



**ITHACA COLLEGE**

**POLICY MANUAL**

**VOLUME IV**

**FACULTY HANDBOOK: POLICIES  
AND PROCEDURES PERTAINING  
TO FACULTY**

Approved by the Ithaca College Board of Trustees  
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**Volume IV**  
**POLICIES AND PROCEDURES PERTAINING TO FACULTY**

**Table of Contents**

|            |  |          |
|------------|--|----------|
| <b>4.0</b> | <b>GENERAL STATEMENT.....</b>  | <b>1</b> |
| 4.0.1      | Board Policy on Faculty Governance and Employment.....                                     | 1        |
| 4.1        | RANKED ACADEMIC FACULTY .....  | 1        |
| 4.1.1      | Criteria for Appointment to Specific Ranked Faculty Status .....                           | 1        |
| 4.1.2      | Lecturer.....  | 1        |
| 4.1.3      | Instructor.....  | 2        |
| 4.1.4      | Assistant Professor.....   | 2        |
| 4.1.5      | Associate Professor.....   | 2        |
| 4.1.6      | Professor .....  | 2        |
| 4.1.7      | Variance of Criteria.....  | 3        |
| 4.2        | CLINICAL FACULTY .....   | 3        |
| 4.3        | OTHER TITLES .....   | 3        |
| 4.3.1      | Professor Emeritus/Emerita.....  | 3        |
| 4.3.2      | Artist/Writer/Scholar-In-Residence .....   | 4        |
| 4.3.3      | Visiting Assistant Professor, Visiting Associate Professor, and Visiting Professor.....    | 4        |
| 4.3.4      | Librarians .....   | 4        |
| 4.3.5      | Administrative Officers and Academic Rank .....  | 4        |
| 4.3.5.1    | Hiring Provost with Tenure.....  | 5        |
| 4.3.5.2    | Hiring Deans with Tenure .....   | 5        |
| 4.4        | THE FACULTY'S OBLIGATIONS, RIGHTS, ACADEMIC FREEDOM, AND CODE OF ETHICS.....               | 6        |
| 4.4.1      | Academic Freedom and Responsibility .....  | 6        |
| 4.4.1.1    | Academic Authority and Responsibility.....   | 6        |
| 4.4.1.2    | Professional Ethics .....  | 7        |
| 4.4.2      | Indemnification .....  | 8        |
| 4.4.3      | Violations of Faculty Rights, Academic Freedom, and Professional Ethics.....               | 8        |
| 4.5        | FACULTY DEVELOPMENT .....  | 8        |
| 4.5.1      | Sabbatical Leaves (see also section 4.8.1).....  | 9        |
| 4.5.2      | Policies Regarding External Activities .....   | 9        |
| 4.5.2.1    | Community Service.....   | 9        |
| 4.5.2.2    | Outside Employment .....   | 10       |
| 4.6        | WORKLOAD .....   | 10       |
| 4.6.1      | Academic Workload.....   | 10       |
| 4.6.2      | Office Hours.....  | 10       |
| 4.7        | INSTITUTIONAL POLICIES PERTAINING TO FACULTY CONDUCT .....                                 | 10       |
| 4.7.1      | Human and Laboratory Animal Subject Research .....   | 10       |
| 4.7.2      | Scientific Misconduct .....  | 10       |
| 4.7.3      | Plagiarism .....   | 11       |
| 4.7.4      | Missed Classes .....   | 11       |
| 4.8        | FACULTY LEAVES OF ABSENCE WITH AND WITHOUT PAY .....                                       | 11       |
| 4.8.1      | Sabbatical Leaves for Tenured Faculty.....   | 11       |
| 4.8.2      | Unpaid Leaves of Absence.....  | 11       |
| 4.8.3      | Reductions in Load.....  | 12       |
| 4.8.4      | Leaves or Reductions in Load Due to Medical Reasons .....                                  | 12       |
| 4.9        | DEFINITIONS AND TYPES OF APPOINTMENTS .....  | 13       |
| 4.9.1      | Term Appointments .....  | 13       |
| 4.9.2      | Notice Appointments .....  | 14       |
| 4.9.2.1    | Tenure-Eligible Notice Appointments.....   | 14       |
| 4.9.2.1.1  | Extension of Tenure Date Due to Family Responsibilities or Personal Health Condition ..... | 14       |
| 4.9.2.2    | Non-Tenure-Eligible Notice Appointments.....   | 15       |
| 4.9.3      | Continuous Appointments (Tenure) .....   | 15       |
| 4.9.4      | Part-Time Per-Course Appointments .....  | 15       |
| 4.9.5      | Adjunct Appointments.....  | 16       |
| 4.9.6      | Contracts and Contract Policies .....  | 17       |

|            |  |    |
|------------|--|----|
| 4.9.7      | Planning Units and Staffing Plans .....  | 17 |
| 4.9.8      | Changes in Educational Programs and Staffing Plans .....                                       | 18 |
| 4.9.9      | Combining Two Planning Units and Creating New Planning Units .....                             | 19 |
| 4.9.9.1    | Financial Exigency.....  | 19 |
| 4.10       | GUIDELINES FOR SEARCH, APPOINTMENT AND ORIENTATION OF FACULTY .....                            | 20 |
| 4.10.1     | General Guidelines .....   | 20 |
| 4.10.2     | Search and Screen Guidelines.....  | 20 |
| 4.11       | FACULTY PERSONNEL RECORDS .....  | 20 |
| 4.11.1     | Official Personnel File.....   | 20 |
| 4.11.2     | Official Evaluation Folder.....  | 21 |
| 4.12       | EVALUATION OF FACULTY.....   | 21 |
| 4.12.1     | General Information Regarding Evaluation .....   | 21 |
| 4.12.2     | Policies and Procedures Regarding Faculty Appointments, Evaluation, Tenure and Promotion<br>22 |    |
| 4.12.3     | Major Formal Evaluations of Tenure-Eligible Faculty.....                                       | 22 |
| 4.12.4     | Procedures for Major Formal Evaluations of Tenure-Eligible Faculty .....                       | 23 |
| 4.12.5     | Confidentiality .....  | 23 |
| 4.12.6     | Criteria for Major Formal Evaluations of Tenure-Eligible Faculty.....                          | 24 |
| 4.12.7     | Teaching, Scholarship/Professional Activity, Service .....                                     | 24 |
| 4.12.7.1   | Teaching.....  | 24 |
| 4.12.7.1.1 | Advising Students.....   | 25 |
| 4.12.7.2   | Scholarly Research and Creative Work .....   | 25 |
| 4.12.7.2.1 | Types of Scholarship .....   | 26 |
| 4.12.7.2.2 | Assessment of Scholarship .....  | 27 |
| 4.12.7.2.3 | Standards Interpreting the Scholarship Requirement.....  | 28 |
| 4.12.7.3   | Service.....   | 28 |
| 4.12.7.3.1 | Service to the Department, Planning Unit, and/or School.....                                   | 28 |
| 4.12.7.3.2 | Service to the College .....   | 28 |
| 4.12.7.3.3 | Service to the Profession.....   | 28 |
| 4.12.7.4   | Student Evaluation.....  | 28 |
| 4.12.8     | Documentation .....  | 28 |
| 4.12.9     | Evaluation of Part-Time Per-Course and Adjunct Faculty.....                                    | 29 |
| 4.13       | TENURE APPOINTMENTS .....  | 29 |
| 4.13.1     | Promotion Policies and Procedures .....  | 29 |
| 4.13.1.1   | Criteria for Promotion and Tenure .....  | 29 |
| 4.13.1.2   | Procedures for Tenure and/or Promotion .....   | 30 |
| 4.13.1.3   | Confidentiality in Tenure and/or Promotion Reviews .....                                       | 30 |
| 4.13.1.4   | Preparing for the Tenure and/or Promotion Review.....  | 30 |
| 4.13.1.5   | Procedures for the Tenure and/or Promotion Review.....   | 30 |
| 4.13.1.6   | Date of Tenure and/or Promotion .....  | 32 |
| 4.13.2     | All-College Faculty Tenure and Promotion Committee .....                                       | 32 |
| 4.13.2.1   | Membership.....  | 32 |
| 4.13.2.2   | Term of Office.....  | 33 |
| 4.13.2.3   | Committee Duties .....   | 33 |
| 4.13.2.4   | Authority to Which the Committee is Responsible .....  | 35 |
| 4.13.3     | Faculty Personnel Appeals Committee .....  | 35 |
| 4.13.3.1   | Membership.....  | 35 |
| 4.13.3.2   | Terms of Office.....   | 35 |
| 4.13.3.3   | Committee Duties .....   | 35 |
| 4.13.3.4   | Procedures .....   | 35 |
| 4.13.3.5   | Authority to Which the Committee is Responsible .....  | 37 |
| 4.14       | SERIOUS INSTRUCTIONAL DEFICIENCIES IN TENURED FACULTY .....                                    | 37 |
| 4.14.1     | Identification of Deficiencies .....   | 37 |
| 4.14.2     | Correction of Serious Instructional Deficiencies.....  | 37 |
| 4.14.3     | Failure to Correct Serious Instructional Deficiencies .....                                    | 38 |
| 4.15       | SEPARATION.....  | 38 |
| 4.15.1     | Resignation.....   | 38 |
| 4.15.2     | Termination by Mutual Consent .....  | 39 |
| 4.15.3     | Retirement .....   | 39 |

|            |  |    |
|------------|--|----|
| 4.15.4     | Notice of Non-Reappointment .....                                  | 39 |
| 4.15.5     | Separation from Employment Due to Medical Reasons .....            | 39 |
| 4.15.6     | Procedures for the Warning and Dismissal of a Faculty Member ..... | 39 |
| 4.15.6.1   | Letter of Warning .....  | 39 |
| 4.15.6.2   | Letter of Dismissal .....  | 40 |
| 4.15.6.3   | Letter of Immediate Suspension .....                               | 40 |
| 4.16       | GRIEVANCE POLICY .....   | 41 |
| 4.16.1     | Definitions .....  | 41 |
| 4.16.1.1   | Grievance .....  | 41 |
| 4.16.1.2   | Grievant .....   | 41 |
| 4.16.1.3   | Respondent .....   | 41 |
| 4.16.1.4   | Petition.....  | 41 |
| 4.16.1.5   | Business Days .....  | 41 |
| 4.16.1.6   | Receipt.....   | 41 |
| 4.16.1.7   | Grievance Committee .....  | 41 |
| 4.16.1.8   | Fact-Finding Committee.....  | 41 |
| 4.16.1.9   | Report.....  | 41 |
| 4.16.1.10  | Appropriate Vice-President.....                                    | 41 |
| 4.16.2     | Scope of a Grievance .....   | 41 |
| 4.16.2.1   | 41   |    |
| 4.16.2.2   | 42   |    |
| 4.16.2.3   | 42   |    |
| 4.16.2.4   | 42   |    |
| 4.16.2.5   | 42   |    |
| 4.16.3     | The Grievance Procedure .....                                      | 42 |
| 4.16.3.1   | Extension of Deadlines .....                                       | 42 |
| 4.16.3.2   | Informal Problem Solving.....                                      | 43 |
| 4.16.3.3   | The Formal Grievance Procedure.....                                | 43 |
| 4.16.3.3.1 | 43   |    |
| 4.16.3.3.2 | The Grievance Petition .....                                       | 43 |
| 4.16.3.3.3 | Supporting Documentation .....                                     | 44 |
| 4.16.3.3.4 | The Fact-Finding Committee .....                                   | 44 |
| 4.16.3.3.5 | The Grievance Committee.....                                       | 45 |
| 4.16.3.4   | Presidential Review .....  | 46 |
| 4.16.3.5   | President as a Direct Party to Action .....                        | 46 |
| 4.17       | AMENDMENT OF HANDBOOK .....  | 46 |

## **Volume IV — FACULTY HANDBOOK: POLICIES AND PROCEDURES PERTAINING TO FACULTY**

### **4.0 General Statement**

The College shapes its faculty personnel policies within the framework of its mission and corollary goals. Policies concerning recruiting, retaining, evaluating, and promoting faculty members within the College will be governed by principles found in the stated mission and goals.

The College requires highly motivated, thoroughly prepared faculty members committed to maintaining a stable, purposeful collegial community. The entire College community, therefore, sustains the body of faculty members and supports their professional development.

This Volume IV of the *Ithaca College Policy Manual* contains the approved policies and procedures of the College that concern the terms and conditions of faculty employment. As such, it is part of the rules and regulation of the College. The provisions of the *Faculty Handbook* (including the amendment procedure) are not intended to supersede or alter the authority of the Ithaca College Board of Trustees or its bylaws. The provisions of this Volume IV will remain in effect until changed by the procedures contained in section 4.17. Any misapplication, misinterpretation, or violation of specific provisions in this Volume IV of the *Ithaca College Policy Manual* is subject to provisions of the grievance procedure, section 4.16.

The administrative or staff responsibilities of faculty members with administrative or staff appointments are specified in the individual contracts of such faculty members. All faculty appointments have as the locus of their appointment the applicable planning unit within the school stated in their letter of appointment. Dual appointments to different academic units may be granted a faculty member. In such a case, the provost/VPAA in consultation with the faculty member and any applicable deans will select one academic unit as the faculty member's primary academic unit for the purpose of this Volume IV of this *Ithaca College Policy Manual* (e.g., governance, evaluation, promotion, tenure, and separation). In the case of a dual appointment, the non-primary academic unit shall be represented in evaluative decisions (e.g., evaluation, promotion, tenure, and separation).

#### **4.0.1 Board Policy on Faculty Governance and Employment**

The faculty of Ithaca College shall be governed for employment by the applicable provisions of the *Ithaca College Policy Manual* and, in particular, this Volume IV as approved by the Ithaca College Board of Trustees.

### **4.1 Ranked Academic Faculty**

The ranks assigned to academic faculty include lecturer, instructor, assistant professor, associate professor, and professor.

#### **4.1.1 Criteria for Appointment to Specific Ranked Faculty Status**

At the time of initial appointment of a full-time or part-time per course faculty member, the provost/VPAA, in consultation with the department chair and/or the applicable dean, shall make a judgment about rank for the faculty member's initial contract using the criteria described in this Volume IV of the *Ithaca College Policy Manual*.

#### **4.1.2 Lecturer**

The rank of lecturer is normally accorded to holders of part-time per-course appointments.

#### **4.1.3 Instructor**

For appointment to instructor the criteria are:

- a) Possession of the master's degree or a professional degree; or demonstration of substantial progress toward the terminal degree.
- b) Evidence of potential for and commitment to teaching excellence and evidence of scholarly or other appropriate professional interests.

Instructors in tenure-eligible notice appointments do not enter the fourth tenure-eligible year without having been considered for promotion to assistant professor. Instructors who do not meet the criteria for promotion to assistant professor during the third year must be notified that the fourth year will be the terminal year of their appointment.

#### **4.1.4 Assistant Professor**

For promotion to or appointment as assistant professor the criteria are:

- a) Ordinarily, possession of the appropriate terminal degree.
- b) Evidence of potential for and commitment to teaching excellence and scholarship or other appropriate professional activity.

#### **4.1.5 Associate Professor**

For promotion to or appointment as associate professor the criteria are:

- a) Possession of the appropriate terminal degree.
- b) Normally, a minimum of six years of teaching experience as an assistant professor, or as an instructor and assistant professor if the initial appointment was as an instructor.
- c) A sustained record of teaching excellence.
- d) Evidence of significant scholarly or appropriate professional attainment and promise of continued scholarly or appropriate professional development.
- e) Evidence of service to the academic community.

