally available and departmental computer and network facilities, software, and support, sabbatical leaves, start-up funds at the time of hire (e.g., one-time funding to help

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<sup>2</sup> In developing this policy, we have consulted intellectual property policies from a number of schools. We have borrowed language directly from the policies of Amherst, Colgate, Swarthmore, Hamilton, Dartmouth and Boston College.

## FACULTY HANDBOOK

a newly hired science faculty set up a laboratory does count as routine support because it is regularly provided in science departments at this time), grants for endowed chairs, fellowships, and other grants from the Faculty Development Committee or other similarly constituted intramural grant committees.

Costly, exceptional, individually dedicated resources are generally not routine support. For instance, if an individual faculty member gets one-time money from the budget or the Dean of the Faculty/Vice President for Academic Affairs (DOF/VPAA), that money is not routine support unless it is funding that is regularly offered.

**Software** is defined as any computer or computer-based materials, including but not limited to computer programs, databases, operating systems, and application programs, or parts thereof, designed to accomplish a task or allow a user to produce, manage, analyze, or manipulate a product, such as data, text, a physical object, or other software. Software may be protected by patent, copyright, or trade secret.

**Sponsored Project Agreement (SPA)** is a contract between the College and a sponsoring organization that sets the terms and conditions for the conduct of Community member's research or other professional or scholarly activity. Sponsored Project Agreements include, but are not limited to, Notices/Letter of Grant Award, Sponsored Research Agreements, Contracts, Subaward Agreements, Material Transfer Agreements, Non-Disclosure/Non-Use Agreements, etc. These third party agreements identify the expectations and needs of all parties and address a variety of issues, including for example: period of performance; amount of funding; scope of work; the disposition of data; deliverables; intellectual property rights; ownership of equipment or derivative products; liability; publication rights; termination; governing law; space; indirect cost rates, etc.

**Trademark** is defined as a work, name symbol, or device (or any combination) adopted by an organization to identify its goods and services and distinguish them from the goods and services of others.

**Work-for-hire** is a work specifically ordered or commissioned under a written work-for-hire contract.

### **Part A - Copyright**

#### **I. Ownership**

Skidmore College has historically asserted no ownership interest that it may legally have to copyrightable works created by Community members. Skidmore's fundamental practice with regard to copyrightable intellectual property remains one in which ownership shall be held by the individual(s) who create(s) the work subject to the exceptions specified below in Section II.

However, the College has the right to protect its good name, and therefore retains a right of approval for the dissemination of any intellectual property that suggests College endorsement, (e.g., by the use of the College name, logo or other trademarks). No approval is necessary when the name of the College is used only to identify the employment/affiliation status of the Community member.

#### **II. Exceptions**

##### **A. Work-for-Hire**

The College shall own intellectual property rights in: (1) works-for-hire; (2) institutional works created by non-faculty employees (either staff or student employees) within the scope of their employment; and (3) works produced in College related service activities, except when otherwise provided in a prior written agreement between the author(s) and the Dean of the Faculty/Vice President for Academic Affairs of the College or in the case of non-academic affairs staff the Vice President of Finance and Administration. Not included in this exception are works created by non-faculty employees (e.g., student employees) under the supervision of a faculty member. In this case, the College would not claim ownership, except in instances in which the College can claim ownership rights under exception II.B.

## FACULTY HANDBOOK

### B. Sponsored Project Agreements

Works created pursuant to a Sponsored Project Agreement with an extramural sponsor will be governed by terms of that agreement, the award policies and procedures of the Sponsor/Grantor, and/or by applicable law governing the ownership of copyrightable intellectual property generated under such agreements. Such agreements are subject to the review and approval or concurrence of the PI/senior personnel responsible for the project and the review and approval of the Dean of the Faculty/Vice President for Academic Affairs. Unless otherwise dictated by the Sponsor/Grantor, the division of intellectual property rights between the College and the creator(s) shall be governed by the principles outlined in this document.

The College will not enter into any Sponsored Project Agreements that prohibit the free use of the intellectual property by the creator(s) for research or educational purposes without consulting with the creator(s). All such agreements shall to the extent practicable provide for the creator's continued free use of the intellectual property for their own ongoing research or education purposes.

### *Part B - Patents*

#### I. Ownership

Skidmore's fundamental practice with regard to patentable intellectual property when no more than routine support has been received remains one in which ownership shall be held by the individual(s) who create(s) the work subject to the exceptions described below in Section II.

#### II. Exceptions

##### A. College-Sponsored Materials

Skidmore shall own intellectual property rights to institutional works, institutionally commissioned works, or when it provides more than routine support to a project.

Not included in this exception are works created by non-faculty employees (e.g., student employees) when they are working under the supervision of a faculty member who has received no more than routine support for a research or teaching project.

When the College provides more than routine support to a project, the community member shall request or the College may elect to provide a notice of "More than Routine Support" to the applicant community member at the time the support is provided. All parties involved shall sign the "More than Routine Support Agreement" outlining the scope of the project, and to the extent practicable, the expected outcomes. During the effective period of this agreement, the participants shall promptly disclose any and all intellectual property generated, in accordance with the procedures described below in Section III.A.

Not included in this exception are works created by non-faculty employees (e.g., student employees) when they are working under the supervision of a faculty member who has received no more than routine support for a research or teaching project.

##### B. Sponsored Project Agreements.

Works created pursuant to a Sponsored Project Agreement with an extramural sponsor will be governed by terms of that agreement, the award policies and procedures of the Sponsor/Grantor, and/or by applicable law governing the ownership of patentable intellectual property generated under such agreements. Such agreements, when negotiated, are subject to the review and depending on the nature of the agreement, subject to either approval or concurrence of the PI/senior personnel responsible for the project. All such agreements are subject to review and approval of the Dean of the Faculty/Vice President for Academic Affairs. Unless otherwise dictated by the Sponsor/Grantor, the division of intellectual property rights between the College and the creator(s) shall be governed by the principles outlined in this document.

**FACULTY HANDBOOK**

The College will not enter into any Sponsored Project Agreements that prohibit the free use of the intellectual property by the creator(s) for research or educational purposes without consulting with the creator(s). All such agreements shall, to the extent practicable, provide for the creator's continued free use of the intellectual property for their own ongoing research or education purposes.

**III. Procedures for Administration of Invention Disclosures and Patents****A. Disclosure and Assignment**

Inventions conceived or first reduced to practice using College funds or facilities and for which the College may, pursuant to the principles described herein, have an ownership interest shall be promptly disclosed in writing to the Office of Sponsored Research (acting on behalf of the Office of the Dean of the Faculty/Vice President for Academic Affairs), Palamountain Hall, Room 436, Skidmore College, 815 North Broadway, Saratoga Springs, New York 12866-1632. The creator(s) of the invention shall complete the appropriate Invention Disclosure Form supplied for this purpose. If the College chooses to file a patent application for the invention, to which the College may claim ownership in accordance with the principles described above, the inventor(s) shall execute documents of assignment to convey to the College all of the inventor's interest in the invention owned by the College and shall cooperate and assist the College in all phases of the patent application process. Upon request, each person covered by this policy will sign an appropriate agreement to implement this policy. The Disclosure Form, all supporting documentation and discussions relative to the invention shall be treated as confidential communications. Copies of all such tangible documents and records shall be retained in a locked cabinet in the Office of Sponsored Research.

**B. Abandonment**

If the College, acting in-a-timely-manner, elects not to patent an invention, the College, upon request, shall reassign ownership to the inventor(s) to the extent possible under the terms of any agreements that support or relate to the work. In this context, "in-a-timely-manner" shall mean a period of time sufficient to provide for the conduct of background research and investigation and for the Dean of the Faculty/Vice President for Academic Affairs to render a decision. As a general guideline, such actions shall be completed within a period of 60 to 90 days following receipt of a complete and fully executed copy of the Invention Disclosure. The actual time required will be dependent on considerations, such as the complexity of the invention and the need to secure outside counsel.

**C. Proceeds**

Income distribution for patents owned by the College shall be as follows: All administrative and legal expenses incurred in connection with the patent will be deducted from the gross income. After these deductions, the income will be divided 50 percent to the inventor(s), with the other 50 percent divided between a research account in the Office of Sponsored Research and the College.

Skidmore anticipates that a portion of its proceeds will be used to support education or research.

***Part C - Resolution of Disputes***

Disputes concerning application of this policy shall be resolved by a review panel of three members of the Skidmore community: a representative of the creator(s), a person designated by the Dean of the Faculty/Vice President for Academic Affairs, and a third person selected by the two other members.

The review panel may request meetings with relevant individuals and may review additional materials necessary to understand the issues on which there is disagreement. Such materials may include, but are not limited to, appropriate financial information, sponsored project agreements, human or animal protocols, laboratory notebooks, presentation materials and manuscripts or other relevant materials. The Review Panel will prepare written findings of fact and a ruling, based on their review. Such findings and the ruling will be provided to the creator(s), the Dean of the



## FACULTY HANDBOOK

Faculty/Vice President for Academic Affairs, and the President. The findings of the Review Panel, when approved by a majority of its members, shall be binding.

The existence of a review panel does not preclude any of the parties from retaining and/or consulting legal counsel.

In the event of disputes between co-inventors, all claims and disputes are to be settled by binding arbitration, pursuant to the rules of the American Arbitration Association, in the state of New York.

### *Part D - Revisions to Policy*

Skidmore College reserves the right to amend this policy as it deems necessary to achieve programmatic and policy objectives, consistent with the procedures prescribed in the College's Policy on Policies.

### *Part E - Effective Date*

This policy applies to intellectual property conceived on or subsequent to the date of policy adoption or to any intellectual property interests that are subject to the terms of a Sponsored Project Agreement.

## VI. APPOINTMENTS TO THE FACULTY

### A. Tenure-Track Appointments

Initial appointments to all ranks are made by the Dean of the Faculty/Vice President for Academic Affairs in consultation with the Department Chair and the department concerned and (where appropriate) Program Directors. In the case of appointment as Dean of the Faculty/Vice President for Academic Affairs, the President may appoint the Dean of the Faculty/Vice President for Academic Affairs at the rank of Professor with tenure, according to procedures prescribed in the Faculty Handbook, Part One, Article VIII (Evaluation of Faculty for Continued Service and Advancement in Rank, Section E (Tenure), number 3(e) (Eligibility)). Full-time and shared faculty appointments to all professorial ranks shall be made for a three-year period, the first year being a probationary one. Appointments to shared positions may be made for those whose areas of expertise are substantially interchangeable. Shared appointments to the Faculty are designed to enable the College to hire and retain gifted professionals who may wish to teach less than full-time on a permanent basis. In order to fulfill the College's needs, such appointments are made when two faculty members can fulfill the responsibilities of a single position or a fraction of two positions, while allowing for flexibility between them in assigning responsibilities.

1. The appointee's department may request the Dean of the Faculty/Vice President for Academic Affairs on or before February 15 of the first year to terminate the appointee's contract at the end of the academic year. If the Dean of the Faculty/Vice President for Academic Affairs grants the request, the Dean of the Faculty/Vice President for Academic Affairs shall notify the appointee of such termination in writing on or before March 1 of the first year of the appointee's contract. If the appointee begins the contract in mid-year (January), the date for the department's request to the Dean of the Faculty/Vice President for Academic Affairs shall be May 31, and the Dean of the Faculty/Vice President for Academic Affairs must notify the appointee of termination in writing by June 15.
2. An appointment that is not terminated during the first year shall remain in effect through the third year.

### B. Fully Dedicated Tenure-Track Lines in Interdisciplinary Programs

In a case of demonstrated need, a full-time tenure-track appointment may be made to an interdisciplinary (ID) program. Appointments shall be made according to methods described in Article VI (Appointments to the Faculty), Sections A (Tenure-Track Appointments) and D (Pre-Tenure-Track Appointments) as applicable.

Upon the award of a tenure-track line to an ID program and before initiating a search, a Program Personnel Committee (PPC) shall be formed to perform functions normally assumed by a department in all matters of reappointment, tenure,

**FACULTY HANDBOOK**

and promotion. An ID program with multiple lines shall have one PPC. The ID PPC will function separately from a Program Steering Committee although membership may overlap.

The ID PPC will consist of the ID Program Director and four to eight tenured and tenure-track faculty in at least the third year of consecutive full-time college service and at least the third year of participation in the ID Program. The Dean of the Faculty/Vice President for Academic Affairs appoints members to the PPC in consultation with the Director and the ID Program Steering Committee. In cases where a Committee member vacates the position on the Committee, a replacement is appointed in the same manner. Normally the ID Program Director will chair the PPC. If the Director is a candidate, however, the Dean of the Faculty/Vice President for Academic Affairs in consultation with the PPC shall appoint a tenured faculty member from the committee to serve as Chair. Once the committee is formed, PPC membership shall remain a fixed number of faculty through a candidate's tenure review. Appointments will be for one term of three years or for two or more consecutive terms, with the latter recommended if feasible. Appointments should ensure that membership is representative of the disciplinary diversity and range in academic rank of faculty actively teaching in the ID program. The majority of committee faculty should be tenured, if possible, and should have prior experience in reappointment and tenure review.

Before initiating a search, the ID PPC shall establish internal procedures to evaluate candidates for reappointment, tenure, and promotion according to guidelines specified for Chairs and departments in Faculty Handbook, Part I, Articles VII (Rights, Obligations, and Responsibilities of all Faculty) and VIII (Evaluation of Faculty for Continued Service and Advancement in Rank). In support and review of tenure-track faculty appointed to a program, the Director shall perform duties normally assumed by a Department Chair as specified in the Articles noted above and in Article IX (Leaves of Absence). Exception: If the Director is the tenure-track candidate, the Chair of the ID PPC shall perform the duties referred to above. (Also see Faculty Handbook, Part I, Article XII, Section D [Obligations Pertaining to Department Chairs] and Article XIII, Section D [Obligations Pertaining to Program Directors].)

In some considerations for promotion, an ID PPC may need to be reconstituted. In such cases, before promotion consideration of a candidate appointed to an ID Program can begin, the program in consultation with the Dean of the Faculty/Vice President for Academic Affairs shall form an ID Program Personnel Committee according to the procedures specified above.

**C. Tenure-Track Lines Apportioned between Departments/Programs**

It is expected that in most cases faculty who participate in interdisciplinary (ID) programs do so voluntarily and on a non-contractual basis. However, in a case of demonstrated need, a full-time tenure-track proportional appointment may be made. A proportional tenure-track appointment is a contractual faculty appointment that is shared between a department and an ID program or between two departments or between two ID programs; the proportions of the appointment must be specified in the letter of appointment. These appointments require that the faculty member holding them make a significant and sustained contribution in teaching and service to both departments/programs. Scholarship may be relevant to one or both of the departments/programs. The usual proportional division will be 60/40, although special circumstances might dictate other proportional divisions. The larger proportion may reside in a department or a program.

Under exceptional circumstances and in response to demonstrated need, a proportional tenure-track appointment may be changed to 100 percent in a department or a program, to a different proportional division, or to a proportional appointment with a different department or program. It is also possible to change a 100 percent department appointment to a proportional appointment with an ID program or another department. Any such change must be approved by the faculty member, the department(s) and program(s) involved, and the Dean of the Faculty/Vice President for Academic Affairs.

## FACULTY HANDBOOK

### D. Pre-Tenure-Track Appointments

Visiting Lecturer: Appointments to the position of Visiting Lecturer will be made with the understanding that appointees must receive their doctorates or the equivalent terminal degree by October 15 following their second year at Skidmore in order to move onto tenure-track lines. By May 1 in the second year of service, such appointees must show evidence that the degree is or will be completed by October 15. If this condition is met, the department shall determine whether or not the appointee should be offered a tenure-track position. Neither professional accomplishment beyond the completion of the terminal degree nor community service shall be applied as criteria in this decision. Appointees who fail to complete the degree by October 15 following their second year shall receive contracts for a third and terminal year at the College. Exceptions to this date may be granted when the Dean of the Faculty/Vice President for Academic Affairs judges there are procedural circumstances beyond the candidate's control.

### E. Non-Tenure-Track Appointments

1. The Associate Dean of the Faculty (faculty affairs) makes all appointments to non-tenure-track positions in consultation with the Chair of the department concerned and (where appropriate) Program Directors.

Full-time and shared appointments as Library Faculty, Artists- and Writers-in-Residence, and Instructors will be made initially for three years, the first year being a probationary one. The appointee's department may request the Dean of the Faculty/Vice President for Academic Affairs on or before February 15 of the first year to terminate the appointee's contract. If the Dean of the Faculty/Vice President for Academic Affairs grants the request, the Dean of the Faculty/Vice President for Academic Affairs shall notify the appointee of such termination in writing on or before March 1 of the first year of the appointee's contract. If the appointee's contract begins mid-year (January), the date for the department's request to the Dean of the Faculty/Vice President for Academic Affairs shall be May 31, and the Dean of the Faculty/Vice President for Academic Affairs must notify the appointee of the termination in writing by June 15. An appointment that is not terminated during the first year shall remain in effect through the third year.

Full-time Teaching Professors may be hired for an additional one, two, or three years beyond an initial three-year contract in a department or program. On or before February 15 of the first year, the appropriate department or program may request the Associate Dean of the Faculty (faculty affairs) to terminate the Teaching Professor's multiple-year contract. If the Associate Dean of the Faculty (faculty affairs) grants the request, the appointee will be notified by the Associate Dean of the Faculty (faculty affairs) of such termination in writing on or before March 1 of the first year of the appointee's contract. Whenever possible, full-time Teaching Professors and full-time Lecturers on multiple-year contracts will be advised of their contract renewal a year in advance of the expiration of their existing contract. Contract and length of renewal will depend on the Teaching Professor's and Lecturer's performance in the classroom, institutional need, and department/program curricular and enrollment needs.

Full-time and shared appointments as Research Associates and Department Assistants will be made for one year, renewable. Appointments to shared positions may be made for those whose areas of expertise are substantially interchangeable.

2. The following titles are currently recognized for professional personnel outside the tenure-track:
  - a. Library Faculty: Library faculty are full-time members of the Faculty. Promotion from Assistant to Associate Librarian and to Librarian is based upon the promotion criteria specified in the Faculty Handbook, Part One, Article VIII, Section C (Non-Tenure-Track Faculty), number 1 (Library Faculty), and granted according to the procedures specified in Part One, Article VIII, Section F (Promotion), number 2(b) (Librarian Ranks).

Those Library faculty tenured as of 1993-1994 will retain tenure. Library faculty whose appointments were effective prior to July 1, 1994 will have a choice of whether to stand for tenure or for contract renewal at the appropriate time. Library faculty whose appointments take effect on or after July 1, 1994 are eligible only for contract renewals as described below (see Part One [Faculty Rights and

**FACULTY HANDBOOK**

Responsibilities], Article VIII [Evaluation of Faculty for Continued Service and Advancement in Rank], Section D [Reappointment], number 2).

- b. Artist- or Writer-in-Residence: An Artist- or Writer-in-Residence is a full-time teaching member of the faculty. The title recognizes achievement, experience, and acclaim. The appointee may or may not have the academic credentials required for appointment at a professorial rank. Promotions to Senior and to Distinguished Artist- or Writer-in-Residence are granted by the Dean of the Faculty/Vice President for Academic Affairs upon the recommendation of the department.
- c. Visiting Artist- or Writer-in-Residence: A Visiting Artist- or Writer-in-Residence is a full-time teaching member of the faculty appointed for fewer than three years.
- d. Visiting Professor or Librarian: A Visiting Professor or Librarian is usually a full-time member of the faculty appointed at one of the professorial or librarian ranks for a limited time. The title reflects the possession of appropriate academic credentials.
- e. Visiting Assistant Professor: A Visiting Assistant Professor (VAP) is usually a full-time member of the faculty in a department or program who is on a non-renewable contract of up to three years. No promotions are available at this rank. Departments that wish to extend a VAP's contract beyond the initial three-year term will do so at the Teaching Professor rank. Those eligible for the Teaching Professor title and rank may choose to petition the Associate Dean of the Faculty (faculty affairs) to retain their Visiting Assistant Professor title.
- f. Teaching Professor: A Teaching Professor is a full-time member of the faculty in a department or program who has taught at the College for at least three years without interruption. Teaching Professors possess a terminal degree and the credentials required for appointment at the professorial rank. Promotion to Senior Teaching Professor is recommended to the Associate Dean of the Faculty (faculty affairs) by the department or program in accordance with internal departmental or program procedures and the criteria set forth in Part One (Faculty Rights and Responsibilities), Section VIII, C(4). Although Teaching Professors may stand for promotion, they are not eligible for tenure.
- g. Lecturer: A Lecturer is a full- or part-time member of the faculty in a department or program. Lecturers may be practicing professionals qualified by the possession of special skills or experience though they might not have the academic credentials required for appointment at the professorial rank. Promotion to Senior Lecturer is recommended to the Associate Dean of the Faculty (faculty affairs) by the department or program in accordance with internal department or program procedures and the criteria set forth in Part One, Section VIII (Evaluation of Faculty for Continued Service and Advancement in Rank), Section C(5). Although full-time Lecturers may stand for promotion, they are not eligible to the Teaching Professor rank or to tenure.
- h. Instructor: An Instructor is a full- or part-time teaching member of the faculty. Instructors principally collaborate with other faculty in the design and/or delivery of the curriculum in a department or program. Promotion to Senior Instructor is granted by the department according to departmental procedures and with the consent of the Dean of the Faculty/Vice President for Academic Affairs.
- i. Visiting Instructor: A Visiting Instructor is a full- or part-time appointment for fewer than three years.
- j. Research Associate: This is a non-teaching, non-salaried appointment. The College will provide office and/or laboratory space if possible and use of library, computing, and recreational facilities. Research Associates may apply for external research funding as a member of the College and is expected to contribute to the overall scholarship of their assigned department.
- k. Department Assistant: Full- or part-time appointments to assist the members of the teaching or library faculty.

## FACULTY HANDBOOK

3. The creation of any new faculty titles and descriptions must be approved by the Faculty. Changes in status or title of any faculty appointee must be made in accordance with procedures for appointment or promotion as stated above in Part One (Faculty Rights and Responsibilities), Articles VI (Appointments to the Faculty) and VIII (Evaluation of Faculty for Continued Service and Advancement in Rank), Section F (Promotion).

### F. Appointments to Endowed Chairs

Endowed Chairs are appointed by the Dean of the Faculty/Vice President for Academic Affairs in consultation with CAPT, the Department, and, when applicable, the Program concerned. Appointment to an endowed chair is a mark of distinction conferred by the institution upon a current faculty member or, less typically, upon a faculty member expressly hired into the chair. Term lengths may vary in accordance with donor wishes and program needs. Support for endowed chairs may enable the College to appoint individual faculty in several rotating configurations: rotation within a department or discipline or rotation across departments in a division, e.g., the sciences, the humanities, etc. Support for endowed chairs may also make possible residencies of varying lengths to allow programs at the College to supplement current offerings.

## VII. RIGHTS, OBLIGATIONS, AND RESPONSIBILITIES OF ALL FACULTY

### A. Rights of Members of the Faculty

Rights of members of the Faculty include, but are not limited to, the following:

1. All members of the Faculty, regardless of status or rank, are entitled to the Academic Freedoms described previously (Part One, Article IV [Academic Freedom and Tenure]). Faculty members who believe there have been violations of their academic freedom and rights may bring such grievance to CAFR.
2. All faculty members have the right to receive from their Department Chairs written evaluations of their performance: annually if non-tenured; every three years if tenured, or if Library faculty in more than their sixth consecutive year of continuing service; or more frequently and informally at the individual's request (see Part One [Faculty Rights and Responsibilities], Article XII [Appointment and Review of Department Chairs], Section D [Obligations Pertaining to Department Chairs], number 3). These written evaluations are intended to be for guidance and used for self-improvement only, and not for use as part of a candidate's file for reappointment, promotion, or tenure.
3. Faculty members have a right to representation by legal counsel provided by the College if legal action results from execution of their academic duties as determined by the President.
4. Because student evaluations are used in several decision-making processes, faculty members have a right to receive fair and honest evaluations. A faculty member who feels this right has been violated may pursue the matter through any of several channels (Department Chair, Dean of the Faculty/Vice President for Academic Affairs, CAFR, etc.) that seem appropriate to the particular case.
5. Faculty rights are also embodied in the procedures for reappointment and tenure consideration.

### B. Obligations Pertaining to All Members of the Faculty

1. Continued professional improvement.
2. Conscientious fulfillment of academic responsibilities.
3. Concern for the College as a whole as well as for one's individual and departmental interests.
4. Encouragement of newly appointed members of the Faculty.

### C. Academic Responsibilities

## FACULTY HANDBOOK

1. *Availability:* Faculty members are expected to be available for academic duties during the academic year. The year for full-time faculty, excluding certain Department Chairs and Librarians who are on ten-month contracts, is the nine-month period from September 1 until May 31 of the following year. Part-time or temporary faculty contracts are written for specific time periods.
2. *Class Sessions:* Faculty members will meet all classes as scheduled by the Office of the Registrar, or make suitable arrangements approved in advance by Department Chairs for limited replacement. Other responsibilities may include supervision of field work, independent study, and internships.

Faculty members who cannot attend an assigned class shall notify their students and Department Chair as soon as possible, and preferably in advance. Faculty members are asked to notify the Department Secretary or Chair and the Registrar immediately whenever unable to teach because of illness.

3. *Academic Advising:* Faculty members are responsible for giving conscientious and informed guidance to student advisees.
4. *Office Hours:* Faculty members will post and observe regular office hours for consultation and guidance of students and will report those hours to the Department Chair.
5. *Administrative Meetings:* Faculty members are expected to attend Faculty Meetings and departmental and committee meetings when called.
6. *College Functions:* Faculty members are expected to attend Commencement, and they may be asked to represent their department or program at Honors Convocation. Any faculty member unable to attend Commencement should notify the Dean of the Faculty/Vice President for Academic Affairs. Faculty members are encouraged to wear academic regalia at Commencement and on other occasions as announced.
7. *Student Evaluations:* Faculty members are required to have student evaluations administered in their courses (see Part Two, Article III [Academic Policies], Section F).
8. *Grading:* Faculty members must submit grades to the Registrar by the date specified (see Part Two, Article III [Academic Policies], Section C).
9. *Other Academic Policies:* Faculty members must adhere to the Academic Policies of the College as stated in Part Two (Faculty Governance), Article III (Academic Policies).

## VIII. EVALUATION OF FACULTY FOR CONTINUED SERVICE AND ADVANCEMENT IN RANK

Preamble

Every institution must have a vision that animates its actions and gives focus to its aspirations. Learning—learning that will enable students to become wise, responsible, thriving citizens—is Skidmore’s fundamental enterprise. The college’s Mission Statement notes that “[u]nderpinning the entire enterprise are faculty members’ scholarly and creative interests, which inform their teaching and contribute, in the largest sense, to the advancement of learning.” The faculty is philosophically committed to lifelong inquiry, the discovery of knowledge, and the fostering of creativity. This commitment informs our work in the classroom, lab, and studio. But the faculty also is committed to the Academy and to society; it contributes to a community of scholars broadly conceived and prepares students to play their role in the stewardship of the human community. These commitments define what it means to be a teacher-scholar.

Skidmore College is an undergraduate institution, and as teacher-scholars the faculty not only serves students as exemplars of lifelong learning, but also guides them in acquiring the knowledge and skills an individual needs to pursue life’s path creatively and productively, and to develop along the way the wisdom required to meet life’s often unforeseeable challenges. Lifelong learning does not end within the confines of the Academy, but must stretch throughout its members’ lives and, importantly, into the community and its destiny.

## FACULTY HANDBOOK

Accordingly, Skidmore faculty have the responsibility to envision a model of the excellent teacher-scholar appropriate to their discipline; and the college has a responsibility to coordinate, guide, and enable faculty members to marshal their professional resources to realize their vision in pursuit of carrying out the college's fundamental enterprise. When evaluating faculty members for continuation of service and promotion in rank, the college should have in view the teacher-scholar. The excellence of the teacher-scholar will be evident through engaging students in developing their learning, through professional productivity, and through sharing in the communal work that is an indispensable part of academic life. These are often referred to, respectively, as "teaching," "scholarship," and "service." While the nature of a faculty member's professional work may, in most cases, be relatively easily circumscribed, the faculty member as a teacher and engaged citizen of the community can involve more fluid parameters. The classroom, laboratory, and studio are the primary, though not exclusive, sites where teaching occurs; and college governance and departmental activities are the central, though certainly not exclusive, channels through which a faculty member may help to shape the curricular and extra-curricular life of Skidmore. Just as professional excellence informs and provides the basis for excellent teaching, so professional and teaching excellence informs the quality and character of one's service to the life of the Academy.

The standards by which Departments, Programs, CAPT, the Dean of the Faculty/Vice President for Academic Affairs, the President, and the Board of Trustees arrive at their judgments regarding continuing service and advancement in rank are necessarily community-based. Therefore, the judgments of departments and programs, and especially CAPT, as the body elected by the faculty to represent the faculty in matters of promotion and tenure, necessarily set the standards for reappointment, tenure, and promotion at Skidmore College.

#### A. Tenured and Tenure-Track Faculty

Skidmore College seeks to hire, retain, tenure, and promote faculty members who, in addition to successfully performing their duties, bring intellectual acumen, commitment to Skidmore's mission, integrity, and energy to their work on behalf of their students, their discipline, their department or program, and Skidmore College as a whole. Our academic community is enriched through the broad range of academic backgrounds, interests, and perspectives of its diverse faculty.

Decisions to reappoint, tenure, or promote faculty members are based on the quality of their credentials in three areas: performance as teachers, achievement as scholars or artists, and contribution to the welfare of the college community beyond the classroom. Teaching of high quality is paramount and the primary criterion. No degree of excellence in scholarship or artistic achievement, no record of unusual productivity or service to the community will compensate for unsatisfactory teaching at any point in one's career. Yet high-quality teaching is but one of three criteria, and alone will not suffice. Through the arc of one's career, the balance among these three areas will vary: Skidmore seeks to develop and retain first-rate teacher-scholars whose professional achievements beyond teaching demonstrate a will and capacity to make significant contributions to their professional fields. Skidmore also expects faculty members to assume responsibility for the common life of the institution in ways that are commensurate with their interests and roles and with the institution's purpose and needs. Skidmore College recognizes that the balance of an individual faculty member's commitments and responsibilities will vary according to individual strengths and interests; the needs of departments, programs, and the college; as well as the development of the individual's career. As the faculty member matures and seeks recognition as a senior member of the professoriate, the expectation for more significant service is balanced with the college's expectations of professional accomplishment and a high quality of pedagogy.

Just as there is no single mold into which all Skidmore faculty must fit, so there is no single way in which all faculty are expected to excel. Nonetheless, it behooves the college to articulate general criteria identifying areas of performance that form the basis of faculty review and advancement. The college must also establish standards that clarify expectations regarding the qualitative levels of performance with respect to these criteria that must be reached in order to receive the positive reviews needed for contract renewal, tenure, and promotion.

This section of the Handbook sets out the criteria and standards that ground judgments regarding reappointment, tenure, and promotion in academic rank. It also discusses the kinds of evidence to be used by departments and programs; CAPT; the Associate Dean of the Faculty (faculty affairs); the Dean of the Faculty/Vice President for

## FACULTY HANDBOOK

Academic Affairs; the President; and, ultimately, the Board of Trustees in making those judgments through the process of faculty review.

Definitions of terms relative to reappointment, tenure, and promotion in rank for purposes of this Handbook:

- *criteria* identify areas of performance upon which evaluative judgments are based;
- *standards* are qualitative descriptions of performance that establish levels at which criteria must be satisfied in order to warrant favorable personnel judgments;
- *judgments* are personnel recommendations and decisions made by responsible groups and individuals (see above);
- *evidence* comprises documents and other supportive materials submitted as part of the dossier that are used by those charged with making judgments in the faculty review process to determine whether a candidate for review has satisfied the applicable standards for the personnel decision at issue; and
- *sustained* performance is performance that establishes a clear pattern over time (over the period of time considered in a review). Such a pattern could be a trend (a trend toward improvement), and it could admit a small number of instances that are inconsistent with the overall direction (the odd class that does not work well for identifiable reasons).

The criteria used to evaluate faculty for contract renewal, promotion in rank, and tenure emphasize fulfillment of faculty duties and responsibilities as described in this Handbook through teaching, scholarly or creative accomplishment, and service, as described below. Evaluation criteria also include performance of other mutually agreed upon duties and responsibilities, as specified in a faculty member's letter of initial appointment or as modified in subsequent correspondence, and professional conduct consistent with the standards described in this Handbook.

1. **TEACHING:** Whereas the primary importance given to teaching follows from Skidmore's mission as an undergraduate institution, the college recognizes that high-quality teaching takes many forms, is probably inseparable from the instructor's personality, and may be more an art than a science at its core. Hence it defies summary or categorical attempts to describe it. Generally speaking, however, successful instruction manifests a sustained interest in teaching as a vocation. It encompasses skills in course management and design; effective classroom manner, modes of presentation and delivery of course materials; and knowledge and mastery of one's subject. These will be addressed below.

Defining itself first and foremost as a community of teachers and learners, Skidmore invites faculty to share their passion for their disciplines and their understanding of connections between their disciplines and others with colleagues and, most of all, with our students. This commitment to student learning stands at the heart of our mission.

The college expects faculty to fulfill their responsibilities as teachers by facilitating the intellectual or artistic development of their students in scheduled courses and in other curricular and co-curricular contexts (e.g., through independent studies and advising) in which instruction occurs. More broadly, the college expects faculty to retain a career-long commitment to teaching and supports their professional development with a number of resources that can assist them in meeting this challenge.

It follows that the quality of a faculty member's contribution to student learning—success as a teacher—is the most important criterion for evaluating the performance of teaching faculty. To receive contract renewal, tenure, or promotion, a member of the teaching faculty must provide evidence of sustained success in teaching at a level of accomplishment satisfying the applicable standards. No matter how significant they may be, achievements in other areas of faculty work cannot counterbalance ineffective teaching.



