

The Faculty Handbook of Bates College

Revised September 2023

Bates values the diversity of persons, perspectives, and convictions. Critical thinking, rigorous analysis, and open discussion of a full range of ideas lie at the heart of the College's mission as an institution of higher learning. The College seeks to encourage inquiry and reasoned dialogue in a climate of mutual respect.

Bates does not discriminate on the basis of race, color, national or ethnic origin, religion, sex, sexual orientation, gender identity or gender expression, marital or parental status, age, or disability, in the recruitment and admission of its students, in the administration of its educational policies and programs, or in the recruitment and employment of its faculty and staff.

The Faculty Handbook of Bates College

The Faculty Handbook provides general information for the faculty. It is edited annually by the Office of the Dean of the Faculty, with changes and additions authorized by the Board of Trustees, the faculty, or appropriate administrative officers of the College. As information is updated on the Web version of the Handbook, faculty are informed and changes are footnoted.

Part 1 contains information on the rules and procedures of the faculty, including appointment, tenure, and promotion (Part 1A) and faculty governance and committee structure (Part 1B). Most of these rules and procedures are legislated by vote of the faculty. Please carefully read the revised Part 1A, rules and procedures pertaining to faculty appointment, tenure, and promotion. The Tenure and Promotion Review Committee redesigned these policies and procedures, which were approved by vote of the faculty in 2020-21.

Parts 3 and 4, the College's policies on nondiscrimination and sexual harassment and affirmative action, are found in the Employee Handbook. The Employee Handbook (bates.edu/hr/reference/employee-handbook), is compiled by the Office of Human Resources, and contains extensive policy information pertaining to employment at the College.

Parts 2, 5, 6, and 7 offer information on benefits and support programs for teaching and scholarship; instruction of students; information and library services; and faculty scholarship.

The Handbook is not a complete compilation of the organization, procedures, and policies of the College. It supplements other official College resources, including the Catalog, the Employee Handbook, the Student Handbook, and information behind the Garnet Gateway. The dean of the faculty's office website, bates.edu/dof, contains a wealth of information for faculty members on a wide range of topics.

New for 2023-2024, the table of contents is made of up links to various sections of the handbook. Control click on any header to be taken to that section of the document.

All members of the faculty are responsible for being familiar with the information in the Faculty Handbook and with the manual on employee benefits. Please address and questions about this handbook should be addressed to me at 786-6066.

Thank you for your many contributions to the life of the College. Best wishes for a productive year.

Malcolm S. Hill
Dean of the Faculty

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Part 1: Rules and Procedures

Part 1A: Faculty Organization and Procedures

Article I: Definition and Duties of the Faculty of the College

Article 1, Section 1: The Faculty of the College

Bates College is operated under a charter granted by the State of Maine, which established a corporation and gave to it the authority to adopt by-laws for its governance. Article IX of the by-laws of The Charter and By-Laws of Bates College defines membership of the faculty, broadly defines its authority, and stipulates certain procedures. The entire text of Article IX is as follows:

By-Laws of Bates College, Article IX

SECTION 1: The faculty of the College will consist of the president, the deans, the treasurer, and the academic staff including the registrar, the librarian, the principal assistant librarian, the professors, associate professors, assistant professors, instructors, lecturers, and the visiting professors. Designation as a member of the faculty confers the right to vote in faculty meetings and serve as a member of faculty committees.

SECTION 2: The terms and conditions of the appointment, reappointment, promotion, and retirement of all members of the faculty will be determined by vote of the Corporation under such rules of procedure and of tenure of faculty membership as may now or hereafter be provided by specific resolution of the Corporation.

SECTION 3: The government of the College, including the terms of admission, the arrangement of courses of study, student discipline, and the control of student activities, will be vested in the faculty.

SECTION 4: The faculty will make provision for the keeping of proper minutes of their doings and may, by rule, create such offices and so regulate their doings as will seem best calculated to promote their efficiency.

SECTION 5: If the president will so request, the members of the faculty will annually provide a written report covering the work of their respective departments or fields of activity.

Article 1, Section 2: Statement of Academic Freedom and Tenure

Bates College faculty adhere to the ideals of the 1940 Statement of Principles on Academic Freedom and Tenure with the 1970 "Interpretive Comments" of the American Association of University Professors. aaup.org/report/1940-statement-principles-academic-freedom-and-tenure.

Per this statement, Bates faculty believe that "academic freedom is essential to...both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights."

In terms of academic freedom related to teaching, Bates faculty are (excerpted from the AAUP statement):

- "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."
- "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. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment."
- "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, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution."

In terms of academic freedom related to tenure, Bates College recognizes the following practices (excerpted from the AAUP statement):

- "precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated."
- "the probationary period should not exceed seven years."
- "during the probationary period a teacher should have the academic freedom that all other members of the faculty have."
- "termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, should, if possible, be considered by both a faculty committee and the governing board of the institution."
- "termination of a continuous appointment because of financial exigency should be demonstrably bona fide."

Article I, Section 3: Statement of Intellectual Honesty and Academic Integrity

Intellectual honesty and academic integrity are cornerstones of all creative and scholarly work. Academic dishonesty jeopardizes the confidence we have in prior work, violates our mutual trust and a fundamental value of the Bates intellectual community, and interferes with the creation of new knowledge, learning, and intellectual development. Thus, Bates College expects the highest level of ethical academic conduct of all faculty. The faculty community does not condone or tolerate breaches in those expectations. Faculty found guilty of committing an intentional act of academic dishonesty (plagiarism, fabrication of data, intentionally impeding or damaging the academic work of others, etc.) will be disciplined and face penalties.

Article I, Section 4: Decisions of the President and the Board of Trustees Regarding Reappointment and Tenure

a) Needs of the College

Needs of the College as finally determined by the president and the Board of Trustees govern all decisions on appointments, reappointments, and tenure. "Needs" may concern the financial resources of the College, the support necessary for academic programs approved by the faculty, the relationship of the individual's field to other fields of inquiry in the department(s) and/or program(s) in which an appointment is held, and the recognition of student interest.

The need for a given position shall be established at the time of reappointment, subject to change as provided in (c) below. The dean of the faculty and all evaluators of a candidate are separately responsible for including assessments of the needs of the College in their recommendations on each pre-tenurial reappointment. The need for a given lectureship shall be established at the time of each reauthorization of the lectureship position.

b) Guidelines for Limiting Reappointment and Tenure

The Board of Trustees may establish guidelines or percentages for limiting reappointments or tenure. If any guidelines or percentage limitations are set, they must be announced in writing to the faculty by the president or the dean of the faculty. Prior to such corporate establishment and administrative announcement, the faculty Committee on Faculty Governance must be given the opportunity to discuss the specific proposal and its rationale separately with the faculty and the members of the Board of Trustees. Ordinarily such guidelines or limitations will restrict only the aggregate numbers or proportion of tenured members on the faculty as a whole. Ordinarily they will not restrict by department, program, or division quotas, the numbers or proportion tenured in the several departments, programs, and divisions. Any guidelines or percentage limitations may be applied by the Faculty Personnel Committee in such a way as to produce general compliance. The committee may exceed guidelines or percentage limitations in a given year, but a continued practice of exceeding them would invoke Trustee review of the rules and procedures that govern appointment, reappointment, and tenure. The number or percentage of faculty members tenured in a department, program, or division may be a factor in the deliberations of the Faculty Personnel Committee.

c) Notification of Changed Needs

Whenever administrative reconsideration of the need for a position leads to a new determination, the president or dean of the faculty must notify in writing the individual, without awaiting the next scheduled review by the Faculty Personnel Committee.

Article I, Section 5: Ranks of the Faculty

a) Regular appointments.

Regular appointments are renewable and subject to the reappointment, tenure, and promotion procedures described in the subsections below. Faculty on regular appointments normally pass through a probationary period the length of which may vary with prior service elsewhere. Faculty appointments are considered to be in rank when they use the following titles:

(i) Instructor

Normal rank for faculty who have not completed the Ph.D. degree or equivalent terminal degree. The completion of the degree normally leads to promotion to Assistant Professor without a review by the Faculty Personnel Committee. No individual may be reappointed as an instructor for service in that rank beyond the fourth year, excluding head coaches.

At Bates College, head coaches without an advanced degree whose employment at the College began prior to January 1, 2020 and all head coaches hired on or after January 1, 2020 carry the rank of Instructor.

(ii) Assistant Professor

Normal rank for faculty who have completed a terminal degree, but who have not been reviewed for and appointed to tenure.

(iii) Associate Professor

The rank awarded to faculty who have been promoted as part of the tenure review process, or whose initial appointment, based on accomplishment elsewhere, is at the rank of associate professor.

(iv) Professor

The rank awarded to faculty who have been promoted as part of the review process described below, or whose initial appointment, based on accomplishment elsewhere, is at the rank of professor.

(v) Lecturer in a lectureship

Normal rank for non-tenure-track faculty with renewable contracts who ordinarily teach fewer than 5 courses per year. At Bates College, head coaches with an advanced degree that were hired before January 1, 2020 carry the rank of Lecturer. The title of "artist in residence" shall apply to lecturers whose teaching and professional achievements are in the creative or performing arts.

(vi) Senior Lecturer in a lectureship

The rank awarded to non-tenure-track faculty with renewable contracts who ordinarily teach fewer than 5 courses per year and have been promoted as part of the review process described below.

b) Visiting Faculty.

Visiting faculty at Bates are hired on term appointments that are not normally renewable. No individual may be reappointed on a nontenured contract extending beyond the seventh consecutive year of full-time teaching on the faculty of Bates College (see Article IV Section 5).

(i) Instructor

Normal rank for faculty at Bates who carry a 5-course teaching load and who have not completed a terminal degree.

(ii) Assistant Professor

Normal rank for visiting faculty at Bates who carry a 5-course teaching load.

(iii) Associate/Full Professor

The rank granted under special circumstances to visiting faculty at Bates who carry a 5-course teaching load and have significant experience teaching at liberal arts colleges or who earned tenure at another institution.

(iv) Lecturer

Normal rank for visiting faculty at Bates who carry a teaching load fewer than 5 courses.

Article I, Section 6: Duties of the Faculty

Faculty are expected to enhance the learning environment of Bates College through high-quality instruction, consequential scholarship and creative work, and committed service that supports the institutional mission. All faculty should be effective in the classroom, participate in continuous development of the curriculum, provide strong academic advising and support of students, foster a culture of equity and inclusion, foster healthy professional relationships, and maintain commitment to each student's academic success. Faculty shall participate in the governance of the institution by participating in committee work and/or meetings and providing input on matters related to the curricular and academic aspects of the institution.

Article II: Criteria for Reappointment, Tenure, and Promotion in Departments and Programs Other than Physical Education

Article II, Section 1: Preamble

Bates College, which was founded upon principles of social justice, equity, and inclusion, acknowledges that complexity of academic careers and values faculty who are committed to furthering the educational mission of the institution. Bates faculty are responsible for engaging students in a liberal education that develops intellectual curiosity, reflection, and critical thinking. Bates faculty are committed to an equitable and inclusive learning environment that educates the whole student and cultivates informed civic action. Bates acknowledges that disciplinary boundaries change over time, and encourages its faculty to explore new pedagogies, epistemologies, and areas of interest.

Bates seeks faculty who are highly effective educators and are active scholars and artists. These faculty create knowledge and expand our worldview through creative expression. Bates faculty are committed to education that is broad and generous, they focus on student success, and they work to provide transformational educational experiences to all undergraduates. Bates faculty have a responsibility to contribute to the shared governance of the institution and to contribute to the collective goals of the College and its curriculum as well as to the broader communities in which they participate as professionals and engaged citizens. Bates engages in holistic review of colleagues and the domains below are integrally connected and interdependent.

Article II, Section 2: Teaching

The central mission of all faculty is to teach so that all students can learn and succeed, which is fortified by a clearly articulated pedagogical philosophy. Bates faculty are expected to be experts in their fields and to use their expertise to provide opportunities for encouraging and engaging students as scholars and artists. Excellent teaching is evidenced by self-reflection, exploration, and a continuing commitment to pedagogical development and growth. Effective teachers create an educational environment that permits an open exchange of ideas; they encourage deep learning, use high impact practices, and embrace inclusive pedagogies and evidence-based strategies. Excellent teaching involves effective mentoring and advising of students, which often takes place outside of the classroom. Academic advisors help students identify their academic passions, focus on the personal growth of their students, and engage in holistic mentorship tailored to the individual student's needs during the arc of their Bates education. Effective advisors understand policies and procedures, provide accurate information about the curriculum, mentor students as they develop their capstone/thesis experience, and empower students to make independent and informed decisions.

Article II, Section 3: Professional Achievement

Bates supports and values the ethical advancement of knowledge, intellectual discovery, and creative production. As a liberal arts institution, Bates takes an expansive and progressive view of intellectual work. Peer-reviewed work is one essential dimension of what faculty do as scholars and artists, and this peer-reviewed work is necessary for tenure and promotion. Bates recognizes that the nature of professional achievement varies according to the field of the candidate. The College considers significant intellectual endeavors connected to our disciplines such as non-peer

reviewed community-engaged research, digital and public-facing contributions, and involvement with professional associations as part of evaluation when assessed in appropriate ways. All professional achievements are evaluated for the quality of the work, their significance within the discipline, and evidence of ongoing development or future promise.

Article II, Section 4: Governance and Engagement

As a community of learners and scholars, Bates College relies on a model of shared governance which values the central role played by faculty. In every phase of their careers at Bates, faculty are therefore expected to make meaningful contributions to the work that sustains and advances the academic community at Bates College. Faculty members must provide evidence of their substantive contributions to their academic unit, college, or broader community as they stand for decisions on reappointment, tenure, and promotion. Examples of contributions include service on college committees, work within or chairing an academic program or department, engagement and leadership in campus initiatives, or leadership of or engagement with initiatives that identify and remove institutional or educational barriers due to racism, sexism, classism, or ableism. Bates also values professional contributions to the wider world, including professional organizations.

Article III: Evaluative Procedures

Article III, Section 1: Schedule of Evaluation

a) Schedules of Reappointment, Tenure, and Promotion

i) Renewable Lecturers

The dean of the faculty and division chairs may recommend to the president the reauthorization of a lectureship for any term from one semester to three years, depending on their determination of the needs of the College. Second and third reauthorizations of lectureships that are continuing shall normally each be for three years. Subsequent reauthorizations shall normally be for five years. Every lectureship position must be reauthorized, normally in the academic year previous to the last year for which it has been authorized. After the fourth successful reauthorization of a lectureship position held by a faculty member who then passes review by the Faculty Personnel Committee a fourth time, the lectureship will no longer require reauthorization by the division chairs and dean of faculty and the colleague will only require review by the Faculty Personnel Committee when seeking promotion.

Lecturers may be considered for promotion to the rank of senior lecturer after thirteen years of employment as a lecturer, or through credit for prior experience arranged at the time of hiring. A lecturer who meets the minimum years of service may choose to be evaluated for this promotion by indicating this decision in writing to the dean of faculty by 1 January preceding the reappointment decision. Subsequent to the initial consideration for promotion, a lecturer may elect a new consideration in any year, by stating this decision in writing to the dean of faculty by 1 January preceding the reappointment decision. Lecturers attaining the rank of senior lecturer no longer need to undergo evaluation by the Faculty Personnel Committee. For any lecturers who attain the rank of senior lecturer and whose position has been reauthorized by the dean of faculty and division chairs four times, the dean of faculty and division chairs will no longer re-evaluate the need for the lectureship position.

ii) Full-time Tenure Track

Initial appointments to full-time, tenure-track positions are for a term of four years.

For candidates on a four-year tenure-track appointment, an evaluation shall be conducted during the fall semester of the second year of teaching at Bates. This evaluation is not conducted by the Faculty Personnel Committee. Its purpose is to inform the candidates of their evaluators' judgment of their job performance and to aid the candidate in any appropriate improvement.

Normally reappointment decisions shall be made in the third year of full-time service. Reappointments to tenure-track positions are for a further term of three years. Decisions on tenure are made during the sixth year, and first consideration for promotion to full professor is made in the sixth full year in rank as associate professor. See below, Article III Section 1(a)(iv) for exceptions.

iii) Part-time Tenure Track

Initial appointments to part-time tenure-track positions are for a term of five years. Reappointments to part-time tenure-track positions are for a further term of five years. Decisions on tenure are made during the ninth year, and first consideration for promotion to full professor is made in the sixth full year in rank as associate professor. See below, Article III Section 1(a)(iv) for exceptions. Evaluations of part-time tenure-track faculty shall proceed according to Article III, Sections 2 and 3, below, with the exception that evaluations by the Faculty Personnel Committee occur in different years of service than for full-time tenure-track faculty.

iv) Exceptions to the Normal Schedule

1) Credit for Prior Service

Persons who have held previous appointments at other institutions may negotiate with the president or dean of the faculty at the time of the initial appointment at Bates for up to four years of teaching credit toward the tenurial decision, reducing or eliminating years spent in the initial four-year contract and adjusting the dates of formal notification accordingly. No such credit is assured. If four years of credit are granted, the initial and only contract prior to a tenure decision is for three years.

2) Early Consideration

An individual, after consultation with the dean of the faculty, may declare early candidacy for reappointment, tenure, or promotion. Candidates for early consideration are held to the same criteria, and evaluative procedures as those applied under the normal timetable, and the decisions made are equally final.

3) Delayed Consideration

Full-year leaves of absence may delay the schedule of reappointments, tenure, and promotion correspondingly (see www.bates.edu/dof/faculty-scholarship/). Neither a single half-year leave of absence nor any Short Term leave delays this schedule. In cases of multiple half-year leaves or partial leaves, the individual seeking delayed consideration must take the initiative to petition the Faculty Personnel Committee, which has authority to accept or deny.

b) Calendar

Most dates below are subject to slight annual variations. Invariable dates are certification of the doctorate by 1 September, and notifications of decisions to be mailed by 30 November (promotions to full professor and senior lecturer; reappointment of lecturers), 10 February (faculty tenure and in-depth reviews of coaches), and 15 May reappointment of tenure track faculty.

Candidate	Lecturer Reappointment	Tenure Stream Reappointment	Tenure Review	Promotion to Full Professor	Promotion to Senior Lecturer
Decision to Stand Due				December 1	January 1
Decision to Submit Outside Evaluator Names			March 15	March 15	March 15
Deadline to Submit Student Evaluators			May 1	March 15	March 15
Deadline to Submit Choice of Examiner	July 1	December 1	September 1	May 15	May 15
Deadline to Submit Dossier	August 22	January 26	October 15	August 22	August 22

Clarification Letter Sent	October 25	March 29	December 20	October 15	October 15
Candidate Response to Clarification Due	November 6	April 12	January 5	November 1	November 1
Recommendation to the president and board of trustees	November 15	May 1	January	November 15	November 15
Formal Written Notification Sent	November 30	May 15	February 10	November 30	November 30

Article III, Section 2: The Dossier for Reappointment

The dossier is a portfolio of evidence that provides material that will be reviewed by the Faculty Personnel Committee. The candidate is responsible for building a case that is supplemented with material requested by the Faculty Personnel Committee. The candidate should provide a current CV as part of this dossier.

Individuals holding joint contracts. Individual holding joint contracts shall be evaluated both individually and as a team. Before such evaluations, the dean of the faculty shall remind authors of letters and members of the committee that this evaluation must be in conformance with the requirements of the joint contract, i.e., jointly they shall serve the College in ways equivalent to a full-time teaching member of the faculty. Evaluators should take particular notice that any possible quantitative standards of productivity used in the evaluation of individual holders of a joint appointment must be reduced in light of half-time employment.

a) Materials produced by Candidates in Renewable Lectureships

i) Teaching

The candidate is responsible for providing a statement on teaching and should provide pedagogical materials for Faculty Personnel Committee review (for example, syllabi, curricular activities, examinations etc.). Excellence in teaching is a requirement for reappointment as a lecturer. The definitions of excellence in teaching are the same as those defined in Article II, with the exception that academic advising is not required of all lecturers.

ii) Professional Achievement

The candidate is responsible for providing a statement on professional achievement and should provide materials for Faculty Personnel Committee review. Excellence in professional achievement, in the form of research, writing, publication, or creative work and exhibition, is normally a requirement for the reappointment of a lecturer. The definitions of excellence in professional achievement are those listed in Article II. Expectations for professional achievement shall be adjusted in ways appropriate to the part-time nature of a lecturer's position. In some cases, which will be determined by the dean of the faculty, lecturers may be appointed with an understanding that professional achievement is not necessary or appropriate. In these cases, evaluators and members of the Faculty Personnel Committee need not take professional achievement into account as part of their evaluation.

iii) Supplemental Teaching and Governance and Engagement

The candidate is responsible for providing a statement on their work in governance and engagement and should provide materials for Faculty Personnel Committee review. Excellence in governance and engagement is expected for the reappointment of a lecturer. The definitions of excellence for governance and engagement are those listed in Article II. Lecturers normally have responsibility for supplemental teaching or governance and engagement activities in proportion to the number of courses they teach. The kind of supplemental teaching may vary but could include teaching independent studies, major advising, thesis supervision, first-year advising, committee service, honors panel service, advising student organizations, or maintenance of teaching facilities such as studios, labs, and instrumentation. Appropriate

forms of supplemental teaching and governance and engagement for a lecturer will be agreed upon by the department or program chair(s) and the lecturer, summarized in writing, and must gain the approval of the dean of the faculty. This decision must take into account the lecturer's qualifications and yearly schedule, as well as department, program, and College needs.

iv) The Examiners

The candidate may select one of the examiners to offer council concerning the submission of written materials and to check the dossier, prior to its review by the Faculty Personnel Committee, for completeness and correctness. See Section 6 below for details.

v) Clarification

The candidate has the right to respond to the committee in writing after the clarification letter has been received. The candidate may also bring up any matters on which the candidate would like to comment.

b) Materials Produced by Candidates in Tenure-Track Positions

i) Teaching

The candidate is responsible for providing a statement on teaching and should provide pedagogical materials for Faculty Personnel Committee review (for example, syllabi, curricular activities, examinations etc.). Excellence in teaching is a requirement for all tenure track positions. The definitions of excellence in teaching are the same as those defined in Article II.

ii) Professional Achievement

The candidate is responsible for providing a statement on professional achievement and should provide materials for Faculty Personnel Committee review. Excellence in professional achievement, in the form of research, writing, publication, or creative work and exhibition, is normally a requirement for reappointment. The definitions of excellence in professional achievement are those listed in Article II. The candidate is responsible for submitting regular annual reports of professional activities, which become part of the dossier considered by the Faculty Personnel Committee. Every candidate for reappointment, tenure, or promotion should also submit to the Faculty Personnel Committee a written statement of scholarly, artistic, or other comparable work in progress and of goals for the future. The candidate should submit copies of all successful grant proposals and all published articles or books. Finally, the candidate may submit any other relevant material, including all papers read to scholarly audiences, letters concerning scholarship, art, or equivalent achievement by professionally qualified persons.

iii) Governance and Engagement

The candidate is responsible for providing a statement on their work in governance and engagement and should provide materials for Faculty Personnel Committee review. Excellence in governance and engagement is expected for reappointment. The definitions of excellence for governance and engagement are those listed in Article II.

iv) The Examiners

The candidate may select one of the examiners to offer council concerning the submission of written materials and to check the dossier, prior to its review by the Faculty Personnel Committee, for completeness and correctness. See Section 6 below for details.

v) Clarification

The candidate has the right to respond to the committee in writing after the clarification letter has been received. The candidate may also bring up any matters on which the candidate would like to comment.

c) Materials Gathered by the Faculty Personnel Committee

i) Students' Evaluations of Instruction

Student evaluations of instruction shall be distributed to the candidate, to the candidate's department and/or program chair(s), and to the dean of the faculty for the candidate's personnel file. These materials will be made available to the Faculty Personnel Committee.

ii) Internal Colleagues' Letters

All evaluators shall write a signed letter of evaluation that discusses the evidence presented by the

candidate in the context of the criteria described in Article II. Evidence of teaching excellence may include the following: after adequate notice to the instructor, observations of classes over a period of time and in different courses; syllabi; examinations; or other course materials. Evaluators should discuss the candidate's professional achievement, governance and engagement, evidence of ongoing development, and future promise.

iii) Other Information

The committee, after informing the candidate, may seek any other information that it deems to be relevant, and the dean of the faculty may present to it other materials from the candidate's file. All such material must be opened to the chosen examiner before submission to the committee.

Article III, Section 3: The Dossier for Tenure and Promotion to Full Professor/Senior Lecturer

The dossier is a portfolio of evidence that provides material that will be reviewed by the Faculty Personnel Committee. The candidate is responsible for building a case that is supplemented with material requested by the Faculty Personnel Committee. The candidate should provide a current CV as part of this dossier.

Individuals holding joint contracts shall be evaluated both individually and as a team. Before such evaluations, the dean of the faculty shall remind authors of letters and members of the committee that this evaluation must be in conformance with the requirements of the joint contract, i.e., jointly they shall serve the College in ways equivalent to a full-time teaching member of the faculty. Evaluators should take particular notice that any possible quantitative standards of productivity used in the evaluation of individual holders of a joint appointment must be reduced in light of half-time employment.

Subsequent to the initial consideration for promotion, the candidate may elect a new consideration in any year. The candidate must state this in writing to the dean of the faculty by 1 January. Such consideration does not involve solicitation of letters from outside evaluators or students, unless the candidate so requests. The committee shall decide whether to grant the request for additional letters.

a) Materials Produced by Candidate for Tenure and Promotion to Full Professor

i) Teaching

The candidate is responsible for providing a statement on teaching and should provide pedagogical materials for Faculty Personnel Committee review (e.g., syllabi, curricular activities, examinations, etc.). Excellence in teaching is a requirement for all tenure-track positions. The definitions of excellence in teaching are the same as those defined in Article II.

ii) Professional Achievement

The candidate is responsible for providing a statement on professional achievement and should provide materials for Faculty Personnel Committee review. Excellence in professional achievement, in the form of research, writing, publication, or creative work and exhibition, is normally a requirement for all tenure-track positions. The definitions of excellence in professional achievement are those listed in Article II. The candidate is responsible for submitting regular annual reports of professional activities, which become part of the dossier considered by the Faculty Personnel Committee. Every candidate for reappointment, tenure, or promotion should also submit to the Faculty Personnel Committee a written statement of scholarly, artistic, or other comparable work in progress and of goals for the future. The candidate should submit copies of all successful grant proposals and all published articles or books. Finally, the candidate may submit any other relevant material, including all papers read to scholarly audiences, letters concerning scholarship, art, or equivalent achievement by professionally qualified persons.

iii) Governance and Engagement

The candidate is responsible for providing a statement on their work in governance and engagement and should provide materials for Faculty Personnel Committee review. Excellence in governance and engagement is expected for all tenure track positions. The definitions of excellence for governance and engagement are those listed in Article II.

iv) Selection of Student Evaluators

See section 4(a) below

v) Selection of Internal Colleagues

See section 4(b) below

vi) Qualified Professionals Elsewhere

See Section 5 below

vii) The Examiners

The candidate may select one of the examiners to offer council concerning the submission of written materials and to check the dossier, prior to its review by the Faculty Personnel Committee, for completeness and correctness. See Section 6 below for details.

viii) Clarification

The candidate has the right to respond to the committee in writing after the clarification letter has been received. The candidate may also bring up any matters on which the candidate would like to comment.

b) Materials Produced by Candidates for Promotion to Senior Lecturer

i) Teaching

The candidate is responsible for providing a statement on teaching and should provide pedagogical materials for Faculty Personnel Committee review (for example, syllabi, curricular activities, examinations etc.). Excellence in teaching is a requirement for promotion to senior lecturer. The definitions of excellence in teaching are the same as those defined in Article II, with the exception that academic advising is not required of all lecturers.

ii) Professional Achievement

The candidate is responsible for providing a statement on professional achievement and should provide materials for Faculty Personnel Committee review. Excellence in professional achievement, in the form of research, writing, publication, or creative work and exhibition, is normally a requirement for promotion to senior lecturer. The definitions of excellence in professional achievement are those listed in Article II. Expectations for professional achievement shall be adjusted in ways appropriate to the part-time nature of a lecturer's position. In some cases, which will be determined by the dean of the faculty, lecturers may be appointed with an understanding that professional achievement is not necessary or appropriate. In these cases, evaluators and members of the Faculty Personnel Committee need not take professional achievement into account as part of their evaluation.

iii) Supplemental Teaching and Service

See Article 3 Section 2(a)iii above.

iv) Selection of Student Evaluations

See Section 4(a) below.

v) Selection of Internal Colleagues

See Section 4(b) below.

vi) Qualified Professionals Elsewhere

See Section 5 below.

vii) The Examiners

The candidate may select one of the examiners to offer council concerning the submission of written materials and to check the dossier, prior to its review by the Faculty Personnel Committee, for completeness and correctness. See Section 6 below for details.

viii) Clarification

The candidate has the right to respond to the committee in writing after the clarification letter has been received. The candidate may also bring up any matters on which the candidate would like to comment.

c) Materials Gathered by the Faculty Personnel Committee

i) Students' Evaluations of Instruction

Student evaluations of instruction shall be summarized and distributed to the candidate, to the candidate's department and/or program chair(s), and to the dean of the faculty for the candidate's personnel file. These materials will be made available to the Faculty Personnel Committee.

ii) Students' Letters

Students' letters evaluate the candidate's teaching, according to the criteria for teaching specified in Article II.

iii) Internal Colleagues' Letters

All evaluators shall write a signed letter of evaluation that discusses the evidence presented by the candidate in the context of the criteria described in Article II. Evidence of teaching excellence may include the following: after adequate notice to the instructor, observations of classes over a period of time and in different courses; syllabi; examinations; or other course materials. Evaluators should discuss the candidate's professional achievement, governance and engagement, evidence of ongoing development, and future promise.

iv) External Colleagues' Letters

Outside judges, writing according to the provisions of Article III, Section 5, should evaluate published materials, manuscripts, or equivalent work, for the quality of achievements, their significance within the discipline, and any evidence of ongoing development or future promise. All information submitted to the committee from outside judges shall be in written form. All committee requests for further clarification from outside judges shall be in written form. This procedure may also be followed at the time of other decisions, depending on the judgment of the dean of the faculty or the Faculty Personnel Committee.

v) Other Information

The committee, after informing the candidate, may seek any other information that it deems to be relevant, and the dean of the faculty may present to the committee other materials from the candidate's file. All such material must be opened to the chosen examiner before submission to the committee.

Article III, Section 4: Internal Evaluation

a) Selection of Student Evaluators

On behalf of the committee, the dean of the faculty requests evaluative letters from at least twenty students or former students, selected according to procedures approved and published by the Faculty Personnel Committee, concerning candidates for the tenurial decision and at first consideration for promotion to full professor or senior lecturer.

b) Selection of Internal Colleague Evaluators

If qualified, faculty standing for full professor may apply either option 1 or option 2 of the following two processes.

i) Option 1 (available to faculty considering promotion to full professor. This option also is available to faculty seeking reappointment as a lecturer).

Tenured members of departments and programs, as well as the chairs of departments, programs, and divisions share ongoing responsibility for the evaluation of junior-ranking members. The Faculty Personnel Committee requests

evaluations from all such colleagues, as specified in Article III, Section 4(a), (b), (c), and (d), at the scheduled occasions of reappointment, tenure, and consideration for promotion to full professor. At the beginning of each academic year, the dean of the faculty shall provide each tenured member of the faculty with a two-year schedule of all reappointment, tenure, and promotion decisions for which that member shall be expected to write.

a) Evaluation of Candidates Appointed in Departments Only

For reappointment, tenure, and promotion decisions for persons holding appointments solely in departments, evaluators shall be selected from members of the faculty as follows:

1. The chair of the departmental division, except in the case of lecturers. The chair of the relevant department.
2. Senior-ranking colleagues in the candidate's department.
3. If there are fewer than three senior-ranking members in any department, the committee solicits letters from one, two, or three other senior-ranking members of the faculty selected by the chair of the division in consultation with the candidate and the chair of the department.
4. In consideration of promotion, division and department chairs write evaluations regardless of their ranks.
5. For anomalous situations, Article III, Section 7(c)(vi) of the Rules and Procedures of the faculty shall apply.

b) Evaluation of Candidates Appointed in Programs Only

For reappointment, tenure, and promotion decisions for persons holding appointments solely in interdisciplinary programs, evaluators shall be selected from members of the faculty as follows:

1. The chair of interdisciplinary studies, except in the case of lecturers.
2. The chair of the program.
3. Senior-ranking colleagues in the candidate's program.
4. To provide continuity, two senior-ranking colleagues (usually drawn from the appropriate program committee or the search committee) shall be identified at the time of the candidate's appointment by the dean of the faculty upon recommendation of the chair of interdisciplinary programs, in consultation with the chair of the program and the candidate. These colleagues shall serve as permanent evaluators from the time of appointment through subsequent tenure and promotion decisions.
5. Two additional senior-ranking colleagues drawn from the membership of the program committee at the time of the call for letters for the candidate's first evaluation by the Faculty Personnel Committee. These two additional faculty are selected by the Faculty Personnel Committee from four names recommended by the chair of interdisciplinary studies, in consultation with the chair of the relevant program and the candidate. These colleagues shall serve as permanent evaluators from the time of the first evaluation by the Faculty Personnel Committee through subsequent tenure and/or promotion decisions.
6. At the time of consideration for reappointment, tenure, or promotion, at the discretion of the candidate, one or two additional uniquely qualified senior-ranking colleagues who are familiar with the candidate's teaching and scholarship shall be selected by the chair of interdisciplinary studies, in consultation with the chair of the relevant program and the candidate.
7. In consideration of promotion, the chair of interdisciplinary studies and the chair of the program write evaluations regardless of rank.

8. Recommendations for replacement of any of the individuals specified in (3) and (4) above due to illnesses, retirements, and the like shall be made to the Faculty Personnel Committee from colleagues selected by the chair of interdisciplinary studies in consultation with the chair of the program and the candidate.
9. For anomalous situations, Article III, Section 7(c)(vi) of the Rules and Procedures of the faculty shall apply.

c) Evaluation of Candidates Holding Dual Appointments

For reappointment, tenure, and promotion decisions for persons holding dual appointments (e.g., two departments, two programs, or one department and one program), evaluators shall be selected from members of the faculty as follows:

1. The chair of each relevant division, except in the case of lecturers.
2. The chair of each relevant department and/or program.
3. Four senior-ranking colleagues, two drawn from each of the departments and/or programs in which the candidate serves. To provide continuity, these four faculty shall be identified at the time of the candidate's appointment by the dean of the faculty upon recommendation of the chair of the relevant division in consultation with the appropriate department and/or program chairs and the candidate. These colleagues shall serve as permanent evaluators from the time of appointment through subsequent tenure and promotion decisions.
4. At the time of consideration for reappointment, tenure, or promotion, at the discretion of the candidate, one or two additional uniquely qualified senior-ranking colleagues who are familiar with the candidate's teaching and scholarship shall be selected by the chair of the relevant division in consultation with the relevant department and/or program chairs and the candidate.
5. In consideration of promotion, division chairs and department and/or program chairs write evaluations regardless of rank.
6. Recommendations for replacement of any of the individuals specified in (3) and (4) above due to illnesses, retirements, and the like shall be made to the Faculty Personnel Committee from colleagues selected by the chairs of the relevant divisions and/or interdisciplinary programs, in consultation with chairs of relevant programs and/or departments, and the candidate.
7. For anomalous situations, Article III, Section 7(c)(vi) of the Rules and Procedures of the faculty shall apply.

d) Evaluation of Candidates Appointed in a Department, but with Significant Interdisciplinary Service

For reappointment, tenure, and promotion decisions for persons in a department, with significant interdisciplinary service, evaluators shall be selected from members of the faculty as follows:

1. The chair of the departmental division, except in the case of lecturers.
2. The chair of the relevant department.
3. Senior-ranking colleagues in the candidate's department.