#### **4.1.6 Professor**

For promotion to or appointment as professor the criteria are:

- a) Possession of the appropriate terminal degree.
- b) Normally, a minimum of six (6) years of teaching experience as an associate professor.
- c) Evidence of continued teaching excellence.
- d) A sustained record of significant scholarly or appropriate professional attainment.
- e) Evidence of having attained regional or national stature in the discipline; or evidence of distinguished academic leadership at the department, planning unit, school or College level.

- f) Evidence of significant service to the academic community.

#### **4.1.7 Variance of Criteria**

At the request and/or approval of the planning unit and with the permission of the president of the College, the foregoing criteria for ranked faculty members may be modified or waived by the provost/VPAA to accommodate extraordinary circumstances.

#### **4.2 Clinical Faculty**

Clinical faculty perform both academic and clinical functions. Their academic functions include teaching, scholarly/professional activities, and service. Their clinical functions include service to clients in on-campus health care units. Clinical faculty ranks include clinical lecturer, clinical instructor, assistant clinical professor, associate clinical professor, and clinical professor. Specific terms of appointment and promotion are described in the personnel policies of their respective planning units.

#### **4.3 Other Titles**

##### **4.3.1 Professor Emeritus/Emerita**

*As approved by the Ithaca College Board of Trustees 10/22/2010.*

The title of professor emeritus/emera is an honorary title awarded after retirement in recognition of a sustained record of significant contributions to the College over a period of time.

This is an honorary title awarded after retirement to those who have made sustained contributions to the College and/or to their profession in teaching, scholarship, and service

To be eligible for emeritus/emera status a faculty member must:

- a) have served at least fifteen years at the College;
- b) have been tenured;
- c) have had a sustained record of significant contributions in teaching, scholarship and professional activity, and;
- d) have had a sustained record of significant service to Ithaca College

Faculty may not be nominated prior to the date of retirement. Department faculty may not begin consideration or discussion of any candidate prior to the date of retirement.

Ordinarily, a faculty member's department, school or division will nominate a faculty member for emeritus/emera status, but an individual may be nominated by any member of the College community. Nominations shall include documentation of the merit of the candidate relative to the criteria above. Nominations not generated by the candidate's department will first be sent to the appropriate department for its review and comment.

Timeline:

- Individuals may be nominated at any date following retirement
- Deans will review nominations by November 1<sup>st</sup> of each year and forward nomination(s) along with their recommendation(s) to the provost by January 1<sup>st</sup>
- The provost will review and forward recommendation(s) to the president
- The president will review and forward recommendation(s) to the Board of Trustees at the Winter Board meeting.
- Posthumous awards may be granted to retired faculty or to faculty who die prior to retirement.

Faculty being honored will be recognized at Commencement. Emeritus/emerita status is effective on June 1<sup>st</sup>.

Perquisites for professors emeriti/emerita include:

- a) Title;
- b) Library privileges;
- c) Complimentary athletic pass;
- d) Parking privileges;
- e) Faculty discount at bookstore, concerts, plays, etc.;
- f) Office and laboratory space, where available (Specific requests should be submitted through the dean);
- g) Staff support, where feasible. (Specific requests should be submitted through the dean);
- h) Continued use of the faculty member's e-mail services through the College.

#### **4.3.2 Artist/Writer/Scholar-In-Residence**

The College may appoint distinguished artists, writers, poets, and scholars to the special status of artist/writer/scholar-in-residence. Such appointments shall be full-time or part-time depending on the needs of the College and are term appointments. The appointment of an artist/writer/scholar-in-residence does not prejudice the academic personnel rights of any other faculty member with respect to the contractual policies set forth in Volume IV of this *Ithaca College Policy Manual*.

#### **4.3.3 Visiting Assistant Professor, Visiting Associate Professor, and Visiting Professor**

These are titles usually assigned to individuals who are on leave or have retired from the College or other institutions and who will be teaching at the College for no more than two (2) years before returning to their home institutions or to their retired status.

#### **4.3.4 Librarians**

Librarians perform both academic and administrative functions. Their terms of appointment and promotion vary from those applicable to other faculty or staff and are described in section 5.9 of Volume V of the *Ithaca College Policy Manual*. Librarians provide essential academic services as an integral part of the teaching and learning process. They serve on faculty committees in order to be aware of and fully responsive to the curricular and informational needs of the College community. They also perform administrative functions required by the mission of the College library.

#### **4.3.5 Administrative Officers and Academic Rank**

*As approved by the Ithaca College Board of Trustees 5/19/2007.*

The president, provost/VPAA, associate and assistant provosts, deans, associate and assistant deans, and academic administrators may be given courtesy professorial rank with the approval of the planning units or schools within which they are ranked. The courtesy rank given (assistant professor, associate professor, or professor) shall be approximately equivalent to the administrator's experience and credentials as evaluated by the planning unit or school. Such faculty status or courtesy rank does not confer the faculty rights and duties described elsewhere in the *Ithaca College Policy Manual*.

An administrator does not accrue credit towards tenure while holding a courtesy rank, nor does the granting of rank permit the administrator to claim a position within the planning unit or school.

A tenured Ithaca College faculty member who is appointed from within the College and accepts a full-time administrative position at the College as president, provost/VPAA, associate and assistant provost, dean, associate and assistant dean, and academic administrator maintains rank and tenure in the department or division where tenure had been granted. By September 1 of the beginning of the second year in administration, the Ithaca College faculty member/administrator who accepts an administrative contract must inform the department, school and/or division and the provost/VPAA of the intent to return to the faculty or to continue in an administrative position. If the decision is to continue in administration, the tenured faculty member retains tenure in the department or division where tenure was granted. Should the faculty member/administrator choose to return to the faculty sometime in the future, the faculty member returns to the department or division in which tenure is held at a salary commensurate with the rank and experience within that department or division. This salary is to be paid from the Ithaca College administration budget and will not affect the department or division budget. This provision affects only those administrators appointed to their current positions on or after August 16, 1993.

The faculty position left vacant by an Ithaca College faculty member who is appointed from within the College into administration can be left vacant, covered by existing faculty resources, or filled by a temporary replacement. If filled by a temporary replacement, the position is a term appointment of no more than two years.

If, at the beginning of the second year of administration, the faculty member/administrator chooses to remain in administration, and if the department or division continues to have a need for this position, the department or division may at that time request a permanent position which may be a full-time tenure-eligible position. If the request is approved by the dean and provost/VPAA, the department or division may initiate a search for this position.

#### **4.3.5.1 Hiring Provost with Tenure**

*As approved by the Ithaca College Board of Trustees 5/15/2004.*

A candidate for the post of provost and vice-president for academic affairs who has earned and been granted tenure as a faculty member in an academic department of an accredited college or university, may be granted tenure by the Ithaca College Board of Trustees upon the recommendation of the relevant department, division and/or school tenure and promotion committee(s) and the president in accordance with the procedures outlined in the "Tenure Procedures for Provost Candidates" as found on file in the Office of the Provost/VPAA. The review by the relevant department, division and/or school will be based on the current *curriculum vitae* as submitted by the candidate under review. The school or division must involve each evaluating unit that would be used in the tenure review process for that area, excluding the dean. That is, if the candidate is seeking tenure in a school or division where both a department and school or division review take place, both bodies must be consulted. In schools or divisions where only one body reviews candidates for tenure, that body alone would do the review.

#### **4.3.5.2 Hiring Deans with Tenure**

*As approved by the Ithaca College Board of Trustees 5/15/2004.*

A candidate for a position of dean who has earned and been granted tenure as a faculty member in an academic department of an accredited college or university, may be granted

tenure by the Ithaca College Board of Trustees upon the recommendation of the relevant department, division and/or school tenure and promotion committee(s), and the provost and president in accordance with the procedures outlined in the “Tenure Procedures for Dean Candidates” as found on file in the Office of the Provost/VPAA. The review by the relevant unit will be based on the candidate’s current curriculum vitae as submitted by the candidate under review. The school or division must involve each evaluating unit that would be used in the tenure review process for that area, excluding the dean. That is, if the candidate is seeking tenure in a school or division where both a department and a school or division review take place, both bodies must be consulted. In schools or divisions where only one body reviews candidates for tenure, that body alone would do the review.

#### **4.4 The Faculty's Obligations, Rights, Academic Freedom, and Code of Ethics**

As an educational institution, the College does not wish to impose a rigid body of codified rules upon the members of its faculty. The following statements outline, in a general way, the obligations incumbent on faculty members of the College.

##### **4.4.1 Academic Freedom and Responsibility**

The College and its faculty support the concept of academic freedom and accept no limitations of academic freedom as it is described below in the excerpted and abridged statement from the American Association of University Professors and the Association of American Colleges:

##### Academic Freedom<sup>1</sup>

- a) Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- b) Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. (The intent of this statement is not to discourage what is “controversial.” Controversy is at the heart of the free academic inquiry which the entire statement is designed to foster. The passage serves to underscore the need for teachers to avoid persistently intruding material which has no relation to their subject.)
- c) College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate,<sup>2</sup> should exercise appropriate restraint, should show respect for the opinion of others, and should make every effort to indicate that they are not speaking for the institution.

##### **4.4.1.1 Academic Authority and Responsibility**

Subject to other provisions of the *Ithaca College Policy Manual* and the ultimate authority of the Ithaca College Board of Trustees, the faculty have primary responsibility for such fundamental areas as curriculum and instruction. These areas include, but are not limited to, such matters

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<sup>1</sup> AAUP *Policy Documents & Reports*, 1990 edition, pages 3-4, 5.

<sup>2</sup> The College and its faculty interpret this phrase to mean that faculty should strive to be accurate in their political utterances.

as academic policies; courses and programs; academic requirements; and standards for matriculation, admission, and academic standing.

Subject to the limitations described above, the faculty also have primary responsibility for faculty personnel matters, including, but not limited to, evaluation of faculty; establishment and review of planning unit, school, and College faculty personnel policies; definition of staffing needs and recruitment of faculty; and recommendations for reappointment, tenure, and promotion.

Faculty personnel actions, changes in or additions to curriculum, and changes in policies and procedures related to curriculum and personnel matters require faculty review and recommendation as specified in other sections of the *Ithaca College Policy Manual*.

In addition to the responsibilities listed above, there are other areas in which the faculty participate with the administration and other members of the College community. These include the selection of administrators and definition of the institutional needs of the College.

#### **4.4.1.2 Professional Ethics**

The College and its faculty accept the statement of professional ethics published by the American Association of University Professors and reproduced below, except as it conflicts with other statements in the *Ithaca College Policy Manual*.

##### Statement of Professional Ethics<sup>3</sup>

- I. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
- II. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals, and adhere to their proper role as intellectual guides and counselors. Professors make an effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
- III. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of the institution.

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<sup>3</sup> AAUP *Policy Documents & Reports*, 1995 edition, pages 75-76.

- IV. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it.<sup>4</sup> When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
- V. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

#### **4.4.2 Indemnification**

A faculty member faced with litigation arising from the performance of college-related professional responsibilities is entitled to legal defense and the coverage of any damages awarded to plaintiffs unless, in the determination of the president, the faculty member did not act in good faith, within the normal scope of the faculty member's duties, or in a non-malicious manner.

#### **4.4.3 Violations of Faculty Rights, Academic Freedom, and Professional Ethics**

Disputes involving a charge that a faculty member's rights or academic freedom have been abrogated or that professional ethics have not been maintained are to be settled through the established grievance procedures in section 4.16 of Volume IV of the *Ithaca College Policy Manual*. While affirming academic freedom as a right, the College recognizes that, in some circumstances, questions of academic freedom become enmeshed in questions of professional incompetence, misconduct, or irresponsibility. In the effort to distinguish between these sometimes confused issues, the guiding principle is that charges of professional incompetence, misconduct, or irresponsibility shall not be used to limit academic freedom, nor shall appeals to academic freedom be acceptable as a shield for professional incompetence, misconduct, or irresponsibility.

### **4.5 Faculty Development**

The College supports the academic growth of its faculty as teachers and scholars through a program for faculty development. Support opportunities include programs for the assessment and improvement of teaching, a sabbatical leave program, travel funds, institutional cost-sharing for sponsored projects, Dana professorships and scholarships, and a variety of internal grant programs for awards in support of research, instructional development, and interdisciplinary learning. These programs are described on the Provost's website (<http://www.ithaca.edu/provost/>).

The College has committed certain resources to assist faculty in applying for and administering grants from external agencies. Funds are available to allow the College to share costs with these agencies to support research and development of academic programs. College

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<sup>4</sup> This sentence refers to the responsibility described in section 4.5.2.

personnel are available to assist faculty at various steps of the grant process. The College offers these resources as part of its commitment to research and to faculty and curricular development.

#### **4.5.1 Sabbatical Leaves (see also section 4.8.1)**

A sabbatical consists of a leave of absence from all instructional and service responsibilities for one semester at full compensation or one year at half compensation. Any faculty member who, at the time of application, is tenured and is completing or has completed a minimum of six years of continuing full-time service at the College (which may be interrupted by leaves of absence) is eligible during the sixth or any subsequent year to apply for a sabbatical leave for the year following the application. Note: Since faculty being evaluated for tenure in year six are not tenured until the beginning of the seventh year, they may apply for a sabbatical leave no sooner than year seven, the leave to be effective the following year. Eligibility for a second or later sabbatical will depend upon completion of six (6) additional year of full-time service at the College since the end of the last sabbatical leave and upon having fulfilled the requirements of the last sabbatical proposal. In the event that a sabbatical is delayed at the request of the institution, the year(s) delayed will count toward the eligibility for the subsequent sabbatical. In the event a faculty member does not apply for a sabbatical when eligible, the period between the initial eligibility and the actual leave taken normally does not accrue toward the next sabbatical.

Any faculty member who meets the criteria for eligibility may submit an application for sabbatical leave. Such application must be submitted to and reviewed by the faculty member's chair and dean in the fall term of the year preceding the leave and must follow the application format and deadlines stipulated on the Provost's website (<http://www.ithaca.edu/provost/>). If the applicable dean, provost/VPAA, or president has concerns about the application, the planning unit or chair will be given the opportunity to make a recommendation to the dean, provost/VPAA, or president regarding the application. The individual will be notified of the provost/VPAA's decision on or before February 15 of the academic year preceding the leave. If a sabbatical is denied or deferred, a written explanation will be provided to the applicant.

A faculty member continues to be covered for benefits while on sabbatical leave and receives College contributions to benefits based on full base salary while retirement contributions are calculated on actual base earnings. A faculty member who will be away for the full academic year or who has any questions about the status of coverage should contact the Office of Human Resources.

Upon completion of the sabbatical, the faculty member will provide a written report of accomplishments to the dean and provost/VPAA. The report will be submitted by the end of the semester in which the faculty member returns to full-time employment. Finally, by accepting the sabbatical, the faculty member agrees to return to full-time service at the College for a full academic year following the end of the leave. In the event the faculty member chooses not to return, the faculty member will be responsible for refunding to the College the full amount of compensation collected during the sabbatical leave.

#### **4.5.2 Policies Regarding External Activities**

##### **4.5.2.1 Community Service**

Community service increases goodwill for the College and, at the same time, provides faculty with non-academic opportunities to put their expertise to practice. It is the faculty member's responsibility to make it clear that in such activities, the faculty member speaks and acts as a private citizen, not as a representative of the institution. Community service must not prevent a faculty member from effectively discharging the faculty member's regular duties.