## FACULTY HANDBOOK

Any evaluation of the teaching of Skidmore faculty should take into account the following four features of successful teaching: motivation and mentoring, expertise, course design and delivery, and fostering student learning. Evidence of these may include but is not limited to:

- *Motivation and mentoring.* Through their commitment to and enthusiasm for their subject matter, successful teachers stimulate their students' intellectual curiosity or artistic vision and cultivate intellectual humility. They model for their students the high standards of performance and professionalism appropriate to their disciplines, provide them guideposts toward attaining those standards, and hold them consistently accountable. Successful teaching inspires, guides, and supports students in their courses as well as in their self-directed and collaborative research, independent study, and senior projects.
- *Expertise.* Representing the current state of a discipline or field is crucial to successful teaching. Knowledge informs not only the range and depth of course materials, but also pedagogical methods and goals. Knowledge nourishes the imagination and deepens the appreciation for the complexity and interconnectedness of materials. In short, knowledge makes comprehensiveness and rigor in teaching possible, and by acknowledging the limits to their own expertise, faculty members model academic integrity and demonstrate the need for lifelong learning.
- *Course design and delivery.* Courses should be designed with well-structured content that reflects disciplinary standards and Skidmore's standards and expectations for learning. The relevant elements of course design may include integration of course components, laboratory/studio exercises, assignments, and examinations. The development of these elements, and the generation of new courses, is itself a feature of successful teaching.
- *Fostering student learning.* Successful teaching brings students to engage course materials in a manner that broadens and deepens their intellectual horizons, and may do so employing a variety of strategies and techniques, such as lectures, discussion, group activities, writing, etc. But all successful teaching creates an environment that leads to the students' successful mastery of the course materials and furthers them as independent learners. Successful teachers continue to develop materials and pedagogical techniques that further this end. Successful presentation of course materials includes responsiveness to student participation, providing timely and helpful feedback on assignments and examinations; being available to students outside of class; offering advice and counsel about students' education paths forward in the near and long term. Ultimately, the litmus test of successful teaching is a faculty member's ability to enable students to develop as self-guided, critically engaged scholars and/or artists. Such success will be marked primarily by students' active engagement with the discipline and the quality of their resulting work. It is true that students must do their part as well, but a faculty member's fundamental job is to encourage and help them do so. No amount of expertise or attention to the individual activities that go into teaching can compensate for an overall lack of success in fostering student learning.

Informed judgments about a colleague's teaching should be based on evidence relating to the preceding features of successful teaching that takes into consideration the arc of a candidate's career and development, and work done at the various levels of the curriculum. Such evidence may be obtained in a variety of ways, including, but not limited, to reviews of syllabi, class visits, informal observations of colleagues outside the classroom, products of student research or creative work, discussions of pedagogy, and careful readings of student course evaluations. This scarcely exhausts the ways effective teaching might manifest itself, of course, and candidates may wish to present other evidence.

2. **SCHOLARSHIP:** Activities leading to the advancement of knowledge and/or the enhancement of the arts on the faculty's part redound favorably on Skidmore as an institution of higher learning. Skidmore expects members of the faculty to remain actively engaged—as participants and not just as observers—with the continuing conversations and innovations that constitute the lifeblood of an academic career. Specifically, Skidmore expects its faculty to cultivate, over the course of their careers, the scholarly or artistic maturity sufficient to define problems and issues in their areas of expertise, which they then engage in their work.

## FACULTY HANDBOOK

Developing such a mature perspective on one's discipline enables one to integrate and evaluate the elements that constitute both its history and its present developments. What is more, insofar as its results are normally published or exhibited, scholarship in particular invites the critical scrutiny of peers, who are in the best position to assess its worth, and ensures the college of the faculty's continuing involvement in the ongoing, self-critical discourse of their profession. Similarly, recitals, performances, and exhibitions afford teachers in the performing and visual arts opportunities to demonstrate their creativity and are the equivalent of scholarly publications and research. Effective teaching and sound scholarship are mutually reinforcing; in other words, Skidmore expects its faculty to be teacher-scholars: to be active in the profession because scholarly and artistic pursuits revitalize teaching even as teaching points scholars and artists in new directions.

For purposes of evaluation and in keeping with Skidmore's respect for diversity in the professional aims and accomplishments of faculty members, scholarship is to be defined broadly. It denotes, for instance, not only original research, that is, investigatory analyses of primary data leading to discoveries in one's specialization, but also work that crosses disciplinary boundaries toward integrating knowledge, studies that bridge theory and practice in applied fields, and work that reorganizes existing information in creative ways or interprets it for students and non-specialists, be they colleagues or laypersons. Without intending to be comprehensive, exhaustive, or categorical, the following are offered as broadly descriptive of types of scholarly and artistic activity:

- Discovery encompasses traditional research that creates new knowledge through original investigation that may be theoretical or empirical, disciplinary or interdisciplinary, or some combinations of these. Construed broadly, this dimension of professional development also encompasses the creation of new works of art or musical composition and writing works of fiction, poetry, or creative nonfiction.
- Integration involves the critical evaluation, synthesis, analysis, integration, or interpretation of the research or creative work produced by others. It may be disciplinary, interdisciplinary, or multidisciplinary in nature and includes the varieties of artistic interpretation and performance.
- Application involves applying disciplinary expertise or the results of existing scholarship (produced by oneself or others) to the investigation or solution of intellectual, social, or institutional problems. In the arts it can involve mastering a new performance repertory or exploring a style of creative activity (e.g., unique approach to artmaking) developed by someone else. Such work involves activities that make use of one's special areas of knowledge or expertise, and it demands the same levels of rigor and accountability traditionally associated with the scholarship of discovery or the scholarship of integration. Application may also include a scholarly focus on the nature and best practices of delivering the materials of one's discipline to students and other audiences.

Scholarly achievement occurs along a disciplinary-specific continuum ranging from major accomplishments to smaller contributions. Evidence of scholarly achievement includes but is not limited to peer-reviewed books, monographs, and articles published in recognized scholarly venues and by reputable publishers; performances; exhibitions; peer-reviewed, external research grant proposals; conference presentations and invited lectures; and unpublished manuscripts, drafts, and works in progress. Evidence of professional development and engagement such as public scholarship, research grant proposal writing, and unpublished works is relevant but alone is not sufficient. The expectations, challenges, styles of presentation, and standards for research or creative activity can vary considerably by discipline and over time. Accordingly, the judgments of the members of CAPT and academic administrators regarding a faculty member's research or creative activity should be informed by the advice of departmental colleagues and other knowledgeable peers (as expressed in letters of evaluation), especially regarding such factors as disciplinary norms, the importance and value of conducting research with undergraduate students, and the effect of doing work with undergraduate students on research productivity, and other relevant conditions within the discipline or the Skidmore department or program. Such advice is particularly important in setting expectations for the quantity of scholarly or artistic productivity in different disciplines.

## FACULTY HANDBOOK

3. **COMMUNITY SERVICE:** Service to the college community includes and goes beyond the fulfillment of tasks which Skidmore assumes rather than rewards (see Part One [Faculty Rights and Responsibilities], Article VII [Rights, Obligations, and Responsibilities of All Faculty]). Service presupposes a sense of responsible citizenship, or collegiality, and is essential at a residential liberal arts college. Community service expresses the extent of one's commitment to the institution, a commitment that transcends parochial interests.

Participation in faculty and shared governance is especially important, requiring skills and commitment that answer the needs of the college. Other common and clear examples of service are contributions that directly stimulate the intellectual atmosphere of the college or sustain conditions for stimulating it—arranging field trips and symposia, presenting and attending public readings or lectures, sitting on panels, and, on a less formal day-to-day basis, exchanging ideas and debating issues of common concern. Community service also includes the various ways one renders service to one's discipline or profession such as reviewing manuscripts, serving as an external reviewer, or holding professional office. Although reappointment, tenure, or promotion should not be considered as a reward for administrative or committee work, the skills, counsel, or vision so demonstrated may answer real needs. These and other special aptitudes or achievements will strengthen a candidate's case.

For the purposes of evaluation, effective service is defined as applying one's time, talents, and energy to perform or assist others in performing the necessary work of advising; faculty governance; departmental or programmatic administration; oversight of adjunct faculty and other personnel; development, assessment and oversight of curriculum; and other extra-curricular activities such as attending community events. As citizens of an academic community, faculty are responsible for performing their fair share of this labor, which must be accomplished if departments and the college are to function effectively and students are to be well served. Because of the importance of service to the educational mission of the college, satisfying the appropriate standard relating to this criterion is a necessary condition for contract renewal, tenure, or promotion. Whether a particular form of faculty service is required or elective, its quality and quantity are subject to evaluation.

The broad categories described below encompass the range of professional activities that faculty members can undertake in order to fulfill their responsibilities in service. Faculty members are not expected to perform active service in all of these categories in any one review period or even across an entire career. However, they are expected to demonstrate that they are effectively performing their fair share of this important faculty work.

- *Service to students.* The demands of mentoring fall unequally across the faculty. The concern for the personal and academic well-being of students that this work requires is expressed in the time and care that faculty invest beyond routine advising. In performing this work, faculty need to attain and draw upon knowledge of programmatic and general education curricula and academic policies.
- *Service to departments or academic programs.* This area of service encompasses the various forms of shared work that are particular to academic departments and programs. This includes developing, vetting, delivering, and assessing a department's or program's curriculum. The effectiveness of this work is guided by a faculty member's knowledge of disciplinary practices on a national level, the particular goals of a department at the college, and the contribution of a department to the general curriculum at the college. Such work can be ongoing (e.g., attending department meetings, managing an endowed fund, sponsoring a student organization, directing student honors projects and independent studies) or episodic (e.g., assisting in a departmental review, participating as a member of a search committee, or other standing or ad hoc groups formed to accomplish the goals of the department or program, advising students, and writing letters of recommendation). Effective faculty help to advance this important shared work.
- *Service to the college.* Faculty participate in governance by attending college assemblies and Faculty Meetings, as well as meetings of their departments or programs. Faculty can serve the college as a whole by taking on formal responsibilities such as serving on governance committees, task forces or work groups, or taking on administrative duties, such as chairing a department, directing a program, or assuming some other administrative post. Service includes informal

## FACULTY HANDBOOK

activities such as assisting at Admissions events, directing a student research symposium, performing or speaking at an alumni event or at an event on campus, or advising student organizations. Faculty may also serve the college by undertaking activities with external groups in Saratoga Springs and beyond that increase the visibility of the college or otherwise advance the College's mission.

- *Service to the academic profession.* This area of professional service includes, but is not limited to, holding office or some other position of responsibility in a state, regional, or national professional or disciplinary organization; serving as an evaluator, officer, or consultant for an accrediting body, or as a member of a departmental accrediting body, or as a member of a departmental evaluation team at another institution; serving as a member of a program committee or conference planning committee; refereeing manuscripts for publication; or engaging in other forms of consulting in the service of one's discipline or professional community.

### B. Pre-Tenure-Track Faculty

Criteria for pre-tenure-track faculty are (1) high-quality teaching, as defined above, and (2) progress toward the terminal degree (see Part One, Article VI [Appointments to the Faculty], Section D [Pre-Tenure-Track Appointments]).

### C. Non-Tenure-Track Faculty

#### 1. Library Faculty

Decisions to reappoint or promote Library faculty members at Skidmore are based on the quality of their credentials in three areas: librarianship, achievement as scholars and members of the profession, and contributions to the welfare of the college community. Librarianship of a high quality is paramount, the primary criterion for retention or advancement; but Library faculty must demonstrate an ability to make significant contributions to the profession through scholarship and professional activities. In addition, Skidmore expects faculty members to assume responsibility for the communal life of the institution in ways that are commensurate with their interests and roles and with the institution's purpose.

Librarianship: The mission of Library faculty is to enhance, further, and support learning and research activities at Skidmore College. This mission is realized in many ways: developing collections which support the curriculum; organizing the collections for physical and intellectual access according to standards of the Library profession; facilitating access to information resources beyond the Library walls; and interpreting the Library's collections and wider information universe through reference service, printed guides, and bibliographic instruction. This mission requires that Library faculty be both educators/scholars and administrators.

The following criteria encompass both the scholarly and administrative nature of librarianship and provide the basis for the evaluation of candidates for reappointment and promotion.

Library faculty must demonstrate mastery, creativity, and initiative in all of the following areas which apply to their assigned responsibilities: (1) developing library collections to support Skidmore's educational mission; (2) organizing and analyzing library collections to provide ease of both intellectual and physical access; (3) identifying and meeting users' needs by applying knowledge of information retrieval techniques, research strategies, and subject disciplines; (4) collaborating with students and faculty to support their educational and research activities; (5) promoting effective use of information through individual and classroom instruction; and (6) planning, implementing, and managing services and programs which support the library's mission.

## FACULTY HANDBOOK

### 2. Artists- and Writers-in-Residence

Decisions to reappoint or promote Artists- and Writers-in-Residence are based on their credentials in three areas: performance as teachers, achievement as artists/scholars, and contributions to the welfare of the college community beyond the classroom.

### 3. Instructors

The criteria for reappointment and for promotion are: (1) high quality teaching; (2) professional growth that maintains currency and enhances effectiveness in the classroom, studio, or laboratory; and (3) service to the department/program and the College.

### 4. Teaching Professors

The criteria for reappointment and for promotion of Teaching Professors include high quality teaching and department/program/institutional need; and, where appropriate, effective service to the department, the College, and the profession; and, where appropriate, evidence of professional growth that maintains currency and enhances effectiveness in the classroom, studio, or laboratory.

### 5. Lecturers

The criteria for reappointment and for promotion of full-time Lecturers include high quality teaching and department/program/institutional need; and, where appropriate, effective service to the department, the College, and the profession; and, where appropriate, evidence of professional growth that maintains currency and enhances effectiveness in the classroom, studio, or laboratory.

## D. Reappointment

### 1. Reappointment of Full-Time Tenure-Track and Library Faculty in Professorial Ranks

Each department in the College shall follow its established procedures to evaluate candidates for reappointment. If candidates have taught in an interdisciplinary program, or in a department other than the one in which they hold an appointment, the procedures must ensure a mechanism for obtaining information about their performance in this other department or program. The Chair will file these procedures with the Dean of the Faculty/Vice President for Academic Affairs and make them available to the candidate well in advance of the evaluation. These procedures must be in accordance with the principles of academic freedom and must ensure that the standards for continued service are considered.

#### a. *Second Year*

- i. At the end of the appointee's second year, the department shall determine whether or not it regards the appointee as a candidate for reappointment according to departmental procedures and the evaluative criteria set forth in Part One, Article VIII, Section A, with particular emphasis on teaching effectiveness. The Department shall inform the Associate Dean of the Faculty (faculty affairs) of its decision on or before May 31 of that year. In the case of proportional appointments (see Part One, Article VI, Section C), each program and/or department involved shall inform the Associate Dean of the Faculty (faculty affairs) of its decision on or before May 31 of that year.
- ii. By June 15 of the appointee's second year, the Associate Dean of the Faculty (faculty affairs) shall remind appointees not regarded as candidates for reappointment that their service terminates at the end of their third academic year.
- iii. Candidates for reappointment shall have access to all written materials immediately following notification of the Associate Dean of the Faculty (faculty affairs)'s decision. These materials may not be photocopied.

## FACULTY HANDBOOK

## iv. Reviews

- (1) If the appointee believes that the decision against reappointment was made in violation of academic freedom and rights or was procedurally inadequate, CAFR, upon petition by the appointee, will review the allegations and report to the President.
- (2) If the appointee believes that the decision against reappointment was based on inadequate consideration of the standards for continued service, the Associate Dean of the Faculty (faculty affairs) may review the evaluation.
- (3) In either (i) or (ii), the result of a finding in favor of the appointee will be to return to the department for reconsideration.
- (4) In a case where the disagreement between the department and the Associate Dean of the Faculty (faculty affairs) cannot be resolved, CAPT will review the candidate's file and make a recommendation to the Dean of the Faculty/Vice President for Academic Affairs. This recommendation will be made on or before September 30.
- (5) The Dean of the Faculty/Vice President for Academic Affairs shall make the decision to accept or reject recommendations in all cases presented. The decision on the candidates shall be announced as soon as possible to the departments concerned, but in no case later than October 15.

b. *Third Year*

- i. An appointee considered by the department to be a candidate for reappointment at the end of the second year will be evaluated in the third year according to department procedures. The department must submit its recommendation, positive or negative, with supporting evidence to the Associate Dean of the Faculty (faculty affairs) on or before January 15<sup>3</sup> of the appointee's third year. This evidence must include a cover letter from the Chair and letters from full-time faculty and those holding shared appointments in the department concerned (in the ranks defined in Part One, Article VI [Appointments to the Faculty], Sections A [Tenure-Track Appointments] and E [Non-Tenure-Track Appointments], 2b. [Artist- or Writer-in-Residence]) who are in at least their third year of full-time service at Skidmore, and (where appropriate) Program Directors.

The department must present clear and decisive evidence concerning the individual's professional quality and the department's need for the candidate's particular abilities in its projected programs.

For tenure-track faculty appointments that are 100 percent in ID programs, supporting evidence sent to the Associate Dean of the Faculty (faculty affairs) must include a cover letter from the Director (or ID PPC Chair if the Director is a candidate) and letters from faculty on the ID Program Personnel Committee and (where appropriate) Directors of other programs or Chairs of departments. The program must also demonstrate need and the candidate's professional quality according to guidelines described for departments in paragraph two above.

For proportional tenure-track faculty appointments that are shared between two departments, a department and an ID program or two ID programs, supporting evidence sent to the Associate Dean of the Faculty (faculty affairs) must include a cover letter from both Department Chairs/Program Directors and letters from faculty on the ID Program Personnel Committee, the department and (where appropriate) Directors of other programs or Chairs of departments. The departments and programs sharing the appointment must also demonstrate need and the candidate's professional quality according to guidelines described for departments in paragraph two above.

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<sup>3</sup> Specific dates determined by CAPT and published in its annual Operating Code and Calendar.

## FACULTY HANDBOOK

- ii. The Associate Dean of the Faculty (faculty affairs) must, on or before February 15<sup>4</sup>, recommend to the Dean of the Faculty/Vice President for Academic Affairs either a further three-year contract or termination of the individual's service. The Associate Dean of the Faculty (faculty affairs) shall base this recommendation on the evidence submitted by the candidate's department and on the standards of excellence which the Dean maintains for the Faculty as a whole.
- iii. The Associate Dean of the Faculty (faculty affairs) will report reappointment recommendations to CAPT on or before February 15.<sup>5</sup>
- iv. If the recommendations of the department and the Associate Dean of the Faculty (faculty affairs) differ, CAPT will review the candidate's file and make a third recommendation to the Dean of the Faculty/Vice President for Academic Affairs. This recommendation will be made on or before February 25.<sup>6</sup>
- v. The Dean of the Faculty/Vice President for Academic Affairs shall make the decision to accept or reject recommendations in all cases presented. The decision on the candidates shall be announced as soon as possible to the departments concerned. The Dean of the Faculty/Vice President for Academic Affairs shall offer further three-year contracts to successful reappointment candidates on or before March 1.
- vi. A candidate for reappointment to whom a further three-year contract is not offered in the third year shall receive written notice of a terminal one-year appointment from the Dean of the Faculty/Vice President for Academic Affairs on or before March 1.
- vii. Reappointment consideration of faculty holding shared appointments follows the above procedures. If one partner in a shared appointment is not reappointed, the reappointed partner may, as an option, assume a full-time faculty position at the end of the other partner's terminal year. Should the partner choose not to do so, the position will no longer be tenure-track.
- viii. Candidates for reappointment shall have access to all written materials immediately following notification of the Dean of the Faculty/Vice President for Academic Affairs' decision. These materials may not be photocopied.
- ix. The Dean of the Faculty/Vice President for Academic Affairs shall convey the result of a review to the candidate on or before May 1.

### 2. Reappointment of Librarians

During the second and third year of service, Library faculty will be evaluated according to the same principles and procedures described herein for tenure-track faculty. In the sixth year, the evaluation process will include at least one faculty member from another department who indicates a willingness to serve, chosen by the Dean of the Faculty/Vice President for Academic Affairs in consultation with CAPT. For contracts beyond the sixth year, the reappointment procedure is that of the third year, with the department making a recommendation to the Dean of the Faculty/Vice President for Academic Affairs. In the case of a disagreement between the department and the Dean of the Faculty/Vice President for Academic Affairs, CAPT will provide an additional recommendation for the President's consideration. If the candidate is denied reappointment, the candidate may appeal if there is the support of two-thirds of the faculty who participated in the initial review (including the candidate) or of the Dean of the Faculty/Vice President for Academic Affairs. Appeals in the sixth year will be referred to CAPT for an additional recommendation to the President.

After the initial six years, Library faculty who are reappointed will receive contracts of alternating lengths of four and three years with reviews in the penultimate year of each contract. If the review is negative, the faculty member

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<sup>4</sup> See annual CAPT Operating Code and Calendar.

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

**FACULTY HANDBOOK**

will be given a probationary contract, the minimal length of which will be one year. The length of the probationary contract can be extended by a recommendation of the Chair to the Dean of the Faculty/Vice President for Academic Affairs for a period not to exceed three years. Those on probationary contracts exceeding one year will receive annual reviews by the Chair and a full departmental review in the fall of the final year of the contract. Those on single year probationary contracts will be reviewed by the department in the fall of their probationary year. If the departmental review is negative and the Dean of the Faculty/Vice President for Academic Affairs concurs, the department member receives a terminal year. If the department and the Dean of the Faculty/Vice President for Academic Affairs disagree, the case is sent to CAPT for a third recommendation to the President.

### 3. Reappointment of Artists- and Writers-in-Residence

During the second and third years (third year only in the case of shared appointments) of service, Artists-in-Residence and Writers-in-Residence will be evaluated according to the principles and procedures described in the Faculty Handbook, Part One, Article VIII (Evaluation of Faculty for Continued Service and Advancement in Rank), Section D (Reappointment), number 1 (Reappointment of Full-Time Tenure-Track and Library Faculty to Professorial Ranks), except as noted below. In this process, each department shall follow its established procedures to evaluate candidates for reappointment. The Chair will file these procedures with the Dean of the Faculty/Vice President for Academic Affairs and make them available to the candidate well in advance of the evaluation. These procedures must be in accordance with the principles of academic freedom and must ensure that the standards for continued service are considered.

After the initial three years, Artists-in-Residence and Writers-in-Residence who are reappointed will receive an additional contract of three years, renewable, with a review in the third year. If the review is negative and the Associate Dean of the Faculty (faculty affairs) concurs, the department member receives a terminal contract for a fourth year. In the case of a disagreement between the department and the Associate Dean of the Faculty (faculty affairs), the Dean of the Faculty/Vice President for Academic Affairs shall convene an ad hoc group of three current Department Chairs (excluding the Chair of the candidate's department), which shall provide a third recommendation. The Dean of the Faculty/Vice President for Academic Affairs makes the final reappointment decision. If the Dean of the Faculty/Vice President for Academic Affairs' decision is negative, the department member receives a terminal contract for a fourth year.

In the sixth year, the evaluation process shall be broadened to include references from outside the department. For contracts beyond the sixth year, the reappointment procedure is that of the third year, with the department making a recommendation to the Associate Dean of the Faculty (faculty affairs). In the case of a disagreement between the department and the Associate Dean of the Faculty (faculty affairs), the Dean of the Faculty/Vice President for Academic Affairs shall convene an ad hoc group of three current Department Chairs (excluding the Chair of the candidate's department), which shall provide a third recommendation. The Dean of the Faculty/Vice President for Academic Affairs makes the final reappointment decision. If the Dean of the Faculty/Vice President for Academic Affairs' decision is negative, the department member receives a terminal contract for a final year.

After the initial six years, Artists-in-Residence and Writers-in-Residence who are reappointed will receive contracts of alternating lengths of four and three years with reviews in the penultimate year of each contract, except for those on shared appointments who will be reviewed every three years. If the review is negative, the faculty member will be given a probationary contract of one year and will be reviewed by the department for contract renewal by February 15 of that year. (In the case of those on shared appointments who teach only in the spring, the date shall be April 15.) If the departmental review is negative, and the Associate Dean of the Faculty (faculty affairs) concurs, the faculty member will be informed by March 1 that the faculty member will receive a terminal, one-year contract. In the case of a disagreement between the department and the Associate Dean of the Faculty (faculty affairs), the Dean of the Faculty/Vice President for Academic Affairs shall convene an ad hoc group of three current Department Chairs (excluding the Chair of the candidate's department) who shall provide a third recommendation. The Dean of the Faculty/Vice President for Academic Affairs makes the final reappointment decision. If the Dean of the Faculty/Vice President for Academic Affairs' decision is negative, the department member receives a terminal one-year contract.



## FACULTY HANDBOOK

4. Reappointment of Instructors

During the second and third year of service, Instructors will be evaluated. Each department shall follow its established procedures for evaluating candidates for reappointment and promotion. The Chair will file these procedures with the Dean of the Faculty/Vice President for Academic Affairs and make them available to the candidate well in advance of the evaluation. These procedures must be in accordance with the principles of academic freedom and must ensure that the standards for continued service are considered.

a. *Second Year*

- i. At the end of the appointee's second year, the department shall determine whether or not it regards the appointee as a candidate for reappointment according to department procedures and shall inform the Associate Dean of the Faculty (faculty affairs) of its decision on or before May 31 of that year.
- ii. By June 15 of the appointee's second year, the Dean of the Faculty/Vice President for Academic Affairs shall remind appointees not regarded as candidates for reappointment that their service terminates at the end of their third academic year.
- iii. Reviews
  - (A) If the appointee believes that the decision against reappointment was made in violation of academic freedom and rights or was procedurally inadequate, CAFR, upon petition by the appointee, will review the allegations and report to the Dean of the Faculty/Vice President for Academic Affairs.
  - (B) If the appointee believes that the decision against reappointment was based on inadequate consideration of the standards for continued service, the Associate Dean of the Faculty (faculty affairs) may review the evaluation.
  - (C) In either (A) or (B), the result of a finding in favor of the appointee will be to return to the department for reconsideration.

b. *Third Year*

- i. An appointee considered by the department to be a candidate for reappointment at the end of the second year will be evaluated in the third year according to department procedures. The department must submit its recommendation, positive or negative, with supporting evidence to the Associate Dean of the Faculty (faculty affairs) on or before January 15 of the appointee's third year. The evidence must include a cover letter from the Chair and letters from full-time faculty and those holding shared appointments in the department concerned who are in at least their third year of full-time service at Skidmore, and (where appropriate) Program Directors.
- ii. The department must present clear and decisive evidence concerning the individual's professional quality and the department's need for the candidate's particular abilities in its projected programs.
- iii. If the department and the Associate Dean of the Faculty (faculty affairs) differ, the Dean of the Faculty/Vice President for Academic Affairs will convene an ad hoc group, consisting of the Chairs of other departments with instructors, who will provide an additional perspective. The Dean of the Faculty/Vice President for Academic Affairs makes the final decision.
- iv. If the Dean of the Faculty/Vice President for Academic Affairs' decision is negative, the Dean of the Faculty/Vice President for Academic Affairs on or by March 1 shall remind those appointees in the final year of their contracts that their contracts terminate at the end of that academic year.
- v. After the initial three years, Instructors who are reappointed will receive an additional contract of three years, renewable, with a review in the third year.

FACULTY HANDBOOK

5. Reappointment of Teaching Professors and Full-Time Lecturers

- a. At the end of the appointee's first year in the case of a two-year contract and at the end of the second year in the case of a three-year contract, the department or program shall determine whether or not it regards the appointee as a candidate for reappointment according to the criteria set forth in Part One, Section VIII, C, 4 and 5 and department or program procedures, and shall inform the Associate Dean of the Faculty (faculty affairs) of its decision before May 31 of that year.
- b. Should the department decide not to renew the contract, by June 15 of the appointee's first year in the case of two-year contracts, and of the second year in the case of three-year contracts, the Dean of the Faculty/Vice President for Academic Affairs shall remind appointees not regarded as candidates for reappointment that their service will terminate at the end of the term under contract.
- c. If the appointee believes that the decision against reappointment was made in violation of academic freedom and rights or was procedurally inadequate, CAFR, under petition of the appointee, will review the allegations and report their findings regarding the allegations to the Dean of the Faculty/Vice President for Academic Affairs.
- d. If the appointee believes that the decision against reappointment was based on inadequate consideration of the standards for continued service, the Associate Dean of the Faculty (faculty affairs) may review the evaluation.
- e. In either (a) or (b), the result of a finding in favor of the appointee will be to return to the department for reconsideration.
- f. If the department and the Associate Dean of the Faculty (faculty affairs) differ, the Dean of the Faculty/Vice President for Academic Affairs will convene an ad hoc group, consisting of the Chairs of the other departments with Teaching Professors and full-time Lecturers, who will provide an additional perspective. The Dean of the Faculty/Vice President for Academic Affairs makes the final decision.
- g. If the Dean of the Faculty/Vice President for Academic Affairs' decision is negative, the Dean of the Faculty/Vice President for Academic Affairs by March 1 shall remind those appointees in the final year of their contracts that their contracts terminate at the end of that academic year.
- h. After the second two- or three-year contract, Teaching Professors and full-time Lecturers who are reappointed will receive an additional contract, the length of which will depend on departmental and institutional need. The extension can be for one, two, or three years. Additional reviews will happen every second or third year depending on the length of the new contract.

6. Other Non-Tenure-Track Appointments (Visiting Artist- or Writer-in-Residence, Lecturer, Visiting Instructor, Research Associate, Department Assistant)

On or before March 1 of the second year or any subsequent year, the Dean of the Faculty/Vice President for Academic Affairs shall remind those appointees in the final year of their contracts that their contracts terminate at the end of that academic year.

## FACULTY HANDBOOK

## E. Tenure

1. Guidelines for Tenure

Awarding tenure to a faculty member is among the most important decisions the College makes, one that inevitably necessitates prospective judgments. Every tenorial decision is predicated upon the likelihood that an individual's performance to date truly augurs the quality of the faculty member's future performance, and must look ahead as well to the future needs of departments and special programs with an eye to shifts in enrollments and students' interests, to maintaining balance and distribution in range of experience and fields of specialization, and to allowing room for development. However, anything like a quota or maximum number of tenured faculty invoked as a criterion reduces decision-making to routine clerical work and flies in the face of AAUP guidelines. Along with AAUP, Skidmore believes that the quality of those who receive tenure is more germane to realizing the educational goals of the College than is the quantity of faculty who are tenured.

The awarding of tenure is based on teaching of high quality and significant growth as well as achievement in scholarly, creative, or professional work, high-quality teaching being the principal criterion. Evidence of contributions to the community's collective affairs at the departmental and all-college levels will also be taken into account. While one cannot give mathematical precision to the weight given to the three criteria, one may say that 50 percent, 40 percent, and 10 percent express the general expectation that teaching and professional work are primary (teaching being the principal criterion), and that a modest level of service is expected in pre-tenure years. There is no presumption that meeting minimal standards assures one of tenure.

2. Institutional Considerations and Budgetary Considerations

Candidates should be aware that the Administration and Board of Trustees may review tenure recommendations presented by CAPT and make their decisions in light of larger institutional and budgetary considerations. The Dean of the Faculty/Vice President for Academic Affairs is responsible for providing notification in writing to tenure-track faculty and their departments of probable structural barriers to tenure at the earliest possible date, beginning with the time of the third-year review.

3. Eligibility

- a. Full-time members of the faculty who are at the rank of Assistant Professor shall become candidates for tenure at the beginning of the fall term of their sixth year of service as faculty members.<sup>7</sup> The timing of tenure consideration will be determined by the faculty members in consultation with the Chair of the department and the Dean of the Faculty/Vice President for Academic Affairs at the time of the first reappointment.
- b. Faculty members in shared positions will be considered for tenure individually but usually simultaneously as early as their sixth year or as late as their ninth year of service at the college. If one tenure-track or tenured partner leaves the position, the remaining partner will be granted an individual, single, full-time appointment to the previously shared position; the faculty member may not retain the portion of the shared contract in the absence of the other partner. The tenuring of partners for part-time employment on a shared appointment arrangement constitutes a special tenure situation limited to such contracts.
- c. Those initially appointed to the ranks of Associate Professor or Professor, without prior tenure, may choose to become candidates for tenure at the beginning of the fall term of their fifth year of service as faculty members; those with tenure at a previous institution may choose to become candidates for tenure as early as the beginning of the fall term of their second year of service as faculty members. Faculty members denied tenure will be given a terminal year.

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<sup>7</sup> The first semester of mid-year appointments may or may not count toward tenure at the option of the candidate.

## FACULTY HANDBOOK

- d. Part-time appointees are not eligible for tenure. Should such an appointment become full-time, part-time service may accumulate, at the option of the faculty member after consultation with the Dean of the Faculty/ President for Academic Affairs and Department Chair, toward the service requirement for tenure eligibility to a maximum of three years in full year increments. Partial year accumulations will not count toward tenure.
  - e. A candidate for Dean of the Faculty/ Vice President for Academic Affairs may, prior to such an appointment, be evaluated for tenured appointment as Professor by the academic department(s) appropriate to the candidate's professional field (see Part One, Article VIII, Section E). The department evaluates by "Guidelines for Advancement in Rank," according to Part One, Article VIII, Section F, and consonant, where appropriate, with "Procedures for Promotion."
4. Criteria for Determining Years of Service
- a. For faculty members, the service year coincides with the academic year. The academic year begins at the start of the fall term and ends with the close of the spring term. For each academic year that a faculty member holds a full-time appointment, that person will be considered to have given a year of service. Other than those Visiting Lecturers described above, faculty members who move from "visiting" to "tenure-track" status may choose, in consultation with the Dean of the Faculty/Vice President for Academic Affairs and CAPT, to have or not to have the "visiting" years count toward tenure; the decision must be specified in the letter of appointment to the tenure-track position.
  - b. A faculty member whose initial appointment begins in the middle of the academic year has the option of having the first semester of service count as one full service year or not count at all. This option must be decided upon at least one year before the faculty member can be considered for tenure. The chosen option must be specified by the faculty member to the Dean of the Faculty/Vice President for Academic Affairs in writing.
  - c. In the case where a faculty member is granted a leave of absence without pay, whether the leave is for a full year or one semester, the faculty member may choose to have the year count as a year of service or not count at all. This option must be decided upon at the time the leave is granted, and must be specified in the letter granting the leave. (See also Part One [Faculty Rights and Responsibilities], Article IX [Leaves of Absence].)
  - d. Regular, full-time and shared position untenured faculty members with one or more years of service may request an *extension of the tenure clock* for:
    - Childbirth or adoption, or
    - Personal hardship.

