



COLLEGE of PHARMACY *and* HEALTH SCIENCES

1215 Wilbraham Road
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**COLLEGE OF PHARMACY AND
HEALTH SCIENCES**

FACULTY HANDBOOK

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MISSION

The Western New England University College of Pharmacy and Health Sciences will prepare entry-level practitioners to provide pharmacy care to an increasingly diverse patient population in a variety of practice environments. The comprehensive learner-centered educational program will foster critical thinking skills, embrace professionalism, and instill a commitment to life-long learning, community service, and leadership. The College will enhance the knowledge base of the pharmacy profession through teaching, service, research, and scholarly activity.

VISION

The Western New England University College of Pharmacy and Health Sciences will be prominently known for excellence in the preparation of pharmacy practitioners as educators of patients and other health care professionals and leaders for the betterment of patient care and the community.

VALUES

Our values reflect our mission at Western New England University College of Pharmacy and Health Sciences. Our culture will be created by our values. It is our belief that this culture will model the values of our learners, who will carry them on to future generations.

- We value personal and professional development through life-long learning. Our program creates an environment for faculty, learners, and pharmacy practitioners to learn, maintain, and expand their knowledge, skills, and attitudes in order to provide pharmacy services and meet the health care needs of the patients they serve.
- We value a learner-centered approach to education. Our educational program is focused on our learners who are primarily responsible for attaining their own educational outcomes; faculty and staff help guide and facilitate the learning process in partnership with learners.
- We value teamwork and collaboration. Achievement and success result from the contributions from all team members (learners, faculty, staff, patients, pharmacy practitioners, and other health care professionals). Teamwork and collaboration are essential in creating optimal patient care outcomes.
- We value professionalism. We believe professionalism is defined by the principles of excellence, humanism, accountability, and altruism.
- We value the belief that the provision of pharmacy care is a privilege which requires engendering the trust of patients and other health care professionals.
- We value an open learning environment – defined as informed discussions for the betterment of the College of Pharmacy and Health Sciences for our community of learners (faculty, staff, learners, and practitioners).
- We value the pursuit of new knowledge. We are committed to the research and scholarship of our community of learners.
- We value innovation and forward thinking. Our commitment is to prepare learners for pharmacy practice, using practice models of today and innovative models destined to be those of the future.
- We value service, advocacy and leadership. Our commitment is to serve the community (local and global) both as citizens and health care professionals.

A. INTRODUCTION

SECTION 1 PREFACE

1.1. The specific nature of Western New England University (WNE) and its commitment to service focus attention directly on the learners, who are its reason for being. The Western New England University College of Pharmacy and Health Sciences strongly supports the mission and core values of its parent institution. Faculty are hired primarily for their competence to teach in the light of individual training and experience. Also evident in the College Mission Statement is the role of service and scholarship which complement the learning process. Since the College is guided by its Mission Statement, approved by faculty, support of its goals are incumbent upon those faculty accepting appointments. Faculty will bear responsibility for the development, delivery, and assessment of an educational process of the highest quality in order to fulfill professional outcomes required by the degree.

1.2. The College of Pharmacy and Health Sciences Faculty Handbook is intended to accomplish the following:

- (a) To specify the employment rights and responsibilities of the faculty. It is considered a part of the contract issued upon appointment and all subsequent salary letters and/or letters of appointment.
- (b) To bring together those College policies, regulations, and procedures which apply directly to faculty or which are important for the faculty's understanding of the functioning of the College.
- (c) To provide a guide to the College's organization and governance.

1.3. The Faculty Handbook contains College policies, procedures, and other information in effect as of July 1, 2010. Any subsequent changes in policies, procedures, or employment terms are incorporated in the next annual contract issued by the College to the faculty after such changes are adopted by the Board of Trustees. Changes in the Faculty Handbook are effected in accordance with the procedure specified in Section 2.

1.4. The Faculty Handbook is reflective and modeled in several areas by the Western New England University Faculty Handbook twelfth edition and the Western New England Law Faculty Handbook. Our gratitude is hereby expressed to all who contributed to those handbooks. This current volume of the College of Pharmacy and Health Sciences Faculty Handbook has adopted areas specific to the College of Pharmacy and Health Sciences. It was created and reviewed by the founding faculty of the College.

1.5. The College of Pharmacy and Health Sciences Faculty Handbook is meant to supplement the WNE employee policy, procedure and benefit information found in the Employee Handbook.

SECTION 2 PROCEDURES FOR REVISING THIS FACULTY HANDBOOK

2.1. Changes to this Faculty Handbook are discussed and implemented through the cooperative efforts of the Faculty, Administration, and the Board of Trustees. The procedures for implementing changes to the Faculty Handbook are as follows.

2.1.1. Notification of the need to make changes to the Faculty Handbook will be sent to the Office of the Dean, by the person(s) requesting the change(s).

2.1.2. The Office of the Dean must notify the Faculty Affairs Committee of the requested change(s) and provide a deadline by which the Committee must provide a recommendation as well as any deadline

by which the revision work is to be completed. The Committee will consider the request and report the results of its deliberations to the Dean.

2.1.3. The Dean will transmit the results of these deliberations, any referendum vote of the Faculty, and any additional material developed by the Faculty or the Administration in support of or against the proposed change(s) to the Provost for his/her consideration. The Provost will transmit the information received from the Dean along with his/her recommendation directly to the President of the University for his/her consideration. The President will transmit the information received from the Provost along with his/her recommendations to the Board of Trustees through its Academic Affairs Committee for its acceptance or rejection of the proposed amendments. The action of the Board is final.

B. PERSONNEL POLICIES: CONTRACTUAL

SECTION 1 DEFINITION OF FACULTY

1.1. A person is a member of the Faculty of the College of Pharmacy and Health Sciences if he/she is a full-time member of the faculty, as defined in the College of Pharmacy and Health Sciences Bylaws, or if he/she is an administrative officer who has been recommended by the College of Pharmacy and Health Sciences and designated by the President as having full faculty status. The Faculty of the College of Pharmacy and Health Sciences shall be responsible for the governance of its affairs including, but not restricted to, learner policies, curricular matters, recommending faculty promotion and contract policies, and such operational policies as may be specified by the Bylaws.

1.2. Recruitment of the Faculty is to be in accordance with Appendix 1.

SECTION 2 ACADEMIC FREEDOM

2.1. The Western New England University College of Pharmacy and Health Sciences recognizes the rights of faculty to inquire, discover, teach, and publish in accordance with the accepted principles and standards of professional practice and scholarship. Members of the College of Pharmacy and Health Sciences faculty are entitled to full freedom in research and in the publication of its results, subject to the adequate performance of other academic duties.

2.2. Any speech or conduct expressing disrespect for the race, ethnicity, nationality, sexual orientation, gender, religious affiliations, age, physical and mental disabilities, and other protected classes of individuals is not sanctioned by academic freedom. Inquiry and discussion are to be conducted in an atmosphere of respect for persons and their right to express and to defend rationally their points of view in and outside the classroom.

2.3. When a faculty member speaks or writes as a citizen, he/she should be free from institutional censorship or discipline, but his/her special position in the community imposes special obligations. Faculty members must remember that the public judges the profession and the institution by their utterances. Hence, the faculty member should at all times strive to be accurate, exercise appropriate restraint, and show respect for the opinions of others. It is understood that faculty members do not represent the College of Pharmacy and Health Sciences when they present their views in public and shall attempt to avoid misunderstandings to the contrary.

2.4. The University's library services, books and all other materials selected for use by the College of Pharmacy and Health Sciences and all other materials, are chosen for values of interest, information and enlightenment of all members of the academic community. In no case may materials be excluded because of the race, ethnicity, nationality, sexual orientation, political or religious views of the authors. Library materials may not be excluded from the library because of ecclesiastical, ideological, or political pressures from inside or outside of the University.

2.5. The College of Pharmacy and Health Sciences supports faculty members in the exercise of rights of academic freedom as defined herein.

SECTION 3 CONTRACTS

3.1. The College of Pharmacy and Health Sciences issues three (3) kinds of contracts to faculty

members:

3.1.1. Initial appointment contracts. These specify all initial conditions of academic appointments. Initial contracts are issued at the time of appointment to the faculty.

3.1.2. Annual renewal contracts/salary letters. These specify changes in salary and/or other special mutually agreed upon assignments for tenured faculty members and/or tenure-track faculty members whose appointments continue. Renewal contracts and salary letters for tenured faculty are issued no later than March 15th of each calendar year.

3.1.3. Contracts for visiting and other non-tenure-track faculty. These are one (1) or multi-year non-tenure-track contracts issued to faculty filling non-tenure-track positions. One-year and multi-year non-tenure-track faculty members are bound by all of the relevant sections of the Faculty Handbook. One year contracts for non-tenure-track faculty such as, Clinical Assistant Professor, are renewable up to six times. Contracts for non-tenure-track faculty for example, Clinical Associate Professor, are three year contracts renewable an indefinite number of times. Contracts for non-tenure-track faculty such as, Clinical Professor, are five year contracts renewable an indefinite number of times. Contracts such as for visiting faculty are ordinarily for one-semester or one year.

3.2. All contracts and salary letters are issued in writing by the President or his/her designee. The University and College of Pharmacy and Health Sciences disclaim, do not honor, and are not bound by any and all oral promises of employment. No member of the Board of Trustees, officer, or employee of the University is authorized to make oral promises of employment or any conditions thereof.

3.3. Faculty members of the College of Pharmacy and Health Sciences are governed by the provisions of the Faculty Handbook, which are incorporated by reference in each and every faculty contract unless otherwise specified in the faculty member's initial contract or renewal letter. Since the provisions of the Faculty Handbook evolve, faculty members are bound each year, unless otherwise specified, by all revisions to the Faculty Handbook approved by the Board of Trustees in accordance with the procedures for revision contained herein.

3.4. Initial contracts shall be considered executed when signed by the appointee and returned to the Provost's Office no later than fifteen (15) calendar days from the date of issuance indicated on the appointment contract.

3.5. Renewals of Faculty Contracts:

3.5.1. Continuing faculty members must return renewal contracts to the Provost's Office no later than April 1st or fourteen (14) days after the issuance of contracts, whichever is later. The failure of a faculty member to return a signed contract within the prescribed period shall be deemed to be a resignation, unless the Provost is notified in writing by the faculty member during such fourteen (14) day period of a need for an extension and the Provost agrees to an extension. If a faculty member fails to return his/her contract within the specified period or any further period agreed to by the Provost, the Provost shall notify him/her by certified mail to the last address provided to the University by the faculty member that unless he/she returns a signed contract within fourteen (14) days of the faculty member's receipt of such letter, his/her resignation will be accepted. If the Provost does not thereafter receive a signed contract, or other response acceptable to the Provost, within fourteen (14) days of the faculty member's receipt of the certified mail, as it appears on the return receipt, the University may consider the faculty member to be dismissed at the end of his/her existing contract and take steps to replace the faculty member unless there is a presentation of extenuating circumstances.

3.6. Non-Renewals of Tenure-Track Faculty Appointments:

3.6.1. The University and College of Pharmacy and Health Sciences reserves the right to recruit and retain the best qualified faculty members within its means. The service of tenure-track faculty members prior to the granting of tenure by the Board of Trustees is probationary. The decision of the University and College of Pharmacy and Health Sciences to not renew a tenure-track faculty member shall not be arbitrary, capricious, or discriminatory.

The University may elect not to renew the contract of a tenure-track faculty member if a) in the prior two (2) years he/she fails to be rated as proficient in teaching or is rated as unacceptable in teaching by the Dean and Department Chair, b) enrollments or other staffing needs of the University require it, or c) the faculty member's conduct within the University seriously and persistently interferes with his/her own or others' professional responsibilities, or d) in the prior two (2) years unacceptable performance in research/scholarship, service, or clinical practice. The decision to renew or not renew a tenure-track faculty member is made by the President after receiving the recommendations of the Provost, the Dean, and Department Chair. Notices of non-renewals must be issued by the President or her/his designee to a tenure-track faculty member in writing no later than March 15th of the first full academic year of service, and no later than December 15th of the current academic year of service, if the faculty member has served one (1) or more complete academic years.

3.7. Non-Renewals of Non-tenure Track Faculty Appointments:

3.7.1. The University and College of Pharmacy and Health Sciences reserves the right to recruit and retain the best qualified faculty members within its means. The service of non-tenure-track faculty members prior to achieving rank of Associate or Clinical Associate Professor is probationary. However, the decision of the University and College of Pharmacy and Health Sciences to not renew a non-tenure-track faculty member shall not be arbitrary, capricious, or discriminatory. Contracts for visiting faculty are for specified time frames and are not automatically renewed.

The University may elect not to renew the contract of a non-tenure-track faculty member if a) in the prior two (2) years he/she fails to be rated as proficient in teaching or is rated as unacceptable in teaching by the Dean and Department Chair, b) enrollments or other staffing needs of the University or College require it, or c) the faculty member's conduct within the University or College seriously and persistently interfere with his/her own or others' professional responsibilities, or d) in the prior two (2) years unacceptable performance in research/scholarship, service, or clinical practice. The decision to renew or not renew a non-tenure-track faculty member is made by the President after receiving the recommendations of the Provost, the Dean, and Department Chair. Notices of non-renewals must be issued by the President or her/his designee to a non-tenure-track faculty member in writing no later than March 15th of the first full academic year of service, and no later than December 15th of the current academic year of service, if the faculty member has served one (1) or more complete academic years.

SECTION 4 ACADEMIC ORGANIZATION AND OFFICERS

4.1. The faculty of the College of Pharmacy and Health Sciences shall be organized into two academic departments, according to professional or scientific area and teaching discipline. These departments shall be known as: (1) The Department of Pharmaceutical and Administrative Sciences, and (2) The Department of Pharmacy Practice. Additional departments, which may be created to meet future needs of the College, shall be formed and governed in accordance with the Faculty Handbook.

4.2. The Department of Pharmaceutical and Administrative Sciences is composed of tenure-track and non-tenure-track academic appointments.

4.2.1. Academic Rank appointments in the Department of Pharmaceutical and Administrative Sciences. Appointment to a specific rank is based on the candidate's abilities, academic background, and current degree. Rank will be defined in the letter of appointment at the time the faculty member is hired.

4.2.1.1. **Instructor** Eligibility for appointment requires the individual to possess the training, experience and credentials necessary to contribute to the teaching, research/scholarship, and service mission of the College of Pharmacy and Health Sciences, as defined in his/her contract. Such faculty will not be eligible for promotion or tenure. Reappointments for one year are renewable based on his/her annual review.

4.2.1.2. **Assistant Professor** Appointment to the rank of Assistant Professor, tenure-track or non-tenure-track, is to be based upon potential. The candidate should have a strong academic record and should possess the highest applicable degree. There should be a clear indication that the individual has the aptitude for successful performance of the professional responsibilities assigned to him/her and the potential for significant growth in teaching, research and scholarly activity, and service which shall eventually qualify him/her for the rank of Associate Professor.

4.2.1.3. **Associate Professor** Appointment or promotion to the rank of Associate Professor, tenure-track or non-tenure-track, is based upon the actual performance as well as the potential for further development. The individual should be growing professionally as well as technically, as an excellent teacher and independent scholar. The candidate shall be recognized for his/her accomplishments at the regional or national level.

4.2.1.4. **Professor** Appointment in this tenure-track or non-tenure-track position represents the highest academic rank and, as such, implies that the individual is recognized by peers in his/her profession as an accomplished individual in the field of specialization, and by associates and learners as an excellent teacher and independent scholar. The candidate shall be recognized for his/her accomplishments at the national or international level.

4.2.1.5. **Visiting** Full-time, non-tenure-track faculty members whose appointment is for a limited duration and are not intended for renewal shall hold the academic rank of Visiting Instructor, Visiting Assistant Professor, Visiting Associate Professor, or Visiting Professor depending upon the qualifications of the individual. The appointments are made at the discretion of the Dean with approval of the Provost.

4.2.1.6. **Adjunct** Full or part-time, non-tenure faculty members in this non-tenure-track shall hold the academic rank designation of Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor, or Adjunct Professor depending upon the qualifications of the individual. Adjunct faculty appointments are intended for individuals who provide important programmatic contributions on a continuous, but limited and often uncompensated, basis.

4.2.1.7. **Research** Full or part-time, non-tenure-track faculty members whose major responsibilities involve research shall hold the title of Research Instructor, Research Assistant Professor, Research Associate Professor, or Research Professor depending on the qualifications of the individual. Although such individuals may have some negotiated responsibilities in the area of teaching and/or service, this title series is reserved for those individuals who are appointed essentially as full-time researchers.

4.3. The Department of Pharmacy Practice is composed of tenure-track and non-tenure-track academic appointments.

4.3.1. Academic Rank for Tenure-track appointments in the Department of Pharmacy Practice. Appointment to a specific rank is based on the candidate's abilities, academic background, and current degree. Rank will be defined in the letter of appointment at the time the faculty member is hired.

4.3.1.1. **Assistant Professor** Appointment to the rank of Assistant Professor should be based upon potential. The candidate should have a strong academic record and should possess the highest applicable degree. There should be a clear indication that the individual has the aptitude for successful performance of the professional responsibilities assigned to him/her and the potential for significant growth in teaching, research and scholarly activity, and service which shall eventually qualify him/her for the rank of Associate Professor.

4.3.1.2. **Associate Professor** Appointment or promotion to the rank of Associate Professor is based upon the actual performance as well as the potential for further development. The individual should be growing professionally as well as technically as an excellent teacher and independent scholar. The candidate shall be recognized for his/her accomplishments at the regional or national level.

4.3.1.3. **Professor** This represents the highest academic rank and, as such, implies that the individual is recognized by peers in his/her profession as an accomplished individual in the field of specialization, and by associates and learners as an excellent teacher and independent scholar. The candidate shall be recognized for his/her accomplishments at the national or international level.

4.3.2. Academic Rank for Non-tenure-track appointments in the Department of Pharmacy Practice. Appointment to a specific rank is based on the candidate's abilities, academic background, and current degree. Rank will be defined in the letter of appointment at the time the faculty member is hired.

4.3.2.1. **Clinical Instructor** Eligibility for appointment requires the individual to possess the training, experience and credentials necessary to contribute to the teaching, research/scholarship, service and clinical practice mission of the College of Pharmacy and Health Sciences. Such faculty will not be eligible for promotion. Reappointments for one year are renewable based on his/her annual review.

4.3.2.2. **Clinical Assistant Professor** Appointment to the rank of Clinical Assistant Professor should be based upon potential. The candidate should have a strong academic record and should possess the highest applicable degree. There should be a clear indication that the individual has the aptitude for successful performance of the professional responsibilities assigned to him/her and the potential for significant growth in teaching, research and scholarly activity, clinical practice and service which shall eventually qualify him/her for the rank of Clinical Associate Professor.

4.3.2.3. **Clinical Associate Professor** Appointment or promotion to the rank of Clinical Associate Professor is based upon the actual performance as well as the potential for further development. The individual should be growing professionally as well as technically as an excellent teacher, independent scholar and clinical professional. The candidate shall be recognized for his/her accomplishments at the regional or national level.

4.3.2.4. **Clinical Professor** This represents the highest academic rank and, as such, implies that the individual is recognized by peers in his/her profession as an accomplished individual in the field of specialization, and by associates and learners as an excellent teacher and independent scholar. The candidate shall be recognized for his/her accomplishments at the national or international level.