#### **4.5.2.2 Outside Employment**

When a faculty member contracts with the College to serve on a full-time basis, it is assumed that the faculty member's professional commitment is first and foremost to the College. Outside employment must not constitute a conflict of interest or prevent faculty members from effectively discharging their regular duties.

Outside employment which is significant or performed on a regular basis must be reported in writing to the applicable dean by the beginning of each semester or at the time the employment commences. Activities such as occasional lectures or performances need not be reported.

### **4.6 Workload**

#### **4.6.1 Academic Workload**

Currently, a full faculty workload at the College consists of teaching, scholarship/professional activity, service, academic advising, and other responsibilities or activities as determined by the planning unit/department. The allocation of workload between teaching and other activities varies among the faculty. Faculty may arrange for formal reassignment of a portion of their teaching loads to activities such as curriculum and pedagogical development; scholarship and professional activity; academic advising; and leadership positions in department, planning unit, school, or College governance. Under no circumstances is a faculty member to be assigned more than the equivalent of 24 credit hours of teaching per academic year (including time reassigned to other activities) without consent of the faculty member and payment for an overload. Overload compensation for full-time faculty will be paid at the per-credit-hour (or the equivalent) salary level established for temporary part-time positions.

#### **4.6.2 Office Hours**

Faculty are responsible for being available to students for consultation. When classes are in session and during examination periods, each faculty member will post regularly scheduled office hours, during which time the faculty member must be in the office or other appropriate campus location and available for student consultations. In addition, the faculty member must make appointments at other times for students who cannot be seen during the regularly scheduled office hours, and shall schedule additional office hours during registration advising periods so that the faculty member's advisees can see the faculty member in a timely manner.

### **4.7 Institutional Policies Pertaining to Faculty Conduct**

#### **4.7.1 Human and Laboratory Animal Subject Research**

In accordance with federal and state regulations, the College has guidelines for research involving human subjects and an All-College Review Board on Human Subjects Research. All projects which involve human subjects must be presented to the review board for its consideration and, if appropriate, approval prior to the implementation of the project. Copies of guidelines are available from the Office of the Provost/VPAA. Similarly, regulations and guidelines governing research involving animal subjects, DNA, or radioactive materials are available in the Office of the Provost/VPAA. (See also section 1.7.1.9 of Volume I and section 2.22 of Volume II of the *Ithaca College Policy Manual*.)

#### **4.7.2 Scientific Misconduct**

The College's policy on dealing with and reporting instances of scientific misconduct and conflicts of interest is adopted in compliance with Federal Public Health Regulations, 42 CFR Part 50, Subpart A, and applies to cases of alleged or apparent misconduct in science in connection with biomedical or behavioral research or research training, applications for support

of research or research training, or activities related to such research, which are supported with funds made available under the Federal Public Health Service Act or with other funds. These policies and procedures do not apply to situations involving allegations of fiscal improprieties or criminal violations, or issues concerning the ethical treatment of human or animal subjects. All faculty members should read and understand these policies. Complete copies of the policy are available from the Office of the Provost/VPAA and in section 2.21.6 of Volume II of the *Ithaca College Policy Manual*.

#### **4.7.3 Plagiarism**

Every faculty member must scrupulously recognize all intellectual debts owed, be they in the form of ideas, methods or expressions, by means of an appropriate form of communication and acknowledgment. Any evidence of suspected plagiarism must be reported to the applicable dean or to the provost/VPAA who will contact the affected parties and, after consideration, take appropriate action.

Scholars must make clear the contributions of colleagues on a collaborative project, and professors who have the guidance of students as their responsibility must not appropriate a student's ideas, research, or presentation to the professor's benefit without acknowledgment; to do so is to abuse power and trust.

#### **4.7.4 Missed Classes**

*As approved by the Ithaca College Board of Trustees 5/14/2005.*

In general, faculty are expected to meet their scheduled classes for the appointed times.

Participation in scholarly and professional activities and the performance of other College-related business, however, may necessitate occasional absences from regularly scheduled classes.

When absences become necessary, it is the faculty member's responsibility to:

1. Arrange for a colleague to conduct the class(es) in his or her absence; or
2. Schedule make-up class(es); or
3. Provide other suitable activities for students.

The chair or dean should be advised of such arrangements in writing at the time the travel request forms are submitted.

For information on classes missed due to medical condition, see Section 4.8.4.

### **4.8 Faculty Leaves of Absence With and Without Pay**

#### **4.8.1 Sabbatical Leaves for Tenured Faculty**

*As approved by the Ithaca College Board of Trustees 5/17/2008.*

In order to ensure a regular process of professional renewal and to encourage the kind and level of scholarly/professional activity which is essential to the maintenance of teaching excellence, the College maintains a sabbatical leave program for full-time, tenured faculty. (See section 4.5.1.)

#### **4.8.2 Unpaid Leaves of Absence**

Faculty employed pursuant to continuous, tenure-eligible notice, non-tenure-eligible notice, or adjunct appointments are eligible to apply for unpaid leaves of absence. An unpaid leave of

absence may be granted for a variety of reasons including fellowship opportunities, other scholarly pursuits, or personal reasons.

Applications for an unpaid leave of absence will be submitted to and reviewed by the faculty member's chair and dean in the fall term of the year preceding the leave and should follow the application format and deadlines stipulated. If the dean, provost/VPAA, or president has concerns about the application, the planning unit or chair will be given the opportunity to make a recommendation to the dean, provost/VPAA, or president regarding the application. The individual will be notified of the provost/VPAA's or president's decision on or before February 15 of the academic year preceding the leave. If a leave is denied or deferred, a written explanation will be provided by the dean to the applicant. Leaves for unexpected circumstances may be applied for at any time and need not follow the time lines listed in this section if not possible but must follow the same general procedures.

Neither the tenure timetable nor the faculty member's eligibility for sabbatical leaves will be delayed if the leave is for one semester or less unless the faculty member requests and the dean, provost/VPAA, and president approve.

A tenured faculty member continues to be covered for benefits during one year of an approved unpaid leave. College contributions to benefits are based on full base salary while retirement contributions are calculated on actual base earnings. Under current federal law, other faculty may be eligible to continue medical benefits at their own expense during an approved unpaid leave. Prior to applying for an unpaid leave, a faculty member should consult with the Office of Human Resources for full details on benefits eligibility.

#### **4.8.3 Reductions in Load**

A reduction in load with commensurate reduction in salary may be granted for a variety of reasons, including fellowship opportunities, other scholarly pursuits, or personal reasons. Applications should be submitted and will be considered as described in section 4.8.2 above. Semesters which are served at a reduction of load are accumulated toward tenure decisions or sabbaticals as mutually agreed upon among the faculty member, the faculty member's planning unit, the dean, provost/VPAA, and president.

A tenured faculty member continues to be covered for benefits for at least one year of an approved reduction in load. College contributions to benefits are based on full base salary while retirement contributions are based on actual base earnings. Benefits eligibility for other faculty with an approved reduction in load depends on a number of factors including the amount of load reduction and prior service at the College. Prior to applying for a reduction in load, a faculty member should consult with the Office of Human Resources for full details on benefits eligibility.

#### **4.8.4 Leaves or Reductions in Load Due to Medical Reasons**

Tenured and tenure-eligible faculty, as well as non-tenure-eligible notice faculty, may also apply for paid leaves of absence or reductions in load for medical reasons, including childbirth. Other faculty may apply for unpaid leaves or reduction in load with commensurate reduction in salary for medical reasons. Appropriate medical documentation must be provided to the benefits manager. Neither the tenure timetable nor the faculty member's eligibility for sabbatical leaves will be delayed unless the faculty member requests and the dean, provost/VPAA, and president approve. Full details on such leaves or reduced loads, including benefits eligibility, are available from the Office of Human Resources.

## **4.9 Definitions and Types of Appointments**

*As approved by the Ithaca College Board of Trustees 5/15/2004.*

Ithaca College provides the following appointments to individuals who teach at the College:

Term Appointments (see section 4.9.1)

Tenure-Eligible Notice Appointments (see section 4.9.2.1)

Non-Tenure-Eligible Notice Appointments (see section 4.9.2.2)

Continuous Appointments (see section 4.9.3)

Part-time Per-Course Appointments (see section 4.9.4)

Adjunct Appointments (see section 4.9.5)

Appointment to the faculty shall be made by the president on the authority granted by the Ithaca College Board of Trustees and upon the recommendations of the provost/VPAA, the applicable dean and the appropriate department, division and/or school faculty. The rank given at the initial appointment shall be determined according to the same or equivalent qualifications required by the College for promotion to that rank. Upon the recommendation of the appropriate department, division and/or school faculty, applicable dean, and provost/VPAA, the president may approve the appointment with tenure of an individual who previously earned tenure at another institution. Such tenured appointments must be confirmed by the Ithaca College Board of Trustees. In the case of the hiring of a dean, the recommendation of the outgoing dean is omitted. In the case of the hiring of a provost and VPAA, the recommendations of both the dean and provost and VPAA are omitted.

When proposing any position the following factors must be emphasized:

- a) Curricular justification,
- b) Enrollment justification,
- c) Justification for status, part time or full time, and
- d) Duration and significance of need.

Major terms and conditions of every appointment to the faculty will be stated in writing and be in the possession of both the College and the candidate before the appointment is made.

### **4.9.1 Term Appointments**

Except as provided below, term appointments are appointments used by the College to fill vacancies created by leaves, to respond to short-term enrollment or curricular needs, or to staff instructional programs supported by time-limited funds. They must be approved by the planning unit, the dean, the provost/VPAA, and the president.

Term appointments are non-renewable. Faculty holding term appointments are neither tenured nor eligible for tenure. All faculty with term appointments have rank.

Aside from eligibility for tenure, promotion, and sabbatical leaves, all provisions of the *Ithaca College Policy Manual* apply to full-time faculty with term appointments.

Part-time term appointments, summer faculty appointments, and other faculty appointments for a term of six months or less do not need to be included in the staffing plans of faculty units. Such positions, however, must still be approved by the applicable dean and provost/VPAA.

#### **4.9.2 Notice Appointments**

All notice appointments stipulate a length of time for the appointment, ranging from one (1) year to multiple years. Appointments of notice faculty may be renewed unless otherwise notified pursuant to the terms of the applicable appointment.

##### **4.9.2.1 Tenure-Eligible Notice Appointments**

Tenure-eligible notice appointments may be renewed only under those circumstances stipulated in Volume IV of the *Ithaca College Policy Manual*. Such appointments provide the tenure-eligible faculty member time to develop a record of teaching excellence, scholarship and/or professional activity.

The period of employment pursuant to a tenure-eligible notice appointment does not exceed six years<sup>5</sup> of full-time academic service as a ranked faculty member, with the tenure decision ordinarily being made in the sixth year. If a faculty member is appointed at the College with one or more years of prior experience at a duly accredited institution of higher learning, those years of service, up to a maximum of three, may be credited to the six-year period of tenure eligibility. Normally, faculty appointed at the rank of associate professor or professor are credited with three years of prior service. (Exceptions to this norm must be specified in the individual's initial letter of appointment.)

##### **4.9.2.1.1 Extension of Tenure Date Due to Family Responsibilities or Personal Health Condition**

*As approved by the Ithaca College Board of Trustees 10/22/2010.*

In recognition of the impact that certain family or health situations may have upon the time and energy a faculty member can devote to his or her professional responsibilities, and thus his or her ability to work at the pace or level expected to achieve tenure, any tenure-eligible faculty member may apply to his/her dean for a one-year extension of the probationary period without penalty for situations such as:

- The birth or adoption of a child;
- The care required from the faculty member for an immediate family member, as referenced in Policy Manual III, Section 3.9.14.1.1, who has a serious life-threatening and/or extended health condition;
- The serious or protracted health condition of the faculty member.

A one-year delay of the faculty member's tenure review year may be granted no more than twice. This extension may not cause the tenure review to occur later than the eighth academic year of that faculty member's appointment to a tenure-eligible position. The tenure file will

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<sup>5</sup> In exceptional circumstances, up to two years maximum of further full-time service may be arranged to extend the probationary period by agreement of the faculty member and president, with support of the planning unit, the dean, and the provost/VPAA. If a faculty member begins a tenure-eligible appointment in January, the probationary period will normally be extended by one semester to include the initial spring semester.

include activities and teaching materials from the entire probationary period and indicate that an extension was granted.

Request for such an extension must be made within 3 months of the change in family responsibilities or personal health condition. The request must be approved by the faculty member's chair, dean, and the provost/VPAA. If approval is granted, the provost/VPAA will forward a memo that identifies the faculty member's new tenure review year to the faculty member, as well as the faculty member's department chair and dean.

In the event a faculty member's tenure review date is extended, the schedule of probationary reviews will be adjusted accordingly. Adjustments will be made on a case by case basis. Any adjustments to the schedule of reviews will require prior approval of the dean and provost/VPAA. Faculty members granted extensions of tenure dates may not claim de facto tenure. In any event, the faculty member must be full-time during his/her tenure review year.

Exceptions to this policy, other than a maximum total delay of 2 years, may be considered in extraordinary circumstances and need to be approved by the faculty member's chair, dean, and the provost/VPAA.

#### **4.9.2.2 Non-Tenure-Eligible Notice Appointments**

Full-time faculty members who are subject to non-tenure-eligible notice appointments may be considered for promotion. Such promotion must proceed according to the College's regular policies and procedures as outlined in Volume IV of the *Ithaca College Policy Manual*.

#### **4.9.3 Continuous Appointments (Tenure)**

Continuous appointments at the College are given to faculty members who have attained tenured status (see section 4.13). Faculty members employed under a continuous appointment are entitled to annual contract renewal and shall be subject to the terms and conditions of employment specified in Volume IV of the *Ithaca College Policy Manual* in effect at the time of each annual renewal by the College, unless separated pursuant to any subsections of section 4.15.

#### **4.9.4 Part-Time Per-Course Appointments**

Part-time per-course appointments have an expected term of fewer than three years. Part-time-per-course appointees are responsible for the classes, laboratories, and/or studio instruction for which they are hired and for being accessible to students and colleagues. The instructional load for such individuals does not exceed 50 percent of the maximum teaching load per semester within the concerned planning unit/department in any semester or academic year, and the individuals are not held responsible for co- or extra-instructional responsibilities normally expected of full-time faculty. Co- and extra-instructional responsibilities, as referred to here, mean curriculum development, academic advising, departmental, planning unit, and College governance, and other faculty responsibilities.

The holder of a part-time per-course appointment is not eligible for tenure or promotion, and the holder of such an appointment does not accrue full-time equivalent years toward tenure eligibility. The holder of such an appointment is not precluded from applying and being considered for an adjunct or full-time position if such becomes available, but movement into such a position is considered a change of position rather than a promotion. In such a situation, the new rank is determined by the curricular justification for the new position and by an assessment of the credentials of the individual filling the position.

A per-credit-hour (or the equivalent) salary for part-time per-course appointments is established annually. The per-credit-hour (or the equivalent) salary level applies also to compensation for lecturers at the College's London Center. A salary differential is possible when recommended by the applicable dean and approved by the provost/VPAA and president.

Part-time per-course faculty are not eligible for institutional benefits but are accorded those benefits mandated by federal or state statutes.