This option is available whether or not any type of leave is involved.

The maximum number of tenure clock extensions permitted per faculty member is two one-year extensions, regardless of the circumstances, during the probationary period.

### Childbirth or adoption:

An eligible untenured faculty member may elect to have the tenure clock delayed for one year for a birth or adoption of a child occurring within the probationary period. The request must be made in writing to the Associate Dean of the Faculty (faculty affairs) within one calendar year of the time of the birth or adoption event and in any case no later than May 15 prior to the semester in which the tenure review is scheduled to occur. Upon receipt of the written request, the Associate Dean of the Faculty (faculty affairs) will automatically grant the extension. If the faculty member subsequently elects not to delay the tenure clock, the faculty member must inform the Associate Dean of the Faculty (faculty affairs) no later than May 15 prior to the semester in which the tenure review is scheduled to occur.

## FACULTY HANDBOOK

### Personal hardship:

An eligible untenured faculty member may request to have the tenure clock delayed for one year when a personal hardship such as excessive responsibilities for elder or dependent care, personal illness or injury, or some other critical life situation significantly impedes the faculty member's progress toward achieving tenure. Requests for delay of tenure consideration of this type shall be submitted in writing to the Associate Dean of the Faculty (faculty affairs) through the department chair and are granted at the discretion of the Associate Dean of the Faculty (faculty affairs) in consultation with the Dean of the Faculty/Vice President for Academic Affairs. The request should be made near the time of the critical event and in any case no later than May 15 prior to the semester in which the tenure review is scheduled to occur. If the faculty member subsequently elects not to delay the tenure clock, the faculty member must inform the Associate Dean of the Faculty (faculty affairs) no later than May 15 prior to the semester in which the tenure review is scheduled to occur.

Untenured faculty granted a lengthened probationary period for reasons of childbirth, adoption, or personal hardship will not be expected to have attained a higher level of professional accomplishment and/or to have performed more service than faculty with standard probationary periods.

### 5. Procedures for Granting Tenure

- a. The decision to grant tenure rests with the Board of Trustees. The Board acts upon the recommendation of the President who in turn acts in consultation with the Dean of the Faculty/Vice President for Academic Affairs, the Associate Dean of the Faculty (faculty affairs), the Chair(s) of the department(s) concerned, and CAPT.
- b. CAPT shall annually disseminate its calendar, its operating code, and the operating codes of the Tenure Appeal Committee to all faculty.
- c. CAPT has the responsibility of securing information with respect to the candidate's teaching competence, professional accomplishment, and service to the academic community. Sources of this information include:
  - i. Full-time faculty and those holding shared appointments in the department concerned (in the ranks defined in Part One [Faculty Rights and Responsibilities], Article VI [Appointments to the Faculty], Sections A [Tenure-Track Appointments] and E [Non-Tenure-Track Appointments], number 2b [Artist- or Writer-in-Residence]) who are in at least their third year of full-time service at Skidmore;
  - ii. Department Chair;
  - iii. Program Directors (where appropriate);
  - iv. For tenure-track faculty appointments that are 100 percent in ID programs, CAPT will secure information concerning a candidate in an ID program from all members of the ID Program Personnel Committee. The Program Director (or PPC Chair if the Director is the candidate) will represent the Program position with regard to tenure.
  - v. For proportional tenure-track faculty appointments that are shared between two departments, a department and an ID program or two ID programs, CAPT will secure information concerning a candidate from all members of the ID Program Personnel Committee(s) and from all faculty in the department(s) involved. The Department Chair will represent the department's position and the Program Director(s) (or PPC Chair if the Director is the candidate) will represent the Program(s) position.
  - vi. Sources suggested by the candidate under consideration including Administrative Officers, the Coordinator, or Director of a program or Chair of a department in case the candidate has taught

## FACULTY HANDBOOK

in an interdisciplinary program or department other than the one in which the candidate holds an appointment;

- vii. Materials related to teaching effectiveness, professional accomplishment, and college service submitted by the candidate under consideration;
- viii. Teaching evaluations. The Department Chair shall bring to the attention of CAPT student and faculty opinion concerning the faculty member as a teacher and shall indicate the procedures employed in obtaining such information, including class visitation procedures. Classroom visitations are a mandatory part of the process. For further guidance, see Part One [Faculty Rights and Responsibilities], Article VII [Rights, Obligations, and Responsibilities of All Faculty], Section C [Academic Responsibilities], number 7 [Student Evaluations]) and Part Two [Governance], Article III [Academic Policies], Section E [Peer Evaluations of Teaching] and Section F [Student Evaluations].
- ix. Annual reports prepared by the candidate citing activities each year such as new courses, new methods, research, creative work, professional activities, community service. All information is sent to the Chair of CAPT and kept in a confidential file in the President's Office (or the CAPT Reading Room) as required by law.
- d. Unsolicited letters received by CAPT must be signed and must address themselves to one or more of the evaluative criteria for continued service as delineated in the Faculty Handbook. Such letters will be stored in a confidential file labeled "Unsolicited Letters" and kept in the President's Office (or the CAPT Reading Room) as required by law. Within seven days of the date stipulated by the annual CAPT calendar for receipt of all letters, the Chair of CAPT will give the candidate a list of names of those who have written unsolicited letters about the candidate.
- e. The following procedures should be observed:
  - i. The Chair shall inform the candidate well in advance of the tenure what procedures will be employed in reaching a departmental decision.
  - ii. The Chair will advise the candidate in creating a file of materials documenting the candidate's qualifications for tenure.
  - iii. Individuals writing letters of evaluation for the candidate shall clearly state whether they do or do not recommend tenure, and why, according to the criteria for continued service (as found in Part One [Faculty Rights and Responsibilities], Article VIII [Evaluation of Faculty for Continued Service and Advancement in Rank], Section A [Tenured and Tenure-Track Faculty]).
  - iv. The Chair, in the letter of evaluation for the candidate, shall clearly state the procedures employed in reaching a departmental recommendation. The Chair shall clearly state whether the department does or does not recommend for tenure, and why, according to the criteria for continued service. Furthermore, the Chair shall clearly state the extent to which a candidate's particular abilities will continue to be needed, as far as the department's future can be projected.
- f. After conducting its deliberations, CAPT reports its recommendations to the President and the Dean of the Faculty/Vice President for Academic Affairs. The Dean of the Faculty/Vice President for Academic Affairs then consults with the Associate Dean of the Faculty (faculty affairs). In the event of a disagreement between the Dean of the Faculty/Vice President for Academic Affairs and CAPT, the Dean of the Faculty/Vice President for Academic Affairs and the Associate Dean of the Faculty (faculty affairs) meet with CAPT to offer detailed and compelling reasons for such disagreement. The Dean of the Faculty/Vice President for Academic Affairs then makes a recommendation to the President, and notifies CAPT of the recommendation. In the rare instance in which the President does not concur with the recommendations of CAPT, the President meets with CAPT to offer detailed and compelling reasons for such disagreement. Finally, the President's recommendations are reported to

**FACULTY HANDBOOK**

the Academic Affairs Committee (AAC) of the Board of Trustees, and CAPT informs the AAC of the recommendations it made to the President.

- g. Notice of the Board of Trustees' decision regarding tenure must be given on or before March 1 of the appropriate year. Tenure status is effective immediately.
- h. An individual denied recommendation for tenure may ask for a hearing before CAFR provided such hearing is based on an alleged violation of academic freedom and/or rights; or may file a complaint following the procedures set forth in Part Six, Article VII [Procedures for Resolving Complaints of Harassment or Discrimination against Faculty Members], provided such a complaint is based on alleged harassment or discrimination in violation of the college's policies as outlined in Part Six.
- i. Candidates not recommended for tenure shall have access to all written materials in the tenure file immediately after the Dean of the Faculty/Vice President for Academic Affairs has made the recommendation known to the candidate. These materials may only be reproduced by hand written notes.
- j. Candidates recommended for tenure shall have access to written materials in the tenure file immediately after the Dean of the Faculty/Vice President for Academic Affairs has made the recommendation known to the candidate, with the exception of solicited letters of evaluation written by department colleagues, colleagues internal to the college, or colleagues external to the college, which shall remain confidential. These materials may only be reproduced by hand written notes.
- k. Any member of the Faculty who is considered for tenure by CAPT and the Administration shall be granted an additional but terminal year in the event that tenure is not granted. Similarly, an additional terminal year will be granted to any member of the Faculty who is eligible to stand for tenure but elects not to do so.
- l. A candidate for the Dean of the Faculty/Vice President for Academic Affairs may be evaluated for an immediate award of tenure by the following procedure. The President will present the credentials of the candidate for Dean of the Faculty/Vice President for Academic Affairs and evidence for both appointment as Professor and awarding of tenure to the academic department(s) appropriate to the candidate's professional field. At the same time, the President will also furnish the candidate's credentials and evidence to CAPT. The qualifications for tenure are those stipulated in the Faculty Handbook, Part One (Faculty Rights and Responsibilities), Article VIII (Evaluation of Faculty for Continued Service and Advancement in Rank), Section A (Tenure-Track Faculty), and Section E. (Tenure) number 3 (Eligibility). The Chair of the academic department to which the Dean of the Faculty/Vice President for Academic Affairs will be appointed forwards a written departmental recommendation to CAPT. Simultaneously, CAPT solicits individual written recommendations from all members in that same department. These procedures correspond to those for tenure candidacy and evaluation specified in the Faculty Handbook, Part One (Faculty Rights and Responsibilities), Article VII (Evaluation of Faculty for Continued Service and Advancement in Rank), Section E (Tenure), number 5 (Procedures for Granting Tenure), but may reasonably exclude the stipulations in c.i, c.ix, e.i, e.ii, g, and j. Then, as in Part One (Faculty Rights and Responsibilities), Article VIII (Evaluation of Faculty for Continued Service and Advancement in Rank), Section E (Tenure), number 5 (Procedures for Granting Tenure), f, and Section F (Promotion), number 2 (Procedures for Promotion), CAPT makes a recommendation to the President, who reports to the Board of Trustees.
- m. Tenure granted to the Dean of the Faculty/Vice President for Academic Affairs is not calculated in her/his department's already established (at the time of the Dean of the Faculty/Vice President for Academic Affairs' appointment) allotment of tenure-track faculty positions and is never included in calculations of the department's need for faculty positions to discharge its curricular mission.

## FACULTY HANDBOOK

6. Review of Negative Tenure Decisions

- a. A faculty member who is denied tenure but believes that the case received inadequate consideration may petition the Tenure Review Board (“TRB”) for a review. Such a review must be requested by January 15 of the year following the semester in which CAPT considered the case, or within 15 days of notification of denial of tenure, whichever is later. The candidate must submit to the TRB a letter stating in a clear and concise manner exactly how the consideration of the case is perceived as having been inadequate.
- b. The Tenure Review Board consists of three tenured members of the Faculty, at least one of whom shall have previously served on CAPT, each from a different department and elected for a three-year term. No member of a candidate's department will sit on the TRB for consideration of the case. The Faculty Executive Committee, according to its procedures, shall provide an alternate for any of the three whose department is the same as the candidate's.
- c. The Tenure Review Board will have at its disposal all of the materials contained in the original tenure file which was available to CAPT, together with the letter referred to in number 1 above. No other materials may be added, and the TRB will restrict its inquiry to the area or areas of consideration claimed in the candidate's letter to have been inadequate. The TRB may consult with CAPT, members of the candidate's department, the Dean of the Faculty/Vice President for Academic Affairs; the Associate Dean of the Faculty (faculty affairs); and others deemed necessary by the TRB to assess the petition. The Board shall be bound by confidentiality.
- d. The Tenure Review Board will convey its recommendation to the President, the Dean of the Faculty/Vice President for Academic Affairs, CAPT, the department Chair or program Director, and the candidate within four weeks after the petition deadline. If the Tenure Review Board has determined that the case merits reconsideration, the Chair of CAPT shall initiate the review by convening the Tenure Appeal Committee, a committee consisting of the six members of CAPT plus the three members of the Tenure Review Board.

7. Appeal of Negative Tenure Decisions

- a. If the Tenure Review Board determines that a tenure case requires reconsideration, the three members of the Tenure Review Board will sit together with the six members of CAPT to reconsider the case. The Tenure Appeal Committee will have access to the written information which CAPT had in its original deliberations and any additional material specifically pertaining to the area or areas of consideration deemed inadequate by the TRB. The deadline for submission of additional materials shall be specified by CAPT in the CAPT Calendar, but shall not be sooner than February 15 nor later than March 15.
- b. The Tenure Appeal Committee will hear testimony from an advocate designated by the candidate. The advocate may be a person in the candidate's department, the candidate's Chair, a Skidmore faculty member outside the candidate's department, or someone outside the College. The advocate may not be an attorney. By request, the advocate may be informed why tenure was not initially recommended by CAPT and/or the President at a joint meeting of the President, the Dean of the Faculty/Vice President for Academic Affairs, the Associate Dean of the Faculty (faculty affairs), the Chair of CAPT, the candidate, and the advocate. The advocate, in the presence of the candidate, has the right of access but may not photocopy the materials which CAPT had in its original deliberations. Whenever testimony is given by the candidate or the advocate, both shall be present.
- c. The Tenure Appeal Committee may consult with the President, the Dean of the Faculty/Vice President for Academic Affairs, the Associate Dean of the Faculty (faculty affairs), or members of the candidate's department at any time.



## FACULTY HANDBOOK

- d. The operating procedures to be followed by the Tenure Appeal Committee will be made available to the candidate well in advance of the proceedings. The Chair of CAPT shall preside over appeal proceedings.
- e. The Tenure Appeal Committee shall conduct a review only once.
- f. The Tenure Appeal Committee shall convey its written recommendation based on a simple majority vote of the nine members to the President upon completing its deliberations.
- g. The President shall decide about appropriate action and shall convey the result of a review in a letter to the candidate, and shall state therein the reasons for recommending or not recommending tenure. The letter will be sent within 10 days of receipt of the Tenure Appeal Committee's recommendation, with copies to the Tenure Appeal Committee and the Dean of the Faculty/Vice President for Academic Affairs.

### F. Promotion

#### 1. Guidelines for Advancement in Rank

- a. Promotion at Skidmore is awarded not on the basis of time in rank but because of the candidate's demonstration of accomplishments that satisfy the applicable standards at the level specified for the desired rank. Faculty may stand for promotion at their discretion.
- b. For the rank of Associate Professor, the appropriate terminal degree (or its professional equivalent) normally is required. The absence of the appropriate terminal degree is not an absolute deterrent to advancement to any rank. Other qualifications, however, shall be closely scrutinized by the department, CAPT, and the administration for evidence of extraordinary merit.
- c. For the rank of Professor, the appropriate terminal degree (or its professional equivalent) normally is required. Promotion to this rank shall be granted to faculty who have shown evidence of continuing high-quality teaching (or, in the case of Library faculty, librarianship) as well as sustained and significant creative or scholarly growth; and significant involvement in the affairs of the college.

To merit promotion, a faculty member must present evidence documenting having met relevant standards in three areas: teaching, scholarship, and service. In promotion, the teacher-scholar model remains the primary focus. Yet, having made a life-long commitment to faculty members in their tenuring, it is the college expectation that, with promotion to Associate Professor, and more so with promotion to Full Professor, senior faculty are in a position to take on an increasingly significant share of the responsibilities for service. There is, then, an expected trajectory of service from untenured faculty, whose service is expected to be relatively modest, to Full Professors, who are expected to be the sustaining pillars of college service.

More precisely, a candidate for promotion to Full Professor must demonstrate the following:

- sustained high-quality teaching across the range of assigned courses so as to show mastery of the craft of teaching in the candidate's areas of competence. As accomplished teachers, Full Professors are expected to excel in their own classes and, as reflective practitioners of the craft, should also be able to serve as a teaching resource for other faculty. Full Professors are expected to remain committed to their own continuing development as teachers.
- a record of sustained and significant engagement with the candidate's discipline(s), continued development as a scholar or artist, and evidence of success in completing some substantial aspect(s) of research or artistic agenda beyond the candidate's accomplishments at the time of promotion to Associate Professor. Through their research or creative work, Full Professors are expected to have developed a mature perspective on their field(s) that enables them to situate both their own work

## FACULTY HANDBOOK

and the work of their students in the landscape of their discipline(s). Full Professors are also expected to continue their engagement with their scholarly or artistic discipline(s).

- a record of sustained, significant, and effective contributions in service. The college as a community cannot flourish without the contribution of senior faculty. Accordingly, given the college's commitment to faculty in their tenuring, senior faculty are expected to play a leading role in the service that sustains the college community.

### 2. Procedures for Promotion

#### a. *Professorial Ranks*

- i. Promotions are granted by the Board of Trustees upon the recommendation of the President, who consults as necessary with the Dean of the Faculty/Vice President for Academic Affairs, the Associate Dean of the Faculty (faculty affairs), CAPT, and the Chair of the department concerned. Except in the case of the Library faculty, CAPT's role in promotion is limited to full-time and shared tenure-track appointments to professorial ranks.
- ii. Faculty may stand for promotion at their discretion. Consideration for promotion may be initiated by the Department Chair in consultation with the Associate Dean of the Faculty (faculty affairs) or CAPT. The Associate Dean of the Faculty (faculty affairs) in consultation with the Dean of the Faculty/Vice President for Academic Affairs may also decide to nominate a candidate for promotion consideration. In such a case, the department is obliged to consider the candidate's credentials and to present its recommendation to CAPT. Nomination by the Associate Dean of the Faculty (faculty affairs) for such consideration does not presuppose a successful outcome for the candidate. The Associate Dean of the Faculty (faculty affairs) may initiate promotional consideration in the case of Department Chairs. The Department Chair or the Associate Dean of the Faculty (faculty affairs) shall indicate the consultation procedures employed within the department when recommending a promotion.
- iii. By March 15, the Dean of the Faculty/Vice President for Academic Affairs shall provide Department Chairs with a list of faculty in their departments who have been at the rank of Associate Professor for seven years or more. The Dean of the Faculty/Vice President for Academic Affairs shall provide CAPT with a list of all faculty who have been at the rank of Associate Professor for seven years or more. All Chairs shall assess eligibility of Associate Professors at least every two years after they have served seven years in rank.
- iv. In the case of a promotion candidate appointed 100 percent to an ID program, the ID Program Director shall perform those functions normally assumed by a Department Chair, and faculty on the ID PPC shall be consulted and shall write letters. All these letters shall be forwarded to CAPT.
- v. For proportional tenure-track faculty appointments that are shared between two departments, a department and an ID program or two ID programs, CAPT will secure information concerning a candidate from all members of the ID Program Personnel Committee(s) and from all faculty in the department(s) involved. The Department Chair will represent the department's position and the Program Director(s) (or PPC Chair if the Director is the candidate) will represent the Program(s) position.
- vi. Candidates being considered for promotion shall be sent a written notice by the Chair of CAPT that they are candidates for promotion.
- vii. All full-time faculty and those holding shared appointments in the departments concerned and in at least their third year of service (in ranks defined in Part One, Article VI [Appointments to the Faculty], Sections A [Tenure-Track Appointments] and E [Non-Tenure-Track Appointments],

## FACULTY HANDBOOK

number 2b [Artist- or Writer-in-Residence] shall be consulted and shall write letters to the Chair. The Department Chair must also request letters from Program Directors and from other Department Chairs if the candidate has offered courses in other programs or departments. Individuals writing letters of evaluation for the candidate shall clearly state whether they do or do not recommend promotion, and why, according to the criteria for continued service. The Chair's letter shall present the Chair's individual position as well as the department's. All these letters shall be forwarded to CAPT.

In the case of a promotion candidate appointed to an ID Program, the ID Program Director shall perform those functions normally assumed by a Department Chair, and faculty on the ID PPC shall be consulted and shall write letters. All these letters shall be forwarded to CAPT.

viii. Promotion files shall include the following:

- (1) an updated CV, which makes clear what has been achieved since the last promotion.
- (2) all scholarly, creative, or professional materials produced since the last promotion; candidates may add some earlier materials for purposes of context or to show continued growth. Candidates may wish to seek letters from Skidmore colleagues outside their department qualified to speak to their professional accomplishment. Candidates may also wish to include a statement about achievements and works in progress.
- (3) the ten most recent consecutive semesters of teaching evaluations. For purposes of context, the candidate may wish to include other evaluations. The candidate shall also add copies of syllabi, and may include assignments and handouts. The candidate may also wish to append a statement about teaching goals and philosophy. The file may include peer evaluations of teaching.
- (4) a cover sheet showing courses taught, sabbatical leaves, and any course releases over the previous six years.
- (5) service credentials presented within the context of the broad statements about service in Part One (Faculty Rights and Responsibilities), Article VIII (Evaluation of Faculty for Continued Service and Advancement in Rank), Section A (Tenure-Track Faculty, Community Service). The candidate may wish to provide relevant documents and seek letters from Committee Chairs or members who can speak about the quality and extent of service.

ix. Candidates for promotion may solicit letters on their behalf from reviewers familiar with their credentials from outside the college. Such letters may come directly to CAPT, or go to the Department Chair and then to CAPT as part of the candidate's dossier. Letters mandated by the department must also be transmitted to CAPT.

x. After conducting its deliberations, CAPT reports its recommendations to the President, the Dean of the Faculty/Vice President for Academic Affairs, and the Associate Dean of the Faculty (faculty affairs). The Dean of the Faculty/Vice President for Academic Affairs then consults with the Associate Dean of the Faculty (faculty affairs). In the event of a disagreement between the Dean of the Faculty/Vice President for Academic Affairs and CAPT, the Dean of the Faculty/Vice President for Academic Affairs and the Associate Dean of the Faculty (faculty affairs) meet with CAPT to offer detailed and compelling reasons for such disagreement. The Dean of the Faculty/Vice President for Academic Affairs then makes a recommendation to the President, and notifies CAPT of the recommendation. In the rare instance in which the President does not concur with the recommendations of CAPT, the President meets with CAPT to offer detailed and compelling reasons for such disagreement. Finally, the President's recommendations are reported to the Academic Affairs Committee (AAC) of the Board of Trustees, and CAPT informs the AAC of the recommendations it made to the President.

## FACULTY HANDBOOK

- xi. In the event that CAPT forwards a negative recommendation to the Dean of the Faculty/Vice President for Academic Affairs in a promotion case, CAPT will also notify the Associate Dean of the Faculty (faculty affairs) of the reasons for the recommendation. The Associate Dean of the Faculty (faculty affairs) will present the reasons for a negative recommendation to the candidate. In the event that the Dean of the Faculty/Vice President for Academic Affairs or the President forward a negative recommendation, the Associate Dean of the Faculty (faculty affairs) and CAPT will be notified of the reasons for the recommendation. The Dean of the Faculty/Vice President for Academic Affairs will present the reasons for a negative recommendation to the candidate.
- xii. An individual denied recommendation for promotion may ask for a hearing before CAFR provided such hearing is based on an alleged violation of academic freedom and/or rights; or may file a complaint following the procedures set forth in Part Six, Article VII [Procedures for Resolving Complaints of Harassment or Discrimination against Faculty Members], provided such a complaint is based on alleged harassment or discrimination in violation of the College's policies as outlined in Part Six.
- xiii. Candidates (recommended or not recommended) for promotion shall have access to written materials in the promotion file immediately after the Dean of the Faculty/Vice President for Academic Affairs has made the recommendation known to the candidate, with the exception of solicited letters of evaluation written by department colleagues, colleagues internal to the college, and colleagues external to the college, which shall remain confidential. These materials may only be reproduced by hand written notes.

b. *Librarian Ranks*

Promotion from Assistant to Associate Librarian and Librarian is granted by the Board of Trustees upon the recommendation of the Dean of the Faculty/Vice President for Academic Affairs after consultation with the department. Consideration for promotion may be initiated by the Chair of the Library in consultation with the Dean of the Faculty/Vice President for Academic Affairs, or the Dean of the Faculty/Vice President for Academic Affairs in consultation with the Chair of the Library. The Chair of the Library shall indicate the consultation procedures employed within the department when recommending a promotion. Promotion is based upon merit and not guaranteed by years of service.

c. *Artists-in-Residence and Writers-in-Residence*

Promotions to Senior or to Distinguished Artist- or Writer-in-Residence are granted by the Board of Trustees upon the recommendation of the Dean of the Faculty/Vice President for Academic Affairs after consultation with the department. Consideration for promotion may be initiated by the Department Chair in consultation with the Dean of the Faculty/Vice President for Academic Affairs, or the Dean of the Faculty/Vice President for Academic Affairs in consultation with the Department Chair. The Department Chair shall indicate the consultation procedures employed within the department when recommending a promotion. Promotion to Distinguished rank is based upon merit and not guaranteed by years of service.

## FACULTY HANDBOOK

d. *Instructors*

Promotion to Senior Instructor is granted by the Board of Trustees upon the recommendation of the Dean of the Faculty/Vice President for Academic Affairs after consultation with the department. The Department Chair shall indicate the consultation procedures employed within the department when recommending a promotion. Promotion is based upon merit and not guaranteed by years of service.

e. *Teaching Professors*

Promotion to Senior Teaching Professor is granted by the Board of Trustees upon the recommendation of the Dean of the Faculty/Vice President for Academic Affairs after consultation with the department or program. The Department Chair or Program Director shall describe the consultation procedures within the department when recommending a promotion. Promotion is based on merit and not guaranteed by years of service.

f. *Lecturers*

Promotion to Senior Lecturer is granted by the Board of Trustees upon the recommendation of the Dean of the Faculty/Vice President for Academic Affairs after consultation with the department or program. Only full-time Lecturers are eligible for promotion. The Department Chair or Program Director shall describe the consultation procedures within the department when recommending a promotion. Promotion is based on merit and not guaranteed by years of service.

## IX. LEAVES OF ABSENCE

A. Sabbatical Leaves of Absence1. *Purpose*

Sabbatical leaves of absence are granted by the Board of Trustees upon the recommendation of the Dean of the Faculty/Vice President for Academic Affairs to members of the Faculty to provide professional experience that cannot be secured during the academic recesses. Sabbatical leaves may be granted for the purpose of advanced study, work on research and creative projects, and for improvement of teaching skills (and for improvement of skills related to librarianship), with the expectation that in each case the College will benefit.

2. *Eligibility*

All tenured full-time members of the Faculty (and Library faculty and Artists-in-Residence who have been reappointed) who have served Skidmore College full-time for six consecutive years are eligible to apply.

- a. The required service time may include up to one year's leave without pay, if so stated in the letter(s) granting such leave(s). If a faculty member serves full time for more than six consecutive years, the additional time will shorten the required service time for later sabbatical leaves if the delay in taking a sabbatical leave is requested by the Dean of the Faculty/Vice President for Academic Affairs for administrative reasons and is so stipulated in writing.
- b. Full-time members of the Faculty who are in their sixth year and are candidates for tenure (and full-time members of the Library faculty and Artists-in-Residence who are in their sixth year and are candidates for reappointment) may apply for sabbatical leave. However, final approval of the sabbatical leave request is contingent upon the granting of tenure or, in the case of Library faculty and Artists-in-Residence, reappointment.

FACULTY HANDBOOK

3. *Procedures*

a. Application

- i. Application should be made on forms available through the Dean of the Faculty/Vice President for Academic Affairs.
- ii. Plans should be discussed with the Chair of the department at least two weeks prior to submission of application.
- iii. In addition to the application form, applicants must provide a brief statement of purpose, together with a detailed plan of work to be pursued, a brief statement of prospective value of the project, and plans for publication or exhibition.
- iv. For full-year sabbatical leaves, applications must be received by the Dean of the Faculty/Vice President for Academic Affairs no later than October 15 of the academic year preceding the desired leave. For one-semester sabbatical leaves, applications must be received by January 15 of the academic year preceding the desired leave. The Dean of the Faculty/Vice President for Academic Affairs' Office will transmit one copy to the Chair of the Faculty Development Committee.

b. Consideration

- i. On or before either October 15 or January 15 (whichever date pertains) of the year preceding the intended leave, the applicant's Chair should submit to the Dean of the Faculty/Vice President for Academic Affairs an evaluation of the project together with an explanation of departmental arrangements for the applicant's absence. The Dean of the Faculty/Vice President for Academic Affairs' Office will transmit a copy to the Chair of the Faculty Development Committee.
- ii. Applications will be considered jointly by the Dean of the Faculty/Vice President for Academic Affairs and the Faculty Development Committee. The Dean of the Faculty/Vice President for Academic Affairs makes recommendations to the Board of Trustees for final approval.
- iii. Applicants and their departmental Chairs will be notified by November 15 or March 1 (whichever date pertains) of the academic year preceding the leave.

c. Reporting

- i. Major changes in objectives after the leave has been granted must be reported and may be made only by agreement with the Dean of the Faculty/Vice President for Academic Affairs. Petition for such change must be made in writing.
- ii. Upon completion of the leave, a final report shall be sent to the Dean of the Faculty/Vice President for Academic Affairs and the Chair of the department, not later than April 15 in the case of first-semester leaves and November 15 in the case of second-semester or full-year leaves.
- iii. Failure to file a satisfactory sabbatical report will affect eligibility for future sabbatical leaves.

4. *Criteria for Evaluating Proposals*

In evaluating applications, the following will be considered:

- a. the worth of the project;
- b. length of service without leave;
- c. ease of departmental arrangements;

FACULTY HANDBOOK

- d. financial condition of the College;
- e. benefit to the individual and the College;
- f. the individual's fulfillment of obligations regarding any previous sabbaticals as outlined in paragraph 3, c, iii above.

5. *Sabbatical Salaries*

The stipend for sabbatical salaries is one-half the annual salary for a leave of one academic year, or full salary for a leave of one semester.

B. Pre-Tenure Paid Research Leaves of Absence

1. *Purpose*

Pre-tenure paid leaves are intended to provide untenured faculty with opportunities for research in support of scholarly and/or curricular development which will contribute to their professional or teaching effectiveness and to the value of their later service to Skidmore College.

2. *Eligibility*

Untenured tenure-track faculty who are either in their third or fourth years of service to the College and who have been reappointed are eligible to apply for the following year. Leaves may be requested for either a full year at half-pay or one semester at full pay. The College will continue to provide all benefits through the Flexible Benefits Program. Retirement contributions will be calculated on base annual salary paid during the sabbatical. Faculty who are granted the Pre-Tenure Paid Research Leave will not be eligible for a regular sabbatical until they have completed six consecutive years of service to the College following such a leave although this service time may include up to two semesters' leave without pay, if so stated in the letter(s) granting such leave.

3. *Procedures and Criteria*

The procedures and criteria for evaluating proposals are the same as those stipulated for regular sabbatical leaves of absence. (See Part One [Faculty Rights and Responsibilities], Article IX [Leaves of Absence], Section A [Sabbatical Leaves of Absence], numbers 3 and 4.)

C. Leaves of Absence Without Pay

- 1. Requests for leaves of absence without pay should be sent to the Dean of the Faculty/Vice President for Academic Affairs. Leaves of absence, other than sabbatical leaves, are granted by the Dean of the Faculty/Vice President for Academic Affairs upon recommendation of the Department Chair concerned. Leaves of absence without pay of up to one full year may count towards tenure at the option of the individual if so stated in the letter granting such leave.
- 2. If an alternate arrangement has not been made with some outside supporting organization, the College continues to make a contribution, based only on salary actually paid during the leave, to the Pension Plan, as well as its usual contribution to the Disability Plan and the Medical Insurance Plan for a faculty member who is on an approved leave of absence, etc.

X. RESIGNATIONS

- A. Faculty holding two- or three-year appointments who wish to resign should give written notice to the Dean of the Faculty/Vice President for Academic Affairs no later than April 1.

## FACULTY HANDBOOK

- B. Faculty with tenure who wish to resign have a professional obligation to notify the Dean of the Faculty/Vice President for Academic Affairs in sufficient time for the College to secure an appropriate replacement.

### XI. DISCIPLINE AND DISMISSAL OF TENURED FACULTY

The College is committed to fostering a working and learning environment in which all of its members can flourish. To that end, this Article of the Faculty Handbook broadly defines the standards to which the Faculty expects to hold its members and provides for peer review and appeal.

#### A. Standards of Conduct

Members of the Faculty are expected to maintain the highest professional standards in their interactions with students, with members of the staff, with external constituents, and with one another. In particular, faculty members are held to the standards published in the Faculty Handbook (Part One, Article VII; Part Two, Article III; and Part Six). The obligations of department chairs and program directors are spelled out in Part One, Article XII D, and Article XIII, D. The procedures for handling complaints of harassment or discrimination may be found in Part Six of this *Handbook*.

#### **Definition of Terms**

In the procedures that follow, the following terms are used:

***Professional Incompetence:*** the faculty member either lacks, or is unwilling to demonstrate, the skills and abilities necessary to fulfill the duties of a faculty member.

***Neglect of Duties:*** serious or habitual disregard of the duties of a faculty member as set forth in this Handbook and/or failure to fulfill other departmental and College duties required of a faculty member.