4.3.3. Academic Rank for Non-tenure-track Clinical Adjunct and Adjunct appointments in the Department of Pharmacy Practice. Appointment to a specific rank is based on the candidate's abilities, academic background, and current degree. Rank will be defined in the letter of appointment at the time the faculty member is hired. These one year appointments are for faculty with not more than a fifty percent commitment and compensation from the University. These faculty will undergo annual reviews for reappointment.

4.3.3.1. **Clinical Adjunct** All part-time faculty members in this non-tenure-track shall hold the title of Clinical Adjunct Instructor, Clinical Adjunct Assistant Professor, Clinical Adjunct Associate Professor, or Clinical Adjunct Professor depending upon the qualifications of the individual. These clinical appointments are for faculty with not more than a fifty percent commitment and compensation from the University.

4.3.3.2. **Adjunct** All part-time faculty members in this non-tenure-track shall hold the academic rank designation of Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor or Adjunct Professor depending upon the qualifications of the individual. Adjunct faculty appointments are intended for individuals who provide important programmatic contributions on a continuous, but limited and often uncompensated, basis.

4.4. Each department shall formulate and follow a departmental role and mission statement and goals, which are in support of the role, mission and goals of the College. This mission and role of the department shall also adequately and appropriately support the special and unique faculty needs of that department, and shall also effectively contribute to the development and delivery of the professional curriculum, to policy pertaining to faculty governance, and academic standards.

4.5. Each department shall be allocated a separate operational budget, and a member of the departmental faculty appointed to such responsibility by the Dean with the approval of the Provost shall administer each. These administrators shall be the academic department faculty chairs, and each will be responsible for providing leadership and governance to all faculty and staff appointed to that department. Departmental Chairs in the College of Pharmacy and Health Sciences shall serve at the discretion of the Dean with the approval of the Provost.

4.6. A Departmental Chair may be assisted in his/her responsibilities by other faculty members appointed to serve as vice departmental chairs. Such appointments, like that of the chairs, are through approval by and action of the Dean.

4.7. Organizational Officers

4.7.1. Dean of the College of Pharmacy and Health Sciences

4.7.1.1. The Dean of the College of Pharmacy and Health Sciences, as the presiding officer of the faculty, is the primary faculty organizational officer responsible for all faculty and learner activities and academic business directed to the successful completion of the role and mission of the College of Pharmacy and Health Sciences. The Dean of the College of Pharmacy and Health Sciences is appointed by and serves at the discretion of the President and Provost.

4.7.1.2. Other faculty members, appointed to administer specific responsibilities delegated to them by the Dean, shall assist the Dean of the College of Pharmacy and Health Sciences. Such additional faculty officers shall be: (1) The Assistant/Associate Deans for Academic Affairs, Student Affairs, and Experiential Affairs; (2) academic department chairs; and (3) other program administrators who may be

appointed as department vice chairs, chiefs of clinical services, directors or coordinators. Faculty officers are appointed by and serve at the discretion of the Dean with the approval of the Provost.

4.7.2. Assistant/Associate Dean for Academic Affairs

4.7.2.1. The Assistant/Associate Dean for Academic Affairs leads the office of Academic Affairs and serves as an advocate for the curriculum, academic standards and integrity, and College of Pharmacy and Health Sciences both within the program and to external constituents.

4.7.3. Assistant/Associate Dean for Student Affairs

4.7.3.1. The Assistant/Associate Dean for Student Affairs leads the office of Student Affairs and prepares admission activities, learner professionalism activities, learner conduct, and learner leadership for the learner within the College of Pharmacy and Health Sciences.

4.7.4. Assistant/Associate Dean for Experiential Affairs

4.7.4.1. The Assistant/Associate Dean for Experiential Affairs prepares, coordinates, and implements the different aspects of the experiential program within the College of Pharmacy and Health Sciences.

4.7.5. Chair, Department of Pharmaceutical and Administrative Sciences

The primary role of the chair of the Department of Pharmaceutical and Administrative Sciences is to provide day to day management of departmental matters, including faculty and staff hiring, evaluation, and development, coordination of courses, research and scholarly activity and budget actions.

4.7.6. Chair, Department of Pharmacy Practice

The primary role of the chair of the Department of Pharmacy Practice is to provide day to day management of departmental matters, including faculty and staff hiring, evaluation, and development, research and scholarly activity, coordinate residency/fellowship education, coordination of courses, and budget actions.

SECTION 5 PROCEDURES FOR ANNUAL REVIEW, REAPPOINTMENT, PROMOTION, AND TENURE FOR FACULTY

5.1. All faculty will undergo an annual review. Annual reviews provide a basis for decisions on reappointment, promotion, tenure, and salary. The review process includes submission of an Annual Activity Report (AAR), discussion between the Chair and faculty member, and the Department Chair's written evaluation. The AAR is a narrative of accomplishments, and must separately cover each of the evaluative categories relative to the appointment level of the faculty member (see Appendix 1). During the annual review, the Department Chair can comment, counsel and advise on all aspects of the Annual Activity Report (AAR) followed by the Department Chair performing a formal faculty review. All annual reviews are signed by the Dean who can offer additional comment.

5.1.1. Faculty who request promotion and/or tenure will be reviewed by the Promotion and Tenure Committee. Faculty submit a formal request to the Dean's office containing two copies of a Dossier, which includes an executive narrative; AAR's and Department Chair's prior written evaluations; updated CV; documentation of teaching, service, scholarly/research activity, and clinical practice activity; contact information of internal and external references; and supplementary material, as described in Section 6 and Appendix 2. Complete timelines for annual review, promotion and tenure are found in Appendix 4.

SECTION 6 EVALUATION CRITERIA FOR ANNUAL REVIEW, REAPPOINTMENT, PROMOTION AND/OR TENURE

6.1. The following evaluative categories, or areas of responsibility, are to be assessed in the process leading to recommendations for reappointment, promotion and/or tenure: Teaching, Research/Scholarship, Service, and Clinical Practice (where appropriate). The weighting of each of these areas for annual review and merit salary increases are recommended by the faculty member in their annual individual growth plan and must have been approved by the Department Chair in consultation with the Dean at the beginning of the year of the performance under review. Guidelines for writing an individual growth plan can be found in each department's policy and procedure manual.

6.2. The review process described herein provides for evaluation of all full-time members of the faculty for annual review/reappointment, tenure and/or promotion. The evaluation of a faculty member for his/her annual review is the joint responsibility of the faculty member and his/her Department Chair. The evaluation of a faculty member for promotion and/or tenure is the joint responsibility of the Promotion and Tenure Committee, Department Chair, Dean, Provost, President, and for tenure, the Board of Trustees. Faculty members shall be evaluated in three (3) or four (4) evaluative categories, depending on which department the faculty member has his/her appointment. The only evaluative terms to be used are: unacceptable, competent, proficient, and excellent. The examples that follow each evaluative term are not to be construed as all inclusive. The categories, criteria and permitted range of weightings are given below. The total weighting may not exceed one hundred percent (100%).

6.2.1. In the review, each faculty member shall inform the Department Chair and Dean of the weightings of each of the categories to be evaluated. It is important that the Dean and Chair evaluate each of the three (3) or four (4) evaluative categories in the same way for all faculty members of equivalent rank.

6.2.2. Mid-appointment review: Each faculty member (tenure-track and non-tenure track) shall undergo a full review of progress toward promotion to Associate Professor by the Promotion and Tenure Committee in his/her third year of continuous service. This review shall ensure that if any criteria for evaluation of teaching, research/scholarship, service and practice have been substituted for and/or amended, they are acceptable to the committee.

6.3. Teaching

6.3.1. The average weighting for teaching for each individual faculty member will be 50%.

6.3.2. At the beginning of each contract year, faculty members and their Department Chair shall discuss how the following criteria will be used to determine the elements of acceptable teaching in consultation with the Dean. Faculty members who, in the judgment of the Chair and the Dean, fail to meet the agreed upon expectations may be rated as unacceptable in teaching. Faculty will be assumed to meet the "competent" criteria in 6.3.2.1. through 6.3.2.5. unless there is adequate evidence to show that they do not. That is, the burden of justification lies with the evaluator to show that a faculty member does not satisfy the criteria listed in Appendix 2 rather than with the faculty member to show that he/she does meet the criteria.

6.3.2.1. The faculty member provides learners at the beginning of the semester with a written syllabus that includes: course objectives, office location and posted office hours, course requirements and grading policies, attendance and other policies, outline of topics to be covered during the semester, and adheres to them.

6.3.2.2. The faculty member's peer and/or Chair reviews, learner experiential rotation site evaluations, and learner evaluations are generally positive.

6.3.2.3. The faculty member has been involved with course and experiential site design, development or implementation.

6.3.2.4. The faculty member's courses and presentations are well organized.

6.3.2.5. The faculty member is tolerant of differing points of view while encouraging critical thinking (tolerance of differing views does not prohibit correcting learners' errors).

6.3.3. To be rated as "proficient" in teaching, a faculty member must also satisfy the following criteria:

6.3.3.1. The faculty member utilizes innovative techniques to motivate learners as well as stimulate and challenge the learners in their courses and/or at the experiential site.

6.3.3.2. The faculty member displays a consistent record of positive peer and/or Chair reviews and learner evaluations.

6.3.3.3. The faculty member has made significant contributions to curricular, course and experiential site design, development or implementation.

6.3.4. To be rated as "excellent" in teaching, a faculty member must also satisfy the following criteria: exhibits a record of outstanding peer and/or Chair and learner evaluations; has played a leadership role in curricular design and innovative teaching methods.

6.4. Research/Scholarship

6.4.1. The average weighting for research/scholarship for each individual faculty member in the Department of Pharmaceutical and Administrative Sciences will be 25% and for each individual faculty member in the Department of Pharmacy Practice will be 15%.

6.4.2. This area can be satisfied by Research or Scholarship or both.

6.4.3. Generally, only an activity that leads to publications or presentations at professional meetings or conferences counts as scholarship. It may be basic, pedagogical, or applied. Research or basic scholarship, leads to the discovery of new knowledge. Pedagogical scholarship is activity that leads to the application, transfer, or interpretation of knowledge to improve practice and teaching in the discipline. Applied scholarship is the use of any basic scholarship in settings appropriate to individual disciplines. Examples of scholarship include but are not restricted to: professional presentations; publications in refereed journals, monographs, articles in trade or popular journals; book reviews; textbooks; creating of application or instructional software; presentations at faculty workshops; grant proposals; written cases with instructional material; publicly available material describing the design and implementation of new courses; inventions; discoveries; patents; and refereed Internet publications. An index of the quality of such scholarship is the degree to which it is peer-reviewed.

6.4.4. Criteria for evaluation: grant applications submitted and approved for funding, peer-reviewed publications resulting from research and/or application of novel teaching methods; presentations at scientific meetings and/or education meetings (e.g. AACP); serving on editorial board of journals, textbooks, etc.; serving on NIH (or other body) review panels, as examples.

6.4.5. In the area of Research/Scholarship, ratings of unacceptable, competent, proficient, and excellent are possible.

6.4.5.1. To be rated as “competent,” in research/scholarship, the faculty member must satisfy the following criteria which may be substituted for and/or amended: research with subsequent publication in peer-reviewed journals in areas of expertise; present scholarly activity at local and national meetings; work collaboratively with members of his/her department and/or the Dean to identify sources of extramural support; active participation by faculty members in learned societies, research activities, and grantsmanship opportunities.

6.4.5.2. To be rated as “proficient” in research/scholarship, the faculty member must also satisfy the following criteria which may be substituted for and/or amended: research with publication in peer-reviewed journals in areas of expertise to begin to establish him/herself as an expert in their field of study; invited presentations at local and national scientific or professional meetings; serve on review boards (e.g. grants, manuscripts, etc.); show evidence of sufficient funding (grants) from outside the College of Pharmacy and Health Sciences to support his/her research efforts.

6.4.5.3. To be rated as “excellent” in research/scholarship, the faculty member must also satisfy the following criteria which may be substituted for and/or amended: have produced a consistent and significant body of scholarly activity and made a substantial contribution in a specific field recognized both nationally and/or internationally; established themselves as an expert in their field; elected to office of national organizations (e.g. AAPS, AACP, ACS, APhA, ASHP, etc.); serve on editorial board of journals and/or textbooks; obtain high level of external funding to sustain research efforts.

6.5. Service to the University/College/Profession/Community

6.5.1. The average weighting for service for each individual faculty member in the Department of Pharmaceutical and Administrative Sciences will be 25% and for each individual faculty member in the Department of Pharmacy Practice will be 15%.

6.5.2. Full-time faculty members are expected to participate actively in the management of the University’s activities on the departmental, College, and/or University-wide level. Relevant governance activities include assisting one’s Chair in departmental business, participating in departmental, College, or University committee work, and advising learners academically. The contribution of instructional faculty in any of these areas will be established in consultation with the faculty member’s Chair and Dean.

6.5.3. Academic advising at the College of Pharmacy and Health Sciences is framed against the College’s Mission Statement and is guided by a commitment to learner academic progress and personal growth. Specifically, academic advising is intended to enhance and support learner learning in an atmosphere of personal concern. Academic advising seeks to engage intellectual growth and self-discovery, and is carried out through a consistent exchange between learner and academic advisor. The aim of the relationship is to prompt learners to develop decision-making skills, set realistic goals, and practice the necessary coping strategies to attain their educational, life, and career goals. Academic advising activity includes but is not limited to assisting learners in their choice of pharmacy career paths, academic objectives, and the means to meeting those objectives.

6.5.4. All faculty are expected to attend the University Academic Convocations and Commencement, College meetings and events, and department meetings. University service includes attending admissions events on or off-campus and working with learner organizations, as well as utilizing the faculty member’s professional expertise in working with the community. Because these activities are a matter of degree,

whether they justify a rating of excellent, proficient, or competent will depend on the extensiveness and quality of the activities.

6.5.5. In the area of service, ratings of unacceptable, competent, proficient, and excellent are possible.

6.5.5.1. To be rated as “competent,” in service, the faculty member must satisfy the following criteria which may be substituted for and/or amended: attending admissions events on or off campus; academic advising; working with learner organizations; utilizing the faculty members professional expertise in working with the community; conducting initial review and adjudication of learner issues as they pertain to course-related activities; serve on College of Pharmacy and Health Sciences Committee(s).

6.5.5.2. To be rated as “proficient” in service, the faculty member must also satisfy the following criteria which may be substituted for and/or amended: act in a leadership role as an effective representative of the College of Pharmacy and Health Sciences in professional and community groups; facilitate service activities within the College of Pharmacy and Health Sciences; chair and/or lead by serving on some College of Pharmacy and Health Sciences committee(s); mentor residents, post-graduates and/or junior faculty.

6.5.5.3. To be rated as “excellent” in service, the faculty member must also satisfy the following criteria which may be substituted for and/or amended: provide leadership in an administrative role at the University, College, Community; and provide leadership in the implementation and support of the University, College, and Departments mission, policies and goals.

6.6. Clinical Practice

6.6.1. The average weighting for clinical practice for each individual faculty member in the Department of Pharmacy Practice will be 20%.

6.6.2. All faculty in the Department of Pharmacy Practice are expected to be role models for pharmacy learners and delivering optimal patient care. Clinical practice is defined as the practice of a faculty member in the provision of professional pharmacy services at the site and in the supervision of experiential learners providing such services. These faculty members will be responsible for developing and maintaining a practice site; maintaining an active role in patient care; participating in inter- and intra-professional collaboration involving therapeutic and laboratory recommendations to optimize patient outcome; and performing scholarly/research activity other than that listed above. Clinical and Practice faculty are also expected to participate in the management of activities at the clinical site.

6.6.3. In the area of clinical practice, ratings of unacceptable, competent, proficient, and excellent are possible.

6.6.3.1. To be rated as “competent,” in clinical practice, the faculty member must satisfy the following criteria which may be substituted for and/or amended: develop and maintain a clinical practice site; serve as a research advisor and provide continuing professional education to the pharmacy and healthcare team; work closely with other healthcare providers to direct patient care; make good clinical decisions concerning patients pharmacotherapy and laboratory interpretation as evidenced by letters of support by healthcare providers; begin to work on policies and procedures involving the site.

6.6.3.2. To be rated as “proficient” in clinical practice, the faculty member must also satisfy the following criteria which may be substituted for and/or amended: develop innovative and new opportunities at the clinical site; demonstrate positive impact on patient care as evidenced by clinical interventions and letters of support; have excellent oral and written communication skills; work closely

with the site to develop new policies, pharmacy or patient newsletters, and critically evaluate medication usage and safety; be recognized by awards for professional achievement; obtain referral and consultation from other professionals. A faculty member must also act in a leadership role as an effective representative of the College of Pharmacy and Health Sciences at the practice site and chair a committee as deemed appropriate at assigned clinical site.

6.6.3.3. To be rated as “excellent” in clinical practice, the faculty member must also satisfy the following criteria which may be substituted for and/or amended: be recognized by peers to be an expert in specific field at the practice site and nationally; demonstrate direct and sustained positive impact on patient care; be involved with creating new methods of medication delivery or new services for patients; provide leadership in an administrative role at the clinical site as evidenced by peer and supervisor letters.

SECTION 7 ANNUAL REVIEW POLICY

7.1. The performance of all faculty members, tenured, tenure-track, and non-tenure-track, except those with administrative appointments (Assistant/Associate Deans), are reviewed annually by their Department Chairs. The Department Chair will make recommendations to the Dean concerning annual reappointment by November 15th for faculty serving more than one year at the University and by February 15th for faculty in their first year of appointment.

7.2. All faculty members must submit an Annual Activity Report (AAR) to their Department Chair as specified in Appendix 1. The AAR is a written narrative by the faculty member with supporting documentation assessing his/her achievements and progress during the current academic year in the areas of teaching, research/scholarship, service, and clinical practice. The Department Chair will prepare a written evaluation that will accompany the Annual Activity Report which is then forwarded to the Dean except in the instance where there is a dispute (see Section 7.4.)

7.3. Learner evaluations of all faculty members are mandatory. Such instruments are important in assuring that faculty members are aware of learner perceptions of their classroom performance and course content. Faculty members must submit summaries of all learner evaluations for all sections of all courses as part of their AAR to their Department Chair. Original learner evaluations must be available for review. Faculty members shall discuss with their Department Chair the concerns expressed by the learners and determine which trends require attention and which do not. Annual review ratings in the area of teaching may not rest on the results of learner evaluations alone but shall be based upon comprehensive evidence of effectiveness in accordance with accreditation requirements and published standards as outlined in Section 6.

7.4. A faculty member who disagrees with the evaluation by the Department Chair may append a written statement to the annual evaluation. The evaluation and any appended statement shall become a part of the faculty member’s permanent personnel file. The evaluation, at request of the faculty member, will then be forwarded within ten business days to the Faculty Appeals Committee for an independent review. The Appeals Committee will then submit their review with recommendations to the Dean.

7.5. All faculty members with administrative appointments will be reviewed annually by the Dean following the same timelines as discussed in Section 7.1.

SECTION 8 PROMOTION POLICY

8.1. A faculty member employed in the tenure-track position who holds the rank of Assistant Professor will undergo formal review for promotion and tenure to Associate Professor no later than in the

sixth (6) year of full time employment unless otherwise specified in the letter of appointment. A faculty member employed in the tenure-track position who holds the rank of Associate Professor will be reviewed no later than in the fourth (4) year of full time employment. Associate Professors are eligible to make application to be reviewed for promotion to Professor no earlier than four (4) full years from the date of promotion to Associate Professor. See Section 9.2 for timelines for submission of dossier for tenure and promotion.