#### **4.9.5 Adjunct Appointments**

Adjunct appointments are primarily based on curricular need and the credentials of the appointee. Adjunct faculty appointments are proposed by the faculty of planning units as part of their staffing plans and may be proposed by the applicable dean or the provost/VPAA as well, but still must be incorporated into the staffing plan by the faculty of the planning unit. They must be approved by the applicable dean, the provost/VPAA, and the president. Adjunct appointments have an expected term of three years or longer, though in specialized disciplinary areas they might be of shorter duration. Generally, several such positions in a planning unit should not be substituted for a full-time position; however, specialized curricular needs combined with scheduling requirements might justify several adjunct positions in a planning unit or school.

Holders of adjunct appointments normally carry out faculty responsibilities at a level directly proportional to their instructional load. The instructional load for adjunct faculty is less than the full time load within the concerned planning unit/department.

While most adjuncts are appointed at the instructor or assistant professor level, the curricular justification for the new appointment and assessment of the credentials of the individual filling the position may justify an appointment at the adjunct associate professor level.

The holder of an adjunct faculty appointment is not eligible for tenure, and the holder of such an appointment does not accrue full-time equivalent years toward tenure eligibility. The adjunct faculty member is, however, eligible to be considered for promotion through the adjunct ranks to the level of adjunct associate professor. In order to be eligible for promotion, adjunct faculty must accrue the same number of full-time years of service and meet the same performance criteria as full-time faculty at the same rank. Also, a request for such a promotion must be supported by a curricular justification for the position. The process for promoting adjunct faculty is the same as that for promoting full-time faculty, and promotion ultimately requires approval by the Ithaca College Board of Trustees.

The holder of an adjunct faculty appointment is not precluded from consideration for a full-time appointment if such becomes available, but movement into such a position is considered a change of position rather than a promotion.

An adjunct faculty member is granted an annual contract which, unless otherwise indicated, is renewable. A multi-year appointment is an exception to policy that is offered only on rare occasions. The standards of notice concerning non-renewal are the same for adjunct faculty as those for non-tenure-eligible notice faculty.

The salary of an adjunct faculty member is normally determined by multiplying the percentage of full-time load by the full-time salary which would be given to faculty of the same rank and comparable experience and accomplishments at the College. In special cases, the salary might be determined using the planning unit or school rather than the College.

Adjunct faculty receive greater consideration for both benefits and perquisites than do part-time per-course faculty. At 58 percent load or higher, they are eligible for all institutional benefits on the same basis as full-time faculty. College contributions to benefits are based on base salary while retirement contributions are based on actual base earnings.

Normal faculty perquisites, such as leaves of absence, apply to holders of adjunct appointments. Adjunct faculty are eligible for instructional/research grants, reassigned time, and teaching/research awards, upon completion of three full-time equivalent years of service. Consideration for such awards assumes that curricular need justifies eligibility and that the individual's proposal and performance meet the standards expected of full-time faculty. Adjunct faculty are not eligible for sabbatical leaves.

#### **4.9.6 Contracts and Contract Policies**

All faculty hired by Ithaca College will be given an initial formal contract of employment.

Except as otherwise specified in the appointment letter, faculty are under contract for the period from August 16 until May 31 of the following year. Normally, faculty do not have scheduled responsibilities between August 16 and Convocation and between Commencement and May 31. Nonetheless, special meetings and assignments, as well as other individual responsibilities, may be scheduled any time during the contract period. Every effort should be made to provide reasonable advance notification of any faculty responsibilities scheduled before Convocation or after Commencement.

During the period of the agreement, neither party may terminate the agreement without cause. Acceptance of a contract/appointment is understood to include acceptance of the rules and regulations pertaining to faculty responsibilities set forth in the *Ithaca College Policy Manual*.

#### **4.9.7 Planning Units and Staffing Plans**

Faculty at the College are appointed to a planning unit, and the nature of the appointments they hold is described in the planning unit's staffing plan. The list of current planning units is available in the provost/VPAA's Office.

A planning unit's staffing plan will consist of:

(1) A listing and classification of teaching positions as:

- Continuous Appointments (Tenure);
- Full-Time Term;
- Full-Time Tenure-Eligible Notice;
- Full-Time Non-Tenure-Eligible Notice;
- Professional Staff, if applicable;
- Adjunct or Part-Time Per Course;

(2) Descriptions of each position.

Supporting documentation and justification on the basis of curriculum and enrollment, while critical to the development and approval of staffing plans, are not part of the staffing plan *per se*. After initial approval, each staffing plan will be reviewed at least every two years by the planning unit and the applicable dean, provost/VPAA, and president to ensure that it accurately reflects current and long-range curricular need and enrollment demand.

Extraordinary curricular, enrollment, or staffing circumstances may justify the creation of a temporary position that is not included in the staffing plan. No such position, however, will remain in existence for more than one (1) year without being identified, justified, and classified in the staffing plan.

Curricular and staffing needs must be made known to new appointees upon appointment. During the tenure-eligible period, faculty must also be informed by the dean of any changes in the staffing plan. Written notification of such changes must be sent by certified mail at least five (5) business days before May 31 of the academic year preceding the change.

#### **4.9.8 Changes in Educational Programs and Staffing Plans**

Changes in staffing plans that significantly affect the role and responsibilities of individual faculty members may be required in order to respond to, for example, sustained and substantial increases or decreases in enrollment, the mandates of external agencies or accrediting bodies, new developments in a field or discipline, or institutional decisions to reorient or discontinue a program. In order for faculty to have adequate notice of the need to retrain or consider other employment, it is important for each department, planning unit, and school to review its programs on a regular basis and in an objective manner, with special attention to changes in curricular orientation and staffing needs. Any changes in staffing plans that significantly affect the role and responsibilities of individual faculty members must follow from, and not precede, such program review.

Proposals for changes in staffing plans, or discontinuance or redesign of a program, may be initiated by faculty or administration. Prior to approval, such changes must be reviewed and recommendations must be submitted by the applicable dean and appropriate faculty bodies, such as department, planning unit, or school curriculum or personnel committees and the Academic Policies Committee. The department and planning unit must consult with faculty affected before making a recommendation. Final decisions on changes in staffing plans will be made by the provost/VPAA and president after reviewing all of the recommendations which are submitted.

Should a planned and financially feasible expansion or refocusing of the program indicate the need for and value of a significant redirection of duties and responsibilities for any individuals, each affected individual must receive a clear statement of proposed new responsibilities. If the individual needs or requires additional education or retraining (in order to fulfill these responsibilities) then the individual may present a proposal to the dean, provost/VPAA, and president for a professional development plan which may include reassigned time and/or College funding.

Discontinuance or redesign of a program (due, for example, to sustained and substantial shifts or declines in enrollment; the need to reallocate resources for purposes of institutional viability; new developments in the field; or the mandates of external bodies) can result in the termination of non-tenure-eligible, tenure-eligible, or even tenured faculty in that program. Before any termination of a tenured faculty member occurs under these circumstances, the College will make every reasonable effort to provide for the retraining and relocation of tenured faculty for appropriate alternative service within the institution. The tenured faculty member may present to the dean, provost/VPAA, and president, a proposal for appropriate professional development, which may include reassigned time and/or College funding. Before any termination of a tenure-eligible faculty member occurs under these circumstances, the College should, whenever possible, provide the same opportunity for retraining and relocation.

Terminations resulting from discontinuance or redesign of a program will be made in the following order: 1) part-time per-course faculty, 2) adjunct faculty (by rank and time in rank), 3) faculty employed pursuant to term appointments (by rank and time in rank), 4) non-tenure-eligible notice appointment faculty (by rank and time in rank), 5) tenure-eligible notice contract faculty by rank and time in rank), and 6) tenured faculty (by rank and time in rank). Whenever academically justified and financially feasible for the College, the College will retain faculty with tenure even if such retention results in termination of faculty in other planning units who do not hold tenure. If a tenured faculty member is terminated due to program redesign or discontinuance, the individual is eligible for and will be given an opportunity to accept reappointment with tenure in the original or revised program should the faculty member's position or an equivalent one become available within three years of termination.

Finally, in cases where proposed changes in one program may affect the curriculum and staffing of another program, the College administration is responsible for informing the College community of such changes so that related programs may prepare a plan for orderly transition.

#### **4.9.9 Combining Two Planning Units and Creating New Planning Units**

Proposals to combine two planning units or to create a new unit from an existing planning unit will be reviewed by a task force recommended by the applicable dean(s) and appointed by the provost/VPAA. A majority of the members of the task force will be the faculty of the affected planning units. If the change involves more than one planning unit, the task force will consist of at least one faculty member from each unit, with the number of members from each unit in approximate proportion to the size of the unit. The task force shall within six months carefully study the proposed change and make recommendations to the faculty of the affected planning unit(s), the dean(s), provost/VPAA, and president. The faculty of the affected planning unit(s) shall conduct an advisory vote on the recommendations. Such vote will be presented to the dean(s), provost/VPAA, and president.

Changes must be approved on or before June 1 in order for the changes to be effective for the immediately upcoming academic year, which begins on August 16.

##### **4.9.9.1 Financial Exigency**

Financial exigency is an imminent financial crisis which threatens the survival of the institution as a whole. The Ithaca College Board of Trustees, upon recommendation of the president of the College, who will have consulted with the provost/VPAA, and the Faculty Council, shall decide if a financial crisis that meets the criteria of a financial exigency exists and should be declared.

If a condition of financial exigency should arise, the president will explain the financial exigency in writing to the faculty and will then meet with the faculty concerning this issue. Following this meeting, the president will constitute and charge a committee consisting of six (6) administrators and six (6) faculty to collaborate or assist in developing a plan to deal with the staffing and budgetary implications of the condition. The administrative members of the committee will be appointed by the president and the faculty membership will be selected by the Faculty Council and shall consist of two (2) tenured faculty from the School of Humanities and Sciences (one from Humanities or Fine Arts and another from Natural Sciences or Social Sciences) and one tenured faculty member from each of the professional schools. The committee reports to the president, who will make the final recommendation for action to the Ithaca College Board of Trustees.

## **4.10 Guidelines for Search, Appointment and Orientation of Faculty**

### **4.10.1 General Guidelines**

All faculty positions in the College which become vacant are subject to review by the applicable dean and the planning unit. When a position becomes vacant the planning unit conducts a needs assessment. It prepares a recommendation concerning refilling the position. A request to fill a position must be submitted through the dean to the provost/VPAA. No appointment will be considered final until authorized by the president of the College.

### **4.10.2 Search and Screen Guidelines<sup>6</sup>**

The recruitment and selection of candidates for faculty positions will conform with the equal employment opportunity and affirmative action policies and procedures of the College. A copy of the *Equal Opportunity and Affirmative Action Guidelines* is available in section 2.3 of Volume II of the *Ithaca College Policy Manual*, from chairs and in the offices of deans, the provost/VPAA, and the director of affirmative action and equal employment opportunity.

The planning unit or school provides excerpted copies of Volume IV of the *Ithaca College Policy Manual* for all candidates for an appointment to the faculty who are invited for an interview on campus. These excerpted copies include the substantive standards and procedures employed in decisions affecting reappointment and tenure. The Office of the Provost/VPAA provides a copy of Volume IV of the *Ithaca College Policy Manual* with the written offer of employment.

## **4.11 Faculty Personnel Records**

Because appointment as a faculty member may lead to a continuing relationship with the College, it is essential that there be documentation to support official actions involving each individual, especially those actions pertaining to appointment, promotion, review for multi-year appointment, layoff, and dismissal.

Each faculty member should have two files — an official personnel file and an evaluation folder. All material in both the file and the folder is accessible to the faculty member except those materials the access to which the faculty member has expressly waived. The official personnel file of a faculty member may be reviewed by the faculty member in the Office of the Provost/VPAA. Likewise, the evaluation folder may be reviewed by the faculty member in the office of the dean.

The official personnel file is available on a need-to-know basis only to the Ithaca College Board of Trustees, the president of the College or designee, the College's legal counsel, the provost/VPAA, the director of human resources or designee, the individual faculty member, or others specifically designated in writing signed by the president of the College.

The official personnel file will be kept in strictest confidence and will be available for confidential use only to the individuals indicated above. However, for a valid reason, a faculty member may authorize in writing access to the faculty member's file by a person not indicated above. Further, the College may permit access to and copying from such files, pursuant to lawful requests and identification of federal, state, or local agencies relevant to investigations, hearings, or other proceedings pending before such agencies or the courts.

### **4.11.1 Official Personnel File**

*As approved by the Ithaca College Board of Trustees 5/15/2004 and 10/24/2008.*

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<sup>6</sup> Guidelines are not grievable.

Basic documents to be found in each faculty member's official personnel file in the Office of Provost/VPAA shall include:

1. Letters of application (originals) and an official transcript of the highest degree completed;
2. Any personal data/information relative to employment;
3. Appointment form(s);
4. Payroll change documents (salary increases or changes, changes in status);
5. Administrative documents relating to a faculty member's performance (including letters of warning, suspension, or dismissal);
6. Tenure and/or promotion related documents including but not limited to internal decision documents from committees or individuals; and
7. Salary and fringe benefit data.

#### **4.11.2 Official Evaluation Folder**

Basic documents to be found in each faculty member's official evaluation folder in the dean's office shall include:

1. The dean's yearly performance review (decision documents only) and the faculty member's response.
2. An updated résumé;
3. Administrative documents relating to a faculty member's performance (including letters of warning, suspension, or dismissal);
4. Any additional information that the faculty member or dean wishes to place in this file that pertains to the faculty member's professional background or accomplishments.

The official evaluation folder is a portfolio organized and maintained by the respective dean's office. This folder should contain only those materials that pertain to contract renewal, promotion, tenure, and recognition for special awards. The faculty member may place in the folder a written response to any materials for review. All material placed in the folder shall be copied to the faculty member.

### **4.12 Evaluation of Faculty**

#### **4.12.1 General Information Regarding Evaluation**

- a) All faculty who will be offered appointment for the next academic year must receive annual evaluations for salary. These evaluations must consider teaching, scholarly/professional activity, and service. In the case of a tenure-eligible faculty member, these evaluations must be completed on or before March 1 in the faculty member's first year of appointment. These evaluations will be conducted by chairs, unless otherwise provided in approved planning unit or school procedures. Approved procedures should detail what materials are to be used for the evaluation and the steps in the evaluation.
- b) If an annual evaluation of a tenured faculty member manifests the existence of serious instructional deficiencies which are deemed likely to persist, then further evaluation as described in section 4.14 must be conducted. This is the only circumstance in which such evaluation will be initiated.
- c) All faculty receive a cumulative written evaluation at least once every seven years. The value of the cumulative evaluation is that it provides the perspective of several years. For a tenured faculty member the sole purpose of this evaluation is to aid in maintaining and enhancing the faculty member's overall excellence as a faculty member. In particular, for a

tenured faculty member, the results of the cumulative evaluation will be given only to the faculty member. Cumulative evaluations should be conducted by a group of the faculty member's colleagues as specified in approved planning unit or school procedures. These approved planning unit or school procedures should specify what materials will be used in the evaluation, by what procedures, and with what frequency the evaluation will be conducted. For example, the cumulative written evaluation could incorporate evaluations and largely rely on a summary of them. Moreover, cumulative evaluations might rely on written statements by the faculty member being evaluated or on written statements by peers, the chair, and/or the dean. An evaluation of teaching must not rely exclusively on student statements and/or summaries of student statement. For tenure-eligible faculty, the more extensive evaluation for tenure or renewal of appointment will replace a cumulative evaluation; for non-tenure-eligible, adjunct, and tenured faculty, the more extensive evaluation for promotion will replace a cumulative evaluation.