***Professional Misconduct:*** the violation of College policy.

***Personal Misconduct:*** this term includes, but is not limited to, criminal acts or acts of moral turpitude, especially as those acts interfere with a faculty member's ability to discharge professional responsibilities (which include responsible conduct toward all members of the College community) or substantially and unreasonably impair the ability of other community members to carry out their responsibilities. Moral turpitude shall be assessed according to whether the behavior would evoke condemnation by the academic community generally.

#### B. Note on Confidentiality

To the extent possible, all those involved in the procedures that follow will endeavor to maintain the confidentiality of all parties involved. Information about the complaint is therefore provided only to those individuals within the College who have a need to know that information in order to investigate and/or resolve the complaint.

Nevertheless, the College cannot guarantee absolute confidentiality. In order to ensure compliance with College policies and federal and state laws, the College may be required to disclose information about a complaint to agencies or to individuals not involved in the complaint. Moreover, when the complaint involves alleged acts of a criminal nature, the College may be required by law to notify law enforcement authorities. The College may also publicly divulge details of the outcome if one of the parties discloses selective portions of the proceedings or if the findings or results of the College's investigation are contested in the course of a lawsuit.

#### C. Procedures for Imposition of Sanctions Other than Dismissal

1. When a department chair, program director, or the Associate Dean of the Faculty (faculty affairs) receives or initiates a complaint about a faculty member involving alleged professional incompetence, neglect of duties, professional misconduct, or personal misconduct, the first step should be for faculty and administrative colleagues to determine whether the complaint appears to have merit and then to address the matter informally through conversation and mentoring, provided the nature of the complaint permits informal resolution.



## FACULTY HANDBOOK

Informal actions in response to a complaint may include (but are not limited to)

- clarification of the standards of conduct;
  - recommendation for counseling or mentoring;
  - monitoring of the situation;
  - support for self-help;
  - mediation by a third party.
2. If the faculty member persists in failing to correct the behavior that has elicited the complaint, or if the basis of the complaint is sufficiently serious in the judgment of the Associate Dean of the Faculty (faculty affairs) to warrant immediate formal action, the Associate Dean of the Faculty (faculty affairs) will provide the faculty member with written notification of the charges and then convene a meeting with the faculty member, the department chair or program director, and others if appropriate. The faculty member may have a representative (not an attorney) present during the meeting.

After this meeting, the Associate Dean of the Faculty (faculty affairs) will have 15 work days to complete the inquiry and to respond in writing to the faculty member regarding the outcome and the imposition of any disciplinary sanctions.

Formal disciplinary sanctions may include (but are not limited to):

- placing a letter in the personnel file for a specified period of time;
- placing a permanent letter in the personnel file;
- requiring regular reports on the faculty member's actions to rectify the matter;
- withholding of salary increases, or stipends, or travel funds;
- denial of sabbatical;
- reduction of salary;
- suspension (with or without pay) from teaching and/or other responsibilities and privileges.

For reasons of confidentiality, any letter in a faculty member's file will be placed only in the personnel file located in Human Resources (HR). When a complaint is made against a faculty member and is found to have merit, the Associate Dean of the Faculty (faculty affairs) will check with HR to ascertain whether the faculty member already has a letter in the HR personnel file before deciding on an appropriate sanction.

### D. Appeal against Sanctions Other than Dismissal

If the faculty member believes that academic freedom and rights have been violated, or that a formal sanction is based on insufficient evidence or is too severe, the faculty member may appeal in writing, within 15 work days of receipt of the Associate Dean of the Faculty (faculty affairs)'s letter regarding sanctions. Failure to appeal within the time limits stated in this section, unless such time limits are extended as provided in section I below, shall make final the decision against which the appeal is sought.

1. For appeals based on an alleged violation of academic freedom and/or rights, the faculty member may appeal to CAFR. CAFR will follow its operating code and will have 20 work days to convey its recommendation to the President.
- or
2. For appeals based on insufficiency of evidence or excessive severity, the faculty member may appeal to the Faculty Advisory Board (FAB). For the procedure to be followed, see section E below.

If a faculty member is unsure as to which path of appeal to take, the faculty member may call for a meeting with the Associate Dean of the Faculty (faculty affairs) and the chairs of both CAFR and FAB to make that determination.

## FACULTY HANDBOOK

The sanction(s) will not be applied until the appeal process is completed. If a sanction involves suspension and if the Dean of the Faculty/Vice President for Academic Affairs in consultation with the Associate Dean of the Faculty (faculty affairs) and others, finds good cause that the faculty member's continued presence on campus constitutes a threat to the safety of the faculty member or to others, or substantially and unreasonably impairs the ability of other community members to carry out their responsibilities, the faculty member may be suspended immediately. Unless legal considerations prohibit, pay and benefits will continue until the matter is resolved.

### E. Procedures of the FAB and the Grievance Panel (GP) in Cases Involving Sanctions Other than Dismissal

If the faculty member appeals a sanction on the grounds that it is based on insufficient evidence or is too severe, the faculty member will appeal in writing to the chair of the FAB (for description of the FAB, see Part Two, Article II, F(2)(m)). The FAB will be convened by the FAB chair, and the three members of the GP will be selected from the FAB as follows: all three must be tenured members of the Faculty; the Associate Dean of the Faculty (faculty affairs) will select one panelist; the faculty member will select one panelist; and the FAB will select the third panelist. A panelist may not come from the same department or program as the faculty member (where "program" is understood as a unit whose members regularly engage with one another); any panelist with a conflict of interest may not serve. In addition, the faculty member and the Associate Dean of the Faculty (faculty affairs) may each make one request that the FAB chair select a replacement. The GP will select a chair from among its membership.

The Associate Dean of the Faculty (faculty affairs) will provide the GP with the statement of charges, any other information gathered during the preliminary inquiry, and a rationale for the sanction(s) imposed. The faculty member will meet with the GP and may propose that the GP meet with others who will speak on the faculty member's behalf. The GP may also seek interviews with any persons who may have information relevant to the charges. All individuals appearing before the GP may have a representative (not an attorney) present at any meetings.

After completing its investigation and conducting its deliberations, the GP will report its recommendation, with reasons for that recommendation, in writing to the Dean of the Faculty/Vice President for Academic Affairs, with copies to the Associate Dean of the Faculty (faculty affairs) and the faculty member. This recommendation must be delivered within 20 work days of receipt of the case from the Associate Dean of the Faculty (faculty affairs). The Dean of the Faculty/Vice President for Academic Affairs will then report in writing within 10 work days the recommendation to the President, with copies to the Associate Dean of the Faculty (faculty affairs), the GP, and the faculty member. The President will make the final decision regarding the sanction(s) within 10 work days.

### F. Dismissal of a Faculty Member

The appointment of any faculty member, including that of a member in a non-tenure-track appointment, shall not be terminated except for cause and after investigation as provided for in this section of the Handbook. For the purposes of this policy, non-renewal of the appointment of a faculty member in a tenure-track appointment is governed by the procedures in Part One, Article VIII, of this Handbook and is not to be construed as dismissal for cause. For the purposes of this policy, non-renewal of the appointment of a faculty member in a non-tenure-track appointment is not to be construed as dismissal for cause and may not be appealed.

Cause for dismissal of a tenured faculty member or of a non-tenured faculty member before the expiration of an appointment shall be related directly and substantially to the fitness of the faculty member in professional academic capacity, which includes responsible conduct toward all members of the College community. Cause for dismissal may involve alleged professional incompetence, neglect of duties, professional misconduct, or personal misconduct. Dismissal shall not be used to restrain faculty members in their exercise of academic freedom. For dismissals related to the termination of a department or program, please see this Handbook, Part One, Article XIV-XVII.

If the charges against a faculty member are sufficiently grave and deemed by the Associate Dean of the Faculty (faculty affairs) to warrant dismissal, the Associate Dean of the Faculty (faculty affairs) shall refer the matter to a GP consisting of three members of the FAB. If the Dean of the Faculty/Vice President for Academic Affairs in consultation with the Associate Dean of the Faculty (faculty affairs) and others, finds good cause that the faculty member's continued presence on campus constitutes a threat to the safety of the faculty member or to others, or substantially and unreasonably impairs the ability of other community members to carry out their responsibilities, the faculty member

## FACULTY HANDBOOK

may be suspended immediately. Unless legal considerations prohibit, pay and benefits shall continue until the matter is resolved.

### G. Procedures of the FAB and the GP in Cases Involving Dismissal

Following the referral from the Associate Dean of the Faculty (faculty affairs), FAB will be convened by the FAB chair, and the three members of the GP will be selected from the FAB as follows: all three must be tenured members of the Faculty; the Associate Dean of the Faculty (faculty affairs) will select one panelist; the faculty member will select one panelist; and the FAB will select the third panelist. A panelist may not come from the same department or program as the faculty member (where “program” is understood as a unit whose members regularly engage with one another); any panelist with a conflict of interest may not serve. In addition, the faculty member and the Associate Dean of the Faculty (faculty affairs) may each make one request that the FAB chair select a replacement. The GP will select a chair from among its membership.

The Associate Dean of the Faculty (faculty affairs) shall convey to the GP the statement of charges and any other information gathered during the preliminary inquiry. The GP shall send copies of the charges in writing to the faculty member within 5 work days of receipt of the case from the Associate Dean of the Faculty (faculty affairs) and notify the faculty member that the faculty member has a right to appear before the committee to present a response. The faculty member may take up to 20 work days to prepare the response and may propose that the GP meet with others who will speak on the faculty member’s behalf. The GP may also seek interviews with any persons who may have information relevant to the charges. All individuals appearing before the GP may have a representative (not an attorney) present at any meetings.

The GP shall complete its investigation and deliberations within 40 work days of receipt of the case from the Associate Dean of the Faculty (faculty affairs) and shall immediately report its recommendation, with reasons for that recommendation, in writing to the Dean of the Faculty/Vice President for Academic Affairs, with copies to the Associate Dean of the Faculty (faculty affairs) and the faculty member. The Dean of the Faculty/Vice President for Academic Affairs shall then report in writing within 10 work days the recommendation to the President, with copies to the Associate Dean of the Faculty (faculty affairs), the GP, and the faculty member. In the case of a non-tenured member of the Faculty, the President makes the decision about dismissal. In the case of a tenured member of the Faculty, the President will report the recommendation to the Board of Trustees for action. The President’s report to the Board will append the recommendation of the GP.

### H. Appeal against Dismissal

If the faculty member believes there are grounds for appeal, the faculty member may appeal in writing within 20 work days after receipt of the recommendation from the Dean of the Faculty/Vice President for Academic Affairs. Failure to appeal within the time limits stated in this section, unless such time limits are extended as provided in section I below, shall make final the decision against which the appeal is sought.

1. For appeals based on an alleged violation of academic freedom and/or rights, the faculty member may appeal to CAFR. CAFR will follow its operating code and will have 20 work days to convey its recommendation to the President.

or

2. For appeals based on (i) procedural error that might have affected the outcome of the decision or on (ii) new evidence, the faculty member may appeal to the President.

Whether the appeal comes through CAFR to the President, or whether it comes directly from the faculty member, the President will decide whether the appeal has merit with respect to the appropriate criteria in each case, a review of the record, and a review of the recommendations and findings related to the charges.

## FACULTY HANDBOOK

The President has the options of:

- denying the appeal;
- returning the case to CAFR or the GP with specifications for further findings and recommendations;
- conducting further investigation; or
- reversing or modifying the recommendation(s).

The President will provide the written recommendation (with reasons for that recommendation) to the Dean of the Faculty/Vice President for Academic Affairs, the Associate Dean of the Faculty (faculty affairs), the GP, CAFR (if applicable), and the faculty member within 10 work days after receipt of the recommendation from the chair of CAFR or within 20 work days after receipt of the appeal from the faculty member.

In the case of a non-tenured member of the Faculty, the President's decision is final. In the case of a tenured member of the Faculty, the President will report the recommendation to the Board of Trustees for final action. The President's report to the Board will append the recommendation of the GP.

### I. Extension of Time Periods

If circumstances warrant, the College reserves the right to extend any time periods identified in Article X.

## XII. APPOINTMENT AND REVIEW OF DEPARTMENT CHAIRS

### A. Criteria for Appointment

1. The appointee shall normally hold the rank of Associate or full Professor.
2. The appointee should have extensive and successful teaching experience.
3. The appointee should have qualities of personal and professional leadership and should have demonstrated evidence of administrative skill.

### B. Procedures for Appointment

1. Appointment of a Department Chair is made by the Dean of the Faculty/Vice President for Academic Affairs in consultation with the members of the department concerned.
2. Appointments to the Chair are for one year and are renewable; four to eight years is the normal length of service. A Chair (tenured or untenured) may not be removed as Chair during the course of an academic year except for cause.

### C. Procedures for Review

1. Department Chairs shall be reviewed once every four years. In the event of an intervening sabbatical or leave of absence, the review will take place in the fifth year. More frequent reviews may take place at the request of the Chair or the Dean of the Faculty/Vice President for Academic Affairs. Untenured faculty serving as Chairs at the time of review for reappointment or for tenure shall be reviewed separately as Department Chairs.
2. The review of a Department Chair shall be conducted by the Dean of the Faculty/Vice President for Academic Affairs. Each member of the department shall be requested to present a written evaluation to the Dean of the Faculty/Vice President for Academic Affairs. All such statements shall be confidential.
3. Student majors in the department shall also be involved in the review of Chairs, each department determining its method of student involvement.

## FACULTY HANDBOOK

D. Obligations Pertaining to Department Chairs

1. *Leadership:* The Chair is responsible to the College, to the department, and to the Administration for the effective leadership of the department; the Chair is responsible to the department for the effective and accurate representation of its interests and concerns to the Administration. Chairs should strive to recruit and maintain faculty who demonstrate excellence both in teaching and professional accomplishment. They should coordinate and stimulate participation in departmental affairs by all faculty and, where appropriate, students, and strive to keep departmental morale high. They should, moreover, maintain sensitivity to the world outside their disciplines and the College, and continually attempt to keep their departments aware of and responsive to the larger educational and social contexts in which they function.
2. *Curriculum:* The Chair, in consultation with other department members, is responsible for the department's course offerings and major requirements. Insofar as is possible, faculty should be permitted to teach the courses they prefer in the areas of their particular expertise, providing that student needs are met. Scheduling of courses and determination of examination policies should, insofar as possible, reflect the wishes of the department members teaching those courses. The Chair should take into account the needs of the students as well as the discipline in the shaping of the curriculum. The Chair has the primary responsibility for encouraging faculty to advise students conscientiously and carefully and also to keep library and resource materials current.
3. *Personnel:* The Chair is responsible for seeking out highly qualified candidates for vacancies in the department. An important factor in their selection should be their competence and willingness to teach according to the specified needs of the department and the College. The Chair establishes search and selection procedures in consultation with the Dean of the Faculty/Vice President for Academic Affairs, the Assistant Director for Equal Employment Opportunity and Workforce Diversity, Program Directors (where appropriate), and members of the department. The Chair makes recommendations on appointments, reappointments, promotions, and tenure (Part One, Article VIII); sabbaticals and leaves (Part One, Article IX); and salary increments to the Dean of the Faculty/Vice President for Academic Affairs, the Faculty Development Committee (where appropriate), and CAPT (where required).

The Chair is responsible for coordinating and making equitable the teaching loads of the members of the department according to standards (including those governing course releases) administered by the Dean of the Faculty/Vice President for Academic Affairs; the Chair's personal teaching load is reduced in proportion to administrative responsibilities. The Chair renders guidance and assistance to faculty in every way possible. The Chair keeps untenured faculty apprised of their progress through the tenure system through annual letters of evaluation. Each year, non-tenured faculty meet with their respective Chairs to discuss the contents of their annual letters of evaluation. Continuing part-time faculty shall also receive annual letters of evaluation. Tenured members of the department shall normally be evaluated every three years on a schedule determined by the Chair and coordinated with the individual's and the department's sabbatical cycle. The Dean of the Faculty/Vice President for Academic Affairs shall keep a record of tenured faculty members' evaluation cycles, and remind Department Chairs when evaluations are due. The annual letters of evaluation shall be transmitted to the individuals concerned and a copy will be sent to the Dean of the Faculty/Vice President for Academic Affairs' office no later than August 31 following that academic year. These evaluations are to be kept on file in the individual's department and in the Dean of the Faculty/Vice President for Academic Affairs' office. Only the individual, the Chair, and the Dean of the Faculty/Vice President for Academic Affairs may have access to these evaluations.

In the case of a proportional appointment shared between two departments or between a department and a program, the Department Chair communicates with the other Department Chair or Program Director at least once a semester in order to coordinate the shared faculty member's teaching and service assignments and to perform all other personnel duties of a Chair or Program Director, including periodic letters of evaluation.

4. *Communication:* The Chair should foster effective intra- and inter-departmental communications among all students, faculty and administrators, making clear to these constituencies the nature of all departmental policies and procedures. Departmental meetings should be held regularly, and department members should

## FACULTY HANDBOOK

be informed of discussions at Academic Staff meetings. The Chair is responsible for keeping the catalogue description of the department current and accurate, and is responsible for the biennial departmental report to the President and the Dean of the Faculty/Vice President for Academic Affairs.

5. *Support:* The Chair shall seek to provide faculty members with adequate office space and working facilities and, in consultation with the Dean of the Faculty/Vice President for Academic Affairs, shall make necessary budgetary provisions for teaching aids and media (such as dvds, cds, software, etc.) for duplicating equipment, for field trips, and for proper secretarial and student assistance.

### XIII. APPOINTMENT, REVIEW, AND EVALUATION OF DIRECTORS OF INTERDISCIPLINARY PROGRAMS

#### A. Criteria for Appointment

1. The appointee shall normally hold the rank of Assistant, Associate, or full Professor.
2. The appointee should have extensive and successful teaching experience.
3. The appointee should have qualities of personal and professional leadership and should demonstrate evidence of administrative skill.

#### B. Procedures for Appointment

1. Appointment of a Program Director is made by the Dean of the Faculty/Vice President for Academic Affairs in consultation with the teaching faculty in the program and (when applicable) the appropriate Department Chair.
2. A Director (tenured or untenured) may not be removed as Director during the course of an academic year except for cause.

#### C. Procedures for Review

1. Program Directors shall be reviewed by the Dean of the Faculty/Vice President for Academic Affairs once every four years. In the event of an intervening sabbatical or leave of absence, the review will take place in the fifth year. More frequent reviews may take place at the request of the Dean of the Faculty/Vice President for Academic Affairs. Untenured faculty serving as Directors at the time of review for reappointment or for tenure shall be reviewed separately as Program Directors.
2. The review of a Program Director shall be conducted by the Dean of the Faculty/Vice President for Academic Affairs. Each active member of the program shall be requested to present a written evaluation to the Dean of the Faculty/Vice President for Academic Affairs. All such statements shall be confidential.
3. Students in the program shall also be involved in the review of Directors, each program determining its method of student involvement.

#### D. Obligations Pertaining to Program Directors

1. *Leadership:* The Director is responsible to the College, to the program, and to the Administration for the effective leadership of the program; the Director is responsible to the program for the effective and accurate representation of its interests and concerns to the Administration. Directors should strive to advocate, promote, and coordinate faculty participation in the program. They should coordinate and stimulate participation in program affairs by all faculty and, where appropriate, students, and strive to keep program morale high. They should, moreover, maintain sensitivity to the world outside their programs and the College, and continually attempt to keep their programs aware of and responsive to the larger educational and social

## FACULTY HANDBOOK

contexts in which they function. Directors should ensure that the interdisciplinary nature of the programs remain central to the mission of the College.

2. *Curriculum:* The Director, in consultation with other program members, is responsible for the program's course offerings and requirements. Directors, in consultation with teaching faculty and Department Chairs, will coordinate the scheduling of courses. The Director should take into account the needs of the students as well as the program in the shaping of the curriculum. The Director has the primary responsibility for advising students in the program and also keeping library and resource materials current.
3. *Personnel:* The Director, in consultation with appropriate Department Chairs, is responsible for seeking out highly qualified candidates to teach in the program. The Director renders guidance and assistance to faculty in the program. The Director has access to teaching faculty's curriculum vitae, syllabi and teaching evaluations for courses in the program. The Director consults with the appropriate Department Chair when teaching faculty in the program are eligible for reappointment, tenure, and promotion.

In the case of tenure-track appointments to programs, the Director consults with the Dean of the Faculty/Vice President for Academic Affairs on the formation of a Program Personnel Committee, and the Director (in consultation with the ID PPC) performs those functions normally assumed by a Chair in recruitment, support, and evaluation of tenure-track faculty with regard to search procedures, appointment, reappointment, promotion, tenure, sabbatical and leave, salary recommendations, faculty development and mentoring, as well as annual letters of evaluation as described in Part One, Article VI, Section B and Article XII, Section D, number 3 above.

In the case of a proportional appointment shared between an ID program and a department or between two ID Programs, the Program Director communicates with the Department Chair or other Program Director at least once a semester in order to coordinate the shared faculty member's teaching and service assignments and to perform all other personnel duties of a Program Director or Chair, including periodic letters of evaluation.

4. *Communication:* The Director should foster effective intra- and inter-program communications among all students, faculty, and administrators, making clear to these constituencies the nature of all program policies and procedures. The Director is responsible for keeping the catalogue description of the program current and accurate and for the annual program report to the Dean of the Faculty/Vice President for Academic Affairs.
5. *Support:* The Director, in consultation with the Dean of the Faculty/Vice President for Academic Affairs and the appropriate Department Chair, if relevant, shall make necessary budgetary provisions for teaching aids such as films, records, slides, videotapes, software, etc., for duplicating equipment, for field trips, and for proper secretarial and student assistance.

### E. Procedures for Evaluation of Directors Tenure-Track or Tenured to a Department

1. If the candidate is tenure-track or tenured to a department, the Department Chair shall take into account the candidate's contributions to the program in writing the annual (or in the case of tenured faculty, tri-annual) letter of evaluation. (For candidates tenure-track to a program, see Part One [Faculty Rights and Responsibilities], Article VI [Appointments to the Faculty], Section B [Fully Dedicated Tenure-Track Lines in ID Programs]).
2. In all personnel decisions, the Department Chair shall consult in writing the faculty who have been active in the program during the last two years to gather evidence on the performance of the candidate in the following areas: teaching, scholarly, professional or creative activity, community service.
3. In the case of programs with personnel committees, such as Gender Studies, the Department Chair shall consult the personnel committee. In the case of programs without personnel committees, the candidate's Department Chair shall solicit letters of recommendation from faculty in the program.

## FACULTY HANDBOOK

4. The faculty referees shall in all cases indicate in writing clear support or lack of support for the candidate on the basis of the candidate's work in the program.
5. In a second year review, the Faculty Handbook does not require documentation appended to the Chair's letter. In all other personnel decisions forwarded to the Dean of the Faculty/Vice President for Academic Affairs and to CAPT, the Department Chair will attach the written statements of those reviewing the candidate's contributions to the program. Chairs and referees shall ensure that all materials are forwarded to the Dean of the Faculty/Vice President for Academic Affairs and to CAPT by the announced deadlines.
6. It is the responsibility of the Chair of the department to evaluate the candidate's contributions to the program and to incorporate that evaluation within the Chair's letter to the Dean of the Faculty/Vice President for Academic Affairs and/or CAPT.

### XIV. ESTABLISHMENT OR ELIMINATION OF A DEPARTMENT

Academic departments are established or eliminated by the Board of Trustees upon the recommendation of the President in consultation with the faculty according to the following procedures:

- A. A proposal to establish or eliminate a department shall be made first to the Committee on Educational Policies and Planning (CEPP) by members of the faculty, student body, or administration. The proposal shall be accompanied by a complete rationale based on academic concerns. CEPP shall report the existence of such a proposal to the faculty at the next Faculty Meeting.
- B. CEPP shall consider the proposal and rationale in the context of all the issues that are relevant to the College's long-range educational goals, and shall explore alternative strategies. During its study, CEPP shall work closely with the administration, the Curriculum Committee, and (in the case of elimination) the department in question, and may be aided by study groups drawn from the College community. In order to allow sufficient time for study, neither CEPP nor the initiators of the proposal may introduce the proposal at a Faculty Meeting until a date upon which they have agreed previously, but not later than twelve months from the time it was first brought to CEPP.
- C. The proposal may be introduced at a Faculty Meeting by CEPP or by those originating the proposal. If either CEPP or the President disapproves of the proposal, this shall be brought to the attention of the faculty with a full explanation, and so recorded in the faculty minutes.
- D. During the interim between the introduction of the proposal at a Faculty Meeting and the faculty vote, CEPP shall arrange for at least one faculty information meeting.
- E. The President shall report the faculty action to the Board of Trustees when making a recommendation for final action.

### XV. TERMINATION OF FACULTY STATUS DUE TO THE ELIMINATION OF A DEPARTMENT

Following a decision to eliminate a department according to the procedures in Part One (Faculty Rights and Responsibilities), Article XIV (Establishment or Elimination of a Department), untenured faculty will have the right to satisfaction of their current contract except that they will not have the right to tenure consideration. Tenured faculty should be placed in other positions at the College whenever possible, but failing that, should receive a minimum of two years notice prior to termination.

### XVI. ESTABLISHMENT OR ELIMINATION OF A MAJOR

The authority to establish or eliminate a major is vested in the Faculty, the Board of Trustees, and the New York State Education Department. Establishment or elimination of a major is accomplished according to the following procedures:



## FACULTY HANDBOOK

- A. A proposal to establish or eliminate a major shall be made first to the Curriculum Committee by members of the Faculty. The proposal shall be accompanied by a complete rationale based on academic concerns.
- B. The Curriculum Committee shall consider the proposal and rationale in the context of all the issues that are relevant to the College's long-range educational goals. During its study, the Curriculum Committee shall work closely with the Administration and the department (or departments) of the major in question. In order to allow sufficient time for study, neither the Curriculum Committee nor the initiators of the proposal may introduce the proposal at a Faculty Meeting until a date upon which they have agreed previously, but not later than twelve months from the time it was first brought to the Curriculum Committee.
- C. The proposal may be introduced at a Faculty Meeting by Curriculum Committee or by those originating the proposal. If either the Curriculum Committee or the President disapproves of the proposal, this shall be brought to the attention of the Faculty with full explanation, and so recorded in the faculty minutes and communicated to the Board of Trustees.
- D. The President shall report proposals receiving Faculty approval to the Board of Trustees for its action.
- E. Favorable action by the Board of Trustees, either to establish or eliminate a major, must be reported by the College Registrar to the New York State Education Department. A new major must be approved by and registered with the New York State Education Department. A discontinued major must be removed from the register.

### XVII. ESTABLISHMENT OR ELIMINATION OF A MINOR

Authority to establish or eliminate minors is vested in the Faculty and Dean of Faculty/Vice President for Academic Affairs. The primary vehicle for faculty approval rests with the Curriculum Committee.

Establishment or elimination of a minor is accomplished according to the following procedures:

- A. A proposal to establish or eliminate a minor shall be made first to the Curriculum Committee by members of the Faculty. The proposal shall be accompanied by a complete rationale based on academic concerns.
- B. The Curriculum Committee shall consider the proposal and rationale in the context of all the issues that are relevant to the College's long-range educational goals. During its study, the Curriculum Committee shall work closely with the Administration and the department/program (or departments/programs) of the minor in question and will consult with CEPP. It will invite faculty input.
- C. Upon approval of a proposal to establish or eliminate a minor, the result will be announced at a Faculty Meeting by the Curriculum Committee.

### XVIII. REIMBURSEMENT FOR PROFESSIONAL ACTIVITIES

Requests for reimbursement are made through the Department Chair on forms obtainable from the Office of Financial Services. If a faculty member is a participant in a professional event, reimbursement for expenses may be made through the Dean of the Faculty/Vice President for Academic Affairs rather than from departmental funds. Policies for such support shall be established and conveyed to the Faculty by the Dean of the Faculty/Vice President for Academic Affairs.

### XIX. FACULTY GOVERNANCE

Faculty governance is carried out through decisions made at Faculty Meetings and through a system of committees of the Faculty as described in Part Two. Faculty Meetings, presided over by the President, are generally held on the first Friday of each month. All the faculty as herein defined are expected to attend Faculty Meetings and are eligible to vote: all full-time members of the Faculty (including those on phased employment) and faculty holding shared

## FACULTY HANDBOOK

appointments at the rank of Assistant Professor or above; Visiting Lecturers; Librarians; Artists-in-Residence; Writers-in-Residence; full-year full-time Lecturers; full-year full-time Instructors; the President; the Dean of the Faculty/Vice President for Academic Affairs; the Associate Dean of the Faculty (faculty affairs); the Associate Dean of the Faculty (student academic affairs); the Vice President and Dean of Admissions and Financial Aid; the Dean of Students and Vice President for Student Affairs; the Dean of Special Programs; the Registrar; the Director of Institutional Research; the Senior Associate Director of Admissions; the Director of Master of Arts in Liberal Studies Program; the Director of Summer Academic Programs and Residencies; the Dayton Director of the Tang Teaching Museum and Art Gallery; the Associate Director for Curatorial Affairs of the Tang Teaching Museum and Art Gallery; the Director of Academic Diversity Initiatives; and such other administrative officers as may be appointed to the Faculty by the Board of Trustees upon recommendation of the President after consultation with CAPT and with the concurrence of the Faculty.

### XX. PROCEDURES FOR HANDBOOK AMENDMENTS

- A. Proposals for substantive amendments to the Handbook may be initiated by the Faculty, Administration, or Trustees.
- B. These proposals should be brought to FEC, which will refer them to the appropriate faculty committee, e.g., CAPT and/or CAFR (Part One, Articles I through VIII, XIV, XII through XVIII); CEPP (Part One, Article XIV and Part Two, Article III); Curriculum Committee (Part One, Article XVI); Faculty Development Committee (Part One, Article IX and XVIII); Institutional Policy and Planning Committee (Part Four). FEC will deal with proposals to Part One, Articles XVII and XIX, and Parts Two (except as noted above), Three, Five and Six. The relevant committees then study the proposal, make necessary modifications, and refer the revised proposal to FEC for presentation to and action by the Faculty.
- C. If FEC declines to bring a proposal for Handbook revision to the Faculty, the initiator of the proposal may then introduce it directly to the Faculty.
- D. If the Faculty approves a revision to Part Two of the Handbook, the revision will then be adopted. If the Faculty approves a revision to Part One or Part Four, the revision will be forwarded to the President, and by the President to the Board of Trustees with a recommendation for final action. The revision will then be adopted if both the President and the Trustees give approval. Revisions to Parts Five and Six will be adopted once the office being described and FEC have agreed upon the revision. Revisions to Part Three should be agreed upon by the Institutional Policy and Planning Committee (IPPC), the Student Government Association (SGA), and FEC. Once such agreement is obtained, the revision is adopted.

## PART TWO

## FACULTY GOVERNANCE

## PREAMBLE

Skidmore College is committed to the principle of shared governance. Shared governance recognizes (1) the unique role that faculty play in institutions of higher learning by virtue of their special knowledge, experience, interests, and values, and (2) the relationship between faculty participation in governance and the protection of academic freedom.

Faculty governance provides the principal structure through which faculty members express their views and inform College policy. Faculty governance is (1) especially concerned with those subjects for which faculty members have primary responsibilities: academic freedom, academic standards, educational policy and curriculum, faculty status, and self governance; and (2) also concerned with those subjects in which faculty members have a major interest and share responsibilities with other constituencies, such as financial policy and planning, long-range planning, admissions, student affairs, advancement, and Special Programs.

Broad participation by faculty on committees and task forces improves the chances that diverse expertise, interests, and perspectives will inform decision-making at the College. Such participation distributes the workload, encourages greater accountability, and conveys the message that all faculty are committed to protecting the welfare of the entire institution and advancing the quality of academic life across all the disciplines at Skidmore.

When the Faculty seeks to establish broad and equitable representation of its body, the following Division of Disciplines shall be used:

<u>Humanities:</u> Art History Asian Studies Classics English Foreign Languages & Literatures Philosophy and Religion	<u>Pre-Professionals:</u> Art Arts Administration Dance Education Library Management & Business Music Social Work Theater
<u>Natural Sciences:</u> Biology Chemistry Environmental Studies Geosciences Health and Exercise Sciences Mathematics & Computer Science Neuroscience Physics Psychology	<u>Social Sciences:</u> American Studies Anthropology Economics Government History International Affairs Sociology

In order for faculty governance at Skidmore College to work effectively and equitably, it is therefore important that all faculty who are eligible to vote exercise that right regularly and that those qualified to serve on committees do so at appropriate times throughout their careers.

## I. FACULTY MEETING BY-LAWS

Article I. The Faculty Meeting

- A. Faculty governance is carried out through decisions made at Faculty Meetings and through a system of committees of the Faculty. The primary purpose of Faculty Meetings is to provide a forum for discussion on important college matters and to facilitate governance of college affairs.
- B. Faculty Meetings, presided over by the President, are generally held on the first Friday of each month.
- C. Eligibility to Vote
1. All the faculty as herein defined are expected to attend Faculty Meetings and are eligible to vote:
    - a. all full-time members of the Faculty (including those on phased employment) and faculty holding shared appointments at the rank of Assistant Professor or above,
    - b. Visiting Lecturers, Librarians, Artists-in-Residence, Writers-in-Residence, full-year full-time Lecturers, and full-year full-time Instructors,
    - c. the President; the Dean of the Faculty/Vice President for Academic Affairs; the Associate Dean of the Faculty (faculty affairs); the Associate Dean of the Faculty (student academic affairs); the Vice President and Dean of Admissions and Financial Aid; the Dean of Students and Vice President for Student Affairs; the Dean of Special Programs; the Registrar; the Director of Institutional Research; the Senior Associate Director of Admissions; the Director of Master of Arts in Liberal Studies Program; the Director of Academic Programs, Residencies, Institutes and Community Programs; the Dayton Director of the Tang Teaching Museum and Art Gallery; the Associate Director for Curatorial Affairs of the Tang Teaching Museum and Art Gallery; and the Director of Academic Diversity Initiatives.
    - d. such other administrative officers as may be appointed to the Faculty by the Board of Trustees upon recommendation of the President after consultation with CAPT and with the concurrence of the Faculty, and
    - e. members of the full-time faculty appointed to administrative positions within the College. These individuals retain their right to vote at Faculty Meetings but not to run for committees or to vote in committee elections.
  2. A voting member of the Faculty who is on leave of absence may vote in Faculty Meetings. Faculty members on leave will be notified of Faculty Meetings only through normal College channels.
  3. Proxy votes and absentee ballots are not allowed in Faculty Meetings.
- D. Eligibility to Attend
1. Departmental assistants, part-time faculty, and administrators without faculty status are invited to attend and participate in Faculty Meetings, on a permanent or temporary basis, but without a vote.
  2. The following students are also invited to attend but without a vote: six students to be selected in a manner determined by the Student Senate, students on faculty and all-College committees when items relevant to their committees are on the agenda, one representative from the Skidmore Radio Station, one representative of the Skidmore Television Station, and one representative of the *Skidmore News*.