At the discretion of the candidate:

4. The chair of interdisciplinary studies and the chair(s) of the relevant program(s) and/or department(s).
5. At the time of consideration for reappointment, tenure, or promotion, one or two additional senior-ranking colleagues who are familiar with the candidate's teaching and scholarship. These colleagues are drawn from the past and present membership of the appropriate program(s) and/or

department(s) and shall be selected by the chair of interdisciplinary studies in consultation with the chair(s) of the relevant program(s) and/or department(s) and the candidate.

6. In consideration of promotion, division chairs and department and/or program chairs write evaluations regardless of rank.
7. For anomalous situations, Article III, Section 7(c)(vi) of the Rules and Procedures of the faculty shall apply.

ii) Option 2 (for candidates with tenure-track appointments whose tenure-track contract begins on or after 1 August 2015)

Tenured members of the faculty share ongoing responsibility for the evaluation of junior-ranking members. At the scheduled occasions of consideration for reappointment, tenure, and promotion to full professor, the Faculty Personnel Committee will request evaluations from tenured faculty as specified in this section. At the beginning of each academic year, the dean of the faculty shall provide each tenured member of the faculty with a two-year schedule of all reappointment, tenure, and promotion decisions for which that member is expected to write. The dean of the faculty also shall notify all tenured faculty members who have served at least two years at the rank of associate professor of their options regarding selection of an evaluation committee for consideration of promotion to full professor. Additionally, at the beginning of each academic year, the dean of the faculty shall make available to all faculty a list of all tenured members of the faculty, annotated with the fields of expertise of each faculty member and the number of tenure and promotion review cases to which each faculty member is currently assigned.

a) For reappointment and tenure for all tenure-track appointments, evaluators shall be selected from members of the faculty as follows:

By the end of the first semester of the tenure-track appointment, preferably before the start date of the tenure-track contract, the Faculty Personnel Committee will appoint four distinctly qualified tenured faculty as evaluators of the candidate from a list of not fewer than six and not more than ten potential evaluators. This list of potential evaluators is assembled by the chair(s) of the appointing department(s) and program(s) in consultation with the search committee, the division chairs, and any additional faculty staffing the departments or programs of the candidate's appointment. The assembled list should include a description of the qualifications of each proposed potential evaluator to help the Faculty Personnel Committee in their selection. The four evaluators selected will serve from the time of appointment through the first evaluation by the Faculty Personnel Committee and any subsequent tenure decision. By the end of the academic year preceding the candidate's reappointment review, the Faculty Personnel Committee will appoint one additional distinctly qualified evaluator of the candidate from a list of three potential evaluators. This list is assembled by the candidate in consultation with the four faculty evaluators originally appointed to the review. Here again, the assembled list should include a description of the qualifications of each proposed potential evaluator to help the Faculty Personnel Committee in their selection.

Evaluators will be drawn primarily from among the tenured faculty who meet regularly to administer the department(s) and program(s) in which the candidate is appointed. They may also include tenured faculty on the search committee or in the candidate's fields of expertise. In the case of appointments spanning more than one academic unit, evaluators should be drawn from each of the departments and programs of the candidate's appointment, with representation roughly proportional to the candidate's curricular responsibilities. It is assumed that the lists provided to the Faculty Personnel Committee and the selected evaluators will be broadly representative of the candidate's fields of expertise, and that consideration will be given to the existing evaluation load of potential evaluators. It is further assumed that those appointed to review by the Faculty Personnel Committee will serve.

b) For promotion to full professor, evaluators shall be selected from members of the faculty by one of two methods at the will of the candidate:

If the group of evaluators appointed at the time of the tenure review includes at least four faculty members at the rank of full professor, the candidate for promotion may retain the original evaluators. All faculty from the original group who have achieved the rank of full professor shall serve as evaluators.

Alternatively, in the third year after tenure, or no later than one year before the candidate submits materials for consideration for promotion to full professor, the candidate may request that a new evaluation committee of at least four faculty holding the rank of full professor be appointed by the Faculty Personnel Committee. This written request must be made to the division chairs and must include an intellectual rationale for the formation of a new committee. In consultation with the candidate and the tenured full professors of the appointing department(s) and program(s), the division chairs shall assemble a list of six distinctly qualified full professors. The Faculty Personnel Committee will appoint four of the six faculty as evaluators, and it is assumed that if appointed, the faculty will serve.

c) Recommendations for replacement of any of the individuals specified above due to illnesses, retirements, and the like shall be made to the Faculty Personnel Committee from colleagues selected by the division chairs after consultation with the candidate and the tenured members of the department(s) and program(s) of appointment.

d) For anomalous situations, Article III, Section 7(c)(vi) of the Rules and Procedures of the faculty shall apply.

Article III, Section 5: External Evaluation

At promotion, the Faculty Personnel Committee solicits four outside evaluations from qualified judges of the candidate's professional work. Once identified by the Faculty Personnel Committee, all communication with outside evaluators concerning this evaluation originates with the College. The judges are selected in the following manner. The candidate designates one judge and also provides an alternate name. In addition, the candidate submits six names of qualified persons with brief descriptions of their qualifications.

The department and/or program chair also submit(s) six names with brief descriptions. If more than one department or program chair is involved in the evaluation, they submit jointly six names of evaluators, seeking a list of scholars whose work represents the range of the candidate's scholarship. These descriptions shall include each nominee's position, title, address, relevant publications, and past relationship to the candidate. Except in special circumstances presented by the candidate or the relevant department or program chairs and agreed to by the committee, no nominee shall be the candidate's dissertation advisor. Whenever possible, each nominee shall have a strong record of scholarship in the candidate's field of expertise. If a department or program chair is a candidate for tenure or promotion, the relevant division chair or chair of interdisciplinary programs provides the six names of outside evaluators. The committee then selects three names from these nominees or from others, nominated in the same way, informing the candidate of the names selected. The candidate may request reconsideration, but the committee or the dean of the faculty as its delegate makes the final decision on the three judges.

Article III, Section 6: The Examiners

A board of four persons, all tenured members of the faculty, shall be elected for three-year, overlapping terms to serve as examiners of all written materials presented to the Faculty Personnel Committee or the Committee on Personnel for Physical Education. The individual examiners function independently of one another and of the committees on personnel, and they may not serve concurrently on that committee. An examiner may not examine dossiers of department or program colleagues. Candidates for reappointment, tenure, or promotion may select any one of these four individuals to perform the following functions:

- a. To offer counsel to the candidate concerning the submission of written materials on that person's own behalf.
- b. To check the dossier prepared for the committees on personnel, prior to its consultation by the committee, for completeness and correctness; see Article III, Sections 2 and 3
- c. To state in writing to the dean of the faculty and the committees on personnel when the dossier seems both complete and correct.

- d. To advise the dean of the faculty of any incompleteness, so that it may be remedied prior to consultation by the committee, and to recheck for completeness thereafter, notifying the dean and the candidate in writing of any remaining incompleteness.
- e. To advise the dean of the faculty of any material deemed "improper" by the criteria of Article II, and to request in writing that the dean remove it before consideration by the committee. If the dean declines, the examiner may request in writing, stating grounds, that the committee not consider the questionable material. The examiner must also inform the candidate in writing of the fact of any such request to the committee.
- f. To advise the dean of the faculty of any material suggesting the need for further clarification or response from the candidate. If the dean declines, the examiner may proceed as in (e) above.
- g. To maintain confidentiality according to the provisions of Article III, Section 7 (e). To check for completeness and correctness of the dossier and other material (with the exception of the minutes of the faculty committees on personnel) submitted to the Trustee Review Committee in case a candidate appeals a personnel decision.

Article III, Section 7: The Faculty Personnel Committee

a) How the Faculty Personnel Committee Makes Decisions

i) Elected members of the Faculty Personnel Committee and the dean of the faculty share responsibility with the president for evaluating all candidates for reappointment, tenure, or promotion. All evaluations of evidence presented by candidates are guided by application of the criteria articulated in the Faculty Handbook (Article II, Sections 1-4). Reviews are mandated to occur at a particular time as indicated by a calendar found in the Faculty Handbook (Article III, Section 1b). The Faculty Personnel Committee makes recommendations to the president in matters of reappointment, tenure, and promotion. The dean of the faculty and the president are responsible for the final preparation of any recommendations that require action by the Board of Trustees, which has final responsibility and authority for personnel decisions.

Every notification of a personnel decision shall include a detailed evaluation of individual performance based upon materials submitted to the Faculty Personnel Committee and its discussion of those materials. This evaluation shall include a statement of the merits of the case, a review of their relative importance, and a full statement of the reasons for the Faculty Personnel Committee's recommendation. This statement should include discussion of student ratings and letters on teaching, colleagues' evaluation of research and teaching, and outside evaluations of research and service to the college, as appropriate. All written notifications must include information relevant to institutional needs determined by the president or the dean of the faculty to the extent they may affect the individual's opportunity for reappointment, tenure, or promotion, as the case may be. The individual may respond to the notification in writing, and any such response must be attached to the original summary statement in the personnel files and acknowledged by a reaffirmation or a revision of that summary from the dean. Performance notification letters from the Faculty Personnel Committee will be made available to the committee during all subsequent review processes.

The attempt to evaluate teaching fairly and effectively necessitates different sorts of contributions from students, colleagues, and administrators.

ii) Nondiscrimination

The committee may not discriminate on the basis of race, color, national or ethnic origin, religion, sex, sexual orientation, gender identity, gender expression, marital or parental status, age, or disability.

b) Clarification

During reviews of candidates by the Faculty Personnel Committee for reappointment in the third year, for tenure, for promotion, and for lecturers on multi-year contracts, the following procedures shall apply: after the committee has made an initial review of all materials submitted, the committee shall write a letter to every candidate indicating as specifically as possible any points which the committee believes could be clarified by a response from the candidate, or indicating that no clarification is necessary. It is understood that the committee is not required to report to the

candidate matters of substance, positive or negative, concerning the consideration of the candidate for reappointment, promotion, or tenure. The candidate has the right to respond to the committee in writing. The candidate may also bring up any matters on which the candidate would like to comment.

c) Conflicting Responsibilities and Special Conditions

- i) Authors of letters who are members of the committee neither participate in deliberations nor vote on the cases concerning which they have written, nor do they review these dossiers.
- ii) Associate professors on the committee neither participate in deliberations nor vote on promotions to full professor, nor do they review these dossiers.
- iii) A chair of a department or program who is also a division chair writes as the chair of the department or program. The committee selects another appropriate tenured member to write in place of the division chair. The member selected must be notified of this responsibility early in the semester preceding the one in which the letter is due.
- iv) A chair of a division who would be the only participating representative of the division on the committee does participate in deliberations and voting but does not write. The committee selects another appropriate tenured member to write in place of the division chair. The member selected must be notified of this responsibility early in the semester preceding the one in which the letter is due.
- v) For reappointment of lecturers and promotion to senior lecturer, division chairs do not write as division chairs or serve as division chair in any other evaluative capacity (e.g., division chairs shall not participate in selecting additional colleagues).
- vi) Other Special Conditions. The dean of the faculty is responsible annually for recommending to the committee how to deal with anomalous situations as they may arise, such as a department or program with no tenured member, a chair standing for tenure, joint contractual arrangements, and the like. The dean shall consult with the candidate prior to any such recommendation, seeking full agreement and guaranteeing full knowledge of any exceptional procedures considered necessary.
- vii) Recusals. In some cases, a member of the Faculty Personnel Committee must recuse themselves from review of a candidate due to a conflict of interest. The composition and size of the Faculty Personnel Committee must remain at five full professors for promotion to full and seven faculty for reappointment and tenure decisions. When an individual is recused, a replacement for that person will be selected by the current Faculty Personnel Committee from a roster of former Faculty Personnel Committee members who have served most recently, within a five-year limit. When possible, the Faculty Personnel Committee must maintain the divisional and rank composition as described in the Faculty Handbook.

For candidates for tenure whose initial tenure-track contract begins on or after 1 August 2015 and for candidates standing for promotion to full professor after 1 August 2015.

- i) Members of the Faculty Personnel Committee who are on a list of potential evaluators for a candidate may participate in deliberations on the composition of that candidate's list of evaluators. Potential evaluators on the committee shall not be present when the chair of the committee calls for the final discussion of the list, nor shall potential evaluators be present when the chair of the committee calls for the vote on the final composition of the list.
- ii) Authors of letters who are members of the Faculty Personnel Committee neither participate in deliberations nor vote on the cases concerning which they have written, nor do they review these dossiers.
- iii) Associate professors on the Faculty Personnel Committee neither participate in nor vote on promotion to full professor, nor do they review these dossiers.
- iv) The dean of the faculty is responsible annually for recommending to the Faculty Personnel Committee how to deal with anomalous situations as they may arise, such as multiple evaluators for a candidate serving on the Faculty Personnel Committee, joint contractual arrangements, and the like. The dean shall consult with the candidate prior to any such recommendation, seeking full agreement and guaranteeing full knowledge of any exceptional procedures considered necessary.

d) Privileges of the Vice President for Equity and Inclusion

The College's Office of Equity and Inclusion has access to all written material submitted to the committee.

e) Confidentiality

i) Written Materials

All evaluative letters from students and outside judges submitted to the committee according to the provisions of Article III shall be kept confidential by the committee, except for the provisions of (ii) below, and the notification requirements of Article III, Section 7(a). All evaluative letters written by Bates colleagues may be read by the candidate once they are ready for the appropriate personnel committee. The candidate's further rights of access are specified in Article VI, Section 6(c)

ii) Proceedings of the Committee

The deliberations of the personnel committee on cases of appointment, reappointment, tenure, and promotion are confidential except according to the provisions of Article VI, Sections 5 and 6(a). Only the president or the dean of the faculty shall announce or may explain the personnel recommendations of the committee.

f) Committee Examination of the Dossier

The committee shall select one of its members to examine each dossier and to certify to the committee, prior to its discussion of the dossier, that it seems both complete and correct.

Article III, Section 8: The President and the Board of Trustees

Recommendations from the Faculty Personnel Committee will be submitted to the president for consideration by the president and for decision by the Board of Trustees. In the event that the president or the Board of Trustees does not accept a recommendation on reappointment, tenure, or promotion made by the Faculty Personnel Committee, such nonacceptance shall be stated in the letters of notification.

Article IV: Procedures and Policies

Article IV, Section 1: Administrative Consultation before Initial Appointment

Before an initial offer of tenure-track employment or of non-tenure-track initial appointments in a department or program can be extended to any person, the president or dean of the faculty consults with the department or program chair regarding the judgments of all department or program members in residence on the candidates.

Article IV, Section 2: Conditions on Initial Appointments

a) Tenure is granted in connection with an initial appointment only upon recommendation of the Faculty Personnel Committee, and is not solely an administratively negotiable condition. Initial appointment may be made at any rank. See above, Article III Section 1(b)(iv). Lecturers are not eligible for tenure.

b) Initial Authorizations, Lecturers

Initial authorization of all lectureships shall be made by the president, upon recommendations from the dean of the faculty and the division chairs. Initial authorization of lectureships expected to be continuing shall normally be for three years.

i) Reauthorizations, Lecturers

The dean of the faculty and division chairs may recommend to the president the reauthorization of a lectureship for any term from one semester to three years, depending on their determination of the needs of the College. Second and third reauthorizations of lectureships that are continuing shall normally each be for three years. Subsequent reauthorizations shall normally be for five years. Every lectureship position must be reauthorized, normally in the academic year previous to the last year for which it has been authorized.

ii) Lecturers with a Primary Staff Appointment

The dean of the faculty and division chairs may recommend to the president that some persons whose primary appointment is for non-teaching duties may hold the appointment of lecturer, because their duties regularly involve non-classroom forms of teaching, or because the appropriate departments and/or programs have agreed that they are qualified to teach courses. After the initial appointment, this lectureship does not need reauthorization by the division chairs, but is dependent on the continuation of the staff appointment. In cases involving courses, the supervisor of the person's staff responsibilities shall decide upon the frequency of course offerings, subject to the agreement of the appropriate departments and/or programs, and subject to reappointment by the Faculty Personnel Committee. Lecturers engaged in non-classroom forms of teaching shall also be evaluated by the Faculty Personnel Committee. Faculty Personnel Committee evaluations shall be conducted according to the schedule in Article III Section 1(b).

Article IV, Section 3: Initial Contracts

To consummate the initial appointment, the president or the president's designee, on behalf of the Board of Trustees, and the appointee shall execute a written contract stating rank, salary, beginning and terminating dates of employment, fringe benefits, duties, and any special conditions specifically including credit for prior service-as provided for below in Article III, Section 1(a)(iv). Joint contracts shall indicate as fully as possible what modifications, if any, in these Rules and Procedures are matters of agreement. In the absence of such written modifications, the presumption must be that these Rules and Procedures apply.

Article IV, Section 4: Subsequent Contracts

In annual contractual letters issued by 15 February, the College notifies each member of the faculty of the individual's rank, salary, and benefits for the succeeding academic year. The contract must be electronically signed by 15 March.

Article IV, Section 5: Limited Term of Nontenured Service

No individual may be reappointed on a nontenured contract extending beyond the seventh consecutive year of full-time teaching on the faculty of Bates College. Lecturers, teaching less than full time, may be so reappointed. Part-time tenure-track faculty, teaching less than full time, may be so reappointed only in accordance with the schedule stated in Article II, Section 4. No other exception may be made unless an individual so requests and special circumstances such as serious illnesses justify exceptional delay of the decision on tenure.

Normally service on a temporary replacement appointment may not exceed three years. When a member of the faculty on such an appointment is a candidate and successfully sustains a competitive search for a tenure-eligible position, the committee need not consider the reappointment. When a colleague on a temporary appointment is needed by a department or program for a second or third year of temporary service, the committee need not consider the reappointment. All other reappointments of temporary colleagues shall be considered by the committee.

Article IV, Section 6: Resignations

Any member of the faculty who intends to terminate services at the end of an academic year is obligated to notify the College in writing of this decision not later than March 15.

Article V: Physical Education

Article V, Section 1: Composition and Selection of the Committee on Personnel for Physical Education

The Committee on Personnel for Physical Education makes recommendations in matters of contracts for head coaches in the Department of Athletics. The committee is composed of the dean of the faculty (*ex officio*), the vice president for campus life (*ex officio*), the director of athletics (*ex officio*), the senior woman administrator (*ex officio*), the faculty athletics representative, and three elected members of the faculty of the College. The faculty elects these last three members for three-year, overlapping terms. The Committee on Faculty Governance presents nominees to the faculty according to the following conditions: (1) all candidates must be tenured; (2) at least one of the elected members must be a full professor. The dean of the faculty serves as the chair of the Committee on Personnel for

Physical Education. Voting members of the committee are the senior woman administrator, the faculty athletics representative, and the three elected members of the faculty, and decisions of the committee are based on majority, notwithstanding Rules and Procedures of the Faculty Governance, Article V, Section 2(c). Decisions involving employment contracts for head coaches, or the renewal of contracts, are subject to the approval of the president and the Board of Trustees. As such, the Committee on Personnel for Physical Education makes recommendations related to head coach contracts to the president, who, in turn, makes recommendations to the Board of Trustees.

Article V, Section 2: Types of Reviews

a) Fourth-Year Review

The initial contract for head coaches in the Department of Athletics shall be two years in length. If performance in the two years is satisfactory, as determined by the director of athletics, the director of athletics shall, with approval by the president and the Board of Trustees, offer a second contract of two years in length. Head coaches in the fourth year of service will be evaluated by the Committee on Personnel for Physical Education according to the relevant procedures and schedule described in Article V, Sections 4 and 5, based on the criteria set forth in Article V, Section 3. If the fourth-year evaluation by the Committee on Personnel in Physical Education is positive, the director of athletics will make a recommendation to the Committee on Personnel for Physical Education on the length of time for an additional contract, which will ordinarily be an additional two years. The Committee on Personnel for Physical Education will take that recommendation into consideration when recommending the length of the new contract.

If, after the fourth-year review, the head coach is not provided with a two-year contract, but rather is provided with a one-year contract, at the end of that year the director of athletics will recommend to the Committee on Personnel for Physical Education whether or not to then offer the head coach an additional one-year contract toward the sixth-year review process. The annual performance review process, completed by the Department of Athletics, will be used to inform such deliberations, with particular attention paid to areas of performance that were in need of improvement at the time of the fourth-year review. If the Committee on Personnel for Physical Education decides to recommend the head coach for another one-year contract, it shall make this recommendation to the president. If the Committee on Personnel for Physical Education decides not to recommend the head coach for another one-year contract, the head coach will not receive another contract. If the fourth-year evaluation is unfavorable, the head coach will not be reappointed after the fourth year.

Faculty and head coaches in the sixth year of service will undergo a full performance evaluation, akin to the tenure review for tenure-track faculty as outlined in Article V. Candidates who are positively reviewed as a result of the in-depth review process will be recommended for an ongoing (i.e., rolling) three-year contract, which will be renewed every year. Candidates who receive an unfavorable review will not be appointed after the sixth year. Once a head coach is on a rolling contract, the director of athletics or the Committee on Personnel for Physical Education may call for a review due to a concern about job performance. In that instance, the contract will stop rolling (i.e., not renew), and a full performance evaluation will occur in the next year. Candidates who are positively reviewed will be returned to a three-year rolling contract. If the results call for termination, the head coach will be able to finish out the third year of their current contract.

b) Sixth-Year Review

Head coaches in the sixth year of service will be evaluated by the Committee on Personnel for Physical Education according to the relevant procedures and schedule described in Article V, Sections 4 and 5, based on the criteria set forth in Article V, Section 3. Candidates who are positively reviewed as a result of the sixth-year review process will be recommended to receive a three-year rolling contract. Candidates who receive an unfavorable sixth-year review will not be reappointed.

c) After Sixth-Year Review

The contract renews each year for a subsequent three-year period, provided that the head coach receives an annual performance review that meets the standards as set forth in Article V, Section 3, for the prior year by the Department of Athletics. For a head coach with a performance review that does not meet the standards as set forth in Article V, Section 3, by the Department of Athletics, the head coach's three-year contract freezes. The second year of the contract provides an opportunity for the head coach to remedy the concerns that led to the unsatisfactory review. If successful, the head coach will resume on a three-year rolling contract. If after the second year the head coach

receives an unsatisfactory performance review by the Department of Athletics, the director of athletics will bring a recommendation for non-renewal to the Committee on Personnel for Physical Education, supported by information demonstrating that the head coach is not meeting the criteria for a contract as set forth in Article V, Section 3. The Committee on Personnel for Physical Education will use the Department of Athletics annual performance evaluation, including the head coach self-assessment, which is a part of the annual performance evaluation to determine whether or not the head coach is meeting the criteria. The Committee on Personnel for Physical Education reserves the right to request any additional information as set forth in Article V, Section 4, deemed necessary to determine whether or not the head coach is meeting the criteria. If the Committee on Personnel for Physical Education determines the head coach is not meeting such criteria, then the head coach's contract will terminate at the end of the third year. If the Committee on Personnel for Physical Education determines the head coach is meeting the criteria, then the committee will recommend the head coach receive another three-year rolling contract.

Article V, Section 3: Criteria for Evaluation

Needs of the College as finally determined by the president and the Board of Trustees must govern all decisions on appointments, reappointments, and contracts. Excellence as a coach is the normal condition for the awarding of contracts. Being an excellent coach involves many things, including serving as an educator who encourages the development in individual students of such qualities as self-confidence, self-control, persistence, discipline, cooperation, teamwork, strategic thinking, and skill acquisition. Areas of assessment shall include, but are not limited to, the following categories:

- support and mentorship of student-athletes
- team culture
- recruiting effectiveness and roster management
- technical coaching ability
- equity and inclusion program management
- team performance
- engagement in fundraising
- professional development
- fulfillment of secondary assignments
- service to the College and community

The evaluation of coaching excellence is necessarily holistic, requiring a look at the totality of the coach's performance.

Article V, Section 4: Evaluative Procedures for Fourth-Year and Sixth-Year Reviews

a) Submissions from the Candidate

The candidate is responsible for submitting to the director of athletics annual reports of professional activities, including coaching and recruiting, which become part of the dossier considered by the Committee on Personnel for Physical Education. For fourth-year and sixth-year reviews, the candidate shall submit a dossier that includes information about the areas of assessment set forth in Article V, Section 3. At the discretion of the head coach under review an examiner may be requested (see Article III, Section 6).

b) Internal Colleagues' Letters

For fourth- and sixth-year reviews, two internal colleagues shall be selected by the director of athletics, in consultation with the candidate, who are head coaches and who have already successfully completed the sixth-year review. These two internal colleagues will be identified in the candidate's first year and will need to observe the candidate's performance for at least two seasons. Replacement of any of the selected internal colleagues due to illnesses, retirements, or other reasons shall be identified by the director of athletics, in consultation with the candidate.

Internal colleague letters should evaluate the candidate's professional achievement and promise as a coach. Internal colleague letters must be based on factual evidence as well as personal judgment. Internal colleague letters should evaluate the candidate based on the criteria set forth in Article V, Section 3. The internal colleague letters shall be available for the candidate to view in advance of submitting their dossier.

c) External Colleagues' Letters

For the sixth-year review, two external colleagues shall be selected by the director of athletics, in consultation with the candidate. Each external colleague shall be a head coach from another college or university. These two external colleagues will be identified prior to the beginning of the candidate's fourth year and will need to have observed the candidate's performance for at least two seasons at the time of writing the letter. Replacement of any of the selected external colleagues due to illnesses, retirements, or other reasons shall be identified by the director of athletics, in consultation with the candidate.

External colleague letters must be based on factual evidence as well as personal judgment. External colleague letters should evaluate the candidate based on the criteria set forth in Article V, Section 3. The external colleague letters shall be available for the candidate to view in advance of submitting their dossier.

d) Students' Evaluations The committee shall be provided with the summaries of student feedback prepared by the Department of Athletics from the post-season team meeting with the director of athletics for each of the seasons preceding the review. The Committee on Personnel for Physical Education shall also be provided with a summary, by class year, of quantitative data related to the head coach that is collected from the annual post-season survey.

At the sixth-year review the candidate shall select three former team members who are now alumni/ae to write and submit evaluation letters. In addition, the Committee on Personnel for Physical Education shall randomly select three additional former team members who are now alumni/ae and who agree to write and submit evaluation letters based on the criteria set forth in Article VI, Section 3. The Committee on Personnel for Physical Education will give preference to selecting those alumni/ae who were on the team and under the candidate's management for all four years. The student post-season meeting summary and alumni/ae letters shall be available for the candidate to view in advance of submitting their dossier.

e) Annual Evaluations

The Department of Athletics completes performance evaluations for each head coach on an annual basis using the criteria outlined in Article V, Section 3. The Committee on Personnel for Physical Education shall review the candidate's annual performance evaluation provided by the Department of Athletics.

Article V, Section 5: Calendar for Fourth-Year and Sixth-Year Reviews

Ordinarily, contract decisions shall be made by 10 February of the fourth-year and sixth-year of full-time service. This calendar may be adjusted in order to accommodate winter and spring coaches and their responsibilities during their playing seasons. The committee, upon recommendation from the director of athletics, will make the necessary adjustments. The process begins in the previous year and progresses according to the following schedule:

1 May: selection and confirmation with the candidate of internal colleague letter writers, external colleague letter writers, and alumni/ae letter writers; call for candidates' dossiers.

1 June: call for letters from internal colleagues, external colleagues, and alumni/ae; candidate provides materials to internal colleagues and external colleagues.

1 October: candidate's internal colleagues' letters, external colleagues' letters, alumni/ae letters, summaries of student feedback from post-season team meetings, summaries of quantitative data related to the head coach that is collected from the annual post-season surveys, and annual performance evaluations due. (Note: external colleagues' letters and alumni/ae letters are only for the sixth-year review)

1 November: all submitted materials available for candidate to view.

20 November: candidate's dossier due.

1 December: candidate's materials available for the Committee on Personnel for Physical Education to view.

10 February: deadline for mailing of formal written notifications on the review decisions.

In unusual circumstances and for good cause, the committee, in consultation with the director of athletics, may alter the above schedule, in whole or in part, to meet the needs of the College.

Article V, Section 6: Faculty Status

Head coaches, upon appointment, shall be Instructors, thereby granting head coaches the opportunity to attend and vote at faculty meetings.

Article V, Section 7: Appeals

Head coaches shall have the same rights of appeal, as outlined in Article VI, except that the Hearing Committee shall be governed by the criteria set forth in Article V, Section 3.

Article V, Section 8: Termination for Cause

All head coaches are subject to immediate termination for cause. "Cause" means any of the following:

- a) Gross neglect of duty resulting in a clearly inadequate fulfillment of responsibilities as a head coach; Willful failure to comply with College rules or policies, or to comply with a lawful directive reasonably related to the performance of job duties from a supervisor;
- b) Any act of fraud, misuse, or embezzlement of College funds or property, gross misconduct, dishonesty, gross insubordination, misuse of proprietary or confidential information or similar conduct;
- c) Formal charge, whether by indictment, information, or complaint for a crime punishable as felony or any other crime for which imprisonment is a possible punishment;
- d) Elimination of an athletic program in which the head coach is employed;
- e) *Bona fide* financial exigency of the College

Article VI: Appeals

Necessarily, decisions on appointment, reappointment, tenure, and promotion are in some degree comparative and prospective, and it is not possible to specify in advance the full range of considerations that may be relevant to particular cases. Nevertheless, it is possible to specify necessary considerations, those specified above in the *Rules and Procedures*. Furthermore, it is possible to specify impermissible considerations, namely, any that would violate recognized principles of academic freedom or nondiscrimination.

Article VI, Section 1: Time Limitation for Appeals

Any appeal by a faculty member who was denied reappointment, tenure, or promotion must be made in writing to the dean of the faculty within 60 days after notification according to the provisions of Article III, Section 1(b). This appeal must state as fully and as factually as possible the basis for alleging violation of process. The appeal document, including any supporting material submitted by the appellant or any statements submitted by others, but excluding the minutes of the Faculty Personnel Committee, shall be checked for completeness and correctness by the examiner of the appellant's dossier prior to its submission to the Trustee Review Committee.

Article VI, Section 2: Ground for Review

The only ground for review is violation of process. Violations of process are defined by an alleged violation of the *Rules and Procedures* stated above in Article I through V, or are defined by an alleged violation of academic freedom or of the equal opportunity guarantees from Article I, Section 2 or Article III, Section 7(a)(ii). "Academic Freedom" is defined by the 1940 "Statement of Principles" and the 1970 "Interpretive Comments" of the American Association of University Professors.

Article VI, Section 3: Procedures for Initiating a Trustee Review Committee

After receiving from the faculty member who was denied reappointment, tenure, or promotion a written appeal that alleges violation of process, the dean of the faculty shall submit it to the president. The president shall request the chair of the board of trustees to convene the Trustee Review Committee, which shall report its findings to the president and to the appellant within 75 days of the time the appeal is delivered to the dean of the faculty. This report should respond to the substance of the allegations made in the appeal submitted by the faculty member.

ARTICLE VI, SECTION 4: COMPOSITION OF THE TRUSTEE REVIEW COMMITTEE

The Review Committee shall be composed of three members of the Board of Trustees, but not including the president or college counsel, who shall serve three-year terms according to a schedule which assures some continuity of membership. Whenever possible, at least one of the members shall have direct professional experience of academic life. No member of the Board of Trustees who has previously reviewed the dossier of the appellant prepared for consideration by the Faculty Personnel Committee in connection with the decision from which the appeal has been claimed may serve on the Review Committee. The Review Committee may elect its own chair.

ARTICLE VI, SECTION 5: PROCEDURE IN CASES ALLEGING VIOLATION OF PROCESS OF THE RULES AND PROCEDURES

In cases alleging a violation of process defined as violation of the *Rules and Procedures* stated above in Articles I through V, the function of the Review Committee is limited to a determination of whether or not the Faculty Personnel Committee followed the *Rules and Procedures Governing Faculty Appointment, Reappointment, Tenure, and Promotion*. The Review Committee should be governed by the criteria specified above in Article II and should have access to materials specified in Article III. The Review Committee shall also consider all materials submitted as part of the candidate's appeal, and material concerning the appeal submitted by others. The rule regarding the confidentiality of the deliberations of the Faculty Personnel Committee (Article III, Section 7(e)) shall not prevent submissions by individual members of the Faculty Personnel Committee to the Trustee Review Committee. If the Review Committee finds substantive evidence that the Faculty Personnel Committee may not have met these standards, it shall return the case to the same committee, specifying in writing the inadequacy of the original consideration. This written response is also delivered to the appellant, but the appellant has no rights of access to confidential materials. This same Faculty Personnel Committee must then formally reconsider the case, including in its reconsideration material submitted to the Trustee Review Committee, and make a fresh recommendation to the president that either upholds or reverses the committee's original recommendation. The president, in turn, shall make a fresh recommendation to the Board of Trustees.

Article VI, Section 6: Procedures in Cases Alleging Violation of Process which Result in Violation of Academic Freedom or of Equal Opportunity

a) Function of the Trustee Review Committee

In cases alleging violation of process that result in violation of academic freedom or of equal opportunity as stated in Article I, Section 2 or Article III, Section 7(a)(ii), the Review Committee has two functions. First, it must make preliminary inquiry into the allegation. The Review Committee shall also consider all materials submitted as part of the candidate's appeal, and material concerning the appeal submitted by others. The rule regarding the confidentiality of the deliberations of the Faculty Personnel Committee (Article III, Section 7(e)) shall not prevent submissions by individual members of the Faculty Personnel Committee to the Trustee Review Committee. If neither the written appeal nor this preliminary inquiry discloses evidence sufficient to suggest that violation of academic freedom or of equal opportunity may in fact have occurred, the appeal shall be denied and the decision made by the Board of Trustees upheld. The appellant shall be so informed. Second, if the Review Committee does find such evidence either in the written appeal or in its own inquiry and if such violation was made by the Faculty Personnel Committee, then it shall instruct the president to convene the Faculty Review Board, and inform the appellant of such finding. If there is evidence of violation of academic freedom or of equal opportunity solely by the president or the Board of Trustees, then the Review Committee shall report it to the chair of the Board of Trustees for further Trustee consideration.

b) Composition, Selection, and Function of the Faculty Review Board and of Its Hearing Committee

The board shall consist of nine tenured members elected by the faculty for five-year terms. If a member is elected to the Faculty Personnel Committee or the Committee on Personnel for Physical Education, that member ceases to serve on the board, and a new election is held. When a specific appeal comes to the board, five of its members are selected at random to serve as the Hearing Committee. This random selection shall be conducted by the board. This Hearing Committee may not include members of the departments or programs in which the appellant holds full or part-time appointments or the appellant's division chair or chair of interdisciplinary programs. In cases alleging

violation of academic freedom or of equal opportunity on promotion to full professor, all members of the Hearing Committee must be full professors. Each Hearing Committee elects its own chair.

The Hearing Committee selected for the appeal shall begin consideration within ten days of the president's informing the Faculty Review Board that an appeal has been directed to it. Such consideration shall be governed by the criteria specified above in Article II and shall involve access to all material specified in Article III. The Hearing Committee may also conduct further inquiries relevant to the alleged violation. Upon completion of its consideration, the Hearing Committee shall make a fresh recommendation to the president which either upholds or reverses the original recommendation of the Faculty Personnel Committee. The president, in turn, shall make a fresh recommendation to the Board of Trustees.

c) Rights of Appellant

In any consideration of an appeal by a Hearing Committee, the appellant is guaranteed the following rights. First, the Hearing Committee must give at least seven days' advance notice of the date, time, and place of the consideration. Second, the individual, with or without the assistance of an advocate chosen from among colleagues on the faculty, shall have prior access to all written materials considered by the Faculty Personnel Committee and disclosed by further inquiries of either the Trustee Review Committee or the Hearing Committee. Third, the individual, with or without the chosen advocate, shall have the right to attend the consideration of the appeal by the Hearing Committee with an opportunity to question either written materials or spoken testimony and to present the appellant's case. After the presentation and examination of all evidence and of the case on behalf of the appellant, the Hearing Committee shall retain the right to continue consideration and to vote in confidence without the presence of either the appellant or advocate.

d) Rights of the Faculty Personnel Committee

The president and the dean of the faculty, representing the Faculty Personnel Committee, have the same rights granted to the appellant, as specified above in Article VII, Section 6(c). The Hearing Committee may invite other members of the Faculty Personnel Committee to testify, or such members may request and be granted an opportunity to testify.

