Skidmore College

Faculty Handbook

2020-2021

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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.

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 Appointments and Tenure Committee (ATC) and/or the Promotions Committee (PC) through established procedures. Recom4 (. (e)4.2. (e)4.2. (e)4.2. (e)1.7 (e)oc)4.2 (

The Committee on Academic Freedom and Rights (CAFR) and ATC 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 ATC 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 polices require employees to disclose all such inventions; (2) report the details of inventions and patents that have been made

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

III. Procedures for Administration of Invention Disclosures and Patents

A. Disclosure and Assignment

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. A

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

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 prograyeeeneLtuir8t of3.1 (ci)2.9

VII. RIGHTS, OBLIGATIONS, AND RESPONSIBILITIES OF ALL FACULTY

A.

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-6d i (y a)iy amtde d8 (c)-7.o (.)3 ( )108 ( )]TJ-0.00T*.26t-4 (t)-12.1 ir-9.6 inab'.(n)8 (,)-1 ( )TJ-10.00[-wind h

- 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

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

2. Reappointment of Librarians

During the 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

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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.

4. Reappointment of Instructors

During the third year of service, Instructors CTc -0.015 Tw 1857 0 Td[(ce)1.1 (e(he308 (a)-7.7Tc 0 Tw ( )Tj- C-0.3 p)-4 (r Tc

(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 (1) or (2), the result of a finding in favor of the appointee will be to return to the department for reconsideration.

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.

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 tenurial 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. , 40

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.

b. ATC shall annually disseminate its calendar, its operating code, and the operating codes of the Tenure Appeal Committee to all faculty.

c. ATC has the responsibility of securing information with respect to the candidate's teaching competence, professional accomplishment, and service to the academic community from all years and institutions the candidate applies towards tenure. 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, ATC [illegible]

of all letters, the Chair of ATC will give the candidate a list of names of those who have writtjEMC9e ( )-11.9unhoshottjE

k. Any member of the Faculty who is considered for tenure by ATC 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 ATCsos 1s E8 (a5)-vao37279 (i-t)2.9uao372-4 (o)t D(e t)2f(o)43 -Fati-te te toen

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shall initiate the review by convening the Tenure Appeal Committee (TAC), a committee consisting of the seven members of ATC 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 seven members of ATC to reconsider the case. The Tenure Appeal Committee will have access to the written information which ATC 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 April 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 ATC 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 ATC, 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 ATC 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/ e82 Tcadi Fnta tht s4 (r)-.9

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 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. <u>Procedures for Promotion</u>

   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

iii. 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 PC.

iv. For proportional tenure-track faculty appointments that are shared between two departments, a department and an ID program or two ID programs, PC 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.

v. Candidates being considered for promotion shall be sent a written notice by the Chair of PC that they are candidates for promotion.

vi. 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], 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

x. After conducting its deliberations, PC 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 PC, the Dean of the Faculty/Vice President for Academic Affairs and the Associate Dean of the Faculty (faculty affairs) meet with PC 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 PC of the recommendation. In the rare instance in which the President does not concur with the recommendations of PC, the President meets with PC 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 PC informs the AAC of the recommendations it made to the President.

xi. In the event that PC forwards a negative recommendation to the Dean of the Faculty/Vice President for Academic Affairs in a promotion case, PC 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 PC 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.

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 promeei e (a)-2.9ti5 (f)6.72.2 (A)10.1 (r)b-1.19e9.y(a)-2. t( )-12.2 (A)1sti-2.8 (r)-5.3tmen Cosh(a

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;

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 wchies for researc2.4 (ch) in.4 (ch) support of scholarly and/or curricular development w2.-7.1 (ic)-14.8 (h)5 ( )-12.1 (w)10.2 (ill c)-2.8 (o)-19.1 (n)5.1 (tr)-5.3 (ib)-19.1 (u)5

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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, arrted by the Dean of the Flty/Vice Prident for Academic Afairs upon recommendation of the Department Chair concered. 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.

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

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.

   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 rectiTd0078Tj/TTzÈxxhed turinsin 33.482TT1 1 Tf0.002

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.

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 2 (B.9 (70)8 t)-12.1

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 duly constituted [illegible]

2.

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 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 n7.8 ( )-1217

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.

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:

Humanities:	Pre
Art History	
Asian Studies	
Classics	
English	
World Languages & Literatures	
Media and Film Studies	
Moore Documentary Studies Collaborative	
Philosophy	
Religious Studies	

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, full-year full-time Instructors, and Teaching Professors;

   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 Registrar; the Director of Institutional Research; the Senior Associate Director of Admissions; the Director of Master of Arts in Liberal Studies Program; the Managing Director of Academic Programs, Residencies, Institutes and Community Programs; the Dayton Director of the Tang Teaching Museum and Art Gallery; and the Associate Director for Curatorial Affairs of the Tang Teaching Museum and Art Gallery;

   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 ATC 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*.

Addendum: Summary Table of Rules Relating to Motions

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

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

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b. APPOINTMENTS AND TENURE COMMITTEE (ATC) — Elected

Function: To represent the Faculty on administrative appointments and reviews and on faculty appointments, promotions related to the tenure process, and tenure, and to make recommendations on these matters to the appropriate administrative officer. The Administration shall consult ATC to determine which administrative personnel decisions the committee judges to rey1/4MCID81es t]TJ0.007 (771

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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 maj15.289 01x [65..8 (j15.289 01x.12 f

g. FACULTY DEVELOPMENT COMMITTEE (FDC)

and Director of Campus Life; the Director of the First-Year Experience; and three students appointed from members of the Forum.

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 bycetcf eSc-12 or4 (-

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

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 and Treasurer; the Collyer 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 Vice President for Communications and Marketing; the Vice President for Strategic Planning and ICidtit12.1 (ns5 (d)o)-7 .1 (m)5.1 (a)-2.8 (n)l -1.9 (e)-12.2 (n)v (e)-2.8 ( )-5.3

original hearing or investigation, that could substantially impact the original finding or sanction; or (c)

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 e

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 f

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

III. THE COLLYER VICE PRESIDENT FOR ADVANCEMENT

The Collyer 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 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 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 i[-2.8 ( )2.9 (( )2.9 (( )2.98 (As)-6.8 ()Tj0.001 Tc 08 (es)I)-2)3

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-

Reviews of the President should be run periodically by the Board of Trustees, and the manner in which such

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 emplu[H1. 0.3ts

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[8] and state laws protecting qualified individuals with documented

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

a.

2. The ADEWD, in consultation with the

- 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

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 rm45 TDoeio12.9 (45.4 (ela TD[(i)2-4 (en)8 (t)2.9 o)-4.1 (f)2.4 (as)e11.9 (x)8.1 (n)8 (al)2.9 ( )-2.9 (h)8 (3r)-2.4 (as)-6.6 6s)-6.5 (

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 Chief Human Resources Officer. If the appropriate official has a conflict of interest, the Chief Human Resources Officer 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[9] 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 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

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

and the Chair of FEC (in the case of faculty) or the Chief Human Resources Officer (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[10] 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 w (i1 (a)-2.7 (s)2.4t1 (h)5 (e)-2.8C)3pe
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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.

L. Legal Protections and External Remedies

Sexual harassment is

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally (within the College) does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.
DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Ps o Psharsccu54 bl sslrh a co ar deteroe m ch bolt rsrx 89 (s)5.4 (e)-7 (J0.073 Tw 0 -1.1454TD[(h)

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