Article II. The Presiding Officer

- A. The President shall preside over the Faculty Meeting. In the absence of the President, the presiding officer will be in successive order
1. The Dean of the Faculty/Vice President for Academic Affairs;
  2. The Chairperson of the Faculty Executive Committee;
  3. A member of the Faculty selected by the Faculty Meeting.
- B. The President shall appoint a parliamentarian from the Faculty who will advise the Chair at all meetings on questions of procedure. The parliamentarian will also serve as a resource for faculty to consult on parliamentary questions. The parliamentarian has no authority to make rulings or to enforce them.

Article III. The Agenda and Minutes

- A. Agenda
1. Faculty members should notify either the Dean of the Faculty/Vice President for Academic Affairs or the Chair of FEC of items they wish included on the agenda by Monday in the week of a Faculty Meeting. The Chair of FEC will convey agenda items to the Office of the Dean of the Faculty/Vice President for Academic Affairs by 9:00 a.m. on Tuesday. The Dean of the Faculty/Vice President for Academic Affairs and FEC will work together on constructing the agenda.
  2. The agenda shall be distributed to the Faculty by the Wednesday in the week of a Faculty Meeting.
  3. The order of the agenda may be changed by the presiding officer, subject to challenge by a majority vote of the Faculty Meeting.
- B. Minutes
1. The Dean of the Faculty/Vice President for Academic Affairs shall appoint a note-taker for the Faculty Meeting.
  2. The Dean of the Faculty/Vice President for Academic Affairs is responsible for distributing minutes of all official meetings to all members no later than one week in advance of every meeting.
  3. Approval of the minutes shall normally be the first item on the agenda.

Article IV. Quorum

- A. A quorum shall be necessary for
1. votes on matters of policy (see Article VII, A);
  2. votes to suspend the rules;
  3. votes to go into executive session (see Article VII, B);
  4. votes to amend the by-laws.
- B. The quorum shall be 75 members.

Article V. The Right to Speak

## A. At Faculty Meetings

1. The Chairperson shall not speak to a motion while occupying the chair.
2. Other persons may speak only when recognized by the Chair.
3. The speaker should address the Chair.
4. The speaker should limit the length of remarks to a reasonable length (observing the guideline of two minutes).
5. A person may speak once on a motion and may speak a second time only after all other persons wishing to speak have spoken once. The only exception is that the maker of the motion has the privilege to be the final speaker before the vote.
6. The speaker should have the floor, but should not assume the chair.
7. The speaker shall not be interrupted except for the following:
  - a. Point of order -- raised to question any proceeding or motion that a member believes is in violation of the rules. The Chair rules on the validity of the point and the ruling may be appealed. An appeal must have a second. The decision of the Chair is sustained by a majority or tie vote.
  - b. Point of personal privilege -- raised concerning the rights, reputation, comfort, safety or conduct of a member.
  - c. Point of information -- a request of the Chair for an answer concerning the background or content of a motion vote.
  - d. Parliamentary Inquiry -- a request of the Chair for information concerning parliamentary law. The Chair may refer this to the parliamentarian.
  - e. Permission to withdraw a motion.
  - f. Call for a division of the assembly to retake a vote.
8. When a motion is presented, it is customary that there be a period of questions and answers to clarify the motion before it is more formally debated. Explanatory comments and clarification at this time are not considered speaking to a motion. At any time, the Faculty may entertain a motion to consider a motion, subject, or problem informally (see V.C.1).

## B. Committee of the Whole. This device enables the Faculty Meeting to discuss an issue under the less stringent rules of a committee.

1. The Faculty Meeting may entertain a motion to form a Committee of the Whole.
2. The Chairperson of the Faculty Meeting shall appoint the Chairperson of the Committee of the Whole.
3. The Faculty Meeting will set a time limit on discussion (e.g., twenty minutes).
4. The Chairperson of the Committee of the Whole may speak to the subject at hand.

5. Other persons may speak only when recognized by the Chair.
  6. A person may speak more than once before all others wishing to speak have done so, if recognized by the Chair.
  7. All votes are "committee votes" and are not binding on the debate.
  8. At the completion of its deliberation, the Committee of the Whole will entertain a motion to "rise and report."
  9. Committee of the Whole discussions will take place during at least two, but preferably more, Faculty Meetings each semester. The topic of discussion will be determined by FEC and the Dean of the Faculty/Vice President for Academic Affairs, and as directed by suggestions from either individual faculty or committees. Suggestions may be sent to either the Dean of the Faculty/Vice President for Academic Affairs or the Chair of FEC.
- C. Informal Consideration. This device permits the Faculty Meeting to set aside the formal rules of debate.
1. The Faculty Meeting may entertain a motion to consider a particular motion, subject, or problem informally.
  2. Such a motion may occur before or after a formal motion is proposed.
  3. Informal consideration allows the meeting to perfect a motion or an amendment for Faculty Meeting action.
  4. The Chairperson of the Faculty Meeting remains in the chair.
  5. Informal consideration allows for varying limits of debate and the development of amendments to a motion.

#### Article VI. Taking Votes

- A. The Faculty Meeting shall vote by ballot, using electronic polling technology. In the event of a technology failure, an ayes and nays vote will be taken, either by voice vote or – under circumstances determined by the Chair – paper ballot. The Faculty Meeting shall vote by paper ballot if at least one voting member makes such a request. The members of the Faculty Executive Committee shall tally all votes taken by paper ballot, except in cases where the motion before the Faculty Meeting comes from FEC. In the latter instance, the Chair shall appoint up to six faculty members to make the count.
- B. In the case of a tie vote (ballot), the Chair *may* vote with either side. If the Chair chooses not to vote, lacking a majority, the motion is defeated.

#### Article VII. Special Rules

- A. Vote on Questions of Policy
  1. Matters of policy shall not be voted on at the same meeting in which they are proposed, unless this provision is waived by a simple majority.
  2. The Chair shall rule on what constitutes matters of policy, subject to challenge by a majority vote of the Faculty Meeting.

- B. Executive Sessions. The Faculty Meeting by majority vote may go into executive sessions where only those with the right to vote may attend. Such sessions may include those occasions when the faculty considers personnel matters, such as the appointment of a new President or a new chief academic officer.

Article VIII. On all matters of parliamentary procedure not specifically enumerated in the by-laws, the Faculty Meeting shall observe those rules that are part of Robert's Rules or the Standard Rules of Parliamentary Procedure, provided that they do not conflict with the spirit or letter of the by-laws.

Article IX. Adoption and Amendment of the By-laws

- A. By-laws are initially passed by a simple majority vote.
- B. A proposal to amend the by-laws shall be considered a policy matter, and as such shall not be voted on at the meeting at which it is proposed (See VII A).
- C. A vote on a proposed change requires the presence of a quorum.
- D. A 2/3 majority vote is required for passage.
- E. If passed, the amendment shall go immediately into effect.



## Addendum: Summary Table of Rules Relating to Motions

Explanation of the Table. A star shows that the rule heading the column in which it stands applies to the motion opposite to which it is placed; a blank shows that the rule does not apply; a figure shows that the rule only partially applies, the figure referring to the note showing the limitations. Take, for example, "Lay on the Table": the Table shows that it is "undebatable" and "cannot be amended," and that an affirmative vote on it "cannot be reconsidered." The four other columns containing blanks show that this motion does not "open the main question to debate," that it does not "require a 2/3 vote," that it does "require to be seconded," and that it is not "in order when another member has the floor."

	Undebatable	Opens Main Question to Debate	Cannot be Amended	Cannot be Reconsidered	Requires a 2/3 Vote	Does not Require to be Seconded	In order when another has the floor
Adjourn	*	-	*	*	-	-	-
Adjourn, Fix the Time to which to	2	-	-	-	-	-	-
Amend	-	-	-	-	-	-	-
Amend an Amendment	-	-	*	-	-	-	-
Amend the Rules	-	-	-	-	*	-	-
Appeal, relating to indecorum, etc.	*	-	*	-	-	-	*
Appeal, all other cases	-	-	*	-	-	-	*
Call to Order	*	-	*	-	-	*	*
Close Debate	*	-	-	-	*	-	-
Commit or Refer	-	*	-	-	-	-	-
Extend the Limits of Debate, motion to	*	-	-	-	*	-	-
Leave to Continue Speaking after Indecorum	*	-	*	-	-	-	-
Lay on the Table	*	-	*	5	-	-	-
Limit Debate, motion to	*	-	-	-	*	-	-
Objection to Consideration of a Question	*	-	*	-	*	*	*
Orders of the Day, motion for the	*	-	*	-	-	*	*
Postpone to a Certain Time	7	-	-	-	-	-	-
Postpone Indefinitely	-	*	*	-	-	-	-
Previous Question	*	-	*	-	*	-	-
Priority of Business, questions relating to	*	-	-	-	-	-	-
Privilege, Questions of	-	-	-	-	-	-	-
Reading Papers	*	-	*	-	-	-	-
Reconsider a Debatable Question	*	*	*	-	-	9	
Reconsider an Undebatable Question	*	-	*	*	-	-	9
Refer (same as Commit)	-	*	-	-	-	-	-
Rescind	-	*	-	-	-	-	-
Rise (in Committee equals Adjourn)	*	-	*	*	-	-	-
Special Order, to make	-	-	-	-	*	-	-
Substitute (same as Amend)	-	-	-	-	-	-	-
Suspend the Rules	*	-	*	*	*	-	-
Take from the Table	*	-	*	5	-	-	-
Take up a Question out of its Proper Order	*	-	*	-	*	-	-
Withdrawal of a Motion	*	-	*	-	-	-	-

## Notes:

1. Every motion in this column has the effect of suspending some rule or established right of deliberative assemblies and therefore requires a two-thirds vote, unless a special rule to the contrary is adopted.
2. Undebatable if made when another question is before the assembly.
3. An Amendment may be either 1. By "adding"; or 2. By "striking out" words or paragraphs; or 3. By "striking out certain words and inserting others"; or 4. By "substituting" a different motion on the same subject; or 5. By "dividing the question" into two or more questions, as specified by the mover, so as to get a separate vote on any particular point or points.
4. An Appeal is undebatable only when relating to indecorum, or to transgressions of the rules of speaking, or to the priority of business, or when made while the Previous Question is pending. When debatable, only one speech from each member is permitted. On a tie vote the decision of the Chair is sustained.
5. An affirmative vote on this motion cannot be reconsidered.
6. The objection can only be made when the question is first introduced, before debate.
7. Allows only limited debate upon the propriety of the postponement.
8. The Previous Question, if adopted, cuts off debate and brings the assembly to a vote on the pending question only, except where the pending motion is an amendment or a motion to commit, when it also applies to the question to be amended or committed.
9. Can be moved and entered on the record when another has the floor, but cannot interrupt business then before the assembly; must be made on the day, or the day after, the original vote was taken, and by one who voted with the prevailing side.

## II. COMMITTEES OF THE FACULTY

- A. Voting Rights and Eligibility: Only full-time members of the teaching or library faculty (including those on phased employment) eligible to vote at Faculty Meetings (see Part One [Faculty Rights and Responsibilities], Article XIX [Faculty Governance]) may vote for, or serve as, faculty representatives on elective or appointed committees; administrators with faculty status are not eligible. Voting members of the Faculty who are on leave of absence may vote in faculty committee elections, but are not expected to serve on committees while on leave. It is understood that ballots for committee elections will be distributed only through normal College channels and that deadlines for return of ballots will not be extended for faculty on leave. The faculty members of the following committees are nominated and elected by the Faculty: FEC, IPPC, CAPT, CEPP, Curriculum, Tenure Review Board, CAFR, Periclean Honors Forum Council, Faculty Development, Master of Arts in Liberal Studies, Athletic Council, and FAB. Faculty representatives on appointive committees of the Faculty are appointed by FEC from those indicating a willingness to serve; FEC also participates in the appointment of faculty representatives to various all-College committees.

There is also a Committee of Committees composed of the faculty members of CAFR, CAPT, CEPP, FEC, Curriculum Committee, FDC, IPPC, and any current ad hoc committees whose presence FEC believes would be helpful to the committee. FEC convenes the Committee of Committees twice a year, or at the request of the faculty members of any constituent committee.

Replacements on an elected committee for longer than an academic year will normally be chosen by special election. Replacements for an academic year or less than an academic year will normally be appointed by FEC from the list of runners-up in the most recent election. Replacements on appointive committees will be made by FEC from among those willing to serve.

- B. Election Schedule. Elections normally shall be scheduled following the Operating Code of FEC. FEC shall publish its calendar annually at the beginning of the Fall semester.
- C. Committee Chairs. Members of committees are requested to elect Chairs by the end of each academic year for the following year and to inform the Chair of FEC and the Dean of the Faculty/Vice President for Academic Affairs of the results of these elections.
- D. Operating Code and Minutes. Each committee is expected to keep on file an operating code and to provide new members and FEC with a copy. All committees keep complete minutes, including records of actions taken.
- E. Annual Reports. A copy of the committee's annual report is to be sent to the Chair of FEC and to the Dean of the Faculty/Vice President for Academic Affairs at the end of the academic year. In addition, the reports of elected committees are to be sent to the Faculty as a whole.
- F. Faculty Governance Structure.

1. *The Service Cycle*.

Skidmore faculty is expected to participate in the faculty governance committees whose functions are the ultimate responsibility of the faculty (i.e., tenure, promotion, curriculum, academic standards, and academic freedom). These committees of the faculty are currently listed in Part Two, Section II, F(2)(a-o). The Service Cycle establishes a rotation structure primarily for service on these committees and on the IPPC. For all-college committees, ad hoc committees, working groups, task forces, or student government committees, FEC will appoint faculty from the ad hoc pool according to their preference. The ad hoc pool is constituted by faculty who are in their service cycle but not serving on a committee and by junior faculty in their second or third year.

The cycle establishes a college-wide seven-year rotation cycle for faculty governance service. Faculty will rotate in and out of service based on a governance service cycle that reflects their individual sabbatical cycles: three years in, four years out. Each faculty member can choose any three consecutive years of his/her sabbatical cycle to serve (i.e., years 1-2-3 or 2-3-4 or 3-4-5 or 4-5-6). This gives maximum freedom to the faculty in determining the time of their service while maintaining a key advantage of the cycle: continuity of service on our core committees.

One year of faculty governance committee service will be expected from untenured tenure-track faculty in either their second or third year. For instance, untenured tenure-track faculty may serve on ad hoc committees, task forces, or working groups, or as replacements for short-term committee vacancies. This experience will introduce them to faculty committee work and will provide an opportunity to forge relations with their new colleagues. Junior faculty will then come up for their first full three-year service cycle in years 5-6-7 or 6-7-8 or 7-8-9 or 8-9-10.

Full-time non-tenure-track faculty have the right, and are welcome, to participate in faculty governance. They will express their willingness to serve at the appropriate time as part of the process that establishes the pool of faculty who are available for service in the following year.

The cycle determines who is available for service in any particular year. Faculty at large will still determine, by way of election, who serves on any particular committee. There will be, however, only one election per year. The year prior to their service, faculty will fill out their individual "Service Preference List," ranking the various committees, from which a ballot will be determined. All eligible faculty members will then vote to establish committee membership. In general, faculty members will not serve on more than one faculty committee at any one time. Faculty who are willing to serve more are welcome to serve beyond the minimum three years.

Exemption to the cycle will be determined by the Dean of the Faculty/Vice President for Academic Affairs in consultation with FEC.

*Faculty Governance Committees.*

2.

a. **FACULTY EXECUTIVE COMMITTEE (FEC) — Elected**

Function: To act as the primary conduit of information and ideas into and out of the Faculty concerning all-College issues and policies; and to oversee faculty governance and faculty participation in all-College governance.

FEC fosters communication within the Faculty, via both reports to the Faculty Meeting and organization of other faculty discussion meetings and forums, about all-College issues and policies. The Chair of FEC shall sit on IPPC in order to strengthen communication between the two committees. FEC, together with IPPC and SGA, is responsible for the proper constitution of all-College committees and subcommittees.

FEC is responsible for coordinating the faculty governance cycle. FEC is responsible for ensuring the proper constitution of faculty committees: it solicits nominations for, conducts elections for, and makes appointments to faculty and all-College committees; it provides advice and oversight of procedures regarding faculty appointments to search committees for senior administrative positions; and it maintains a list of all faculty members on all committees. FEC appoints an additional member to a committee if and when requested by the committee because of unusual workload. In addition, FEC reviews operating codes of all faculty committees and maintains files of annual committee reports, and FEC is responsible for ensuring that the text of the Faculty Handbook appears and remains precisely as approved by the Faculty.

FEC convenes the Committee of Committees (comprising faculty members of FEC, IPPC, CAPT, CAFR, CEPP, Curriculum Committee, FDC, and any current ad hoc committees whose presence FEC believes would be helpful to the Committee) at least twice a year to assess the interactions among member committees and between them and the Administration, and to discuss ongoing issues and any problems in committee operations. FEC is then required to inform the Faculty at large of the issues raised by the Committee of Committees.

Finally, FEC posts Board of Trustee Meeting minutes on its web page. (In addition, CAPT, CAFR, and the Chair of CEPP meet annually with the Academic Affairs Committee of the Board of Trustees.)

Membership: Four members of the Faculty elected to serve three-year terms.

b. COMMITTEE ON APPOINTMENTS, PROMOTIONS, AND TENURE (CAPT) — Elected

Function: To represent the Faculty on administrative appointments and reviews and on faculty appointments, promotions, and tenure, and to make recommendations on these matters to the appropriate administrative officer. The Administration shall consult CAPT to determine which administrative personnel decisions the committee judges to require faculty representation. Special meetings with the President, the Dean of the Faculty/Vice President for Academic Affairs, and the Associate Dean of the Faculty (faculty affairs) may be called at the request of any of these administrative officers or the committee. At least one meeting of the joint trustee-faculty committee is held during each academic year. Revisions to some parts of Part One (Faculty Rights and Responsibilities) of the Faculty Handbook are reviewed by CAPT for its recommendations prior to a faculty vote.

Membership: Six faculty members with tenure, each from a different department chosen from the ranks of Professor and Associate Professor, none of whom is on the Tenure Review Board, CAFR or FAB, elected to serve three-year terms. Members of CAPT may not participate in the tenure or promotion cases of candidates in their own departments; replacements for such cases will be selected from recent members of CAPT and the Tenure Review Board (or its predecessor, the CAPT Review Committee). The first eligible faculty member will be chosen from a list beginning with the most recent past members of the named groups (eligible replacements must have reviewed at least one case).

A member who has served a full three-year term is eligible for re-election after being out of office for two years; members who complete an unexpired term or serve an interim term in place of a regularly elected member on leave are immediately eligible for re-election provided the service does not exceed one calendar year.

c. COMMITTEE ON EDUCATIONAL POLICIES AND PLANNING (CEPP) — Elected

Function: To recommend to the Faculty and Administration short- and long-range educational plans for the College and thus be instrumental in clarifying, improving, and changing major policies and educational procedures; to evaluate Skidmore's present practices and goals. The Chair of CEPP shall sit on IPPC. CEPP meets annually, and whenever necessary in the pursuit of its functions, with the appropriate faculty committee and/or the appropriate committee of the Board of Trustees.

Membership: Five faculty members, two of whom must be tenured, each from a different department or program, and with at least one member from each of the four Divisions of Disciplines, elected to serve three-year terms; the Dean of the Faculty/Vice President for Academic Affairs or a designated representative; and two students selected by SGA. Non-voting members of the committee are the Registrar and the Associate Dean of the Faculty (student academic affairs). CEPP may appoint such subcommittees from among its members or from the College community at large as it deems helpful to facilitate its work.

## d. COMMITTEE ON ACADEMIC FREEDOM AND RIGHTS (CAFR) — Elected

Function: To serve as guardian of the academic freedom and rights of all members of the academic community; to receive inquiries and complaints concerning academic freedom and rights and to consider formal charges of violations of academic freedom and rights from any faculty member, student, administrator, trustee, or from CAPT; to advise and make appropriate recommendations. CAFR meets annually, and whenever necessary in the pursuit of its functions, with the Academic Affairs Committee of the Board of Trustees. Revisions to Part One of the Faculty Handbook, Articles I–VIII, XIV, XII through XVIII are reviewed by CAFR for its recommendations prior to a faculty vote.

Membership: Four members of the Faculty, none of whom is on CAPT, the Tenure Review Board, CAS, or FAB, at least one of whom is untenured at the time of election and at least two of whom are tenured, each to serve a three-year term and each from a different department; and no more than five students selected by SGA.

A member who has served a full three-year term is eligible for re-election after being out of office for two years; members who complete an unexpired term or serve an interim term in place of a regularly elected member on leave are immediately eligible for re-election provided their service did not exceed one calendar year. A member shall recuse himself or herself if the member is involved in the matter about which the complainant is bringing the case.

## e. CURRICULUM COMMITTEE — Elected

Function: To act for the Faculty in reviewing curricular matters including those which implement educational policy concerning all-College requirements; to generate recommendations concerning immediate and long-range curricular matters; to make recommendations to the Faculty concerning other curricular matters brought before it by faculty, students, and the Administration.

Membership: Five faculty members, at least two of whom are tenured, each from a different department or program, with at least one member from each of the four Divisions of Disciplines, elected to serve three-year terms; the Dean of the Faculty/Vice President for Academic Affairs or a designated representative; and two students selected by SGA. Non-voting members of the committee are the Registrar and the Associate Dean of the Faculty (student academic affairs).

## f. FACULTY DEVELOPMENT COMMITTEE (FDC) — Elected

Function: To advise the Dean of the Faculty/Vice President for Academic Affairs on faculty development policies; to initiate ideas for faculty growth and improvement, including programs to support both scholarly and professional activity and the improvement of teaching; to allocate such research funds as the Dean of the Faculty/Vice President for Academic Affairs shall designate for committee decision; to represent the Faculty on the award of pre-tenure paid research and sabbatical leaves and to make recommendations on such leaves to the Dean of the Faculty/Vice President for Academic Affairs; and to select the annual Edwin Moseley Faculty Research Lecturer, the recipient of The Ralph A. Ciancio Award for Excellence in Teaching, and the Distinguished Faculty Service Award.

Membership: Four faculty members with tenure, one each from the areas of the humanities, the natural sciences, the pre-professional programs, and the social sciences, each member to be elected for a three-year term; and a representative of the Office of the Dean of the Faculty/Vice President for Academic Affairs, non-voting.

## g. TENURE REVIEW BOARD — Elected

Function: To review a negative tenure recommendation at the request of the candidate. In the event that the Tenure Review Board determines that a tenure case requires reconsideration, the three

members of the TRB will sit together with the six members of CAPT, as the Tenure Appeal Committee, to reconsider the case.

Membership: Three tenured faculty members, each elected to serve a three-year term, at least one of whom has previously served on CAPT. All members of the Board must have been tenured for at least two years. No two members may be from the same department. Faculty currently serving on CAPT, CAFR, or FAB are not eligible. No member of the Tenure Review Board may sit for the review of a candidate in the same department. FEC will provide replacements for such reviews as needed.

h. TENURE APPEAL COMMITTEE

Function: To review a negative tenure recommendation at the request of the Tenure Review Board.

Membership: The six members of CAPT plus the three members of the Tenure Review Board. No member of the Tenure Appeal Committee may sit for the review of a candidate in the same department. FEC will provide replacements for such reviews as needed.

i. PERICLEAN HONORS FORUM COUNCIL — Elected

Function: The ongoing responsibilities of the Periclean Honors Forum Council include reviewing applications for membership and inducting new members, monitoring the eligibility standards for current members, planning and sponsoring academic and co-curricular events, developing a sufficient number of courses and co-curricular events for inclusion among the "honors" resources, communicating with the wider community of students and faculty regarding Forum opportunities and the achievements of honors (and other) students, and assessing the effectiveness of the Periclean Honors Forum in achieving its goals. Annually the Periclean Honors Forum Council will constitute the Periclean Scholar Award Sub-Committee as follows: two students and three faculty members of the Periclean Honors Forum Council not including the chair. The three faculty members of the Periclean Scholar Award Sub-Committee shall elect a Chair from their membership.

Membership: Four faculty, three elected for three-year terms and one who chairs the Council and serves as Director of the Periclean Honors Forum for a four-year term; the Associate Dean of Student Affairs and Director of Campus Life; the Director of the First-Year Experience; and three students appointed from members of the Forum.

j. MASTER OF ARTS IN LIBERAL STUDIES COMMITTEE (MALSC) — Elected

Function: To participate in all aspects of the Master of Arts in Liberal Studies (MALS) Program by determining academic policies and procedures, admitting and dismissing students, approving core seminars, approving degree plans and final project proposals, making recommendations for degrees, and recommending faculty selection; to advise on all matters of administrative policy and to assist in the further direction of the program.

Membership: Two faculty members; the Dean of Special Programs; the Dean of the Faculty/Vice President for Academic Affairs or a designated representative; and the Director and Academic Advisor of the MALS Program.

k. ATHLETIC COUNCIL — Elected

Function: To provide oversight and support for the athletic, fitness, physical activity, and recreation programs on campus; to advise the Dean of Students and Vice President for Student Affairs in articulating and espousing the vision for athletics, fitness, and recreation at Skidmore and to recommend policies regarding these programs; to work in conjunction with the President, the Dean of Students and Vice President for Student Affairs, the Dean of the Faculty/Vice President for Academic Affairs, the Athletic Director, the Student Athletic Advisory Committee (SAAC), and

Advancement to assure productive links between athletic and academic programs; to evaluate the teaching of physical activity instructors and to review the physical activity program; and to assist in other matters relating to athletics, fitness, physical activity, and recreation, as may be brought to the Council's attention by the Athletic Director or by any other member or group of the College community.

Membership: Three faculty members, each from a different department, elected to serve three-year terms; two students, one selected by SGA and one representative from SAAC; the Dean of the Faculty/Vice President for Academic Affairs or a designated representative; the Dean of Students and Vice President for Student Affairs or a designated representative; the National Collegiate Athletic Association Faculty Athletics Representative ex-Officio (voting); the Senior Woman Administrator (non-voting); and the Athletic Director (non-voting).

1. COMMITTEE ON ACADEMIC STANDING (CAS) — Appointed

Function: To formulate and administer policy relating to the academic status of students including matters concerning probation, honors, requirements for graduation, acceleration, and leave of absence; to determine the academic status of each student on the basis of the record, reports of instructors, the opinion of the faculty in the major, and any other relevant data; and to give any instructions and advice which seem necessary or advisable.

Membership: Three faculty members, at least one tenured and none of whom may be a member of CAFR, appointed to serve three-year terms; the Associate Dean of the Faculty (student academic affairs) and/or a designated representative, the Registrar and/or a designated representative, and two students selected by SGA to be appointed each year to serve a one-year term. Additional staff may join the meeting at the request of the Chair, the Associate Dean of the Faculty (student academic affairs), the Registrar, or Off-Campus Study and Exchanges. This expanded participation in CAS meetings can occur only with the consent of the regular CAS membership. Those voting on CAS are the three faculty members, the Associate Dean of the Faculty (student academic affairs) or a designated representative, the Registrar or a designated representative, and the two students.

m. FACULTY ADVISORY BOARD (FAB) – Elected and Appointed

Function: To provide a pool of faculty peers to staff an Advisory Panel (AP, see n below), which is convened in the formal investigation of a discrimination or harassment charge made against a member of the Faculty; or to staff a Grievance Panel (GP, see o below), which is convened (i) when a member of the Faculty appeals disciplinary sanctions, based upon charges of professional incompetence, neglect of duties, professional misconduct, or personal misconduct or (ii) when the Associate Dean of the Faculty (faculty affairs) believes dismissal of a member of the Faculty is warranted, based upon charges of professional incompetence, neglect of duties, professional misconduct, or personal misconduct; to provide faculty to hearings related to sexual and gender-based misconduct; if and when needed, to provide three members to serve on the Administrative Hearing Board and one member to serve as Faculty representative in cases of academic integrity violations.

Membership: Five members of the Faculty, at least three of whom must be tenured and two of whom may be untenured at the time of appointment, serving overlapping three-year terms. These members will be appointed by FEC in consultation with the Dean of the Faculty/Vice President for Academic Affairs and trained by Human Resources in matters of discrimination, harassment, and disciplinary proceedings. FAB members will have additional training on sexual and gender-based misconduct by the Dean of Student Affairs Office. Appointments will be based on an initial willingness-to-serve pool, the vote of the faculty, and when necessary, the need for appointing a representative FAB. Members of FAB may not serve concurrently on CAFR, CAPT, or TRB. FAB will select its chair from its membership.



## n. ADVISORY PANEL (AP) – Appointed

Function: To provide the Assistant Director for Equal Employment Opportunity and Workforce Diversity (ADEWD) with advice, suggestions, and comments during the formal investigation of a discrimination or harassment charge made against a member of the Faculty; to participate, with the guidance of the ADEWD, in interviews of the complainant, the respondent, and relevant witnesses (or in lieu of participation to review all documents pertaining to the charge, if the complainant or the respondent so requests and both parties agree); to review the ADEWD's final report and to ensure that the views of the AP are represented therein; to uphold the strictest standards of confidentiality both during and after an investigation (See further Part Six, Article VII, Sections D, E, and F.)

Membership: Two members of the Faculty Advisory Board (FAB, see above) selected by the ADEWD, and subject to the following restrictions. A faculty member may not serve on an AP if the faculty member is from the same department, program, or office as the complainant or the respondent, has a conflict of interest, or is recused by either the complainant or the respondent. In such instances, the ADEWD will select replacements from FAB. If there are no eligible faculty remaining on FAB, the Dean of the Faculty/Vice President for Academic Affairs and the Chair of FEC will provide replacements from the faculty at large; any such replacements will receive training appropriate to the charge.

If the complainant is a staff member, the AP will be augmented with two members chosen from the Staff Advisory Board (SAB), which is established by the Associate Vice President for Finance and Administration and Director of Human Resources and consists of staff members trained in matters of discrimination and harassment. The two staff members of the AP are subject to restrictions similar to those of the two faculty members.

## o. GRIEVANCE PANEL (GP)—Appointed

Function: To provide a panel of peers to hear appeals brought by members of the Faculty regarding disciplinary sanctions involving professional incompetence, neglect of duties, professional misconduct, or personal misconduct; to consider cases involving dismissal of members of the Faculty, based on charges involving professional incompetence, neglect of duties, professional misconduct, or personal misconduct; and to uphold the strictest standards of confidentiality both during and after an investigation. (See, further, Part One, Article XI, Sections D, E, F, and G.)

Membership: The three members of the GP will be selected from FAB (see above) as follows: all three must be tenured; the Associate Dean of the Faculty (faculty affairs) will select one panelist; the faculty member will select one panelist; and FAB will select the third panelist. A panelist may not come from the same department or program as the faculty member (where "program" is understood as a unit whose members regularly engage with one another); any panelist with a conflict of interest may not serve. In addition, the faculty member and the Associate Dean of the Faculty (faculty affairs) may each make one request that FAB chair select a replacement. If there are not sufficient eligible faculty remaining on FAB to constitute the GP, the Dean of the Faculty/Vice President for Academic Affairs and the chair of FEC will provide replacements from the faculty at large; any such replacements will receive appropriate training. The GP will select a chair from among its membership.

## G. AD HOC COMMITTEES, TASK FORCES, AND WORKING GROUPS

Members of the Administration may appoint, in consultation with FEC, ad hoc committees, task forces, and working groups as the need arises. A written statement of the purpose, scope, and expected timetable of an ad hoc committee, task force, or working group will be presented to FEC, and reports will be distributed to FEC and to any appropriate faculty committees at the conclusion of the work of the ad hoc committee, task force, or working group.

## H. OTHER COMMITTEES

Faculty serve on other committees within the larger College structure. See Part Three for All-College Committees.

## III. ACADEMIC POLICIES

A. Examinations

Final examinations for the Fall and Spring semesters are given during a designated examination period. Examinations must be taken during the prescribed hours and in those places designated as examination rooms.

1. Students who are unable to take an examination or hand in a paper because of illness may ask the Health Services to confirm the illness.
2. Students who, because of emergencies, have been unable to take their examinations on the scheduled dates may be granted the privilege of making up examinations at the discretion of the instructor.
3. The dates of the final examination periods are announced early in the semester. No student should make arrangements to leave the College before checking the examination schedule. All examinations must be taken within the examination period except in case of emergency, which must be reported to the Registrar and Department concerned.
4. Self-scheduled examinations are to be picked up at and returned to the place previously arranged with the instructor of the course.
5. Written final examinations may not be given in whole or in part prior to the scheduled examination period.

B. Class Attendance

1. Instructors will make known to their classes their policy concerning the effect of absence on the student's grade. Students are not automatically entitled to a certain number of absences.
2. Instructors may bar from a final examination any student whose absence they consider excessive or whose class work is not deserving of credit. Any student who misses more than a third of the sessions may expect to be barred from final examination. In such cases, the course grade will be recorded as F.
3. Instructors who observe frequent absence or tardiness of a student in their classes should report this to the Associate Dean of the Faculty (student academic affairs).