8.2. Non-tenure-track faculty will be eligible for promotion under the same guidelines as tenure-track faculty as noted in Section 8.1. To receive a promotion review in the mandatory year as specified in the letter of appointment, an eligible faculty member must make a formal written request no later than July 1st to the Dean of the academic year in which the review must be conducted. Faculty requesting early review for promotion can only do so if able to demonstrate exceptional performance in all areas.

8.3. Applications and dossier for promotion review for non-tenure-track and tenured faculty are due in the Dean's Office no later than October 1st. The Promotion and Tenure Committee evaluations are due in the Dean's Office by January 25th. Evaluations and dossiers are due in the Provost's Office no later than February 4th.

SECTION 9 TENURE POLICY

9.1. The decision to grant tenure is a particularly significant one. Tenure will be granted only to those candidates who, when their performance is judged using the Criteria for Evaluation in Section 6, can be expected to make significant and lasting contributions to the teaching mission of the University and College of Pharmacy and Health Sciences.

9.2. To receive a tenure review in the mandatory year as specified in the letter of appointment, an eligible faculty member must make a formal written request no later than July 1st to the Dean in the academic year in which the review must be conducted. Eligibility for review is defined beginning in Section 9.3 below. If a faculty member fails to request a tenure review by July 1st of the mandatory tenure review year, before deeming the failure as a decision on the part of the faculty member to decline a tenure review, the Dean shall so notify the faculty member in writing by certified mail to the last address provided to the College of Pharmacy and Health Sciences by the faculty member that the request for tenure review has not been received. The College of Pharmacy and Health Sciences may deem the failure by the faculty member to deliver to the Dean a request in writing for a tenure review within seven (7) calendar days of the faculty member's receipt of such notice as his/her decision to decline tenure review. It will then be assumed that the faculty member's current contract is terminal unless the faculty member is undergoing an early review. Dossiers for tenure review are due in the Dean's Office no later than September 1st. Department Chairs and Promotion and Tenure Committee must submit their written recommendations with justifications to the Dean's Office by October 12th. The Dean's written recommendation (on official University stationary) for tenure must be sent to the Provost by October 26th with candidates notified of tenure decisions prior to December 21st.

9.3. Tenure may be granted by the Board of Trustees, as follows, upon the recommendation of the President following the recommendation of the Provost:

9.3.1. Instructors are not eligible for tenure.

9.3.2. Assistant Professors must apply for promotion and tenure no later than in the sixth (6) year of continuous service. However, an Assistant Professor can apply as early as the third (3) year of continuous service at the College of Pharmacy and Health Sciences in tenure-track appointments, not including time

spent in the rank of instructor. The time may be shortened by terms stipulated in the initial letter of appointment. Faculty requesting early review for promotion and/or tenure can only do so if able to demonstrate exceptional performance in all areas. Continuous service at the College of Pharmacy and Health Sciences in tenure-track appointments should be defined in individual contracts in the case of administrative positions.

9.3.3. Associate Professors are eligible to be considered for tenure no later than in the fourth (4) full year of continuous service at the College of Pharmacy and Health Sciences in tenure-track appointments. The time may be shortened by terms stipulated in the initial letter of appointment. Faculty requesting early review for promotion and/or tenure can only do so if able to demonstrate exceptional performance in all areas. Continuous service at the College of Pharmacy and Health Sciences in tenure-track appointments should be defined in individual contracts in the case of administrative positions.

9.3.4. Professors are eligible to be considered for tenure no later than in the third (3) full year of continuous service at the College of Pharmacy and Health Sciences as tenure-track faculty. The time may be shortened by terms stipulated in the initial letter of appointment. Faculty requesting early review for promotion and/or tenure can only do so if able to demonstrate exceptional performance in all areas. Continuous service at the College of Pharmacy and Health Sciences in tenure-track appointments should be defined in individual contracts in the case of administrative positions.

9.4. The length of the probationary period may be shortened or lengthened at the discretion of the President upon the recommendation of the Department Chair, Dean of the College, and Provost depending upon such factors as length and quality of service at other institutions and/or prior professional service or personal factors (e.g. childbirth, parental care, illness, etc.). The faculty member must submit a request to the Dean for consideration to lengthen the probationary period. If the length of the probationary period is to be shortened, it will be so noted in the original letter of tenure-track appointment.

SECTION 10 APPLICATION FOR PROMOTION AND/OR TENURE

10.1. An Assistant Professor who makes a request for tenure review will simultaneously be considered for promotion to Associate Professor at the time of that review. Promotion to Associate Professor will occur upon the granting of tenure. A tenure-track Assistant Professor may not be promoted to Associate Professor without being granted tenure.

10.2. Associate Professors are eligible to make application to be reviewed for promotion to Professor no earlier than four (4) full years from the date of promotion to Associate Professor. Promotion to Professor is the highest honor to be bestowed by the University and a faculty member's colleagues upon a faculty member. It is neither automatic nor routine. It requires the unreserved and unconditional expression of the confidence of the faculty and the President as to the significance of the contribution of the faculty member to the learners and to the intellectual and moral substance of the University Community as well as to her/his academic discipline. The President's decision is guided, but not bound, by recommendations from the Provost, the Dean, the Department Chair, and the Promotion and Tenure Committee.

10.3. Applications for promotion shall be evaluated on the basis of activities and accomplishments that have occurred since the faculty member's last promotion. The Promotion and Tenure Committee may not establish review criteria other than those previously established by the faculty member, the Chair, and the Dean, and used by same in the annual evaluations.

10.4. To receive a combined tenure/promotion review from Assistant to Associate Professor, a tenure review for Associate Professor or Professor, or a review for a promotion to Associate or to Professor, an eligible faculty member must make a formal written request no later than July 1st of the academic year in which the review is to be conducted. The letter should summarize the qualifications of the candidate for the position requested and be made in writing to the Dean. In the dossier, the faculty member should include a curriculum vitae (CV) and separately discuss and summarize the following areas: Teaching, Research/Scholarship, Service, and if a faculty in the Department of Pharmacy Practice, Clinical Practice. The primary dossier should consist of printed material in a single 1-1/2 inch binder and must be under 100 pages in length as described in Appendix 2, Guidelines and Criteria for Evaluation for Promotion And/Or Tenure.

10.4.1. Annual Activity Report in Year of Promotion and/or Tenure Review: When applying for promotion and/or tenure the faculty member's Annual Activity Report for the prior academic year must be undertaken by August 1st. This Annual Activity Report shall include the evaluation of the faculty member by the Department Chair for the purpose of promotion and/or tenure review.

10.5. To be eligible in the Department of Pharmaceutical and Administrative Sciences for promotion and/or tenure from Assistant to Associate Professor, the faculty member must be rated as proficient in two of the three areas, one which must be teaching, and competent in the third. It is a necessary but not sufficient condition for the granting of promotion from Associate Professor to Professor that, in the two (2) academic years preceding the review (which can include the promotion/tenure year), candidates be rated not less than "excellent" in one area and no less than "proficient" in each of the other areas of performance by two (2) of the three (3) evaluators (the Promotion and Tenure Committee, the faculty member's Chair, and Dean); review by the Promotion and Tenure Committee is retrospective for the time of continuous service. In the case of a Chair being reviewed for promotion, the third evaluator will be the Chair of the other department within the College of Pharmacy and Health Sciences.

10.6. It is the expectation that faculty members in the Department of Pharmacy Practice are fully committed to teaching, research and scholarly activity, clinical practice, and service. To be eligible for promotion and/or tenure from Assistant to Associate Professor, the faculty member must be rated as proficient in two of the four areas, one which must be teaching, and competent in the other two. It is a necessary but not sufficient condition for the granting of promotion from Associate Professor to Professor that, in the two (2) academic years preceding the review (which can include the promotion/tenure year), candidates be rated not less than "excellent" in two areas and no less than "proficient" in each of the other areas of performance by two (2) of the three (3) evaluators (the Promotion and Tenure Committee, the faculty member's Chair, and Dean); review by the Promotion and Tenure Committee is retrospective for the time of continuous service. In the case of a Chair being reviewed for promotion, the third evaluator will be the Chair of the other department within the College of Pharmacy and Health Sciences.

10.7. In making the recommendation for promotion, the Chair should consult with the faculty member's colleagues in the department. If the Chair is the candidate for promotion, the consultation with faculty will be made by the Dean. The Chair and a department member on the Promotion and Tenure Committee normally have independent judgments and opinions, but consultations should insure that they are not contradictory.

10.8. Faculty members who are promoted to the rank of either Associate or Professor will often receive a promotion increase added to their base salary. The amount of future promotion increases will be reviewed periodically by the Personnel Committee at Western New England University.

10.9. Tenured faculty may be dismissed for just cause or discontinuance of programs and reductions in force.

SECTION 11 PROCEDURES FOR APPEALING REAPPOINTMENT, PROMOTION, AND TENURE DECISIONS

11.1. Faculty members may appeal a reappointment, tenure, or promotion decision by submitting a written request for a review of the decision to the Dean. The review shall be conducted by the Faculty Appeals Committee (as defined in the College of Pharmacy and Health Sciences Bylaws, Section F). Requests for a review must be submitted to the Dean within ten (10) calendar days of the faculty member's receipt of notification of the decision.

11.2. The purpose of a review is to determine whether the criteria for evaluation in the Faculty Handbook were applied fairly and consistently in accordance with Sections 5/6 and Appendices 1/2, and to determine whether the faculty member was treated in a discriminatory, arbitrary, or capricious manner.

11.3. The Dean shall convene the Faculty Appeals Committee within fourteen (14) calendar days of the receipt of a written request for review, instruct the Committee, and provide any preliminary materials necessary to conduct the review. Committee members shall elect a Chair who shall conduct the Committee's proceedings. The Committee shall hear the testimony of the faculty member requesting the review and of those principals involved in the decision-making process. The Committee shall call the grievant as the first witness and as the last witness in order to provide the grievant with an opportunity to rebut any testimony provided to the Committee. The grievant may be accompanied at the meetings of the Faculty Appeals Committee by an advisor of his/her choice; the faculty member may converse with the advisor, but the advisor may not make presentations, provide testimony, or make arguments. The Committee's Chair shall submit a written report to the Dean within thirty (30) calendar days after receiving the charge from the Dean. The report shall recommend either that the decision being appealed be upheld, reversed, or that some other suitable remedy be provided to the faculty member. The Dean will communicate this information to the Provost and the President. The President will then examine the Committee's report and shall make a decision and communicate it to the faculty member within ten (10) calendar days. The decision of the President is final.

SECTION 12 SANCTION OR DISMISSAL OF FACULTY MEMBERS FOR JUST CAUSE

12.1. Faculty may be sanctioned or dismissed for just cause. Dismissal may occur by action of the President in accordance with the procedures outlined later in this section. The burden of proof shall be on the University, College of Pharmacy and Health Sciences, and its officials to demonstrate just cause. The decision of the University and College of Pharmacy and Health Sciences to sanction or dismiss a faculty member shall not be arbitrary, capricious, or discriminatory. "Just Cause" is defined for the purposes of this Faculty Handbook as follows:

12.1.1. Unacceptable teaching

12.1.2. Misconduct

12.1.3. Egregious dishonesty in scholarship and/or research.

12.1.4. Violation of the University's/College of Pharmacy and Health Sciences's sexual harassment/discrimination policy.

12.1.5. Conduct on or off-campus that substantially impairs the faculty member's ability to perform his or her responsibilities. (A faculty member's conduct off-campus does not normally subject the faculty member to disciplinary action. However, where either off-campus or on-campus conduct or allegations of

such conduct substantially impair the faculty member's ability to perform his or her duties or interferes with the normal operation of the University/College of Pharmacy and Health Sciences, appropriate action may be taken.)

12.1.6. Demonstrable professional incompetence, neglect of duty, insubordination, conviction of a felony, or any offense involving moral turpitude upon a plea or a verdict of guilty or following a plea of nolo contendere, or other conduct which falls below minimum standards of professional integrity.

12.2. Penalties: The severity of the penalty imposed for violation of the Faculty Handbook provisions on just cause will be based on both the current claim and, if applicable, the respondent's previous record of misconduct. Faculty members found to have violated the just cause policy are subject to one (1) or more of the following range of penalties:

- (a) Warning: meaning a written statement to the faculty member that he or she has violated the Faculty Handbook. Copies of warnings will be placed in the faculty member's permanent record;
- (b) Fines or restitution: defined as reimbursement to the University/College of Pharmacy and Health Sciences or a third party for personal or property damage;
- (c) Educational sanctions: which include but are not limited, to referrals for counseling and/or the assignment to educational programs. A failure to fulfill educational sanctions within an agreed-upon period of time shall be cause for sanctions of a more serious nature;
- (d) Probation: defined as a stated period of time within which the faculty member's rights to teach or participate in University or College of Pharmacy and Health Sciences-sponsored activities, or to benefit from other University/College of Pharmacy and Health Sciences privileges may be limited or removed;
- (e) Suspension with or without pay: defined as separation from the University/College of Pharmacy and Health Sciences for a stated period of time or until specific conditions have been met;
- (f) Dismissal: defined as permanent removal from employment or University/College of Pharmacy and Health Sciences programs, facilities, and property.

12.3. Suspension of Faculty Members Prior to Formal Investigation. A faculty member alleged to have committed misconduct under the just cause section of this Faculty Handbook shall be allowed to continue with the duties specified in his/her annual contract with all pay and benefits during the process of an investigation and a review of termination by a committee appointed by the President and for such further time as specified in his/her contract. However, in the case of a faculty member judged by the Dean to present a serious risk to the safety and security of himself/herself or the College of Pharmacy and Health Sciences, University, and/or Campus Community, its faculty, staff, and learners or where either off-campus or on-campus conduct or allegations of such conduct may substantially impair the faculty member's ability to perform his or her duties or interferes with the normal operations of the College of Pharmacy and Health Sciences or University, the faculty member will be immediately suspended with all pay and benefits and excluded from the campus except to participate in the review process as requested by the investigator (See 12.4.2.2) or the committee appointed by the President. If the President acts to dismiss the faculty member for just cause, all pay and benefits will cease as of the effective date of dismissal.

12.4. Procedures for Sanction or Dismissal of Faculty for Just Cause

12.4.1. Procedure for Dismissal of Tenured Faculty for Unacceptable Teaching. If, in the annual review, a tenured faculty member is rated "unacceptable" in teaching by his/her Dean after consultation with the Department Chair in two (2) successive academic years, the faculty member has one (1) additional academic year to remedy the deficiencies in teaching. After a faculty member has received

“unacceptable” ratings in teaching for two (2) successive years, the Faculty Affairs Committee will convene immediately and review the faculty member’s performance (per Section 6) for the period for which the faculty member received the two (2) “unacceptable” ratings. The Faculty Affairs Committee will then render advisory opinions as to the faculty member’s teaching no later than February 1st. The advisory opinions must be signed by each member of the Faculty Affairs Committee and will be provided to the faculty member, Department Chair, and Dean, and will be retained in the permanent personnel file of the faculty member under review. If the faculty member under review receives a third successive rating of “unacceptable” in teaching by the Dean after consultation with the Department Chair, the Faculty Affairs Committee will immediately review the faculty member in a full review with consideration of the ratings and evaluations of the Dean and Department Chair. If the faculty member receives an “unacceptable” rating in teaching by the Faculty Affairs Committee, the faculty member under review shall be dismissed for just cause. All review forms and narrative statements of the Faculty Affairs Committee must be signed by each member of the Faculty Affairs Committee and will be included in the permanent personnel file of the faculty member being reviewed. A faculty member may be dismissed for unacceptable teaching if and only if the above conditions in this paragraph are met.

12.4.2. Procedure for Sanction or Dismissal of Faculty for Misconduct. It is the College of Pharmacy and Health Sciences’s responsibility to inquire immediately into an allegation or other evidence of possible misconduct by a faculty member.

12.4.2.1. If the allegation involves harassment or discrimination the procedures of Section 13 are invoked.

12.4.2.2. For all other allegations of misconduct, the Dean has the authority and responsibility for overseeing the process. The College of Pharmacy and Health Sciences may not begin an investigation until after the respondent has been notified in writing of the allegations. The respondent will have access to the relevant documents and other materials considered as evidence and a meaningful opportunity to respond, in writing and within a period of fifteen (15) calendar days to the allegations. Any written materials resulting from the respondent’s exercising of these options shall be added to the investigation file.

12.4.2.3. The Dean shall propose three (3) faculty members, any one (1) of whom would be willing to perform a fair, thorough, and impartial investigation in a timely fashion, as defined in Section 12.4.2.6. The accused faculty member must select one (1) of the proposed faculty members to serve as investigator. The investigator’s charge will be to gather sufficient information and facts for the purpose of enabling the Dean to determine whether the allegation of misconduct is warranted. The investigator has the discretion to take the following actions during the investigation:

- (a) conduct interviews with the complainant, the respondent, and others, as necessary or appropriate;
- (b) review available documents and other evidence, as appropriate; and
- (c) consult other relevant sources, as appropriate.

12.4.2.4. During this investigation period, the University General Counsel shall provide support and legal counsel to the investigator. Legal principles that pertain to the investigation shall be discussed in advance. All individuals involved must maintain confidentiality to the fullest extent possible during the course of the investigation and will take all reasonable precautions to protect the interests and reputations of the complainant, the respondent, and the University.

12.4.2.5. Upon completion of the investigation, the investigator shall prepare a written report that summarizes the evidence reviewed, interviews conducted, and any other findings. A copy of the report shall be given to the respondent for written comment. If applicable, portions of the investigator’s report

that address the complainant's role along with the respondent's written comments shall be provided to the complainant for a written response. The investigator shall assemble all documents (report, any written comments of the respondent, and any written comments of the complainant) and forward them to the Dean. The report and all subsequent written comments will become a permanent record.

12.4.2.6. Investigations will be completed within sixty (60) calendar days of their initiation. If the investigator determines that he/she will be unable to complete the investigation within sixty (60) days, he/she shall submit to the Dean a request for an extension that includes an explanation as to why he/she is unable to conclude his/her work during the prescribed time period, as well as an estimate of the amount of time required to complete the work. A copy of this request shall be forwarded to the respondent with the Dean's decision regarding the requested extension.

12.4.2.7. Upon receipt of the report and all subsequent written comments, the Dean will make a determination as to whether the allegation of misconduct has been substantiated. The Dean shall notify the respondent in writing of the decision within fifteen (15) calendar days of the submission of the documents from the investigator and will forward the decision to the Provost. If the misconduct is substantiated, appropriate disciplinary action shall be taken by the Dean against the respondent (see Section 12.2.) The respondent may accept the penalty or appeal the penalty as described in Section 12.5.

12.4.2.8. All records, reports, and other documentation pertaining to an investigation of misconduct will be securely maintained within the Dean's Office. Materials will be available only on a "need to know" basis. A record of the investigation in cases of substantiated misconduct will become a permanent part of the respondent's personnel file. The record of the investigation in cases of unsubstantiated misconduct will be sealed and maintained in the office of the University General Counsel. The respondent will be notified of the disposition of the investigative report.

12.4.2.9. If the complainant or the respondent leaves the College of Pharmacy and Health Sciences before the allegations are resolved, the College reserves the right to make a good-faith effort to continue the investigation process to reach a conclusion. The decision of whether to continue the investigation under these circumstances will be at the discretion of the Dean.

