# Skidmore College

## Faculty Handbook

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# 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 Meetings, Bylaws, 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.

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# 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 IV (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, granting of tenure, and dismissal, are primarily a faculty responsibility based upon the fact that its judgment is central general educational policy. Determinations in these matters are first made by the Appointments and Tenure Committee (ATC) and/or the Promotions Committee (PC)

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 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.

***Intellectual Property at Skidmore College***[2]

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***

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[2]

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***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, 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)13.7D (a)4.2dopt6T5 ( or)14/ioy1D/i s1 3

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 faculty employees (e.g., student employees) when they are working under the supervision of a faculty member who

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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 applirms (t i)-Toposes.onrohse,hperes on

In the event of disputes between 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 po 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 intellectu property interests that are subject to the terms of a Sponsored Project Agreement.

VI.

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. 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 X (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

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 en.3 (o)-4

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The standards by which Departments, Programs, ATC, PC, 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 r are necessarily community-based. Therefore, the judgments of departments and programs, and especially ATC and PC as the body elected by the faculty to represent the faculty in matters of promotion and tenure, necessarily set the stand 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 performi 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 academ community is enriched through the broad range of academic backgrounds, interests, and perspectives of its diverse facu

Decisions to reappoint, tenure, or promote faculty members are based on the quality of their credentials in three are performance as teachers, achievement as scholars or artists, and contribution to the welfare of the college commu beyond the classroom. Teaching of high quality is paramount and the primary criterion. No degree of excellence scholarship or artistic achievement, no record of unusual productivity or service to the community will compensate fo 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 deve and retain first-rate teachers-scholars whose professional achievements beyond teaching demonstrate a will and capacity t 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 purpose and needs. Skidmore College recognizes that the balance of an individual faculty member's commitmen responsibilities will vary according to individual strengths and interests; the needs of departments, programs, and t college; as well as the development of the individual's career. As the faculty member matures and seeks recognition a seniormember of the professoriate, the expectation for more significant service is balanced with the college's expectatio 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 ar expected to excel. Nonetheless, it behooves the college to articulate general criteria identifying areas of performance t 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 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; ATC; PC; the Associate Dean of the Faculty (faculty affairs); the Dean of the Faculty/Vice President for 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 abov
- *evidence* comprises documents and other supportive materials submitted as part of the dossier that are used those charged with making judgments in the faculty review process to determine whether a candidate for revie 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 considere in a review). Such a pattern could be a trend (a trend toward improvement), and it could admit a small numb

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

- *Serice 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 kn95.2 (c)alg otonno afa1a andd drad m9 2.1ob (n)0.ta95.2 (112 (ds (i)2.9 (s)5.l))-a(s)5.lti6.1 (r

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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

ii. The Associate Dean of the Faculty (faculty affairs) must, on or before February 14, 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 ATC on or before February 15.

iv. If the recommendations of the department and the Associate Dean of the Faculty (faculty affairs) differ, ATC 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 before March 1.

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 member from another department who indicates willingness to serve, chosen by the Dean of the Faculty/Vice President for Academic Affairs in consultation with ATC FRh 9 . 2 ( n e ) - . 4

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 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. *Third Year*

i. An appointee will be evaluated in the third year according to department procedures. The Department or PPC Chair must submit, at a minimum, a recommendation letter that summarizes (1) the department's or program's recommendation, positive or negative, and (2) the evidence supporting the recommendation, to the Associate Dean of the Faculty (faculty affairs) on or before January 15 of the appointee's third year. If faculty members eligible to write on the candidate's behalf as indicated by

(2) I

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 tenure 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(k)-4 (i)14(ni)-7.8Tc 0 T-17.2 (y.002( t)-5.1.8 (c004 Tw 3q (U)-1t)2.9 (ena4 ( f)9.7 ( han-5.2 ( i)-17.1 e-5.1 (et )19.8 e

position. The credited years of service, which the faculty members will utilize at their discretion, will be included in the individual written contract, as negotiated among the faculty member, the faculty member's Department Chair or Program Director, and the Dean of the Faculty/Vice President for Academic Affairs. To exercise this option, the faculty must decide before April 1 of the year the faculty member elects to be considered for tenure. After consulting with the Department Chair or Program Director, the faculty member must specify the chosen option in writing to the Department Chair or Program Director and the Dean of the Faculty/Vice President for Academic Affairs by April 1.