C. Grading

1. These policies are printed in the College Bulletin and may change only by vote of the Faculty.
2. Grades should be submitted to the Registrar according to a schedule set by the Registrar. Faculty members are asked to record grades on official forms, either paper or electronic, available from the Registrar.
3. If an instructor has made a computational or clerical error, the instructor may request a change in the student's grade. No grade may be changed on the basis of re-testing or supplementary work. Except in the circumstances outlined in the Policy to Appeal a Final Failing Grade (Part Two, III,

D), petitions to change grades must originate with the faculty members concerned and be brought before the Committee on Academic Standing for consideration.

D. Policy to Appeal a Final Failing Grade

**Preamble**

Instructors are responsible for clearly articulating the basis for determining students' grades. Sharing the basis for grades is essential to ensure fair and equitable treatment of students and their work. A student has the right to be informed in a timely and clear manner of the basis for the evaluation of the academic performance in a course, and a student is entitled to fair, equitable treatment in academic relationships with members of the faculty. In most, if not all instances, the College expects any misunderstanding regarding grading will be resolved informally, either in writing or in discussions, between a student and an instructor. The following appeal process is only for final failing grades.

**Appeal Process**

A student who believes that there is grounds for a legitimate grievance that the coursework has been evaluated in a prejudicial or capricious manner in the calculation of their final failing grade should first make a request in writing to the faculty member involved to confirm that no computational or clerical error has been made. The student must make this request not later than two weeks after the start of the following semester. The instructor must respond to the student in writing within two weeks of receipt of the request. Ideally, the student and faculty member should then meet to discuss the final grade in question. If the communication between the instructor and student results in the instructor requesting to change a grade, then the instructor must submit a petition to change the grade to the Associate Dean of the Faculty (student academic affairs), and the petition must be brought before the Committee on Academic Standing (CAS) for consideration. If the student is studying away from Skidmore College in the following semester, or if the faculty member is on leave in the following semester, the request for an explanation still must be filed within two weeks after the start of that semester. But, if the student or the faculty member makes the request, the appeal process may be deferred by the Dean of the Faculty/Vice President for Academic Affairs and the Associate Dean of the Faculty (student academic affairs) until the student returns to studies on campus or the faculty member returns from leave.

If the student is not satisfied with the instructor's explanation, or if a meeting with the faculty member was not possible or not advised, or if the instructor did not respond within two weeks of receipt of the student's request, then the student may report the grievance in writing with supporting documentation to the appropriate department chair (in the case of an ID course, to the chair of the faculty member who has assigned the grade) or program director and submit a copy of the report to the Dean of the Faculty/Vice President for Academic Affairs and the Associate Dean of the Faculty (student academic affairs). If the instructor is the department chair or program director, the request may be addressed to the Dean of the Faculty/Vice President for Academic Affairs. The student must make this request within four weeks after having sent the initial request for an explanation from the instructor. The student's supporting documentation must provide evidence of prejudicial or capricious grading. In particular, the student must provide evidence of one or more of the following conditions:

- a. The instructor used inappropriate criteria in determining a final failing grade.
- b. The instructor assigned a grade on some basis other than performance in the course.
- c. The instructor did not adhere to stated procedures or grading standards.

The appropriate department chair or program director must respond to the student in writing within two weeks of receipt of the request. The department chair or program director will contact the instructor to obtain an explanation of the criteria and standards used in evaluating the student's course work. If, after consultation with the faculty member (when possible) and after a review of the written evidence, the appropriate department chair or program director finds legitimate cause for the complaint, the department chair or program director will try to work toward an equitable solution with the student and faculty member. If the solution results in the instructor requesting to change a grade, then the instructor must submit a petition to

change the grade with the Associate Dean of the Faculty (student academic affairs) and the petition must be brought before the CAS for consideration.

If the appropriate department chair or program director concludes there is no cause for the complaint, or if there is a disagreement between the appropriate department chair or program director and the faculty member, the student may request in writing a review by the Dean of the Faculty/Vice President for Academic Affairs and the Associate Dean of the Faculty (student academic affairs), the faculty member, and the appropriate department chair or program director. The request must be submitted to the Dean of the Faculty/Vice President for Academic Affairs and the Associate Dean of the Faculty (student academic affairs) by the end of the semester following the semester in which the grade was awarded.

The written request must include a full account of the incident or circumstances giving rise to the complaint of prejudicial or capricious grading. If the Dean of the Faculty/Vice President for Academic Affairs and the Associate Dean of the Faculty (student academic affairs) conclude there is no cause for complaint, the Dean of Faculty/Vice President for Academic Affairs will inform the student, the instructor, and the appropriate department chair or program director in writing that the appeal has been denied. If, however, the review results in the instructor requesting to change a grade, then the instructor must submit a petition to change the grade with the Associate Dean of the Faculty (student academic affairs) and the petition must be brought before the CAS for consideration.

If the Dean of the Faculty/Vice President for Academic Affairs and the Associate Dean of the Faculty (student academic affairs) recommend changing the final failing grade to a passing letter grade, and if the faculty member who gave the original grade objects to changing the final failing grade to a passing letter grade, then the Dean of the Faculty/Vice President for Academic Affairs, in consultation with the Associate Dean of the Faculty (student academic affairs) and the department chair or program director, may recommend to the faculty member changing the grade to Satisfactory.

If the faculty member rejects the recommendation of the Dean of the Faculty/Vice President for Academic Affairs, Associate Dean of the Faculty (student academic affairs), and the appropriate department chair or program director, to change the final failing grade to a passing grade or to Satisfactory, the Dean of the Faculty/Vice President for Academic Affairs, with the Associate Dean of the Faculty (student academic affairs), may submit a petition to change the grade to the CAS for consideration. Only the faculty representatives on CAS have the authority to change the final failing grade to Satisfactory, and only following a vote where the majority of those faculty representatives on CAS approves the change.

A student's failure to meet time limits will result in denial of the student's appeal. If the faculty member, department chair, program director or dean fails to meet a deadline, the appeal will move to the next level.

#### E. Peer Evaluations of Teaching

Each department shall establish a timetable and procedures for visiting classes taught by untenured departmental colleagues and discussing with them observations derived from visitations.

#### F. Student Evaluations

##### 1. *All-College Student Evaluations*

- a. All members of the Faculty will have their courses evaluated each term by students enrolled in their courses. The evaluation shall be administered in a uniform manner which protects confidentiality. The Dean of the Faculty/Vice President for Academic Affairs will provide the forms to each department.
- b. Each term, Department Chairs shall return the completed evaluations to the Dean of the Faculty/Vice President for Academic Affairs, who shall be responsible for processing the

evaluations. The Dean of the Faculty/Vice President for Academic Affairs shall return the summaries to the Department Chairs for retention in department files.

- c. Summaries shall be made available each term to the faculty being evaluated.
  - d. The evaluations shall be available to the Associate Dean of the Faculty (faculty affairs), to the Dean of the Faculty/Vice President for Academic Affairs, and to the President for their examination during consideration of reappointment, tenure, promotions, or salary advancement. In addition, the evaluations shall be available to CAPT for its examination during consideration for reappointment, promotions, or tenure.
  - e. Faculty members have a right to receive fair and honest evaluations. A faculty member who feels this right has been violated may pursue the matter through any of several channels (Department Chair, Dean of the Faculty/Vice President for Academic Affairs, CAFR, etc.) that seem appropriate to the particular case.
2. *Departmental Student Evaluations*

Student evaluations administered by departments or programs are required for all lecture, discussion, laboratory, and studio courses. At the discretion of the instructor, departmental evaluation forms may also be used to evaluate independent studies, internships, and thesis or individual research courses. These evaluations should be administered in such a way as to ensure validity, responsibility, and where possible, confidentiality.

- a. Validity shall mean that the methods each department may devise for its own needs be likely to produce nearly complete returns from each class.
- b. Responsibility shall mean that students sign the essay evaluation forms they fill out, and that no anonymous evaluation essay be accepted. Although signatures must be separated from the completed forms before they are shown to the faculty member concerned, or kept confidential in some other fashion, some record of who wrote a given essay must be established.
- c. Confidentiality shall mean that no faculty member shall learn the name of the student who wrote a given essay evaluation for one of their own courses. If, on the other hand, allegations suggesting unprofessional conduct appear in a student evaluation, the Department Chair or CAFR may seek to interview the student to determine whether further review is warranted.



## PART THREE

## ALL-COLLEGE GOVERNANCE

## I. ALL-COLLEGE COMMITTEES

A. Preamble

In addition to serving on faculty committees, as described in Part Two, and in departmental governance, faculty members participate in College governance by serving on a variety of committees (collectively referred to as "All-College Committees") whose function lies outside of the exclusive purview of the Faculty, and whose membership includes representatives of the Faculty, the administrative/professional staff, the support staff, and/or the Student Government Association.

B. Specific College Committees

## 1. THE INSTITUTIONAL POLICY AND PLANNING COMMITTEE (IPPC) — Elected

Function: The IPPC advises the President with regard to strategic planning, taking a comprehensive view of significant issues affecting the College. In so doing, it serves as the central deliberative body for all-College governance. More specifically, IPPC advises the President on all policy areas, with primary responsibility for those areas beyond the purview of faculty governance (such as budget and financial planning, benefits, environmental issues, admissions and financial aid, student affairs, and advancement).

The President chairs IPPC; an elected member of the Faculty serves as Vice-Chair. The agenda of the committee is set by these two individuals.

The IPPC may appoint subcommittees to serve as resources for the committee with regard to any area of policy or planning as needed. The composition of such subcommittees is determined by IPPC in consultation with FEC and with other groups or individuals as appropriate.

The Chair of FEC and the faculty Vice-Chair of IPPC shall meet regularly throughout the academic year so that each committee can be apprised of the other committee's work.

Membership: The President (Chair); the Dean of the Faculty/Vice President for Academic Affairs; the Vice President for Finance and Administration; the Vice President for Advancement; the Vice President and Dean of Admissions and Financial Aid; the Dean of Students and Vice President for Student Affairs; the Dean of Special Programs; the Director of Institutional Research; the Chief Technology Officer; the Chair of the Campus Sustainability Subcommittee; the Chair of the Committee on Intercultural and Global Understanding; one of the two Vice-Chairs of the Subcommittee on Responsible Citizenship (one to be designated to sit on IPPC each year); three faculty members elected for three-year terms, one of whom serves as Vice-Chair; the Chair of FEC; the Chair of CEPP; one representative from the administrative/professional staff; one representative from the support staff; the President of SGA; and the SGA Vice President for Financial Affairs.

## 2. BOARD OF APPEALS — Appointed

Function: To serve as the Appeal Board for cases heard by the Integrity Board. At the discretion of the Dean of Students and Vice President for Student Affairs or the Dean of the Faculty/Vice President for Academic Affairs, the Board of Appeals may review cases heard by the Integrity Board and the Administrative Hearing Board. Appeals will be considered on the following grounds: (a) a procedural error occurred that significantly impacted the outcome of the hearing (e.g., substantiated basis, material deviation from established procedures, etc.); (b) to consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original

finding or sanction; or (c) the sanctions imposed are substantially outside the guidelines set by the College for this type of violation or the cumulative conduct report of the respondent.

**Membership:** For academic integrity cases, two faculty members appointed by FEC on a case-by-case basis, drawn from the pool of faculty who serve on the Integrity Board who may or may not have heard the case in question; the Dean of the Faculty/Vice President for Academic Affairs as Chair; and two students drawn from the Integrity Board pool who may or may not have participated in the Integrity Board hearing. For social integrity cases, one faculty member appointed by FEC, drawn from the pool of faculty serving on the Integrity Board who may or may not have heard the case in question; the Dean of Students and Vice President for Student Affairs as Chair; and two students serving on the Integrity Board who may or may not have participated in the initial hearing. The decision whether or not to involve members of the board present at the initial hearing is made at the discretion of the Dean of the Faculty/Vice President for Academic Affairs in academic integrity cases or the Dean of Students and Vice President for Student Affairs in social integrity cases.

### 3. HONOR CODE COMMISSION — Appointed

**Function:** To coordinate and conduct Honor Code workshops for first-year students and transfers; and in its capacity as a commission, to help educate all students as to what constitutes an honor violation, to support efforts to implement the Honor Code through the Honor Code Statement, and to recommend changes in the Honor Code System.

**Membership:** The Student Honor Code Educator as Chair; the SGA Vice President for Academic Affairs; one student representative at-large; one faculty representative at-large; and one representative from each of the judicial boards (Integrity Board and Board of Appeals). The faculty member will be appointed to a three-year term.

### 4. INSTITUTIONAL REVIEW BOARD — Appointed

**Function:** To investigate and to remain informed as to current governmental regulations affecting all research involving human subjects; to assess the implications of such regulations for the conduct of research with human subjects at Skidmore; to serve as a resource by providing information and guidelines for such research to the College community; to review federally funded research projects on human subjects and to provide to the United States Department of Health and Human Services continuing assurance that, in accord with its regulations, the rights of human subjects are being protected; to provide means by which proposals from outside individuals and agencies seeking to utilize records or members of the Skidmore community as the subjects of research can be reviewed.

**Membership:** Four faculty members assembled by the Dean of the Faculty/Vice President for Academic Affairs in accordance with State regulations; and one person from outside the College.

### 5. INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE — Appointed

**Function:** To monitor the use of laboratory animals in teaching and research.

**Membership:** No fewer than five members appointed by the Dean of the Faculty/Vice President for Academic Affairs; a veterinarian; a scientist experienced in laboratory animal research; and an individual who has no other affiliation with the institution besides membership on the committee.

### 6. SAFETY IN THE WORKPLACE COMMITTEE — Appointed

**Function:** To publish and maintain the Safety in the Workplace Program, a program that complies both with applicable external laws and regulations and with Skidmore's specific needs; to review regularly existing safety policies and consider new policies designed to minimize unsafe acts, eliminate or control hazards, and stimulate efforts to create and maintain interest in safety.



Membership: Two faculty members, one student member, one support staff member, one member of Local 200D, all appointed by the President and serving staggered three-year terms; the College physician; the Manager of Employment and Training; the Dean of the Faculty/Vice President for Academic Affairs or her/his designee; and the Business Manager (Chair).

## II. THE HONOR SYSTEM

### A. The Contract

- 1 The Skidmore Honor System was established at the request of the student body in 1921. Each student, in accepting admission to Skidmore College, agrees to the following contract with the College:

I hereby accept membership in the Skidmore College community and, with full realization of the responsibilities inherent in membership, do agree to adhere to honesty and integrity in all relationships, to be considerate of the rights of others, and to abide by the College regulations.

The faculty and staff share with students the responsibility for protecting the community from violations of the honor system by exerting a positive influence to prevent harmful conduct in either academic or social situations and by taking appropriate measures to prevent recurrences if they are aware of violations of the Community Standards. Every faculty member should be conscious of the obligation inherent in accepting a position at Skidmore to assist the students in upholding the honor system. Faculty members are asked to read carefully the entire section on the honor system as outlined in the Student Handbook.

2. Instructors should bring a copy of the following Honor Code Statement to every test or examination:

I have not witnessed any wrongdoing nor have I personally violated any conditions of the Skidmore College Honor Code while taking this examination.

Students should hand-write this statement on their exam booklets or papers and sign the statement if it is true. Failure on the part of the student to write the statement or to sign it indicates that the faculty member responsible should speak to the student about possible Honor Code violations.

3. It is essential that there be mutual confidence and understanding between faculty and students. Faculty members can help students by discussing with them desirable forms of cooperation and assistance among students and by showing them the difference, for example, between mere copying from sources and legitimate use of reference material. Any problems or questions which arise relating to the application of the honor system should be discussed with the Associate Dean of the Faculty (student academic affairs).

### B. Violations of the Honor Contract

1. In case an academic infraction of the honor system comes to the attention of a member of the Faculty, the situation should be dealt with in one of the following ways:
  - a. The matter may be handled directly with the individual concerned if the faculty member believes that the best results can be achieved in this way, that any recurrence of the offense is unlikely, and the student acknowledges responsibility. The faculty member's response should be shaped by the sections of the Academic Information Guide and the Student Handbook on "Academic Integrity: Definitions and Guidelines for Penalties."
    - i. A confidential report must be made to the Associate Dean of the Faculty (student academic affairs) of any case handled personally by a faculty member.

- ii. If more than one honor code violation is reported for a particular student, the Associate Dean of the Faculty (student academic affairs) may take further disciplinary action or refer the case to the Integrity Board or request an administrative hearing.
  - b. The matter may be referred to the Integrity Board by the faculty member.
2. In case of a violation of the social honor code, the faculty member may follow the procedure described in 1.a. above or consult with the Associate Dean of Student Affairs/Judicial Counsel to the Integrity Board on possible action before the Integrity Board.

C. Administrative Discipline

The Dean of Students and Vice President for Student Affairs may call an administrative hearing if it is deemed appropriate and may impose disciplinary sanctions. Pending action on the charges, in most cases the status of students shall not be altered, nor their rights to be present on the campus to attend classes suspended. However, in cases when student conduct might affect the safety or well-being of the student or the safety or well-being of the community, the College reserves the right to require the student to leave the campus pending the outcome of the hearing.

The administrative sanction may be appealed to the President of the College or to the designated hearing officer.

**PART FOUR****BENEFITS**

The College offers a comprehensive benefit program to eligible faculty, including, but not limited to, health care, dental, life insurance, health care and dependent care reimbursement accounts, retirement, sick leave, and long-term disability coverage.

What follows are summaries of select benefits available to full-time faculty members of the College. Although these sections are intended to provide general information about programs of greatest interest to the Faculty, they are not complete descriptions in themselves, nor do they describe all available benefits. Faculty are encouraged to obtain full information from Human Resources, located on the first floor of the Barrett Center, or from the HR Benefits website:

<http://www.skidmore.edu/hr/benefits/index.php>

**I. FLEXIBLE BENEFITS PLAN**

Skidmore College provides a Flexible Benefits Program to faculty who are full-time for the academic year, and for faculty who are in designated shared positions. Benefits included in this Program are health care coverage, dental insurance, group-term life insurance, and Flexible Spending Accounts.

A complete description of the Flexible Benefits Program including College contribution, faculty contribution and waiting periods, if any, is contained in the Flexible Benefit Program booklet available from Human Resources and at the following web address:

<http://www.skidmore.edu/hr/benefits/benefitsprograminfo.php>

**II. DOMESTIC PARTNERS BENEFITS**

The College will recognize same- or opposite-sex domestic partners as spousal equivalents for certain College benefits, to the extent permitted by law. In addition, any children of qualified domestic partners may be eligible for these benefits depending on the health plan selected on the same basis as children of married spouses. A detailed policy which outlines eligibility criteria for domestic partnership can be obtained in Human Resources and at the following web address:

<http://www.skidmore.edu/hr/documents/DomesticPartnershipBenefitsPolicy.pdf>

**III. PARENTAL LEAVE FOR FACULTY****A. A full-time faculty member who is considered the birth parent or primary caregiver**

1. A full-time faculty member who has taught at the College for less than one continuous year, with birth or adoption occurring between August 1 and May 31, is eligible for a combination of 8 weeks of disability at partial pay based on NYS Disability benefits rate (equivalent for adoptions), and the remainder of the semester before and after the disability period at half-pay for the semester.
2. A full-time faculty member who has taught at the College for less than one continuous year, with birth or adoption occurring between June 1 and July 31, is eligible for a combination of 8 weeks of disability at partial pay based on NYS Disability benefits rate (or equivalent for adoptions) and unpaid leave for the following semester.
3. A full-time faculty member who has taught at the College for at least one continuous year, with birth or adoption occurring between August 1 and May 31, is eligible for paid leave for the entire

semester. This pay will combine 8 weeks full disability pay (or equivalent for adoptions) and full pay under this policy for the remainder of the semester before and after the disability period.

4. A full-time faculty member who has taught at the College for at least one continuous year, with birth or adoption occurring between June 1 and July 31, is eligible for a one-course teaching reduction with no salary reduction for the semester before or after the birth or adoption;

or

a combination of 8 weeks of full disability pay (or equivalent for adoptions) and unpaid leave for the semester before or after the disability period

Faculty applying for leave under this policy will complete a Faculty Application for Parental Leave. Faculty who will be absent from the College due to giving birth will also be responsible for completing a Notice and Proof of Disability Claim Form and forwarding the claim form to their physician for completion. The physician will return the form to Human Resources. Completion of these forms will allow paid and unpaid leave under this policy.

The forms are available online at:

<http://www.skidmore.edu/hr/documents/FacultyLeaveRequestForm.pdf>

In the event that a faculty member chooses to return to the classroom mid-semester, the faculty member must have a physician complete and return a Physician's Release for Work form to Human Resources indicating the faculty member may return to full employment and specifying whether there are any restrictions. The Chair, in conjunction with the Dean of the Faculty/Vice President for Academic Affairs, will determine if the restrictions can be accommodated. The Chair, in conjunction with the Dean of the Faculty/Vice President for Academic Affairs, may also offer the faculty member special project work for the remainder of the semester, if available.

**B. A full-time faculty member who is considered the NON birth parent or primary caregiver**

A faculty member who has taught at the College in a full-time position for at least one continuous year and is considered the non-birth parent is eligible to apply for one course reduction the term before, during, or after the birth or adoption with no salary reduction if the birthing parent (primary care giver for adoptions) does not teach at the College.

Faculty who apply for a one course reduction with no salary reduction will be responsible for completing the Faculty Affidavit of Parental Leave form attesting to the birth or adoption of a child.

The form is available online at:

<http://www.skidmore.edu/hr/documents/FacultyLeaveRequestForm.pdf>

Faculty members who wish to stop the tenure clock must make the request in writing to the Dean of the Faculty/Vice President for Academic Affairs no later than May 15 prior to the semester in which the tenure review is scheduled to occur (Faculty Handbook, Part One, Article IX, D, 4).

Note: Administrators holding faculty rank are not eligible for this policy. The College maintains the sole authority to approve the requested leave and reserves the right to change, revise, or terminate this policy at its sole discretion.

Further information about the parental leave policy is available online at:

<http://www.skidmore.edu/hr/documents/FacultyParentalLeavePolicy.pdf>

#### IV. TUITION BENEFITS

The College offers a number of tuition programs to full-time faculty, to include:

- Matriculated Students at Skidmore College
- Non-Matriculated Students at Skidmore College
- Students at Other Colleges (for employee's children who are dependents under the IRS code)

A complete description of the tuition programs offered, including eligibility and waiting periods, if any, can be found in the Skidmore College Employee Benefit Plans summary, which is available in Human Resources. Visit the following web addresses for further information:

*Skidmore College Employee Benefit Plans Summary:*

<http://www.skidmore.edu/hr/benefits/benefitsprograminfo.php>

*Tuition Benefit Frequently Asked Questions and The Tuition Exchange Program:*

<http://www.skidmore.edu/hr/benefits/tuition-benefits-information.php>

#### V. RETIREMENT

##### A. Definition

A full-time faculty member who has attained a minimum age of 55, with at least 15 years of continuous full-time service and who leaves the employ of the College, is considered to be retired from the College.

All full-time faculty who retire are accorded emeritus status and are invited to attend and participate in official activities of the College, to use the Scribner Library, Computer Services, and laboratory facilities, when available, and the College's fitness and recreational facilities.

##### B. Basic Retirement Plan

Faculty who teach at least nine credit hours in an academic year are eligible for the Basic Retirement Plan after one year of employment. The College will recognize time spent previously employed at a postsecondary degree granting institution, or a qualified research organization which is considered tax-exempt under code 501c(3) of the Internal Revenue Code, toward the one-year waiting period as long as the employee has participated in a previous employer's 401(a), 403(a) or 403(b) basic retirement plan and has been employed for at least one consecutive year. The previous employer must confirm participation in one of the above mentioned basic retirement plans and certify the term of such employment to the College.

Please refer to the *Retirement Plan Overview* for full plan details. The *Overview* can be obtained from Human Resources and at the following web address:

<http://www.skidmore.edu/hr/benefits/retirement.php>

C. Early Retirement

The Skidmore College Supplemental Retirement Plan is available to those eligible employees who were in the College's employ on November 15, 1990. All such employees were vested in the plan's basic benefit after five full years of service to the College. Employees between the ages of 55 and 63, with 12 or more years of service, may elect to retire and receive a supplemental benefit in addition to their basic retirement benefit.

For full plan details, please refer to the *Early Retirement Plan Summary Plan*, which can be obtained from Human Resources.

D. Phased Employment

The Phased Employment Program was designed for faculty who, through a pre-retirement reduction of their full-time teaching commitment, can gradually phase into retirement over a period of years. Participation in the program is not an entitlement. The program is voluntary for both the employee and College, and all terms or arrangements will be mutually agreed upon and documented.

Participants must be in active status or on an approved leave of absence to apply for this benefit. The employee's age and length of service must combine to equal not less than 70, with a minimum age of 50 and a minimum of 15 years of employment. All participants must retire at the completion of the agreed upon period.

Faculty who are full-time for the entire academic year and who meet the above criteria are eligible to apply for this program. Further details may be obtained from Human Resources or at the following web address:

<http://www.skidmore.edu/hr/documents/PhasedEmploymentProgram1-2007.pdf>

E. Post-Retirement Health Benefits

Different levels of health care benefits are provided to those employees who are considered retirees of the College. A full description of these benefits may be obtained from Human Resources or at the following web address:

<http://www.skidmore.edu/hr/benefits/retirement.php>

## PART FIVE

## THE ADMINISTRATION

## I. THE PRESIDENT

A. The Office of the President

The President is the executive head of the College with general administrative responsibility for all its activities and affairs.

The President shall be elected by a majority vote of the Board of Trustees and continues in office at the pleasure of the Board. The President serves as an ex-officio member of the Board and of all standing committees of the Board.

Official communication with the Board from the Faculty, officers, and members of the College shall be presented through the President. At each regular meeting of the Board, the President shall make a report on the condition of the College. The President shall make recommendations to the Board, through the Academic Affairs Committee, with respect to the granting of promotions, tenure, and sabbaticals to members of the Faculty and through the Executive Committee with respect to the engagement of senior members of the administrative staff.

The annual budget and statement of plans for the administration of the College shall be presented by the President to the Board for final decision at the Annual Meeting.

In the temporary absence of the President, the Dean of the Faculty/Vice President for Academic Affairs is authorized to act on the President's behalf; however, at the discretion of the President, those responsibilities may be delegated to another senior administrator. In the case of the President's prolonged absence – whether through incapacity, resignation, death, or other cause – the Board, or its Executive Committee, may delegate the College's executive powers and responsibilities to a person or persons as it sees fit, pending the President's return or the election of a new President.

B. President's Cabinet

The President's Cabinet constitutes the President's administrative council and meets regularly to advise the President on major issues of policy, planning, and operation. The Cabinet consists of those senior members of the Administration who report directly to the President (the Dean of the Faculty/Vice President for Academic Affairs, the Vice President for Finance and Administration and Treasurer, the Vice President for Advancement, the Dean of Students and Vice President for Student Affairs, the Vice President and Dean of Admissions and Financial Aid, the Vice President for Communications and Marketing, and the Executive Director of the President's Office and Coordinator of Strategic Initiatives), as well as the Dean of Special Programs, who does not report directly to the President. The composition of the Cabinet is determined by the President and may be altered upon of the evolving needs of the College.

## II. THE VICE PRESIDENT FOR FINANCE AND ADMINISTRATION AND TREASURER

The Vice President for Finance and Administration and Treasurer is elected by the Board upon the nomination of the President and is the chief business and financial officer under the President. The Vice President for Finance and Administration and Treasurer is responsible for all matters assigned by the President which, generally, include all budgets, fiscal affairs, investments, facilities, construction, auxiliary services, campus safety and security, non-faculty personnel matters, purchasing, and other business management affairs of the College.

As Treasurer, he/she is responsible for the monies, securities, and other assets under rules prescribed by the Trustees and shall report at all regular meetings of the Board on the current status of the finances.

### III. THE VICE PRESIDENT FOR ADVANCEMENT

The Vice President for Advancement is elected by the Board upon the nomination of the President and is the chief officer under the President for Development, Communications, and Alumni Affairs. The Vice President for Advancement is responsible for all duties assigned by the President which, typically, include development of institutional support and resources, oversight of the College's communications and marketing efforts, and the coordination of programming for alumni.

### IV. THE DEAN OF THE FACULTY/VICE PRESIDENT FOR ACADEMIC AFFAIRS

#### A. The Office of the Dean of the Faculty/Vice President for Academic Affairs

The Dean of the Faculty/Vice President for Academic Affairs is appointed by the Board of Trustees upon the nomination of the President and serves as the College's Chief Academic Officer. In this capacity, the Dean of the Faculty/Vice President for Academic Affairs advises the President on all issues that fall within the wide purview of academic matters with regard to personnel, budget, and curriculum. The Dean of the Faculty/Vice President for Academic Affairs has administrative responsibility for addressing such issues. Additional matters may be assigned by the President. The Dean of the Faculty/Vice President for Academic Affairs represents the President to both internal and external constituencies at the behest of the President and normally serves as the Acting President in the President's absence.

The Associate Dean of the Faculty (faculty affairs); the Associate Dean of the Faculty (student academic affairs); and the Dean of Special Programs report directly to the Dean of the Faculty/Vice President for Academic Affairs. All deans sit on a nine-member DOF/VPAA Senior Staff. Five other staff members report directly to the Dean of the Faculty/Vice President for Academic Affairs: the Director of Institutional Research, the Dayton Director of the Tang Teaching Museum, the Chief Technology Officer, the College Librarian, the Director of Sustainability, and the Faculty Assessment Coordinator.

The Dean of the Faculty/Vice President for Academic Affairs works closely with and considers recommendations from CAPT regarding faculty tenure and promotion candidacies. The Dean of the Faculty/Vice President for Academic Affairs presents to the President the decision with regard to each candidate's case. The Dean of the Faculty/Vice President for Academic Affairs also works with CAPT and the President in determining appointments to the College's endowed chairs. More broadly, the Dean of the Faculty/Vice President for Academic Affairs works with CAPT and the Associate Dean of the Faculty (faculty affairs) on other matters of concern to the Faculty and may consult with CAPT on issues pertinent to faculty personnel issues. The Dean of the Faculty/Vice President for Academic Affairs is the College's chief assessment officer; works closely with the Faculty Executive Committee in annually updating the Faculty Handbook; is a member of the Committee on Educational Policies and Planning; chairs all searches for deans and directors who report to the Dean of the Faculty/Vice President for Academic Affairs; and reports on academic issues at the monthly Faculty Meeting. The Dean of the Faculty/Vice President for Academic Affairs also works closely with the Dean of Special Programs in overseeing the many initiatives of that office and representing the Office of Special Programs and the College at an array of summer programs, institutes, workshops, and performances.

The Dean of the Faculty/Vice President for Academic Affairs works directly with the Vice President for Advancement in matters of fundraising, donor relations, alumni, and the stewardship of endowed chairs. The Dean of the Faculty/Vice President for Academic Affairs also works directly with the Vice President for Finance and Administration in representing Academic Affairs and preparing all budgetary matters. The Dean of the Faculty/Vice President for Academic Affairs works closely with the Chair of the Academic Affairs Committee of the Board of Trustees in preparing agendas and discussing pertinent issues of personnel, budget, and curriculum with the Committee.

The Dean of the Faculty/Vice President for Academic Affairs initiates and supervises the evaluation of Department Chairs, and generally assists them in the performance of their duties. The Dean of the Faculty/Vice President for Academic Affairs also assists Chairs and Directors in the development of teaching



and scholarly effectiveness in the Faculty and in maintaining orderly departmental governance and a spirit of professional cooperation. The Dean of the Faculty/Vice President for Academic Affairs works with the Committee on Educational Policies and Planning, and other appropriate bodies, on educational matters.

B. Academic Staff

Academic Staff consists of Department Chairs; single-discipline and interdisciplinary Program Directors; the Associate Dean of the Faculty (faculty affairs); the Associate Dean of the Faculty (student academic affairs); the Registrar; and the Director of Institutional Research — that is, all those reporting directly to the Dean of the Faculty/Vice President for Academic Affairs and to the Associate Deans of the Faculty — as well as others whose work is directly in support of academic programming, such as the Director of Academic Technologies; the Director of Academic Programs, Residencies, Institutes and Community Programs; and the Director of the MALS Program. In quarterly meetings, information of direct relevance to academic programs is shared. Academic Staff serves to advise the Dean of the Faculty/Vice President for Academic Affairs regarding programs and policies in or pertaining to academic affairs at the College.

C. The Associate Dean of the Faculty (faculty affairs)

The Associate Dean of the Faculty (faculty affairs) is appointed by the Dean of the Faculty/Vice President for Academic Affairs and is responsible for all matters assigned by the Dean of the Faculty/Vice President for Academic Affairs, which generally include the following: enhancing the quality of the Faculty and, in consultation with Department Chairs, making new appointments to the Faculty (subject to the approval of the Dean of the Faculty/Vice President for Academic Affairs), conferring with the Faculty Development Committee on sabbatical leaves, and making recommendations to the Dean of the Faculty/Vice President for Academic Affairs where appropriate, faculty and curriculum development, and the administration of all interdisciplinary programs. The Associate Dean of the Faculty (faculty affairs) also works with CAPT in its deliberations of promotion and tenure cases and consults with CAPT on other personnel matters as needed.

The Director of Academic Diversity Initiatives, the Director of the Center for Leadership, Teaching, and Learning, the Director of the Higher Education Opportunity Program, the Sponsored Research Officer, the Environmental Health and Safety Coordinator, the Director of Civic Engagement, and the Director of Off-Campus Study and Exchanges report to the Associate Dean of the Faculty (faculty affairs).

D. The Associate Dean of the Faculty (student academic affairs)

The Associate Dean of the Faculty (student academic affairs), appointed by the Dean of the Faculty/Vice President for Academic Affairs, is responsible for matters assigned by the Dean of the Faculty/Vice President for Academic Affairs, which typically include matters relating to the development and implementation of the academic program, especially as it relates to students. The Associate Dean of the Faculty (student academic affairs) addresses questions regarding academic policy, academic integrity, curriculum development, and aspects of academic advising, student grants, and experiential learning.