12.4.2.10. If the process described above produces a finding of no misconduct having occurred, the Dean shall undertake diligent efforts to restore the academic reputation of the respondent. Diligent efforts will also be taken to protect the position and reputation of the complainant. If it is determined that the allegation was made with malice or intentional dishonesty, appropriate disciplinary action shall be taken against the complainant.

12.5. Appeal of Sanction or Dismissal Decisions

12.5.1. All penalties outlined in Section 12.2. may be appealed. Within ten (10) calendar days after receipt of the written notification of the decision, the faculty member may request a review by the Faculty Appeals Committee (Section 11.1) or may resign from the University. Requests for a review must be made in writing and submitted to the Dean. If a faculty member does not request a review of a decision to dismiss, the Dean will notify the Provost who, in turn, will notify the President, who then may dismiss.

12.5.2. If the faculty member requests a review of the decision to sanction or dismiss, the Dean shall convene the Faculty Appeals Committee within fourteen (14) calendar days of receipt of the faculty member's request for review. The original investigator (defined in 12.4.2.3 above) shall not serve on the enlarged Faculty Appeals Committee. If a faculty member facing dismissal requests a review, the President may not render a decision until the Faculty Appeals Committee submits its report and recommendations.

12.5.3. The Faculty Appeals Committee shall conduct a *de novo* review of the decision to sanction or dismiss and the process and consideration leading to it, including all of the procedural and substantive issues.

12.5.4. The Dean shall present the case on behalf of the College of Pharmacy and Health Sciences, and shall furnish the ad hoc Faculty Appeals Committee with all of the evidence, arguments, and reasons on which the decision to initiate sanction or dismissal is based including evidence from the respondent's personnel files as required. The Dean shall also have the right to bring witnesses to testify before the Faculty Appeals Committee.

12.5.5. The faculty member facing sanction or dismissal may present to the Faculty Appeals Committee all relevant information, arguments, and reasons in his/her own behalf. The faculty member facing sanction or dismissal shall also have the right to bring witnesses to testify before the Faculty Appeals Committee. He or she may also be accompanied at all hearings of the Committee by an advisor of his or her choice with whom he/she may confer; however, the advisor may not make presentations, provide testimony, or make arguments.

12.5.6. The Faculty Appeals Committee, at its discretion, may request the testimony of additional witnesses and/or the submission of additional documents.

12.5.7. Within sixty (60) calendar days of the convening of the Faculty Appeals Committee, it shall submit to the President its report. The Committee may submit a request to the Provost for a reasonable extension of the sixty (60) day deadline in case it is unable to complete its deliberation within the sixty (60) day time limit. The Provost must consent to a request for an extension provided that the request is for no more than thirty (30) additional calendar days. The report shall contain a majority recommendation for or against sanction or dismissal with an indication of the size of the majority (7-0, 6-1, 5-2, etc.) and summary of the majority's reason for its recommendation. If the recommendation is not unanimous, the report may include a minority recommendation and a summary of the minority's reasons for its recommendation.

12.5.8. The President shall examine the report of the Faculty Appeals Committee and make a decision for sanction or dismissal within ten (10) calendar days of receipt of said report and notify the faculty member in writing. This action is final.

12.6. Discontinuance of Programs and Reductions in Force

PREAMBLE: It is the responsibility of the Board of Trustees to ensure both the high quality and integrity of the academic programs and the financial health of the University. The Board is, therefore, obligated to take actions which are reasonable and prudent to discharge such responsibilities. When the academic integrity and/or financial health of the University is jeopardized the Board may discontinue academic degree programs, academic majors, departments and/or colleges. It may also effect reductions in force. Such actions of the Board of Trustees are taken in accordance with the procedures set forth below:

12.6.1. Academic degree programs, academic majors, academic departments, and/or colleges, may be totally discontinued, or reduced in size and/or scope, and there may be a reduction in faculty as a result of such, when the Board of Trustees of the University deems it prudent and appropriate because such programs, majors, departments, and/or colleges (a) are chronically under-enrolled, and/or, (b) are too costly to reasonably maintain. Tenured and multi-year contract faculty members may be dismissed as a result of such a discontinuance or reduction only if there is a bona fide, significant, financial hardship that interferes with and/or poses a serious threat to the academic and/or financial health of the University and

for the solution of which other remedies have been considered and determined not to be capable of alleviating the serious academic and/or financial threat. Moreover, the Board of Trustees shall not dismiss faculty members without following all the procedures described herein. If tenured and multi-year contract faculty are dismissed because of financial hardship, the decision of the University as to which faculty to dismiss shall be made in good faith and shall not be arbitrary, capricious, nor discriminatory.

12.6.1.1. The Board of Trustees and the faculty bear joint responsibility for academic quality.

12.6.2. Proposals for discontinuation, reductions in force, or modification of academic programs that could require the dismissal of faculty will be received by the Provost. Such proposals may be submitted by the Board of Trustees, the President, the Provost, the Vice President for Finance, the Deans, Department Chairs, the Five-Year Planning Committee, and/or the Faculty Senate.

12.6.3. Prior to recommending the discontinuation, reduction in force, or modification of academic programs, the Provost shall notify the Chair of the Faculty Senate and shall convene a meeting of the Five-Year Planning Committee, Faculty Senate, and affected departments and colleges of the University to engage in a good faith effort to find alternatives which will not result in the dismissal of faculty.

12.6.4. In the event that after completing the process described in 12.6.3 above, the Provost decides to recommend a discontinuation or modification which will result in the dismissal of faculty, the Provost will notify the Chair of the Faculty Senate and together they will act to convene the Program Review Committee described below.

12.6.4.1. The Program Review and Reduction in Force Committee shall be convened in compliance with paragraph 12.6.4 above. The Committee shall review the recommendations of the Provost and, after a complete review, shall submit written recommendations with accompanying justification and supporting documentation to the President of the University as well as the Faculty Senate within time limitations imposed by the President or by the Board of Trustees. The Committee's recommendations may include alternatives to dismissing faculty. If the Committee recommends dismissal of faculty, the Committee's recommendations should include the number of faculty who should be dismissed, which departments and colleges should be reduced in size, and the reasons for such recommendations. However, the Committee shall have no less than ninety (90) days in which to review proposals and prepare and submit recommendations and a final report to the President and the Faculty Senate. The recommendations of the Committee may include alternative remedies, which shall be considered by the President. After review of the Committee's recommendations, the President shall notify the Faculty Senate of his/her recommendations to the Trustees as well as their response to those recommendations. The Board of Trustees has the exclusive authority to determine reductions in force but may only exercise that authority after reviewing the recommendations of the President and the Program Review Committee.

12.6.4.2. Membership of the Program Review and Reduction in Force Committee shall consist of:

12.6.4.2.1. Ex Officio Members Without Vote: the Provost (or his/her designate), the Vice President for Finance and Administration (or Assistant Vice President for Finance), the Academic Schedule Controller and Information Analyst, and the Assistant Vice President and Director of Human Resources and the CareerCenter.

12.6.4.2.2. Voting Members: seven (7) faculty members of associate or higher rank consisting of a) one (1) elected from each of the five (5) colleges, and b) the Chair and Vice-Chair of the Faculty Senate. When the Committee members are faculty from the affected programs the Faculty Senate shall name other members of the Senate to replace them.

12.6.4.3. In the event that one (1) of the regular faculty Committee members' own programs is being considered for discontinuation or modification, a first and second faculty alternate will be elected by the Faculty Senate on an at-large basis.

12.6.5. Rights of Faculty upon Discontinuance, Modification or Reduction in Force

12.6.5.1. Faculty whose positions may be eliminated are entitled to transfer (tenured faculty with tenure) to a vacant position in the College or another College within Western New England University for which they are qualified by credentials and/or teaching experience, in the judgment of the Chair of the relevant Department, the Dean of the relevant College, and the Provost, subject to the approval of the President. Faculty shall also be entitled to any severance or retirement incentive arrangements or retraining programs recommended by the President and approved by the Board of Trustees. The University will make a reasonable effort, if necessary, to assist dismissed faculty in their search for employment outside the University. (A faculty member may grieve violations in process or procedure leading to dismissal but not the decision. See Section 14, Grievance Procedure for Faculty.)

12.6.5.2. Should discontinued or modified programs be reinstated or expanded within three (3) calendar years, or if within three (3) years the University requires faculty with the qualification of any faculty member whose position has been eliminated, the dismissed faculty member(s) shall be offered reemployment. Dismissed tenured faculty shall be offered tenured reemployment.

12.6.5.3. Faculty who are to be dismissed shall be notified of dismissal within a reasonable period of time but in no case later than December 15th prior to the academic year at the beginning of which the discontinuance of the program or reduction in force is to become effective.

SECTION 13 DISCRIMINATION/SEXUAL HARASSMENT GRIEVANCE PROCEDURES

13.1. Massachusetts Law and Federal Statutes establish definitions for discrimination/sexual harassment. The University and College of Pharmacy and Health Sciences have adopted Discrimination/Sexual Harassment Grievance Procedures that are consistent with these laws and statutes. The procedures in place for the filing and resolution of discrimination/sexual harassment complaints are summarized below.

13.2. Informal Resolution

13.2.1. Many claims of discrimination/sexual harassment may be resolved informally. In the informal process input will be important, yet direct confrontation with the alleged harasser may not be required. The goal of an informal resolution is to end the offensive or unwelcome behavior. The Dean (if the Respondent is a faculty member), the Assistant Vice President and Director of Human Resources and the Career Center (if the Respondent is classified staff or administration), and the Assistant/Associate Dean of Student Affairs (if the Respondent is a learner) can work with the Complainant and the Respondent to reach an informal resolution.

13.2.1.1. Examples of informally reached outcomes might include:

- (a) Mediated, informal conversation between the Complainant and Respondent;
- (b) Conducting educational programs for a unit, division or department; or
- (c) Adjusting residential or academic placement of either the Complainant or Respondent.

13.2.1.2. Resorting to formal hearings will be avoided whenever possible. The purpose of informal adjudication is to arrange an appropriate solution acceptable to all parties concerned. At the conclusion of

the informal process, the only document that will be maintained is a memorandum of understanding, signed by both parties, and maintained in the Equal Employment Opportunity (EEO) office.

13.2.1.3. Informal proceedings must be exhausted before formal proceedings will proceed. In the event that the informal process does not achieve resolution of the issue, the Equal Employment Opportunity (EEO) Officer will prepare a memorandum signed by the parties BEFORE the formal process will be available.

13.3. Formal Resolution

13.3.1. If informal efforts to resolve a problem are not successful, or if informal resolution is inappropriate or inadequate based on the severity of a case, or if the Respondent is a known prior offender, then a more formal resolution may be necessary. Formal written complaints must be filed with the EEO Officer. The matter will then be referred to the University's Discrimination/Sexual Harassment Hearing Committee by the EEO Officer.

13.3.1.1. The EEO Officer will monitor the implementation of these formal grievance procedures, and either party may request a formal hearing.

13.3.1.2. The EEO Officer will intervene in the formal process when, in his/her judgment, such intervention is necessary for expediency. The EEO Officer will schedule all committee meetings, oversee the process and procedures, and attend hearings, if necessary, as a non-participating, non-voting member. The EEO Officer will NOT contribute to the writing of the Hearing Committee's findings.

13.4. Procedures for formal hearings by the Discrimination/Sexual Harassment Hearing Committee

13.4.1. Composition of the Discrimination/Sexual Harassment Hearing Committee

13.4.1.1. The Discrimination/Sexual Harassment Hearing Committee will consist of seven (7) members of the Western New England University community appointed by the President to serve two (2) year terms. Members can serve no more than two (2) consecutive two (2) year terms. The Committee will be comprised of three (3) tenured faculty members referred to the President by the Faculty Senate, the Law School, and College of Pharmacy and Health Sciences, two (2) classified staff, and two (2) administrators, all from different departments. Replacement of faculty representatives on the Committee (if it becomes necessary) would be made either by the Senate, the Law School, or College of Pharmacy and Health Sciences as appropriate. The President will designate a chair of the Committee, based on such considerations as experience, continuity, and sensitivity to the concerns of those affected by discrimination/sexual harassment. At any give time, there should be no more than five (5) persons of the same gender on the Committee. Two (2) additional members who are students will sit on the Committee when a complaint directly involves a learner. For complaints involving graduate students, law school students, or pharmacy college learners, at least one (1) of the two (2) student members on the Committee will be a graduate student, law school student, or a pharmacy learner, as appropriate to the case.

13.5. Initiation of the Hearing Procedure

13.5.1. A copy of the complaint will be mailed by the Chair of the Discrimination/Sexual Harassment Hearing Committee to the Respondent, who will be afforded ten (10) calendar days from the mailing date to prepare a written response regarding the incident. Upon receipt of the Respondent's response, the Committee Chair will mail to each party a copy of the complaint and response.

13.5.1.1. At that time, both parties will be presented a list of the members of the Committee and may challenge any member's eligibility for cause in writing to the Chair, within two (2) working days of the presentation of the list. Any such challenge will be ruled upon by the EEO Officer. Any Committee member with previous knowledge of the incident will present that information for the Committee, which will decide if that member should be disqualified from hearing the case. If the Chair is released by challenge or disqualification, the Committee will elect a Chair *pro tempore*. If, by challenge, disqualification, or unavailability, fewer than six (6) members of the Committee remain eligible, others will be appointed by the President *pro tempore*.

13.5.1.2. No hearing will be held without the parties being given at least seven (7) calendar days notice. Each party may be accompanied during each session by one (1) advisor from the Western New England University community. The advisor will not participate in the session, but may consult freely with the person whom they are advising. The advisor may be an attorney. The Complainant and Respondent may each request witnesses and present documentary evidence. Witnesses will be present at the hearing only when giving testimony. Each party may bring any number of witnesses; however, the actual number of witnesses heard will be at the discretion of the Committee. The Committee may refuse to accept or hear any evidence that it deems irrelevant or unreliable. Rules of evidence used in courts of law are not used in this process.

13.6. Conduct of Formal Hearings

13.6.1. The formal hearing will be recorded for the Committee's use in its deliberations. The tape will not be transcribed, but will be stored securely and confidentially by the University General Counsel. Upon written request, a copy of the tape will be made available to either party of this proceeding. The Committee alone may question witnesses and parties. In the course of the hearing, each party may submit in writing, questions to be asked by the Committee. However, the Committee reserves its right to decline to pursue any such questions. The Respondent has the right to refuse to testify.

13.7. Hearing Record

13.7.1. Within ten (10) calendar days of the hearing, the Committee must prepare a written report that details the allegations, the hearing process, and the evidence heard. The Committee shall include in this report its findings of fact, including any findings it makes concerning the credibility of witnesses. All findings by the Committee shall be based on a majority vote of the panel. All Committee members must sign the written report.

13.8. Findings of the Committee

13.8.1. After a hearing, the Committee may find one (1) of the following:

- (a) that it is more likely than not that the alleged violation occurred; or
- (b) that it is more likely than not that the alleged violation did not occur.

13.9. Referral for Action

13.9.1. The Committee will issue a written report to the relevant Dean or supervisor, who after review of said report, will distribute a copy of the report to the Complainant and Respondent. The relevant Dean, after consultation with the Assistant Vice President and Director of Human Resources Human Resources and the CareerCenter, will determine and impose sanctions in writing to the Respondent and the EEO Officer within fifteen (15) calendar days of the Dean's receipt of the Committee's report. Appropriate disciplinary action will be taken by the Respondent's supervisor for staff, Deans of the respective College for faculty or for graduate students, or the Dean of Students for undergraduate students.

13.10. Sanctions

13.10.1. Sanctions imposed on the Respondent will be commensurate with the seriousness of the conduct, and will be adequate and sufficient to demonstrate the University's commitment to taking strong and effective measures to both remedy and prevent further violations. The assessment of the severity of the sanction will be based on both the current case and the Respondent's previous record of misconduct. Any sanctions imposed on tenured faculty will be pursuant to the procedures delineated in the Faculty Handbook. Sanctions might include, but are not limited to:

- (a) a written apology;
- (b) transfer or change in department or teaching assignment;
- (c) warning, meaning a written statement that the Respondent violated this policy, a notation of which would be placed in the Respondent's permanent record;
- (d) a referral for counseling and/or training (failure to fulfill the sanctions shall be cause for sanctions of a more serious nature);
- (e) probation for a stated period of time within which the Respondent's rights to participate in University or College of Pharmacy and Health Sciences-sponsored activities and/or access to facilities may be limited or removed;
- (f) suspension (with or without pay), meaning a separation from the University for a stated period of time or until specific conditions are met;
- (g) dismissal, meaning permanent removal from employment or University programs, facilities, and property.

13.10.1.1. The relevant member of the President's Staff will review any sanction recommending termination from employment at the University. If a member of the President's Senior Staff is the Respondent, the President will review any sanction recommending termination from employment at the University.

13.11. Summary Suspension

13.11.1. The University reserves the right to take necessary and appropriate action to protect the educational environment, and the safety and well being of members of the University community. In the event that any individual charged with violation of the University's Discrimination/Sexual Harassment Policy is deemed a serious risk to the safety and security of the University and/or its campus community, its faculty, learners, or staff, the University reserves the right to summarily suspend that individual. The University reserves its right to suspend that individual with or without pay and benefits (tenured faculty can only be suspended with pay and benefits) and exclude that individual from campus, except as is necessary to participate in the formal hearing process delineated above.

13.11.1.1. Nothing in this policy shall limit the authority of the University, or any of its constituent parts, to take such actions as the appropriate University officer or Dean or his/her designee deems necessary to protect the physical safety of members of the University community, or to maintain conditions compatible with the educational process or institutional integrity of the University or any of its constituent parts.

13.12. Appeals

13.12.1. Notice of an appeal: Respondents may appeal by filing written notice with the University official who issued the disciplinary sanctions within fourteen (14) calendar days from the day a sanction is imposed, with a copy to the EEO Office. Respondents seeking an appeal must specify in writing the grounds for the request. *Respondents who fail to file an appropriate written request for an appeal within fourteen (14) days waive their right to appeal.*

13.12.1.1. Grounds for appeal: Appeals will be considered only under one (1) or more of the following circumstances:

- (a) when the Respondent deems the sanction inconsistent with the gravity of the offense, except in the case of termination of employment where review is automatic, as provided in Section 12.2. of the Faculty Handbook;
- (b) when new evidence that was not available at the time of the hearing becomes available within the above referenced fourteen (14) calendar day period; or
- (c) when there has been a substantial and material procedural error during the hearing process.

13.13. Reviewer: The relevant member of the President's Staff will review appeals.

13.14. Possible Results: The relevant member of the President's Staff will review the request for an appeal and any evidence necessary to support that request. He/she shall then have the authority to:

- (a) affirm;
- (b) reverse;
- (c) modify the sanction imposed; or
- (d) remand the matter for further investigation or consideration by the Discrimination/Sexual Harassment Hearing Committee (only available in cases where there is new evidence or where there has been substantial and material procedural error).

13.14.1. Decisions of the relevant member of the President's Staff are final.

13.14.2. In the event that the Respondent is a member of the President's Senior Staff, the President will review appeals and the process is as set forth in Section 13.12.

13.14.3. Appeals for tenured faculty only: Should any tenured faculty member at the University desire to pursue an appeal of any actions imposed on him/her through these procedures, the affected faculty member will avail himself/herself of procedures delineated in the appropriate Faculty Handbook (for tenured faculty, refer to Section 12.5. in the Faculty Handbook).