Article VI, Section 7: Physical Education

Head coaches, who hold faculty appointments in the Department of Physical Education, shall have the same rights of appeal, except that the Hearing Committee shall be governed by the criteria specified in Article VI and shall have access to materials specified in Article VI, Section 3.

Article VII: Termination for Cause for Faculty in Departments and Programs Other than Physical Education

Article VII, Section 1: Definition

Termination of the appointment of a faculty member on contract without limit of tenure or within the specified term shall be affected only in cases of adequate cause as defined in the following statements.

- a) Gross neglect of duty resulting in a clearly inadequate performance as a teacher and as a member of the faculty.
- b) Physical or mental disability of such serious nature as to preclude acceptable performance as a teacher and as a member of the faculty.
- c) Personal conduct in flagrant conflict with the purposes of teaching and of scholarship and seriously detrimental to the College.
- d) *Bona fide* financial exigency of the College.

Article VII, Section 2: Procedures

Procedures to be followed in case of termination of a faculty contract for cause are detailed in the Appendix which follows and is incorporated herein by reference.

Appendix to the Rules and Procedures Governing Faculty Appointment, Reappointment, Tenure, and Promotion in Departments and Programs Other than Physical Education.

Procedures for Termination of Faculty Contract for Cause

a) Preliminary Proceedings Concerning the Fitness of a Faculty Colleague

When reason arises to question the fitness of a faculty colleague who has tenure or whose term of appointment has not expired, the president should ordinarily discuss the matter with the colleague in personal conference. The matter at this point may be terminated by mutual consent of the president and the colleague. If the matter is not terminated, the president and the Committee on Faculty Governance shall begin preliminary proceedings. During these proceedings the role of the president is to represent the College as it brings possible charges against the colleague; the role of the committee is to represent the interests of the faculty at large and to assist the parties in finding a resolution.

If the president believes that there are reasonable grounds to pursue the procedures of dismissal for cause, the preliminary proceedings begin with the president convening the Committee on Faculty Governance and presenting a written summary of the College's reasons, such summary having been previously given to the colleague. The committee then undertakes an inquiry consisting of an informal meeting with the appropriate administrative officer, an informal meeting (without the presence of College administrative officers) with the colleague unless the colleague declines, and informal meetings with any others the committee deems necessary. The chair of the committee chairs this informal inquiry. Any member of the committee who is a member of the same department or program as the faculty colleague may not participate in this hearing. The completion of the informal inquiry must occur within five working days of the date the president presented the summary to the committee and will result in a resolution of the matter agreeable to all parties or, failing a resolution, recommendations to the president of ways to resolve the situation. These recommendations may include suggesting other College procedures.

Within three working days of receiving the committee's recommendations, the president must either notify in writing the colleague that no formal charges will be brought, or communicate those charges to the colleague as described in (b) below. The president may seek the assistance of the committee in formulating a statement of the charges. Any formal charges shall refer to one or more of the causes for termination given in Article VII, Sections 1(a), (b), or (c).

b) Commencement of Formal Proceedings

The president will commence the formal proceedings by informing in writing the colleague of the charges formulated and stating that a faculty committee, duly constituted as provided in (d) below, will conduct a hearing to determine whether the colleague should be removed from the faculty on the grounds stated. This hearing shall begin no sooner than 20 calendar days after the president presents the formal charges to the colleague. If during this period there is a mutually agreed upon resolution, these proceedings shall be terminated and the charges dropped. The president shall inform the faculty colleague, in detail or by reference to published regulations, of the colleague's procedural rights, through delivery to the colleague of the most recent updated Faculty Handbook of Bates College. The faculty colleague may give to the president a written response to the charges at any time prior to the hearing.

c) Suspension of the Faculty Member

Suspension of the faculty colleague during the proceedings is justified only if immediate harm to self or others is threatened by continuation in service. Unless legal considerations forbid, any such suspension shall be with pay. The president, representing the Corporation, shall determine whether suspension (as a temporary alteration of contract) is necessary during the proceedings.

d) Composition of the Hearing Committee

An ad hoc committee of the faculty is named for each occasion when informal proceedings do not succeed. Its voting members shall be seven tenured members of the faculty, two named by the president, two named by the faculty colleague, and three named by these four meeting together. These seven members elect their chair from among themselves and vote by simple majority. No member of the Committee on Faculty Governance may serve on a Hearing Committee. The Board of Trustees shall provide one of their number to be a nonvoting member of the committee. The Hearing Committee makes recommendations to the president and the Board of Trustees.

e) Committee Proceeding

The committee shall proceed by considering the statement of grounds for dismissal already formulated, as well as any written response from the faculty colleague. The colleague has the right to be heard, as described below in (f). If the colleague declines to participate in the hearing, the committee shall consider the case on the basis of the obtainable information and decide whether the colleague should be removed. The committee, in consultation with the president and the colleague, shall exercise its judgment as to whether the hearing should be public or private. If any facts are in dispute, the testimony of witnesses and other evidence concerning the charges set forth in the president's letter to the colleague shall be considered by the committee.

The president shall have the option of attendance during the hearing. The president may designate an appropriate representative to assist in developing the case; but the committee should determine the order of proof, should normally conduct the questioning of witnesses, and, if necessary, should secure the presentation of evidence important to the case.

The faculty colleague shall have the option of assistance by counsel, whose functions shall be similar to those of the representative chosen by the president. The colleague shall have the additional procedural rights set forth in the 1940 American Association of University Professors Statement of Principles on Academic Freedom and Tenure (see Article I, Section 2), and shall have the aid of the committee, when needed, in securing the attendance of witnesses. The colleague or counsel, and the representative designated by the president, shall have the right, within reasonable limits, to question all witnesses who testify orally. The colleague shall have the opportunity to be confronted by all witnesses adverse to the colleague. Where unusual and urgent reasons move the Hearing Committee to withhold this right, or where the witness cannot appear, the identity of the witness, as well as the witness's statements, shall nevertheless be disclosed to the colleague. Subject to these safeguards, statements may when necessary be taken outside the hearing and reported to it. All of the evidence shall be duly recorded. Unless special circumstances warrant, it shall not be necessary to follow formal rules of court procedure.

f) Consideration by Hearing Committee

The committee shall reach its decision in conference, on the basis of the hearing. Before doing so, it shall give an opportunity to the faculty colleague or the colleague's counsel and the representative designated by the president to argue orally before it. If written briefs would be helpful, the committee may request them. The committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It shall make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. Publicity concerning the committee's decision may properly be withheld until consideration has been given to the case by the Board of Trustees. The president and the colleague shall be notified of the decision in writing and should be given a copy of the record of the hearing. Any release to the public shall be made through the president's office.

g) Consideration by the Governing Board

The president shall transmit to the Trustees the full report of the Hearing Committee, stating its action. On the assumption that the board has accepted the principle of the faculty Hearing Committee, acceptance of the committee's decision would normally be expected. If the governing board chooses to review the case, its review shall be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the Hearing Committee shall either be sustained or the proceeding be returned to the committee with objections specified. In such a case the committee shall reconsider, taking account of the stated objections and receiving new evidence if necessary. It shall frame its decision and communicate it in the same manner as before. Only after study of the committee's reconsideration shall the governing board make a final decision overruling the committee.

h) Publicity

Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the Faculty colleague or administrative officers shall be avoided so far as possible until the proceedings have been completed. Announcement of the final decision shall include a statement of the Hearing Committee's original action, if this has not previously been made known.

Part 1B: Rules and Procedures of Faculty

Governance

The following rules governing faculty organization and procedures for the accomplishment of faculty business were adopted by a vote of the faculty on November 6, 1967. Various additions and amendments have been made since then.

Article I: Membership and Responsibilities

Article I, Section 1: Membership

The composition of the faculty shall be as given in Article IX, Section 1, of *The Charters and By-Laws of Bates College*: "The Faculty of the College will consist of the President, the Deans, the Treasurer, and academic staff including the Registrar, the Librarian, the principal Assistant Librarian, the Professors, Associate Professors, Assistant Professors, Instructors, Lecturers, and the Visiting Professors."

Article I, Section 2: Responsibilities

The responsibilities of the faculty shall be as enumerated in Article IX, Section 3, Article X, Section 2, and Article XI, Section 3, of *The Charter and By-Laws of Bates College*.

Article II: Organization of the Faculty

Article II, Section 1: Officers

- a) The president of the College, as the principal officer of the faculty, shall preside at faculty meetings. In the president's absence, the president shall designate the dean of the faculty to preside or in the dean's absence, the senior faculty member holding the rank of professor will preside. The presiding officer shall have the right of debate without yielding the chair.
- b) The president shall appoint the secretary of the faculty whose duty it shall be to compile and maintain a complete file of the minutes of faculty meetings. The secretary shall also keep on file in the Office of the Dean of the Faculty copies of all faculty minutes and a record of attendance.
- c) The parliamentarian shall be appointed annually by the president.

Article II, Section 2: Divisions, Departments, and Interdisciplinary Programs

- a) The faculty shall be divided into divisions, departments, and programs. Any additions or deletions may be initiated by the president subject to approval by the faculty.
- b) Faculty members hold appointments in departments, organized into the divisions of humanities, interdisciplinary studies, natural sciences and mathematics, and social sciences. Faculty members have membership in a department, a program, or in any combination of departments and programs.
- c) There shall be a chair of each division elected by the faculty. All chairs shall be tenured members of the faculty with at least three years of service at Bates.
 - 1) A slate for the election of the chair of a division shall be determined by the faculty appointed to the departments in that division, or in the case of interdisciplinary programs, by the faculty appointed to a program or currently serving on a program committee.
 - 2) The chair of a division shall be elected by a vote of all faculty.
 - 3) The faculty eligible to serve as the humanities, natural sciences and mathematics, and social sciences division chair shall each have an appointment to a department in that division. In the case of the interdisciplinary studies

chair, the faculty eligible to serve shall have significant interdisciplinary experience, defined as one of the following: service for at least two years on a program committee (within the last five years) or holding a full or part-time appointment in an interdisciplinary program.

4) In addition to their Academic Affairs Council responsibilities, division chairs are charged with meeting with the departments and programs within their division, supporting and advising the faculty within their division (at all stages of their career), meeting routinely with department and program chairs within the division so as to advance departmental/program aims and help solve problems. Additional responsibilities may be set by the dean of the faculty.

Article III: Faculty Meetings

Article III, Section 1: Time of Meetings

a) Regular faculty meetings normally shall be held at 4:15 p.m. on the first Monday of each month during the fall and winter terms and during Short Term. If the specified day falls during a vacation or recess, the meeting normally shall be held on the first or second Monday following the vacation. Each year, the Committee on Faculty Governance shall provide the faculty with a list of any potential conflicts the normal faculty meeting schedule for the year presents, and recommends changes for the faculty to approve to that year's meeting schedule so as to avoid these conflicts.

b) The first faculty meeting in the fall shall be held at the call of the president within a period of seven days after the first day of classes.

c) Special meetings of the faculty may be called at the discretion of the president. The president shall also call a special faculty meeting at the written request of twenty members of the faculty.

d) The presiding officer for special meetings will be designated by the Committee on Faculty Governance in consultation with the faculty group requesting the special meeting.

e) The agenda for a special meeting will be set by the Committee on Faculty Governance in consultation with the faculty group requesting the special meeting.

Article III, Section 2: Attendance and Quorum

a) Members of the faculty are expected to attend all faculty meetings.

b) A quorum shall consist of a majority of the members of the faculty not on leave.

c) Individuals holding the following positions may attend faculty meetings as nonvoting observers. The list includes heads of departments and other members of the college community whose work is closely linked with the faculty's responsibilities but whose positions may not confer faculty status. If a person in any of these positions also has faculty status, then the person possesses the full voting rights accorded to all faculty members.

- 1) all library staff holding the position of professional librarian;
- 2) the associate and assistant deans of the faculty;
- 3) members of the senior staff;
- 4) the associate and assistant deans of students;
- 5) the associate dean and director of intercultural education;
- 6) the assistant dean of students and director of first-generation programs;
- 7) the director and associate deans of admissions;
- 8) the director of student financial services;
- 9) the director of corporate and foundation relations;
- 10) the senior associate dean for the center for purposeful work;
- 11) the director of counseling and psychological services;

- 12) the manager of outreach and support services, health services;
- 13) the assistant vice president for human resources and environmental health and safety;
- 14) the director of institutional research, analysis and planning;
- 15) the director of campus safety;
- 16) the director of writing;
- 17) the college chaplain;
- 18) members of the information and library services management team;
- 19) 3 students appointed by the Bates College Student Government for the year; 3 students may sign up individually to attend specific meetings;
- 20) 1 student reporter from the *Bates Student* newspaper selected by the editorial board.

d) The Committee on Faculty Governance will provide the faculty with names of the members of the Bates community who hold the offices listed in Article III, Section 2(c) 1-22, and will make any secretarial changes to the list required.

e) At its first meeting of the fall semester, the faculty may vote to invite others to attend faculty meetings throughout an academic year. At the beginning of a specific faculty meeting, the faculty may vote to invite others to attend that particular faculty meeting.

Article III, Section 3: Order of Business and Rules of Order

a) The normal order of business shall be:

- 1) Call to order
- 2) Minutes
- 3) Unfinished business
- 4) Action reports of committees
- 5) New business
- 6) Information reports by committees
- 7) Information reports by officers of the College
- 8) Discussion of non-legislative matters
- 9) Suggestions for future action and discussions
- 10) Announcements
- 11) Adjournment

b) The agenda for each regular faculty meeting shall be prepared by the Committee on Faculty Governance. It shall consist of a list of the items of business to come before the faculty meeting in the order in which they are to be presented, including matters of new business where possible. The agenda shall be distributed to the faculty at least five days before the meeting of the faculty and shall be accompanied by texts of resolutions, reports, or other relevant documents to be considered with the items.

c) A member of the faculty may submit items as "new business" not otherwise provided for in the agenda prepared by the Committee on Faculty Governance. Such items must be distributed to faculty in advance of the meeting, and with a two-thirds vote of faculty present may be considered at the meeting. Considering legislation as new business in this manner constitutes a first reading of that legislation.

d) Matters raised as "non-legislative matters," under section 8 of the order of business (Article III, Section 3) shall not be conducted under Robert's Rules. In all other cases Robert's Rules of Order shall be the authority for the conduct of faculty meetings except when in conflict with the By-Laws of the Faculty or the Corporation.

e) The order of business and the rules and procedures governing the conduct of faculty meetings may be suspended by two thirds of those voting.

f) The Committee on Faculty Governance may alter the normal order of business as stated in paragraph (a) when in its judgment the urgency of a particular item requires its being taken up earlier in the meeting than the normal order would indicate. Such alterations, if made, shall be indicated at the time the agenda is distributed to the faculty.

Article III, Section 4: Voting

a) All decisions shall be by a majority of those voting unless otherwise specified.

b) Voting may be by voice, by a show of hands, written ballot, or electronic ballot.

c) The method of voting shall normally be decided by the presiding officer unless

1) in the case of a voice vote, a show of hands is requested instead by a motion from the floor, or

2) in the case of a voice vote, a show of hands or an electronic ballot or a written ballot is requested instead by a majority of the faculty present.

Article IV: The Legislative Process

Article IV, Section 1: The Committee on Faculty Governance

It shall be the duty of the Committee on Faculty Governance to review all legislation proposed by committees or other faculty members and to determine the disposition of the proposal in accord with Article IV, Sections 2, 3, and 4. The committee shall also review the proposal in terms of clarity of expression and harmony with existing rules. The Committee on Faculty Governance may return any proposal to the originator with suggestions for revisions. After reconsideration of the proposal, the originator shall submit the proposal in its final form to the dean of the faculty for inclusion with the agenda of the next faculty meeting or to such committee as the Committee on Faculty Governance shall have directed.

Article IV, Section 2: Legislative Routes for Proposals from Committees

a) The Committee on Faculty Governance shall determine whether the proposal is routine or deliberative legislation on the basis of the importance, complexity, and controversial nature of the proposal.

When in the judgment of the committee the proposal requires only one reading, it shall be designated routine legislation and may be voted on at the same faculty meeting at which it is introduced. Deliberation of items designated as routine shall be conducted pursuant to Robert's Rules of Order.

Deliberative legislation shall require at least two readings extending over at least two regular faculty meetings. At the first reading there shall be opportunity for questions and explanatory discussion not subject to Robert's Rules; debate on the issues shall be confined to the second, third, and any subsequent readings. Those proposing new legislation may choose to defer the second and third readings for the length of time they deem appropriate.

b) The originating committee may revise its proposal after the first and second reading. The revised report is to be considered as previously introduced legislation.

c) The Committee on Faculty Governance may, under unusual circumstances, authorize faculty action after only one reading for legislative proposals that would normally require three readings. Deliberation of such matters shall be conducted pursuant to Robert's Rules of Order.

d) Committee proposals normally are submitted to the chair of the Committee on Faculty Governance at least two weeks prior to the faculty meeting.

Article IV, Section 3: Legislative Routes for Proposals from Individuals

a) The Committee on Faculty Governance shall route proposals from individuals in any one of the following ways.

1) Refer the proposal to an existing committee. The agenda for the following faculty meeting shall include notice of the referral along with the text of the proposal. The committee to which the proposal has been referred must,

within a reasonable period of time, submit a recommendation on the proposal to the faculty, including in its report the text of the original proposal.

2) Recommend to the faculty that an *ad hoc* committee be established to consider and make a recommendation on the proposal. At least one of the originators of the proposal shall be a member of the committee. The *ad hoc* committee shall follow the procedure in paragraph 1 above. If the faculty rejects the recommendation to establish an *ad hoc* committee, the original proposal shall become deliberative legislation.

3) Decide that the proposal requires no committee study and declare it routine or deliberative legislation to be handled according to Article IV, Section 2(a) and (c).

b) The procedures of Article IV, Section 2(b), (c), and (d) shall apply also to proposals presented by faculty members other than committees.

Article IV, Section 4: Emergency Legislation

New business of an emergency nature may be brought before the faculty by any faculty member or by a group of faculty members, whether an established committee or not, without prior submission to the Committee on Faculty Governance. In such cases, however, the faculty must first, by majority vote, decide whether to consider the proposal as a *bona fide* emergency measure. The motion for emergency status shall be nondebatable. If time permits, the proposal must be distributed to the faculty in written form prior to presentation.

Article V: Faculty Committees

Guiding Principles for Faculty Governance ¹

In 2019, the Committee on Faculty Governance convened an *ad hoc* Faculty Governance Reform Committee to review faculty governance, particularly the structure of faculty committees. The following principles were approved by a faculty vote on March 7, 2022.

The Faculty Governance Reform Committee was guided by the following principles:

Shared governance is the governance work of the board of trustees, the administration, and the faculty, both independently and collectively. A shared commitment to its value strengthens the College. For shared governance to be effective, faculty governance must be robust, transparent, and equitable, yet also reasonable in its workload demands. Faculty governance at Bates College is an essential aspect of the college and of faculty life, supporting and promoting our mission and our values as a community.

Faculty governance centers faculty responsibility primarily in areas of faculty expertise and within the educational mission of the college: faculty line allocation; educational policy; curriculum design and review; student access; aspects of student life related to the educational process; standards for evaluation of teaching, artistic and scholarly activity; faculty status, tenure, and promotion.

Effective faculty governance includes faculty voices in other key areas of the college, including: long-term strategic planning and resource allocation; priority setting for institutional budgets; admissions; selection of academic administrators.

An effective system of faculty governance must be forward-thinking, creative, resilient, and nimble. A governance system best achieves these goals when it represents the collective decision-making of the full diversity of the faculty.

Considering this, the Faculty Governance Reform Committee adheres to the following principles for an effective governance structure at Bates:

Mission: Governance structures will be aligned with the Bates mission, committed especially to engaging the transformative power of our differences and informed civic action in faculty governance.

¹ Guiding Principles for Faculty Governance, faculty legislation, passed March 7, 2022, effective Fall 2023 with the 2023-2024 Faculty Handbook.

Clarity: Committee charges should be clear. Expectations for faculty on those committees should be clear. Faculty should understand who they are representing when serving on a committee (i.e. the institution as a whole, their division, their academic unit, their rank). Faculty should endeavor to learn about the needs and concerns of the constituents they represent.

Communication: Effective communication is key to faculty governance, and strengthens faculty voice in shared governance. Committees should post agendas, minutes, and reports of their work. Colleagues are responsible for reading this information. Information flow and transparency of processes should be standardized to facilitate effective decision-making and continuity of work both across time and different groups.

Collaboration: Committee structures should value collaboration across different groups, and across differences within groups. Structures should ensure that diverse voices have an impact on decision-making, that faculty work is collectively aligned to the common goal of promoting the educational mission of the institution.

Commitment to Antiracism: Governance models should be committed to antiracist ideas and policies.

Distribution of leadership roles: Faculty leadership of committees should be distributed to give a wide range of faculty an opportunity to lead committees and influence key decisions.

Distribution of work: Faculty governance work should be equitably distributed across and within ranks. Faculty will be expected to regularly serve in governance roles.

Article V, Section 1. Principles of Committee Work

Definitions: 1) **Committee:** All members appointed or elected to a committee ordinarily participate in the work and decision making of that committee, unless otherwise specified in legislation. 2) **Board:** Members of a board ordinarily do not meet as a group. They participate in the work and decision making of that board only when selected to do so for a matter that comes before it, as specified in the faculty handbook.

Equity and Inclusion. All committees of the faculty shall attend to equity and inclusion in the manner and product of their work to create a culture that values collaborative leadership among a diverse group. Equitable is defined as follows: workload and leadership responsibilities shall be evenly distributed across faculty members within rank and across time. Inclusive is defined as follows: faculty shall listen to, recognize, and value the different and unique perspectives and expertise of all committee members. All committee members, faculty and staff, shall attend to power differences within committees.

Shared Responsibility. Shared governance involves the governance work of the Board of Trustees, the college administration, and the faculty, both independently and collectively. For shared governance to be effective, faculty governance ought to be robust, transparent, equitable, and reasonable in its workload demands. As a result, responsibility for faculty governance ought to be distributed broadly and equitably among the faculty.

Communication. In conducting their work, committees shall identify and communicate with relevant college stakeholders when and as appropriate. Committees shall provide regular updates to the faculty about their work and seek input as is appropriate.

Committee Records. Committees shall use agendas for their meetings that are communicated in advance of the meeting to all members of the committee. Committees shall keep minutes of their meetings. Committees shall write a brief annual report of their work to share with the faculty.

Applicability. All standing committees listed in this Article and any other select committee created by a vote of the faculty are subject to these principles. Unless specified otherwise, all stipulations in this section also apply to faculty boards.

Article V, Section 2. Membership

a) Method of Selection

Appointments. With the exception of program committees, all appointments to standing committees or to faculty-created ad hoc committees shall be made by the Committee on Faculty Governance. When the dean of the faculty or the president appoints an ad hoc committee, the appointing office shall consult with the Committee on Faculty Governance in the process of appointing the ad hoc committee.

Elections. Slates for elected seats shall be assembled by the Committee on Faculty Governance. Voting shall be conducted by electronic means and all those with faculty status at the time of the election shall be eligible to vote.

Equity. In making appointments and filling election slates for standing committees or for ad hoc committees overseen by the Committee on Faculty Governance, appointed by the dean of the faculty, or appointed by the president, the Committee on Faculty Governance or those making appointments to the ad hoc committee shall aim to distribute appointments and nominations equitably to ensure diverse representation and promote a culture of inclusion on all committees. In order to promote workload equity, appointments shall be informed by data about faculty workload and committee assignments for faculty members.

Terms. The term of office of both elected and appointed members of standing committees shall begin with the fall semester. Unless specified otherwise, the term for a seat is three years.

Ex Officio Members. The president and dean of the faculty shall be members ex officio of all committees and shall be notified of all meetings.

Student Members. Some committees have student members. There is a student Committee on Committees, selected by the Representative Assembly. The duty of the student Committee on Committees shall be to make recommendations to the Representative Assembly for student appointments to faculty-student committees, subject to approval of the majority of the membership of the Representative Assembly.

b). Filling Vacancies. Vacancies in appointed seats on committees shall be filled for the balance of the unexpired term by the Committee on Faculty Governance. Vacancies in elected seats on committees shall be filled for the balance of the unexpired term by a special election following the same process for nominations and voting as with other elected seats on that committee.

Temporary vacancies in seats on boards will not ordinarily be filled for the balance of the unexpired term unless the Committee on Faculty Governance deems it necessary. Vacancies when a member cannot complete the term will be filled for a new full term.

c). Expectations. All members of faculty committees, shall be considered voting members of the committee with all the privileges and responsibilities attached thereto unless otherwise indicated in the Rules and Procedures of Governance.

d). Chairs.

Selection. Unless otherwise indicated, in the Rules and Procedures of Faculty Governance, the Committee on Faculty Governance will name an initial convener of the committee. The committee will then select its chair at the first meeting.

Responsibilities. The appointed convener of a committee shall call the first meeting within the first month of the academic year. At this meeting, the committee shall review its charge, select a chair, discuss its scope of work for the academic year, and determine specific responsibilities for each member and for the chair. The chair shall set the committee's agenda in consultation with the other members of the committee. The chair may invite other stakeholders to meet with the committee directly. The chair shall oversee the committee's communication about its work to the faculty and to college stakeholders. The chair, in collaboration with other committee members may delegate responsibilities, including the regular keeping, distributing, and archiving of meeting minutes.

Article V, Section 3: Committees

STRUCTURE

a) The designation and duties of standing committees of the faculty shall be determined by vote of the faculty. Any changes in the designation and duties of standing committees shall be affected in accordance with the provisions of Article VI.

b) Special committees may be established as required upon vote of the faculty. When such a committee is established by the faculty, the faculty shall determine whether its members are to be elected by the faculty or appointed by the procedures specified below.

PROCEDURAL COMMITTEES

c) There shall be a Committee on Faculty Governance composed of eight faculty members representing all divisions. Such faculty will have at least three years of service at the College. The members of the committee shall be elected by a vote of the faculty. For purposes of fulfilling Article V, Section 2(g), the committee may consult with such staff as are needed. The president and the dean of the faculty shall serve as *ex officio* members of the committee. They shall be *ex officio* members of any subcommittee of the committee where specified in legislation or by resolution of the committee.

Responsibilities of the Committee on Faculty Governance shall be to:

- 1) Appoint faculty to all non-elected faculty committee seats for standing committees designated in Article V.
- 2) Designate the chairs of all faculty committees appointed by the Committee on Faculty Governance, except the Academic Affairs Council, which shall be chaired by the dean of the faculty. Prepare the slate of candidates for elected faculty committees and boards for action by the faculty. Slates shall be prepared in accordance with the rules for eligibility defined in Article V. The dean of the faculty and president may take on advisory roles by invitation from the committee.
- 3) Review all legislation proposed by committees or other faculty members and determine disposition of the proposal in accord with Article IV, Sections 2, 3, and 4. Meet at least twice each year with the designated committee of the Board of Trustees to discuss matters of mutual concern.
- 4) Consult with and advise the president on any matters of concern to the faculty, and on matters of short- and long-range planning. The committee may also respond to questions or ideas raised by the president, and to proposed policies before they are adopted.
- 5) Consult with the dean of the faculty on matters of concern to faculty.
- 6) Consult with the division chairs on matters of concern to faculty.
- 7) Respond to questions and concerns from faculty about matters of governance generally.

The committee may designate such subcommittees as appropriate in fulfilling its responsibilities.

d) There shall be a **Faculty Personnel Committee** composed of the president and the dean of the faculty, *ex officio*, and seven members of the faculty, each elected at the February meeting of the faculty for three-year overlapping terms. (See *Rules and Procedures Governing Faculty Appointment, Reappointment, Tenure, and Promotion*, Article I, Section 1.) The election of the seven members to this committee must adhere to the following conditions:

- 1) All candidates must be tenured and must hold the rank of either associate professor or full professor.
- 2) In no case may an associate professor be nominated if election would mean that more than two associate professors would serve on the committee.
- 3) In no case may a full professor be nominated if election would mean that fewer than two associate professors would then serve on the committee.
- 4) The four academic divisions must be represented by the seven elected members of the committee, as specified in Article I, Section 1(c), 4. Additional nominations may be made from the floor at the February meeting of the faculty, but such nominations must conform to the same conditions.
- 5) The dean of the faculty, as the chair of the Faculty Personnel Committee, convenes, facilitates discussion by, and administers the work of the committee.

e) There shall be a Committee on Teaching and Learning comprising the dean of the faculty, *ex officio*, as well as four teaching faculty who are appointed by the Committee on Faculty Governance. Of the four teaching faculty, two must be untenured and two must be tenured, the four teaching faculty on this committee shall all serve as voting members of the Faculty Commons. The members of the committee also shall have responsibility for periodic review and revision of the methodology used for the evaluation of instruction.

f) There shall be a Committee on Personnel for Physical Education composed of the president, dean of the faculty, vice president for campus life, the athletic director, and the senior woman administrator (SWA), all *ex officio*, the faculty athletics representative, and three elected members of the academic faculty of the College who are not members of the Department of Physical Education. If either the athletic director or the senior woman administrator is not a faculty member, that person shall nonetheless serve on the committee *ex officio*. The three elected members serve for three-year overlapping terms. The faculty elects these three members at its February meeting. The election of these three members must adhere to the following conditions:

- 1) Each elected member shall be from one of the four academic divisions.
- 2) All shall be tenured.
- 3) At least one of the elected members must be a full professor. Additional nominations may be made from the floor at the February meeting of the faculty, but such nominations must conform to the above conditions.

g) Faculty Scholarship and Grants Committee.²

Charge. The committee shall: (1) work to develop policies that support and promote faculty scholarship and inclusive pedagogy; (2) allocate funds from the Bates Faculty Development Fund and Learning Associates program, per defined policies; evaluate and decide on applications for Phillips Faculty Fellowships and enhanced sabbaticals; and approve all other sabbaticals; (3) work with the Office of Sponsored Research and Research Compliance to educate faculty on internal and external grant opportunities; (4) communicate leave decisions in a timely manner to the Academic Affairs Council.

Composition. Four elected faculty members. A representative of the Office of the Dean of the Faculty shall serve *ex officio*. Any faculty member with at least three consecutive years of full-time faculty employment at the college may serve. The committee shall have one faculty member from each division. At least one committee member shall be an untenured faculty member. A representative from the office of the Dean of the Faculty shall sit on the committee *ex officio*. Any faculty member with at least three consecutive years of full time faculty employment at the college may serve.

Chair. The representative of the dean of the faculty.

Article V, Section 4: Stipulations

a) All committees, including those with student members, shall be committees of the faculty of Bates College, subject to its *Rules and Procedures of Faculty Governance*.

b) In making appointments and nominations to committees, the Committee on Faculty Governance shall seek to implement, in a manner consistent with the *Rules and Procedures* of the faculty, the College policy on nondiscrimination and affirmative action.

c) All members of faculty committees shall be considered voting members with all the privileges and responsibilities attached thereto unless otherwise indicated in the *Rules and Procedures of Faculty Governance*.

d) The term of office of both elected and appointed members of standing committees shall begin with the fall term.

e) Continuous faculty membership on a committee, except for *ex officio* members, shall normally be limited to a term of four years.

f) Vacancies occurring in the membership of the Committee of Faculty Governance, the Faculty Personnel Committee, the Committee on Personnel for Physical Education, the Curriculum Review Committee, the Committee on Faculty Scholarship and Grants, and the Board of Examiners shall be filled for the balance of the unexpired term by special election. Vacancies occurring in the membership of the Faculty Review Board because of sabbaticals or leaves will not normally be filled.

g) Vacancies occurring in the membership of the appointed committees and boards may be filled for the balance of the unexpired term by the Committee on Faculty Governance.

² Faculty Scholarship and Grants Committee, new faculty legislation, passed March 7, 2022, effective Fall of 2023 with the 2023-2024 Faculty Handbook.

h) The president and dean of the faculty shall be members *ex officio* of all committees and shall be notified of all meetings.

i) Note: There is a Student Committee on Committees, selected by the Representative Assembly. The duty of the student Committee on Committees shall be to make recommendations to the Representative Assembly for student appointments to faculty-student committees, subject to approval of the majority of the membership of the Representative Assembly.

Article V, Section 5: Standing Committees

a) In addition to the procedural committees, i.e., the Faculty Personnel Committee, the Committee on Teaching and Learning, the Committee on Personnel for Physical Education, the Committee on Faculty Scholarship and Grants, and the Committee on Faculty Governance, delineated in these *Rules and Procedures of Faculty Governance* in Article V, Section 1, c-g, there shall be other standing committees of the faculty which are listed below along with certain stipulations in addition to those given in Section 2.

b) All Faculty Committees.

1) **Academic Affairs Council** — chair of each division of the faculty and the dean of the faculty.

2) **Africana Program Committee** — faculty who oversee the interdisciplinary Program in Africana.

3) **American Studies Program Committee** — faculty who oversee the interdisciplinary Program in American Studies.

4) **Asian Studies Program Committee** — faculty members most directly involved with Asian and South Asian studies.

5) **Classical and Medieval Studies Program Committee** — seven members.

6) **Committee on Admissions and Financial Aid** — four faculty members, one from each division; dean of admissions, *ex officio*.

7) **Committee on Academic Standing** — vice president for campus life, assistant dean of students for accessible education and student support, and registrar, *ex officio*, five faculty.

8) **Digital and Computational Studies Program Committee** — faculty who oversee the interdisciplinary Program in Digital and Computational Studies.

9) **Environmental Studies Program Committee** — faculty who design and oversee the major program in environmental studies.

10) **European Studies Program Committee** — shall be composed of a minimum of five members which shall consist of two faculty members appointed in the languages: French, German, Russian and Spanish; and shall include at least two faculty members from the Division of Social Sciences. The European Studies Program Committee shall be responsible for administering the interdisciplinary major in European studies.

11) **Gender and Sexuality Studies Program Committee** — seven faculty.

12) **Graduate Fellowship Committee** — five members.

13) **Latin American and Latinx Studies Program Committee** — eight faculty directly involved in the program with key disciplines.

14) **Legal Studies Committee** — dean of students or associate dean of students, *ex officio*, two faculty.

15) **Medical Studies Committee** — five faculty, and dean of students, or associate dean of students, *ex officio*.

16) **Neuroscience Program Committee** — faculty most directly involved with the Program in Neuroscience.

c) Policy matters originating in the Committee on Academic Standing and the Honors Committee shall be referred to the Academic Affairs Council for discussion and joint recommendation to the faculty.

d) Faculty-Student Committees.

1) **Athletics Committee** — three to four members of the faculty outside the physical education department; three to four students; director of athletics, associate dean of students for campus life, *ex officio*. The committee size will be modified with the consent of the committee chair.

2) **College Lectures Committee** — three faculty, three students.

3) **Curriculum Review Committee** — registrar, *ex officio*; member of the information and library services staff, *ex officio*; four faculty elected by vote of the faculty, one from each of the divisions the faculty; two students. Student members will be selected according to the guidelines spelled out in Article V, Section 2(i).

4) **Extracurricular Activities and Residential Life Committee** — dean of students or associate dean of students, *ex officio*, vice president for finance and administration, *ex officio*, two faculty members who are advisors of major student organizations, two faculty members at large, and six students.

5) **Honors Committee** — four faculty, one student.

6) **Off-Campus Study Committee** — three faculty, the director of the Center for Global Education, *ex officio*, vice president for campus life, dean of students, or associate dean of students, *ex officio*, two students. Student members of this committee shall not be present for discussion of and shall not vote on cases involving individuals.

7) **Student Conduct Committee** — five full-time teaching faculty, five students.

8) **Writing Committee** — four faculty members (ideally one from each division), the director and assistant directors of writing (*ex officio*), a representative from the library (*ex officio*), two students.

e) Faculty-Staff-Student Committees.

1) **Arts Collaborative Committee**—seven faculty members, most representing the academic arts programs; representatives of the Bates Dance Festival, Bates Museum of Art, Harvard Center for Community Partnerships, and Olin Arts Center; a communications specialist; and three students.