- d) An individual in a tenure-eligible position may present a written request to the chair or dean at any time asking that a written evaluation of the individual's progress be conducted by the chair, by an appropriate personnel committee, or by the dean. The results of the evaluation will be made available to the faculty member by the end of the following semester.

#### **4.12.2 Policies and Procedures Regarding Faculty Appointments, Evaluation, Tenure and Promotion**

Each planning unit or school develops appropriate and detailed personnel policies, standards, and procedures for appointment of faculty, reappointment of faculty, evaluation of faculty, and consideration of faculty for tenure and promotion. In those schools in which different planning units develop separate personnel policies, standards, and procedures, the school's faculty selects a committee which reviews those planning unit personnel policies, standards, and procedures and approves them, provided they are in compliance with the *Ithaca College Policy Manual*, the school's personnel policies, standards, and procedures, and provided they are fair and appropriate across the school. All planning unit and school personnel policies, standards, and procedures require the approval of the provost/VPAA and president. In reviewing such personnel policies, standards, and procedures, the provost/VPAA and president will ensure that they are in compliance with the *Ithaca College Policy Manual* and are fair and appropriate across the College. In addition, the provost/VPAA may call upon the All-College Faculty Tenure and Promotion Committee or a committee created by Faculty Council for the purpose of assisting in the review of planning unit and school personnel policies, standards, and procedures.

#### **4.12.3 Major Formal Evaluations of Tenure-Eligible Faculty**

Major formal evaluations for tenure-eligible faculty normally occur in the second and fourth tenure-eligible years of employment pursuant to a tenure-eligible notice appointment. The tenure review normally occurs in the sixth year. When a faculty member comes to the College with credit for prior experience, the major formal review takes place at the mid-point of the stipulated tenure-eligible period. Exceptions to the above timetables providing more or less frequent formal reviews must be proposed by the planning unit and approved by the dean and provost/VPAA. Unless there are serious deficiencies, other tenure-eligible reviews should be carried out primarily by the chair and/or dean.

In preparing and presenting a personnel file for formal review, a tenure-eligible faculty member and the faculty member's colleagues must follow the *Procedures for File Preparation and Presentation*. Copies of this document are available in the offices of the deans and the provost/VPAA and at [http://www.ithaca.edu/attorney/policies/vol4/procedures\\_for\\_file\\_prep.pdf](http://www.ithaca.edu/attorney/policies/vol4/procedures_for_file_prep.pdf).

Planning unit or school guidelines may be substituted for these guidelines if they are approved by the dean and provost/VPAA as part of the personnel policies and procedures for that planning unit or school. Individual variations from the guidelines are only permitted when approved by the planning unit, dean, and provost/VPAA. If the tenure-eligible faculty member's file departs otherwise from the guidelines, any committee or individual in the review process may refuse to consider the file until it conforms with the guidelines.

#### **4.12.4 Procedures for Major Formal Evaluations of Tenure-Eligible Faculty**

- a) A planning unit or school personnel committee evaluates the performance of each tenure-eligible faculty member and makes recommendations with justifications (through the planning unit when appropriate) to the dean (with a copy to the faculty member). Before taking formal action, the planning unit or school personnel committee (and the entire planning unit, when appropriate) will offer to meet with the faculty member. If provided in the approved planning unit or school procedures, the chair will also evaluate the tenure-eligible faculty member and make a recommendation with justifications to the dean (with a copy to the faculty member). The chair who makes a separate and independent recommendation of the faculty member participates in planning unit or school tenure and promotion committees in accordance with planning unit or school guidelines. The dean must not communicate the dean's judgment on reappointment to the personnel committee until the committee submits its own recommendation.
- b) Before making a recommendation, the dean must give the faculty member an opportunity to express the faculty member's views concerning the aforementioned recommendation.
- c) When the dean is satisfied that the evaluations have been thoroughly conducted and that the recommendations are soundly based, the dean forwards the file along with the dean's recommendation with justifications to the provost/VPAA (with a copy to the faculty member). If the dean is not satisfied that an evaluation has been thoroughly conducted and that the recommendation is soundly based, the dean must return the recommendation with suggestions to the personnel committee or chair from which it originated. If, after thorough consideration, the personnel committee or chair does not accept the dean's suggestions, the dean must forward all recommendations the dean has received, along with the dean's own recommendation with justifications, to the provost/VPAA for final review.
- d) The provost/VPAA and president review the faculty's and dean's recommendations with their accompanying justification.
- e) Final decisions concerning all reappointments are made by the provost/VPAA and president, in accordance with the planning unit staffing plans. Upon completion of the major formal review process, the dean communicates the results of the review in writing to the faculty member. This communication also specifies the timetable and describes the evaluative process leading to the next major formal review.

#### **4.12.5 Confidentiality**

Confidentiality of oral communications promotes candor and honesty among faculty and administrators involved with the review of candidates for reappointment. Therefore, all oral statements made by members of personnel committees and by administrators during formal deliberations about reappointment, whether at department, planning unit, school, or College levels are and shall remain confidential.

Similarly, professional propriety requires sensitivity to the value of and need for confidentiality in the handling of formal written communications in the review process. However, with the exception of documents which the faculty member has stipulated to remain confidential, the contents of the file are open for review by the faculty member at any stage of the review process. Once the file has left the hands of the faculty member, the file may not be physically removed by the faculty member from the office of the person currently reviewing the file. A faculty member who wishes to review the file will contact the person currently reviewing the file to make the appropriate arrangements.

#### **4.12.6 Criteria for Major Formal Evaluations of Tenure-Eligible Faculty**

- a) In the second-year evaluation, there must be evidence that the terminal degree or the professional equivalent will be completed by the end of the third year, unless otherwise specified in the original letter of appointment. Peer evaluations of teaching and of student statements must demonstrate the potential for making significant progress toward the attainment of teaching excellence by the fourth year.
- b) Under normal circumstances, the fourth year evaluation must show:
  - (1) Significant progress toward the attainment of teaching excellence (based on peer evaluations of teaching and of student statements and other evidence as specified in approved procedures);
  - (2) Scholarship and/or appropriate professional activity in addition to that leading to the terminal degree;
  - (3) Service to the College and to the academic community.
- c) Under normal circumstances, the formal mid-point review of a faculty member who comes to the College with credit for prior experience must show:
  - (1) Significant progress toward the attainment of teaching excellence (based on peer evaluations of teaching and of student statements and other evidence as specified in approved procedures);
  - (2) Scholarship and/or appropriate professional activity in addition to that leading to the terminal degree;
  - (3) Service to the College and to the academic community.

#### **4.12.7 Teaching, Scholarship/Professional Activity, Service**

*As approved by the Ithaca College Board of Trustees 2/24/2005.*

The primary responsibility of faculty at the College is teaching. The second important responsibility is scholarship and/or professional activity. Service to the institution is another important faculty responsibility. The goal of the faculty is overall excellence in the performance of these responsibilities.

##### **4.12.7.1 Teaching**

Teaching is interpreted in its broadest sense to include academic guidance and intellectual motivation as well as classroom, laboratory, and studio instruction.

The characteristics of an excellent teacher are difficult to define as teachers must adapt to the particular subject matter, educational objectives, and environment. With those caveats in mind, the following description is presented in order to provide guidance as to some of the characteristics of an excellent teacher.

An excellent teacher demonstrates mastery of the following: command of the subject, an analytical approach to the material, recognition and contrast of variant interpretations of the data where appropriate, consideration of current work in the field, and ability to show the relationship between the particular subject and other areas of knowledge. The excellent teacher clearly explains expectations and subject matter, recognizes the students' level of comprehension, defines the objectives; summarizes major points, organizes the material logically, and emphasizes crucial ideas; encourages student participation, welcomes interaction with students, and is sensitive to the response of the class; deals ethically with students and seeks rapport with them; motivates and challenges students, is dedicated to the subject and the teaching profession, displays self-confidence, and communicates a sense of excitement for the pursuit of knowledge.

#### **4.12.7.1.1 Advising Students**

*As revised by the Ithaca College Board of Trustees 2/24/2005.*

Academic advising is an important faculty responsibility. It includes, but is not limited to, helping students assess academic strengths and weaknesses, explore intellectual and career interests and goals, develop plans for a coherent academic program, monitor progress toward their degrees, evaluate their academic options, and understand the consequences of their decision.

Academic advising has both developmental and prescriptive aspects. Developmental advising assists students in making the transition to higher education, growing as students during college years, and making the transition from college to the world of work and/or continuing education. Prescriptive advising helps students understand the requirements of academic programs and the academic regulations of the College so they can take advantage of the many educational opportunities offered at Ithaca. Academic advisors help students assume responsibility for their educational decision-making and recognize that there are other professionals on campus from whom they can obtain academic advice, counsel, assistance, and support.

The excellent academic advisor is accessible to students and is an effective listener and communicator. He or she is also knowledgeable about academic programs, regulations, and resources; is concerned about student performance and development; and is aware of career opportunities and services. The excellent academic advisor provides sufficient time for advising, maintains confidentiality in the advising relationship, and refers students to other resources as appropriate.

#### **4.12.7.2 Scholarly Research and Creative Work**

As a teaching community of scholars and artists, faculty are expected to contribute to the fields of knowledge within their expertise. Scholarship and professional activity are manifested in many ways — for example, by research, paper presentations, publications, editorships, creative performance and exhibits, and by continued study in the discipline.

The specific form and intensity of scholarly activity within the College appropriately varies between academic departments due to inherent differences among the disciplines.

Scholarship can take many forms. It includes, for example, articles in journals, research monographs, scholarly books, treatises, chapters in larger works, papers presented at academic meetings, and published instructional materials. In addition to traditional written works, scholarship may encompass, in particular disciplines, such types of intellectual expression as stage productions, musical performances, art exhibits, mathematical and scientific formulas, and software creation. Despite their myriad forms, works of scholarship share common

characteristics which make it possible both to identify basic types of scholarship and to assess the value of works within those categories. For the purpose of promoting quality scholarship at the College, a framework consisting of types of scholarship and assessment criteria is set forth below in sections 4.12.7.2.1 and 4.12.7.2.2. The content of those sections forms the basis for the articulation by the various academic departments of more specific expectations relating to scholarly productivity of faculty members within those academic units that are discussed in section 4.12.7.2.3. In turn, those interpretations of the scholarship requirement define the standards against which a faculty member's scholarly productivity is to be measured during evaluations for retention and promotion.

#### **4.12.7.2.1 Types of Scholarship**

The College identifies at least five basic types of scholarship as follows

1. The Scholarship of Discovery encompasses those scholarly activities which extend the stock of human knowledge through the discovery or collection of new information. Such scholarship seeks to confront the unknown and typically exhibits a dedication to free inquiry, disciplined investigation, and the pursuit of knowledge for its own sake. The Scholarship of Discovery includes, but is not limited to, what is sometimes referred to as basic or original research.
2. The Scholarship of Integration encompasses scholarly activities which are primarily interdisciplinary or interpretive in nature. Such scholarship seeks to better understand existing knowledge by making connections across disciplines, illuminating data in a revealing manner, drawing together isolated factors, or placing known information into broader contexts. It synthesizes, interprets, and connects the findings in a way that brings new meaning to those facts.
3. The Scholarship of Application encompasses scholarly activities which seek to relate the knowledge in one's field to the affairs of society. Such scholarship moves toward engagement with the community beyond academia in a variety of ways, such as by using social problems as the agenda for scholarly investigation, drawing upon existing knowledge for the purpose of crafting solutions to social problems, or making information or ideas accessible to the public.
4. The Scholarship of Teaching encompasses scholarly activities which are directly related to pedagogical practices. Such scholarship seeks to improve the teaching and advising of students through discovery, evaluation, and transmission of information about the learning process.
5. The Scholarship of Artistic Endeavor encompasses scholarly activities which are directly related to the creative process, especially in the fine or applied arts. Such scholarship may seek to bring about new artistic creations or to present existing works.

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

Some works of scholarship have attributes that legitimately fall within more than one of the five stated categories. Consequently, it is often difficult to fairly categorize a work in the absence of

full details about its content. Mindful of that limitation, the following non-exhaustive list is illustrative of works within the five categories:

1. Examples of the Scholarship of Discovery may be drawn from the sciences, such as the development of new materials and drugs, the discovery of unknown physical phenomena, and the identification of laws governing physics or mathematics. Across the disciplines, many types of empirical research, involving the use of quantitative techniques from the social sciences, fall within the Scholarship of Discovery. Work that is so highly original that it cannot fairly be regarded as merely interpretive, interdisciplinary, or an extension of the work of others may constitute the Scholarship of Discovery.
2. Interdisciplinary works, such as those which use economic or psychological analysis, may qualify as Scholarship of Integration. The same is true of evaluative and interpretive works, such as review essays, which probe the merits of another's work from a particular viewpoint, such as a religious, political, or gender-based perspective.
3. Examples of the Scholarship of Application include such diverse forms of scholarship as drafts of model legislation; articles and books examining the legal, economic, or ethical implications of new social phenomena; editorials and opinion pieces involving issues in one's discipline; and certain types of research in the applied sciences.
4. Examples of the Scholarship of Teaching include publications about pedagogy and methodology, development and publication of instructional materials, the conduct of workshops on innovative teaching methods, and the creation of computer exercises in areas relating to one's discipline.
5. Examples of the Scholarship of Artistic Endeavor include stage presentations (both drama and music), exhibitions, new editions of music or visual art, musical performances, art exhibits, and the creation of new art forms or new techniques within an art form.

The Scholarship of Application partially overlaps with the requirement of service. For example, in cases where public service involves the direct application of knowledge in one's field to the affairs of society, the work counts toward satisfaction of both the service and scholarship requirements for retention, promotion, and salary increases. However, the same is not true of all forms of service. There is a difference, for example, between carrying one's share of the administrative burdens of the College and participating in projects that require the application of knowledge from one's field. To be considered scholarship, service activities must be tied directly to one's discipline and require the use of knowledge of the discipline in the service of the College or outside community.

Similarly, the Scholarship of Teaching must be distinguished from teaching itself. The Scholarship of Teaching involves the disciplined discovery, evaluation, and transmission of information about the learning process. Teaching, in contrast, involves the application of that information through actual instruction.

#### **4.12.7.2.2 Assessment of Scholarship**

The evaluation of scholarship includes, but is not necessarily limited to, whether the work is well expressed, innovative, comprehensive, and visible.

#### **4.12.7.2.3 Standards Interpreting the Scholarship Requirement**

The faculty members of each school or planning unit and the College shall define the College's scholarship requirement.

Upon initial adoption or revision by the provost/VPAA, the standards adopted by individual departments shall be incorporated into Volume IV of this *Ithaca College Policy Manual*.

#### **4.12.7.3 Service**

This service includes both ad hoc and formal activities within the department, planning unit, school, and College. In addition, faculty may choose to serve in external professional organizations.

##### **4.12.7.3.1 Service to the Department, Planning Unit, and/or School**

Both ad hoc and formal activities are routinely expected of all faculty within a department, planning unit, and/or school. Ad hoc activities may include such duties as being available for interviews with prospective students and their parents, being available to alumni and alumnae, and working at recruitment programs and at registration. Formal activities include, but are not limited to, participation in scheduled department, planning unit, and school meetings and participation on departmental, planning unit, and school committees.