d. 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 fourth

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 V [Leaves of Absence].)

d.

b. ATC shall annually disseminate its calendar, its operating code, and the operating codes of the Tenu 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 V

of all letters, the Chair of ATC 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, a

year

when there is a conflict of interest in a tenure case. Specifically, former members who do not have a conflict of interest and are not on leave are solicited in order of most recent time of full membership (not substitute membership for a single case) on the ATC/CAPT

7. Appeal of Negative Tenure Decisions

   a. If the TRS

To merit promotion, a faculty member must present evidence documenting having met relevant standards in thr
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,

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, the 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 the 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 IV [Appointments to the Faculty], Sections A [Tenure-Track Appointments] and E [Non-Tenure-Track Appointments], number 2 [Artist- or Writer-in-Residence] shall be consulted and shall write letters to the Chair. In consultation with the candidate, the Department Chair may request letters from program directors and other chairs if the candidate's affiliation with, or contribution to, another program or department has been especially consequential. If the candidate holds a proportional appointment, colleagues from both departments/programs must evaluate the candidate. 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 PC

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 PC

vii. Promotion files shall include the following:

(1) an updated CV, which makes clear what has been achieved since the last promotion.

(2)

a Service Statement, which articulates service goals and accomplishments that demonstrate record of sustained, significant, and effective service to the college.

(6) Annual Reports for the past six years.

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viii. Candidates for promotion may solicit letters on their behalf from reviewers familiar with their credentials from outside the college-

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

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.

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 applicant's Department Chair or Program Director at least two weeks prior to submission of application. The Department Chair or Program Director must then submit the online approval form.

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, including plans for publication, exhibition, performance, innovation in pedagogy, preparation of new course, or modification of existing courses

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 in agreement with the Dean of the Faculty/Vice President for Academic Affairs. Permission 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 Ealuating 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 with opportunities for research in support of scholarly andd51 Tc 0.004 Tw -1.675 -1.157 Td [(s)2.5 ()8 (y)5 popport pphol5 popporechol251 Tc 0.004 pw 0. Td

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 pay 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

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 allegations 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 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) 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 [illegible]

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# FACULTY HANDBOOK

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 pof a tenured facum (m)12.9 (be)4.22 be 6 (m)25(i)-5.2 (s)9.5 -4

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 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

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, all) 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 get 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.

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 (e.g., [illegible])

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D. D

C. Upon approval of a proposal to es

# I. FACULTY MEETING BY-LAWS

## Article I. The Faculty Meeting

A.

Article II. The Presiding Officer

A. The Dean of the Faculty/Vice President for Academic Affairs shall preside over the Faculty Meeting. In the absence of the Dean of the Faculty/Vice President for Academic Affairs, the presiding officer will be in successive order

1. The President;
2. The Chairperson of the Faculty Executive Committee;
3. A member of the Faculty selected by the Faculty Meeting.

B. The Dean of the Faculty/Vice President for Academic Affairs 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

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--

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 to the 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 hand-count 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, and 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

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 star 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 |
|---|---|---|---|---|---|---|

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

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, ATC, PC, CEPP, Curriculum, CAFR, Pericles Honors Forum Council, Faculty Development, Athletic Council, and FAB. Faculty representatives on appointive committees of the Faculty are appointed by FEC from those in the ad hoc service pool. FEC also participates in the appointment of faculty representatives to various all College committees.

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 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 service preferences 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 Faculty/Vice President for Academic Affairs in consultation with FEC.

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; the Dean of Students and Vice President for Student Affairs or a designated representative; and two students selected by SGA; and the faculty director of assessment who, as an ex officio member, serves as liaison between CEPP and the IPPC subcommittee on institutional effectiveness. CEPP may appoint such subcommittees from among its members or from the College community at large as it deems helpful to facilitate its work.

e. 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 ATC and PC; to advise and make appropriate recommendations.