2) **Budget and Finance Advisory Committee** ³ — four faculty members, two elected and two appointed. The president, the dean of the faculty (or their designee), and the vice president for finance and administration shall sit on the committee *ex officio*. Any faculty member with at least three consecutive years of full-time faculty employment at the college may serve.

3) **Committee on Environmental Responsibility** — three faculty members, three students, the sustainability manager, *ex officio*, and additional staff and administrators appointed by the president or their designee in consultation with the environmental coordinator and chair of the committee.

4) **Library and Information Services Committee**—three faculty members, three students, the vice president for information and library services and librarian, *ex officio*, two *ex officio* members of the information and library services management team appointed by the vice president for information and library services and librarian, and two *ex officio* administrative members chosen by the vice president for academic affairs.

5) **Martin Luther King, Jr. Day Planning Committee** — three faculty members, at least one student, the chaplain, *ex officio*, the dean of the students, *ex officio*, and three college administrators chosen by the vice president for academic affairs in consultation with the chair of the committee. In appointing faculty members to this committee, consideration shall be given to appointing faculty interested in or engaged with issues of equity, diversity, or social justice.

6) **Student Affairs Committee**—four faculty members, appointed in consultation with the vice president for campus life, four to eight students, with at least one student from every graduating year represented on campus; the vice president for campus life, *ex officio*; two associate deans of students, *ex officio*; the associate dean and director of the Office of Intercultural Education, *ex officio*; and one or more staff in the department of athletics, *ex officio*, designated by the director of athletics. The selection of the students should reflect the college's intention of broad inclusion and engagement across the college community.

³ Budget and Finance Advisory Committee, faculty legislation, passed March 21, 2022, effective Fall of 2023 with the 2023-2024 Faculty Handbook.

7) **Student Conduct Board Pool** – Minimum of eight full-time teaching faculty, eight staff members and eight students. These members form the pool from which the composition of the Student Conduct Committee or the Student Conduct Appeals Committee shall be drawn for each specific case.

f) Faculty-Staff-Community Committees.

1) **Institutional Animal Care and Use Committee** — at least three members, one being a faculty member involved in animal research, one being a doctor of veterinary medicine, and one being a public member who is not involved in animal research, affiliated with the College, or related to anyone affiliated with the College.

2) **Institutional Review Board** — at least five members with varying backgrounds, one being a faculty member whose primary concerns are in scientific areas, one being a faculty member whose primary concerns are in nonscientific areas, and one person who is not affiliated with the College or in the immediate family of anyone affiliated with the College.

3) **Institutional Biosafety Committee** —at least five members who monitor and oversee all research and educational activities involving biological hazards, including recombinant DNA and infectious agents. Among these five members, two must be unaffiliated with Bates.

Article V, Section 6: Boards

In addition to the procedural and standing committees, there shall be the following boards of the faculty. Unlike other committees, boards do not meet regularly and, in some cases, never meet as a board.

1) **Examiners** — four tenured members of the faculty, elected for three-year, overlapping terms, as stipulated in Article I, Section 7 of the *Rules and Procedures*.

2) **Faculty Review** — nine tenured members of the faculty, elected for five-year terms, as stipulated in Article VII, Section 6(b) of the *Rules and Procedures*.

3) **Judicial Educators** — two members of the faculty, chosen from among former members of the Student Conduct Committee.

Article VI: Amendments

Article VI, Section 1: Method of Initiation

Proposed amendments to these *Rules and Procedures of Faculty Governance* shall be first initiated at a regular faculty meeting.

Article VI, Section 2: Method of Voting

NOTICE OF SUCH PROPOSED AMENDMENT SHALL BE INCLUDED IN THE NOTICE OF THE NEXT REGULAR FACULTY MEETING. PASSAGE OF THE AMENDMENT SHALL REQUIRE TWO-THIRDS OF THOSE VOTING.

Standing Committees of the Faculty: Charge of the Committees

This section of the *Handbook* is not part of the *Rules and Procedures of Faculty Governance*, but serves as a description of faculty committees based on the various legislative actions of the faculty that established the committees. Faculty committees are constituted according to Article V of the *Rules and Procedures of Faculty Governance*. Standing committees may be classified as (1) elected (and including or not including students), (2) appointed faculty, (3) appointed faculty-student, (4) appointed faculty-administrative staff-student, and (5) appointed faculty-staff-community. The president and the dean of the faculty are *ex officio* members of all committees.

Elected Committees

ACADEMIC AFFAIRS COUNCIL.⁴ The Academic Affairs Council (which includes the dean of the faculty and the division chairs), is responsible for setting long-term academic priorities; allocation of resources, including faculty lines,

⁴ Change of charge based on a revised charge of the Faculty Scholarship and Grants Committee, new faculty legislation, passed March 7, 2022, effective Fall of 2023 with the 2023-2024 Faculty Handbook.

replacement positions, lecturers, adjunct positions, etc.; oversight of the curriculum (including extra cost Short Term courses); oversight of General Education requirements; oversight of graduation requirements (including AP and transfer credits etc.); oversight of policy regarding the academic calendar; oversight of the types of courses that count toward graduation; oversight of majors, minors, general education concentrations, thesis (number of courses per major, thesis threshold requirements, etc.); reviewing policies concerning academic integrity, number of meeting hours for courses, exam protocols, course enrollment policy, etc.; serving as a liaison with the Academic Affairs Committee of the Trustees.

COMMITTEE ON ADMISSIONS AND FINANCIAL AID. The committee works with the dean of admission and financial aid to establish and evaluate admissions and financial aid policies; facilitate and coordinate the direct involvement of the faculty in student recruitment, admission, and retention.

COMMITTEE ON CURRICULUM REVIEW. The committee is responsible for reviewing and approving curricular proposals (including first-year seminar proposals) that come within the structure of established educational policy and practice, and reporting these to the faculty in writing once a semester; and of the review and approval of class and examination schedules, as presented to the committee by the registrar. The committee assists faculty in the development of general education concentration courses for General Education and certifies these courses for annual publication in the *College Catalog* online or in print.

COMMITTEE ON FACULTY GOVERNANCE. The duties of this committee are given in Article V, Section 1(c) of the *Rules and Procedures of Faculty Governance*.

FACULTY PERSONNEL COMMITTEE. The duties of this committee are given in Article V, Section 1(d) of the *Rules and Procedures of Faculty Governance*.

COMMITTEE ON FACULTY SCHOLARSHIP AND GRANTS.⁵

Charge. The committee shall: (1) work to develop policies and to support and promote faculty scholarship and pedagogy. (2) allocate funds from the Bates Faculty Scholarship Fund and Learning Associates program, per defined policies; evaluate and decide on applications for Phillips Faculty Fellowships and enhanced sabbaticals; and approve all other sabbaticals. (3) work with the Office of Sponsored Research and Research Compliance to educate faculty on internal and external grant opportunities. (4) communicate leave decisions in a timely manner to the Academic Affairs Council.

COMMITTEE ON PERSONNEL FOR PHYSICAL EDUCATION. The duties of this committee are given in Article V, Section 1(f) of the *Rules and Procedures of Faculty Governance*.

Appointed Faculty Committees

ACADEMIC STANDING. The committee has these broad responsibilities: (1) to recommend to the faculty policy concerning academic standing, probation and dismissal, and related matters of the grading system; (2) to hear on appeal individual cases of students placed on probation or dismissed by failure to meet legislated criteria for good academic standing; (3) to hear petitions for readmission from students once academically dismissed; (4) to report statistical summaries concerning academic standing to the faculty after the close of the fall and winter semesters; (5) in conjunction with the Academic Affairs Council to recommend to the faculty policy concerning registrations and the assignment of credit; (6) to hear on appeal individual petitions concerning irregular registrations and credits, including underloads, overloads, late registrations, late withdrawals, rescheduled final examinations, deferred course grades, changes in course grades, and transferred credits; (7) to review the administrative exercise of specified authorities as delegated by the committee to the vice president of campus life and the associate dean of students according to faculty legislation.

AFRICANA PROGRAM. The committee designs and oversees the major and minor, including the development of the curriculum, course and thesis requirements, and the advisement of students. The committee ensures that the following curricular arrangements are fulfilled: 1) Introduction to African American Studies and Perspectives on Africa, (offered each year as part of the introductory sequence requirements); 2) a course on methods (offered each year

⁵ Faculty Scholarship and Grants Committee, new faculty legislation, passed March 7, 2022, effective Fall of 2023 with the 2023-2024 Faculty Handbook.

and required of students); 3) thesis advising. The committee creates programs in accordance with its mission statement.

AMERICAN STUDIES PROGRAM. The committee designs and oversees the major, including the development of the curriculum, major and thesis requirements, and the advisement of students. The committee ensures that the following curricular requirements are fulfilled: 1) Introduction to American Studies is offered each year and is required of majors; 2) an upper-level seminar on American studies attending to race, decolonization, class, and cultural analysis is offered each year and is required of majors; 3) and each student is required to complete a senior thesis. The committee sponsors faculty development workshops and seminars to support faculty who share a common interest in American studies.

ASIAN STUDIES PROGRAM. This committee, established by faculty legislation in 1996, oversees the interdisciplinary program in Asian studies, which offers majors in Chinese, Japanese, and East Asian studies and minors in Chinese, Japanese, and Asian studies. Its duties include designating the major and minor requirements, overseeing student majors, approving thesis programs, recommending any General Education contributions from the Asian studies curriculum, and evaluating colleagues teaching in Asian studies.

CLASSICAL AND MEDIEVAL STUDIES PROGRAM. This committee, established by faculty legislation in 1982, oversees the interdisciplinary Program in Classical and Medieval Studies. This responsibility includes designating the major requirements, overseeing student majors and their thesis advisors, recommending any General Education contributions from the classical or medieval curriculum. Responsibility also includes participation by some committee members in the evaluation of faculty colleagues holding teaching appointments in classics.

DIGITAL AND COMPUTATIONAL STUDIES. This committee, established by faculty legislation in 2015, oversees the interdisciplinary Program in Digital and Computational Studies and is responsible for designating course requirements, recommending any General Education contributions from the digital or computational studies curriculum, and pending approval as a major course of study, has responsibility for overseeing student majors and their thesis advisors.

ENVIRONMENTAL STUDIES PROGRAM. This committee, established by faculty legislation in 1995, oversees the interdisciplinary Program in Environmental Studies. Normally composed of no more than seven faculty, its membership is drawn from throughout the faculty. Its duties include designating the major requirements; developing the core curriculum; overseeing the academic program of student majors, including senior thesis, student internships, and independent study; recommending General Education contributions from the environmental studies curriculum; and evaluating faculty colleagues teaching in environmental studies.

EUROPEAN STUDIES PROGRAM. This committee, established by faculty legislation in 2012, oversees the interdisciplinary Program in European Studies. Normally comprised of a minimum of five faculty, with at least two faculty members appointed in the languages: French, German, Russian and Spanish and to include at least two faculty members from the Division of Social Sciences. The Committee shall be responsible for administering the interdisciplinary major in European Studies. Its duties include designating the major requirements; developing the core curriculum; overseeing the academic program of student majors, including senior thesis; and recommending any General Education contributions from the European studies curriculum, and evaluating colleagues teaching in European Studies.

GENDER AND SEXUALITY STUDIES PROGRAM. This committee designs and oversees the major program, having the same authority over the program and its student participants as normally is held by academic departments in regard to their major programs. In its design and oversight of the major program, the committee shall insure that each year (1) an introductory course on gender and sexuality studies and an upper-level seminar integrating such studies are taught exclusively as part of the major program, and (2) appropriate courses taught within the several academic departments are cross-listed in the *Catalog* as offerings in gender and sexuality studies. The committee shall sponsor a faculty development seminar, which shall assist members of the faculty who wish to integrate gender and sexuality studies into their curricular offerings or who wish to introduce new courses with a gender and sexuality studies focus.

GRADUATE FELLOWSHIPS. This committee serves as the screening committee for all fellowship applicants who must be nominated or recommended by the College. In cooperation with the academic departments and programs and the Center for Purposeful Work, it also undertakes to encourage qualified students to consider graduate study upon

completion of their college work. It serves also as the screening committee for all fellowship applicants who must be nominated or recommended by the College.

LATIN AMERICAN AND LATINX STUDIES PROGRAM. This committee, established by faculty legislation in 2012, oversees the interdisciplinary Program in Latin American and Latinx Studies. Normally comprising no more than eight faculty, its membership is drawn from faculty directly involved in the program. Its duties include designating the major requirements; developing the core curriculum; overseeing the academic program of student majors, including senior thesis; and recommending any General Education contributions from the Latin American and Latinx studies curriculum, and evaluating colleagues teaching in Latin American and Latinx studies.

LEGAL STUDIES. In cooperation with the Center for Purposeful Work, this committee serves as an advisory and coordinating body to those students interested in legal careers.

MEDICAL STUDIES. This committee serves as an advisory and coordinating body to those students interested in medical careers, and is responsible for the preparation of evaluations and recommendations of students to the medical schools.

NEUROSCIENCE PROGRAM. This committee oversees the interdisciplinary Program in Neuroscience. Its duties include development and oversight of the major, including the requirements for the major; academic and thesis advising of majors; selection and supervision of staff; mentoring and evaluating of faculty members in the program.

TEACHING AND LEARNING. This committee shall support and promote effective teaching and learning on campus, including building faculty capacity to address diversity and inclusion in teaching and advising. The committee pursues these objectives through participation in the Faculty Commons. The Commons holds workshops, talks, reading groups, works-in-progress groups, and other methods designed to support best pedagogical practices. The Commons also oversees the implementation of Short Term innovation (course design and redesign, as well as practitioner-led courses), the May Conference, support for First-Year Seminar instruction, and new faculty development, as well as the maintenance of online resources for instruction. Additionally, the members of the Committee on Teaching and Learning have the responsibility to study procedures for the evaluation of teaching and, in consultation with the Faculty Personnel Committee: (1) to compose and, as necessary, to revise the student rating form necessary to implement Article IV, Section 5(b), of the *Rules and Procedures Governing Faculty Appointment, Reappointment, Tenure, and Promotion*; (2) to recommend acquisition of any necessary scoring apparatus and to consult on the computer programs necessary for statistical analysis of completed forms; (3) to assist the Faculty Personnel Committee in carrying out its responsibilities as defined in Article IV, Section 2; (4) to recommend to the Faculty Personnel Committee procedures for the selection of student letter-writers according to the provisions of Article IV, Section 2; (5) to perform on behalf of the Faculty Personnel Committee whatever tasks of selection are necessitated by the provisions of Article IV, Section 2; (6) to recommend and, as necessary, to revise the design and the language of the call letters necessitated by Article IV, Section 2; (7) to recommend procedures for the evaluation of advising as an expected part of the teaching obligation.

Appointed Faculty-Student Committees

ATHLETICS. This committee shall (1) give careful attention to all matters pertaining to noncurricular athletics, and report to the faculty any information and recommend any legislation it shall deem advisable; (2) serve as an advisory committee to the physical education department on any matters pertaining to noncurricular policy and practice of that department. It is assumed that the unique perspectives of men's and women's athletics will be reflected by balanced representation on the committee.

COLLEGE LECTURES. This committee is responsible for the arrangement and presentation of an annual College lecture series.

HONORS. This committee shall: (1) set standards and procedures for the granting of honors; (2) admit students to honor study upon recommendation of department and program chairs.

OFF-CAMPUS STUDY. This committee has the following responsibilities: (1) to evaluate off-campus study programs other than those within the curriculum of the academic departments and to recommend any of them to the Academic Affairs Council for possible approval by the faculty as programs available to students in the College; (2) to establish procedures for the selection of student applicants to such off-campus study programs; (3) to approve students for

participation in off-campus study programs other than those within the curriculum of the academic departments and programs, including the junior year abroad.

WRITING. This committee is tasked with concerns in two main areas. First, the committee serves as an advisory body for Writing at Bates, advocating for its mission and for its role in supporting faculty as teachers of writing. Second, the committee attends to the role of writing in the Bates curriculum (implementing and reviewing assessments and making recommendations on best practices) and oversees the Bates writing-attentive curriculum (W1, W2, and W3). This committee responds to considerations of multiple constituencies concerned with writing. As such, all potential changes to guidelines on the writing-attentive curriculum are vetted through this committee. In this way, the committee's recommendations on the writing-attentive curriculum and its delivery are formally tied to the evolving landscape of this important aspect of the Bates curriculum.

Appointed Faculty-Staff-Student Committees

ARTS COLLABORATIVE. This committee is an interdisciplinary group of faculty, staff and students dedicated to infusing the arts and creative process into a broad spectrum of a liberal arts education. The Arts Collaborative supports art makers and scholars, coordinates collaborative work in the arts, advocates for the arts in college planning, and gives the arts a voice in the leadership of the College.

BUDGET AND FINANCE ADVISORY.⁶ This committee's charge is to: (1) communicate faculty budget priorities to the vice president for finance and administration; (2) communicate with the faculty about budget constraints, priorities, and processes for developing the budget; (3) consult with the Office of Advancement and with the Committee on Admission and Financial Aid; (4) serve as the liaison to its appropriate committee counterpart with the Board of Trustees; (5) work together in its first year to ensure that its composition is appropriate.

ENVIRONMENTAL RESPONSIBILITY. This committee's charge is to assist the environmental coordinator as in: (1) raising environmental awareness among all constituents of the College; (2) keeping abreast of research and developments that pertain to institutional sustainability; (3) recommending policies for adoption by the College that promote conservation, energy efficiency, and sustainable use of resources; (4) designing and coordinating events that encourage environmentally sound practices throughout the College; and (5) assessing the environmental state of the College on a regular basis. The committee also communicates regularly with the faculty and other relevant campus groups.

EXTRACURRICULAR ACTIVITIES AND RESIDENTIAL LIFE. This committee discusses issues of extracurricular activities and residential life. The committee is charged with monitoring and recommending changes in College policies affecting student life outside of the classroom. This responsibility includes: oversight of Bates College Student Government procedures for establishing new student clubs; meeting with members of the Bates community to discuss issues of extracurricular activities and residential life; fostering and coordinating the faculty's role in student residential life.

LIBRARY AND INFORMATION SERVICES. This committee shall sit as an advisory body to the vice president for information and library services and librarian, who shall be an *ex officio* member. It shall also serve the faculty as the committee of the first referral in all matters concerning the library and information services. Given the integrated nature of Library and Information Services, this committee also shall advise the information services management team on operations, programs, and operational information services plans and shall provide a forum to discuss problems and needs. In particular, this committee shall keep abreast of how information technologies, research, and pedagogy interact. Its responsibilities would include, but not be limited to, promoting student and faculty awareness of various issues concerning depositories such as, access to new software, access to a range of databases and other offerings at Ladd Library, innovations in digital humanities, best practices in information technologies, and increasing use of open access software. The committee shall evaluate access to resources, e.g., innovative approaches that might meet the challenges of needed but increasingly expensive course resources such as textbooks, classroom technologies, and software packages, as part of the college's ongoing charge to increase inclusivity. The committee can propose legislation to the faculty on matters specially touching faculty concerns in computing and information

⁶ Budget and Finance Advisory Committee, faculty legislation, passed March 21, 2022, effective Fall of 2023 with the 2023-2024 Faculty Handbook.

technology, and it can discern faculty opinion on other library, technology, and information policy issues through discussion at faculty meetings.

MARTIN LUTHER KING, JR. DAY PLANNING. This committee acts as the organizing body for the activities connected with the College's official annual commemoration of Dr. Martin Luther King, Jr.'s birthday.

STUDENT AFFAIRS. This committee collaborates with the vice president for campus life on matters of shared concern. As educators in a residential college setting, student affairs staff support the personal development, health, and well-being of students by providing cohesive programs and services. These programs and services should actively affirm the College's commitment to access, success, and inclusion of all students. The Student Affairs Committee provides a structure in which faculty, staff, and students work collectively to make improvements to the student experience as it relates to these programs and services, including but not limited to: accessible education, campus life, campus safety, community standards/student conduct, counseling and psychological services, health services, intercultural education, purposeful work, residence life and health education, and student support.

STUDENT CONDUCT BOARD POOL. This committee has the responsibility to make policy recommendations to the faculty regarding matters of student conduct; and to make decisions in student conduct cases referred or appealed to it under the Code of Student Conduct. The faculty co-chair shall report to the faculty at the first regular faculty meeting of each semester of all action taken by the committee since the preceding report.

Appointed Faculty-Staff-Community Committees

INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE. This committee reviews classroom and research use of vertebrate animals to assure that animals involved are handled properly and humanely. The committee also inspects the animal colony.

INSTITUTIONAL BIOSAFETY COMMITTEE. This committee monitors and oversees all research and educational activities involving biological hazards, including recombinant DNA and infectious agents. For protocols involving animals or plants that include biological hazards, federal guidelines require a plant expert or animal containment expert to be included as members on the committee when reviewing related protocol applications. The committee is responsible for review and approval of all protocols that involve biohazardous agents; ensure compliance with applicable federal, state, and local regulations and guidelines; and provide guidance to the Bates community on biosafety policies and procedures.

INSTITUTIONAL REVIEW BOARD. This committee composed of faculty members and a psychiatrist from the local community, oversees research projects involving human participants. All faculty and student research projects supported by research grants involving human participants, all projects where individuals are not allowed to withdraw from participation, all projects where the research procedure poses any mental or physical risk to the participant, all projects where the anonymity/confidentiality of the participants cannot be guaranteed, all projects where deception is a part of the research design and all projects involving children under the age of 18 must be reviewed by the Institutional Review Board. The committee maintains guidelines on research protocol, fair and respectful treatment of subjects, issues of confidentiality, and informed consent.

Part 2: Faculty Benefits and Support Programs

Salary

Faculty salaries are reviewed annually. Recommendations on salary are made by the president to the Executive Committee of the Board of Trustees, and upon approval by the Board are reported to the individual faculty member no later than February 15. Such recommendations may be based upon scholarly achievement and performance as a teacher, and upon the financial capabilities of the College. There are no automatic advances in salary.

The College reports to Integrated Postsecondary Education Data System (IPEDS) conducted by the National Center for Education Statistics of the Department of Education. The American Association of University Professors now receives its information on faculty compensation from this survey, and publishes pertinent indices in its spring issue of the AAUP bulletin, *Academe*.

The following minimum salaries for full-time permanent faculty, teaching five courses annually, are in effect for 2023-2024:

Instructor	\$65,000
Assistant Professor	\$75,000
*Associate Professor	\$90,000
* Professor	\$110,000

*In rank with tenure

Benefits in Addition to Salary

The College provides all its employees, including faculty members, with an *Employee Handbook* that can be found online at bates.edu/hr/reference/employee-handbook or obtained from the Office of Human Resources. The *Employee Handbook* is meant to supplement or complement the information provided in this section of the *Faculty Handbook*.

Note that faculty benefits do not include College insurance coverage on personal belongings, including books and equipment, held in faculty offices, library studies, classrooms, laboratories, or personal residences, including housing belonging to the College.

Health Benefits Eligibility for Faculty

Full Benefits –eligible with 3.5 or more courses

Half Benefits – eligible with 2.5 and 3.0 courses

Not eligible for benefits – fewer than 2.5 courses

Non-Medical Benefits Eligibility for Faculty

Faculty benefits eligibility is based on 5 courses equivalents as equaling 1.0 FTE (full-time equivalent).

Full Benefits – eligible with more than 4 courses (or course equivalents) or more per academic year in any combination.

Three-Quarter Benefits – eligible with 3.5 - 4 courses per academic year for an FTE between .67 - .825

Half Benefits – eligible with 2.5 - 3 courses per academic year for an FTE between .50 - .66

Not eligible for benefits - fewer than 2.5 courses per year not eligible for Bates College benefits for an FTE between .00 - .49.

For faculty personnel the following apply: 1) Benefits are determined by the employment terms articulated in the faculty member's contract, and the employment terms are binding in regard to eligibility for benefits. 2) If the length of the contract is one semester only, and the teaching responsibilities are for 2.5 – 3 course equivalents, the faculty member receives full benefits for that semester. 3) If the length of the contract is one academic year, and the teaching responsibilities are for 2.5 – 3 course equivalents during any part of the academic year, the faculty member is eligible for half benefits of the contract as specified.

Bates Flexible Benefits Plan

Bates College offers employees a Flexible Benefit Plan. This is a variation of a cafeteria plan that allows benefits to be provided on both a before and after-tax basis, or employees may opt out of a benefit. All employees who are in a

benefit status of half or more are eligible to participate in this plan. Benefits are prorated for those employees who are in a three-quarter or half benefit status.

The benefits that are provided under the College's Flexible Benefits Plan are as follows: health insurance, dental insurance, vision insurance, life insurance and accidental death and dismemberment insurance (AD&D), long term disability insurance (LTD), hospital indemnity plan (HIP), health care reimbursement account (HCRA), dependent care reimbursement account (DCRA), and the dependent care subsidy that is provided by the College.

Retirement Benefits

Bates College maintains two separate plans providing retirement benefits, the Bates College Money Purchase Pension Plan (Bates College Pension Plan) and the Bates College 403(b) Retirement Plan (Bates College Savings Plan). In order to participate in the Bates College Pension Plan, or receive a college matching contribution from the Bates College Savings Plan, the employee must be classified in a benefit status of half-time or more. All employees regardless of their status can contribute to the Bates College Savings Plan. If a non-benefit eligible employee exceeds 1000 hours in an employment year, they will become eligible to participate in both the Bates College Pension Plan and receive a college matching contribution on the first of the month following the anniversary of their employment year.

Bates College Pension Plan

Eligibility starts on the first of the month following one year of employment. The pension plan is a 401(a) money purchase pension plan. Under this plan, employees are guaranteed a defined contribution into the plan and the employee directs the investment of the contributions. The college contribution is 9% of eligible wages (base salary plus overtime and shift differential).

To establish investment elections and designate beneficiaries the employee must enroll online at www.tiaa.org/bates. If the employee does not make investment elections, contributions will be defaulted into the Lifecycle Fund that most closely matches the employee's expected retirement date at age 65. Information on how to enroll, the Lifecycle Funds and the Qualified Default Investment Notice are available in the Office of Human Resources or online at bates.edu/hr/benefits or the TIAA website above.

Complete details of the pension plan are described in a Summary Plan Description provided to eligible employees by the Office of Human Resources, which may be contacted for more information.

Bates College Savings Plan

The Bates College 403(b) Retirement Plan is a 403(b) Tax Deferred Annuity plan, which provides employees with an additional opportunity to save for future financial security for retirement. All employees are eligible to participate in the Bates College 403(b) Retirement Plan; to participate employees must complete the appropriate online enrollment at www.tiaa.org/bates and sign and return a salary reduction agreement to the Office of Human Resources.

If the employee does not enroll online and make investment elections, the contributions will be defaulted into the Lifecycle Fund that most closely matches the employee's expected retirement date at age 65. Information on how to enroll, the Lifecycle Funds and the Qualified Default Investment Notice are available through the Office of Human Resources or online at bates.edu/hr/benefits or the TIAA website above.

Because contributions to a 403(b) plan are automatically deducted from an employee's pay before federal and state tax withholdings are calculated, the employee saves tax dollars now by having their current taxable income amount reduced. These contributions are not exempt from Social Security or Medicare Taxes. Employees can elect a percent of their earnings or a flat dollar amount (election of a flat dollar amount must exceed 6% of eligible earnings – see salary reduction agreement for instructions). The amount that an employee may contribute to the Bates College Savings Plan is limited each year by law.

As an incentive to encourage employees to save for retirement, the College matches eligible employee's contributions by one-half up to a maximum college matching contribution of 3% of salary (e.g., if the employee contributes 6% of salary, the College will contribute 3%).

To be eligible for the match, the employee must be enrolled in and contributing to the Bates College 403(b) Retirement Plan. Eligible participation starts on the first of the month following one full calendar month of employment.

Complete details of the Bates College 403(b) Retirement Plan are described in a Summary Plan Description provided to eligible employees by the Office of Human Resources, which may be contacted for more information.

Flexible Spending Accounts

Bates provides Flexible Spending Accounts (FSA) that allow employees to have pre-tax dollars deducted from their salaries to pay for eligible out-of-pocket expenses. Participation in the Health Care Reimbursement Account, the Limited Purpose Flexible Spending Account and/or the Dependent Care Reimbursement Account is optional. Employees desiring to participate in an FSA must enroll/reenroll each plan year. This benefit is available to faculty and staff who are classified in a benefit status of half-time or more.

Flexible spending accounts can be used to pay for predictable non-reimbursed health care and dependent care expenses during the plan year for which the account was created. Through the use of an FSA, employees may be able to reduce their taxable income.

Bates provides dependent care assistance to employees who are classified in a benefit status of half time or more. To participate in the Bates College Dependent Care Subsidy, the employee must contribute a minimum of \$100 in a Dependent Care Reimbursement Account. The subsidy is provided to help offset the costs of dependent care to employees in maintaining employment. The amount of the subsidy varies based on the number of eligible dependents and total household income.

Contact Human Resources for more information about the Flexible Spending Accounts and the Dependent Care Subsidy.

Travel Accident Insurance

Any benefit-eligible member of the faculty traveling on College business, which includes professional meetings, is covered against accidental injury or death up to the amount of \$250,000.

Dependent Higher Education Benefit Program for Children of Employees (with support from the Harry W. Rowe Tuition Grant Fund)

The following describes the Dependent Higher Education Benefit Program, supported by the Harry W. Rowe Tuition Grant Fund ("the Rowe Fund"), which is provided by Bates College for its employees on behalf of their children attending college.

ELIGIBILITY AND PARTICIPATION. Assistance from the Dependent Higher Education Program toward tuition for dependent children is available to each active or retired full-time faculty, administrative staff, and support staff member (or two persons sharing a single full-time employment appointment treated as a single full-time employee) who has met the applicable service requirement at Bates College. An active employee is one who is either employed as defined above or is on authorized leave, not exceeding one year in duration and from which the employee will return to full-time employment. For purposes of this program, a retired full-time employee is one who separates from full-time employment by the College on or after 1 January 2000, and does not continue in the workforce.

Effective 1 January 2000, assistance is extended to the dependent child or children of an active, retired, or deceased full-time member of the faculty, administrative staff, or support staff who has met the applicable service requirement, and whose date of death occurs on or after 1 January 2000.

SERVICE REQUIREMENT. For a faculty, administrative staff, or support staff member employed on or before 30 June 1988, eligibility for participation begins after two years of consecutive service. For a faculty, administrative staff, or support staff member starting employment after 1 July 1988, eligibility for participation begins after five years of consecutive service.

BENEFITS AVAILABLE. Bates College will provide tuition assistance at Bates or at any fully-accredited baccalaureate-degree granting institution on behalf of an eligible employee for the purpose of undergraduate

educational assistance for dependent children. For more information, please consult the *Employee Handbook*, Section 316.

Temporary Medical Disability Leave

To be eligible for Temporary Medical Disability Leave, a faculty member must be eligible under the Federal Family Medical Leave Act of 1993 (FMLA). To be eligible for FMLA, a faculty member must have worked for the College for a total of 12 months and have worked at least 1,250 hours over the previous 12 months.

In compliance with the FMLA, the College grants faculty members leaves of absence in the case of temporary medical disability. To request a temporary medical disability leave, the faculty member must submit a written request to the dean of the faculty and the Office of Human Resources. A Medical Certification Form, available from the Office of Human Resources, must also be completed by the attending physician and sent to Human Resources.

In considering leaves of absences, the dean of the faculty recommends allocations for course replacements during the period of the leave based on department/program need. The chair of the appropriate department or program and the chair of the appropriate division(s), in consultation with the dean of the faculty, will propose arrangements for the faculty member's classroom responsibilities.

The faculty member's position will be held open at least for the term of appointment specified in the current contract under which the colleague was serving at the time of the disability. If the faculty member is tenured, the position will be held open for at least two years. A faculty member returning from a medical leave must submit a Return to Work Authorization from his or her attending physician, usually in the form of a letter, which includes any limitations or restrictions.

While it is not anticipated, in the event that, due to the coronavirus pandemic, the College adopts a modular academic calendar in 2022-23, while the modular calendar is in effect, any member of the faculty who is unable, as a result of a disability, to fully meet teaching obligations for a continuous period in excess of two weeks during the module will, unless otherwise agreed between the faculty member and the dean of the faculty, be deemed disabled for the remainder of the module and paid disability benefits for the remainder of the module.

FACULTY PANDEMIC PAY POLICY. Due to the coronavirus pandemic, the college has implemented a Pandemic Pay Policy that ensures that all benefits-eligible faculty who have not yet met the eligibility requirements for the Temporary Medical Disability Leave described above will receive their contracted pay when out for an extended absence due to Covid-19 in the same manner as described above in either the semester or module schedule that is in effect at the time.

Any member of the faculty who is unable as a result of a disability fully to meet teaching obligations for a continuous period in excess of three weeks during a semester will, unless otherwise agreed between the faculty member and the dean of the faculty, be deemed disabled for the remainder of the semester and paid disability benefits for the entire period.

In the case of an extended leave for reasons of medical disability, full salary will be continued as specified in the faculty member's current contract, for up to six months. After six consecutive months of certified disability during which the benefits-eligible faculty member is unable to return to work, the faculty member may become eligible for a long-term disability insurance plan benefit. The plan provisions are such that after six months of total disability, payments of 60% of normal salary or wages, less any payments from Social Security, are paid monthly. The minimum monthly payment is guaranteed to be the greater of \$100 or 10% of the monthly benefit before deductions for other income benefits. The long-term disability program will also continue contribution to the eligible employee's pension plan. Details are available in the Office of Human Resources.

In the case of a *scheduled* disability leave, including one for childbirth, the faculty member must discuss plans with the department or program chair as soon as possible so that arrangements can be made to find a replacement to teach any course deemed essential to the curriculum. The semester in which the leave occurs shall be the two-course semester. In some cases, a faculty member may request a reduced teaching load due to a medical disability. In these cases, the teaching load and compensation are adjusted according to the circumstances of the situation, in consultation with the dean of the faculty. When a half-year leave of absence is granted in combination with a disability leave, that year does not count toward the probationary period for tenure or toward years of service for determining promotion or other employment benefits.

Faculty Parental Leave

Faculty Parental Leave is a paid leave associated with the birth of a child or the adoption of a child in the full-time care of a member of the faculty.

ELIGIBILITY. The faculty member must be the birth or adoptive parent, or the spouse or domestic partner of such a parent. The faculty member requesting the faculty parental leave must be in a full-time, tenured/tenure-track or multi-year position with a minimum of one academic year of service immediately preceding the leave period. If both parents are employees, only one may access the paid benefits of this policy.

The faculty member must discuss with the dean of the faculty the intention to take a family parental leave at least 30 days in advance of the leave period.

COMPENSATION. A full-time faculty member who meets the eligibility requirements may request a Faculty Parental Leave that relieves that faculty member of teaching, research, and committee duties for the semester, in order to care for the child, provided it is the semester when the teaching load is two courses, or Short Term, without loss of salary or benefits. This leave does not assure that the faculty member's courses will be replaced.

LENGTH OF LEAVE. Parental leave is granted for one semester or Short Term. The parental leave may be taken in the semester or Short Term of or immediately following the birth or adoption but the leave cannot bridge semesters. Parental leave is considered time used for any legally required time away from work. For example, it runs concurrently with Family Medical Leave Act or any other related leaves for which the employee is eligible.

Eligibility and length of leave under this policy will be determined by the dean of the faculty and the assistant vice president of human resources with consideration of individual circumstances.

Those having questions regarding benefits should inquire at the Human Resources Office.

Information for Non-U.S. Nationals in Faculty Positions

Faculty members who are not U.S. citizens or legal permanent residents should not travel outside the United States without discussing the implications first with Jason Scheideman (jscheide@bates.edu), in the dean of the faculty's office.

Teaching and learning at Bates are greatly enhanced by diverse perspectives and life experiences of faculty and students. The College welcomes international faculty of high qualifications, and assists faculty members whenever possible in securing visas and permanent residency. The College does not sponsor permanent residency petitions for visiting faculty.