##### **4.12.7.3.2 Service to the College**

All faculty are expected to attend Commencement, formal convocations of the College, and scheduled all-College faculty meetings. The standing committees of the College are a very important part of faculty responsibility, and availability for service on these standing committees and on all-College ad hoc committees is expected of all faculty. No faculty member shall be expected to serve on more than one all-College standing committee at a time.

##### **4.12.7.3.3 Service to the Profession**

Subject to planning unit and school standards, service to the profession may be considered as a partial substitute for service to the department, planning unit, school, and College. Professional service includes, for example, holding office in a professional organization, refereeing grant proposals for an external agency, or professional service in community agencies or organizations.

#### **4.12.7.4 Student Evaluation**

The College's policy requires periodic student evaluations of all faculty members. Evaluations are conducted at regular intervals each year.

#### **4.12.8 Documentation**

Regardless of the type of review undertaken (annual merit review, tenure and promotion review, post tenure review), it is important that each be based on solid, consistent, and clear documentation. It is incumbent upon each faculty member to document teaching, scholarship, and service activities, continuing professional development, honors, and awards. Documentation of the evaluation criteria listed below may include but should not be limited to the following:

1. Self-evaluation;
2. Peer evaluations;
3. Student evaluations;
4. A review of course syllabi by peers;
5. Further course work or other continuing education in one's field;

6. Participation in seminars or workshops designed to improve teaching or advising skills;
7. Awards, fellowships, grants, etc.;
8. Election to a scholarly or professional post;
9. Letters of reference from organizations, student groups, and individuals; and
10. Publications in refereed journals; and
11. Evaluations by applicable dean.

#### **4.12.9 Evaluation of Part-Time Per-Course and Adjunct Faculty**

Part-time per-course and adjunct faculty members must excel in teaching. Evaluations of such a faculty member's teaching are to be conducted at regular intervals each year. The applicable chair or dean is responsible for regularly monitoring the quality of teaching by part-time per-course and adjunct faculty members.

#### **4.13 Tenure Appointments**

Tenure is a means of ensuring academic freedom and of providing sufficient security to make the academic profession attractive to men and women of ability and dedication. The College will offer renewal of a tenured faculty member's appointment until the faculty member retires, subject to other provisions of the *Ithaca College Policy Manual* and state and federal statutes. Along with the rights conferred, a tenured faculty member has duties to the College and its students as described in the *Ithaca College Policy Manual* and other College documents as listed above.

Because tenure is a long-term obligation on the part of the College, it is not conferred automatically. Both the qualifications of the individual faculty member and the long-range curricular and staffing needs of the College will be considered carefully in the decision to grant tenure. The tenure decision is not made solely on the basis of past accomplishments, but also requires an informed judgment as to the likelihood that the candidate will continue to be an excellent teacher, to engage in significant scholarly/professional activity, and to provide valuable service to the College.

Tenured faculty may be terminated for cause or due to extraordinary circumstances occasioned by financial exigencies in the institution or changes in educational programs. (See sections 4.7 and 4.9 of Volume IV of the *Ithaca College Policy Manual*.)

#### **4.13.1 Promotion Policies and Procedures**

##### **4.13.1.1 Criteria for Promotion and Tenure**

At the College the only criteria for tenure and promotion are those stated in the *Ithaca College Policy Manual*. Primary among these is teaching excellence. Another important criterion is a record of scholarly/professional attainment. A third criterion is service to the institution.

Attainment of the appropriate terminal degree or its professional equivalent is necessary but not sufficient for either tenure or promotion. For appointments to certain professional, technical, and artistic fields, commensurate preparation for appointment to a given rank may be recognized. Any additional exceptions to these criteria must be set forth in the letter of appointment and agreed to by the faculty member, planning unit, dean, provost/VPAA, and president. In addition to the qualifications of the individual faculty member, reappointment and tenure are subject to the long-range curricular and staffing needs of the College as specified in the previously approved staffing plans.

A candidate for tenure is expected to fulfill the criteria specified for promotion to associate professor. A candidate for tenure who was appointed at the rank of professor is expected to

fulfill the criteria for promotion to professor. A tenure-eligible notice faculty member holding the rank of assistant or associate professor normally is not promoted prior to the tenure review. However, faculty who have held non-tenure-eligible notice appointments in a school at Ithaca College, and who currently hold a tenure-eligible notice appointment (without interruption) are eligible for promotion under the same rules which would have applied had they continued in non-tenure-eligible notice appointments.

#### **4.13.1.2 Procedures for Tenure and/or Promotion**

An initial review will be conducted by the planning unit unless the approved school procedures call for an initial review by a school committee. If the initial review is conducted by the planning unit, a supplementary review will be conducted by a school committee provided that such is established in the approved procedures. Each candidate's application for tenure and/or promotion will be reviewed by a committee or committees in accordance with approved procedures.

Tenure and/or promotion shall be granted only to faculty who have fulfilled all the prescribed requirements and whose credentials have been duly reviewed by the faculty of the planning unit (where appropriate), the chair (where appropriate), as well as the dean, the All-College Faculty Tenure and Promotion Committee, the provost/VPAA, and the president. The president presents all recommendations, including the president's own, to the Ithaca College Board of Trustees. Additional information regarding tenure is set forth in section 4.9.3 of Volume IV of the *Ithaca College Policy Manual*.

#### **4.13.1.3 Confidentiality in Tenure and/or Promotion Reviews**

See section 4.12.5.

#### **4.13.1.4 Preparing for the Tenure and/or Promotion Review**

The responsibility for requesting consideration for tenure and/or promotion and for preparing the review file rests initially with the faculty member. In order to be considered for tenure, the faculty member must make a formal request to the dean on or before the date stipulated in the school and department personnel policies unless the tenure-eligible period was changed by mutual agreement, as described in section 4.9.2.1. In order to be considered for promotion, the faculty member must make a formal request to the dean in accordance with the time frame established in the school and department personnel policies.

In preparing and presenting a personnel file for formal review, a candidate for tenure and/or promotion and the candidate's colleagues must follow the College's *Procedures for File Preparation and Presentation*. Copies of this document are available in the offices of the provost/VPAA and the deans and at [http://www.ithaca.edu/attorney/policies/vol4/procedures\\_for\\_file\\_prep.pdf](http://www.ithaca.edu/attorney/policies/vol4/procedures_for_file_prep.pdf). Individual variations from the guidelines are only permitted when approved by the school, department, planning unit, dean, and provost/VPAA. If the faculty member departs significantly from the guidelines, any committee or individual in the review process may refuse to consider the file until it complies with the guidelines.

#### **4.13.1.5 Procedures for the Tenure and/or Promotion Review**

- a) The responsibility for evaluating a faculty member's teaching, scholarly and/or professional activity, and service falls initially to planning unit and/or school colleagues of the faculty member. In certain cases, it may be appropriate for the initial personnel committee, chair, and dean to seek expert opinion from outside the College to explain the significance of certain accomplishments, but such must be done in consultation with the candidate and according to approved planning unit or school procedures.

- b) A planning unit or school personnel committee evaluates the performance of a candidate for tenure and/or promotion and makes recommendations (through the planning unit when appropriate) to the dean. Before taking formal action, the personnel committee (and the planning unit when appropriate) will offer to meet with the faculty member.
- c) The chair who makes a separate and independent recommendation of the faculty member participates in planning unit or school tenure and promotion committees in accordance with planning unit or school guidelines respectively. A chair making recommendations must include substantive as well as procedural judgments in the chair's recommendations to the school's personnel committee, where appropriate, and to the dean. The dean must not communicate the dean's judgment on tenure and/or promotion to the personnel committee until the committee submits its recommendation. The dean must include substantive as well as procedural judgment in the dean's recommendation to the provost/VPAA and the All-College Faculty Tenure and Promotion Committee.
- d) Before making a recommendation, the dean must give the faculty member an opportunity to express orally or in writing the faculty member's views concerning the aforementioned recommendations.
- e) When the dean is satisfied that the evaluations have been thoroughly conducted and that the recommendations are soundly based, the dean forwards the file, with the dean's recommendation with justifications, to the All-College Faculty Tenure and Promotion Committee and the provost/VPAA. If the dean is not satisfied that an evaluation has been thoroughly conducted and that the recommendation is soundly based, the dean returns the recommendation with suggestions to the personnel committee or chair from which it originated. If, after thorough consideration, the personnel committee or chair does not accept the dean's suggestions, the dean forwards the recommendations the dean has received, along with the dean's recommendation with justifications, to the All-College Faculty Tenure and Promotion Committee and to the provost/VPAA.
- f) The dean provides the faculty member with written copies of all recommendations being forwarded to the All-College Faculty Tenure and Promotion Committee and the provost/VPAA. The faculty member may choose to submit additional documentation for clarification purposes only. Notification of intent to submit additional material must be received by the provost/VPAA within two business days of the faculty member's receipt of the dean's recommendation; the additional information must be submitted within the time period determined by the provost/VPAA in consultation with the faculty member. The planning unit/school personnel review committee, chair (as appropriate), and dean must be given a chance to comment on such additional information before the provost/VPAA and the All-College Faculty Tenure and Promotion Committee consider it in rendering their final decision on the issues of tenure and/or promotion.
- g) The All-College Faculty Tenure and Promotion Committee makes a recommendation on tenure and/or promotion following the procedures in section 4.13.2.
- h) After receiving the recommendation of the All-College Faculty Tenure and Promotion Committee, the provost/VPAA makes a recommendation. The provost/VPAA must notify the candidate of this recommendation allowing sufficient time for the candidate to appeal a negative recommendation to the Faculty Personnel Appeals Committee before the provost/VPAA forwards all recommendations to the president.

- i) The provost/VPAA forwards all recommendations to the president.
- j) The president presents all recommendations, including the president's own, to the Ithaca College Board of Trustees. A formal resolution, adopted by the Ithaca College Board of Trustees, is required for the conferral of tenure and/or promotion. A candidate for tenure and/or promotion is notified of the board's action within two weeks after the board meeting at which the faculty member's candidacy is considered.
- k) Tenure is granted in the faculty member's planning unit. If approved staffing plan changes (see section 4.9.8) result in the transfer of a tenured faculty member from one planning unit to another, tenure will be transferred to the faculty member's new planning unit.
- l) At any time in the promotion process prior to the recommendation by the All-College Faculty Tenure and Promotion Committee, the candidate may withdraw the request for promotion without prejudice. If a candidate withdraws the request for promotion after the recommendation by the All-College Faculty Tenure and Promotion Committee or provost/VPAA, or if promotion is denied, then the candidate may not request consideration for promotion in the next academic year.
- m) Full-time administrators holding faculty rank shall be eligible to be considered for promotion only if a majority of faculty of that individual's planning unit has agreed by secret ballot to such consideration. The criteria for promotion are the same as for any other faculty member.

#### **4.13.1.6 Date of Tenure and/or Promotion**

Tenure and/or promotion become effective on the first day of the contract for the next academic year.

### **4.13.2 All-College Faculty Tenure and Promotion Committee**

#### **4.13.2.1 Membership**

Seven tenured associate or full professors, including at least one member from each school and at least two members from Humanities and Sciences.

The new members of the committee are appointed by the president from a list of candidates selected and reviewed in the following manner. In the School of Humanities and Sciences the faculty of the school shall elect four candidates if there are no continuing members of the committee from the school, three candidates if there is one continuing member from the school, two candidates if there are two continuing members from the school, and one candidate if there are three continuing members from the school. In each of the other schools the faculty of the school shall elect two candidates if there are no continuing members from the school and one candidate if there is one or more continuing members from the school.

Once this pool of candidates is elected by the faculties of each of the schools, the provost/VPAA and the Executive Committee of Faculty Council (with any non-tenured members replaced by tenured council members chosen at large) review the list and recommend the appropriate number of candidates to the president for appointment. If there are no candidates from a school or if the elected candidate(s) could not, for some reason, carry out the prescribed duties, then the provost/VPAA and the Executive Committee work with the dean and the faculty of the school to try to ensure that the school is appropriately represented in the pool. Should the

president believe that a candidate is unacceptable, the president discusses the reasons with the provost/VPAA and the Executive Committee.

The review and recommendation by the provost/VPAA and the Executive Committee strives to achieve among the members of the committee a mix of academic and governance experience, time at the College, and disciplinary perspective, and strives to reflect the demographic diversity of the faculty. In electing candidates the faculty should bear in mind that the committee has large and important tasks, which must be performed thoroughly, punctually, and confidentially.

The provost/VPAA convenes the committee, provides logistical support and may meet with the committee upon invitation. The committee elects its own chairperson.

#### **4.13.2.2 Term of Office**

*As approved by the Ithaca College Board of Trustees 5/14/2005 and 10/07/09.*

Members serve for three-year terms staggered so that two or three members are selected each year. In the case of a resignation, sabbatical, or leave of absence, a replacement is selected as described above (on a one-year basis for a sabbatical or leave of absence).

Following their three-year term of regular service on the committee, members become part of a pool from which they may be selected to serve as alternates in the case of recusal of a regular member of the committee. If the recused member is from the candidate's school or division, the member of the pool from the same school or division as the recused member will be chosen. The pool member chosen in this manner serves only for those candidates for whom a recusal has been made. The replacement committee member is chosen by the chair of the Tenure and Promotion Committee. If the committee sees repeated cases where the problem has not been solved, the Faculty Handbook Amendment Committee will be alerted.

#### **4.13.2.3 Committee Duties**

The committee reviews the file of each candidate for tenure and/or promotion and makes recommendations as described below.

1. The committee is responsible for thoroughly reviewing the documentation submitted by the candidate, department/planning unit and/or school personnel committee(s), department chair, and dean regarding a recommendation on tenure and/or promotion.
2. The committee determines:
  - a. Whether recommendations have been processed in accordance with the published personnel policy standards and procedures of the College, school, division, planning unit, or department concerned; and
  - b. Whether the recommendations are fully supported by appropriate documentation.
3. The committee evaluates the recommendations.
4. The committee uses the following procedures:
  - a. The committee deliberations are held in strict confidence.
  - b. From the time a faculty member and the committee receive a copy of the dean's recommendation on tenure and/or promotion, the faculty member and the members of

the All-College Faculty Tenure and Promotion Committee have three (3) working days respectively to allege that some member(s) of the All-College Faculty Tenure and Promotion Committee is unable to reach an impartial decision. (A member of the committee may also raise concerns about the member's own ability to be impartial.) Such allegations should be made to the provost/VPAA and Executive Committee of Faculty Council. If such an allegation is made, the provost/VPAA and Executive Committee of Faculty Council consult the person making the allegation, and they determine as quickly as possible what role, if any, the challenged member(s) should have in the case.

- c. The committee may not deliberate without a quorum of five members.
- d. The committee takes a preliminary vote immediately following the review and discussion of each candidate. The committee may reconsider its preliminary vote on a candidate at any time during its deliberations.
- e. If any portion of a candidate's file needs clarification, the committee invites to meet with it any member of the faculty, including the candidate, and/or any member of the administration who may provide clarification.
- f. *As approved by the Ithaca College Board of Trustees 5/20/2011.*

In the event that the committee's preliminary recommendation differs from any of the decisions at the previous levels (chair, department/planning unit and/or school tenure and promotion committee(s), or dean), then a representative from each of them is invited to discuss the recommendation with the committee. A written notification of this discussion is made jointly by the committee and the representative(s) to the candidate and the provost/VPAA.