13.15. Substitutions

13.15.1. In the event that the Respondent is a Dean, Equal Employment Opportunity Officer, or a member of the President's Staff, the President will designate an appropriate substitute who will assume the responsibilities outlined in this policy. In the event that the Respondent is the President, the Chair of the Board of Trustees will receive the report of the Committee and determine, with the Board of Trustees, any sanctions to be imposed in accordance with the Bylaws of Western New England University. The decision of the Board of Trustees shall be final.

13.16. Confidentiality

13.16.1. Throughout all investigations and hearings of complaints arising from discrimination/sexual harassment, both formal and informal, the confidentiality of the proceedings and the identities of the parties to the complaint shall be protected to the fullest extent practicable under the facts and circumstances of each case.

SECTION 14 COLLEGE OF PHARMACY AND HEALTH SCIENCES GRIEVANCE PROCEDURE FOR FACULTY

14.1. Purpose of Grievance Procedure

14.1.1. The purpose of the faculty grievance procedure is to resolve disputes that arise within the faculty of the College of Pharmacy and Health Sciences. The faculty includes, for the purposes of this procedure, the full-time teaching faculty, the Department Chairs, the Assistant/Associate Deans, and the Dean. Disputes that arise between College of Pharmacy and Health Sciences faculty and faculty members of other units of the University will follow the process outlined in Part B, Section 12 of the *Western New England University Faculty Handbook*.

14.1.1.1. Note: Grievances against non-faculty, i.e., administrative and classified staff, are processed in accordance with policy in the Office of Human Resources.

14.2. This procedure covers all grievances except when:

- (a) The grievance involves an alleged violation of equal opportunity, discrimination, or sexual harassment. A separate procedure for these grievances is administered by the EEO Officer and the Assistant Vice President and Director of Human Resources Human Resources and the CareerCenter (see Section 13).
- (b) The grievance involves the dismissal of a tenured faculty member and/or a non-tenured faculty member during a contract year.
- (c) The grievance arises during an appointment process before the grievant is formally an employee of the University.
- (d) The grievance is related to the non-renewal of probationary period tenure-track faculty members since this is covered by a separate procedure (see Section 3.6).

14.2.1. Evaluations arising from the annual performance review process are grievable only if documentation is provided giving demonstrable evidence of:

- (a) Error(s) of fact, which are shown to have been the cause(s) of a negative evaluation of the faculty member's performance.
- (b) Violation(s) in the use of the evaluation criteria, which are shown to have been the cause(s) of a negative evaluation of the faculty member's performance.
- (c) Instance(s) or pattern(s) of treatment of the faculty member by the evaluator (not otherwise grievable) which the faculty member can show has seriously compromised the objective judgment of the evaluator.

14.3. Definition: A grievance is defined as an alleged violation by the College of Pharmacy and Health Sciences and/or its agents of College policy, rules, or contract rights of the employees.

14.4. Eligibility to File a Grievance

14.4.1. A grievance may be filed by any full-time teaching faculty member who is under contract to the College of Pharmacy and Health Sciences at the time of the filing of the grievance.

14.5. Processing a Grievance

14.5.1. Initial Procedure

14.5.1.1. The grievant shall first put the grievance in writing within thirty (30) days of its occurrence using a Standardized Grievance Form (Appendix 5) and then attempt in good faith to resolve the grievance with his/her Department Chair, or if the subject of the grievance is either the Chair, a Faculty Appeals Committee, an Assistant Dean, or an Associate Dean, with the appropriate Dean. If the subject of the grievance is the Dean, the grievance shall be filed with the Provost. Administrators processing the

grievance shall have sixty (60) days from the time the complaint is filed to resolve the grievance informally, unless an extension is agreed upon by both parties. The completed Standardized Grievance Form shall be date-stamped upon submission to the Department Chair or Dean.

14.5.1.2. If the respondent is the Provost, then administration of the grievance process shall go to the Assistant Vice President and Director of Human Resources and the CareerCenter who shall report directly to the President. If the respondent is the President, then administration of the grievance process shall go to the Assistant Vice President and Director of Human Resources and the CareerCenter who shall report directly to the Chair of the Board of Trustees of the University.

14.5.2. Stage Two Procedure

14.5.2.1. If the grievance cannot be resolved informally within ninety (90) days from the submission of the grievance, the grievant may, within five (5) working days from the end of the ninety (90) day period, file a Stage Two written complaint using the same Standardized Grievance Form unless an extension is agreed upon by both grievant and respondent. The formal grievance shall be filed with and acted upon by the Dean, unless the grievance is against the Dean, in which case the Provost will seek to resolve the grievance. If the grievance is against the Provost, then the procedure in Section 14.5.1.2. will be followed.

14.5.2.2. Within fifteen (15) working days of receipt of the grievance, the Dean shall evaluate the grievance and respond in writing. If the grievant is not satisfied with the Dean's response, he/she may, within five (5) working days of receipt of the response request a formal hearing by a grievance committee. The Dean will form the committee to review the case (Section 14.5.2.3) and issue a written recommendation for resolution of the grievance. If the complaint is against the Dean, the Provost shall evaluate the grievance and, if required, form the grievance committee (Section 14.5.2.3). If the grievance is against the Provost, then the procedure in Section 14.5.1.2. will be followed.

14.5.2.3. The committee shall be formed within five (5) working days of receipt of the request by the Dean. The committee shall be composed of three (3) full-time teaching faculty of Western New England University to be chosen as follows:

- (a) One (1) member chosen by the grievant;
- (b) One (1) member chosen by the respondent;
- (c) One (1) member chosen by the other two (2) members, who will be Chair with a vote.

14.5.2.4. The committee shall evaluate the grievance and may conduct its own investigation, speak with witnesses, examine documents, and take testimony. It may conduct a formal hearing in which a broad range of testimony and evidence may be heard or submitted. The procedure is non-judicial and not bound by formal rules of evidence. At any formal hearing, either the grievant or the respondent may be advised by counsel (any member of the University community or an attorney at the discretion of the grievant or the respondent). The counsel may not participate in the procedures, but may advise the grievant or the respondent during the course of the hearing. The committee will complete a written report, including a recommendation for any remedial action, if appropriate. The report shall be made within thirty (30) days of the formation of the committee unless all members of the committee agree to an extension of time.

14.5.2.5. The written report of the committee shall be forwarded to the Dean (or the Provost, or the Assistant Vice President and Director of Human Resources and the CareerCenter, if appropriate), grievant, and the respondent. The Dean (or Provost, or the Assistant Vice President and Director of Human Resources and the CareerCenter, if appropriate) shall, within thirty (30) days of the receipt of the report, review the report, including any recommendation, and render a decision in writing. Copies of the decision shall be mailed to each of the parties.

14.6. Appeal of the Decision to the President

14.6.1. An appeal of the decision may be made to the President within five (5) working days of the decision of the Dean, Provost, or Assistant Vice President and Director of Human Resources and the CareerCenter if the grievant alleges that:

14.6.1.1. The remedy is inappropriate or inequitable.

14.6.1.2. The grievance procedure was violated.

14.6.1.3. New evidence was discovered. Such evidence must be provided within twenty (20) working days of receipt of the written decision of the Dean, Provost, or Assistant Vice President and Director of Human Resources and the CareerCenter.

14.6.2. The President's report will be issued within thirty (30) days of the first appeal. The decision of the President is final.

14.6.3. The grievant agrees that by filing a formal grievance, no legal remedies shall be sought until all the procedures made available within the University, as outlined above have been exhausted. The grievant may pursue legal remedies after internal processes are exhausted or if internal processes are not complete within thirty (30) days of the expiration of the relevant statute of limitations of laws of the Commonwealth of Massachusetts or the United States Government.

SECTION 15 LEGAL REMEDIES

15.1. Nothing in this Faculty Handbook shall be deemed to waive any statutory or non-statutory remedies of the parties.

SECTION 16 SABBATICAL LEAVE

16.1. The purpose of sabbatical leave is to provide faculty, both tenured and non-tenure-track, the stimulus and opportunity to enrich their personal and professional resources through study, research, travel, or writing so that the ultimate benefit is to the University and higher education in general, as well as to the individual.

16.2. Each sabbatical leave may be taken for either one (1) or two (2) semesters. Faculty shall be eligible for an initial sabbatical leave after six (6) academic years of continuous full-time service at Western New England University. For subsequent sabbatical leaves, the first year of the six (6) year period of continuous service will commence with the academic year following the year in which the sabbatical was taken. Approved leaves of absence will not be considered an interruption in continuous service but they will not be included as contributing to time spent in this period of continuous service.

16.3. A member of the faculty on sabbatical leave for two (2) semesters will receive fifty-percent (50%) of the academic year's salary. A faculty member on leave for one (1) semester shall receive full salary for that period. The faculty member may elect to continue all or any portion of the fringe benefits to which there is entitlement based on the current University salary. The University will continue to pay the University's share of those benefits that the faculty member elects to continue in force by paying his/her normal share.

16.4. A sabbatical leave will not be granted for the purpose of accepting teaching positions in other institutions or compensated full-time non-teaching positions. If a faculty member receives outside financial support in the form of a grant, fellowship, or salary, the University's contribution will be reduced so that total compensation received will not exceed the faculty member's current University salary. Recipients are responsible for reporting any such salary supplement to the Provost. Grants made specifically to cover travel expenses, equipment cost of projects, or other extraordinary expenses normally not borne by the faculty member will not be included as part of the total compensation.

16.5. Application for sabbatical leave shall be submitted by the faculty member to the Department Chair no later than October 1st of the academic year prior to the requested sabbatical for dissemination to the Dean. The application shall include the following information:

16.5.1. A full description of the sabbatical proposal and any supporting documentation. Such supporting documentation should include preliminary work completed on the paper or project and a description of how the project contributes to the faculty member's discipline and/or enhances the faculty member's teaching. The supporting documentation shall reflect the results of previous sabbaticals, course release, and University funded activity.

16.5.2. A statement indicating the number of years the faculty member has been a full-time member of the University's faculty.

16.5.3. The date or dates of previous sabbatical leave or leaves.

16.6. Sabbatical Review Process:

16.6.1. The Chair shall comment upon the value of the proposal to the faculty member's discipline and/or how the proposal enhances the faculty member's teaching. The Chair shall also comment upon the likelihood of the applicant completing the research or project described. In addition, the Chair shall comment upon the feasibility of making provisions for coverage of teaching responsibilities while the faculty member is absent in terms of ongoing personnel and financing. If a Chair applies for sabbatical, the Dean, if possible, shall solicit a written recommendation from a tenured member of the appropriate discipline or department.

16.6.2. After the initial review of the proposal, the Chair of the faculty member's department shall forward a recommendation to the Dean. The Dean shall review the proposal and the Chair's recommendation and submit a recommendation to the Faculty Affairs Committee for consideration.

16.6.3. The Faculty Affairs Committee shall review each application and determine if the proposal will add value to the faculty member's discipline and/or enhance the faculty member's teaching; the likelihood that the faculty member will successfully complete the research or project as described; the recommendation of the applicant's Chair and Dean; and the number of times the faculty member has previously submitted an acceptable sabbatical proposal that has been denied due to budgetary constraints. All other things being equal, the faculty member having waited the longest will be favored. The Faculty Affairs Committee shall establish a standard to allow it to rank each proposal under consideration. Such standard shall incorporate and apply the above factors in a manner which is neither arbitrary nor capricious.

16.6.4. The ranking of applicants shall be submitted to the Provost no later than December 10th. After the determination of available resources, the Provost shall inform the faculty member whether or not the sabbatical has been granted no later than December 20th of the academic year prior to the requested

sabbatical in which the leave is requested. The number of sabbaticals approved in any one (1) year will be determined by the limits of the budget.

16.7. Sabbatical leaves are granted with the understanding that the faculty member will return to Western New England University for at least one (1) year of full-time service immediately following the year in which the sabbatical is taken. The faculty member will submit a report on the results of the sabbatical to his/her Dean during the semester following the sabbatical leave.

SECTION 17 PROFESSOR EMERITUS

17.1. Professor Emeritus status may be awarded to a retiring associate or full professor who has served in a full-time capacity as a faculty member at Western New England University College of Pharmacy and Health Sciences for a minimum of ten (10) years, upon the recommendation of the Dean, the Provost, and the President. The President will confer the award. Among the privileges afforded by this status is the right to claim, upon request, affiliation with Western New England University and to use the campus mailing address and e-mail address.

C. PERSONNEL POLICIES: OPERATIONAL

For details concerning any of the following personnel policies, consult with the Assistant Vice President and Director of Human Resources and the CareerCenter

SECTION 1 NEW APPOINTEES

1.1. All new employees are required to report to the Office of Human Resources within twenty-four (24) hours of beginning service to complete Part I of the Form 1-9 and to provide within seventy-two (72) hours of beginning service the necessary documentation required by the Federal Immigration Reform and Control Act of 1986 establishing the right to work. In compliance with Massachusetts's law, each faculty member must submit evidence of freedom from tuberculosis.

1.2. New faculty members are required to submit to the Provost's Office official transcripts of all undergraduate and graduate study. Faculty members earning a new degree while teaching at the University are also required to submit a complete official transcript of the work taken toward the new degree. These transcripts become a part of each faculty member's permanent record retained by the University. Salary adjustments based on acquisition of a new degree will not be granted until the official transcript is in the possession of the Provost's Office.

SECTION 2 SALARIES

2.1. Faculty members are ordinarily paid bi-weekly, twelve (12) months a year. Federal and State income tax will be withheld from salaries on the basis of exemption certificates filed with the Payroll Office. All are required to participate in the Federal Social Security Program.

SECTION 3 RETIREMENT PLAN

3.1. The University offers a retirement plan based on section 403(b) of the internal revenue code, which allows employees of not-for-profit organizations to save for retirement on a tax-deferred basis. The University will make contributions to the retirement plan for those employees who have been employed by the University for a year and who have worked at least 1,000 hours during that time. New employees who do not qualify for immediate University contributions may enroll and make contributions to the plan with their own money. For these employees, the University contributions will not begin until one (1) year of service has been completed. Eligible employees who elect not to participate at the time they become eligible may join the first (1st) of the month following the month in which they request to join and only if all the proper forms are completed prior to the first (1st) of the following month. No institutional contributions can be made on behalf of an employee until formal application has been made through the office of Human Resources. Retroactive institutional contributions will not be made.

As a condition of employment, eligible employees hired after July 1, 2008, after attaining age twenty-five (25) and completing one (1) year of service (which includes 1,000 hours worked) are required to make contributions to the plan. Contributions must be 3%, 4%, or 5% of compensation. This plan is designed to supplement Social Security benefits, thereby providing a reasonably adequate assured income after retirement. TIAA-CREF is the record keeper of the Western New England University 403(b) Defined Contribution Plan.

SECTION 4 INSURANCE PROGRAMS

4.1. Short Term Disability Compensation Plan

4.1.1. A short term Disability Compensation Plan is provided by the University to all full-time Western New England University employees. Faculty members will receive full salary for the first twenty-six (26) weeks of disability. The University reserves the right to require medical examination of an employee by the physician of its choice prior to granting benefits under this program. The University bears the entire cost of this program.

4.1.2. At the end of the twenty-six (26)-week period short term disability coverage ceases and application may be made for long term disability under the following Group Total Disability Income Insurance Plan.

4.2. Group Long-Term Total Disability Income Insurance

4.2.1. This coverage is designed to protect the faculty member from loss of income in the event of a prolonged disability. A faculty member becomes eligible for enrollment in Group Total Disability Insurance after six months of continuous full-time employment. The cost of Group Total Disability Income insurance is absorbed totally by the University, including the waiver benefit available to those participating in both the disability and retirement programs. Detailed information about the plan may be obtained from the Office of Career and Human Resources.

4.3. Group Health Insurance

4.3.1. All full-time faculty members are eligible to participate in the Western New England University

Employee Health Plans, which are carried with Blue Cross Blue Shield of Massachusetts. The program is made up of a traditional indemnity major medical and hospitalization plan subject to deductibles and co-insurance, and a Preferred Provider Organization of doctors and medical service providers which may be utilized with the payment of deductibles and co-insurance. There is also a Health Maintenance Organization (HMO) option. The University contributes seventy-five per cent (75%) of the assessed premium rate of the plans for either individual or family coverage options with the faculty member paying twenty-five per cent (25%) of the cost through a payroll deduction.

New full-time faculty members may enroll in one of the Western New England University Employee Health Plans as of the date of hire. Continuing faculty members may join a plan at any time only if coverage under another health insurance plan is lost. Faculty members who have voluntarily left the plan may rejoin only during the open enrollment period scheduled once a year in advance of the plan's January 1st anniversary date. Detailed information about the current PPO and HMO Plans may be obtained via the Office of Human Resources website. Premium rates for the Plans are published annually and are distributed to all employees in advance of the open enrollment period. Click to download information on the PPO PLAN or the HMO PLAN. To find a participating health care provider, go to: http://www.bluecrossma.com/common/en_US/findADoctorIndex.jsp.

4.4. Dental Insurance

4.4.1. Full-time faculty members are eligible to participate in a voluntary plan. Faculty members pay the full cost of premium through payroll deduction. For additional detailed information about the Delta Dental Preferred Voluntary Plan, please visit our Human Resource website regarding the dental plan and to find a list of participating dentists to go to: <http://www1.wne.edu/human-resources/benefits-information-forms.cfm>.

4.5. Group Life Insurance

4.5.1. The University participates in a Group Life Insurance plan which is available to full-time faculty members after a three-month waiting period. The University assumes the full cost. For details of the coverage and limits of this plan see the Benefits Administrator in the Office of Career and Human Resources.

4.6. Liability Insurance

4.6.1. The University bears the entire cost of liability insurance on all personnel. Faculty members who are acting within the scope of their employment have liability coverage for incidents which may arise from their employment practices.

4.7. Travel Accident Insurance

4.7.1. Business Travel Accident insurance is payable in addition to any workers' compensation, disability or life insurance the covered employee may have. It provides a lump sum payment to beneficiaries to help replace traveling employees' income if they die, or offer living benefits to help cover expenses related to the care and treatment that may be necessary if employees survive a critical accident. Covered accidents may include death, coma, dismemberment, paralysis or loss of speech and/or hearing that result from an accident that occurs during a covered activity. All part-time and full-time faculty, exempt, and non-exempt employees of the University are covered at six (6) times the Insured Person's Basic Earnings to a Maximum of \$750,000.

4.8. Worker's Compensation Insurance

4.8.1. All faculty are covered by Workers' Compensation Insurance. Everything possible is done to provide safe conditions for University faculty, but the prevention of accidents is largely a matter of individual care and planning. All faculty are required to follow safety rules, procedures, and practices established by their supervisors and/or mandated by OSHA regulations. Should a faculty member see conditions that appear unsafe, he/she should report them immediately to a supervisor. If a faculty member has an accident while at work, he/she should report it immediately to a supervisor even though the injury may be slight.

Accidents must be reported to the Office of Human Resources either by the faculty member or his/her supervisor, within twenty-four (24) hours. All claims will be processed through the Office of Human Resources. Faculty being treated for work related injuries should not give medical care providers their personal medical insurance numbers.

If the period of absence is in effect on July 1, any wage increase that the faculty member may be entitled to will take effect upon return to active service.

4.9. Social Security Insurance

4.9.1. All faculty are covered by the Old Age Survivors' Insurance provisions of the Federal Social Security Act (FICA) and Medicare according to the rates and provisions set forth by the Social Security Administration. Click here to go to the Social Security Website: <http://www.ssa.gov/>.