The Registrar, the Director of the First-Year Experience, the Director of Academic Advising, the Director of the Off-Campus Study and Exchange Program, the Director of the Opportunity Program, the Director of Moore Documentary Studies Collaborative, and the Student Academic Development Coordinator report directly to the Associate Dean of the Faculty (student academic affairs).

The Dean of the Faculty/Vice President for Academic Affairs appoints the Director of the First-Year Experience, who works with the Associate Dean of the Faculty (student academic affairs) in staffing the Scribner Seminars and in addressing other academic and co-curricular activities for the entering class. The Dean of the Faculty/Vice President for Academic Affairs appoints the Director of the Office of Off-Campus Study and Exchanges, who works with students wishing to study abroad and is responsible for monitoring all relevant programs and policies. The Dean of the Faculty/Vice President for Academic Affairs appoints the Director of Academic Advising, who implements the faculty-based advising system and provides guidance to students considering academic program options, to students with academic distinction, and to

students experiencing academic problems. The Dean of the Faculty/Vice President for Academic Affairs appoints the Director of the Opportunity Program who oversees the development and implementation of Skidmore's HEOP and AOP programs.

#### V. THE DEAN OF SPECIAL PROGRAMS

The Dean of Special Programs is appointed by the Dean of the Faculty/Vice President for Academic Affairs and is responsible for the academic, operational, and fiscal integrity of an external graduate degree-granting program and for a diverse group for credit bearing and non-credit programs in the liberal arts and creative arts for pre-professional, professional, community, and non-residential students. The Dean is charged with enriching and strengthening the intellectual life of the College, and works across age and community cohorts to bring to the College innovation and experimentation, entrepreneurship and service to its academic enterprise, and is responsible for ensuring that such programs are planned and executed in pursuit of the College's mission. The Dean of Special Programs leads policy and program development for Special Programs and cultivates the College's relationship to surrounding communities and regions through educational programming. During the summer months, the Dean of Special Programs supervises a broad range of innovative programs as well as the use of academic and residential facilities.

The Dean of Special Programs appoints the Director of the Master of Arts in Liberal Studies Program who is responsible for all operations under its auspices; the Director of Academic Programs, Residencies, Institutes, and Community Programs, who is responsible for partnership and hosting relationships, including the use of residential facilities during the summer, and pre-college and college-level credit-bearing programs; and the Director of Operations and Conferences, who is responsible for developing, implementing, and overseeing division-wide policies and work flow processes. The Dean of Special Programs appoints all Program and Institute Directors, as well as faculty for summer programs.

#### VI. THE DEAN OF STUDENTS AND VICE PRESIDENT FOR STUDENT AFFAIRS

The Dean of Students and Vice President for Student Affairs is responsible for all matters assigned by the President, which include all student life programs at the College. The Dean of Students and Vice President for Student Affairs appoints the Associate Dean of Student Affairs for Athletics; the Associate Dean of Student Affairs for Health and Wellness; the Associate Dean of Student Affairs for Campus Life and Engagement; the Associate Dean of Student Affairs for Student Development; and the Executive director of the Career Development Center. Together with the Associate Deans, the Dean of Students and Vice President for Student Affairs is responsible for athletics; residential life policies and programs; counseling and health services; student participation in College governance; social, recreational, and cultural programming; career planning; religious life programs; and international and ALANA student concerns.

The Dean of Students and Vice President for Student Affairs and the staff work with the Dean of the Faculty/Vice President for Academic Affairs to create effective programs for student and faculty orientation and academic support services.

#### VII. THE VICE PRESIDENT AND DEAN OF ADMISSIONS AND FINANCIAL AID

The Vice President and Dean of Admissions and Financial Aid is appointed by the President and sits on the President's Cabinet. The Vice President and Dean of Admissions and Financial Aid holds broad responsibility for managing the recruitment, admission, enrollment, and retention of a talented and diverse student body. The Vice President and Dean of Admissions and Financial Aid also oversees those publications and communications efforts of the College which shape its image in the eyes of its key external constituencies. The Vice President and Dean of Admissions and Financial Aid works closely with the President's Staff to assure maximum coordination among the many areas in which the College presents itself to the broader public. The Senior Associate Director of Admissions and the Associate Dean and Director of Financial Aid report directly to the Vice President and Dean of Admissions and Financial Aid. In addition, the Vice President and Dean of Admissions and Financial Aid collaborates with the Registrar and the Director of Institutional Research in conducting research and performing strategic planning in these areas.

## VIII. REVIEW OF SENIOR ADMINISTRATIVE OFFICERS

There is a system of regular review of senior administrative officers. Senior administrative officers are divided into two groups: Board-appointed Officers and Deans. Both Board-appointed Officers and Deans will be reviewed according to the procedures outlined in this document.

Reviews of the President should be run periodically by the Board of Trustees, and the manner in which such reviews should be run is up to the Board to determine.

Each of the seven members of the President's Cabinet will be reviewed at least once every six years according to a schedule set by the President in consultation with CAPT.

The reviews are concerned primarily with the performance of the individual being reviewed, and secondarily with the performance of the offices for which the individual is responsible. For example, an evaluation of the Vice President for Finance and Administration and Treasurer will deal not only with the performance of the person who is the Vice President, but also with the effectiveness of the Vice President's staff and the extent to which tasks that the Vice President's staff is responsible for are being carried out effectively.

The purpose of including a focus on both the individual Officer and that person's Office is to ensure a full analysis of the Officer's performance. The review process is not intended to be an in-depth program audit.

Reviews should begin by considering the relevant job description. The job description will include, among other things, the definition of a set of goals and activities. The review committee will then determine how well the individual has carried out those activities and achieved those goals. If a recent job description is not already available at the time of the review, one should be composed by the Officer under review and the supervisor.

#### Composition of the Review Committee

Each review committee will consist of five individuals: two faculty and three others in the case of reviews of non-academic officers; three faculty and two others in the case of academic officers. The faculty members shall be appointed by CAPT, after consultation with FEC, the person being reviewed, and the President.

#### Detailed Procedures

1. The review process will be initiated by the President at the beginning of the appropriate academic year, but in no case later than November 1.
2. In consultation with the President and the officer being reviewed, the committee will review the job description for current adequacy, will draw up a list of the specific office functions to be evaluated along with the individual officer, and will determine what individuals will be contacted and asked for comments. The officer under review may add names of particular individuals, from either inside or outside the College, to the list of those to be contacted.
3. After reading the letters of evaluation and before writing the summary report, the review committee will meet separately with the officer under review and the President.
4. The summary report will be given to the officer under review no later than April 1. A discussion of the report with the committee shall be scheduled for the officer being reviewed shortly thereafter, but in any case no later than May 1.
5. The President and the Chairperson of the Review Committee will meet with CAPT to provide an oral report summarizing the results of the review. The members of CAPT shall be bound by its rules of confidentiality in not discussing the report with any individuals outside CAPT, or disseminating its contents in any manner.

6. CAPT will have the responsibility of monitoring the review process.

#### Confidentiality

It is extremely important that the rights of both the Officer being reviewed and those providing comments be protected. Strict rules of confidentiality are, therefore, necessary.

1. All proceedings of the Review Committee will be held in the strictest confidence. Members of the committee will be asked to accept the same code of confidentiality that is adopted by the members of CAPT and CAFR.
2. Evaluations received by the committee will be kept in confidence. The President will have access to all evaluation materials. The Officer being reviewed will not see them and they will be filed in a sealed, confidential file in the Office of the President for a minimum of three years or as long as the person under review continues in the position. The file will then be destroyed.
3. The final summary report of the committee will also be kept in confidence and will be held in the same sealed file with the evaluations for a minimum of three years or as long as the person under review continues in the position. It will not be shown to anyone other than the members of the original review committee, the President, and the Officer being reviewed. Members of a review committee for a particular officer shall not have access to previous reviews of that Officer. However, the Officer being reviewed may choose to share parts or all of the summary report with others.

#### Changes in Procedure

Changes in these procedures must be agreed upon by CAPT and the President.

## PART SIX

**EQUAL EMPLOYMENT OPPORTUNITY, DIVERSITY, AND ANTI-HARASSMENT:  
POLICIES AND PROCEDURES**

## I. INTRODUCTION

Part Six communicates the philosophy and perspective of Skidmore College regarding issues of equal employment opportunity, diversity, and anti-harassment. It also presents the College's policies, objectives, and plans for maintaining its status as an equal opportunity employer and educator and for supporting its goal of extending the diversity of our community. While some of the policies outlined in Part Six are required for legal compliance, others are internally motivated and reflect our commitment to an inclusive and hospitable working and learning environment.

Equal Employment Opportunity laws and regulations prohibit discrimination against employees or applicants for employment based on race, color, religion, gender, age, national or ethnic origin, genetic information, genetic predisposition and carrier status, physical or mental disability, veteran status, marital status, sexual orientation, gender identity or expression, domestic violence victim status, or any other characteristic protected by applicable federal, state, or local laws. This Policy further prohibits domestic violence, sexual violence, and stalking, which need not be based on an individual's protected status. The Policy also prohibits complicity for knowingly assisting in an act that violates this Policy and retaliation against an individual because of the individual's good faith participation in the reporting, investigation, or adjudication of violations of this Policy. The College fully supports these prohibitions and has adopted policies reflecting its commitment to non-discrimination and equal opportunity in its employment and educational practices.

For more information on Equal Employment Opportunity laws, please visit these sites:

<http://www.eeoc.gov/policy/laws.html>

<http://www.eeoc.gov/>

Skidmore College's equal opportunity and diversity policies further apply to the recruitment and admission of its students, to the administration of its educational policies and programs, and to the recruitment and retention of its faculty and staff. They apply, in addition, to all individuals and organizations associated with, or doing business with or for, Skidmore College.

Part Six of this Handbook is subject to periodic review, evaluation, and modification (see Article IV, A). The policies and philosophy, however, constitute a firm commitment to the principles of equal opportunity for all members of the college.

## II. ACADEMIC FREEDOM

In the context of the policies outlined in Part Six, the College reaffirms its commitment to its long tradition of supporting the academic and personal freedom of all members of the community. In particular, the policy against harassment shall not be applied in a manner that contradicts the principle of academic freedom: faculty and other members of the community are entitled to freedom in research, and faculty members are entitled to freedom in the classroom to pursue controversial matters related to their disciplines. However, this right to teach controversial material entails the responsibility that it be carried out in a way that would be judged by peers as not violating the College's anti-harassment policy. (For the College's complete statement on Academic Freedom, see Part One, Article III of this Handbook.)

## III. SUMMARY STATEMENTS OF POLICY

A. Policy on Equal Employment Opportunity

Skidmore College affirms that its community members have the right to be free from acts of unlawful discrimination. The following statement of policy on equal employment opportunity affirms Skidmore College's commitment to the principle of equal employment opportunity in education and employment:

*Equal Employment Opportunity Policy*

Skidmore College is committed to being an inclusive campus community and an Equal Opportunity Employer. The College therefore prohibits discrimination against any individual or group of its students, prospective students, employees, or candidates for employment on the basis of race, color, religion, age, national or ethnic origin, genetic information, predisposition or carrier status, physical or mental disability, veteran status, marital status, sex, sexual orientation, gender identity or expression, domestic violence victim status, or any other category protected by applicable federal, state, or local laws. The College also prohibits domestic violence, dating violence, and stalking, which need not be based on an individual's protected status.

B. Policy on Diversity

The principal mission of Skidmore College is the education of predominantly full-time undergraduates – a diverse population of talented students who are eager to engage actively in the learning process (*Skidmore College Mission Statement*). Fulfillment of this mission entails building an academic community based upon mutual respect and openness to ideas, one in which individuals value differences in perspective. Fostering such a community requires the active recruitment and retention of students, faculty, and staff members of diverse backgrounds and cultural heritages.

To read the *Skidmore College Mission Statement* in its entirety please visit the Skidmore website at:  
<http://www.skidmore.edu/about/mission.php>

Appreciation of diversity is fundamental to a liberal arts education that aims to foster the growth of the whole person in an environment of respect and understanding for different experiences and backgrounds. A diverse community provides each of us with the opportunity to learn from the experiences of others and to submit our own values and assumptions to critical examination. We learn to understand others and ourselves better in an environment that encourages deepened appreciation of other cultures, perspectives, and lived experiences.

The following statement of "Diversity Policy" affirms the College's commitment to increasing the diversity within the various groups that constitute our academic community:

*Diversity Policy*

Skidmore College's learning and working communities are strengthened by the diversity of their members. Accordingly, the College is committed to acting affirmatively to enhance the diversity of every population within the campus community: students, faculty, and staff.

To place the commitment to diversity within the context of the College's strategic goals and objectives, and as a further guide to hiring practices, please see the statement on "*Diversity in Hiring: Strategic Considerations*":

<http://www.skidmore.edu/hr/documents/DiversityinHiringStatement.pdf>

As a matter of policy, Skidmore College will work actively to increase the diversity of our community. We will address imbalances in both student and employee populations and meet our diversity-related objectives by recruiting the best candidates from as broad a pool as possible. As always, we will continue to be guided

by our fundamental educational values – leading our students to develop robust cognitive abilities, enhanced critical and intercultural skills, and an appreciation of their individual and social responsibilities as citizens of the world. Meeting these objectives is crucial to our achieving new levels of excellence.

C. Policies on Accessibility and Accommodations

Skidmore College is committed to supporting accessibility, with respect to both physical access and other forms of access, to all programs on campus.

*Accessibility and Accommodations Policy*

In accordance with applicable federal<sup>8</sup> and state laws protecting qualified individuals with documented disabilities, Skidmore College will reasonably accommodate such individuals (except in the rare case when doing so would create an undue hardship for Skidmore College).

Any student with a disability who requires accommodations to function effectively in residential or academic life on campus should contact the Coordinator for Students with Disabilities to disclose the condition and to request accommodations. Any faculty member with a disability who requires accommodations to perform duties effectively should contact the department chair, the Dean of the Faculty/Vice President for Academic Affairs, the Dean of Special Programs (DSP), or the Assistant Director for Equal Employment Opportunity and Workforce Diversity (ADEWD). Any staff member or administrator with a disability who requires accommodations to perform duties effectively should contact the supervisor or the ADEWD.

D. Policy on Anti-Harassment

Skidmore College affirms that its community members (faculty, staff, administration, and students) have the right to be free from acts of harassment (based on the protected characteristics of an employee or student) that constitute unlawful, offensive, and hostile behavior. Such acts include (but are not limited to) sexual or racial harassment. In general, such harassment may consist of (but is not limited to) words, signs, jokes, pranks, acts of intimidation, or acts of stalking and interpersonal violence that unreasonably interfere with an individual's work or educational pursuits or that create a hostile, offensive, or intimidating work or learning environment. By College policy, all members of the Skidmore community are prohibited from engaging in any such acts of harassment. Applicable federal and state laws also prohibit harassment in the workplace. The complete statement of College policy may be found in the "Anti-Harassment Policy" statement, Article VI.

To read Skidmore College's "Anti-Harassment Policy" statement in its entirety, please visit the Skidmore website at [http://www.skidmore.edu/hr/eo\\_diversity/index.php](http://www.skidmore.edu/hr/eo_diversity/index.php).

E. Policy on Retaliation

Skidmore College prohibits any and all retaliation against any person who opposes a discriminatory practice, makes a good faith report of harassment or discrimination or who participates or cooperates in any investigation arising from such a report. Any individual who retaliates against a person opposing a discriminatory practice, making a good faith report of harassment or discrimination, or cooperating or participating in such an investigation will be disciplined, up to and including separation from the College. (See also Article VIII, Section B.)

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<sup>8</sup> <http://www.eeoc.gov/policy/laws.html>

#### F. Policy on Consensual Sexual Relationships Involving Students

As an academic community, Skidmore College stands by principles of fairness, equal opportunity, and non-discrimination. These principles take on special meaning in the relationship between students and members of the faculty or others in an advising or evaluative relationship. Specifically, all students have the right to be treated fairly, held to the same requirements and standards, and afforded equal opportunities based on their individual accomplishments. All employees are expected to ensure that their relationships with College students are professional, to act in accordance with standards of professional conduct, and to avoid conflict of interest, favoritism, bias, or creation of a hostile environment for any student of the College.

Sexual relationships between faculty members and students are fraught with the potential for exploitation. The respect and trust accorded a professor by a student, as well as the actual or apparent authority of the professor, make voluntary consent by the student suspect. Even when both parties have in fact consented, the development of a sexual relationship renders both the faculty member and the College vulnerable to subsequent allegations of harassment.

##### 1. *Policy on Consensual Sexual Relationships with Current Students*

Sexual relationships, whether consensual or not, between College employees and their students (those whom they currently teach, advise, supervise, coach, evaluate, or hold authority over in any way) violate the integrity of the College's academic community and constitute grounds for disciplinary action up to and including separation from the College.

##### 2. *Policy on Consensual Sexual Relationships with Students When There Is No Formal Authority over the Student*

Even if a College employee does not currently hold a position of authority over a student, any sexual relationship between an employee and a student of the College potentially jeopardizes the integrity of the academic or living environment of the Skidmore community. The College, therefore, discourages in the strongest possible terms any sexual relationship between an employee and any student of the College. In the event that any such relationship is found to undermine the trust, respect, and fairness that are essential to the success of Skidmore's educational mission, the College will take appropriate disciplinary action, up to and including separation from the College.

#### IV. REVIEW AND LIABILITY

##### A. Policy Review

These policies may be modified by the President based upon recommendations by, and consultation with, members of the President's Cabinet, the Director of Human Resources, the ADEWD, IPPC, and FEC. The College leadership shall periodically review its practices and procedures regarding admissions, recruitment, hiring, promotion, and other areas of concern to students, employees, and the College as an employer and shall seek to redress any inequities or conditions related to prohibited practices that come to its attention.

##### B. Employees' Liability for Violations of these Policies

Any employee of Skidmore College who violates the policies described above is subject to disciplinary action, up to and including separation from the College. Additionally, any supervisor or manager who has information regarding possible violations of these policies, and takes no action to stop the misconduct or fails to report the possible violation to an appropriate individual, may also face disciplinary action, up to and including separation from the College. Employees who violate these policies and supervisors or managers who fail to address or report such possible violations may also be subject to civil or criminal liability.

Employees of the College are further advised that violation of these College policies by definition entails actions that fall outside the scope of their duties. This means that they may not be eligible for the College's



insured or uninsured protection should their conduct become the subject of civil or criminal legal proceedings.

## V. PROCEDURES REGARDING EQUAL EMPLOYMENT OPPORTUNITY AND DIVERSITY

This article establishes procedures for implementing the policies regarding Equal Employment Opportunity and Diversity at Skidmore College.

### A. Scope

#### 1. *Educational Environment*

In accordance with its policy on equal opportunity, Skidmore College prohibits discrimination against any students on the basis of race, color, religion, gender, age, national or ethnic origin, genetic information, genetic predisposition or carrier status, physical or mental disability, veteran status, marital status, sexual orientation, gender identity or expression, domestic violence victim status, or any other characteristic protected by applicable federal, state, or local laws.

#### Title IX

Complaints of sexual harassment, sexual misconduct or gender-based violence may implicate Title IX, as well as other applicable non-discrimination and harassment laws. Skidmore has designated a certain individual to address efforts in this area to comply with Title IX laws as outlined by OCR's "Dear Colleague Letter" dated April 4, 2011. Questions on any concerns about Title IX should be directed to:

Dean of Students and VP of Student Affairs/Title IX Coordinator  
Office of Dean of Student Affairs  
Case Center 311  
(518) 580-5760

For more information on Equal Employment Opportunity law, please visit this site:

<http://www.ed.gov/about/offices/list/ocr/know.html>

#### 2. *Employment Environment*

As stated above, the College prohibits discrimination on the basis of race, color, religion, gender, age, national or ethnic origin, genetic information, genetic predisposition or carrier status, physical or mental disability, veteran status, marital status, sexual orientation, gender identity or expression, domestic violence victim status, or any other category protected by applicable federal, state or local laws. To implement this policy, guidelines have been established to ensure equal opportunity in all employment policies and practices. These guidelines apply across the institution:

- a. All position vacancies will be subject to equal employment opportunity search standards, which establish procedures for internal posting and external advertisement appropriate to a position's relevant labor market. In academic searches, the scope of a search is determined by the ADEWD in consultation with the Associate Dean of the Faculty (faculty affairs), the DSP, or the Dean of the Faculty/Vice President for Academic Affairs, as appropriate, and the hiring department or office. The nature of the position dictates whether a qualified pool of candidates may most appropriately be recruited from a local, regional, or national market.
- b. In some situations, the ADEWD may waive the requirement for a full search. Normally, a waiver-of-search may be approved if one of the following three actions is proposed: filling a vacancy by promotion; filling a vacancy on a temporary basis (non-recurring appointment for a maximum of one year); or filling a vacancy as a result of internal reorganization. In these

cases, or in the case of other extenuating circumstances, a full search may not be desirable, and the ADEWD will give careful consideration to requests for search waiver.

- c. In academic searches, the ADEWD, in collaboration with the Associate Dean of the Faculty (faculty affairs), DSP, or the Dean of the Faculty/Vice President for Academic Affairs, as appropriate, reviews the position description and all components of the search plan proposed by the hiring department or office before approving a search.
  - d. Human Resources maintains and updates lists of recruitment resources for both academic and nonacademic searches.
  - e. Human Resources routinely sends announcements of position vacancies to local and regional organizations that represent historically underrepresented groups. Heads of departments, offices, and programs are strongly encouraged to network through their own personal and/or professional contacts in an effort to broaden the diversity of candidate pools for all positions. Such outreach should occur on a regular basis, even in the absence of an immediate position vacancy.
  - f. All applicants for academic and nonacademic position vacancies will receive an acknowledgment of their interest in employment at Skidmore through a postcard, e-mail, or letter. Those applicants who file their applications online will receive a confirmation number as well as an on-screen acknowledgment.
  - g. Before any candidate in an academic search is invited for an interview (whether on or off campus), the office or department responsible for hiring will contact the ADEWD and the Associate Dean of the Faculty (faculty affairs), the DSP, or the Dean of the Faculty/Vice President for Academic Affairs, as appropriate, to review the applicant pool. If the pool is not sufficiently inclusive, the Associate Dean of the Faculty (faculty affairs), the DSP, the Dean of the Faculty/Vice President for Academic Affairs and the ADEWD may recommend further steps.
  - h. At the conclusion of the interviewing phase, the office or department responsible for hiring will contact the ADEWD and the appropriate Dean or Vice President to discuss the candidates interviewed. No oral or written commitment may be made to a candidate until the ADEWD, and, in the case of academic searches, the Associate Dean of the Faculty (faculty affairs), the DSP, or the Dean of the Faculty/Vice President for Academic Affairs have agreed that appropriate equal employment opportunity procedures have been followed. If such policies and procedures have been violated, the search may be deferred.
- B. Administration: Roles and Responsibilities
1. Members of President's Cabinet are responsible for the coordination of institutional efforts and resources to advance the strategic goals of increasing and retaining a diverse faculty and staff and of fostering an inclusive campus climate.
  2. The ADEWD, in consultation with the Dean of the Faculty/Vice President for Academic Affairs, and others as appropriate, is charged with providing leadership in recommending and implementing strategies to secure and maintain a diverse campus community of faculty and staff; coordinating institution-wide equal opportunity and diversity employment efforts, including equal employment opportunity strategies and activity on all searches; planning and initiating all education for faculty and staff on matters of equal employment opportunity, unlawful discrimination, and harassment; and coordinating this activity with related student education provided by Student Affairs staff. The ADEWD is responsible for coordinating and disseminating to the community an annual report on the state of diversity at the College.

3. The ADEWD provides counsel to the President and President's Cabinet on issues of equal employment opportunity, diversity, and anti-harassment. The ADEWD communicates as appropriate with the President, members of President's Cabinet, the Associate Vice President for Finance and Administration and Director of Human Resources, and members of Academic Staff. The ADEWD is also available for consultation with any other member of the Skidmore community.

## VI. ANTI-HARASSMENT POLICY

Harassment is unlawful and therefore prohibited by Skidmore College.

The College is committed to maintaining a positive learning and working environment for all of its students and employees. In accordance with applicable laws, including Title VII of the Civil Rights Act of 1964 as amended, Title IX of the Education Amendments of 1972, the Pregnancy Discrimination Act of 1978, the Americans with Disabilities Act, the Civil Rights Act of 1991, the Genetic Information Nondiscrimination Act, and applicable federal, state, or local laws prohibiting sexual assault and abuse, the College prohibits harassment (including sexual harassment) of any individual or group of its students, prospective students, employees, or candidates for employment on the basis of race, color, religion, age, national or ethnic origin, genetic information, genetic predisposition or carrier status, physical or mental disability, veteran status, marital status, sex, sexual orientation, gender identity or expression, domestic violence victim status, or any other category protected by applicable federal, state, or local laws. These policies apply to all persons affiliated with the College including administrators, faculty members, staff members, and students.

### A. Harassment Defined

Harassment on the basis of race, color, religion, gender, age, national or ethnic origin, genetic information, genetic predisposition or carrier status, physical or mental disability, veteran status, marital status, sexual orientation, gender identity or expression, domestic violence victim status, or any other category protected by federal, state, or local laws occurs when

- an individual or group of individuals is targeted with oral, written, visual, or physical insults based on that person's or group's protected status; and
- such conduct has the purpose or effect of unreasonably interfering with an employee's or student's work, professional or educational performance, productivity, physical security, living arrangements, extracurricular activities, academic or career opportunities, services or benefits - or of creating an intimidating, hostile, or offensive working or learning environment.

When both circumstances identified above are present, examples of conduct constituting harassment may include (but are not limited to) the following:

- intimidation, hostility, or rudeness;
- oral or written threats, derogatory comments, name-calling, or slurs;
- display of derogatory posters, photographs, cartoons, drawings;
- offensive gestures; or
- assault, unwanted touching, or blocking normal movement.

Whether the alleged conduct constitutes harassment will be determined on a case-by-case basis, taking into account relevant factors, such as the nature of the conduct and the context in which the incidents occurred.

The fact that someone did not intend to harass another individual may not constitute an adequate defense in response to a complaint of harassment. Regardless of intent, the characteristics, context, and effect of the behavior that determine whether the behavior constitutes harassment. In addition, a faculty member, employee, or student may experience harassment from a salesperson or vendor, the parent of a student, alumna/us, visitor, or any other member of the extended College community who has contact with Skidmore faculty, staff, or student populations. Harassment may take place in person, by phone, or by means of print or electronic media (e.g., social media). Skidmore's policy applies to all employees and students of the College whenever they are interacting with one another. Off-campus violations may occur at campus-sponsored events or programs, such as athletic events, internship arrangements, professional meetings, or at private events (such as parties).

#### B. Sexual Harassment Defined

Applicable state and federal law defines sexual harassment as any unwelcome sexual advances, requests for sexual favors, or other gender-based visual, verbal, or physical conduct. In particular, sexual harassment occurs when:

- submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement (*quid pro quo* harassment);
- submission to, or rejection of, the conduct is used as the basis for employment or academic decisions affecting the individual (*quid pro quo* harassment); or
- the conduct has the purpose or effect of unreasonably interfering with an employee's or student's work, professional or educational performance, productivity, physical security, participation in living arrangements, extracurricular activities, academic or career opportunities, services or benefits—or of creating an intimidating, hostile, or offensive working or learning environment (hostile work environment harassment).

This definition includes verbal, non-verbal, and physical harassment. The following examples of sexual harassment are intended to be instructive but not inclusive:

- Verbal harassment may take oral or written form and may include profanity, sexual jokes or sexual teasing, threats, whistling, cat calls, or repeated unwelcome requests for a date.
- Non-verbal harassment may include staring, blowing kisses, or displaying sexually suggestive material in the work area, in the classroom, in lockers, or as screen savers on one's computer.
- Physical harassment may include touching, bumping, grabbing, cornering, or blocking passages.

Whether the alleged conduct constitutes harassment will be determined on a case-by-case basis, taking into account relevant factors, such as the nature of the conduct and the context in which the alleged incidents occurred.

Sexual harassment may occur on or off campus, including, but not limited to, the classroom (student to student, faculty to student, student to faculty) and the work setting (supervisor to employee, employee to supervisor, employee to employee, faculty to faculty, student to faculty or employee). Skidmore's policy applies to all employees and students of the College whenever they are interacting with one another. Off-campus violations may occur at campus-sponsored events or programs, such as athletic events, internship arrangements, and professional meetings, or at private events such as a party. In addition, a faculty member, staff member, administrator, or student may experience sexual harassment from a salesperson or vendor, the parent of a student, an alumna/us, visitor, or any other member of the extended College community who has contact with Skidmore faculty, staff, or student populations. Sexual harassment may take place in person, by phone, or by means of print or electronic media.

The fact that someone did not intend to sexually harass another individual may not constitute an adequate defense in response to a complaint of sexual harassment. Regardless of intent, the characteristics and effect of the behavior that determine whether behavior constitutes sexual harassment.

### C. Sexual Conduct and Gender-Based Violence

Gender Based Violence can occur between strangers or acquaintances, including people involved in both long-term and brief intimate partnerships. Gender Based Violence can be committed by men or women, and it can occur between people of the same or different sex.

The following type of conduct is considered to be sexual misconduct and gender-based violence and is not permitted.

**"Dating Violence"** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual, physical abuse, emotional violence or the threat of such violence and does not include acts that meet the definition of "domestic violence."

**"Domestic Violence"** means felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the state.

**"Stalking"** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for her or his safety or the safety of others or suffer substantial emotional distress. Examples of stalking include: unwanted, intrusive, and frightening communications by phone, mail, and/or email; repeatedly leaving or sending unwanted items such as gifts; following or waiting for a person at places such as home, school or work; making direct or indirect threats of harm to a person, or the person's children, relatives, friends or pets; damaging or threatening to damage property; harassment through the internet or social media; and posting information or spreading rumors about a person.

If any of the above Gender Based Violence involves student against student it should be reported to the **Title IX Deputy Coordinator**

### D. Third-Party Harassment

It is important to recognize that sexual harassment may be injurious to a third party when that person is negatively affected by harassment of other individuals in that third party's work space or classroom – or any other setting that requires a Skidmore College employee or student to be present for purposes of work or learning.

## VII. PROCEDURES FOR RESOLVING COMPLAINTS OF HARASSMENT OR DISCRIMINATION AGAINST FACULTY MEMBERS

Faculty members, staff, and students should report any instances they believe to constitute harassment or discrimination. Disclosing such incidents provides the parties an opportunity for consultation with appropriate College personnel and the opportunity to resolve complaints promptly and effectively.

The procedures outlined in Article VII apply to all situations where a faculty member is accused of harassment or discrimination. Allegations against students (including part-time and full-time students who are also employees) will be resolved according to procedures outlined in the Student Handbook. Allegations

against staff members (including staff members who may be part-time students) and administrators will be resolved according to procedures outlined in the Employee Handbook.

Using the procedures outlined below, any faculty member, staff member or student who believes they are the victim of harassment by a member of the faculty should report the matter to one of the individuals specified in B of Article VII, all of whom are able to assist those having a harassment concern. These individuals are available to provide information about the College's harassment policy, the resolution process that the College has adopted, and appropriate actions that might be taken.

#### A. Definition of Terms

In the process that follows, the following terms are used:

- Complainant: the individual filing an informal or formal complaint of discrimination or harassment.
- Respondent: the individual alleged to be responsible for a discriminatory or harassing action.
- Appellant: the individual appealing the disposition of a complaint (either the complainant or respondent).
- Inquiry: the process used in the informal stage of a complaint.
- Interpersonal Violence (commonly referred to as intimate partner violence, dating violence, domestic violence and relationship violence): can encompass a broad range of abusive behavior committed by a person who is or has been:
  - In a romantic or intimate relationship with the reporting party (of the same or different sex);
  - The reporting party's spouse or partner (of the same or different sex);
  - The responding party's family member; or
  - The responding party's cohabitant or household member, including a roommate.
- Investigation: the process used in the formal stage of a complaint.
- Appropriate Official: the complainant's or respondent's Department Chair (or, in the case of faculty with interdisciplinary appointments, Program Director), the Dean of the Faculty/Vice President for Academic Affairs, any other division head, or the Associate Vice President for Finance and Administration and Director of Human Resources. If the appropriate official has a conflict of interest, the Associate Vice President for Finance and Administration and Director of Human Resources will designate a replacement.

#### B. Reporting Suspected Harassment and Discrimination

Who should report? Any faculty member, staff member, student, or former student who believes that he/she has been discriminated against or harassed by a faculty member should report such instances to the appropriate official.

When to report. A report must be made to the College within 60<sup>9</sup> days of the alleged incident. A formal complaint must be filed in writing within 10 work days after an informal inquiry has been completed or within 10 work days of the conclusion of the mediation process (see C below). Federal regulations require

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<sup>9</sup> In the case of a student bringing a complaint against a faculty member who teaches or advises that student, or who supervises that student's research or other academic work, this deadline may be extended to 60 days after the end of the semester during which such faculty/student relationship exists.

that a student complaint be filed with the appropriate agency within 180 days and faculty/employee complaints be filed within 300 days; New York State law requires that an administrative complaint be filed within one year.

Confidentiality. To the extent possible, those handling complaints will endeavor to maintain the confidentiality of all parties involved in the informal and formal process. This confidentiality extends to those seeking assistance, to those filing a complaint, to respondents, and to those serving as witnesses; confidentiality also extends to those creating or reviewing any documents related to the complaint. Information about the complaint is therefore provided only to those individuals within the College who have a need to know that information in order to investigate and/or resolve the complaint. This requirement of confidentiality does not mean that the details of the complaint will be withheld from the respondent.