- g. The committee first takes a vote and then prepares a written report to the provost/VPAA which summarizes the committee's discussion, recommendation, and numerical count of the vote on the candidate. If the decisions at previous levels were not in agreement, then the committee's report must explain why it agreed with the decision it supports. If the decisions at previous levels were in agreement, but the committee disagrees with these decisions, then the committee must provide its justification for the recommendation. A copy of this report will be delivered to the candidate.
5. The following are available to all faculty in the Office of the Provost/VPAA and all deans' offices:
- a. The school and All-College Faculty Tenure and Promotion Committee time table.
  - b. Internal procedures of the All-College Faculty Tenure and Promotion Committee.
6. The provost/VPAA may refer to the All-College Faculty Tenure and Promotion Committee any departmental or school personnel standards and procedures for the committee's advice on their fairness and appropriateness across the College. In conducting such a review the committee shall consult with the faculty and the dean of the appropriate unit.

#### **4.13.2.4 Authority to Which the Committee is Responsible**

The All-College Faculty Tenure and Promotion Committee is responsible to the provost/VPAA.

#### **4.13.3 Faculty Personnel Appeals Committee**

*As approved by the Ithaca College Board of Trustees 2/16/2006.*

The Faculty Personnel Appeals Committee is established to conduct reviews of a candidate's concerns with the tenure and/or promotion process. (See section 4.13.3.3.)

##### **4.13.3.1 Membership**

One professor or associate professor is elected by the faculty of each of the respective schools of Ithaca College. Tenured librarians and faculty members of the Center for Teacher Education and the Gerontology Institute may run for and vote for the seat assigned to the School of Humanities and Sciences.

The committee shall elect its own chairperson.

##### **4.13.3.2 Terms of Office**

Members shall serve for staggered two-year terms. (If at any time more than three members are elected, then by lot three of these shall be chosen to have two-year terms and the rest shall have one-year terms.)

##### **4.13.3.3 Committee Duties**

This Committee is responsible for:

- a. Insuring that any candidate's concerns with the candidate's tenure or promotion review process are addressed;
- b. Insuring adherence to the procedure for these reviews;
- c. Correcting immediately any violations of procedure before continuing further with the review process.

##### **4.13.3.4 Procedures**

- a. Appeals may be made, on procedural grounds only, after a recommendation at any level. It should be noted that the appropriate process includes full and responsible consideration of the candidate's file. This consideration should include the appropriate use of published departmental criteria in the evaluation of the candidate's file by the recommending person, committee, or group. Judgments concerning the quality of candidates are the responsibility of other persons, committees, or groups, not of the appeals committee.
- b. Appeals must be in writing and timely.
  - i. The candidate must make written notice of intent to appeal to the Faculty Personnel Appeals Committee (hereafter the FPAC) within three (3) working days (College business days) of receipt of the recommendation being appealed.
  - ii. The candidate must file a formal written appeal with the FPAC within ten (10) working days (College business days) of receipt of the recommendation being appealed.

- iii. Any procedural aspects of previous recommendations that are wholly or partially a cause for a subsequent negative recommendation, can be appealed at the time of the negative recommendation, if the previous recommendation had not been appealed.
  - iv. The candidate will send a copy of both the notice of intent to appeal and the formal written appeal to all persons and/or groups that have taken part in the review process.
- c. The appeals process is designed to protect the candidate and the College from an improper review. The FPAC will review procedural appeals that in its judgment may result in an improper review process. Applications for appeal based on incidental or insignificant violations of procedure may be ruled ineligible by the FPAC. Applications for appeal must state specifically the alleged procedural violation(s) upon which the request for appeal is based.
- d. A faculty member filing an appeal may at that time object for cause to the participation of a member of the FPAC. In the event of such an objection, the faculty member should submit the appeal to the Office the Provost/VPAA's instead of the FPAC. The chair of the Grievance Committee, in consultation with the provost/VPAA, will decide within two working days whether to remove the member from participation in the appeal. This decision will be made before the FPAC receives the appeal.
- e. The FPAC will decide on the eligibility of an appeal within three (3) working days (College business days) from the receipt of the formal written appeal. The FPAC will notify the appellant in writing of its decision to the recommending person, committee, or group. The communication will include an explanation of each negative decision. To continue the appeals process, the FPAC need find only one charge of procedural violation eligible.
- f. The FPAC has a maximum of ten (10) working days (College business days) to investigate and report on the alleged procedural violations, once such alleged violations have been found eligible for review.
- i. The faculty member's tenure or promotion file will be made available to the FPAC upon its request.
  - ii. The FPAC will meet jointly and attempt mediation and fact finding with the candidate and the recommending person, committee, or group. This requirement does not preclude separate meetings with each of the parties.
- g. The FPAC will reach one of the following two decisions. The FPAC will communicate its decision to the candidate and the recommending person, committee, or group and to all preceding recommending persons, committees, or groups, as well as to the provost/VPAA.
- i. The review process was in order, the resultant recommendation was procedurally valid, and the review process should continue.
  - ii. The review process was not in order and the resultant recommendation was not procedurally valid.
    - (1) If the FPAC determined the review process was not in order and the resultant recommendation was not procedurally valid, the FPAC will include in its written report a determination as to which part(s) of the review process must be done over,

modified, or completed to reach a valid recommendation.<sup>7</sup> In such a case the report and the application for appeal will also be sent to the appropriate administrator.<sup>8</sup> If the administrator objects to the remedy to correct the procedural violation, the administrator shall meet with the FPAC and shall strive to reach a mutually acceptable remedy. If a mutually acceptable remedy cannot be found, the chair of the FPAC and the administrator shall meet with the provost/VPAA (or the president if the administrator is the provost/VPAA) to attempt to reach a mutually acceptable remedy. If none can be found, the provost/VPAA (president) will make a determination as to which part(s) of the review process must be done over, modified, or completed to reach a valid recommendation.

- (2) If a case requires further review by the recommending person, committee, or group in order to reach a procedurally valid recommendation, the FPAC may require adherence to reasonable deadlines for completion of the additional review.
- (3) The administrator will communicate the final disposition of the appeal(s) to the members of the FPAC.

h. Annually, the chair of the FPAC will report to the provost/VPAA and to the chair of Faculty Council any recommendations for changes in tenure and promotion policies or procedures that the committee deems necessary.

#### **4.13.3.5 Authority to Which the Committee is Responsible**

The FPAC reports to the provost/VPAA.

### **4.14 Serious Instructional Deficiencies in Tenured Faculty**

#### **4.14.1 Identification of Deficiencies**

If, in the opinion of both the chair or the dean (as stipulated in the planning unit procedures) and either a majority of the tenured faculty of the planning unit or a majority of the planning unit's peer review committee (as stipulated in the planning unit procedures), an annual evaluation of a tenured faculty member manifests the existence of serious instructional deficiencies which are deemed likely to persist, the dean of the faculty member's school must consult with the faculty member. If the dean agrees that such deficiencies exist, then the dean must ask the appropriate pre-established school-wide peer review committee (as determined by school personnel policies) to evaluate the faculty member. This committee will not be the same committee as was involved in initiating the action. This committee shall consult with the faculty member, the dean, and other individuals as appropriate.

#### **4.14.2 Correction of Serious Instructional Deficiencies**

If the school-wide peer review committee confirms that such deficiencies exist, it must prepare, in consultation with the dean, a description of the areas where improvement is needed and a process for assessing change. This information should be communicated to the dean and the faculty member within one (1) month after receiving the dean's initial evaluation request. The dean will also discuss with the faculty member appropriate instructional improvement programs

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<sup>7</sup> A modification of the review process may include reconstituting a committee if the FPAC determines the process has been so tainted as to be biased.

<sup>8</sup> If the appeal is against a recommendation by the provost/VPAA, the appropriate administrator is the president. If the appeal is against the recommendation by the dean or an all-College review committee, the appropriate administrator is the provost/VPAA. If the appeal is against the recommendation of a department's chairperson or a school or department committee, the appropriate administrator is the dean of the relevant school.

available to the faculty member. Within one (1) month after these discussions, the faculty member must submit to the dean a plan specifying how the faculty member proposes to address the concerns identified. If the chair is not part of the school-wide peer review committee, the chair will be available to provide assistance to the faculty member as specified in planning unit personnel policies.

After one full semester of teaching, the dean and the school-wide peer review committee will review the faculty member's performance and submit a written report to the provost/VPAA and the president. If the school-wide peer review committee and the dean agree the faculty member has substantially overcome the deficiencies, then no further action will occur. If there is disagreement between the dean and committee as to the faculty member's progress or if it is agreed that the faculty member has not overcome the deficiencies but has made documentable progress toward overcoming the deficiencies identified, then the dean and school-wide peer review committee will recommend that additional time be provided to complete remediation and also recommend the process by which the review will occur at the end of this additional period. If, due to a disagreement between the dean and the committee, the faculty member has been given additional time to complete remediation, the provost/VPAA will participate in the review process during this additional period of time. If, due to a disagreement between the dean and the committee, the faculty member has been given additional time to complete remediation, and if at the end of such additional time there is still disagreement, a special three-person committee of full-time tenured faculty will be appointed by the president to review the faculty member's progress. One person will be nominated by the faculty member, one person by the faculty member's planning unit and one person by the dean of the faculty member's school. In reviewing the faculty member's progress, the special committee may consult with the faculty member, dean, school-wide peer review committee, or other individuals they deem appropriate. The special committee will make a recommendation to the president. After receiving the recommendation, the president will make a determination. In so doing, the president may determine no further action is necessary, that additional time is needed, or that a letter of dismissal in accordance with section 4.15.6.2 is warranted.

#### **4.14.3 Failure to Correct Serious Instructional Deficiencies**

If the school-wide peer review committee and the dean agree that the faculty member has made no documentable progress in overcoming the deficiencies after one full semester of teaching, then the dean and school-wide review committee will so notify the provost/VPAA and the president and recommend appropriate action be taken. A range of actions in accordance with section 4.15.6 may be appropriate, up to and including dismissal. The provost/VPAA and president will consult with the faculty member, dean, school-wide peer review committee, and other individuals they deem appropriate before taking action on the matter.

### **4.15 Separation**

#### **4.15.1 Resignation**

If a faculty member desires to terminate an existing appointment or to decline reappointment, the faculty member must give notice in writing not later than two weeks after receipt of the contract/appointment for the forthcoming academic year or on or before May 1 of the current year, whichever is later. In case of hardship or a situation in which the faculty member would otherwise be denied substantial professional advancement, the faculty member may properly petition the provost/VPAA for a waiver of this requirement. The College considers it both unprofessional and unethical for a faculty member to actively solicit employment elsewhere for a particular academic year after returning a signed contract or reappointment form for that academic year. The College reserves the right to express its concern about such action directly to the institution(s) to whom the faculty member is applying.

#### **4.15.2 Termination by Mutual Consent**

An appointment to the faculty of the College may be terminated at any time by mutual agreement between the faculty member and the College.

#### **4.15.3 Retirement**

A tenured appointment at the College ends upon retirement. Faculty should contact the Office of Human Resources in advance of their retirement for assistance.

#### **4.15.4 Notice of Non-Reappointment**

When a decision not to renew a notice appointment faculty appointment has been reached, the faculty member involved must be notified in writing by the applicable dean. Such faculty may appeal under the faculty grievance procedure only in order to ensure a review of the procedures leading to the decision.

Written notice that an appointment is not to be renewed must be given to the faculty member in advance of the expiration of the appointment:

- a) In the first academic year, not later than March 1;
- b) In the second academic year, not later than December 1;
- c) Thereafter, not later than June 1 of the academic year preceding the terminal appointment.

#### **4.15.5 Separation from Employment Due to Medical Reasons**

*As approved by the Ithaca College Board of Trustees 5/20/2011.*

Tenured, tenure-eligible notice, and non-tenured-eligible notice faculty who are unable to work due to a long-term illness or medical conditions may be eligible for benefits under the College's Long-term Disability Program and/or Social Security as set forth in [Volume III](#) of the Ithaca College Policy Manual. Other benefit eligible faculty may be qualified and should consult with the Office of Human Resources.

#### **4.15.6 Procedures for the Warning and Dismissal of a Faculty Member**

##### **4.15.6.1 Letter of Warning**

- a) When the administration, in consultation with the planning unit personnel committee, believes that a faculty member's actions provide cause for disciplinary action because of nonfeasance (serious and willful neglect of faculty duties and responsibilities) or misfeasance (performance of such duties in a manner of academic or professional incompetence), the president will write the faculty member a letter of warning detailing the alleged nonfeasance or misfeasance. When the administration believes that a faculty member's actions provide cause for disciplinary action because of malfeasance (purposeful misconduct in or related to a faculty member's responsibilities to the College), the president will write the faculty member a letter detailing the malfeasance. The letter will include reference to dates, times, and places. Proper exercise of academic freedom will not lead to a letter of warning.
- b) This letter is to be hand delivered or, when this is not possible, sent to the faculty member's home address by registered mail with restricted delivery. If the return receipt is not received within five (5) days, the College will make additional efforts to notify the faculty member.
- c) This letter must contain specific instructions regarding changes to be made in the faculty member's actions and a time frame within which these changes must occur.

- d) If the faculty member wishes to deny charges or objects to specific instructions or to the time frame, the faculty member may commence the formal grievance procedure.
- e) If the faculty member does not deny all the charges, or if the grievance procedure sustains some of the charges, the faculty member is considered to have received a letter of warning and is subject to the procedure described in section 4.15.6.1 (a).
- f) If through the grievance procedure some charges are not upheld by a preponderance of the evidence, the letter of warning will be rewritten to include only those charges that were upheld. If through the grievance procedure none of the charges are upheld by a preponderance of the evidence, the letter of warning will be withdrawn and the faculty member will continue in the employment of the College without prejudice.

#### **4.15.6.2 Letter of Dismissal**

- a) If, after a letter of warning has been issued and adequate time to modify has been provided, the faculty member continues to engage in acts of nonfeasance, misfeasance, or malfeasance which the administration — after consultation with the personnel committee of the planning unit or school — deems adequate cause for dismissal, the president may write a letter of dismissal to the faculty member. In justifying this dismissal, the letter must cite evidence of failure to correct problems alleged in the letter of warning or cite evidence of nonfeasance, misfeasance, or malfeasance since the time the letter was sent.
- b) There may be some cases where a faculty member's actions constitute such flagrant and egregious abuse of position as to warrant dismissal without a prior letter of warning. In such cases the administration's first letter may be a letter of dismissal.
- c) The letter of dismissal is to be hand delivered or, when this is not possible, sent to the faculty member's home address by registered mail with restricted delivery. If the return receipt is not received within five (5) days, the College will make additional efforts to notify the faculty member. A letter of dismissal may be grieved using the formal grievance procedure.
- d) If through the grievance procedure the charges are not upheld by a preponderance of the evidence, the letter of dismissal will be withdrawn and the faculty member will be reinstated in the employment of the College with back pay and without prejudice as to the charges.

#### **4.15.6.3 Letter of Immediate Suspension**

In extreme cases, where the faculty member's continued presence seriously and adversely affects the functioning of the College or jeopardizes the safety or welfare of any person, the administration may immediately suspend the faculty member. The administration shall attempt to inform the faculty member immediately of the suspension. Furthermore, the president will send a letter of immediate suspension to the faculty member's home address by registered mail with restricted delivery. If the administration is unsuccessful in informing the faculty member of the suspension, and if the return receipt is not received within five (5) days, the College will make additional efforts to notify the faculty member. If the faculty member is reinstated or the suspension continues beyond two weeks, compensation will then be reinstated retroactive to the beginning of the suspension. The faculty member may grieve the suspension according to the formal grievance procedure.