4.10. Unemployment Compensation Insurance

4.10.1. Employment at Western New England University is covered under the Employment Security Laws which provide income should a faculty member become unemployed through no fault of his/her own. All faculty leaving the employ of the University are provided with information regarding their rights to unemployment compensation and about the process of applying for unemployment benefits as required by the Massachusetts Division of Employment and Training.

4.11. Voluntary Insurance Program

4.11.1. As a convenience to its employees, the University offers an opportunity for car and homeowners/tenants insurance to be purchased on a payroll-deduction basis. For more information, contact the Office of Human Resources.

4.12. Long-Term Care Insurance

4.12.1. After three (3) months of continuous employment, the University will provide each regular full-time faculty member with a Long-Term Care insurance policy for \$1,500 a month benefit for up to thirty-six (36) months. The full premium is paid for by the University. Employees must complete and submit the required enrollment form. The program also allows employees to purchase increased levels of coverage and benefits, and/or purchase coverage for family members at their own expense through payroll deduction.

SECTION 5 SICK LEAVE

5.1. Faculty members will be paid their regular compensation for absences caused by personal illness or injury. Prompt notification should be made to the appropriate Dean in the case of illness. When extended periods of sick leave are anticipated, full-time faculty must contact the Office of Human Resources in order to apply for Short-Term Disability benefits. The University will make every effort to have an individual's classes covered by fellow faculty members for the duration of the illness.

5.1.1. In connection with any faculty member's medical absence in excess of two (2) successive weeks during any academic semester, the University reserves the right to hire an individual or individuals on a temporary basis to carry out affected teaching responsibilities for the remainder of the relevant semester. Continuation of salary during this period is provided in accordance with the terms and conditions of the University's Short-Term Disability Compensation Plan (See Section 4.1.). Upon return from sick leave, the University requires a physician's certification that the faculty member is able to return to work. If the faculty member returns to work before the conclusion of a semester, he/she will be assigned other duties commensurate with his/her experience and position. Any arrangements for reduced work-load schedules must have the approval of the Provost.

SECTION 6 PARENTAL LEAVE – MASSACHUSETTS – NON-FMLA

6.1. Upon advance request, employees who have completed their initial probationary period may be granted a parental leave in accordance with Massachusetts State Law for purposes of birth of a child, or adoption of a child under the age of 18 (or under the age of 23 if the child is mentally or physically disabled).

The following guidelines normally apply:

In most situations, you must give notice to the University at least two (2) weeks of your intention to take your leave of absence, and your intention to return to work. However, if the circumstances are

unforeseeable and thus are beyond the employee's control, then notice can be provided as soon as practicable. A position within the University will be held for an individual for a period of eight (8) weeks.

In the event that both employees are seeking time off under this policy for the reasons set forth under this policy, then the two employees are entitled to an aggregate of eight (8) weeks of leave.

Requests for time off exceeding the guidelines set forth in this policy will be evaluated on a case by case basis. However, if time is granted in excess of the customary eight (8) weeks available under this policy, then there is no guarantee of job reinstatement. However, the University will inform the employee, in writing, prior to the commencement of the parental leave, and prior to any subsequent extension of that leave, that taking longer than 8 weeks of leave shall result in the denial of reinstatement or the loss of other rights and benefits.

This is an unpaid leave, but an employee may elect to use paid time that may be available so that some or all of the leave may be paid (to the degree that paid time is available).

SECTION 7 FAMILY AND MEDICAL LEAVE ACT OF 1993

7.1. Family and Medical Leave Act (FMLA) entitles eligible faculty to take up to twelve (12) weeks of unpaid, job-protected leave each year for specified family and medical reasons. The employer must be notified of the conditions of the FMLA (see Section 7.1.5.)

7.1.1. Employee Eligibility

7.1.1.1. To be eligible for FMLA benefits, a faculty member must:

- (a) work for a covered employer;
- (b) have worked for the employer for a total of at least twelve (12) months;
- (c) have worked at least 1,250 hours over the previous twelve (12) months;
- (d) have worked at a location where at least fifty (50) employees are employed by the employer within seventy-five (75) miles.

7.1.2. Leave Entitlement

7.1.2.1. A covered employer must grant an eligible full-time faculty member up to a total of twelve (12) work weeks of unpaid leave during any twelve- (12) month period for one (1) or more of the following reasons.

- (a) for the birth or placement of a child for adoption or foster care;
- (b) to care for an immediate family member (spouse, child, or parent) with a serious health condition; or
- (c) to take medical leave when the faculty member is unable to work because of a serious health condition.

7.1.2.1.1. Spouses employed by the same employer are jointly entitled to a combined total of twelve (12) work weeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent (but not a parent-in-law) who has a serious health condition. Leave for birth or placement for adoption or foster care must conclude within twelve (12) months of the birth or placement. Under some

circumstances, faculty may take FMLA leave intermittently, which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

- (a) If FMLA leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to the employer's approval.
- (b) FMLA leave may be taken intermittently whenever medically necessary to care for a seriously ill family member, or because the faculty member is seriously ill and unable to work.

7.1.3. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- (a) any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, or residential medical-care facility;
- (b) any period of incapacity requiring absence of more than three (3) calendar days from work, college or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
- (c) continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three (3) calendar days, and for prenatal care.

7.1.4. "Health care provider" means:

- (a) doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctor practices; or
- (b) podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to manual manipulation of the spine to correct a subluxation that exists, as demonstrated by x-ray) authorized to practice, and performing within the scope of their practice, under state law; or
- (c) nurse practitioners and nurse-midwives authorized to practice, and performing within the scope of their practice, as defined under state law; or
- (d) Christian Science practitioners listed with the First Church of Christ Scientist in Boston, Massachusetts.

7.1.5. Maintenance of Health Benefits

7.1.5.1. A covered employer is required to maintain group health insurance coverage for a full-time faculty member on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the faculty member had continued to work. If applicable, arrangements will need to be made for faculty members to pay their share of health insurance premiums while on leave.

In some instances, the employer may recover premiums it paid to maintain health coverage for a faculty member who fails to return to work from FMLA leave.

7.1.6. Job Restoration

7.1.6.1. Upon return from FMLA leave, a full-time faculty member must be restored to his or her original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. If the faculty member returns to work before the conclusion of a semester, he/she will be assigned other duties commensurate with his/her experience and position. Any arrangements for reduced work-load schedules must have the approval of the Provost.

In addition, a faculty member's use of FMLA leave cannot result in the loss of any employment benefit that the faculty member earned or was entitled to before using FMLA leave.

7.1.7. Notice and Certification

- 7.1.7.1. Faculty seeking to use FMLA leave may be required to provide:
- (a) thirty- (30) day advance notice of the need to take FMLA leave when the need is foreseeable;
 - (b) medical certifications supporting the need for leave due to a serious health condition affecting the employee or an immediate family member;
 - (c) second or third medical opinions and periodic re-certifications (at the employer's expense); and
 - (d) periodic reports during FMLA leave regarding the employee's status and intent to return to work.

7.1.7.2. When leave is needed to care for an immediate family member or the faculty member's own illness, and is for planned medical treatment, the faculty member must try to schedule treatment so as not to unduly disrupt the employer's operation.

7.1.8. For additional information on FMLA, contact the Office of Human Resources.

SECTION 8 EMPLOYEE WELLNESS PROGRAM

8.1. Employees and their families have free access to the University's state-of-the-art Alumni Healthful Living Center (AHLIC). See the Office of Human Resources website for more information (<http://www1.wne.edu/humanresources/index.cfm?selection=doc.7662>).

SECTION 9 EDUCATIONAL BENEFITS/TUITION REMISSION

9.1. Employee

9.1.1. . Eligible Employee: Any current Western New England University full-time faculty (or staff), who has completed at least one (1) calendar year of full-time service at Western New England University as of September 1, of the current academic year.

9.1.2. A retired employee, with at least fifteen (15) years of full time service, who retired from the University due to a disability.

9.1.3. Adjunct faculty who have completed at least five (5) years of service to the University will be eligible to take one (1) course without payment of tuition during a semester in which they are actively teaching. For adjunct faculty, a year of service is defined as any academic year in which the individual has taught. Years of service for this prerequisite do not have to be consecutive and prior years of service will be counted toward this prerequisite. The five (5) years of service must be completed on or before the last day to register for classes in any given semester in order for the employee to receive tuition remission benefit in that semester. Tuition remission for adjunct faculty is for the faculty member only and cannot be used for courses taken by an employee's spouse or dependents.

9.1.3.1. Procedures

- (a) Adjunct faculty must complete and return to the Office of Human Resources a Tuition Remission Form for each semester in which they wish to take a course under the Tuition Remission Benefit.
- (b) Tuition Remission Forms are available from the Office of Human Resources.
- (c) Tuition Remission Forms cannot be submitted for courses already completed.

9.2. Spouses and Dependents

9.2.1. Following completion of a three (3) month waiting period, spouses and dependent children of a full-time faculty member of the University may receive, if eligible to attend, remission of tuition and academic fees sufficient to earn one (1) degree (four (4) year maximum period), either undergraduate or graduate. For the purposes of this benefit, a dependent child is any child born to a faculty member, legally adopted by a faculty member, or for whom legal guardianship can be documented. To be eligible for this benefit, however, a dependent child must enroll in a program of undergraduate study prior to his/her twenty-third (23rd) birthday, or graduate study prior to his/her twenty-fifth (25th) birthday. The value of graduate tuition abatement is by law considered income and is subject to Federal Income and Social Security taxes. Tuition Remission Forms are available in the Office of Human Resources. A remission form for each person enrolled must be completed each fiscal year, which runs from July 1st through June 30th.

9.2.2. The same privilege of attending the University with a remission of tuition for undergraduate studies will be extended to the spouse and dependent children of a faculty member who has served the University on a full-time basis for at least five (5) years and who becomes disabled or who dies while in active service. The dependent children of retired faculty members who have served the University on a full-time basis for at least ten (10) years will be accorded a like privilege. The benefit is available to children who are the dependents of faculty members at the time of death, disability or retirement according to the current terms of the plan, so long as the dependent child enrolls in a full-time program of undergraduate study prior to his/her twenty-third (23rd) birthday or graduate study prior to his/her twenty-fifth (25th) birthday.

9.3. Tuition Exchange Program

9.3.1. The Tuition Exchange (TE) provides a national scholarship exchange program for dependent children of full-time faculty and staff among its members of approximately 630 U.S. colleges and universities. Colleges and universities participating in this program have agreed to remit tuition for participants from other member institutions. (Some partner institutions also remit room and board.) Partner institutions remit full tuition or at least up to the level determined yearly by Tuition Exchange (80th percentile of tuition of member institutions). The primary obligation of a member institution is to maintain a balanced exchange pattern, over a five-year period, between student “exports” and student “imports.” A member institution may import as many students as it wishes. It may not, however, export more than it imports. Institutions with many applicants may limit the number of TE Scholarships they award.

All students must seek admission to the partner institution which determines admission and admission procedures.

The following Guidelines are applicable to Western New England University employees who participate in the program. For more information on the Tuition Exchange Program, click here: https://www1.wne.edu/human-resources/doc/BenefitsInfoForms/TuitionExchangeCIC/TEP2015_brochure.pdf.

9.4. Council Of Independent Colleges Tuition Exchange Program

9.4.1. The Council of Independent Colleges Tuition Exchange Program (CIC-TEP) covers two hundred thirty-one (231) colleges and universities, and the list of participants is largely a different list of schools than those participating in the Tuition Exchange Inc. (TE) program.

There are no guarantees that any eligible faculty/employee will receive a scholarship under either the TE or CIC-TEP programs but both of these plans provide opportunities that should be investigated.

Information about both the TE and CIC-TEP programs, including a list of participating schools and eligibility requirements, is available in the Office of Human Resources. If you have any questions regarding this opportunity, contact the Office of Human Resources. Click here to go to The Council of Independent Colleges website: <http://www.cic.edu/>.

SECTION 10 PROFESSIONAL DEVELOPMENT

10.1. Advanced Training

10.1.1. For members of the full-time faculty who pursue courses leading to an advanced degree, or courses that are necessary to maintain professional competence, or who engage in post-doctoral study, the University will reimburse the costs of tuition and academic fees up to an amount no greater than two-thirds (2/3) of the per credit hour tuition for graduate courses at Western New England University, for such total semester hours as approved by the Dean. The University does not expect that full-time faculty will be full-time students simultaneously.

10.1.2. All courses must be approved in writing by the Dean in advance of the actual course meetings. Professional development approval/reimbursement forms are available in the Office of Human Resources.

All reimbursements for professional development will be made when grades have been submitted to the Dean and have been approved for payment. In all graduate courses paid for by the University taken at other institutions, reimbursement will not be approved unless the full-time faculty member achieves a minimum grade of “B” (or equivalent).

10.2. College of Pharmacy and Health Sciences Sponsored Travel

10.2.1. The College of Pharmacy and Health Sciences encourages faculty members to contribute to professional and academic societies and other academic institutions and organizations relevant to their discipline. The nature of the contribution can include attendance at meetings, presentations, service as an officer, and committee service within the organization, among other activities. Each Department Chair is authorized to assure a fair and equitable distribution of limited College of Pharmacy and Health Sciences funds available for this purpose. Support must be approved in advance by the Chair. Upon return, the faculty member should promptly file a standard expense voucher with the Department Chair’s office. College of Pharmacy and Health Sciences funds may be made available to help cover the cost of travel (within the United States), meals, lodging, registration, and fees for this purpose. The following (not in order of priority) are fundable at the discretion of the Department Chair and Dean.

10.2.2. Reimbursement to range from limited to full for the purpose of presenting a paper, symposium, or attending a workshop session at an academic society meeting;

10.2.3. Reimbursement to range from limited to full for the purpose of discharging duties as an officer at an academic society meeting;

10.2.4. Reimbursement to range from limited to full for the purpose of being a session chair, panel member, or for acting in a similar role at an academic society meeting;

10.2.5. Reimbursement to range from limited to full for the purpose of attending an academic meeting at the request of one’s Department Chair or Dean.

10.3. For more information see the College of Pharmacy and Health Sciences Professional Development Plan.

SECTION 11 RESEARCH/SCHOLARSHIP AND PATENT POLICIES

11.1. The College of Pharmacy and Health Sciences and the University recognize that research by its faculty is important to the advancement of its educational goals and to the professional development of the individual involved. Therefore, the University enables each member to contribute to his/her area of interest by engaging in research.

11.2. A faculty member shall keep his/her faculty Department Chair and Dean informed, and in turn the Dean shall inform the President, Provost, and Vice President for Finance and Administration as to the status of a research project from the initial proposal stage to the final completion.

11.3. Where the University provides office space, this may be used while the faculty member is carrying on the research work. Laboratories and equipment may also be used upon approval of the Dean of the College when this use does not interfere with the instructional program. If the research is supported by industry, a foundation, or a government agency, an approved overhead will be levied for the use of University facilities and equipment.

11.4. Expendable supplies, such as chemicals, components, charts, photographic supplies, etc., shall be charged to the project. In the case of externally supported research, the University shall be reimbursed in full for these.

11.5. Administrative support service provided by the University and telephone costs shall be charged directly against supported research projects.

11.6. A faculty member who expects to carry on supported research shall make definite salary arrangements with his/her Dean, the Provost, the Vice President for Finance and Administration, and the President prior to the start of such work. It is possible for the faculty member to be placed on a part-time teaching, part-time research status. In such cases, the University will continue the medical coverage as provided for a full-time teaching faculty. The Group Life Insurance and the disability coverage will also be continued as for full-time teaching personnel, with the annual salary amount computed on the combined salary for teaching and for research, but in no case shall the computed salary be more than that for full-time teaching, not including overload teaching. In the case of the TIAA/CREF Annuity the University will continue to contribute the usual percentage of the faculty member's combined annual salary for teaching and for research, but not exceeding the full-time teaching salary, exclusive of overload teaching.

11.7. The University shall have the rights to any inventions and patentable products resulting from faculty research conducted at Western New England University that is not supported by outside funding. The University maintains an affiliation with the Research Corporation of American for the purpose of evaluating inventions and assisting with the securing of patents. The cost of filing and prosecuting patents resulting from unsponsored faculty research shall be paid by the University.

11.8. If the University elects not to pursue the patent process within ninety (90) days, the full rights and any income there from are assigned to the inventor.

11.9. The rights to patents and other patentable products or developments resulting from faculty research conducted off the premises of the University, outside the contractual obligations with the University, shall belong to the individual.

11.10. In the case of sponsored research which finances all expenses connected with the investigations, the sponsor may be entitled to exclusive rights. In cases where the costs of development are borne by the University and some other person or agency, or by foundations or grants, it shall be considered that the equities are divided in proportion to the contributions. Each such case shall be subject to special agreement.

11.11. If a faculty member wishes to make use of University staff, equipment, facilities, or supplies for private research or scholarship, it must be done with the express permission of his/her Dean. Should University financial considerations enter into such work, cost-sharing must be arranged in advance with the Provost and the Vice President for Finance and Administration and recommendations from them must be approved in writing by the President.

SECTION 12 FACULTY WORKLOADS

12.1. In order to monitor faculty teaching loads, other non-teaching areas need to be taken into account. The teaching load of each faculty member is determined by a number of factors which include, but are not limited to, the following: disciplinary expertise, commitment to research/scholarly activity, and administrative responsibilities. The College of Pharmacy and Health Sciences has developed guidelines/methods for quantifying teaching, research/scholarly activity, service and clinical practice by its faculty (see Faculty Workload Form).

12.2. Faculty teaching loads may be reduced for the following activities:

12.2.1. Special assignments such as Assistant or Associate Dean, Department Chair, Vice Chairs, Directors, and other similar positions as appropriate.

12.2.2. Research, professional development, and proposal preparation. All full-time faculty members, as part of their role, are expected to engage in some form of professional development, research, or scholarship. Some faculty, however, may wish to spend more time on research, professional development, and proposal preparation than is realistically possible while carrying a full teaching load. In order to accommodate and encourage such special efforts in an equitable fashion, the following guidelines and procedures have been adopted.

12.2.2.1. Individuals without outside funding who request released time for research, professional development, or proposal preparation will submit requests presenting brief descriptions of the activities they propose to carry out, estimates of the time required, and indications of what specific achievements are to be expected. Requests will be submitted to the respective Department Chair well in advance of the time that teaching assignments are to be determined for each semester. The Chair's recommendations will be forwarded to the Dean. Depending upon budgetary considerations and course staffing needs, the Dean may grant or deny such requests.

12.2.2.2. If approved, released time for these special efforts will be allocated as a part of the faculty load for the semester in increments of one (1), two (2), or three (3) credit hours. No more than three (3) hours of released time will be granted for a semester without receiving outside funding. At the end of the semester, each person with released time not funded by outside sources will submit, to the Department Chair and Dean, a report of his/her efforts and accomplishments in connection with the released time.

These reports will include evidence of progress, such as copies of grant proposals or papers to be presented or published. Reports will be carefully reviewed and used in decisions about any possible extension of the released time into the following semester or future requests, and will be used also as a part of the annual review process. At the end of each year, the Dean will submit a report to the Provost summarizing the released time granted and the accomplishments stemming from that time.

12.3. It is the responsibility of the Department Chair and Dean to administer faculty loads within the College in a flexible manner. This will ensure a proper balance of loads will be achieved over a period of a year or longer, rather than on a semester-by-semester basis. It is also the responsibility of the Dean to keep the Provost informed on a semester-by-semester basis regarding the variations of loads deriving from these policy guidelines.