The Office of the Dean of the Faculty requires non-U.S. nationals teaching or hired to teach at Bates to pursue measures necessary to ensure that they can live and work in the United States legally. The non-U.S. national who has secured a faculty position must:

- 1) maintain current legal status in the appropriate visa category and notify the College of any anticipated change of status. Normally non-U.S. faculty members work at Bates on F-1 student visas (Optional Practical Training), H-1B visas, TN (Trade NAFTA) visas, or J-1 exchange visitor visas. Faculty with F-1 visas who are eligible to use Optional Practical Training (OPT) must do so before the College sponsors an H-1B visa. However, the College does not participate in E-Verify, so faculty in the STEM fields using OPT cannot engage OPT for the second year afforded to F-1 visa holders working in those fields; an H-1B visa will be secured when the first year of OPT expires. NOTE: J-visa holders changing their visa to an H-1B visa must verify that they are not subject to the two-year foreign-residency requirement;
- 2) maintain a current passport and ensure the faculty member's ability to travel outside of the United States and return legally in time to fulfill teaching obligations to the College.
- 3) initiate the individual's own permanent-residency petition if appropriate (tenure-track faculty members are expected to seek permanent residency as soon as possible after beginning their service to the College). NOTE: The filing of the first part of this application *must* be completed within a *limited* time period (currently eighteen months) from the date the faculty member *signs the initial contract*. Failure to initiate the permanent-residency process in a timely manner may have serious consequences for the faculty member's ability to remain employed at Bates;
- 4) manage all immigration matters pertaining to dependents;

- 5) bear specified expenses associated with permanent residency, including some filing and immigration attorney fees;
- 6) consult with the dean of the faculty before accepting salaries, stipends, or honoraria from any other institution, so that full compliance with U.S. Citizenship and Immigration Services (USCIS) and Department of State (J-visa program) regulations will be guaranteed;
- 7) inform the dean of the faculty's office if traveling outside the United States;
- 8) inform the dean of the faculty and the payroll office as soon as U.S. permanent residency and/or U.S. citizenship is secured;
- 9) maintain and renew the lawful permanent residency authorization ("Green Card").

In its efforts to assist faculty members with alien visas and immigration matters, the College will:

- 1) assist faculty members using OPT associated with their F-1 visa sponsored by their graduate school;
- 2) prepare documentation for J-1 exchange visitor visas in the SEVIS database and pay the SEVIS and visa fees;
- 3) provide general information about H-1B visa and permanent-residency requirements;
- 4) provide information necessary for the preparation by the non-U.S. national's legal counsel of a Labor Condition Application to the Department of Labor on behalf of the faculty member (required for an H1-B visa);
- 5) generate documentary materials as required to assist in the submission of a Labor Certification Application (PERM) required to apply for permanent residency;
- 6) assist with supporting documentary evidence (such as copies of contracts, letters of support from the dean or department chair, etc.) as required;
- 7) retain an immigration attorney whose work has been vetted by the College and with whom the non-U.S.-citizen faculty members will work;
- 8) pay all attorney's fees and government filing fees relating to H1-B visas and H1-B visa renewals; pay attorney's fees and related filing fees for the U.S. Department of Labor's PERM process, the first step in the permanent residency petition. For additional information concerning non-U.S. nationals in faculty positions and guidelines for bringing exchange visitors (teaching assistants, short-term scholars, speakers, visiting faculty or learning assistants) see website bates.edu/dof/teaching-and-advising/visa-guidelines/.

Optional Plans Leading to Retirement: Program for Tenured Faculty and Physical Education Faculty

This program provides optional plans through which the College and a faculty member holding a tenured appointment and having at least fifteen (15) years of service to the College, or a full-time physical education faculty member with an ongoing appointment at the rank of assistant or associate professor and having at least fifteen (15) years of service to the College may bring about a voluntary termination of the individual's tenured or multi-year faculty appointment. The specific terms of separation are set forth in a letter of agreement between the individual faculty member and the College.

The faculty members mentioned above are eligible until July 1 of the year in which the faculty member reaches Full Social Security Retirement Age to select on the options available leading to retirement. For more information, see bates.edu/dof/governance-and-policies/faculty-retirement-option/. These options are open indefinitely, but may be withdrawn or amended by the College at any time. A one-year notice is given of major changes to the policy.

Faculty Emeritus/Emerita Guidelines

Eligibility

Generally, members of the faculty with fifteen years of service to the College are eligible to be considered for emeritus status on retirement. In those unusual circumstances when a member of the faculty who has served for fewer than fifteen years is recommended for emeritus status, consideration of contributions might include: leadership positions such as chair of a department, program and/or faculty committee, significant contributions as teacher and/or a scholar, or unique contributions to the curriculum.

Process

For teaching faculty:

- 1) The department/program chair(s) or the dean of the faculty (after consulting with the senior members of the department/program) generally initiate recommendations for emeritus/emerita status.
- 2) Recommendations should include a curriculum vitae and a summary of the candidate's achievements.
- 3) Recommendations are made to the dean of the faculty for consideration by the appropriate personnel committee, which makes recommendations to the president for final decision by the Board of Trustees.
- 4) Emeritus rank of a teaching faculty is always raised to full professor except in the case of senior lecturers and lecturers.

For deans, the chief financial officer, the registrar, the librarian, and the principal assistant librarian:

- 1) Recommendations are initiated by the candidate's administrative superior.
- 2) Recommendations include a curriculum vitae and a summary of the candidate's achievements.
- 3) Recommendations are made to the president for final decision by the Board of Trustees.

For the president:

- 1) The president is granted emeritus/emerita status by action and at the discretion of the Board of Trustees.

Eligibility Associated with Emeritus Status

Faculty with emeritus status:

- are listed in the *Catalog* and the faculty directory and retain any endowed professorship title held at the time of retirement;
- receive identification cards permitting faculty library privileges and access to athletic/recreation facilities;
- are invited to process in the ceremonial occasions of the College;
- receive email access;
- receive campus-wide publications and announcements;
- receive a college parking tag;
- use official stationery when called on to act as reference for former students and colleagues or any other similar service.
- Emeritus faculty who plan to conduct research after retirement should consult "Involvement of Emeriti in Sponsored Research and Other Grant-Funded Activities" in Section 7 of the *Faculty Handbook*.

Technical support for emeritus faculty is limited. Emeriti with questions about support for their computers should contact the Vice President for Information and Library Services, Pat Schoknecht (pschokne@bates.edu).

Program in Support of Faculty Development and Research

Members of the faculty are expected to continue their professional development through participation in scholarly organizations, research or artistic production, publication or other professional writing, or other professional activity appropriate to their disciplines. Annual reports of such development are made to the dean of the faculty, and become documents in the deliberations of the committees on personnel. The College provides support for faculty professional activities through the programs cited below. These programs are contingent upon the financial resources of the College. Faculty members who have questions or concerns about professional development opportunities should consult with the dean of the faculty.

Faculty members who are applying for research support from the federal government should refer to procedures listed under *Miscellaneous Information* in this handbook.

I. Leaves and Release Time

Members of the faculty who are on the tenure track or tenured, or who are in ongoing lectureship positions (see below), are eligible for professional leaves to carry out specific curricular projects or scholarly work. Such leaves are

granted by the College upon application (see below), with the approval of the president, upon recommendation from the dean of the faculty. All leaves shall be compatible with basic curricular obligations of the departments and program. *All half-year leaves must be in the semester when the faculty member has the lightest teaching load.*

To be eligible for paid or unpaid leaves, faculty members shall be teaching full time in the College for no fewer than three consecutive years between leaves of any kind. Exceptions are granted for medical disability, parental leaves, and by petition to the Academic Affairs Council.

A. Sabbatical Leave

A faculty member becomes eligible for a first sabbatical after an award of tenure and a period of twelve semesters of full-time teaching at Bates. The faculty member typically notifies the dean of the faculty's office in the thirteenth semester of service (this is during the fall following the granting of tenure) of the intention to apply for a sabbatical to be taken during the eighth academic year. The faculty member thereby receives the initial sabbatical following fourteen semesters of service or in the eighth academic year. Following the initial sabbatical, a faculty member is eligible for sabbatical leave after each twelve semesters of full-time teaching at Bates. For personal or departmental reasons, a sabbatical leave may be deferred up to four semesters without the loss of any credit toward the next sabbatical. For deadlines and guidelines and for information on leaves for lecturers, see bates.edu/dof/sabbaticals-and-leaves/.

B. Leave of Absence

For purposes of professional development, members of the faculty may apply for leaves of absence. When a leave of absence is required to accept a postdoctoral fellowship or other research grant, the dean of the faculty must approve of the application for the fellowship or grant prior to its application deadline. When a leave of absence is granted, any contractual agreement between the faculty member and the College is suspended during the period of leave. Faculty members granted a leave of absence are expected to return to the College. For deadlines and guidelines, see bates.edu/dof/sabbaticals-and-leaves/.

C. Pre-Tenure Leave

An assistant professor on the tenure track is eligible for a one-semester leave with pay and benefits after three years of full-time teaching in the College, subject to certain conditions. The purpose of this pre-tenure leave is to support specific curricular projects or scholarly research. For deadlines and guidelines, see bates.edu/dof/sabbaticals-and-leaves/.

D. Course Reduction for Faculty and Curricular Development

Members of the faculty may apply for a one-course or course-equivalent reduction in their regular teaching obligation during the two-semester period of an academic year. These may be applications for course development, unusual teaching arrangements and strategies, or other projects related either to the planning or implementation of innovative pedagogies. Alternatively, applications may concern specific research projects. Selection is made by the dean and the division chairs. Even when the faculty member receives support from internal or external funding, an application must be made through the dean of the faculty. For deadlines and guidelines, see bates.edu/dof/faculty-scholarship/course-reductions/.

II. Grants, Professional Travel Allocations, and Other Support for Research

In an effort to encourage faculty research and professional development, and to cultivate a spirit of intellectual curiosity among students, the College offers a number of intramural research and curriculum development grants to faculty each year. The most complete information, guidelines, and application forms, when applicable, can be found on the dean of the faculty's office website at bates.edu/dof/faculty-scholarship/.

A. The Bates Faculty Development Fund

The Bates Faculty Development Fund supports faculty scholarship, curriculum development, and innovative pedagogy projects. The Fund includes the pooled assets from a number of faculty development endowments and grants, including the Research Indirect Cost Reserve Fund and Professional Development Grants (leave support);

The Kathleen Curry Akers '41 Fund (sabbatical leave support); The Glaser Fund (all disciplines); The Kunreuther Fund for Economics; The McGinty Faculty Research Fund (humanities); The Roger C. Schmutz Faculty Research Grants (all disciplines); The Philip J. Otis Faculty Curricular Development Grants (courses or research pertaining to the environment). This pooled fund requires only one application. Other grants, including Phillips Fellowships, Summer Research Apprenticeships, INBRE grants, and STEM grants have separate application processes. Grants of \$500.00 to \$10,000 are made through the Bates Faculty Development Fund; most awards average about \$3,500. All faculty are eligible to apply for Bates Faculty Development Grant support, though if funds are limited, preference in funding may be given to tenured or tenure-track faculty or long-term lecturers.

Full guidelines and the application instructions may be found on the dean of the faculty's website at bates.edu/dof/faculty-scholarship/grants-teaching-support/bates-faculty-development-fund/.

B. Phillips Fellowships

Funded by the endowment established by Charles Franklin Phillips, fourth president of Bates, and his wife, Evelyn M. Phillips, Phillips Fellowships award excellence among Bates' scholar-teachers. The fellowships are designed to provide an opportunity for faculty members to gain an academic year leave at their full base salary in order to pursue significant scholarship. Fellowships include support for the replacement of the faculty recipient and up to \$4,000 during the fellowship year for scholarly support through expense reimbursement. Two or three Phillips Fellowships are awarded annually. President and Mrs. Phillips were eager to provide opportunities for Bates faculty to interact with leading scholars in research venues beyond Bates; projects that take the scholar away from Bates are expected. For deadlines and application guidelines, see bates.edu/dof/faculty-scholarship/phillips-faculty-fellowships/.

C. Enhanced Sabbatical Program

To encourage faculty scholarship and professional development, the College offers the Enhanced Sabbatical Program on a competitive basis. Tenured faculty and senior lecturers may apply for a full-year sabbatical at 80% pay. To be eligible, applicants must submit at least one application for funding outside the College. For deadlines and application guidelines, see bates.edu/dof/faculty-scholarship/enhanced-sabbatical-program/.

D. Summer Research Apprenticeships

Each year the College awards up to five Summer Research Apprenticeships for Bates students to participate in research projects under the direction of College faculty working in all disciplines. Each grant provides an hourly wage for the student and support to cover room-and-board expenses up to \$4,000. Faculty members may apply for their research projects to be supported through summer grants to qualified student participants. Preference is given to projects that would otherwise have no student involvement. These grants are competitive. Full guidelines, application procedures, conditions, information on available funding, and reporting requirements are available on the website at bates.edu/dof/faculty-scholarship/grants-teaching-support/summer-research-apprenticeships/.

E. INBRE Grants for Faculty and Student Scientific Research

Through support from a major grant to a consortium of Maine institutions from the National Institutes of Health, the College makes funds available to faculty and Bates students for the pursuit of research involving molecular and cell biology and biochemistry related to comparative genomics as well as basic research at the molecular level.

INBRE FACULTY-STUDENT SUMMER GRANTS SUPPORT

For one science faculty member and up to two students. The project budget, including student stipends, student housing, equipment and supplies, cannot exceed \$7,500 per student. Faculty/student projects may take place for eight to ten weeks during the summer, or may extend from the summer into the next academic year; project budgets should reflect research schedules. Full guidelines, application procedures, conditions, and reporting requirements are available on the dean of the faculty's office website bates.edu/dof/faculty-scholarship/grants-teaching-support/inbre-faculty-student-research-grants/.

F. STEM Faculty-Student Research Grants

An endowed fund supports math and science research by providing funding for faculty who hire student research assistants during the summer. Faculty working in biochemistry, biology, biomedical research (including public health), chemistry, earth and climate sciences, environmental science, mathematics, neuroscience, and physics may apply for this funding, which includes support for student summer wages and funding for supplies or travel. The Committee

on Faculty Scholarship reviews these proposals. Please see bates.edu/faculty-scholarship/grants-teaching-support/stem-faculty-student-research-grants/ for more information.

G. Barlow Fund Grants

The Barlow Endowment for Off-Campus Study supports a number of student grant programs to enrich the study-abroad experience. Barlow grants are also available to faculty members who travel to off-campus study programs and assess their offerings. More information is available on the off-campus study website at bates.edu/dof/faculty-scholarship/grants-teaching-support/site-visits-for-study-abroad/.

H. NEH Foreign Language Teaching Grants

An endowment established in part by a National Endowment for the Humanities matching grant provides support for teaching, curriculum development, and pedagogical research in Chinese, French, German, Greek, Japanese, Latin, Russian, and Spanish. Funds are available through a competitive grant program; the acquisition of teaching materials, the development of library collections; and special events, speakers, and performances in these languages. Faculty members teaching in these languages may apply; information is available from the dean of the faculty's office or by visiting bates.edu/dof/faculty-scholarship/grants-teaching-support/neh-language-teaching-support-fund/.

I. Other Student Assistance for Faculty Research

1) Student Research Grants and Fellowships

Some student research funds provide wages, fellowships, and/or room-and-board support to students conducting faculty-directed research at the College. These grants are competitive, and students must submit application forms to the dean of the faculty. Information and application forms are available to students in the Office of the Dean of the Faculty or on the office's website at bates.edu/academics/student-research/.

2) Special Arrangements for Student Researchers

Faculty members may request from the dean of students that special permission be granted to student research assistants for College housing during recesses. Permission can only be granted if such convenience is necessary to research projects. Summer housing on-campus is available to student researchers; faculty must submit their requests for summer student housing by *1 April*. There are financial charges for such housing.

J. Professional Travel to Conferences

The purpose of conference travel funds is to encourage scholarly activity by the faculty by supporting travel associated with professional conference activity. Full-time faculty and those holding ongoing, long-term lectureships are eligible. This annual allowance per faculty is restricted to use for participation at a discipline-specific professional venue where peer-reviewed scholarly activities are featured. Information on support for conference travel by faculty members is available at bates.edu/dof/faculty-scholarship/professional-travel-to-conferences/.

K. External Grants

The College encourages all faculty members to secure external funds to support scholarship and creative work, and provides support to faculty preparing grants and reporting on grant-funded projects. The Committee on Faculty Scholarship and the director of faculty scholarship advise faculty seeking external financial support. The Office of Sponsored Programs and Research Compliance works with faculty members in identifying funding sources, editing proposals, reviewing budgets, assisting with online submissions, and reporting on grants. The principal investigator (PI) is ultimately responsible for the submission of proposals and management of grants.

The external grants office maintains a comprehensive website that provides information for faculty seeking external grant support, including information from the dean's office, the accounting office, and the human resources office. Faculty members planning to submit a grant proposal should consult this site bates.edu/grants/.

The Kroepsch Award for Excellence in Teaching

In recognition of the faculty's traditional commitment to excellence in teaching, the late Robert H. Kroepsch '33, LL.D. '71, established in 1985 the Ruth M. and Robert H. Kroepsch Endowed Fund for one or more annual awards to

members of the faculty "in recognition of outstanding performance as a teacher during the previous twelve-month period." Kroepsch Award winners from the previous five years are not eligible.

The award carries a stipend to the faculty recipient, which is subject to taxation and withholding.

The dean of the faculty shall be responsible for inviting all students and alumni from the past five years to write letters of nomination for the award. These letters must cite in specific ways how the nominated teacher meets the following criteria:

- 1) Stimulates student interest in the subject and fosters desire for further learning.
- 2) Helps students understand subject matter and its importance in a broad context.
- 3) Is innovative and/or creative in teaching.
- 4) Is demanding and expects a high standard of performance.
- 5) Engages students in research and scholarly work.
- 6) Is committed to student learning.

Selection shall be made by a committee made up of recipients of the award from the past five years.

Details for the Kroepsch Award nomination process and faculty eligibility are announced annually.

Part 3: “Nondiscrimination and Sexual Harassment”

For the most current information refer to *Employee Handbook*

bates.edu/hr/reference/employee-handbook/

Note: Faculty are mandatory reporters of incidents involving sexual misconduct. Such incidents should be reported immediately to the Title IX Director.

Part 4: “Affirmative Action”

For the most current information refer to *Employee Handbook*

bates.edu/hr/reference/employee-handbook/

Part 5: Instruction

Faculty Teaching Load

Departments and programs of the faculty design their curricula on the basis of a 5-course teaching load for full-time faculty during the academic year. Chairs, in consultation with their colleagues concerning the needs of their department or program, determine teaching schedules, including those for Short Term.

- 1) Department and program chairs may elect to receive one course or course equivalent credit per year for their administrative responsibilities or make other arrangements with the dean of the faculty.
- 2) Members of the faculty with a one-half year leave of any kind must teach 3 courses, or 2.5 courses if the department or program can arrange such teaching credit, in the terms in which the faculty member is not on leave.
- 3) Part-time faculty who teach full-time for one semester only (not counting Short Term) must teach 3 courses during that semester.
- 4) "Course equivalent" credit may be given for thesis supervision. Allocation of thesis credit may vary among departments and programs but is generally equal to .5 course credit for ten thesis semesters and 1.0 course credit for twenty thesis semesters over the course of three academic years. Faculty seeking course equivalent credit for thesis supervision must secure approval from the chair, who reports the credit to the dean of the faculty at the time the course grids and faculty workload plans are submitted. Course equivalent credit is not awarded for independent study supervision (360 or s50).
- 5) In exceptional circumstances, and only after written approval by the dean of the faculty prior to submission to the registrar of semester course offerings, a department chair may use one "course equivalent" credit for a colleague whose normal course enrollments are excessive over a two- or three-year period of time.
- 6) Criteria for Reviewing Courses with Low Enrollments: During registration, courses with three or fewer students are reviewed by the dean of the faculty's office each semester. In some cases, courses with three or fewer students enrolled may be canceled. Faculty members whose courses are canceled must teach alternative courses in the same or a future semester to meet workload expectations. The following criteria are used to evaluate low-enrollment courses:
 - a) the importance of a course to the Bates curriculum, including General Education requirements;
 - b) the importance of the course to the major, and/or to students who might need the course to graduate;
 - c) the importance of the course to a liberal arts education, broadly defined;
 - d) the status of the course and/or faculty member teaching the course (for example, faculty teaching in their first semester may attract fewer students).The decision to cancel a course is made by the dean of the faculty.
- 7) Teaching credit cannot be carried over to another year, except in circumstances expressly approved by the dean of the faculty.
- 8) Faculty teaching in the Bates Fall Semester Abroad Program are credited for three courses, leaving two courses to be taught in the other semester, and Short Term.

The Faculty Advisory System

As part of regular duties, all faculty members serve as academic advisors to students. In addition to serving as major field advisors, faculty also advise first- and second-year students. In most cases, first-year students are advised by a faculty member teaching their first-year seminar and remain with that advisor until moving to their major field advisors. The dean of the faculty urges departments and programs to consider the teaching responsibilities involved in advising first- and second-year students when assigning other departmental or program responsibilities. Advisors and students work together in a partnership. The goal of the partnership is thoughtful discussion of a student's goals and responsibilities while at Bates and after graduation. Advisors bring to the discussions their knowledge of

academic disciplines and of Bates College, awareness of what students must do to learn from their courses, and an appreciation of the personal and intellectual changes facing students during their time in college. Advisors' questions, observations, and advice can help students make decisions about individual courses, long-term planning for their academic careers, choice of major, and life plans. Advisors' guidance on completing degree, General Education, and major requirements is also invaluable to students. Advisors are expected to hold regular office hours and, if necessary, to arrange other meetings with students within a reasonable time period of the requests.

Academic information about the student is supplied by the Office of the Registrar and Academic Systems to the advisor electronically, including Degree Audit, an overview of the student's progress toward completing degree requirements. Faculty members are reminded that comments made in advisee files are part of the educational record and are open to student review under the terms of the federal Family Educational Rights and Privacy Act (FERPA).

Family Educational Rights and Privacy Act (FERPA)

Bates College fully complies with the Family Educational Rights and Privacy Act, known as FERPA. FERPA (20 U.S.C.1232g and 34 CFR 99) applies to all educational institutions and agencies that receive funds under any program administered by the U.S. Secretary of Education. The purpose of the law is to protect the confidentiality of the records educational institutions maintain on their students, allow students to limit disclosure of "personally identifiable information" contained in education records, and to give students access to review their records to ensure the accuracy of their contents.

As school officials, faculty have access to student records as appropriate and are expected to maintain the confidentiality of those records. An annual notification regarding FERPA is published each year in the *Catalog*. The registrar's office offers training for departments and programs as well as individual faculty members. Faculty should review additional information and a brief tutorial on FERPA on the registrar's office website:

bates.edu/registrar/ferpa. Faculty may contact the registrar at any time with questions about FERPA or confidentiality of student records.

Class Responsibilities

It is the responsibility of all full-time faculty members to be available for College obligations throughout the working week during the academic year — from fall semester orientation through scheduled classes, and examination periods of fall semester, winter semester and Short Term — to fulfill their responsibilities fully and avoid placing undue burdens on their colleagues.

All full-time and part-time faculty members are expected to meet all scheduled classes. In the case of a conflict between a scheduled class and some other professional or personal activity, such as attendance at a conference, it is the faculty member's responsibility to inform students and the appropriate department or program chair(s) well in advance and to arrange a make-up session for missed classes. Those who find it necessary, under extraordinary circumstances, to be absent from more than two classes in any one course during a semester should inform the department or program chair and receive approval from the dean of the faculty.

All full-time and part-time faculty members are expected to arrange their personal schedules to be available for the full range of obligations on campus. If unusual personal circumstances require a different pattern of availability over an extended period of time, faculty members should make arrangements in advance with their department or program chair and receive approval from the dean of the faculty.

No full-time faculty member shall be employed in any occupation that interferes with the thorough and efficient performance of the responsibilities of the faculty member's office, and no engagement shall be made by any faculty member for teaching in another institution during the academic year without the permission of the dean of the faculty.

Syllabi. Faculty are expected to develop and distribute to students in each course a syllabus that includes the general intent, goals, learning objectives, and scope of the course; the structure of the assignments as far as possible; the number, timing, and weight of examinations and other assignments; writing assignments and their due dates as far as possible; grading guidelines, the faculty member's policy for and definition of plagiarism, office hours,

office location, and other contact information. The syllabus should also include the method the faculty member will use to contact the class if a session must be canceled due to an emergency. Copies of each syllabus should be sent to the department or program chair.

Gender-Neutral Language. Bates strives to be an inclusive and respectful learning community. The Office of the Dean of the Faculty offers these best practices in the use of gendered pronouns. Please avoid using gendered pronouns such as "he" or "she" in print or electronic academic materials ranging from syllabi to announcements and other material communicated by academic departments and programs and administrative offices. For more information see [bates.edu/dof/teaching-and-advising/gender-neutral-language/](https://www.bates.edu/dof/teaching-and-advising/gender-neutral-language/). Students may make their chosen pronouns known in the Bates Directory and on class rosters at their discretion.

Absences. Faculty are expected to meet all instructional obligations at the time and place scheduled. In case of inability to meet a scheduled class due to illness or other reason, the instructor must notify the appropriate academic administrative assistant as soon as possible so that students may be advised of the cancellation. If the academic administrative assistant cannot be reached, the instructor should contact the department or program chair or another colleague so that the chair or colleague may inform students of the cancellation.

Emergency Procedures. On rare occasions, the administration may declare an emergency, closing the College; in this case, classes are canceled. These announcements are made through a telephone line for such announcements available to the College community, on the website if it is operating, and on local radio and television stations. For more information about conducting classes during emergencies see [bates.edu/dof/teaching-and-advising/policies-for-holding-classes-in-emergencies/](https://www.bates.edu/dof/teaching-and-advising/policies-for-holding-classes-in-emergencies/). If a faculty member encounters an emergency: immediately leave the area and go to the nearest telephone and call campus safety at extension 6111 or press the red HELP button to initiate an emergency call. For more information about campus emergencies, consult [bates.edu/security/emergency-information/college-emergency-procedures/](https://www.bates.edu/security/emergency-information/college-emergency-procedures/).

Attendance System. Class lists are available from the online system, Garnet Gateway. Faculty may also view their class lists using the learning management system, Lyceum. Only after a name has been officially added to the class lists in Garnet Gateway should a student be considered properly registered in a course, and students are responsible for finalizing their registration for all courses they intend to take in a semester. While students may add a course until ten class days into a semester and three days into Short Term, class attendance is expected at the start of the semester. Instructors should, at the beginning of each semester or Short Term, make clear to the students in the course the expectations regarding attendance and nonattendance at classes and laboratories. It is up to each instructor, according to departmental or program policy, to excuse or penalize excessive absences in a course.

Students are responsible for attending the first meeting of the classes for which they are registered. Instructors, at their discretion, may drop those students who do not attend that meeting by emailing the student name(s) to firstdaydrops@lists.bates.edu (Faculty Legislation, February 2002). If faculty choose to report to the registrar students who are absent from the first class meeting without prior approval of the instructor, or excused by a dean, they are dropped from the course by the registrar.

Field Trips. Whenever class trips entail absences from other classes, the instructor must secure advance approval from the department or program chair. A list of all students involved, and a list of all courses they will individually miss as a result of the field trips, must accompany the request. Faculty requesting that students miss a class of another faculty member are asked to inform that faculty member of the request. Students may not be required to go on field trips if they involve absences from classes in which examinations are scheduled. Faculty must notify the Campus Safety Office of any field trips that include an overnight component.

Evaluative Assignments. It is important that faculty provide an evaluation to a student of the student's work in a course *before* the last day to withdraw from a course in a semester or Short Term.

Optional Reading Period. There is no official reading period in the academic calendar, however the last week of classes in each semester may be used as an optional reading period by instructors who deem it academically desirable.

Short Term. According to the faculty legislation, students may complete up to three Short Term courses. Two Short Term courses only are required to fulfill the degree requirement for students in the four-year program (though this requirement has been waived for the class of 2024).

Beginning in 2020-2021, Short Term courses earn 0.5 credits, which are applied to the total number of credits required to graduate, effective with the Class of 2025.

Departments and programs have the obligation to offer Short Term courses as part of the College curriculum. Chairs, in consultation with colleagues about the needs of a department or program, determine which members of the faculty teaching Short Term courses. During Short Terms in which a faculty member is not on sabbatical, but is not teaching in the Short Term, that faculty member is expected to fulfill all other faculty responsibilities, including scholarship and normal governance and service responsibilities, regardless of their teaching schedule.

Instructors of Short Term courses must conduct the course for the entire duration of the Short Term, including off-campus courses in which travel is completed before the end of the Short Term.

Examinations

In-Term Examinations. Multiple forms of evaluation are encouraged. One week's notice should be given to students of an examination of an hour's length or more, and some advance notice should also be given of any shorter quiz if it has considerable weight in determining the final grade. No examinations or quizzes in classes should be given during the last full week of any semester. Faculty may not ask academic administrative assistants to proctor exams. This provision shall not apply to practical examinations given in laboratory work or to the Short Term. Hour examinations should not be assigned on the first day after a College vacation.

In recognition of Bates' commitment to a diverse and inclusive student body and the variety of religions observed and practiced by our students, faculty are encouraged to consult the Multifaith Calendar posted online by the Office of the Multifaith Chaplain when developing course syllabi so that conflicts between in class examinations and major religious holidays may be avoided. Given the range of faiths embraced by our students, it may not be possible to avoid all conflicts between scheduled examinations and religious holidays. Students are expected to approach the instructor within the first two weeks of the semester if there is a conflict with a scheduled examination, paper, or project due date and a significant religious holiday observed by the student so that, when warranted, alternative arrangements for completing the work may be made.

The Multifaith Chaplain shall be responsible for reminding all faculty members of this policy prior to the beginning of each fall semester.

Final Examinations. The final examination schedule is composed by the registrar. All students are expected to take the final examinations at the time scheduled. Exceptions are made for students who have two exams at the same time or three exams in one day. Those students should complete a Request to Move a Final Examination form in the Office of Accessible Education and Student Support. Final examinations cannot be rescheduled to accommodate the travel plans of students. Students should not make any travel plans until they have full knowledge of their final examination schedule. It is not within the discretion of the instructor to waive or alter the examination requirement for individual students, or to reschedule the examination for the entire class. Requests from individual students to have an exam rescheduled must be made to the Committee on Academic Standing.

Instructors indicate to the registrar whether or not their courses will use a two-hour block of time during the final examination period, in time for inclusion of such information in registration materials. Scheduled final examinations cannot be rescheduled after students have registered. Instructors may use this reserved time period for any form of evaluation, including in-class written examinations, oral examinations, presentations of final projects, or the deadline for handing in take-home examinations or final papers or projects. (Faculty Legislation, December 2001).

All student absences from scheduled final examinations are to be reported promptly to the registrar and to the dean of students. At the discretion of the faculty member and depending on the circumstances, a make-up examination may be arranged with the instructor.

Faculty may decide whether or not to return final examinations to students, and must make their policy clear to students. According to FERPA regulations, if faculty choose to return examinations, they must not create a situation in which students have access to the examinations or grades of other students. If faculty do not choose to return examinations, they should make them available for student viewing. Faculty should provide students with opportunities to discuss the results of final exams, and retain exams for at least one year.

The Grading System

Grades Used. Grades in complete courses are assigned according to the following schedule of letters and quality point equivalents:

A+ = 4.0	B+ = 3.3	C+ = 2.3	D+ = 1.3	F = 0	ON = 0
A = 4.0	B = 3.0	C = 2.0	D = 1.0	F# = 0	W = 0
A- = 3.7	B- = 2.7	C- = 1.7	D- = 0.7	DEF = 0	P = 2.0

Students are expected to complete all work for a course by its terminal date. A grade submitted after the grade due date (10 days after the final examination period per faculty legislation) will not be accepted by the registrar, unless the student has been pre-approved for a course deferral, which must be requested through the Office of Accessible Education and Student Support Services no later than the last day of finals or approved by the Committee on Academic Standing. A grade of "DEF" indicates that the student has secured a course deferral or approval from Committee on Academic Standing. Incomplete work for which deferred grades are given must be completed in a specific period of time, as determined on the deferral form, or the "DEF" grade becomes an administrative F notated as "F#." All final grades that were previously deferred are identified with an asterisk (*) on the student's transcript.

Grades must be submitted for all students on a class roster by the grade submission deadline. Students who remain on the roster but who attended classes only during the add period and have neglected to drop a course will receive an "F#" grade (an administrative F) posted by the registrar. For more information see bates.edu/student-affairs/student-support-and-advising/course-deferral-guidelines.

Thesis Deferrals. Departments and programs requiring the successful completion of a thesis as one possible condition for graduation may authorize their members to defer the submission of the grade for a thesis that would otherwise receive an "F." The length of any such deferral shall not exceed four calendar weeks from the posted date for the submission of such grades, and the deferred grade shall not be higher than a "D-."

Withdrawals. A grade of "W" is used to indicate that a student was required to withdraw or take a leave of absence from the College due to extenuating circumstances, or approved to withdraw from a course(s) after the legislated drop date by the Committee on Academic Standing. W grades are not punitive and do not count in the GPA.

Pass/Fail Grading. Students may elect to take a total of two Bates courses (but not Short Term courses) on a pass/fail basis, with a maximum of one per semester. The following conditions apply:

- 1) Students may declare or change a pass/fail option until the final day to add a course. Students may change from a pass/fail option to a letter-grade option until the final day to drop a course.
- 2) Students taking a course pass/fail are not identified as such on class rosters. Faculty members submit regular letter grades (A, B, C, D, F) to the registrar, who converts the letter grade to a pass or a fail. Unless the student chooses to inform the instructor, only the student, the student's advisor, and the registrar know the grading mode for the course. A grade of D- or above is considered a passing grade.
- 3) Departments and programs decide whether courses taken pass/fail can be used to satisfy major and minor requirements. This information is available in the introductory paragraph for each department's and program's courses of instruction in the *Catalog*.

4) Courses taken pass/fail are not computed in the student's grade point average, and do not count toward General Education requirements. A pass is equivalent to two quality points. (For further explanation of quality points, see website bates.edu/registrar/academic-information/quality-points/ .

Short Term Grades. An instructor must indicate if a Short Term course will be graded on a letter- grade or "satisfactory/unsatisfactory" basis to the registrar prior to the publication of the Short Term registration materials. This applies to all students registered for the course and to independent studies.

Academic Performance Warnings. BatesReach is the online system used to record concerns about academic performance. Warning reports are sent to the student, who is advised to review the situation immediately with the advisor, instructor, and student support advisor. All faculty are requested by the Dean of Students to report at least once during a module or a semester any student whose academic work to date falls below C-. In addition, faculty are encouraged to report a deficient student at any time.

Faculty Grades Due. All student work must be completed and turned in to instructors by the end of the examination period. Any exceptions to this require a formal grade deferral. Faculty are responsible for submitting grades by a date set by the registrar, so as to make grades available to students eleven days after the end of the final examination period. In some cases, especially for seniors in their final semester, honors candidates, and students on academic probation, the registrar may demand the grades earlier.

If special circumstances make it impossible to comply with the legislated schedule for grade submission, the faculty member should notify the registrar, dean of the faculty's office, and all affected students. It is imperative that final grades be submitted on time. Until all grades are submitted, students cannot be informed of any academic deficiencies, including academic dismissal; graduation honors cannot be calculated; and students may lose employment or educational opportunities that require current transcripts.

Grades for Prospective Graduates. In order to certify seniors for graduation, all final grades for seniors, including those previously deferred, must be submitted by the end of the day of the Wednesday prior to Commencement. Short Term final grades for seniors are considered passing if the registrar is not informed otherwise by noon on the Friday prior to Commencement.

Reporting Grades to Students. Semester grades are officially reported to students through Garnet Gateway. Faculty members may unofficially report semester grades to students after the end of the final examination period. In compliance with federal law, student names and grades cannot be posted on office or classroom doors, bulletin boards, or other public places and should not be communicated via email. Homework and exams should not be left in a stack or on a door for students to retrieve.

Course Evaluations. At the end of each semester or Short Term, students are required to complete an evaluation of each course taken. Students may not access their grades online for approximately 45 days if this requirement has been not fulfilled. All course evaluations are the exclusive property of Bates College.