## **4.16 Grievance Policy**

The grievance policy establishes a regular procedure for faculty of Ithaca College to resolve problems and disputes related to the policies and procedures of Volume IV of the *Ithaca College Policy Manual*. There are two stages of the grievance policy: the informal stage and the formal stage. The objective at each stage is to secure an equitable and mutually acceptable resolution of the grievance.

### **4.16.1 Definitions**

#### **4.16.1.1 Grievance**

A grievance is a complaint, which alleges a violation, misinterpretation, or misapplication of Volume IV of the *Ithaca College Policy Manual*.

#### **4.16.1.2 Grievant**

The grievant is the individual faculty member who makes a grievance complaint.

#### **4.16.1.3 Respondent**

The respondent is the person against whom a grievance is made.

#### **4.16.1.4 Petition**

A petition is a written request, delivered to the chair of the Grievance Committee, that a fact-finding committee be established to consider the grievance. The petition must satisfy the requirements of section 4.16.3.3.3.

#### **4.16.1.5 Business Days**

Business days are calendar days, excluding Saturday, Sunday, and College-designated holidays.

#### **4.16.1.6 Receipt**

Receipt is said to have occurred if the letter has been hand-delivered or, when this is not possible, sent to the faculty member's home address by registered mail with restricted delivery.

#### **4.16.1.7 Grievance Committee**

The Grievance Committee is a body appointed by each school with two tenured members of the school elected for a two-year term on a staggered basis.

#### **4.16.1.8 Fact-Finding Committee**

The fact-finding committee is a body of three persons selected from the Grievance Committee.

#### **4.16.1.9 Report**

A report is a written statement of the findings and determinations of the fact-finding committee, which is submitted to the Grievance Committee and the Office of the Provost/VPAA for action.

#### **4.16.1.10 Appropriate Vice-President**

If the grievance is with an action of the provost/VPAA, then throughout the formal grievance procedure the provost/VPAA's normal role in the grievance procedure will be taken by an administrator appointed by the president after consultation with the Grievance Committee.

### **4.16.2 Scope of a Grievance**

#### **4.16.2.1**

A grievance petition must be considered under the faculty grievance procedure if:

1. It is filed in a timely fashion according to section 4.16.3.3;  
and
2. The Grievance Committee first determines that such grievance alleges at least one of the following:
  - a. Denial of academic freedom;
  - b. Warning, suspension, or dismissal in violation of section 4.15.6 of Volume IV of the *Ithaca College Policy Manual*. (Neither non-reappointment of non-tenure-eligible appointments nor denial of tenure constitutes dismissal.)
  - c. Violations of notice provisions of planning unit, school, or College procedures for non-reappointment of tenure-eligible faculty;
  - d. Other violations of Volume IV of the *Ithaca College Policy Manual*.

#### **4.16.2.2**

The grievance policy cannot be used to change or delete institutional policies found in other volumes of the *Ithaca College Policy Manual*. Faculty who have concerns about institutional policies and procedures should discuss these concerns with their chairs or deans or bring them to the attention of the appropriate directors, vice-president, or policy development committee.

#### **4.16.2.3**

Grievances related to discrimination and/or sexual harassment are to be addressed in accordance with the procedures as set forth in section 2.7 of Volume II of the *Ithaca College Policy Manual*.

#### **4.16.2.4**

*As approved by the Ithaca College Board of Trustees 2/16/2006.*

Grievances related to consideration for tenure and/or promotion, which include alleged violations concerning tenure, promotion, and major formal evaluation of faculty may only be considered by the Faculty Personnel Appeals Committee except if it concerns a question of academic freedom. The procedures governing this committee are set forth in section 4.13.3 of Volume IV of the *Ithaca College Policy Manual*.

#### **4.16.2.5**

All statements made by participants in the grievance procedure (whether at department, planning unit, school, or College level) are and shall remain confidential among the participants to the extent permissible under law. Furthermore, all statements made by members of the grievance committee/fact-finding committee during their deliberations are and shall remain confidential among the members of the grievance committee/fact-finding committee to the extent permissible under law.

### **4.16.3 The Grievance Procedure**

#### **4.16.3.1 Extension of Deadlines**

Every effort shall be made to ensure that a grievance is handled in a timely manner. The chair of the Grievance Committee may grant reasonable extensions of the time limits to the grievant(s) or respondent(s) after consultation with the provost/VPAA. Requests for such extensions shall specify a time after which the next stage in the grievance procedure must begin. A written statement stipulating the nature and duration of the extension is forwarded to every individual involved in the current or next stage of the grievance process.

#### **4.16.3.2 Informal Problem Solving**

Grievant(s) are encouraged to seek informal resolution of a grievance prior to filing a grievance petition. The following is a suggested timeline for informal resolution of a grievance:

1. Within ten (10) business days of the action which is the subject of the grievance, the grievant(s) bring the grievance to the attention of the person(s) who allegedly committed it.
2. The grievant(s) allow the respondent(s) five (5) business days to resolve the grievance.

If a resolution is not achieved within this time the grievant(s) may within five (5) additional business days bring the grievance to the attention of the dean of the grievants' school or the dean of the respondents' school (or if the respondent(s) does not have a dean, the executive officer in charge of the respondents' area), prior to submitting a formal grievance, to discuss the nature of the grievance and possible methods of informal resolution. The dean will attempt to assist the respondent(s) in resolving the problem. If the grievance is with an action of the dean or other academic office reporting to the provost/VPAA, then the grievant(s) may request that the provost/VPAA attempt to resolve the grievance.

3. If a resolution is not achieved within five (5) working days after notification of the dean or the provost/VPAA the grievant(s), within five (5) additional working days, may file a grievance petition with the chair of the Grievance Committee.

#### **4.16.3.3 The Formal Grievance Procedure**

If a resolution of a grievance is not reached through the informal stage, formal procedures may be invoked.

A formal grievance petition must be initiated within 30 days of the grievable event regardless of the parties' efforts to resolve the grievance informally. Both the grievant(s) and respondent(s) are allowed to have a member of the College community accompany them as an advisor throughout the formal process.

##### **4.16.3.3.1**

Upon receipt, copies of all correspondence, including the grievance petition, shall be provided by the Office of the Provost/VPAA to the grievant(s); respondent(s); provost/VPAA; chair of the Grievance Committee; and, when directed by the chair of the Grievance Committee, to all members of the Grievance Committee. Whenever possible, all correspondence shall be hand delivered. In the event hand delivery is not possible or practical, the Office of the Provost/VPAA can request the party to pick up the materials in the Office of the Provost/VPAA's or, alternatively, mail the materials by certified/registered mail with a return receipt requested.

##### **4.16.3.3.2 The Grievance Petition**

The Grievance Petition must be in writing and must contain the following:

1. The date of the alleged grievance, the name(s) of the respondent(s) and a summary of the nature of the grievance (including specific reference to all provisions in Volume IV of the *Ithaca College Policy Manual* that have allegedly been violated).
2. A description of the informal efforts, if any, to resolve the grievance.
3. A statement of the remedy which is sought. In order to prepare this statement, the grievant(s) may request materials relevant to the grievance from the provost/VPAA. If the

provost/VPAA does not provide materials, the provost/VPAA will provide a written explanation as to why it is not appropriate to release those materials with copies to the chair of the Grievance Committee.

4. A statement that the grievance is within the scope of the grievance policy as described in section 4.16.2.
5. A list of persons who are believed to have information which supports the position of the grievant(s)
6. Any supporting documentation.

#### **4.16.3.3.3 Supporting Documentation**

1. The chair of the Grievance Committee shall return, within three (3) business days, an incomplete petition to the grievant(s) for amendment and shall inform the grievant(s) of exactly what requirements of section 4.16.2 have not been fulfilled. The grievant(s) shall have three (3) days in which to resubmit the petition.
2. The chair of the Grievance Committee, after consultation with the grievance committee, shall dismiss within five (5) business days any grievance which, on the face of the completed petition, is not within the proper scope of this grievance policy as set forth in section 4.16.2 and such dismissal shall terminate the grievance process. The grievant(s) may appeal the dismissal within two business days to the provost/VPAA, whose determination shall be final.
3. Within two (2) business days of acceptance of the completed petition, the chair of the Grievance Committee shall notify the respondent(s) of the grievance in writing and provide the respondent(s) with a complete copy of the petition and any attached documentation in accordance with section 4.16.3.3.2.
4. Within five (5) working days of receipt of the copy of the petition, the respondent(s) shall file a response with the chair of the Grievance Committee. The respondent(s)' response shall be in writing and must contain the following:
  - a. A reply to the grievance;
  - b. The respondents' summary of the facts relating to the grievance;
  - c. A list of persons who are believed to have information which supports the position of the respondent(s);
  - d. Any supporting documentation.

#### **4.16.3.3.4 The Fact-Finding Committee**

1. Within five (5) business days following the decision of the Grievance Committee to accept the grievance a fact-finding committee shall be established as follows:
  - a. Both the grievant(s) and the respondent(s) shall have two (2) business days following the decision of the Grievance Committee to accept the grievance to disallow one member of the Grievance Committee from serving on the fact-finding committee. The Grievance Committee shall then constitute a three-member fact-finding committee from the remaining members of the Grievance Committee. If possible, none of the members of the fact-finding committee shall be from the same school as the grievant(s) or the respondent(s). If the grievance is with a member of the Grievance Committee, or the

grievant(s) is a member of the Grievance Committee, then that member will not serve for the particular grievance.

- b. Within twenty-four hours of receipt of notification of the composition of the fact-finding committee, the grievant(s) or the respondent(s) may object for cause. The fact-finding committee shall be deemed constituted if there is no objection for cause. The provost/VPAA makes final rulings on objection for cause.
2. The fact-finding committee has ten (10) business days following its constitution to interview anyone it deems necessary. At the start of this process, the grievant(s) or respondent(s) shall be provided an opportunity to suggest the names of witnesses they would like the fact-finding committee to interview and to suggest what questions the fact-finding committee should ask the witnesses. Prior to being interviewed by the fact-finding committee, the respondent(s) may request relevant materials from the provost/VPAA; if the provost/VPAA does not provide materials, the provost/VPAA shall provide a written explanation to all individuals listed above as to why it is not appropriate to release those materials. The fact-finding committee shall be provided all materials submitted by the grievant(s) and the respondent(s).
3. Within five (5) business days of its investigation, the fact-finding committee shall prepare and deliver a written report of the results of its investigation to the Grievance Committee. Copies of the report shall be distributed in accordance with section 4.16.3.3.1. The written report must include the findings of the fact-finding committee and a response to each of the issues raised by the grievant(s) in the grievance petition with which the grievant(s) initiated the grievance. If it is necessary for the committee to extend its investigation, a new date shall be established and all individuals listed above will be notified in accordance with section 4.16.3.3.1.
4. The grievant(s) and respondent(s) may choose to issue a written reply to the report. If so they have five (5) business days from the receipt of the report to deliver a written reply. This reply is addressed and delivered to the Office of the provost/VPAA for distribution in accordance with section 4.16.3.3.1.

#### **4.16.3.3.5 The Grievance Committee**

1. Within five (5) business days after the replies are due to be received from the above individuals, the Grievance Committee and provost/VPAA must meet to discuss the written report. On the basis of the fact-finding committee report the Grievance Committee can either decide to dismiss the grievance for failure to comply with the requirements of section 4.16.2 or can proceed with consideration of possible solutions to the grievance in accordance with paragraphs 2, 3 and 4 below.
2. Following the meeting between the provost/VPAA and the Grievance Committee, the provost/VPAA and the Grievance Committee have five (5) business days in which to meet with the grievant(s) and the respondent(s) (either together or separately) to attempt to resolve the grievance. At this meeting, the grievant(s) and the respondent(s) shall have the opportunity to discuss the grievance, the findings of the fact-finding committee, any responses to written documents, and any other information within the scope of the written grievance that the grievant(s) or respondent(s) believes is helpful in reaching a resolution to the grievance. The grievant(s) and respondent(s) may each have a member of the College community present throughout who shall have the opportunity to speak on their behalf. At this meeting, it shall be the intent of the Grievance Committee to present possible solutions,

which shall be discussed with all parties to the grievance.

3. If a decision acceptable to the grievant(s) and respondent(s) is not reached, the provost/VPAA and Grievance Committee shall within three (3) business days of the meeting of all parties establish a resolution to the grievance. Such resolution shall be in writing from the chair of the Grievance Committee and shall be delivered in accordance with section 4.16.3.3.1. The findings shall contain a summary of all efforts taken to resolve the grievance and the resolution reached by the Grievance Committee and the provost/VPAA. If the provost/VPAA and the Grievance Committee cannot agree on a decision within the three (3) business days, then they must initiate presidential review.
4. If the grievant(s) or respondent(s) does not accept the resolution arrived at by the provost/VPAA and the Grievance Committee, the party appealing may request presidential review by transmitting a written statement to the president within five (5) business days of receiving the resolution. Upon receipt by the Office of the President, the president's office will send copies in accordance with section 4.16.3.3.1.

#### **4.16.3.4 Presidential Review**

1. Within ten (10) business days after a request is received, the president will meet with the Grievance Committee, the grievant, the respondent, and the provost/VPAA, either together or separately, to review the grievance and the recommendations of the Grievance Committee and provost/VPAA. In addition, the president may meet or consult with other members of the College community concerning the grievance. If time extensions are necessary at any point in this step, the president will consult with all parties involved, set a new date, and notify all individuals listed above.
2. Within ten (10) business days of the meeting(s) above, the president must make a decision and report that decision to the grievant, the respondent, and all individuals listed above. The decision of the president is final.

#### **4.16.3.5 President as a Direct Party to Action**

If the president of the College is a direct party to the action being grieved, the grievant(s) may file an appeal within five (5) business days of the receipt of the president of the College's decision. Such an appeal is filed with the chair of the Ithaca College Board of Trustees. The Executive Committee of the Ithaca College Board of Trustees will then review the record of the case at its next meeting and will render a final decision on the grievance within ten (10) business days of that meeting to all parties. In case of any discussion over presidential involvement, the Executive Committee of the Ithaca College Board of Trustees shall be the sole judge of such involvement. The decision of the Executive Committee of the Ithaca College Board of Trustees is final.

#### **4.17 Amendment of Handbook**

Amendments to the *Faculty Handbook* may be proposed to Faculty Council at any time by any member of the faculty or administration. Faculty Council will establish a standing committee to consider these proposals in conjunction with the president, provost/VPAA, and college counsel. Faculty will be apprised of proposals, and an opportunity for faculty comments and suggestions will be provided. On substantive proposals, the committee will ascertain faculty opinion. If the committee and administrators listed above agree to submit a proposed amendment to the Ithaca College Board of Trustees, the president will convey it to the next meeting of the trustees. Proposed amendments received by the president by December 31 will be considered by the Ithaca College Board of Trustees at its subsequent February meeting. Unless otherwise stated,

such amendments will become effective June 1 following approval by the Ithaca College Board of Trustees.

Volume IV describes rights and responsibilities of the faculty and, as such, is part of the rules and regulations of the College. The provisions of the Faculty Handbook (including the amendment procedure described above) are not intended to supersede or alter the authority of the Ithaca College Board of Trustees or its bylaws.