SECTION 13 EQUAL EMPLOYMENT OPPORTUNITY

13.1. It is the policy of the University to provide “equal employment opportunity” on the basis of merit and without discrimination on the grounds of race, color, religion, sex, sexual orientation, age or national origin, or non-disqualifying handicap pursuant to Federal Executive Orders 11246 and 11375, and Commonwealth of Massachusetts Executive Order 74.

13.2. The University will provide equal opportunity through positive, continuing programs in every Department. This policy of Equal Employment Opportunity applies to everyone, in every aspect of employment policy and practice.

13.3. Such equal opportunity will apply, but not be limited to, employment, upgrading, transfer, recruitment, advertising, layoff, termination, rates of pay, or other forms of compensation, and selection for training. Notices of nondiscrimination will be posted in conspicuous places to be viewed by all employees.

13.4. It is the policy of the University that in the process of recruitment for an appointment to the work force, no assignment will be made until minority-group candidates have been sought out and, if qualified candidates are identified, are encouraged to apply. Appointments will be monitored to insure that the University is moving significantly toward the goals of increased employment for women and minority persons.

13.5. Western New England University will insure, in all solicitations or advertisements placed by or on behalf of the University, that applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, age, national origin, or non-disqualifying handicap by addition of the statement “An Equal Opportunity Employer.”

SECTION 14 EMPLOYEE ASSISTANCE PROGRAM

14.1. The University maintains an Employee Assistance Program to provide help and counseling for on- or off-the-job emotional, family, substance abuse, legal, and financial problems etc. for faculty and their families. The services are provided free of charge and are completely confidential. No one at the University receives any report as to whether or not a member of the faculty or member of the faculty's family may have taken advantage of the program. The Employee Assistance Program may be reached by telephone at 1-800-252-4555 or 1-800-225-2527. More information can be found at <https://www.theeap.com/main/1078769955/>. Additional information is available from the Office of Human Resources.

SECTION 15 OTHER FRINGE BENEFITS

15.1. Reimbursement/Dependent Care Assistance Accounts

15.1.1. Health Care Reimbursement Account enables an eligible faculty member to pay for expenses not covered by an insured medical plan and save taxes. The Dependent Care Assistance Account enables an eligible member to pay for out-of-pocket, work-related dependent day-care cost with pre-tax dollars. Detailed information about the accounts may be obtained from the Director of Benefits Administration in the Office of Human Resources.

15.2. Jury Duty

15.2.1. A faculty member called for jury duty will be allowed absence without loss of pay for the period of service as a juror. Pay for such time on jury duty will be reduced by any amounts received from the courts as a juror.

15.3. University Bookstore Discount

15.3.1. All full-time faculty and all regular administrative employees will be allowed a ten percent (10%) cash discount on certain items purchased through the University Bookstore. A valid University employee identification card must be presented at the time of purchase in order to receive the discount.

SECTION 16 DISCRIMINATION /HARASSMENT/SEXUAL MISCONDUCT/ TITLE IX POLICY AND PROCEDURES

Introduction

Western New England University is committed to the principle of equal opportunity in education and employment. The University prohibits discrimination against any employee, applicant for employment, student or applicant for admission on the basis of any protected class. Protected classes include: age, color, creed, disability, ethnicity, gender identity, gender expression, genetics, national origin, pregnancy, race, religion, ancestry, sex, sexual orientation, genetics, active military or veteran status or any other protected category under applicable federal and state or local law.

The University provides equal access and participation in all University activities without regard to sex. Sexual misconduct including sexual harassment, sexual assault and sexual exploitation are forms of sex discrimination and prohibited under Title IX of the Higher Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and Chapters 151B and 151C of the Massachusetts General Laws. If this conduct occurs off campus, it may fall under the purview of Title IX and Title VII and the University reserves the right to act on incidents occurring off campus.

In addition to the above mentioned regulations, the University also complies with the Violence Against Women Reauthorization Act of 2013 (VAWA)¹, The Clery Act² and The Campus SaVE Act³.

Because the University takes allegations of discrimination/harassment seriously, the University will respond promptly to complaints of discrimination/harassment and will take appropriate action where it is determined that such inappropriate conduct has occurred. Furthermore, the University will act promptly to eliminate the conduct and impose such corrective action and sanctions as necessary.

This policy applies to any individual of either sex who participates in the University community as a student, faculty, staff member, visitor or any other persons having dealings with the institution."

The Assistant Vice President/Director of Human Resources serves as the EEO Officer and ADA 504 Coordinator and oversees the University's compliance efforts with discrimination, and equal opportunity.

The General Counsel serves as the Title IX Coordinator and oversees the University's compliance efforts with harassment and sexual misconduct.

¹ Violence Against Women Reauthorization Act Of 2013

² 20 U.S.C.A. § 1092 (West); 34 C.F.R. § 668.46

³ Violence Against Women Reauthorization Act Of 2013 § 304

Internal inquiries or reports about violations of this policy may be made to:

Title IX Coordinator

Cheryl Smith
General Counsel and Title IX Coordinator
Deliso Hall, Room 102
(413) 782-1542
csmith@wne.edu

ADA/504 Coordinator, Equal Employment Opportunity Officer

Joanne Ollson
Assistant Vice President and Director of Human Resources
Rivers Hall, Room 104
(413) 782-1343
joanne.ollson@wne.edu

Deputy Title IX Officers Sean Burke- Student Affairs

Associate Director of Residence Life for Operations St. Germain Campus Center, Room 222
(413) 782-1316
sean.burke@wne.edu

Lori Mayhew- Athletics
Alumni Healthful Living Center, Room 105B
Assistant Director of Athletics/Equipment Director/Softball Coach
(413) 796-2227
lori.mayhew@wne.edu

Inquiries may be made externally to:

Office for Civil Rights
(OCR)
US Department of Education 400 Maryland Ave SW Washington, DC 20202-1100
Customer Service Hotline # (800) 421-3481
Facsimile (202) 453-6012
TDD# (877) 521-2172
Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

Boston Office-EEOC
John F. Kennedy Federal Building 475 Government Center
Boston, MA 02203
Phone: 1-800-669-4000
Fax: 617-565-3196
Complaints can be filed Monday through Friday, from 8:30am to 3:00 pm.

Massachusetts Commission Against Discrimination (MCAD)
436 Dwight Street, Room 222
Springfield, MA 01103

Accommodation of Disabilities

The University is committed to full compliance with the American with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against qualified persons with disabilities.

The Assistant Vice President of Human Resources has been designated as the ADA/504 Coordinator for the University, responsible for coordinating efforts to comply with all disability laws.

Employees requesting reasonable accommodation should complete the ADA Accommodation Request Form found on the Human Resources web page at: https://www1.wne.edu/human-resources/doc/BenefitsInfoForms/Disability-LOA/ADA_Accommodations.pdf

Students requesting accommodation should contact the Office of Student Disability Services located in Herman Hall, Room 105.

Prohibited Conduct

Discrimination and Harassment⁴

Harassment constitutes a form of discrimination that is prohibited by law. Members of the Western New England University community, guests and visitors have the right to be free from discrimination and harassment. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the right of others. The University supports a zero tolerance approach to discrimination and harassment and complies with all applicable federal and state laws.

Sexual Misconduct

A violation of this policy may occur if one party engages in sexual activity with another party without consent.⁵ In order for individuals to engage in sexual activity of any kind with each other, there must be clear knowing and voluntary consent prior to and during sexual activity. Effective consent means that a person is able to make free, informed, and reasonable choices and decisions, and is not incapacitated by intoxication or other drug consumption (be it voluntary or otherwise), by disability, or by fear. Consent is effective when it has been clearly communicated. Consent may never occur if a person is unconscious, unaware, or otherwise physically helpless.

Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a “no.”

Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion occurs when someone is pressured for sex.

⁴ M.G.L.A. 151B § 4

⁵ There is no legal definition of consent in Massachusetts.

In short, consent must include explicit communication and mutual approval of the sexual activities in which the parties are involved. For consent, individuals involved in the sexual activity must willingly and knowingly engage in the activity. As a result, consent cannot be given due to physical force, intimidating behavior, threats, or coercion. Engaging in sexual activity with someone through force, intimidation, threats, or coercion is a violation of this policy. Further consent cannot be given by an individual who is incapacitated. For example, consent cannot be given by those incapacitated by alcohol or drugs, or by individuals who are unconscious. Knowingly engaging in sexual activity with someone who is incapacitated or who otherwise cannot give explicit consent is a violation of this policy. Sexual misconduct offenses include but are not limited to, sexual harassment, sexual assault, and sexual violence as defined below.

Sexual Harassment

The Western New England University community defines sexual harassment as:

- unwelcome, gender-based verbal or physical conduct that is,
- sufficiently severe, persistent or pervasive that it,
- has the effect of unreasonably interfering with, denying or limiting someone's ability to participate in or benefit from the university's educational program and/or activities, and is based on power differentials (quid pro quo), the creation of a hostile environment or retaliation.

In Massachusetts, the legal definition for sexual harassment is: sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or,
- b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive environment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, or humiliating may also constitute sexual harassment. Sexual harassment can involve a male harasser and female victim, female harasser and male victim, or parties of the same gender. Sexual harassment can also take place on the basis of gender identity or sexual orientation.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances -- whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

Western New England University recognizes that our community is not limited to our physical campus and includes “online” and “offline” interactions and postings.

The University, in compliance with the Violence Against Women Reauthorization Act Of 2013 also prohibits conduct as follows:

Sexual Assault:

The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent⁶.

Sexual assault includes, but is not limited to:

- Intentional touching of another person’s intimate parts without that person’s consent; or other intentional sexual contact with another person without that person’s consent; or
- Coercing, forcing, or attempting to coerce or force a person to touch another person’s intimate parts without that person’s consent; or
- Rape, which is penetration, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth of a person by a sex organ of another person, without that person’s consent.⁷

Domestic Violence⁸:

Domestic violence means a felony or misdemeanor crime of violence committed by the victim’s current or former spouse, current or former cohabitant, persons similarly situated under domestic or family violence laws, or anyone else protected under domestic or family violence laws.

Dating Violence⁸:

Dating violence means violence by a person who has been in a social, romantic or intimate relationship with the victim. Whether there was such a relationship will be gauged by its length, type, and frequency or interaction.

Stalking⁸:

Stalking means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or others’ safety, or to suffer substantial emotional distress.

Other Offenses (that may fall under Title IX as prohibited)

Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;

- Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of gender;
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);

⁶ Violence Against Women Reauthorization Act Of 2013

⁷ White House Task Force to Protect Students from Sexual Assault

⁸ Violence Against Women Reauthorization Act Of 2013

Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the 1st Amendment).

Demonstrating abusive behavior toward another person, including but not limited to verbal or written statements including Internet/electronic communications (that is not speech or conduct otherwise protected by the 1st Amendment).

Retaliation

Any retaliation against an individual who has complained about discrimination, harassment or retaliation against individuals for cooperating with an investigation of a discrimination/harassment complaint is unlawful and will not be tolerated.

Remedial Action

The University reserves the right to take whatever remedial measures it deems necessary in response to allegations of discrimination, harassment or retaliation in order to protect the rights and personal safety of community members. Such measures include but are not limited to, modification of living/academic arrangements, escort services, no contact orders, interim suspension, reporting the matter to campus and/or local police.

Reporting

There are three federal laws that establish responsibilities for employees of universities to report certain types of crimes and incidents, especially sexual misconduct: the Clery Act, Title IX of the Higher Education Amendments of 1972, and Title VII of the Civil Rights Act of 1964. Each of these areas of federal law has a different purpose, but generally the laws are intended to protect members of the campus community, visitors and guests from criminal and discriminatory behavior. The responsibilities established by these laws give rise to the term “responsible employees.”

The University has defined all employees, both faculty and staff, as responsible employees (except for health care professionals and any other individuals who are statutorily prohibited from reporting). When an employee becomes aware of an alleged act of sexual harassment, sexual misconduct discrimination, sexual assault, domestic violence, dating violence, or stalking, the employee must promptly contact the Title IX Coordinator or one of the Deputy Coordinators. The Coordinator or Deputy will use the Complaint Reporting Form ([see Attachment](#)) when gathering the initial information. If the complainant does not want to meet with the Title IX Coordinator or Deputy the employee receiving the complaint should print the form and complete with the complainant. The printed form should be hand delivered to the Title IX Coordinator and not sent electronically or through regular campus mail.

If an employee thinks that a complainant may report an act of sexual misconduct, the employee should inform the complainant that the University will maintain the privacy of the information to the greatest extent practicable. *The employee may be required to report the act and reveal the names of the parties involved.* If the complainant wishes to proceed, the employee should inform the complainant of the implications of sharing the names of the parties involved, which puts the University on notice.

If the complainant decides not to share the information with the employee, the employee should refer the complainant to resources on campus who have the ability to maintain confidentiality by virtue of their role. These on-campus resources include the Counseling Center, Health Services and Spiritual Life. Spiritual counselors, professional medical care providers, mental health providers, and those who report to them are under no obligation to report any details to the Title IX Coordinator. Non-professional counselors are not required to report incidents of sexual violence in a way that identifies the victim

without the victim's consent. If the complainant shares the information but indicates they will not participate in the investigative process, the employee must report this information to the Title IX Coordinator.

On-campus resources are available to members of the campus community. There are a number of off campus resources that complainants can be referred to as well. All complainants should be given a copy of the Harassment, Discrimination and Retaliation Reporting Pamphlet and the Emergency Information and Resources document.

Investigation

When the University receives a complaint, it will promptly investigate the allegation in a fair and expeditious manner. In compliance with OCR guidelines, the University will complete all investigations within a 60 business day time period which can be extended for appropriate cause by the Title IX Coordinator. At the close of the investigation, the Title IX Coordinator will report that a) the case should proceed under this policy; b) the case should proceed under other student/faculty disciplinary policy; or c) no further action is warranted.

Prior to any hearings, the investigator will interview all parties and witnesses, compile statements, verify statements, gather documentation, review evidence, conduct research and draft a report to submit to the governing disciplinary board (students) or hearing committee (faculty, staff) if one has been convened.

If a student/employee who is party to a Title IX Investigation chooses legal counsel as an advisor, all communication as to process and procedures relevant to the University's investigation and hearing process will be communicated directly to the party's legal counsel by the office of the General Counsel of the University.

Resolution, Disciplinary Action and Sanctions

Informal Resolution- Some claims of discrimination and harassment may be resolved informally, these claims do not include incidents of sexual violence. Some examples of informal resolutions include:

- Mediation between the complainant and respondent; and
- Conducting educational programs for groups or individuals.

The purpose of informal resolution is to implement an appropriate solution acceptable to all parties concerned. The Title IX Coordinator will work with the Complainant and Respondent to reach an informal resolution. If the Respondent is a faculty member the Dean of the respective School will participate in the resolution process. At the conclusion of the informal process a memorandum of understanding will be signed by both parties.

In the event that the informal process does not achieve resolution of the issue, the formal resolution process will be implemented.

When the Respondent is a student the procedure for Resolution of Claims outlined in the Student Code of Conduct will apply (<http://www1.wne.edu/student-affairs/Student%20Handbook.cfm>).

Formal Resolution

When a complaint is resolved through formal resolution, a Discrimination/ Harassment Hearing Committee will be convened. The Committee will consist of five (5) members of the Western New England community appointed by the President to serve two- year terms. Quorum will be 3 members. The Committee will be comprised of two (2) tenured faculty members referred to the President by the University Senate, one (1) non-exempt staff, one (1) exempt staff, all from different departments. Non-exempt and exempt staff will be selected by the President in consultation with the Assistant Vice President and Director of Human Resources. Replacement of faculty representatives on the Committee will be made by the University Senate. The President will designate a Chair of the Committee, based on such considerations as experience, continuity, and sensitivity to the concerns of those affected by the discrimination/harassment.

At any given time, there should be no more than three (3) persons of the same gender on the Committee. Two (2) additional members who are students will sit on the Committee when a complaint directly involves a student. For complaints involving graduate students, pharmacy students or law students, at least one (1) of the two (2) student members of the Committee will be a graduate student, law student, or pharmacy student as appropriate to the case. Student Committee Members can serve no more than two (2) consecutive one-year terms and will be recommended by the Student Senate Governing Boards.

Initiation of the Hearing Procedure

A copy of the complaint along with the investigator's report will be delivered to the Chair of the Committee. The investigator's report will include the respondent's response, witness statements, and all other relevant information documented during the investigation.

Within 10 days of receiving the information, the Chair of the Committee will send a list of Committee members to both the complainant and respondent. Either party may challenge any member's eligibility for cause in writing to the Chair, within two (2) working days of receiving the list. Any such challenge will be ruled upon by the Chair of the Committee. Any Committee member with previous knowledge of the incident will present that information to the Committee chair. If the Chair is released by challenge or disqualification, the Committee will elect a Chair, *pro tempore*. If by challenge, disqualification or unavailability, fewer than three (3) members of the Committee remain eligible, another member will be appointed by the President *pro tempore*.

No hearing will be held without the parties being given at least seven (7) calendar day notice. Each party may be accompanied during each session by one (1) advisor. If the advisor is an attorney, the advisor must be informed that they are not acting as legal counsel or advocate. The advisor will not participate in the session, but may observe and consult freely with the person whom they are advising.

Any party who is part of a Title IX proceeding may seek assistance from an advisor of the party's choice who is either a member of the University community (current student, alumnus, faculty member, or staff), family member, or legal counsel. The advisor's role is to provide clarification as to process and procedure, and offer general support to the party. The advisor's role is not to defend, speak on behalf of or otherwise advocate on behalf of, a complainant or respondent.

Advisors are permitted to attend meetings and hearings, but may not speak during a hearing. A Hearing Officer, at his/her discretion, may seek out clarification from an advisor. Advisors are not permitted to question any witnesses prior to or during a hearing. If an advisor has first- hand information as to an incident or situation, the advisor may provide a written statement to the Hearing Officer at the time of the

scheduled hearing. An advisor may write a note to a student party during a hearing, and may request a brief recess to confer with a student party.

An advisor may review and read the investigative record and take notes. No copies of any investigative materials will be given to the advisor.

Any advisor who in the University's discretion is deemed to be disruptive or disrespectful during any hearing, meeting, or through any investigative process, will be asked to remove him/herself from the process. The University will not postpone or continue an investigation, a hearing, or a meeting because of the removal of an advisor who does not comply with the University's participation guidelines.

Conduct of Formal Hearings

The formal hearing will be recorded for the Committee's use in deliberations. The recording will not be transcribed but will be stored securely and confidentially by the General Counsel. Upon receipt of signed written request, a copy of the recording will be made available to either party by the General Counsel's office. The Committee alone may question witnesses and parties. Each party has the right to be present for the entirety of the hearing. In the course of the hearing, each party may submit in writing, questions to be asked by the Committee. However, the Committee reserves the right to decline to pursue any such questions. The Respondent has the right to refuse to testify.

The Complainant and Respondent may request witnesses and present documentary evidence. Witnesses will be present at the hearing only when giving testimony. Each party may bring any number of witnesses; however the actual number of witnesses heard will be at the discretion of the Committee. The Committee may refuse to accept or hear any evidence that it deems irrelevant or unreliable. Rules of evidence used in courts of law are not used in this process.

Findings of the Committee (Preponderance of the evidence Standard)

After the hearing, the Committee will find one of the following:

- that it is more likely than not that the alleged violation occurred, or
- that it is more likely than not that the alleged violation did not occur.

Decision and Written Report

The Committee will deliberate in closed session to determine whether the responding party is responsible or not responsible for the violation in question. The Committee will base its findings and recommendation on a preponderance of the evidence standard.