A subcommittee of CAFR consisting of the three tenured faculty, the Tenure Review Subcommittee (TRS), reviews negative tenure recommendations at the request of the candidates. The TRS may consult with the ATC, members of the candidate's department, and/or the Dean of the Faculty/Vice President for Academic Affairs, if necessary. In the event that the TRS determines that a tenure case requires reconsideration, the TRS will convene the Tenure Appeal Committee to reconsider the case. The TRS is free to discuss with the administration or with the Chair of ATC issues raised by a candidate that although not warranting an appeal nonetheless might improve future tenure deliberations. If the complaint involves alleged harassment or discrimination in violation of the college's policies as outlined in Part Six, in addition to carrying out the TRS investigation, the TRS will notify the Dean of the Faculty/Vice President for Academic Affairs following the procedures set forth in Part Six, Article VII [Procedures for Resolving Complaints of Harassment or Discrimination against Faculty Members].

Members of the TRS may not participate in the tenure cases of candidates with primary affiliation in their own departments/programs and a substitution will be made by the remainder of the committee from the most recent former members of CAFR with tenure.

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 ATC, IPPC, CAS, or FAB, at least one of whom is untenured at the time of election and at least three of whom are tenured, each to serve a three-year term and each from a different department; and no more than two 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.

f. 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 designated

Membership:

by SGA to be appointed each year to serve a one-

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 IX, 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

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 an 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

**2022-2023**

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# PART FOUR

# BENEFITS

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 worf ( s)5.0Vd7-4 (f)9.7 ( )-12.2 Pmf.1 (t)2.8 ( (f)9.7 (f (ean)8 ( )0

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 the faculty, to include:

- Matriculated Students at Skidmore College
- Non-Matriculated Students at Skidmore College
- Students at Other Colleges

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 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 planned 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 a

## 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 or 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 Vice President for Strategic Planning and Institutional Diversity). The composition of the Cabinet is determined by the President and may be altered upon 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 COLLYER VICE PRESIDENT FOR ADVANCEMENT

TheCollyer Vice Preside

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

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 ATC.

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 ATC, 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 ATC to provide an oral report summarizing the results of the review. The members of ATC

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 ATC 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 sealed,

# 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. Under the policy against w

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:4 Tm [(2022-)3 (201 (no2022-)3 (2)T
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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 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 academic life on campus should contact the Coordinator of Student Access Services to disclose the condition and to request accommodations. Any faculty member with a disability who requ bincljc moeabeianp(e)-7.8 (m)12. (ny)24.12 (a)

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

B. Employees' Liability for Violations of these Policies

Any employee of Skidmore College who violates the policies described above is subject to disciplinary action,

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may occur at campus-sponsored events or programs, such as athletic events, internship arrangements, and

## 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,

When to report. A report must be made to the College within 60 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 Coeqe cannotegee86045 Tw T*12.2 (h).9(e)-19(e)-2.8 oT* [(5.1 ().9(e)-19(e)- Tc 0 455 2 (m)0.9 (a)-19.8

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 pr ; ia h limit95.1 (e)-11.9 a (s)5.5 (i)-36.w 5 (f)-9.h (v)8 (a 2-89.8

- be granted confidentiality, to the extent possible, 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., witness 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. At that time, the Dean of the Faculty/Vice President for Academic Affairs 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, 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 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, to the extent possible, 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 documentsJ 0 Tc 0 T6t - x recoatrp

and the Chair of FEC (in the case of faculty) or the Chief Human Resources Officer (in the case of staff) will

*State Human Rights Law (HRL)*

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 **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** 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 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. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award appropriate remedies.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov. Employees may also contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR.

*Ciil Righ ts Act of 1964*

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and

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.

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 student, 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 Employment, Compliance, and Workforce Diversity
Skidmore College
815 North Broadway
Saratoga Springs, NY 12866-1632
Tel: (518)-580-5800
https://www.skidmore.edu/hr/index.php

Chief Human Resources Officer
Human Resources, Barrett Center
Skidmore College
815 North Broadway
Saratoga Springs, NY 12866-1632
Tel: (518) 580-5800

## PART SEVEN

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