Changing a Final Grade. Course grades, after they have been submitted and made available to students, may be changed only on professorial petition to the registrar stating specific grounds of clerical or computational error. All other requests for a change of grade shall be directed to the Committee on Academic Standing, with the instructor initiating the request.

Academic Appeals Procedures.

I. Initial Appeals of Grades and Academic Actions. Bates' commitment to fairness and consistency supports an appeal process that affords students the opportunity to have certain significant decisions affecting their academic work and status reviewed. Any such review requires carefully balancing the College's interest in upholding its academic standards, faculty members' autonomy under principles of academic freedom, and students' accountability and responsibility as well as their expectations of fair treatment.

Accordingly, if a student has reasonable grounds to believe that a faculty member has assigned a final grade or taken other academic action that significantly departs from established course-specific policies, is inconsistent with

established College policies, or is grossly unfair for other reasons, the student may follow the appeal procedures below to obtain equitable review of the matter. It is the student's responsibility to make a timely, compelling case.

A. Course-specific Policies. If a student has reasonable grounds to believe that the faculty member has made a significant error or oversight in recording or calculating final grades; grossly misevaluated specific academic work that impacts a final grade; or failed to respect the terms of the syllabus in assigning final grades or taking other academic action, the student should:

1. Present the case to the faculty member, providing all supporting documentation, and make a sincere effort to reach a resolution.
2. Review the case with their academic advisor or their student support advisor to determine the seriousness of the complaint, and to attempt resolution.
3. If these actions fail to resolve the concern, the student may appeal to an associate dean of the faculty within 30 days of the faculty member's action or within 30 days of the final grade becoming available to the student. The student should submit a letter of appeal that describes in detail why the grade or action taken should be reconsidered, the steps taken to resolve the matter, and the outcomes the student seeks, together with copies of all relevant documents. If the action or final grade in question occurs at the end of Short Term, the student will have an additional 30 days at the beginning of the fall semester in which to submit an appeal. The associate dean will attempt to resolve the matter, consulting with the student and faculty member as needed and obtaining any additional information or documents required. If the associate dean is unable to achieve resolution, the associate dean will issue as soon as possible a written summary statement, inform the student, and consult with the faculty member. The associate dean does not have the authority to implement grade changes.

B. College Policies. If a student has reasonable grounds to believe that a) a faculty member's assigned final grade or other academic action significantly departs from established college policies or practices; b) a faculty member's assigned final grade or other academic action is a result of bias, discrimination, or disfavor on prohibited grounds such as gender, race, sexual orientation, or disability; or c) a faculty member's assigned final grade or other academic action was not based solely on the faculty member's fair professional judgment of the student's performance in the course, but rather as a result of personal animus, retaliatory motives, or other improper grounds, then the student may bypass consultation with the faculty member and instead appeal directly to the associate dean of the faculty as follows:

1. Meet with their academic advisor or student support advisor to review the case.
2. Within 30 days of the decision, action or final grade being available to the student in question, the student should submit a letter of appeal that describes in detail why the grade or action taken should be reconsidered, the policy or policies in question, the steps taken to resolve the matter, and the outcomes the student seeks, together with copies of all relevant documents. If the action in question occurs at the end of Short Term, the student will have an additional 30 days at the beginning of the fall semester in which to submit an appeal. The letter of appeal should first be reviewed with the student support advisor or a staff member from the Office of Student Affairs. The faculty member may be consulted if appropriate. If the matter is not resolved, the letter of appeal may be forwarded to the appropriate associate dean of the faculty.
3. If, after reviewing the appeal, the associate dean believes that the matter calls for additional expertise, the associate dean may refer the case directly to the Academic Standing Committee (ASC) or to other offices as described in subsections 2) and 3) below. The associate dean will provide relevant materials with the referral. In other cases, the associate dean will attempt to resolve the matter and may consult with the student or faculty member and obtain additional information or documents as needed. If the associate dean is unable to achieve an agreed upon resolution, the associate dean will issue as soon as possible a written summary statement, inform the student, and consult with the faculty member about next steps. The associate dean does not have the authority to implement grade changes.

II. **Appealing Outcomes from A and B (above)**

Students who are dissatisfied with the outcomes of the processes above may appeal to the dean of the faculty.

4. If a student is not satisfied with a decision or resolution determined by the associate dean, the student may appeal to the dean of the faculty within 10 days of the decision. This route of appeal is not available to the student if the associate dean has referred the case to the Committee on Academic Standing per I.B.3 above, because the decisions of the Committee on Academic Standing are final. The student should submit a letter of appeal that describes in detail why the grade or action taken should be reconsidered, the specific policy or policies in question and how they feel they have been violated, the steps taken to resolve the matter, and the outcomes the student seeks, together with copies of all relevant documents, including the associate dean's decision.
5. If, after reviewing the appeal, the dean of the faculty makes the determination that the matter is not sufficiently substantive to warrant further action, the dean will inform the student, and the dean's decision is final. If the dean determines that a different body has jurisdiction over the student's grievance (e.g., violations of Title IX), the dean will make the appropriate referral and advise the student about next steps.
6. If the dean determines that further review is warranted, the dean will forward the matter to the Committee on Academic Standing, with the option of appointing two additional faculty members with relevant expertise; and others whose expertise the dean deems necessary. For example, if the student's appeal involves issues of reasonable accommodation for a learning difference, the dean might request the participation of a representative with relevant expertise from the Office of Accessible Education and Student Support Services.
7. The Committee on Academic Standing (ASC) will review files referred by the associate dean (see I.B.3) or by the dean of the faculty II.3) on appeal, and may obtain additional information or documents as needed to make its determination. The student and faculty member will be given an opportunity to communicate their views to be considered. On completion of its review, the ASC will report its decision to the student and faculty member. If the ASC concludes that a grade or academic action affecting a grade was improper and the ASC can determine the appropriate letter grade, the ASC will direct the registrar to change the grade accordingly. The recommendations of the ASC, consultation with the dean, and any other aspects of the appeals process are considered confidential. In the case of Section II, the actions and decisions of the dean of the faculty and the Committee on Academic Standing are final.

Course Scheduling

All courses are scheduled by the registrar, with the approval of the Curriculum Review Committee, following receipt of requested hours from the chairs of the departments and programs. Acting within policies established by the faculty for class scheduling, the committee's decision is final.

According to faculty legislation passed in May 2016, the Curriculum Review Committee, in consultation with the registrar, organizes the academic week into the following class meeting time slots. All fall and winter classes shall normally meet for a minimum of 160 minutes per week. Instructors using time slots that offer the possibility of using more than this minimum may organize the use of that time in any way they deem to be pedagogically beneficial, using anywhere from 160 minutes to 240 minutes per week. Short Term courses shall meet for a minimum of 7.2 hours per week.

8:00-9:20 a.m. Classes in this time slot normally meet three times a week on Monday, Wednesday, and Friday; or twice a week on Tuesday and Thursday.

9:30-10:50 a.m. Classes in this time slot normally meet three times a week on Monday, Wednesday, and Friday; or twice a week on Tuesday and Thursday.

11:00-11:55 a.m. Classes in this time slot normally meet three times a week on Monday, Wednesday, and Friday.

11:00-12:20 p.m. Classes in this time slot normally meet two times a week on Tuesday and Thursday.

12:05-1:00 p.m. Classes in this time slot normally meet three times a week on Monday, Wednesday and Friday.

1:10-2:30 p.m. Classes in this time slot normally meet three times a week on Monday, Wednesday, and Friday; or twice a week on Tuesday and Thursday.

2:40-4:00 p.m. Classes in this time slot normally meet three times a week on Monday, Wednesday, and Friday; or twice a week on Tuesday and Thursday.

7:30-8:50 p.m. Classes in this time slot normally meet twice on Tuesday and Thursday.

In addition, the Curriculum Review Committee, in consultation with the registrar, shall normally schedule:

1) Three-hour seminars, on Monday, Tuesday, Wednesday, Thursday, or Friday from 1:05-4:00 p.m.; on Tuesday, from 7:30-10:30 p.m.; or on Thursday, from 7:30-10:30 p.m.

2) Laboratories, on Monday, Tuesday, Wednesday, Thursday, or Friday from 1:05-4:00 p.m.; on Tuesday, from 7:30-10:30 p.m.; or on Tuesday or Thursday from 8:00-10:50 a.m., but only if five sections of the same lab are scheduled at other times, or under special circumstances.

3) Two-hour classes, twice a week on Tuesday and Thursday, anytime between 8:00-10:50 a.m.; or twice a week on Tuesday and Thursday, anytime between 1:05-4:00 p.m.; or twice a week on Monday, Wednesday, and/or Friday, anytime between 1:05-4:00 p.m.

4) Extra Session Times, on Tuesday and/or Thursday from 11:00-11:55 a.m., or from 12:05-1:00 p.m. These sessions are designed for MWF classes that need to meet regularly four or five times a week, or as a discussion section time for classes with multiple discussion sections.

5) Extra Discussion Section Times, Tuesday and/or Thursday from 4:10-5:00 p.m. These sessions are designed for classes that have at least one alternate discussion section scheduled to meet prior to 4:00 p.m.

The Curriculum Review Committee (CRC) shall have the responsibility of coordinating the scheduling of classes in the above time slots. Its members shall request from department and program chairs a tentative schedule of all departmental and program courses. The CRC shall examine these schedules in conjunction with each other and decide whether they achieve a roughly proportional use of all the available time slots. The CRC shall take into consideration that some time slots are less convenient both for faculty and students and shall not require that all time slots be used in the same proportion. If the tentative department and program schedules, considered together, fail to achieve a roughly proportional use of all available time slots, and if this, in the opinion of the members of the CRC, make it unnecessarily difficult for many students to select courses in non-competing time slots, the CRC shall take the following steps: its members shall determine which departmental or program schedules are not making use of enough time slots and shall request changes of those departments or programs. In extreme cases of departments or programs failing to schedule their courses proportionally, the CRC shall create new schedules.

Any guidelines the CRC adopts in order to accomplish its responsibilities shall be disseminated to all department and program chairs.

The following policies apply regarding the scheduling of courses.

1) The Curriculum Review Committee approves the schedule of courses.

2) In granting such approval, the Curriculum Review Committee shall consider it necessary to distribute courses as equally as possible throughout the available hours of the day in order to satisfy the following principles:

- a) that students have the greatest freedom of choice possible in their selection of courses;
- b) that there may be maximum equal access to various teaching facilities, such as seminar rooms, laboratories, language laboratories, rooms with audio-visual facilities, etc.;
- c) that conflicts in final examinations may be minimized to the greatest extent possible.

3) Consistent with such principles of distribution, and with the principle of dealing equitably with all departments and programs of the College, departments and programs should be free to schedule courses according to their academic

needs and those of individual department and program members. The equitable assignment of instructors to unpopular class hours is likewise the responsibility of the departments and programs.

4) The committee requests that the registrar solicit course information from each department or program, including course numbers, and the preferred time for each class to be given. Departments and programs should disperse classes throughout the entire range of class hours and, unless specifically granted exceptions by the committee, must observe guidelines specified by the committee.

Room assignments are made by the registrar. Faculty may state their room preferences for each course through the Garnet Gateway. *These assignments must not be changed, even temporarily, without the registrar's approval.* With the obvious exception of field trips, academic classes normally are not to be held outdoors.

No classes may regularly be scheduled on Saturday, but Saturday morning is available, at the instructor's discretion, for occasional scheduling of classes, examinations, and field trips. The department/program chair should be advised of any use of Saturday mornings for such purposes. Requests for changes in class meeting times should not be made after registration, except in the case of an emergency or unless the change will benefit all registered students. Any such requests for changes require agreement of all registered students and approval of the Curriculum Review Committee. For information on the schedule, please consult with the department/program chair or the registrar, or review the class meeting grid on the registrar's office website bates.edu/registrar/faculty/grids-for-course-scheduling/.

Administrative Course Procedures

New Course Proposals. Faculty may propose a new course using the CourseDog. Faculty complete the electronic form and submit it to the appropriate department/program chair(s) for approval. After an administrative review by the registrar, the proposal comes before the Curriculum Review Committee (CRC) for review and approval. At each step the instructor and chair(s) are informed of its progress and a final CRC approval notification is sent via email to all involved. An electronic archive is maintained online and all courses approved are reported to the entire faculty at the end of each semester. Deadlines for submitting course proposals for future terms are set by the CRC and are communicated via the annual calendar of dates and deadlines produced by the registrar.

General Education Designations. When a faculty member proposes a new course, the faculty member should, if appropriate, designate the courses as filling one or more General Education requirements. The General Education designations are the Modes of Inquiry; AC, CP, HS, SR, and QF and the Writing Requirements W1, W2, and W3.

Courses can be designated via CourseDog. Faculty should also contact general education concentration coordinators if the course proposed could fulfill one or more general education concentrations.

Registration and Adjustment Periods.

1) Students may add courses during the first five class days of the semester. During the second five class days of a semester, students may add courses with the permission of the instructor. Students may drop courses until the end of the seventh full week of the semester. Exceptions to this adjustment period may be granted only by petition to the Committee on Academic Standing or for serious illness or personal emergency by the associate dean of students for support and community standards.

2) During Short Term, a course may be added during the first three class days and dropped during the first five class days. Exceptions to this adjustment period may be granted only by petition to the Committee on Academic Standing or for serious illness or personal emergency by the associate dean of students for support and community standards.

3) For a student seeking to add a course after the faculty-legislated add deadline, if the student's instructor verifies via the Late Registration Adjustment form that the student was in attendance prior to the last day to add, the adjustment is made by the registrar's office after the Late Registration Adjustment form is complete. For a student

seeking to drop a course after the faculty legislated drop deadline, if the student's instructor verifies via the Late Registration Adjustment form that the student was in not attendance prior to the last day to drop, the adjustment is made by the registrar's office.

The Committee on Academic Standing reviews all other requests for late registration adjustments. More details are available at bates.edu/registrar/registration/late-registration/.

4) Course drops during the registration adjustment periods are not recorded on student transcripts, however late withdrawals for individual course drops are recorded. If a student withdraws or takes a leave of absence from Bates prior to the end of the semester, a grade of "W" is recorded for all courses.

Independent Study and Internship Courses

Independent Study. Each department and program may elect to offer "independent study" courses to allow students to pursue individually a course of study or research not offered in the Bates curriculum. This may be pursued as a semester course (using the number 360) or a Short Term course (using the number s50). The student designs and plans the independent study, in consultation with the faculty advisor as outlined on the Registration for Independent Study Course form found on the website, bates.edu/registrar/forms/. The work must be completed during the semester or Short Term for which the student has registered for the course approved by a Bates department or program, and supervised by a Bates faculty member who is responsible for evaluation of the work and submission of a grade. Faculty members may refuse independent study requests (Faculty Legislation, March 2001). The student must be in residence and may not complete an independent study away from campus unless participating in a Bates Fall Semester Abroad.

Internships. Each department and program may elect to offer "internship" courses to allow students to incorporate extracurricular activities into structured, curricular learning experience. This may be pursued as a semester course or a Short Term course. A faculty member organizes and plans student participation in a work or service activity as part of a course established by the department or program. Students may be supervised directly by someone other than the faculty member, however the Bates faculty member is responsible for oversight of the curricular learning experience, evaluation of the work, and submission of a grade (Faculty Legislation, March 2001).

Student Assistants/Teaching Assistants

Student assistants and teaching assistants may be hired to assist the faculty with educational tasks such as proctoring, aiding in laboratories, assisting students having difficulty in the course, and helping the faculty with other relevant tasks. They should never work in courses in which they are enrolled, and should not grade papers, examinations, other work requiring subjective evaluations, or conduct work that must remain confidential. If student assistants must see or grade work of students in a course, the instructor should consult with the registrar regarding FERPA training and documentation for the student assistant.

A faculty member who would like to hire a student to perform these tasks must contact the student employment office. The student employment office has a record of all created positions and is responsible for assigning a rate of pay for each job. If a faculty member has a position in mind, the student employment office will assist the faculty member in creating a formal position description and will then grade the position based on the information provided. Student employees must have all tax forms completed before they are allowed to begin working. No student may work more than twenty hours per week during the academic year, unless they are not enrolled in a Short Term course and are working as a research assistant to a faculty member during Short Term. During the summer, students may not work more than forty hours per week. The payroll office can advise faculty supervisors on a student's work eligibility.

Students are paid at the regular student hourly wage according to the student pay scale. They submit their hours through a web time-entry system, and those hours are approved electronically by the faculty supervisor. Students are paid through the payroll office on a bi-weekly schedule via direct deposit.

Off-Campus Study Programs

Off-Campus Study opportunities, eligibility requirements, and the application and selection process for off-campus study are stated in the *Catalog*. Basic requirements for selection have been established by faculty vote. The Committee on Off-Campus Study, a standing committee of the faculty, reviews proposals for Bates-sponsored off-campus study programs, proposes legislation related to global education, considers the student petitions, awards credit, and evaluates new and approved off-campus study programs. Most students participate in Off Campus Study programs in the junior year. All off-campus study programs are administered by the Center for Global Education.

Academic Credit for Off-Campus Study Programs. Students who complete academic work on a program approved by the Center for Global Education are awarded "approved program" course credits by Bates College through action by the Committee on Off-Campus Study. If the student satisfactorily completes a full academic year as a full-time student (Junior Year Abroad), the student may choose to receive either 8.0 course credits or 7.5 course credits and .5 Short Term course credit. Students who complete the equivalent of a Bates semester abroad (Junior Semester Abroad) may receive 4.0 course credits. Official transcripts or reports from the foreign university designate this completion. Grades earned in JYA or JSA programs are not recorded on the Bates transcript, nor are they computed in the GPA. The major department or program chair, in consultation with the returned student, determines what courses taken abroad may be applied to the department's or program's major requirements, possibly exempting the student from certain requirements. It is thus very important that the student, before studying off-campus, consult with the department or program chair and establish what must be done during their year (JYA) or semester (JSA) off-campus in order to satisfy all major requirements for graduation.

The Academic Calendar

The faculty uses a formula for establishing the academic year calendars. The current formula, cited below, guides the Academic Affairs Council in designating annual calendars five years in advance.

- 1) Fall and winter semesters comprise 15 federally-defined academic weeks.
- 2) Each course taught in a semester must require 180 total student work hours, in and outside of class; each Short Term course must require 90 total student work hours.
- 3) The fall semester begins on the first Wednesday in September, unless the first Wednesday is a holiday; if the first Wednesday is a holiday, classes begin on the second Wednesday in September. A fall recess begins after the last class on the sixth Tuesday of the semester. Classes resume the following Monday at 8:00 a.m. There is a one-week Thanksgiving recess beginning at 4:00 p.m. on the Friday preceding Thanksgiving and ending at 8:00 a.m. on the Monday following Thanksgiving.
- 4) The winter semester begins on the second Wednesday in January. A one-week February winter recess, timed to coincide with the local school holiday, begins after the last class on a Friday and ends at 8:00 a.m. on the following Monday. There is a three-day winter recess in March beginning three weeks and two days after the completion of the February break.
- 5) There is a four-day recess between winter semester and Short Term.
- 6) Short Term comprises 18 business days (beginning on a Monday and ending on the Wednesday of the fourth week.
- 7) For those particular years in which the faculty's academic calendar policies result in conflicts between major academic occasions (specifically, the opening of the academic year and the scheduling of final examinations) and the major Christian or Jewish holidays (specifically, Christmas, Good Friday, Easter, Rosh Hashanah, Yom Kippur, and the first two days of Passover), the Academic Affairs Council shall designate calendars which avoid such conflicts. According to faculty vote, classes are suspended on Martin Luther King Jr. Day.
- 8) A reading day prior to examinations is held on the Monday after the last day of classes in both the fall and winter semesters. Following the reading day, there are five days of exams; Tuesday-Friday, and the following Monday.

Part 6: Information and Library Services

Information and Library Services (ILS) supports the mission of Bates via reliable and responsive information resources, services and programs to meet the evolving needs of the College community. ILS strives to be a high quality and service-oriented library and computing organization, while helping students, faculty and staff members embrace the continuous change that prevails in information use, information access, and communications media and technology. Library services are provided in the George and Helen Ladd Library, which serve the general curricular, reference, and research needs of the College; and in the Edmund S. Muskie Archives and Special Collections Library, which houses the archives, manuscripts, rare books, and other special collections of the College. Curricular and Research Computing staff manage three major computer labs: the Digital Media Studios in Pettigrew Hall is the primary location for multimedia, video production, and photography support; the Visualization Studio in Coram Library supports 3-D and spatial analysis and visualizations; and the Language Resource Center in Roger Williams Hall supports language and other humanities programs. More information on ILS services is available at bates.edu/ils.

The George and Helen Ladd Library

The George and Helen Ladd Library provides books, periodicals, sound, and video recordings and other library materials in print and electronic formats, as well as access to online databases and other resources essential for student and faculty research. The library offers a learning environment conducive to individual and group study and research, and provides easy access to information in a variety of formats. The Library includes more than 935 study spaces, all with wireless network access. More than 620 seats have electric power for charging portable devices. A fully equipped instruction room and staffed reference area are located on the main floor. Group study is encouraged on the two lower floors; the upper two floors are reserved for quiet study.

The Library's website (bates.edu/library) provides access to the Colby, Bates and Bowdoin (CBB) combined library catalog and all electronic resources licensed by Bates. The library functions as the primary point of service for Information and Library Services, with access, research, and computer help desk services centrally located. In addition to individual consultation, research librarians and other ILS professionals provide instruction for classes and other groups of students on research skills and library use as well as use of computing and other information resources.

In all, the library contains some 600,000 cataloged volumes in print and more than 36,000 audio and video recordings. It provides access to many thousands of sources of information online, including more than 85,000 e-journals and periodicals, 725,000 electronic books, and 100,000 sound and video resources. CBB libraries together constitute a combined collection of more than two million volumes. The three college libraries collaborate closely to plan and build these collections, providing faculty, students, and staff the systems to use CBB resources before searching elsewhere. The Bates ID card allows Bates students, faculty, and staff to borrow materials from the Bowdoin and Colby libraries. Through the MaineCat statewide catalog (a service of Maine Info Net), Bates users may initiate loan requests for materials at other academic and public libraries throughout the state.

Circulation

The Bates ID is required to charge out materials from the library. Books circulate to faculty members for one year, and may be renewed twice. Books are subject to recall two weeks after check out. All library users are required to return recalled materials. Items needed for reserve are subject to immediate recall. Failure to return recalled materials results in a block on circulation privileges. The library expects that all books charged out to faculty members will be returned to the library when due. If a faculty member does not return material after notification is sent, the head of circulation will issue an invoice showing the replacement cost of the material as well as the processing fee. A faculty member is not permitted to charge out additional items until either the material is returned or the invoice is paid. Faculty members must pay the replacement cost of any lost or damaged items, plus processing fee. Faculty members should be aware that library policy does not permit staff members to disclose the name of the patron who

has borrowed a particular item. Updated information regarding loan periods for faculty members is available at: bates.edu/library/access/facstaff/.

Purchase of Library Materials

Books are purchased both by selection and through the library's approval plan. The plan's purchase profiles in a given subject area are made in consultation with the Colby, Bates, and Bowdoin (CBB) library consortium. Requests for purchase of all materials, including periodicals, video recordings, sound recordings, and other electronic resources, as well as books should be made through the library liaison who works closely with the faculty member's department or program. See: bates.edu/library/library-liaisons-by-subject-area/.

Assigned Reading for Courses

Library staff members consult with faculty members on ways to make materials available for their students, consistent with the faculty members' learning objectives, cost, and copyright requirements, including fair use. For a fuller treatment of the possibilities, see: bates.edu/ils/policies/access-use/copyright-guidelines/.

Circulation Reserves. The library operates a closed reserve system in circulation. Approximately a month before each semester and Short Term begin, request forms for reserves are sent out to all faculty members. Request forms for the fall semester are sent out during Short Term. The library works with the College Store to provide a single copy of all books on the required lists for Bates courses. Faculty members are asked not to use the library reserves for purposes other than course-related readings for their students. When possible, library staff members provide a link to an electronic version of reserve text as a convenient alternative to a printed copy. If the desired materials are not available in the library's collection, faculty members should request that the library purchase the materials at least eight weeks before they are needed for reserve purposes (purchase requests should be directed to the library liaisons). Material placed on reserve may be borrowed for a two-hour, one-day, or three-day period; most two-hour reserves may be borrowed overnight. Circulation statistics for reserves are available to faculty members during the semester.

Audio/Video Reserves. Videotapes, DVDs, LPs, and compact discs may be put on reserve in Audio/Video; requests should be sent to the liaison.

Interlibrary Loan

Borrowing materials from other libraries is an essential service of the library to faculty members, staff, and students, and is central to faculty research as well as student theses and research projects. Requests are placed electronically from the library's website. There is no charge for books or photocopies acquired through interlibrary loan, but the lending of items is subject to conditions imposed by the library owning the materials. These items may not be placed on reserve and generally cannot be renewed; sometimes their use is restricted to in-building use. Periodicals from other libraries are normally not lent; instead, the library purchases photocopies of the particular articles as needed.

Use of Other Libraries

Faculty with a current Bates ID can borrow materials directly from the Bowdoin and Colby libraries.

Archives and Special Collections

The Edmund S. Muskie Archives and Special Collections Library fosters research and scholarship by encouraging access to Bates College records and other historical materials by students and faculty, as well as scholars from the community at large. These collections enable students from Bates and elsewhere to perform historical research using primary documentary material. The collections have three major divisions:

The **Bates College Archives** serves as the official repository of records, publications, photographs, honors theses, oral histories, and other materials of permanent administrative, legal, fiscal, and historical value. It documents the history of the College from its founding in 1855 to the present.

The **Manuscript Collections** contain materials related to the history of Bates College, including papers of faculty members, alumni, and student work. Because of its roots as a Freewill Baptist institution, the library collects pamphlets, letters, diaries, and other materials related to Freewill Baptist organizations and individuals. The Edmund S. Muskie Papers include almost all the extant records documenting the life and work of Edmund S. Muskie (1914-1996), a 1936 Bates graduate who dominated Maine politics from the mid-1950s to 1981. Serving as governor, senator, and Secretary of State, Muskie became a national leader for environmental protection, government reform, and fiscal responsibility. The library is named in his honor and collects materials related to his work, his associates' work, and the environmental movement he helped create. The archives also has numerous collections relating to Lewiston.

The **Rare Book Collection** includes publications created by and pertaining to the Freewill Baptists in Maine and New England; nineteenth-century French history and literature; fine-press books published in Maine; Judaica; nineteenth-century books on natural history, particularly ornithology; and publications by Bates faculty and alumni.

Members of the faculty are encouraged to consult with archives and special collections staff to develop research experiences and assignments for students using original documents, photographs, and other materials. Faculty members disposing of college records and personal papers are expected to consult with the staff to determine the records' potential as permanent sources of information for the college archives.

Technology Services

Information and Library Services provides a technology-rich environment in support of the mission of the college, which includes hardware, software, consultation, instruction, and information resources to faculty, students, and staff. All faculty, students, and staff are assigned credentials that allow secure access to Bates computers and network services, including wireless and wired ports, online transactional services, mail, calendar, printing, network storage, licensed software, and proxy service for access to on-campus services and numerous library research databases from off campus. All members of the college community must comply with the Bates College Computer Use Policy (bates.edu/ils/policies/access-use/computer-use-policy/). All users connecting personally-owned computers and mobile devices to the campus network are required to have active virus protection software and up-to-date operating system patches installed on their computers. There is guest access to the college's wireless network for campus visitors. Bates is a member of the eduroam consortium, which supports wireless access at member institutions using home institution credentials.

Bates students and faculty members use technology extensively in their learning, research, and teaching. This is made possible by a wide range of services and facilities. There are more than 175 workstations located across the Bonney Science Center, Carnegie Science Hall, Dana Chemistry Hall, Ladd Library, Hedge Hall, Pettengill Hall, Pettigrew Hall, and Roger Williams Hall. All classrooms and the majority of event and meeting spaces have high-speed network connections, computers, and digital projection. Special facilities include interactive classrooms with large video screens for group instruction, classroom capture systems, plotters, 3-D printing, color laser printers, scanners, and digital editing suites for producing broadcast-quality video, animation, audio.

Information and Library Services provides many opportunities for students to enhance computing, people, and general work skills in technology-related jobs in Help Desk Services, Classroom Technology, Ladd Library Circulation, or on faculty projects through Curricular and Research Computing.

ILS is the purchasing agent for all computers, software licenses, printers, and miscellaneous equipment purchased with college funds. ILS also manages repair services for college-owned devices.

The Garnet Gateway

Bates offers faculty, students, and staff numerous transactional services through a secure online site, Garnet Gateway. Students use Garnet Gateway to view their schedule, grades, and transcript; register for courses; view their progress toward completing their degree requirements; view their financial aid award; complete course evaluations; declare their major(s), minor(s), and general education concentration(s); elect student officers, evaluate off-campus study programs; nominate faculty for teaching awards; obtain enrollment verifications; and request official transcripts.

Faculty members use Garnet Gateway to view course rosters, report student grades, propose new courses, manage their advising responsibilities, receive student course evaluations, and express preferences for classroom location and equipment. Faculty and staff members, as well as student employees, use Garnet Gateway to access payroll and other employee information.

The Garnet Gateway is accessed through the Bates home page bates.edu/garnet-gateway/.

Curricular and Research Computing

Curricular and Research Computing staff members support faculty computing needs, manage computing labs and classrooms, conduct workshops on the intersection of technology and pedagogy, and consult with faculty on appropriate software and hardware for their teaching and research. Support for course-related content is provided by Lyceum, the Moodle-based learning management system (lyceum.bates.edu), and related technologies.

Curricular and Research Computing staff can be found in the Visualization Studio (Coram Library), Digital Media Studios (Pettigrew), and Digital Language Resource Center (Roger Williams). The Visualization Studio supports data visualization, 3-D printing, and virtual reality.

The Digital Media Studio is a suite of specialized studio-lab spaces and a center of knowledge for exploring the creative uses and production of both traditional and new emerging digital media. The studios include three private video editing suites, a radio interview studio, a flexible studio space, and an instructional lab. Additional resources allow for live broadcasts and remote recordings.

The Digital Language Resource Center is a technology-intensive teaching and lab space designed to support and complement computing intensive work in the humanities.

Help Desk Services

Located on the first floor of Ladd Library, Help Desk Services provides technology assistance to all students, faculty and staff. Help Desk staff members provide both direct support and referrals to other areas of ILS. For more information, including self-service, please contact bates.edu/helpdesk.

CTES (Classroom Technologies and Event Support)

Located on the ground floor of Pettengill Hall, CTES provides design, assistance, and technical support for all college classrooms and event spaces.

Part 7: Research

Commitment to Openness in Intellectual Inquiry, Research, and Education

Consistent with the college mission's commitment to "cultivating intellectual discovery and informed civic action," the faculty of Bates commit to students and to society to be engaged in intellectual inquiry, research, and education. Therefore, openness in intellectual inquiry and research and the free exchange of information through education are

essential to the Bates mission.

This requires that as a general policy Bates will not undertake, on the campus, research the results of which may not be published without prior permission — for example, without permission of governmental or industrial research sponsors – without prior approval by the dean of the faculty. Openness also requires that, once they are at Bates, foreign faculty, students, and staff not be singled out for restriction in their access to the college’s educational and research activities.

All research projects carried out in whole or in part on the campus of Bates shall consist of fundamental research which expands the boundaries of human knowledge for the benefit of all humankind, regardless of nationality, race, gender, class, or sexual orientation. Therefore, all such research must be conducted in a manner fully consistent with the principles of freedom of inquiry and open exchange of knowledge.

It is the policy of the college, therefore, that grants or contracts shall not be accepted for any research project that requires imposition of restrictions on the research process, results, publication or access without the prior approval of the dean of the faculty, who shall seek the advice of the Committee on Faculty Scholarship and Grants and will inform the committee of all approvals. Further, no project requiring that a faculty member have a security clearance or requiring a security review upon its completion may be embarked upon without the prior approval of the dean of the faculty. Such exceptions are to be made only in those very rare instances when the area of work is crucially important to the college’s educational mission and the exception is demonstrably necessary for the public good.

Student theses are an integral part of the research program of the college and fall within the statement of policy concerning classified or otherwise restricted research on campus as stated above. No thesis requiring that a student have a clearance or requiring a security review upon its completion may be embarked upon without the prior approval of the dean of the faculty.

Intellectual Property Policy

I. Policy Overview and Definitions

This policy addresses the ownership of Intellectual Property (IP) for works developed or created by members of the college community, including faculty, staff, and students, and the circumstances and processes under which agreements and determinations of ownership are reached. The policy applies to IP developed or created by members of the college community or with college resources.

Scholarly work created by faculty or students is IP and is normally owned by the creator(s). *Scholarly work* is defined broadly to include pedagogical, literary, scientific and other creative work developed by faculty members and/or students (or staff members acting outside the scope of their employment). This includes (1) work related to scholarship, such as books, journal articles, inventions, advances, discoveries, software, creative works, artistic works in any medium (including, but not limited to, musical composition, choreography, visual art, scriptwriting), videos and photographs, and (2) work related to teaching, such as textbooks, lecture notes and other course notes (whether in summary or verbatim form, whether privately held by the faculty member or distributed to the class, whether paper or electronic), problem sets, syllabi, training materials, and websites for classes. This means that the majority of *scholarly work* generated by faculty and/or students is IP that is owned exclusively by the creator(s). Exceptions may arise in circumstances involving *identity interest*, *functional interest*, or *exceptional use of college resources*, as described below. IP created by college staff within the scope or course of their employment, on the other hand, is owned by the college. The college has an ownership interest in IP if it involves (i) an *identity interest* or (ii) a *functional interest*, and may have an ownership interest in IP if its creation involved (iii) an *exceptional use of college resources*. Depending on the IP involved, the college’s ownership interest may arise out of one or more of an *identity* or *functional interest* or *exceptional use of college resources*.

(i) The college has an “**identity interest**” in works that are integral to, and reflect more directly on, the identity of the college than on the identity of the individual(s) who create them. For example, it has an *identity interest* in items disseminated by and for the college, such as various college catalogs, institutional web pages, alumni bulletins, admissions brochures, and fundraising materials. An *identity interest* also occurs when there is a prominent use of the college’s name, or of any image, trademark or logo of the college (see the college’s communications webpage for

more information). Simply identifying the author of a work as a Bates professor would not be considered prominent use of the college's name. If the college has an *identity interest*, the IP is wholly owned by the college. Therefore, faculty members who intend to utilize the college's identity in creating IP or a product that incorporates the college's IP must discuss with the dean of the faculty ownership of the IP and/or product as early as possible in the development of the IP and/or product. Determination of ownership must be reached prior to distribution of the IP and/or product.

(ii) The college has a **“functional interest”** in works that are used to enhance the effective functioning and coordination of ongoing operations of the college, or in which the college has a contractual or legal obligation. For example, it has a *functional interest* in administrative and personnel procedures, including software, and internal handbooks and reports. The college has a *functional interest* in IP created with Federal or other outside funds which carry an obligation that the college retain certain IP rights or assign them to another party outside the college. Certain collaborative agreements also require the college to negotiate IP rights with other entities, which gives rise to a *functional interest*. If the college has a *functional interest*, the IP is wholly owned by the college.

(iii) **“Exceptional use of college resources”**, with respect to faculty or student work, means that the college has provided funding, facilities, or staff support of a degree or nature not typically made available. Ordinary use of computers or the college library, routine support from the college's Information and Library Services (ILS) staff, or use of college office space does not constitute *exceptional use of college resources*. In addition, the college's provision of standard labs and studios, funding of sabbatical leaves, and funding provided to support *scholarly work* (e.g., startup funds and annual faculty development grants) are typically not considered to be *exceptional use of college resources*. In the instance that a faculty member expects to be provided, or the college expects to provide, exceptional and atypical support, a contractual agreement or formal determination should be reached in advance of such funding and/or allocation of resources, fixing the extent, if any, of college ownership of IP that may result from the work (see Section III of this Policy). If a contractual agreement or formal determination is not reached in advance of such funding and/or allocation of resources, and a faculty member or student proceeds with a project involving *exceptional use of college resources*, the parties' rights in any resulting IP will be determined in accordance with the procedures set forth in Section III of this Policy, including any requisite determination regarding whether the project involved *exceptional use of college resources*.