Nevertheless, the College cannot guarantee absolute confidentiality. In order to ensure compliance with College policies and federal and state laws, the College may be required to disclose information about a complaint to agencies or to individuals not involved in the complaint. Moreover, when the complaint involves alleged acts of a criminal nature, the College may be required by law to notify law enforcement authorities. The College may also publicly divulge details of the outcome if one of the parties discloses selective portions of the proceedings or if the complainant or respondent contests the findings or results of the College's investigation in the course of a lawsuit.

Prior to or concurrent with lodging a sexual harassment complaint, individuals may find it helpful to consult with a counselor or otherwise seek assistance. The Employee Assistance Program (EAP) can provide advice and support to individuals who believe they are experiencing sexual harassment. All information shared with these individuals will remain confidential to the extent permitted by law and College policy. Discussions with representatives from EAP will not be considered a report to the College regarding the problematic behavior and will not, without additional action by the complainant, result in intervention or corrective action.

#### Filing a Complaint

Faculty members, staff members, or students should report instances of alleged harassment or discrimination by faculty members to one of the following:

- the appropriate Department or Program Chair;
- the Dean of Faculty/Vice President for Academic Affairs or the Dean of Special Programs (DSP);
- Supervisor;
- Associate Vice President for Finance and Administration and Director of Human Resources or a designated representative; or
- ADEWD.

Students may report to any of the above or to the Dean of Students and Vice President for Student Affairs.

All the above officials will convey information received to the ADEWD, who will initiate an informal inquiry.

When a complaint of harassment or discrimination has been taken up by an agency outside of the College as a result of a possible violation of federal, state, or local law or regulation, the College may decide to cancel or continue any internal inquiry/investigation already in process. The College may also conduct its own investigation once the external action is completed.

The College's complaint process, for the purpose of meeting required deadlines, begins once the ADEWD conducts an initial interview with the complainant. During the initial interview, the ADEWD will discuss with the complainant whether or not the alleged incident(s) of harassment or discrimination constitute(s) a violation of the College's policies. The complainant will also be told about their own rights under the College's complaint procedures.

The complainant will have the right to

- have a representative (not an attorney) present as an observer during the complaint process;
- be granted confidentiality throughout the process (as described in B above);
- withdraw the complaint at any time during the process (with the understanding that the College may be required to pursue the issue);
- review and sign their own statement and receive a copy;
- review the ADEWD's summary, which indicates whether the alleged misconduct was found to violate College policy;
- file the complaint with a federal, state, or local agency designated to hear/investigate EEO complaints;
- request mediation; and
- have a meeting with the ADEWD after the informal inquiry and, if the complaint proceeds, after the formal investigation.

The complainant will not have the right to

- have an attorney present;
- record the meeting;
- ask questions of the respondent or witness(es);
- identify the penalty or corrective action for the respondent if that person is found to have violated a college policy;
- review the complete complaint file and associated documents (e.g., witnesses' statements);
- receive a copy of the complete complaint file.

Once a complaint is received, the ADEWD will meet with the respondent to inform him/her of the complaint. The respondent will also be told about their own rights under the College's complaint procedures.

The respondent will have the right to

- have a representative (not an attorney) present as an observer during the complaint process;
- receive a copy of the written complaint;
- be granted confidentiality throughout the process (as described in Section B above);
- respond to the complaint;



- review and sign their own statement and receive a copy;
- request mediation;
- have a meeting with the ADEWD after the informal inquiry;
- review a copy of the final summary of the complaint in the presence of the appropriate official.

The respondent will not have the right to

- have an attorney present;
- record the meeting;
- ask questions of the complainant or witness(es);
- review the complete complaint file and all associated documents (e.g., witnesses' statements); nor to
- receive a copy of the complete complaint file.

Any discussion during the initial interviews with the complainant or the respondent will be documented and signed by the individual making the statement and the ADEWD. The individual making the statement will be given a copy of the signed document, and the ADEWD will enter the original in the complaint file.

Any complaint involving a faculty member will be brought to the attention of the Dean of the Faculty/Vice President for Academic Affairs by the ADEWD; any complaint involving an academic advisor in the external degree programs or an instructor in Special Programs will be brought to the attention of the DSP by the ADEWD. At that time, the Dean of the Faculty/Vice President for Academic Affairs or DSP will confer with the Chair of CAFR to ascertain whether the complaint has to do with academic freedom and therefore should be handled by CAFR or whether the complaint has to do with harassment or discrimination, in which case the College will follow the process outlined in Part Six, Article VII of this Handbook. In making this determination, the ADEWD, the Dean of the Faculty/Vice President for Academic Affairs or DSP, and the Chair of CAFR will consider the signed complaint and the signed response to the complaint. If there is a disagreement between the Dean of the Faculty/Vice President for Academic Affairs or DSP and the Chair of CAFR, the President will decide on the process to be followed.

### C. Informal Complaint Resolution

If, after the initial interview, the ADEWD preliminarily determines whether the alleged incident(s) constitute(s) a violation of the College's policies, the ADEWD will process the complaint initially using the informal (inquiry) complaint procedure. During this stage, the ADEWD will meet separately with the complainant, the respondent, and any witnesses who may have relevant information.

Witnesses to the complaint (other than the complainant or respondent) will have the right to

- have a representative (not an attorney) present as an observer during the complaint process;
- be granted confidentiality throughout the process (as described in B above); and to
- review and sign their own statements and receive copies.

Witnesses to the complaint (other than the complainant or respondent) will not have the right to

- have an attorney present;
- record the meeting;

- ask questions of the complainant or respondent;
- review the complete complaint file and all associated documents;
- receive a copy of the complete complaint file.

Depending on the nature of the complaint, mediation may be offered. If the complainant accepts this approach, the respondent will be encouraged to participate in the mediation process. If the parties agree to a resolution, it will be documented in an agreement. Both parties will be given a copy of the agreement, and a copy will be retained with the complaint file by the ADEWD.

#### D. Formal Complaint Procedures

The ADEWD will notify the complainant and the respondent in writing when the informal process is concluded. If no resolution/agreement is reached during the informal stage of the complaint as outlined above, the complainant will have the right to submit a formal written complaint within 10 days to the ADEWD. The formal complaint must be signed and should be delivered (return receipt requested) to: Human Resources, Barrett Center, Skidmore College, Attn: ADEWD, 815 North Broadway, Saratoga Springs, NY 12866. Under certain circumstances, however, the College may be required to continue its investigation, even in the absence of a formal written complaint.

The formal complaint must include the following:

1. The complainant's name, address, telephone number(s), and e-mail address.
2. A complete description of all the alleged incident(s) or actions leading to the complaint.
3. Names of witnesses and information they can offer relative to the complaint.
4. Witness contact information (phone numbers, e-mail addresses).
5. All documents and other tangible evidence available to support the allegations.
6. Identification of a representative (if there is to be one) and their relationship to the complainant.
7. The complainant's signature and date.

#### E. Advisory Panel (AP)

When a faculty member is formally accused of harassment or discrimination, the College's procedures establish opportunities for other faculty members to provide advice and recommendations. Such faculty advice and recommendations will be provided through the Advisory Panel (AP) as described more fully below and in Section F.

After receiving the formal complaint against a faculty member, the ADEWD will convene the Advisory Panel.

In the case of complaints by faculty members or students against faculty members, the AP will consist of two faculty members selected by the ADEWD from the Faculty Advisory Board (FAB). The Faculty Advisory Board, which is constituted (1) by a general election and (2) by subsequent appointment by the Faculty Executive Committee (FEC) in consultation with the Dean of the Faculty/Vice President for Academic Affairs consists largely of tenured faculty members who will be trained in issues relating to discrimination, harassment, and retaliation.

In the case of complaints by staff against faculty members, the AP will consist of two tenured faculty members selected by the ADEWD from the FAB and two staff members selected by the ADEWD from a Staff Advisory Board (SAB). The Staff Advisory Board, established by the Associate Vice President for Finance and Administration and Director of Human Resources, consists of staff members trained in issues relating to discrimination, harassment and retaliation.

Faculty or staff members from the same department or office as either the complainant or the respondent may not serve on the AP. Any panelist with a conflict of interest may not serve. In addition, the complainant and the respondent each may request that one of the chosen panelists be replaced. In the event that a two-or-four person AP cannot be selected from these various boards, the Dean of the Faculty/Vice President for Academic Affairs and the Chair of FEC (in the case of faculty) or the Associate Vice President for Finance and

Administration and Director of Human Resources (in the case of staff) will provide replacements as needed. Any such replacements will receive training appropriate to the complaint.

#### F. Investigation

All information gathered during the informal process will continue to be used in the formal process. The ADEWD will provide the respondent with a copy of the formal complaint as submitted by the complainant within three work days<sup>10</sup> of receipt of the complaint. The ADEWD also will provide a letter to the respondent, outlining the investigation process and clarifying the respondent's rights as well as the College's expectation of full cooperation. During the formal process, all witnesses identified by the complainant and respondent will be interviewed, if the ADEWD and the Advisory Panel (AP) determine that they may offer relevant facts. All witnesses will receive a letter outlining the role of a witness during the investigation as well as the College's expectation of their participation.

The complainant will be required to provide any requested documents and respond to requests for additional information in a timely manner (within five work days of receipt of a request). After five days, the ADEWD will repeat the request in writing; if the complainant does not respond within 10 work days after this written request for information is made by the ADEWD, the individual's complaint may be closed for failure to participate, and a notice of cancellation will be sent. Cancellation for lack of participation cannot be appealed by the complainant. Under certain circumstances, however, the College may be required to continue its investigation.

Members of the AP will participate in the interviews, but the ADEWD will take the lead in questioning. If either the complainant or respondent makes the request (and both agree), the members of the AP will not participate in any interviews but will instead review all documents pertaining to the case and consult with the ADEWD during the investigation.

When possible, the investigation will be completed within 20 calendar days from the date the formal complaint is filed, unless more time is requested by the ADEWD. If the AP finds that the investigation will exceed this time limit, the ADEWD will provide written notification to the complainant, the respondent, and the appropriate official.

Upon completion of the investigation, the ADEWD will develop a complaint file consisting of all documents gathered during the investigation, along with statements from witnesses. The ADEWD will prepare a final report, including the summary, findings, and conclusions, as well as a synopsis of the AP's comments. The ADEWD and the AP will meet to review the final report and ensure that the AP's views have been represented in the final report.

#### G. Legal Review

Upon completion of the investigation, the Associate Vice President for Finance and Administration and Director of Human Resources will review the complaint file with the ADEWD and determine whether the report should be forwarded for legal review to the College's attorney. In either case the ADEWD will meet with the appropriate official (relevant Dean, Vice President or Supervisor) to report the results.

#### H. Administrative Review

Within five work days from the final decision on the summary, findings, and conclusions, the ADEWD, along with the Associate Vice President for Finance and Administration and Director of Human Resources, will share the results with the appropriate official. The appropriate official (the Dean of the Faculty/Vice President for Academic Affairs, DSP, or any other division head) in consultation with the Director of Human Resources will consider the findings and determine the appropriate action(s). The Associate Vice President for Finance and Administration and Director of Human Resources will work with the appropriate official to implement the actions.

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<sup>10</sup> Work days are defined as days the College's administrative offices are open.

### I. Disposition of Complaint

Once the written summary, findings, and conclusions have been reviewed with the appropriate official, the ADEWD will have a final interview with the complainant within three work days after the administrative review. During this interview, the ADEWD will share the summary, findings, and conclusions and issue a letter. The letter will only address the facts that were gathered and state whether any violation of the College's policies was found.

Within three work days after the administrative review, the appropriate official will meet with the respondent to outline the summary, findings, conclusions, and sanctions. All associated notes and documents developed by the appropriate official will be forwarded to Human Resources to be kept in the complaint file. All complaint files will be housed in Human Resources as legally required or as stipulated by the sanctions.

### J. Outcomes

Actions in response to a complaint of discrimination or harassment may include discussion, recommendation for counseling or mentoring, monitoring of the situation, support for self-help, or mediation by third party. Formal disciplinary actions may include (but are not limited to) a letter in the personnel file for a period of time, permanent letter in the personnel file, withholding of salary increases or stipends, removal from the classroom, suspension (with or without pay) or separation from the College.

### K. Appeals

#### *Complainant*

A complainant may appeal based on the following criteria: (1) procedural error that might have affected the outcome of the decision; or (2) new evidence. If the complainant elects to appeal, he/she must file the appeal within 15 work days of the date of the final interview with the ADEWD. The appeal process will not be available to complainants who withdrew their complaints or their complaints were closed due to failure to participate as provided in F (Investigation) above.

#### *Respondent*

A respondent may appeal based on the following criteria: (1) procedural error that might have affected the outcome; (2) new evidence; or (3) severity of the sanction. If the respondent elects to appeal, he/she must appeal within 15 work days from the date of the respondent's meeting with the appropriate official.

All appeals must be delivered in writing to the President, who will decide whether the appeal has merit based on the criteria listed above and who will make the final institutional decision based upon a review of the record and of the recommendations, findings, conclusions, and sanctions related to the complaint.

The President has the options of (1) denying the appeal, (2) returning the case to the ADEWD with specifications for further findings and recommendations, (3) conducting further investigation or administrative proceeding, or (4) reversing or modifying the recommendation(s).

The President will provide the decision in writing to the appellant, the other party to the original complaint as appropriate, the ADEWD, and the appropriate official. If the President reverses or modifies the recommendation(s), then the President will provide written reasons for the action. The President will make the decision within ten (10) work days of the President's receipt of the appeal.

## VIII. ADDITIONAL EXPECTATIONS

### A. Cooperation with Investigations and Hearings

All members of the Skidmore community (students, faculty, administrators, and staff) are expected to cooperate fully with inquiries and investigations pertaining to alleged incidents of harassment or

discrimination. Expected cooperation includes providing full and honest disclosure of known facts, providing oral or written testimony, and providing letters, e-mails, voice messages, notebooks, gifts or other evidence in any such proceeding. Finally, cooperation includes the expectation that all parties to a complaint, inquiry, or investigation will maintain the confidentiality of the process and not attempt to influence any other party to the process.

B. Extension of Time Periods.

If circumstances warrant or if legally required, the College reserves the right to extend any time periods identified in this policy.

C. Retaliatory Actions

Applicable law and College policy prohibit retaliation against any person reporting or thought to have reported harassment or discrimination. Retaliation is also prohibited against any person who is a witness or otherwise involved in a harassment or discrimination proceeding. Retaliation against any person shall be considered a serious violation of the policy on retaliation and shall be considered independently of the underlying complaint. Encouraging others to retaliate also violates this policy.

Retaliation includes any conduct, whether or not workplace or employment-related, directed at someone because someone opposed a discriminatory practice, made a good faith report of harassment or discrimination, or participated or cooperated in such an investigation, which might deter a reasonable person from making or supporting a charge of harassment or discrimination. Examples of retaliation include (but are not limited to) the following:

- unfair grading or evaluation of performance or assignments;
- withholding or delaying the transmissions of necessary information (such as information about classes, recommendations, grades, work assignments, meetings);
- withholding notification about important events;
- withholding notification about changes in policies;
- exposing the person to public or private ridicule;
- making oral or written threats or offering bribes;
- refusing to meet with a person who has the right to be granted a meeting;
- name calling;
- further harassment of any nature.

All instances of alleged retaliation should be reported to the ADEWD or an appropriate official. The allegations will be dealt with in accordance with the procedures outlined in Article VII.

D. False Allegations

The College will not tolerate false allegations of harassment. Complaints made in good faith that are found not to constitute harassment or discrimination will not be considered false allegations. However, any individual who knowingly, maliciously, or frivolously makes a false allegation of harassment will be subject to disciplinary action up to and including separation from the College or, in the case of a students, to disciplinary action up to and including suspension or expulsion.

E. For Additional Information or Assistance

Inquiries concerning the preceding policies and procedures or requests for assistance should be directed to either of the following:

The Assistant Director for EEO and Workforce Diversity  
Skidmore College  
815 North Broadway  
Saratoga Springs, NY 12866-1632  
Tel: (518)-580-5800  
<http://cms.skidmore.edu/hr/index.cfm>

Associate Vice President, Finance & Administration;  
Director of Human Resources  
Human Resources, Barrett Center  
Skidmore College  
815 North Broadway  
Saratoga Springs, NY 12866-1632  
Tel: (518) 580-5800

## PART SEVEN

## INDEX

## A

Absence from assigned classes, 112  
 Academic advising, 112  
 Academic freedom. *See* Committee on Academic Freedom and Rights, Tenure  
 Academic Freedom, 101, 601  
 Academic Freedom and Tenure, 102  
 Academic policies  
   class attendance, 216  
   examinations, 216  
   grading, 216–18  
   student evaluations, 218–19  
 Academic Policies. *See* Faculty Obligations  
 Academic Staff, 503  
 Academic year, 112  
 Accessibility and Accommodations Policy, 603  
 Ad hoc committees, 215  
 ADEWD, 606, 607  
 Advisory Panel, 614  
 All-College student evaluations, 218–19  
 anti-harassment, 601  
 anti-harassment policy, 601  
 Appeals, 616  
 Appointments  
   endowed chairs, 111  
   Non-tenure track, 109  
   pre-tenure-track, 109  
   tenure-track, 107  
 Artists-in-Residence  
   appointment, 109  
   category of faculty, 110  
   evaluative criteria, 119  
   faculty governance, 148  
   promotion, 134  
   reappointment, 122  
   sabbatical leave, 135–37  
   visiting, 110  
 Assistant Librarian, 134  
 Assistant Professor, 131  
 Associate Dean of Student Affairs  
   designated as member of the faculty, 148  
 Associate Dean of the Faculty  
   designated as member of the faculty, 148  
 Associate Librarian, 134  
 Athletic Council, 213  
 Attendance at college functions, 112  
 Attendance at meetings, 112  
 Author, 103

## B

Benefits. *See* Flexible benefits plan  
 Board of Appeals, 301

## C

CAFR. *See* Committee on Academic Freedom and Rights  
 CAPT. *See* Committee on Appointments, Promotion, and Tenure  
 CEPP. *See* Committee on Educational Policies and Planning  
 Class Attendance, 216  
 College committees, 301–2  
   preamble, 301  
   specific committees, 301  
 Committee on Academic Freedom and Rights, 102, 212  
   confidentiality of conversations with President, Dean of the Faculty/Vice President for Academic Affairs, and trustees, 102  
   faculty rights, 111  
   student evaluations, 111  
 Committee on Academic Standing, 214  
 Committee on Appointments, Promotion, and Tenure  
   appointment of faculty to endowed chairs, 111  
   confidentiality of conversations with President, Dean of the Faculty/Vice President for Academic Affairs, and trustees, 102  
   operating code for Tenure Appeal Committee, 131  
   reappointment of librarians, 121–22  
   reappointment to professorial ranks, 113–21  
   tenure, 125–31  
 Committee on Appointments, Promotions, and Tenure, 211  
   review of senior administrative officers, 506  
 Committee on Educational Policies and Planning, 211  
   establishing or eliminating department, 146  
 Committees of the faculty, 209  
   ad hoc committees, 215  
   annual reports, 209  
   chairs of, 209  
   Committee of Committees, 209  
   election schedule, 209  
   operating code and minutes, 209  
   other committees, 216  
   *specific committees*, 209–14  
   voting rights and eligibility, 209  
 Committees of the Faculty  
   replacements of members, 209  
 Community members, 103  
 Community Service, 117  
 Complaints Of Harassment Or Discrimination Against Faculty Members, 609  
 consensual sexual relationships, 604  
 Copyright, 103, 104  
 Criteria for continued service  
   artists- and writers-in-Residence, 119  
   library faculty, 118  
   pre-tenure-track faculty, 118

tenure-track faculty, 113  
Curriculum Committee  
establishing or eliminating major, 147

<b>D</b>
----------

Dayton Director of the Tang Teaching Museum and Art Gallery  
designated as member of the faculty, 148  
Dean of Special Programs, 504  
designated as member of the faculty, 148  
Dean of Students and Vice President for Student Affairs, 503–4  
designated as member of the faculty, 148  
Dean of the Faculty/Vice President for Academic Affairs  
additional employment of faculty for pecuniary return, 101  
annual report from department chairs, 144  
appointment and review of department chairs, 142–44  
appointment as Professor with tenure, 107  
appointment of faculty to endowed chairs, 111  
Appointment of faculty to non-tenure track, 109  
appointment of faculty to pre-tenure track, 109  
appointment of faculty to tenure track, 107  
chairs and evaluation of their faculty, 143  
description of position and duties, 502  
designated as member of the faculty, 148  
directors of interdisciplinary programs, 144–46  
Faculty Tenure Appeal Committee, 130  
immediate award of tenure, 129  
leaves of absence without pay, 137  
promotion of artists-in-residence, 134  
promotion of faculty to librarian ranks, 134  
promotion of teaching associates, 135  
promotion of writers-in-residence, 134  
reappointment of artists-in-residence, 122  
reappointment of faculty to professorial ranks, 121  
reappointment of instructors, 123  
reappointment of librarians, 121–22  
reappointments to professorial ranks, 113–21  
reimbursement for professional activities, 147  
resignations by faculty, 137  
review of program directors, 144  
sabbatical leaves for faculty, 135–37  
student evaluations, 111  
tenure not counted in department, 129  
Tenure Review Board, 212  
Dean of the Faculty/Vice President for Academic Affairs promotion of faculty to professorial ranks, 131–35  
Dean of the Faculty/Vice President for Academic Affairs  
pre-tenure leaves of absence for faculty, 137  
Department. *See* Department chair  
establishment or elimination of, 146  
peer evaluations of teaching, 218  
Department Assistant, 110  
Department chairs, 142–44  
annual report to the Dean of the Faculty, 144

appointment of faculty to endowed chairs, 111  
Appointment of faculty to non-tenure track, 109  
appointment of faculty to pre-tenure track, 109  
appointment of faculty to tenure-track, 107  
budgets, 144  
CAPT, 143  
catalog descriptions of department programs, 143  
communications with students, faculty, and administration, 143  
criteria for appointment, 142  
*curricula of interdisciplinary programs*, 145  
curriculum, 143  
Director of Institutional Diversity, 143  
directors of interdisciplinary programs, 144  
equitable teaching loads for faculty, 143  
evaluation of directors of interdisciplinary programs, 145, 146  
evaluations of faculty, 111, 143  
leadership, 143  
leaves of absence without pay, 137  
obligations, 143  
personnel, 143  
personnel in interdisciplinary programs, 145  
policy on equal opportunity and affirmative action, 602  
pre-tenure leaves of absence for faculty, 137  
procedures for appointment, 142  
promotion of faculty to professorial ranks, 131–35  
promotion of teaching associates, 135  
promotion to Senior Artist-in-Residence, 134  
reappointment of artists-in-residence, 122  
reappointment of instructors, 123  
reappointment to professorial ranks, 113–21  
reimbursement for professional activity, 147  
review, 142  
sabbatical leaves of absence for faculty, 135–37  
space, 144  
student evaluations, 111  
written evaluations of faculty, 111  
Departmental Student Evaluations, 219  
Director of Institutional Research  
designated as member of the faculty, 148  
Director of Summer Academic Programs and Residencies  
designated as member of the faculty, 148  
Director of the Master of Arts in Liberal Studies  
designated as member of the faculty, 148  
Directors of interdisciplinary programs, 144–46  
annual report to the Dean of the Faculty/Vice President for Academic Affairs, 145  
budgets, 145  
catalog descriptions of program, 145  
communications, 145  
criteria for appointment, 144  
curriculum, 145  
evaluation, 145  
*leadership*, 144  
obligations, 144  
personnel, 145  
procedures for appointment, 144  
review, 144  
disability, 603



discrimination, 601, 602, 603, 605  
 diversity, 601, 602  
 Diversity, 605  
 Diversity and Affirmative Action  
   policy implementation, 602  
   sexual harassment, 602–3  
   statement of policy, 602  
 Diversity in Hiring  
   Strategic Considerations:, 602  
 diversity policy, 602  
*Diversity Policy*, 602  
 Domestic Partners Benefits, 401

## E

Eligibility to vote, 147, 202  
 Employee Handbook, 610  
 Endowed chairs, 111  
 equal employment opportunity, 601, 602  
 Equal Employment Opportunity, 601, 605  
 Equal Employment Opportunity and Diversity, 605  
 Equal Employment Opportunity law, 605  
 Equal Employment Opportunity laws, 601  
 Equal Employment Opportunity Policy, 602  
 equal opportunity, 601, 604  
 Equal Opportunity  
   policy implementation, 602  
   sexual harassment, 602–3  
   statement of policy, 602  
 Establishment or Elimination of a Minor, 147  
 Examinations, 216

## F

Faculty  
   absence from assigned classes, 112  
   academic advising, 112  
   academic responsibilities, 111  
   academic year, 112  
   academic year defined, 111  
   additional employment of faculty for pecuniary  
     return, 101  
   appointment and review of department chairs, 142–  
     44  
   attendance at college functions, 112  
   attendance at meetings, 112  
   categories of faculty appointments, 107–11  
   creation of new faculty titles and descriptions, 111  
   criteria for continued service, 113  
   criteria for continued service for artists- and  
     writers-in-residence, 119  
   criteria for continued service for Instructors, 119  
   criteria for continued service for librarians, 118  
   criteria for continued service for pre-tenure track  
     faculty, 118  
   defined, 101, *See* Faculty Governance, Faculty  
     Meeting  
   discipline of tenured faculty, 138  
   equitable teaching loads, 143

evaluation of directors of interdisciplinary  
   programs, 145  
 evaluations by department chairs, 143  
 faculty status, 101  
 guidelines for promotion to professorial ranks, 134  
 leaves of absence, 135–37  
 leaves of absence without pay, 137  
 legal counsel, 111  
 meeting classes, 112  
 obligations, 111  
 obligations and responsibilities of department  
   chairs, 143  
 office hours, 112  
 promotion to librarian ranks, 134  
 promotion to professorial ranks, 131–35  
 promotion to senior artist-in-residence, 134  
 promotion to senior teaching associate, 135  
 promotion to senior writer-in-residence, 134  
 reappointment of artists-in-residence, 122  
 reappointment of instructors, 123  
 reappointment of librarians, 121–22  
 reappointment to professorial ranks, 113–21  
 reimbursement for professional activities, 147  
 resignations, 137  
 rights of, 111  
 sexual harassment, 602–3  
 shared appointments, 107, 121  
 student evaluations, 111, 112  
 submitting grades, 112  
 tenure, 125–31  
 termination due to elimination of a department, 146  
 written evaluations from department chair, 111  
 Faculty Advisory Board, 614  
 Faculty Development Committee, 212  
   pre-tenure leaves of absence for faculty, 137  
   sabbatical leaves for faculty, 135–37  
 Faculty Executive Committee, 210  
   handbook revisions, 148  
   Tenure Review Board, 130  
 Faculty governance. *See* Committees of the Faculty,  
   Faculty meeting  
     defined, 147–48  
 Faculty Governance Structure, 209  
 Faculty Handbook, 148  
 Faculty Meeting  
   absence of President, 203  
   appointment of parliamentarian, 203  
 Faculty Meeting By-Laws, 202  
   Adoption and Amendment of the By-laws, 206  
   Quorum, 203  
   Special Rules, 205  
   Taking Votes, 205  
   The Agenda and Minutes, 203  
   The Faculty Meeting, 202  
   The Presiding Officer, 203  
   The Right to Speak, 204  
 False Allegations, 617  
 Filing a Complaint, 611  
 Flexible Benefits, 401  
 Formal Complaint Procedures, 614  
 Formal Investigation, 615

**G**

Grading, 216–18

**H**

harassment, 603  
 Harassment Defined, 607  
 Honor Code Commission, 302  
 Honor System  
   administrative discipline, 304  
   contract (code), 303  
   honor code, 303  
   violations, 303–4  
 Honors Council, 213

**I**

Informal Complaint Resolution, 613  
 Institutional Animal Care and Use Committee, 302  
 Institutional Policy and Planning Committee, 301  
 Institutional Works, 103  
 Institutionally Commissioned Work, 103  
 Instructor  
   category of faculty, 110  
   visiting, 110  
 Instructors  
   appointment, 109  
   evaluative criteria, 119  
   promotion, 135  
   reappointment, 123  
 Intellectual property, 103  
 Intellectual Property, 103  
 Invention, 103  
 Invention Disclosure Form, 103  
 Inventor, 103

**L**

Leaves of absence without pay, 137  
 Lecturer  
   category of faculty, 110  
 Lecturers  
   criteria for continued service, 119  
   evaluative criteria, 119  
 Legal counsel, 111  
 Librarian. *See* Library faculty  
   rank of, 134  
 Library faculty, 109  
   appointment, 109  
   as members of the faculty, 109  
   evaluative criteria, 118  
   promotion, 134  
   reappointment, 121–22  
   sabbatical leave, 135–37  
   visiting, 110

**M**

Major, 146–47  
 Malloy Curator of the Tang Teaching Museum and  
 Art Gallery  
   designated as member of the faculty, 148  
 Master of Arts in Liberal Studies Committee, 213  
 Meeting classes, 112  
 Multicultural diversity. *See* Diversity and Affirmative  
 Action

**N**

Neglect of Duties, 138  
 non-discrimination, 601, 604  
 Non-verbal harassment, 608

**O**

Office hours, 112

**P**

Patent, 103  
 Patents, 105  
 Peer evaluations of teaching, 218  
 Pension Plan. *See* Retirement Plan  
 Personal Misconduct, 138  
 Physical harassment, 608  
 Policy on Anti-Harassment, 603  
 Policy on Consensual Sexual Relationships with  
   Current Students, 604  
 Policy on Consensual Sexual Relationships with  
   Students When There Is No Formal Authority over  
   the Student, 604  
 Policy on Equal Employment Opportunity, 602  
 President, 501  
   annual reports from department chairs, 144  
   annual reports from directors of interdisciplinary  
   programs, 145  
   appointment of faculty to endowed chairs, 111  
   establishment or elimination of a department, 146  
   establishment or elimination of a major, 147  
   office of, 501  
   President's Cabinet, 501  
   presides over faculty meeting, 147  
   review of, 505  
   Tenure Appeal Committee, 130, 213  
   Tenure Appeal Committee recommendation, 131  
   Tenure Review Board, 130, 212  
 President's Cabinet  
   review and confidentiality, 506  
   review committee, 505  
   review of, 505  
 Pre-tenure leaves of absence  
   application procedures and criteria, 137  
   eligibility, 137  
   purpose, 137  
 Pre-Tenure leaves of absence, 137

Proceeds, 103  
 Professional accomplishment, 115  
 Professional Incompetence, 138  
 Professional Misconduct, 138  
 Professor, 131  
 Promotion, 131–35  
   artists-in-residence, 134  
   librarian ranks, 134  
   professorial ranks, 131  
   Senior Lecturer, 110  
   teaching associates, 135  
   writers-in-residence, 134

## R

Reappointment  
   artists-in-residence, 122  
   Full-time Lecturers, 124  
   instructors, 123  
   librarians, 121–22  
   professorial ranks, 113–21  
   Teaching Professors, 124  
 Registrar  
   designated as member of the faculty, 148  
 Reimbursements for professional activities, 147  
 Reporting Suspected Harassment and Discrimination, 610  
 Research Associate, 110  
 Retaliatory Actions, 617  
 Retirement, 403  
   defined, 403  
   Early Retirement, 404  
   retirement plan, 403  
 Review of senior administrative officers, 505–6

## S

*Sabbatical leaves of absence*  
   application procedures, 136  
   criteria for evaluating proposals, 136  
   *eligibility*, 135  
   reporting required, 136  
   salaries, 137  
 Sabbatical Leaves of Absence, 135–37  
 Safety in the Workplace Committee, 302  
 Scholarship, 115  
 Senior Artists-in-Residence, 134  
 Senior Associate Director of Admissions  
   designated as member of the faculty, 148  
 Senior Instructor, 135  
 Senior Lecturer  
   category of faculty, 110  
 Senior Writer-in-Residence, 134  
 Sexual harassment, 608  
 Sexual Harassment  
   Policy, 607  
 Sexual Harassment Defined, 608  
 Skidmore College Mission Statement, 602  
 Software, 104  
 Sponsored Project Agreement, 104

Sponsored Project Agreements, 105  
 Student evaluations, 111, 112  
   all-college, 218–19  
   departmental, 219  
 Student Evaluations, 218–19  
 Student Handbook, 609  
 Submitting grades, 112

## T

Teaching criteria, 114  
 Teaching Professor, 110  
 Teaching Professors, 109  
   criteria for continued service, 119  
   evaluative criteria, 119  
 Tenure, 125–31  
   appeal of negative tenure decisions, 130–31  
   review of negative tenure decisions, 130  
   Tenure Appeal Committee, 213  
   Tenure Review Board, 212  
 Tenure Appeal Committee  
   access to information, 130  
   advocate, 130  
   appeal of negative tenure decisions, 130–31  
   composition, 130  
   function, 213  
   membership, 213  
   operating code, 131  
 Tenure Review Board  
   access to materials, 130  
   jurisdiction, 130  
   membership, 130, 213  
   relationship to Tenure Appeal Committee, 130  
 Third-Party Sexual Harassment, 609  
 Trademark, 104  
 Tuition Benefits, 403

## V

Verbal harassment, 608  
 Vice President and Dean of Admissions and Financial Aid, 504  
   designated as member of the faculty, 148  
 Vice President for Academic Affairs  
   Tenure Appeal Committee, 213  
 Vice President for Advancement, 502  
 Vice President for Finance and Administration and Treasurer, 501  
 Visiting Artist- or Writer-in-Residence, 110  
 Visiting Assistant Professor, 110  
 Visiting Instructor, 110  
 Visiting Lecturer, 109  
 Visiting Professor or Librarian, 110

## W

Work-for-hire, 104  
 Work-for-Hire, 104  
 Writers-in-Residence  
   appointment, 109

category of faculty, 110  
evaluative criteria, 119  
faculty governance, 148

promotion, 134  
visiting, 110