II. Policy for Faculty, Staff, and Students

A. Faculty

Scholarly works created by members of the faculty and all the intellectual property rights associated with them remain with the creator(s) unless the college has an *identity* or *functional interest* or the work is created by, with, or through *exceptional use of college resources*.

As discussed above, if there is an *identity* or *functional interest*, the college wholly owns all right, title, and interest in and to the IP, unless the college and the creator(s) agree otherwise. For instance, the college has a *functional interest* in faculty administrative work, such as committee reports and departmental or institutional records. When faculty members contribute to college publications such as the college *Catalog* or *Bates Magazine*, the work is owned by the college because the college has both *identity* and *functional interests* in the work.

While the IP ownership of work related to teaching rests with the faculty member, the college has a *functional interest* in its ongoing instructional operations. In consideration of employment as a faculty member at the college, faculty members grant a non-exclusive perpetual license to the college to use and modify curricular and instructional materials they develop at the college. If requested by the college, faculty members will execute and deliver to the college a written agreement granting the college a license consistent with this Policy. The college may have an ownership interest in common with the creator(s) in faculty work that involves *exceptional use of college resources*, including substantial use of other college employees. The ownership, use, and development of such IP will be governed by mutual agreement between the creator(s) and the college, or if an agreement cannot be reached between the creator(s) and the college, by a determination made under the procedures of Section III of this Policy.

B. Staff

The legal principle embodied in copyright law known as “work made for hire” provides that all work created by employees within the scope or course of their employment belongs to the employer. The college has both *functional*

and *identity interests* in IP developed by staff members, and could not function if it had to negotiate the right to use work produced by individual staff members. Following standard and typical employment practice, the college owns all IP developed by staff members within the scope or course of their employment. If an individual is hired as both a member of the staff and the faculty, the determination of IP rights depends upon the relation of the IP to the scope of employment of each job. IP that is created by members of the staff outside the scope or course of their employment is the property of the staff member. Staff members must discuss with their supervisor, in advance, any situations in which they intend to claim ownership of any IP that could be construed as being within the scope or course of their employment. The ownership, use, and development of such IP will be governed by mutual agreement between the creator(s) and the college, or if an agreement cannot be reached between the creator(s) and the college, by a determination made under the procedures of Section III of this Policy.

When IP is created by staff members working directly with members of the faculty or with students, the college has an interest in the IP. For example, when a programmer in ILS develops software in collaboration with or at the request of a faculty member, the college owns the software written by the staff member. In all cases faculty members, staff members and students are expected to acknowledge assistance or co-authorship when appropriate.

C. Students

Scholarly work generated by students in their capacity as students are owned by the students who create them. Course-related materials, assignments and other similar materials in students' possession may also include IP of faculty members. Students who consider distributing such materials to others should be aware that they may not have property rights to all the materials in their possession such as course syllabi, copies of lectures, or other IP of faculty members or the college.

Students who are employed by the college are subject to IP policies for staff (see Section II.B of this Policy). The college owns all right, title, and interest in and to IP created by student employees within the scope or course of their employment, unless the student is employed in a faculty-directed project leading to *scholarly work*, in which case the faculty member or the college, as applicable, owns the student-created IP. Faculty members are expected to acknowledge assistance or co-authorship when appropriate.

D. Grants, Sponsored Works and Specially Funded Works

Many grants and contracts from government agencies or private sponsors contain provisions governing intellectual property and/or other rights to the property which obligate the grantee (the college) in some way. In such cases, the college has a *functional interest* in the IP and owns all property rights associated with the IP. The Office of Sponsored Programs and Research Compliance will assure that IP restrictions are accounted for in grant application and administrative processes associated with it. Principal investigators are required to comply with any such restrictions, including reporting requirements. The dean of the faculty must be consulted in advance of any grant application regarding such restrictions (see Section III.A of this Policy).

III. Process for Determination of Ownership of Intellectual Property

In the majority of cases, application of the foregoing principles will be straightforward and there will be no question about who owns the rights to the IP. In such cases, the owner will decide the uses of the IP and will receive any income associated with it, provided that a faculty member, staff member, or student who co-owns IP with the college will not determine the uses of the IP, and receive any associated income, in the absence of an agreement with the college. All questions about whether a project involves *exceptional use of college resources* or whether a *functional* or *identity interest* of the college may exist should be referred to the dean of the faculty. The dean in consultation with the creator(s) and appropriate college deans, vice presidents and supervisors will endeavor to reach an agreement with the creator(s) regarding the ownership, use and development of the IP. Agreements will be deposited with the treasurer of the college according to the procedures established in Section VI.D. If no agreement is reached, the dean will make a determination (see Section III.B of this Policy).

A. Reporting

The uniform application of this Policy requires that the college be made aware of IP created by members of the college community with the use of college resources. Responsibility for reporting the creation of IP rests with the creator(s). The dean of the faculty will develop a procedure that will facilitate such reporting.

In cases where the IP is a *scholarly work* created by a faculty member, or staff member outside the scope of his or her employment, and no *identity* or *functional interest* is involved, no reporting is required, provided that, upon the college's request, faculty members will execute a written agreement granting the college a non-exclusive perpetual license to use and modify *any curricular and instructional materials that the faculty member develops at the college, which may be considered scholarly work* (see Section II.A of this Policy).

Certain cases must be addressed specifically to the dean of the faculty. Creator(s) must report, as soon as the situation is reasonably clear and before work is well underway, on the production or planned production of any IP that meets one or more of the following conditions:

1. The IP involves or has the potential for involving a functional or identity interest of the college.
2. Production of the IP involves or may involve exceptional use of college resources.
3. The IP is produced with Federal or other outside funds which impose ownership, reporting or other requirements on the college or the creator(s). In such cases, reporting may be required within specified time limits, which must be observed.
4. The IP is jointly created by faculty and staff.
5. The IP is created in a collaborative relationship with another entity requiring that entity's IP policies be reconciled with those of the college.
6. The creator(s) intends to seek a patent on or otherwise commercialize the IP, in which case, the process of protection or commercialization may involve substantial cost and effort, and the creator(s) may wish the college to consider providing some or all of that support and share the net rewards, liabilities or risks with the college.
7. The creator(s) is a staff member who intends to claim ownership of IP that could be construed as being within the scope or course of employment at the college.
8. The creator(s) has any question about ownership or other rights in the IP.

Unless otherwise agreed, the creator(s) should use a current IP Disclosure Form promulgated by the dean to report IP to the college. If there are multiple creators of the IP resulting from a project, the report must name all the creators and all the creators sign the report.

B. Determination Process

When a report is required under Section III.A, and no agreement with the creator(s) is reached, the dean of the faculty, in consultation with the creator(s) and appropriate college deans, vice presidents and supervisors, shall make a determination whether the IP involves a *functional* or *identity interest*, whether its creation involves *exceptional use of college resources*, or whether the work is created within the scope or course of employment of a staff member at the college. The dean shall make a determination of ownership of the IP and associated intellectual property rights, responsibilities, and use rights of the college and the creator(s), and, if appropriate, how the college will recoup its costs and share in financial gains from the IP. This determination should be made in a timely manner. In all cases, the dean will be guided by the principles set forth in this policy and the creator(s) will be given an opportunity to explain the situation or proposal and recommend terms for ownership, responsibilities, use rights, risks and financial arrangements.

C. Written Determination

The dean's determination shall be made in writing, signed by the dean. The determination shall contain provisions outlining the allocation of ownership, interests, use rights, responsibilities, risks, and a mechanism for the sharing of net proceeds, if any, and other rights between the creator(s) and the college. The dean will cause the written determination, once made, to be delivered promptly to the creator(s). The determination, bearing the date on which it was delivered to the creator(s), shall be filed with and maintained by the treasurer of the college. The determination shall become final and shall be binding on the creator(s) and the college unless, within thirty (30) days of the date on which the dean has delivered the determination to the creator(s), the creator(s) file a notice of appeal of the dean's determination with the dean of faculty. If the creator(s) do not file a notice of appeal, the college and the creator(s) will execute a written agreement allocating their respective right, title, and interest in and to the IP consistent with the dean's determination within thirty (30) days after receiving a copy of the dean's determination.

D. Appeals

On receipt of a notice of appeal, an *ad hoc* committee of Bates students, faculty or staff members shall be formed by the treasurer of the college. It shall be comprised of one individual selected by the dean of the faculty, one individual selected by the creator(s), and one individual agreed to by the creator(s) and the dean. In the event that the creator(s) and the dean cannot agree, the third member will be appointed by the treasurer of the college. The committee shall review the dean's determination, the position of the dean and the creator(s), and the relevant facts and circumstances surrounding the IP, and will make a written recommendation to the president not later than sixty (60) days following the date of receipt of the notice of appeal. The president, after review of the recommendation of the *ad hoc* committee, shall issue a determination within thirty (30) days of receipt of the *ad hoc* committee recommendation. The president's determination will be filed with the treasurer of the college, and a copy will be delivered to the creator(s). This determination of the president will be final and will be binding upon the college and the creator(s). Each of the parties will execute a written agreement allocating respective right, title, and interest in and to the IP consistent with the president's determination within thirty (30) days after receiving a copy of the president's determination.

E. Time

The president, on application by either the dean of the faculty or the creator(s) or on the president's independent initiative, shall have the authority to modify the time requirements of this Section III for good cause.

F. President or Dean of the Faculty as Creator

In the event that the president or the dean of the faculty is a creator or co-creator of IP as to which no agreement has been reached, and which requires a determination under this Section III, the process described in subsections A, B, C, D, and E of this Section III shall not apply as to that IP. The determination shall instead be made by the chair of the Board of Trustees of the college. The chair's determination, when ratified by majority vote of the Board of Trustees, shall be final and shall be binding upon the creator(s) and the college.

IV. Transfer of Rights to the College

The college anticipates that even when IP is clearly the property of individuals, those individuals may wish to transfer rights to the college in exchange for help in developing, disseminating or protecting their creations. Requests by members of the college community for such an exchange will be addressed on a case-by-case basis. As stated in Section II.A, faculty members grant a non-exclusive perpetual license to the college to use and modify curricular and instructional materials developed at the college, which license will be made the subject of written agreement upon the college's request.

If the college has an ownership interest in the IP, e.g., if the IP involves *identity interest*, *functional interest*, or *exceptional use of college resources* or if the creator(s) and the college agree to transfer the ownership interest of the creator(s) to the college, the creator(s) will execute and deliver promptly to the college a written agreement assigning the creator(s) rights in the IP to the college.

V. Time Spent on IP Production Not for the College

IP developed by students, faculty and staff members without the use of college resources, or outside the scope or course of employment at the college is not governed by this Policy, unless it involves an identity interest of the college. For instance, a report provided to another organization in a consulting role is IP created through outside employment. Faculty members should be guided in accepting any outside employment by the Faculty Handbook statement regarding Class Responsibilities. Staff members should be guided by Bates policies on conflict of interest and outside employment as outlined in the Employee Handbook.

VI. Application of this Policy; Effective Date; Registry of Agreements and Determinations

A. Faculty and College Staff

This Intellectual Property Policy applies to and is binding upon members of the faculty and upon members of the college staff by reason of their employment at Bates College. The policy should require faculty and staff to sign an acknowledgement or participation agreement as a condition of employment. Unless otherwise provided in writing, the terms, conditions, and provisions of this Intellectual Property Policy shall be deemed to survive termination of

employment and shall continue to apply to any IP created, in whole or in part, by a member of the faculty or a member of the college staff while employed by the college. As used in this policy, the term "faculty" shall mean the professors, associate professors, assistant professors, instructors, lecturers, and the visiting professors of the college, and the term "college staff" shall mean the administrative officers and all non-faculty employees of the college.

B. Students

This Intellectual Property Policy applies to and is binding upon students as an element of the contract between the student and Bates College. Unless otherwise provided in writing, the terms, conditions, and provisions of this Intellectual Property Policy shall be deemed to survive the student's graduation or other termination of the contract between the student and Bates College and shall apply to any IP created, in whole or in part, by a student while enrolled at the college.

C. Effective Date

This Intellectual Property Policy became effective May 2, 2009. It was amended on February 16, 2016. This policy shall apply to IP created, in whole or in part, by members of the faculty, members of the college staff, and students on or after the date of adoption by the Board of Trustees.

D. Registry of Agreements and Determinations

The treasurer of the college shall maintain a registry of all agreements and final determinations pertaining to Intellectual Property to which this policy applies. All agreements between creator(s) and the college pertaining to ownership, rights, duties, and obligations of each in IP to which this policy applies and all final determinations made pursuant to Section III of this policy shall be deposited in said registry and retained by the treasurer.

Citi Training in Research Ethics

Bates recognizes the curricular importance of faculty and student research, and supports such endeavors with a variety of internal and external grant programs. The college is committed to the responsible and ethical conduct of research, and has appointed a research integrity officer to help ensure compliance with federal regulations. To help insure that faculty and students are trained in a variety of research-related areas, the college has joined the Collaborative Institutional Training Initiative (CITI), an online research training program that includes modules on responsible conduct of research, biosafety, export control, animal care, human subjects, and data management. CITI training is available to all faculty and staff at citiprogram.org/ by logging in as a Bates employee.

Export Control

Federal scrutiny of export control is an increasing concern in U.S. colleges and universities, and Bates is developing resources for faculty and staff to promote compliance. The two areas of export control are ITAR (International Traffic in Arms Regulations), administered by the State Department and governing military technologies, and EAR (Export Administration Regulations), administered by the Commerce Department, overseeing "dual use" and economically sensitive technologies. These policies apply to both information and equipment or technology.

All on-campus research at Bates is covered by the Fundamental Research Exemption. The export control regulations exempt from licensing requirements technical information (but not controlled items) resulting from "fundamental research." No license is required to disclose to foreign persons information that is "published and which is generally accessible or available to the public through fundamental research in science and engineering at universities where the resulting information is ordinarily published and shared broadly in the scientific community."

"Fundamental research" means basic and applied research in science and engineering, the results of which ordinarily are published and shared broadly within the scientific community, as distinguished from proprietary research and from industrial development, design, production, and product utilization, the results of which ordinarily are restricted for proprietary or national security reasons (National Security Decision Directive 189).

There are other areas of risk, however, when it comes to export control, particularly as they relate to "controlled items." Faculty travel with technical data, technical reports, equipment, or technology to sanctioned countries is prohibited. Faculty members must acquaint themselves with the countries that are subject to embargo. Travel to these countries may require consulting with Information and Library Services (ILS) and the director of research and scholarship about restrictions and possible exemptions. For example, taking a college laptop with standard software and no specialized data to certain embargoed countries is prohibited; the countries currently (7/2023) subject to sanctions for reasons of anti-terrorism are the Balkans, Belarus, Burma (Myanmar), Central African Republic, Crimea region of Ukraine, Cuba, Democratic Republic of the Congo, Iran, Iraq, Lebanon, Libya, North Korea, Russia/Ukraine, Somalia, Sudan, Syria, Venezuela, Yemen, and Zimbabwe, although this list is subject to change. The Office of Foreign Assets Control (OFAC) provides information on sanctions for each of the above countries, as well as other OFAC-administered sanctions programs [treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx](https://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx). Broader lists of countries may be subject to export control regimes covering certain controlled items, such as technical data not intended for publication or manuals to controlled equipment items. Faculty concerned about the security of data stored on their Bates laptop may wish to borrow a "clean laptop" from ILS for purposes of foreign travel. Please check with ILS about availability of such loaners in as well in advance of the planned departure date as possible.

A flow chart designed to assist faculty in determining if their research qualifies as exempt, or whether it may require referral to the dean of the faculty's office for export control review can be found here: bates.edu/dof/faculty-scholarship/faculty-grant-information-2/export-control. For those who require export control review, the travel disclosure form can be found here: bates.edu/dof/faculty-scholarship/faculty-grant-information-2/travel-disclosure-form. If the project requires an export control license or approval, please submit the form well in advance of the expected travel dates.

In order to promote understanding of and compliance with the relevant federal laws, the Office of the Dean of the Faculty requires that faculty traveling with Bates laptops or other equipment complete the Export Control Overview Module of CITI training available at www.citiprogram.org. The training is brief and summarizes federal export control regulations. Those working in science or engineering are encouraged to take the entire export control suite of CITI training modules.

In addition, faculty who intend to take college-owned equipment out of the country while employed at Bates should complete a general export control travel form accepting the risks and personal responsibility for the decision to take college equipment abroad and review ILS's guidance on data security and technology protection during international travel: bates.edu/policies/access-use/data-security-and-technology-protection-for-international-travel/. According to federal guidelines, faculty are asked to:

- attend to export control guidelines;
- maintain effective control over the item;
- use secure internet connections;
- utilize personal firewall protection and password protect any files that contain controlled technology; and
- ensure the device contains no mass market 64-bit encryption software or other encryption capabilities restricted under the EAR.

These forms are available from the director of sponsored programs and research compliance and can be completed at any time and kept on file.

Research Involving Human Participants, Animal Subjects, or the Use of Recombinant DNA

Because the College receives federal research grants, and because the faculty seek to ensure that any research involving humans, animals, or biological materials and recombinant DNA, is undertaken in an ethical, fair, safe, and respectful manner, the College has established three committees for review of research involving human participants, animal subjects, and the use of biological materials and recombinant DNA. Both faculty and students who undertake research using any of these components are required to comply with the guidelines for proper practices established by these committees.

The Institutional Review Board (IRB), composed of faculty members and a member of the local community, oversees research projects involving human participants. All faculty and student research projects supported by research grants involving human participants, all projects where individuals are not allowed to withdraw from participation, all projects where the research procedures poses any mental or physical risk to the participant, all projects where the anonymity/confidentiality of the participants cannot be guaranteed, all projects where deception is a part of the research design and all projects involving children under the age of 18 must be reviewed by the Institutional Review Board. For exceptions to these requirements see the IRB web page at bates.edu/institutional-review-board.

Specific guidelines that address research protocol, the fair and respectful treatment of participants, issues of confidentiality, and informed consent are available from the website listed above.

The Institutional Biosafety Committee (IBC) is composed of at least five members who monitor and oversee all research and educational activities involving biological hazards, including recombinant DNA and infectious agents. Among these five members, two must be unaffiliated with Bates. For protocols involving animals or plants that include biological hazards, federal guidelines require a plant expert or animal containment expert to be included as members on the IBC when reviewing related protocol applications. The IBC is responsible for review and approval of all protocols that involve biohazardous agents; ensures compliance with applicable federal, state, and local regulations and guidelines; and provides guidance to the Bates community on biosafety policies and procedures. See the IBC web page at bates.edu/biosafety.

The Institutional Animal Care and Use Committee (IACUC) is composed of at least five members who review classroom and research use of vertebrate animals. Among these five members, one must be a veterinarian, one must be a scientist experienced with animal research, one must be a nonscientist, and one must be a person unaffiliated with Bates except as a member of IACUC. The committee considers classroom and research protocols to assure that the animals involved are handled properly and humanely and in accordance with Public Health Service guidelines and Animal Welfare Act and Regulations. The committee also conducts routine inspections of the animal colonies in Bonney Science Center. Guidelines and information on the review process are available at bates.edu/dof/grant-management/government-compliance/institutional-animal-care-and-use-committee/.

Policies and Procedures for Responding to Allegations of Research Misconduct

Consistent with the values expressed in the Bates College mission statement of rigorous scholarship, intellectual discovery, and informed civic action, the College holds its faculty, research staff, and students to the highest standards of professional probity and responsibility in the conduct of research. Bates seeks to prevent any instances of research misconduct, and takes seriously the need to investigate possible instances, while protecting the positions and reputations of those who file complaints in good faith, witnesses, and those asked to serve on committees, so that any necessary investigations may proceed without fear or favor.

In line with these values, and with all applicable federal regulations governing the conduct of research (including but not limited to 42 CFR Parts 50 and 93), this document describes the policies and procedures to be followed in response to allegations of research misconduct (as defined below) involving a Bates faculty member or research associate on the staff of the College. Allegations of students' misconduct shall be referred to the dean of students for consideration according to established College procedures. In cases where alleged student misconduct is in connection with work on a federal grant, the dean of students shall

notify the dean of the faculty of the progress of proceedings so that any required reports to the relevant federal agency can be made in a timely manner.

"Research Misconduct" is defined as the fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Fabrication is making up data or results and recording or reporting them. Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record. Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit. Research misconduct does not include honest error or differences of opinion.

"Respondent" is defined as the person against whom an allegation of research misconduct is directed or who is the subject of a research misconduct proceeding as described herein.

This policy does not apply to authorship or collaboration disputes and applies only to allegations of research misconduct that occurred within six years of the date the institution or HHS received the allegation, subject to the subsequent use, health or safety of the public, and grandfather exceptions in 42 CFR § 93.105(b).⁷

Roles and Responsibilities

The deciding official (DO) shall be the dean of the faculty. The DO shall appoint a research integrity officer (RIO), who will have primary responsibility for implementation of these policies and procedures. The RIO's responsibilities are summarized in Exhibit A.

All faculty and staff members and students have a responsibility to report observed, suspected, or apparent research misconduct to the RIO. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, the individual may contact the RIO to discuss the suspected research misconduct informally, which may include discussing it anonymously and/or hypothetically. If the circumstances described by the individual do not meet the definition of research misconduct, the RIO will refer the individual or allegation to other offices or officials with responsibility for resolving the problem.⁷ At any time, an institutional member may have confidential discussions and consultations about concerns of possible misconduct with the RIO and will be counseled about appropriate procedures for reporting allegations of research misconduct.

Faculty and staff members, including respondents, as well as students are responsible to cooperate with the RIO and other institutional officials in the review of allegations of research misconduct and the conduct of inquiries and investigations. All have an obligation to provide evidence relevant to allegations of research misconduct to the RIO or other institutional officials.

Because allegations of misconduct may differ, the procedures outlined below intend to offer a broad framework for investigating such allegations. The confidentiality of all proceedings is essential.

Procedures

Assessment of Allegation

- (1) *Assessment.* Upon receiving an allegation (written, oral statement, or other communication)⁷ of research misconduct, the RIO shall assess the allegation to determine whether it warrants an inquiry. An inquiry is warranted if the allegation:
 - a. falls within the definition of research misconduct as set forth herein; and
 - b. is sufficiently credible and specific so that potential evidence of research misconduct may be identified.
- (2) *Notification and Evidentiary Matters.* If an inquiry is warranted, the RIO shall, at the time of or before beginning an Inquiry:
 - a. notify the respondent(s) of the allegation and intended inquiry; and
 - b. to the extent it has not already done so at the assessment stage, promptly take all reasonable and practical steps to obtain custody of all the research records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence, and sequester them in a secure manner, except that where the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those

⁷ Policy updated in response to ORI review (dated 10/17/23)

copies are substantially equivalent to the evidentiary value of the instruments. The RIO shall take custody of any additional items as they become known or relevant to the proceedings.

Inquiry

- a. *Inquiry.* If an inquiry is warranted, the RIO shall undertake an inquiry, the purpose of which is to conduct an initial review of the evidence to determine whether an allegation of research misconduct warrants an investigation. (As such, an inquiry does not require a full review of all the evidence related to the allegation.) An investigation is warranted if:
 - b. there is a reasonable basis for concluding that the allegation falls within the definition of research misconduct as set forth herein; and
 - c. preliminary information-gathering and preliminary fact-finding from the inquiry indicates that the allegation may have substance.
- (3) *Assistance with Inquiry.* In undertaking an inquiry, the RIO may consult confidentially with the respondent's department chair, division chair or chair of interdisciplinary programs or other knowledgeable individuals regarding the allegation. If the inquiry requires the review of specialized scientific data, or otherwise in the RIO's discretion, the RIO may engage two or more individuals, which may include individuals from outside the Bates faculty, to assist with the Inquiry and with preparation of the Inquiry Report (an "Inquiry Panel"). The RIO shall (a) select individuals who possess the expertise appropriate to carry out a thorough and authoritative evaluation of the evidence; and (b) take steps to ensure that no person with an unresolved personal, professional, or financial conflict of interest is involved in a research misconduct proceeding. The DO shall have no direct participation in the inquiry. The RIO (or the inquiry panel, as applicable) shall take confidential testimony from the individual(s) who filed the initial allegation(s) and from the respondent.
- (4) *Inquiry Report.* The RIO will prepare a written Inquiry Report which, at a minimum, shall contain the information set forth on Exhibit B hereto. The RIO shall notify the respondent whether the inquiry found that an investigation is warranted and provide the respondent an opportunity to review and comment on the draft Inquiry Report. Any comments received from the respondent shall be attached to the final Inquiry Report. The RIO may also, at its discretion, notify the complainant who made the allegation of research misconduct (the "complainant") whether the inquiry found that an Investigation is warranted and provide relevant portions of the report to the complainant for comment.
- (5) *Determination Whether to Conduct an Investigation.* The RIO will deliver the Inquiry Report to the DO. The DO will receive the Inquiry Report and, after consulting with the RIO and/or other institutional officials, decide whether an investigation is warranted under the criteria set forth in Paragraph (3) above. Any finding that an investigation is warranted must be made in writing by the DO and must be provided to the Public Health Service Office of Research Integrity (ORI) and/or any other relevant federal agency or office, together with a copy of the Inquiry Report, within 30 days of the finding and in any event on or before the date on which the investigation begins.
- (6) *Records of Inquiry.* Detailed documentation of the inquiry is retained for at least 7 years after termination of any inquiry (irrespective of outcome). If it is found that an investigation is not warranted, the DO and the RIO will ensure that sufficient documentation is retained so that ORI may assess the determination not to conduct an investigation.
- (7) *Timing of Inquiry.* The Inquiry, including preparation of the final Inquiry Report and the decision of the DO on whether an investigation is warranted, must be completed within 60 calendar days of initiation of the inquiry, unless the RIO determines that circumstances clearly warrant a longer period. If the RIO approves an extension, the Inquiry Report must include documentation of the reasons for exceeding the 60-day period.

Investigation

- (8) *Timing of Investigation.* In the event of a finding that an investigation is warranted, the investigation must commence within 30 days of such finding and conclude (including conducting the investigation and preparing, receiving comments on, finalizing, and submitting the Investigation Report) within 120 days, unless an extension is granted by the relevant agency.

- (9) *Notification and Evidentiary Matters.* If an investigation is warranted, the RIO shall, within a reasonable amount of time of the determination and before the investigation commences:
- a. notify the respondent(s) in writing of the investigation, including written notice of any new allegations not previously addressed; and to the extent it has not already done so at the assessment or inquiry stage, take the actions described under 2(b) above.
- (10) *Investigative Committee.* If an investigation is warranted, the RIO will appoint an investigative committee in consultation with the DO and consistent with the requirements set forth in clauses (a) and (b) of Paragraph (4) above regarding expertise and absence of conflicts. The DO shall have no direct involvement in the investigation. The investigative committee shall consist of three to five persons, which may include one or more qualified persons from outside the Bates faculty. The respondent shall be informed of the membership of the investigative committee.
- (11) *Investigation.* The investigative committee shall undertake a careful and thorough review of the facts of the allegation. This review shall include, as applicable:
- a. interviewing each respondent, complainant, and any other available person who has been reasonably identified as having information regarding any relevant aspects of the investigation, including witnesses identified by the respondent, and record or transcribe each interview, provide the recording or transcript to the interviewee for correction, and include the recording or transcript in the record of the investigation;
 - b. pursuing diligently all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of additional instances of possible research misconduct, and continuing the investigation to completion; evaluating the evidence and testimony to determine whether, based on a preponderance of the evidence, research misconduct occurred and, if so, the type and extent of it and who was responsible; and
 - c. determining whether a preponderance of the evidence establishes that:
 - i. research misconduct, as defined in these Policies and Procedures, occurred (respondent has the burden of proving by a preponderance of the evidence any affirmative defenses raised, including honest error or a difference of opinion);
 - ii. the research misconduct is a significant departure from accepted practices of the relevant research community; and
 - iii. the respondent committed the research misconduct intentionally, knowingly, or recklessly.

In addition, the RIO and the investigative committee shall use diligent efforts to ensure that the investigation is thorough and sufficiently documented and includes examination of all research records and evidence relevant to reaching a decision on the merits of each allegation of research misconduct, and take reasonable steps to ensure an impartial and unbiased investigation to the maximum extent practical.

- (12) *Informing Respondent.* The respondent shall be kept informed of the procedures to be followed and of the nature of the evidence presented, and shall be given the opportunity to appear before the investigative committee to respond to the allegation(s).
- (13) *Documentation.* The RIO shall use diligent efforts to ensure that the investigation is thorough and sufficiently documented and includes examination of all research records and evidence relevant to reaching a decision on the merits of the allegations.
- (14) *Investigation Report.* The investigative committee, under the direction of the RIO, shall produce a written Investigation Report, which shall include, at a minimum, the information set forth on [Exhibit C](#) hereto. The investigative committee must provide the respondent an opportunity to review and comment on the draft Investigation Report and, concurrently, a copy of, or supervised access to, the evidence on which the report is based. The investigative committee may provide the complainant a copy of the draft Investigation Report or relevant portions of that report. Any comments of the respondent or the complainant must be submitted within 30 days of the date on which the draft was provided to the commenter. The investigative committee shall consider all comments received before issuing its final report.

Administrative Actions

- (15) *DO Determination.* The DO will receive the Investigation Report and, after consulting with the RIO and/or other institutional officials, determine in writing the extent to which the College accepts the conclusions in the Investigation Report and, if research misconduct has been found, make a recommendation to the president of the College as to what, if any, institutional administrative actions are appropriate. If this determination varies from the findings of the investigative committee, the DO will, as part of his/her written determination, explain in detail the basis for rendering a decision different from the findings of the investigative committee. Alternatively, the DO may return the report to the investigative committee with a request for further fact-finding or analysis.
- (16) *Actions Following Conclusion of Investigation.* When a final decision has been reached:
- a. the RIO shall notify both the respondent and the complainant in writing;
 - b. the DO shall ensure that the final Investigation Report, the findings of the DO and a description of any pending or completed administrative actions are provided to ORI and/or any other relevant federal agency or office;
 - c. the DO shall determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case;
 - d. the RIO shall ensure compliance with all notification requirements of funding or sponsoring agencies; and
 - e. the RIO and the DO shall ensure that the College cooperates with any further federal investigations, proceedings or sanctions.

Interim Actions

- (17) *Interim Actions.* Notwithstanding the foregoing, at any stage in the process, the RIO shall have the authority to take interim action as needed, which may include additional monitoring of the research process and the handling of federal funds and equipment, reassignment of personnel or of the responsibility for the handling of federal funds and equipment, additional review of research data and results, and/or delaying publication. Interim action may be warranted if the RIO has reason to believe that:
- a. the health or safety of the public is at risk, including an immediate need to protect human or animal subjects;
 - b. federal resources or interests are threatened;
 - c. the research activities should be suspended;
 - d. there is a reasonable indication of possible violations of civil or criminal law;
 - e. federal action is required to protect the interests of those involved in the research misconduct proceeding;
 - f. the research misconduct proceeding should be made public prematurely in order for federal action to be taken to safeguard evidence and protect the rights of those involved; or
 - g. the research community or public should be informed.
- (18) *Agency Notification.* In case of any of the above circumstances, ORI and/or any other relevant federal agency or office shall be notified immediately. The RIO must notify ORI in advance if there are plans to close a case at the inquiry, investigation, or appeal stage on the basis that the respondent has admitted guilt, a settlement with the respondent has been reached, or for any other reason, except: (1) closing of a case at the inquiry stage on the basis that an

investigation is not warranted; or (2) a finding of no misconduct at the investigation stage, which must be reported to ORI, as prescribed in this policy and 42 CFR § 93.315.⁸

Confidentiality; Retaliation; Protection of Respondent's Reputation; Allegations Not Made in Good Faith

Confidentiality. Throughout the proceedings, the RIO and all participants in the proceedings shall, to the extent possible, limit disclosure of the identity of respondents and complainants to those who need to know in order to carry out a thorough, competent, objective and fair research misconduct proceeding; and, except as otherwise prescribed by law, limit the disclosure of any records or evidence from which research subjects might be identified to those who need to know in order to carry out a research misconduct proceeding. The RIO shall also have the option of keeping confidential the identities of witnesses. Notwithstanding the foregoing, (a) the identity of respondents and complainants will be disclosed to ORI pursuant to an ORI review of research misconduct proceedings; and (b) administrative hearings of the federal Department of Health and Human Services are open to the public.

- (19) *Retaliation.* Faculty, staff members, and students may not retaliate in any way against complainants, witnesses, or committee members. Any alleged or apparent retaliation against complainants, witnesses, or committee members shall be reported to the RIO, who shall review the matter and, as necessary, make all reasonable and practical efforts to counter any potential or actual retaliation and protect and restore the position and reputation of the person against whom the retaliation is directed.
- (20) *Protection of Respondent's Reputation.* After the proceeding and as appropriate, the RIO and other institutional officials shall make all reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in research misconduct but against whom no finding of research misconduct is made.
- (21) *Allegations Not Made in Good Faith.* If relevant, the DO will determine whether the complainant's allegations were made in good faith, or whether a witness or committee member acted in good faith. If the DO determines that there was an absence of good faith, he/she will determine whether any administrative action should be taken against the person who failed to act in good faith.

Other Policies Regarding Research Misconduct Proceedings

- (22) *Minutes of Proceedings.* Minutes of all proceedings shall be maintained by the RIO and provided as necessary to ORI and/or any other relevant federal agencies or offices as required by law.
- (23) *Time Limit.* The period of time for the initial inquiry and the completion of the investigation normally shall not exceed 180 days beyond the date when the allegation of research misconduct was first presented to the RIO.
- (24) *Notices.* During the research misconduct proceeding, the RIO is responsible for ensuring that respondents promptly receive all the notices and opportunities to present their case provided for in these Policies and Procedures.
- (25) *Guiding Principles.* Throughout the inquiry, investigation, and implementation of any administrative actions or other resolution, all participants must bear in mind several considerations:
 - a. The importance, in fact and appearance, of fairness, objectivity, and reasonable expediency;
 - b. Protecting, to the maximum extent possible, the privacy of those who in good faith report alleged misconduct;
 - c. Protecting, to the maximum extent possible, the rights and privacy of the respondent, including the right to be informed of the alleged misconduct, of the evidence in support of the allegation of research misconduct, and other procedures to be followed;

⁸ Policy updated in response to ORI review (dated 10/17/23)

- d. The importance of ensuring that the professional interests and integrity of the faculty are respected;
and
- (26) The importance of consulting with outside agencies or institutions which have an interest in the research in question.
- (27) *Indemnity*. Participation by a Bates College faculty or staff member in a research misconduct inquiry, investigation, or remediation plan at the request of the RIO shall be considered part of that faculty or staff member's institutional responsibilities, and that person shall therefore be indemnified by Bates College. All such participants must strictly abide by the confidentiality, anti-retaliation, and protection of reputation provisions as well as the guiding principles detailed above.

These **Policies and Procedures for Responding to Allegations of Research Misconduct** shall be printed annually in the *Faculty Handbook*, and otherwise be available to members of the faculty through the Office of the Dean of the Faculty.

Exhibit A: Summary of RIO's Responsibilities

Note: In the event of a conflict between this Exhibit A and the provisions of the Policies and Procedures for Responding to Allegations of Research Misconduct, the Policies and Procedures will control.

- Consult confidentially with persons uncertain about whether to submit an allegation of research misconduct;
- Receive allegations of research misconduct;
- Assess each allegation of research misconduct to determine whether it falls within the definition of research misconduct and warrants an Inquiry;
- As necessary, take interim action and notify ORI and/or any other applicable government entity, of special circumstances, as required by these Policies and Procedures;
- Sequester research data and evidence pertinent to the allegation of research misconduct and maintain it securely in accordance with these Policies and Procedures and applicable law and regulation;
- Provide confidentiality to those involved in the research misconduct proceeding;
- Notify the respondent and provide opportunities for him/her to review/comment/respond to allegations, evidence, and committee reports as provided in these Policies and Procedures;
- Inform respondents, complainants, and witnesses of the procedural steps in the research misconduct proceeding;
- Appoint the chair and members of the Inquiry Panel (if desired) and Investigative Committee, ensure that those committees are properly staffed and that there is expertise appropriate to carry out a thorough and authoritative evaluation of the evidence;
- Determine whether each person involved in handling an allegation of research misconduct has an unresolved personal, professional, or financial conflict of interest and take appropriate action, including requiring recusal, to ensure that no person with such a conflict is involved in the research misconduct proceeding;
- In cooperation with other institutional officials, take all reasonable and practical steps to protect or restore the positions and reputations of good faith complainants, witnesses, and committee members and counter potential or actual retaliation against them by respondents or other institutional members;
- Keep the DO and others who need to know apprised of the progress of the review of the allegation of research misconduct;
- Notify and make reports to ORI and/or any other government entity as required by these Policies and Procedures;
- Ensure that administrative actions taken by the institution and ORI are enforced and take appropriate action to notify other involved parties, such as sponsors, law enforcement agencies, professional societies, and licensing boards of those actions;
- Maintain records of the research misconduct proceeding and make them available to ORI; and
- Take steps to maintain the confidentiality of ongoing research misconduct proceedings, and to protect or restore the reputation of any respondent in cases where no finding of research misconduct is made.

Exhibit B: Contents of Inquiry Report

- (1) The name and position of the respondent;
- (2) A description of the allegations of research misconduct;
- (3) The applicable federal support, including, for example, grant numbers, grant applications, contracts, and publications listing federal support;
- (4) The basis for recommending that the alleged actions warrant an investigation; and
- (5) Any comments on the Inquiry Report by the respondent or the complainant.

In addition, the College must be prepared to provide the following information to the applicable federal agency on request:

- (1) These Policies and Procedures;
- (2) The research records and evidence reviewed, transcripts or recordings of any interviews, and copies of all relevant documents; and
- (3) The charges for the investigation to consider.

Exhibit C: Contents of Investigation Report

- (a) *Allegations*. Describe the nature of the allegations of research misconduct.
- (b) *Federal support*. Describe and document the applicable federal support, including, for example, any grant numbers, grant applications, contracts, and publications listing federal support.
- (c) *Institutional charge*. Describe the specific allegations of research misconduct for consideration in the investigation.
- (d) *Policies and procedures*. If not previously provided to the applicable federal agency with the Inquiry Report, include these Policies and Procedures.
- (e) *Research records and evidence*. Identify and summarize the research records and evidence reviewed, and identify any evidence taken into custody but not reviewed.
- (f) *Statement of findings*. For each separate allegation of research misconduct identified during the investigation, provide a finding as to whether misconduct did or did not occur, and if so:

- (1) Identify whether the research misconduct was falsification, fabrication, or plagiarism, and if it was intentional, knowing, or in reckless disregard;
- (2) Summarize the facts and the analysis which support the conclusion and consider the merits of any reasonable explanation by the respondent;
- (3) Identify the specific federal support;
- (4) Identify whether any publications need correction or retraction;
- (5) Identify the person(s) responsible for the research misconduct; and
- (6) List any current support or known applications or proposals for support that the respondent has pending with other federal agencies.

(g) *Comments*. Include and consider any comments made by the respondent and complainant on the draft Investigation Report.

(h) *Maintain and provide records*. Maintain and provide to ORI upon request all relevant research records and records of the institution's research misconduct proceeding, including results of all interviews and the transcripts or recordings of such interviews.

Financial Disclosure Policy for All Investigators Conducting Research Funded by Federal Grants

The federal government requires that the college establish and administer a financial disclosure policy for investigators and a program for training investigators in that policy. This is designed to ensure appropriate management of actual or potential conflicts of interest. The Bates policy fulfills the requirements of grantee institutions

as put forth in the National Institutes of Health's guidelines (see grants.nih.gov/grants/policy/coi/index.htm) and the National Science Foundation's conflict of interest policies (see nsf.gov/policies/conflicts.jsp).

Disclosure of Significant Financial Interests. All personnel responsible for the design, conduct or reporting of research under the terms of a federal grant or contract (each, an "investigator") are required to disclose to the College's research integrity officer (the RIO) all "Significant Financial Interests" of the investigator and/or the investigator's spouse, partner, and dependent children.

A. Significant Financial Interest (SFI)

- 1) **Definition.** A "Significant Financial Interest" means one or more of the following interests, if it reasonably appears to be related to the investigator's institutional responsibilities, including all research, teaching and/or service to the college:
 - a) With regard to any publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure *and* the value of any equity interest in the entity as of the date of the disclosure, when aggregated, exceeds \$5,000. Remuneration includes any salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value.
 - b) With regard to any non-publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, *or* when the investigator (or spouse, partner, or dependent children) owns *any* equity interest, regardless of dollar value.
 - c) Intellectual property rights and interests (e.g., patents and copyrights) upon receipt of income related to such rights and interests. This does not include any income received from Bates for intellectual property rights assigned to Bates based on agreements to share in the royalties related to such rights in conformity with the college's intellectual property policy.
 - d) Any occurrence of reimbursed or sponsored travel related to your institutional responsibilities, the cost of which (reimbursed or estimated) exceeds \$5,000, must also be disclosed, including instruction, research or service to Bates, with the exception of any travel reimbursed or sponsored by a federal, state or local government agency, an institution of higher education, an academic teaching hospital, a medical center, or a research center affiliated with an institution of higher education. Travel that is reimbursed by Bates from a sponsored fund account whose sponsor is an entity that is *not* one of those exempt entities shall be treated as a significant financial interest. The investigator must disclose the purpose of the trip, the identity of the sponsor and/or organizer, the destination and its duration. Additional information, including the estimated cost of travel, may be requested by the RIO and must be furnished upon request.
- 2) **Exclusions.** The term "Significant Financial Interest" does not include: a) salary, royalties, or other remuneration from Bates; b) income from investment vehicles such as mutual funds or retirement accounts, as long as the investigator does not directly control the investment decisions made in these vehicles; c) income from seminars, lectures, or teaching engagements sponsored by a federal, state or local government agency, institutions of higher education, academic teaching hospitals, medical centers, or research institutes affiliated with institutions of higher education; d) income from service on advisory committees or review panels for government agencies, institutions of higher education, academic teaching hospitals, medical centers, or research institutes affiliated with institutions of higher education.

B. Timing of Required Disclosures.

Investigators must provide all required financial disclosures at the time a proposal is submitted.

1. In addition, investigators must update those financial disclosures:

- a. Within thirty (30) days of discovering or acquiring (e.g., through purchase, marriage, or inheritance) any new significant financial interest; and
- b. Annually within the period of the award, beginning with the anniversary date of the original disclosure.

C. Review of Financial Disclosures. The following process shall apply to financial disclosures submitted by investigators.

- 1) Determination of Financial Conflicts of Interest. The RIO shall review each disclosed SFI; determine whether such SFI relates to federally-funded research, and, if so related, determine whether a "Financial Conflict of Interest" (as defined below) exists; and determine what conditions or restrictions, if any, should be imposed by the institution to manage, reduce, or eliminate such conflict or interest. The RIO may, depending on the scope
 - 2) of the potential conflict, request that additional staff or faculty serve on an *ad hoc* review committee to assist in its timely review. A document detailing "Procedures for Evaluating and Managing Conflicts of Interest" is available upon request from the RIO. For more information on the RIO position please see "Policy and Procedures for Responding to Allegations of Research Misconduct" in the *Faculty Handbook*.
- 3) Financial Conflict of Interest. A "Financial Conflict of Interest" exists when the RIO reasonably determines that a significant financial interest could directly and significantly affect the design, conduct, or reporting of federally-funded research or educational activities.
- 4) Management of Financial Conflicts of Interest. If the RIO determines that a significant financial interest constitutes a financial conflict of interest, the RIO will convene a committee consisting of faculty, senior staff and/or outside experts as detailed in the "Procedures" (the COI Committee). The COI Committee will review the research, the financial interests in question, and the areas of conflict, and devise a plan for the management of the financial conflict of interest (a "Management Plan") with a combination of elements it deems most conducive to the continued objective pursuit of research. The management plan may include conditions or restrictions to manage, reduce, or eliminate financial conflicts of interest, which may include (but are not limited to): a) monitoring of research by independent reviewers; b) modification of the research plan; c) disqualification from participation in the portion of the federally funded research that would be affected by significant financial interests; d) divestiture of significant financial interests; e) severance of relationships that create conflicts; or f) public disclosure of financial conflicts of interest. The investigator will be consulted as to the implementation of the management plan; the investigator must agree to the plan before the research can proceed. If the COI Committee and the investigator cannot agree upon a management plan, the relevant regulatory bodies and funding agencies will be notified.
- 5) Reporting of Financial Conflicts of Interest
 - a. *Sponsoring agency.* Significant financial interests that are determined by the RIO to be financial conflicts of interest will be reported to the sponsoring agency in accordance with its requirements within 60 days of the original disclosure.
 - b. *Public request.* As required by sponsoring agency regulations, information on the nature of such conflicts of interest will be made available to members of the public by the RIO in response to inquiries specifying the investigator name and the research project in question within 5 business days of receipt of such requests.
 - c. *College reporting.* The RIO will also compile regular reports to the Committee on Audit and Legal Affairs of the Bates College Board of Trustees for review and oversight.
- 6) Indemnity. Participation by a Bates faculty or staff member in a conflict of interest review committee or management plan at the request of the RIO shall be considered part of that faculty or staff member's institutional responsibilities, and that person shall therefore be indemnified by Bates. All such participants must hold any information obtained in the course of these duties in strict confidentiality.

D. Enforcement. The college shall establish appropriate mechanisms for enforcement of this policy, which shall provide for sanctions where appropriate*. Disciplinary proceedings initiated in connection with this policy shall be conducted in accordance with the Bates *Faculty Handbook*, the Bates *Employee Handbook*, or the Student Code of Conduct. All relevant regulatory bodies and funding agencies will be promptly informed of disciplinary sanctions.

- E. **Records.** The College shall maintain records of all financial disclosures and of all actions taken to resolve financial conflicts of interest for at least three years beyond the termination or completion of the grant to which they relate, or until the resolution of any federal action involving those records, whichever is longer.
- F. **Training**
- *Investigators on NIH/PHS-funded projects.* Each investigator (including senior/key personnel) on projects funded by or proposed to NIH or other Public Health Service (PHS)-affiliated agencies must complete training in the College's conflict of interest policy. Training is available through CITI Conflicts of Interest and Commitment Series.
 - *New or previously unfunded Investigators.* Investigators who have not previously completed COI training who notify the Office of External Grants of their intent to submit a research proposal to NIH or another PHS-affiliated agency are required to complete the CITI COI-Public Health Service-Basic course (and make the disclosures described above) prior to submission of their proposal.
 - *Investigators on non-NIH/PHS projects.* For investigators sponsored by or seeking funding from NSF and/or other federal agencies, as well as any Investigators initiating research sponsored by a private, for-profit entity, the above training activities are optional but strongly recommended.
 - *Repeat training.* Investigators who have previously completed the Basic course are required to repeat COI training every four years by completing the COI-Public Health Service -Refresher course.
 - *Additional training.* On any occasion when Bates revises its financial conflict of interest policies and procedures in any manner that affects the requirements of investigators, the RIO and SPaRC will provide additional training on the revisions to investigators.
- G. **Disclosure Statement.** Copies of the College's Disclosure Statement are available online at bates.edu/grants/compliance-2/conflict-of-interest-policy. This Disclosure Statement must be completed by all senior personnel who are submitting proposals to a federal funder. The certification page of a proposal cannot be signed until forms for all investigators are submitted to the RIO. By signing this form the applicant certifies that the investigator has read this section of the Faculty Handbook and that the investigator either a) does not have potential financial conflicts of interest (*"I hereby certify that I have read the Financial Disclosure Policy in the Bates Faculty Handbook which is effective for all federal proposals submitted through the College. I certify to the best of my knowledge that neither I nor my spouse, partner, or dependents hold any significant financial interests that would reasonably appear to be related to my research, teaching and service responsibilities to Bates College"*) or b) does have potential conflicts (*"I have the following relationships, affiliations, activities, or interests (financial or otherwise) which constitute potential conflicts under the Bates College conflict of interest policy"*). In either case, the applicant also declares that the applicant will notify the RIO of any change or discovery requiring modification of the above statement.
- H. **Subrecipients.** The college is responsible for ensuring all subrecipients' compliance with the applicable federal regulations regarding financial conflicts of interest. To this end, the College shall enter a written agreement with each subrecipient that shall specify whether this policy, or the applicable policy of the subrecipient's institution, will apply to subrecipient investigators. Said agreement will specify the timing for reporting of financial conflicts of interest by subrecipients to Bates to enable the timely review and reporting of such financial conflicts of interest in compliance with funding agency requirements.
- I. **Mandatory Disclosures of Criminal Violations to Federal Awarding Agencies.** It is the responsibility of all employees, including faculty, to comply with the law and to report violations or suspected violations of the law in accordance with the Whistleblower Policy (see below). As a recipient of federal grants, Bates has an obligation to disclose to federal awarding agencies all violations of federal criminal law involving fraud, bribery, or gratuity violations that could potentially affect one or more federal grants. The institutional officials responsible for making mandatory disclosures to federal agencies are the

dean of the faculty, in any cases involving faculty of the college, or the vice president of finance and administration, in any cases involving other employees of the college.

Whistleblower Protection Policy

(Section 113 of the Bates College Employee Handbook)

Bates requires all employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the college, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

- (1) Reporting Responsibility. It is the responsibility of all employees to comply with the law and to report violations or suspected violations of the law in accordance with this Whistleblower Policy. As a recipient of federal grants, Bates College has an obligation to disclose to federal awarding agencies all violations of federal criminal law involving fraud, bribery, or gratuity violations that could potentially affect one or more federal grants. The institutional officials responsible for making mandatory disclosures to federal agencies will be the dean of the faculty, in any cases involving faculty of the college, or the vice president for finance and administration, in any cases involving other employees of the college.
- (2) No Retaliation. This Whistleblower Policy is intended to encourage and enable employees to raise serious concerns within the college prior to seeking resolution outside the college. Any employee who, in good faith, reports a violation of the law is protected from harassment, retaliation and adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. Employees are protected from retaliatory actions because they have reported to college management:
 - a violation of the law;
 - a gross waste of public funds;
 - something that risks someone's health or safety;
 - something that will endanger their life or someone else's life.

Employees are protected if they are involved in an investigation or hearing held by the government.

- (3) Reporting Violations. Employees are encouraged to share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. In cases of suspected research misconduct, defined as the fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results, the appropriate person is the research integrity officer in the Office of the Dean of the Faculty. Employees who are not comfortable speaking with a supervisor or who are not satisfied with the supervisor's response are encouraged to speak with someone in the human resources department or anyone in management whom they are comfortable in approaching. Supervisors and managers are required to report suspected violations to the assistant vice president for human resources, who has the responsibility to oversee the investigation all reported violations.

Employees are asked to allow reasonable time for the problem to be investigated and corrected; if they have reason to believe that management will not correct the problem, they are encouraged to report the problem to the proper oversight agency. In addition, as it relates to federal grants, according to the National Defense Authorization Act, P.L. 112-239 (PDF), employees are protected from reprisal for disclosure of information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract, or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant. Specifically, Section 828(a) of the NDAA, Pilot Program for Enhancement of Contractor Employee Whistleblower Protections, provides that,

“An employee of a contractor, subcontractor, or grantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing the aforementioned types of information to:

- (a) A Member of Congress or a representative of a committee of Congress.
- (b) An Inspector General.
- (c) The Government Accountability Office.
- (d) A Federal employee responsible for contract or grant oversight or management at the relevant agency.
- (e) An authorized official of the Department of Justice or other law enforcement agency.
- (f) A court or grand jury.
- (g) A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.”

A person who believes that the person has been subjected to a reprisal prohibited by subsection may submit a complaint to the Inspector General of the executive agency involved. Procedures for submitting fraud, waste, abuse, and whistleblower complaints are generally accessible on agency Office of Inspector General (OIG) Hotline or Whistleblower Internet sites, such as these:

National Institutes of Health and other Department of Health and Human Services programs:

<https://oig.hhs.gov/fraud/report-fraud/index.asp>

National Science Foundation: <http://www.nsf.gov/oig/>

Environmental Protection Agency: <http://www.epa.gov/oig/hotline.html>

National Aeronautics and Space Administration: <http://oig.nasa.gov/contact.html>

Department of Justice: <https://oig.justice.gov/hotline/whistleblower-protection.htm>

- (4) Acting in Good Faith. Anyone filing a complaint of wrongful conduct must be acting in good faith and have reasonable grounds for believing the information disclosed indicates wrongful conduct. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.
- (5) Confidentiality. Reports of wrongful conduct or suspected wrongful conduct will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Involvement of Emeriti in Sponsored Research and Other Grant-Funded Activities

Bates College welcomes the continued participation of emeritus faculty in the intellectual life of the college community. To facilitate such participation while maintaining compliance with federal and state laws governing employment and the management of grant funds, the following policy applies. The term "emeritus" is used herein for brevity but is regarded as gender-neutral.

I. **Facilities Access by Emeritus Faculty Involved in Research Grants and Ongoing Scholarly Activity**

Bates has often found that ongoing engagement of retired faculty is promoted by furnishing of office space for continued scholarly activity. The availability of such space, however, cannot be guaranteed on a long-term basis. Emeritus faculty requesting Bates office space must re-apply annually. Assignments of such space are made by the dean of the faculty on a yearly basis, with availability varying depending upon the needs of active teaching faculty and other core operations of the College. Ongoing contributions to the College community, through student thesis supervision, scholarly activity, grant funding, or other service to the College, will be considered by the dean of the

faculty in making such assignments. If office space is required for performance of proposed grant-funded activity, such proposals must be approved by the Office of the Dean of the Faculty prior to proposal submission. Preference is given to proposals on which indirect costs may be recovered at the College's full, federally negotiated, on-campus indirect cost rate. If indirect costs are not allowed or are subject to a mandatory reduction, the Office of Sponsored Programs encourages the budgeting of off-campus office space. In no case may grant funds or College funds be used for the establishment or maintenance of a home office. If neither full indirect costs nor rental costs are allowed by the sponsor, prioritization of the request is determined by the dean of the faculty based upon whether the proposed activity is judged to advance the academic mission of the College.

Due to present limitations on available laboratory space and scientific equipment, it is highly unlikely that laboratory space can be allocated for the exclusive use of a faculty member no longer teaching at Bates. Access to facilities and equipment explicitly set up to be shared among multiple departments and programs (e.g., the advanced microscopy suite, the Environmental Geochemistry Lab), may be included in proposals without pre-approval, but scheduling must follow the protocols determined by the management of these facilities. Proposals that contemplate use of space or equipment primarily used by another member of the faculty, or summertime use of instructional equipment or laboratory space is, in general, discouraged. Exceptions are rare, and must be pre-approved by the dean of the faculty, the relevant department chair, and (if applicable) any other faculty member(s) in question.

II. Emeritus Faculty as Principal Investigators (PIs)

Principal Investigators (PIs) must be Bates employees for the duration of any federally-funded project. Therefore, salary must be budgeted for all grant project periods subsequent to the PI's projected retirement from teaching faculty status. While a PI is a grant-funded employee of the College, they are not able to withdraw any Bates-funded portion of their retirement accounts still held by TIAA. To achieve retirement status and access their retirement accounts, emeriti must have had a break in service from the college of at least six months, so depending upon timing, grant-funded employment may delay such eligibility. Faculty considering such proposals should consult with the Office of Human Resources (HR) regarding potential impacts on retirement and health insurance benefits.

For purposes of budgeting, a full-time equivalent (FTE) month's salary is calculated as one-ninth of the academic year base salary in effect during the PI's final year as a member of teaching faculty. If the year in question coincides with a Phased Retirement Plan, family or medical leave, or other reduced duty status, the "institutional base salary" is the full-time equivalent base salary recorded by Human Resources.

Unless subject to a more stringent restriction by the grant sponsor (e.g., NSF's "two-months" limit), the PI's grant-funded effort must not exceed 50% FTE within any 12-month period. Any such return to Bates employment must be discussed in advance with Human Resources, as per Section 219 of the *Employee Handbook*. In the event of such a grant being awarded, the PI is appointed as a temporary staff member for a term concurrent with the duration of the grant. Such appointments are subject to the Fair Labor Standards Act, and require the submission bi-weekly timesheets.

III. Emeritus Faculty in Non-PI roles

Where appropriate, emeriti can assist on projects as volunteers, without the need for any compensation to be budgeted. Human Resources must be notified of any such volunteers, and whether the planned volunteer service requires travel on the College's behalf, human-subjects research, and/or contact with vulnerable populations.

If compensation is necessary for emeritus faculty in non-PI roles, it must be calculated and limited as described above for PIs. Emeriti may not serve as "independent contractors" or "consultants" to the College. Any such hiring decision requires consultation with Human Resources, per Section 219 of the *Employee Handbook*.

In general, the project takes place in the office or lab space readily available to the faculty or staff member(s) listed as PI or co-PI on the project. If additional space or equipment is required for the emeritus faculty member to perform their work, it must be pre-approved by the dean of the faculty, as on any other proposal which contemplates additional space requirements.

Emeriti who are or will be eligible for Social Security and/or Medicare should be aware of Social Security and/or Medicare's earnings caps in budgeting their yearly compensation on grants. Investigation of such caps shall be the individual responsibility of the faculty member.

Access of Emeritus Faculty to Unrestricted Research (Indirect Cost Recovery) Accounts

Unrestricted research accounts containing distributions from indirect cost recoveries are the property of the College and, in general, revert to the College upon a faculty member's final day of contractual service. Unobligated balances shall be distributed 50% to the Bates Faculty Development Fund and 50% to the College's operating revenues. Exceptions are made only in the event that as of such date, the faculty member in question is either:

- 1) PI or co-PI on a grant that provides for indirect cost recovery at the College's full negotiated rate, or
- 2) PI or co-PI on a grant application that is still pending decision and that would result, if selected for award, in a grant providing for indirect cost recovery at the College's full negotiated rate.
- 3) Such exceptions are reviewed at the end date of the grant in question, or at the end date of each fiscal year (June 30), whichever comes soonest. If upon such review date the emeritus faculty member is no longer PI or co-PI on an eligible grant or pending application as described above, the unrestricted research account is closed.

Faculty remain eligible for further indirect cost recovery distributions according to the policies in place for such distributions so long as their unrestricted research account remains open. Upon review and closure of such an account, such eligibility is ended, and any indirect cost recoveries from future grants awarded to such a PI shall be distributed 50% to the Bates Faculty Development Fund and 50% to the College's operating revenues.

**(From E—Enforcement)* Such sanctions may include, but are not limited to, any one or more of the following: letter of admonition; temporary suspension of access to active research funding, either for a fixed term or pending completion of a remediation plan; temporary suspension of rights to apply for internal and external research funding as a PI, either for a fixed term or pending completion of re-training and remediation; investigation and mitigation of possible research bias resulting from improperly disclosed Significant Financial Interests, and reporting of corrective action to the relevant funding agency/ies; inquiry into possible research misconduct in accordance with the College's policies and procedures; non-renewal of appointment, as per the terms and procedures outlined in the *Faculty Handbook*; involuntary termination of employment, as per the terms and procedures outlined in the *Faculty Handbook*. This passage shall not be construed to contradict or supersede any disciplinary policies and procedures detailed elsewhere in the *Faculty Handbook*.

Part 8: Miscellaneous Information

International Exchange Visitors

Teaching and learning are enriched by the diverse experiences and viewpoints of individuals who join the College community. Bates encourages faculty members to invite speakers, artists, and performers to the campus to participate in courses and/or to present their work to the college community and the public. These individuals are almost always compensated for their work at the College, and therefore must be eligible to work in the United States and may be required to possess a proper visa to do so.

If an individual faculty member, a committee, or a department of program wishes to invite a non-U.S. national to the campus to meet with students or faculty, give a talk or reading, present a performance, set a dance, exhibit works of art, or pursue some other activity for which the visitor will be compensated, they must confirm that the visitor has U.S. work authorization and has a proper visa to do the work requested.

To invite an international visitor to the campus, hosting faculty must contact the Office of the Dean of the Faculty immediately. The dean's office can help assess the visitor's visa requirements and options and describe the process for securing a visa, if necessary. In most cases, the dean's office actually files a visa petition on behalf of the international visitor, prepares paperwork, and arranges required insurance. Even in cases in which the visitor holds a B-1 visa or has a visa waiver, the dean of the faculty's office must be contacted so that arrangements for payment can be made through the payroll or finance offices. A delay in securing the proper paperwork may result in a delay of payment.

Inviting scholars, experts, and practitioners from abroad involves considerable time and effort by the College and by the visitor. When applying for support for scholars and others from abroad, faculty members must consider the amount of time required to secure an appropriate visa, usually a J-1 visa. Ideally, two to four months are needed to secure a visa, though more time may be needed to secure a visa for a scholar from a developing country or a country that the U.S. government regards with suspicion.

Airline tickets should not be purchased for the foreign visitor until his or her visa status is confirmed.

For more information on foreign visitors, please contact the dean of the faculty's office, 753-6982.

Jury Duty

Members of the College community are encouraged to serve, as a matter of good citizenship, when called upon for jury duty or as a court witness. General information on jury duty for employees is outlined in the *Employee Handbook* (Section 411).

When faculty members are called for jury duty during semesters or the Short Term in which they are teaching, their obligation to their students may be adversely affected by prolonged or unpredictable absences. Faculty members called for jury duty during regular teaching periods may have significant problems meeting their academic responsibilities, therefore they are advised to request a deferment from the court. Such a request must be made in writing to the appropriate court, and should explain that the faculty member's teaching obligations cannot be met by a substitute. The faculty member should request a deferment of their service until the summer or the next term in which they are not teaching.

Commencement and Convocations

Faculty are expected to be present for Commencement and convocations. Dress for these and other ceremonial occasions is academic, appropriate to the highest earned degree. Faculty members actively working on a higher degree than presently held, and who may reasonably be expected to receive this degree in a few years, will be considered appropriately dressed in bachelor's gown without hood. Catalogs and price lists of most manufacturers of academic dress are available in the College Store. Such purchase, expected by the College, may be a tax-deductible expense. The College also lends caps and gowns (but not hoods) to faculty who need them for College ceremonies.

The dean of the faculty's office sends announcements to the faculty regarding events requiring academic dress and borrowing regalia.

Bates Communications and Marketing Office

The Bates Communications and Marketing Office (BCO) is responsible for raising the visibility of Bates as a powerful and innovative leader in the liberal arts. The office is charged with telling the College's story across multiple channels to its diverse audiences, including students, faculty, and staff. With broad expertise in marketing, media relations, social media, print and digital design, and multimedia content curation, BCO supports the College's goals, and provides strategic direction for its overall internal and external communications. For more information, please visit bates.edu/communications/.

The College Store

The College Store sells Bates merchandise, office and school supplies, sundries, and books by Bates authors. The College Store also manages textbook orders and course materials.

Any on-campus sale of any textbook or course material must be made through the College Store. If students are charged for lab manuals, coursepacks, or any other supplementary course materials, the transaction must be made through the College Store, even if these course materials are written, published, or printed within or by departments or programs of the College. Faculty must notify the College Store of changes to their textbook list any time changes are made before or during a term. This includes but is not limited to adding a book, canceling a book, changing the status of a book (i.e., required to optional), adding supplementary materials or supplies, version or edition preferences, etc.

The federal Higher Education Opportunity Act of 2008 requires colleges and universities to make information on textbooks and other course materials available to students well in advance of the course so that students are aware of additional costs of taking the course. The statute requires that the College disclose, at the registration period on the Bates course schedule on the Garnet Gateway and in other formats, the International Standard Book Number (ISBN) and retail price information of required and recommended college textbooks and supplemental materials for each course listed. Faculty must submit lists of textbooks and other class materials to the course materials buyer of the College Store in a timely manner in order to meet this requirement; the buyer contacts faculty with requests for each module or term (fall, winter, and Short Term). Text deadlines and other general information can be found on the College Store's website store.bates.edu/pages/faculty-resources.

Academic Administrative Assistants

Support services are offered to all faculty through academic administrative assistants (AAAs). For extra scholarship support, especially during summer months, please contact Jason Scheideman, assistant dean for budgets and administration and the supervisor of the AAAs via email at jscheide@bates.edu or at 207-753-6982.

ACADEMIC ADMINISTRATIVE ASSISTANTS (AAAs) primarily provide support to assigned departments and programs; the nature of their work varies according to the needs of those departments and programs. AAAs are located across campus in the Bonney Science Center, Carnegie Science Hall, Hathorn Hall, Pettigrew Hall, Olin Arts Center, Roger Williams Hall, and Hedge Hall. They assist faculty with materials pertaining to course work. They also support departments, programs, and committees, including maintaining websites and faculty expertise pages. They assist in organizing and publicizing special events sponsored by departments and programs. They support searches, oversee student workers, maintain supplies and equipment, provide word processing and database management, and conduct day-to-day operations such as photocopying, scanning, answering telephones, and filing. They also may be assigned special project work by the dean of the faculty's office. More information can be found at bates.edu/dof/about/aaa/aaa-guidelines/.

Post & Print

Post & Print is located at 65 Campus Avenue, adjacent to the College Store. **Post Services.** Post Services provides options for shipping and mailing such as selling stamps, packing materials, and boxes for U.S. Mail, FedEx, UPS, and DHL, both for personal and business use. Post Services assists with bulk mail fulfillment and addressing.

A campus mail route delivers mail and packages to administrative and academic buildings three times per week. Outgoing mail is picked up from these locations. Mail sent to students should include the students' name and virtual box number, available through the college directory at bates.edu/directory.

Print Services. Print Services provides design, layout, digital print, and wide-format printing for interior and exterior spaces, including wall signage and banners. Print Services provide specialty printing for research and presentation posters, booklets, course and lab materials, and signage for indoor or outdoor use. Bindery services include spiral and heat binding, folding, collating, stapling, and laminating. Available for order are Bates branded stationery, business cards, envelopes, paper (colored and recycled), and labels. Jobs should be submitted via email in pdf format to postandprint@bates.edu.

Parking

Faculty members must register their vehicles with the Security and Campus Safety Office and receive a parking permit *prior* to parking on campus. There is no charge for registration. Once a parking permit has been obtained and attached to the left rear passenger side window of the vehicle, faculty members should park in any designated parking space allotted for faculty and staff. Failure to do so results in ticketing of the car. Parking tickets can be appealed within one week of issue. Failure to appeal within the allotted timeframe will result in automatic payroll deduction from the next scheduled payment of wages. Parking on city streets is regulated and enforced by the city of Lewiston. Some street parking restrictions are enforced by the Lewiston Police Department during the winter months. Parking tickets should be paid in full within two weeks of issuance.

Keys

New faculty request keys through the dean of faculty's office. The key request is forwarded to the access control office for key pick up. Current faculty who need a key should request the key through their department or program chair. Please see bates.edu/access/ for office hours.

Faculty on leave are required to return their college keys to the access control office to be held while they are away. Faculty leaving the employment of the College are required to return all Bates keys by the termination date of the contract. In the case of unreturned keys, locks are changed and the department is charged the cost of rekeying and issuing new keys.

Lost keys must be reported to the access control office immediately. Replacement key requests are reviewed by the director of security and campus safety for approval. Rekeying charges for lost keys are charged to the department.

Identification Cards

All faculty are issued Bates identification cards bearing a photograph, Bates ID number, and barcode. The exterior doors of all academic and athletic buildings are equipped with electronic access. Bates ID cards are used to access those buildings by presenting the ID card at the card reader. Bates ID cards are also used for library circulation; admission to athletic facilities, key issuance, and admission to some College events.

Event and Space Reservation Procedures

Members of the faculty, in connection with their courses and regular advisory functions, and student groups recognized by the Bates College Student Government, are invited to make use of College facilities and service, subject to established policies. So that an orderly coordination of demand and available space or service can be

maintained, an online event reservation system is available for space reservations. Faculty are expected to follow reservation procedures whenever they need space, equipment, or services not regularly assigned to them. During the times of day when classes meet, all classrooms are assigned only by the registrar. During times when classes do not meet, classrooms may be reserved through the online system events.bates.edu.

Reservations for meetings and special events may be submitted by faculty members through the online reservation system, which can be found at events.bates.edu. Information on the reservation form includes a brief description of the event planned, its scheduled time, the space and/or services requested, the name of the sponsoring organization along with the individual making the request, and the type of publicity needed, if any. Once submitted, the reservation is approved by the appropriate office, the event may be listed in the online events calendar, and the facilities, services, and/or announcements are provided as requested. For additional information and answers to frequently asked questions about the system please see the terms and conditions section of the reservation form or visit the website at bates.edu/conference/scheduling-space-on-campus/ or contact Kelly Perreault at ext. 6299 or via email at kperrea2@bates.edu.

It is important that requests for space use or service be submitted at least five working days before the time of the event to ensure that the various offices may be notified of their obligations. When catering is required for an event, a request should be made to the catering office at least five working days before the event to avoid a significant late charge (see bates.edu/dining/services/catering/ for catering information). When the service of alcoholic beverages is requested for an event in any space except Commons, the request must be made at least three weeks in advance as a state liquor license must be secured so that liquor can be served. In unusual circumstances requests may be processed more quickly, but in such cases there should be a compelling reason why the usual procedures could not be followed. Events that require publicity beyond the Bates campus rely upon the efforts of the Bates Communications Office. The Communications Office should be contacted as soon as the event is scheduled so as to enable the meeting of publication deadlines for the *Monthly Calendar* and semester calendar of cultural events.

The online calendar is available for consultation at all times at events.bates.edu. The system lists current events scheduled and approved by location. This scheduling system should be checked before final planning of an event. Whenever possible, significant events should not be scheduled in conflict.

Bates College scheduling policies and guidelines are available at bates.edu/conference/scheduling-space-on-campus/.

College Emergencies Policies and Procedures

(including weather emergencies)

The Senior Emergency Response Group (SERG) determines the existence and nature of an emergency (including weather emergencies) affecting the college, and initiates appropriate action and communication regarding such events. SERG will continue to serve during the emergency, to coordinate the college's efforts, and to advise the President on decisions regarding the emergency. All faculty members should be familiar with the policies and procedures regarding campus emergencies, including weather emergencies, which are described in detail on the following websites:

bates.edu/security/emergency-preparedness/SERG/

(General information, weather emergencies, and emergency announcements)

bates.edu/security/emergency-preparedness/college-emergency-procedures/

(Fire, crimes, or vehicular accidents)

In the event of an emergency, SERG will determine whether or not college services are to remain open. When services are interrupted or if the college is to close, an announcement will be made at www.bates.edu and through the college's emergency notification service, Blackboard Connect. If college offices are closed, only those personnel already defined in advance by the director of the department as "essential" should report for work; no other personnel should report. "Essential" personnel will be needed only to preserve safety, health, and maintenance functions. If

college offices are declared open, all personnel should assume that they report to work. When an emergency is declared and only essential staff employees report, the staffing is minimal in offices and services of the college; the Library and Commons remain open, while Technology Services are not available. While emergencies can take many forms, most, in Maine, involve weather. Snow does not by itself constitute an emergency. As a residential college, every effort is made to keep the campus open to support our students and their education. Closure – which can be a full day, a delayed start, or an early close – occurs when a unique hazard exists on campus, when the college facilities team is unable to suitably prepare the campus to be open, or if extreme weather is present, particularly during regular commuting hours.

Policy for Holding Classes in Emergencies.

If the College is closed, classes are cancelled. This information is communicated through the Blackboard Connect platform to the College community, and on the website if it is operating.

Instructors may make up the class at a later date, rescheduling during regular class meetings times using the campus calendar and web request to schedule an appropriate room and time.

The registrar will identify replacement days (e.g., an available weekend day) to make up for educational opportunities that are impossible to replace such as theater, dance, and musical performances, science laboratory sections that cannot fit into the regular grid, etc. More information on weather emergencies can be found on bates.edu.