The Chair will prepare a written deliberation report and deliver it to the Title IX Coordinator detailing the finding, the evidence heard, and how each member voted. The report should conclude with the recommended sanctions. All findings by the Committee shall be based on a majority vote of the panel. The Committee members must sign the written report.

After consultation with the Title IX Coordinator the employee's immediate supervisor will determine and impose sanctions in writing to the respondent. Disciplinary action will be taken by the respondent's supervisor for staff and Deans of the respective School or College for faculty.

The Title IX Coordinator will inform the party bringing the grievance of the final determination within 2-3 days of the hearing. The notification will be made in writing and delivered in person or certified or overnight mail.

Sanctions (Faculty, Administration, Staff)

Sanctions imposed by the Committee will be commensurate with the seriousness of the conduct, and will be adequate and sufficient to demonstrate the University's commitment to taking strong and effective measures to both remedy and prevent further violations. The assessment of the severity of the sanction will be based on both the current case and the Respondent's previous record of misconduct (if applicable). Any sanctions imposed on tenured faculty will be pursuant to the procedures delineated in the appropriate faculty handbook. Sanctions might include, but are not limited to:

- a written apology;
- a transfer or change in department or teaching assignment;
- a warning, meaning a written statement that the Respondent violated this policy, which would be placed in the Respondent's permanent record;
- a referral for counseling and/or training (failure to fulfill the sanctions shall be cause for sanctions of a more serious nature);
- probation for a slated period of time within which the Respondent's rights to participate in University-sponsored activities and/or access to facilities may be limited or removed;
- suspension (with or without pay) meaning a separation from the University for a slated period of time or until specific conditions are met; or
- dismissal, meaning permanent removal from employment or University programs, facilities, and property.

The appropriate administrative officer of the University will be notified of any sanction recommending termination from employment at the University.

Summary Suspension

The University reserves the right to take necessary and appropriate action to protect the educational environment, and the safety and well-being of members of the University community. In the event that any individual charged with violation of the University's Equal Opportunity – Nondiscrimination-Harassment Policy is deemed a serious risk to the safety and security of the University and/or its campus community, the University reserves the right to summarily suspend that individual. The University reserves its right to suspend that individual with or without pay and benefits (tenured faculty can only be suspended with pay and benefits) and exclude that individual from campus, except as necessary to participate in the formal hearing process delineated above.

Nothing in this policy shall limit the authority of the University, or any of its constituent parts, to take such actions as the appropriate University officer or Dean or his/her designee deems necessary to protect the physical safety of the members of the University community, or to maintain conditions compatible with the educational process or institutional integrity of the University or any of its constituent parts.

Appeals (Faculty, Administration, Staff)

Notice of an appeal

Respondents and Complainants may appeal by filing written notice with the Title IX Coordinator within 14 calendar days from the day a sanction is or is not imposed. Respondents and Complainants seeking an appeal must specify the grounds for the request. Respondents and Complainants who fail to file an appropriate written request for an appeal within fourteen (14) days waive their rights to appeal.

Grounds for appeal

Appeals will be considered only in one or more of the following circumstances:
when a Respondent or Complainant deems the sanction inconsistent with the gravity of the offense, except in the case of termination of employment as provided in the Western New England University Faculty handbook where review is automatic;
when new evidence that was not available at the time of the hearing becomes available within the above referenced fourteen (14) calendar day period; or
when there has been a substantial and material procedural error during the hearing process.

Review

A three member appeals panel will be designated by the Title IX Coordinator in consultation with the President of the University. Appeal panel members may not include individuals who had previously been involved in the grievance process. The appeal panel will have the authority to:

- affirm;
- reverse;
- modify the sanctions; or
- remand the matter for further investigation or consideration by the Committee (only available where there is new evidence or where there is a substantial and material procedural error).

The original decision and sanction will stand if the appeal is not timely or is not based on the grounds cited above. After conferring with the appeals panel, the Title IX Coordinator will deliver a written decision on the appeal to all parties within 3 business days from the review of the appeals panel. Decisions of the appeals panel are final.

Appeals for tenured faculty only

Should any tenured faculty member at the University desire to pursue an appeal of any actions imposed on him/her through these procedures, the affected faculty member will avail himself/herself of procedures delineated in the appropriate faculty handbook.

Substitutions

In the event that the Respondent is the President, the Chairman of the Board of Trustees will receive the report of the Committee and determine, with the Board of Trustees, any sanctions to be imposed in accordance with the Bylaws of Western new England University. The decision of the Board will be final.

Confidentiality

Through all investigations and hearings of complaints arising from discrimination and harassment, both formal and informal, the confidentiality of the proceedings and the identities of parties to the complaint shall be protected to the fullest extent practicable under the facts and circumstances of each case.

Rights of the Complainant and Respondent

- The right to be treated with respect by University officials.
- The right to be notified of available counseling, mental health or other services, both on and off campus.
- The right not to be discouraged by University officials from reporting an assault to both on

- campus and off campus authorities.
- The right to be free from retaliation.
- The right to have a single advisor present during the process.
- The right to be informed in advance, when possible, of any public release of the information regarding the complaint.
- The right to written notice of the outcome and sanction of the hearing.
- The right to a fundamentally fair hearing as defined in these procedures.
- The right to an outcome based solely on the evidence presented during the process.
- The right to be informed in advance, when possible, of any public release of the information regarding the complaint.

Training

The University will offer education programs annually to all employees and students about the topics outlined in this policy. Additionally, the University will offer prevention and awareness programs to all new students and employees as part of the orientation processes.

Revisions

This policy will be reviewed and updated annually by the Title IX Coordinator.

R e v i s e d a s o f 4 - 1 0 - 2 0 1 7 .

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1. Violence Against Women Reauthorization Act Of 2013
 2. 20 U.S.C.A. § 1092 (West); 34 C.F.R. § 668.46
 3. Violence Against Women Reauthorization Act Of 2013 § 304
 4. M.G.L.A. 151B § 4
 5. There is no legal definition of consent in Massachusetts.
 6. Violence Against Women Reauthorization Act Of 2013
 7. White House Task Force to Protect Students from Sexual Assault
 8. Violence Against Women Reauthorization Act Of 2013

D. INSTRUCTIONAL AND CLASSROOM PROCEDURES

The following procedures are applicable to both full and part-time faculty:

SECTION 1 FACULTY RESPONSIBILITY

1.1. The primary responsibility of the Faculty is effective teaching so as to enable the learners to complete prescribed academic programs and to facilitate learner learning and achievement in the discipline of pharmacy. The standards set for these fundamental activities appear in Appendix 2: Guidelines for Evaluation for Promotion And/Or Tenure. The suitable application of the academic standards of the College of Pharmacy and Health Sciences, established by the Faculty and approved by the Administration, is important and should be reflected in the quality of teaching, the quality and quantity of work required of the learners, and in the distribution of grades. These standards must be, as in any school or college, closely related to the applied admission standards if the College of Pharmacy and Health Sciences expects to meet its obligations to the learners admitted. It is, therefore, the responsibility of the faculty to communicate effectively the principles and practices of their disciplines to the existing learner body by the development and application of teaching methods which allow matriculated learners a reasonable opportunity, applicable within the framework of the standards of the College of Pharmacy and Health Sciences, to succeed in their program and, after graduation, to make significant and lasting contributions to the profession.

1.2. The faculty must be the advocates and defenders of the integrity of scholarship, without which learning has no meaning. To this end each faculty member is expected to make clear to all learners the necessity for honesty in and out of the classroom, to structure the classroom environment so as to minimize the temptations and opportunities for academic dishonesty, and to explain these principles clearly to the learners. Faculty members are expected to serve as role models of academic and personal integrity.

SECTION 2 CLASS CANCELLATIONS

2.1. In the event a faculty member cannot meet a class or classes, notification to that effect is to be forwarded to the respective Department Chair who will post an appropriate notice for learners. If unavailable, the Dean's office should then be notified. Arrangements for a substitute instructor should be made in consultation with the Department Chair and Dean if the absence is to extend beyond two classes. It is expected that all classes canceled due to faculty absence will be made up with arrangements to be coordinated through the Office of Academic Affairs and the Dean's office.

SECTION 3 CLASS ROSTERS AND GRADES

3.1. Registration of learners in class is reflected on class lists: (a) an initial list provided on the first day of classes; and (b) a second list provided during week three (3). A learner not on the roster may be granted admission to a class only when he/she presents an official Add/Drop Form. Grade rosters are issued to instructors of record prior to mid-semester and to final examinations. A grade must be reported for each learner so registered.

3.2. Faculty members are to report any discrepancies between official listings and actual class attendances.

SECTION 4 LEARNER CLASS ATTENDANCE POLICY

4.1. Learners are expected to attend all class sessions in which they are enrolled. Attendance at all regularly scheduled classes, laboratories (including clinics), and examinations is a learner's obligation to the attainment of professional excellence. Learners must comply with the faculty member's method of monitoring attendance (class roll, pre-class assessments, etc). While each individual instructor is free to evaluate the importance of attendance in determination of course grades, absences from class activities may result in academic penalties.

4.2. Each faculty member is expected to prepare the policies regarding expectations for attendance, consideration of absences, makeup examinations, and related matters which will be reviewed with the learners at the opening of the semester.

SECTION 5 ABSENCES AS A RESULT OF RELIGIOUS HOLIDAYS POLICY

5.1. The General Laws of Massachusetts Chapter 151C, Section 2B stipulate "Any student in an educational or vocational training institution, other than a religious or denominational educational or vocational training institution, who is unable, because of his (or her) religious beliefs, to attend classes or to participate in any examination, study, or work requirement on a particular day shall be excused from any such examination or study or work requirement, and shall be provided with an opportunity to make up such examination, study or work requirement which he (or she) may have missed because of such absence on any particular day; provided, however, that such makeup examination or work shall not create an unreasonable burden upon such school."

5.1.1. Absences as a result of a religious holiday will be excused when the learner presents the request in advance of the absence to the Office of Student Affairs at least 10 business days in advance of the absence. The intent and spirit of this policy is to allow learners to attend religious ceremonies on the day of the observance. Retreats, conferences, revivals, or other functions specific to a denomination or congregation are not eligible for an excused absence within this policy.

SECTION 6 FINAL EXAMINATIONS

6.1. College policy, based upon faculty decision, in regard to Final Examinations and Tests is as follows:

6.1.1. Final examinations are normally given in all courses in accordance with the published Final Exam Schedule. Should final exams not be consistent with the academic goals of courses, the reasons for such must be included in the Course Syllabus.

6.1.2. Final examinations must be given on the date and at the time scheduled unless other arrangements have been made in advance. Final examinations are not to be administered during the final week of classes except in the case of laboratory classes or seminars. This policy does not in any way relieve the learner of responsibility for the material covered in the last days of classes.

6.1.3. The Chair of each department is responsible for the adherence to the latter policy by all members of the department. Final examinations formally scheduled but not given must be reported to the appropriate Department Chair.

6.1.3.1. Final Examination Time: Final examinations are normally two (2) hours in length. The Office of Academic Affairs needs to be notified of exams longer than two hours in length.

6.1.3.2. Faculty Responsibility: The administrative details concerning examination conduct and procedures are left up to the individual instructor.

6.1.4. Because academic integrity is so important, a proctoring presence is required in all examinations given in a College of Pharmacy and Health Sciences classroom.

6.2. Make-up Examinations: Instructors may establish their own policies regarding learners who miss a test or examination given in a course, subject to the six (6)-week limit for removing incompletes.

SECTION 7 GRADES

7.1. Instructors are required to submit to the Director of Student Administrative Services mid-semester grades and final grades. Mid-semester grades are due in the Director of Student Administrative Services' office within seventy-two (72) hours of the closing date published in the College calendar; final grades are due within seventy-two (72) hours of the time the examination is completed by the learners.

7.2. It is crucial that mid-semester grade reports reflect the instructor's actual evaluation of learners' progress. Graded assignments must be given early in the semester, and regularly, prior to the calculations of the mid-semester grades. This practice ensures adequate feed-back to learners and evidence upon which the instructor may make his/her evaluation of learner progress.

7.3. Details of the pharmacy grading systems are described in the Student Handbook: Academic Policies, Requirements & Expectations Section.

SECTION 8 SYLLABI

8.1. Each member of the faculty is expected to prepare and distribute to the learners a syllabus for each course. The syllabus should include a) clear statements of the course objectives and the methods of evaluating learners' achievement of such, and b) statements of attendance, final examination, mid-semester grade, and integrity of scholarship practices which conform to College of Pharmacy and Health Sciences policies. At the first meeting of each class, the syllabus will be reviewed with the learners with particular attention being given to the sections on course objectives and methods of evaluation, attendance, and integrity of scholarship. Copies shall go to the Chair and the Assistant/Associate Dean of Academic Affairs of the College of Pharmacy and Health Sciences.

SECTION 9 ACADEMIC ADVISING

9.1. First year pharmacy learners are assigned academic advisors by the Assistant/Associate Dean for Student Affairs.

9.1.1. The purpose of the learner advising program is to:

- (a) Assist the learner admitted into the professional program in effectively progressing through the professional curriculum
- (b) Provide the learner with a resource to reinforce the requirements, expectations, and standards of the professional program
- (c) Guide the learner in meeting the programmatic requirements necessary for learner progression and graduation
- (d) Provide the learner with a resource regarding the profession of pharmacy

9.1.2. Learner advising is not the same as learner mentoring, in that mentoring is based upon trust and that these relationships can take time to develop. The learner advising program is designed to help the learner successfully navigate the professional program and so the learner knows he or she has someone to turn to when issues or questions arise. It is possible the relationships formed during learner advising may evolve into mentoring relationships, but that would be an additional benefit of the program that is not an intended or guaranteed outcome.

9.1.3. Expectations of the Learner:

- (a) Be proactive in communicating with his/her advisor. Maximizing the value of an advisor as a resource occurs when the learner is proactive in seeking guidance or assistance with various issues.
- (b) Schedule a meeting with his/her advisor:
 - 1) During the first two weeks of the semester to discuss any issues or concerns.
 - 2) During last two weeks of the semester to discuss how the semester has gone (if necessary).
 - 3) As soon as possible if he/she is placed on academic probation.
- (c) Seek immediate assistance of his/her advisor if experiencing academic difficulties or any other issues.
- (d) Make and keep appointments to meet with his/her faculty advisor regarding his/her academic ability and progress (academic counseling).

9.1.4. Expectations of the Faculty:

- (a) Be available to meet with advisee in the first two weeks of each semester, and meet more frequently if a learner is experiencing academic difficulties or is on academic probation.
- (b) Communicate necessary information and updates to his/her advisees on a periodic basis.
- (c) Formatively assess learners' professional portfolios, using standardized rubrics, and provide feedback for improvement each fall semester; summatively assess learners' professional portfolios in the spring semester as part the programmatic requirements for annual progression.

SECTION 10 EVALUATIONS

Learner evaluations of courses and instructors are required for every course. Within each course, instructor and course evaluation questions will be developed and approved by the Faculty. The evaluation process is overseen by the Office of Academic Affairs.

E. BYLAWS OF THE FACULTY

ARTICLE I: FUNCTION, FACULTY MEMBERSHIP, ORGANIZATIONAL OFFICERS AND GOVERNANCE

SECTION A FUNCTIONS OF THE FACULTY

The faculty of the College of Pharmacy and Health Sciences shall be responsible for the governance of its affairs including, but not restricted to, student policies, curricular matters, faculty promotion and contract policies, and such operational policies as may be specified by the Bylaws.

SECTION B MEMBERSHIP

All persons holding a full-time appointment, i.e., 50 percent time or greater contractual appointment with Western New England University College of Pharmacy and Health Sciences at the rank of Instructor or above shall be voting members of the faculty of the College of Pharmacy and Health Sciences. Faculty appointments of Visiting, Adjunct, Research, or Clinical Adjunct shall not have voting privileges.

SECTION C DEAN OF THE COLLEGE OF PHARMACY AND HEALTH SCIENCES

The Dean of the College of Pharmacy and Health Sciences, as the presiding officer of the faculty, is the primary faculty organizational officer responsible for all faculty and learner activities and academic business directed to the successful completion of the role and mission of the College of Pharmacy and Health Sciences.

The Dean of the College of Pharmacy and Health Sciences is appointed by and serves at the discretion of the President and Provost of the University.

SECTION D FACULTY OFFICERS OF THE COLLEGE OF PHARMACY AND HEALTH SCIENCES

Other faculty officers, appointed to administer specific responsibilities delegated to them by the Dean, shall assist the Dean of the College of Pharmacy and Health Sciences. Such additional faculty officers shall be: (1) The Assistant/Associate Deans for Academic Affairs, Student Affairs, and Experiential Affairs, and Assessment and Accreditation; (2) academic Department Chairs; and (3) other program administrators who may be appointed such as department vice chair, chiefs of clinical services, directors or coordinators. Faculty officers are appointed by and serve at the discretion of the Dean with the approval of the Provost.

SECTION E MEETINGS OF THE FACULTY

Meetings of the faculty shall be convened at least once during each fall and spring semester. Additional meetings of the faculty may be convened at the discretion of the Dean.

The Dean shall preside over all meetings of the College of Pharmacy and Health Sciences faculty organization, or in his/her absence, the Dean may designate another member of the faculty.

Robert's Rules of Order, Newly Revised, shall be the parliamentary authority for all meetings, except as otherwise specified in the Bylaws.

All actions of the faculty establishing policy recommendations and/or changes in the Bylaws shall require an affirmative vote by a two-thirds majority of the eligible present voting members of the faculty on two consecutive meetings at two different time periods. Any curricula or new degree program additions/amendments brought to the faculty by the Curriculum Committee shall require an affirmative vote by a two-thirds majority of eligible present faculty voting members. All other actions of the faculty shall require an affirmative vote by a simple majority of the members voting.

SECTION F EXECUTIVE COMMITTEE OF THE COLLEGE OF PHARMACY AND HEALTH SCIENCES

The Dean, Assistant/Associate Deans, academic Department/Division Chairs, and the leadership of each division and Assistant to the Dean, and faculty/staff members with administrative responsibilities (at the discretion of the Dean of Pharmacy and Health Sciences) and a faculty representative from the Faculty Affairs Committee shall constitute the Executive Committee of the College. The chair of this committee shall be the Dean.

The Executive Committee shall serve to advise the Dean, and under his/her direction, coordinate and cause to be implemented all faculty, student, and staff activities required to fulfill the role and mission of the College. The committee shall be guided in its administrative and governance functions by policy and recommendations proposed by faculty committees and ratified by a two-thirds majority vote of the eligible present voting members of the faculty membership. To this end, the Executive Committee shall recommend to the Dean:

1. The appointment of the faculty members nominated to serve on standing faculty committees, except where membership is determined by faculty vote.
2. The charges to each standing and ad hoc committee.
3. The disposition of all minutes, recommendations and policy made by standing or ad hoc committees.
4. Budget allocations and adjustments.
5. Strategic planning activities, goals, and initiatives of the College.
6. Other matters as may be brought to the committee by the faculty and officers of the College.

SECTION G AMENDMENTS

Amendments to the Bylaws shall be presented in writing to each member of the faculty at least fifteen working days prior to the meeting at which such amendments shall be voted. Amendments to the Bylaws shall require a two-thirds majority vote of the eligible present voting members of the faculty on two consecutive meetings at two different time periods. Non-substantive changes (i.e. grammatical or typographical) do not require a vote by the faculty.

Proposed suspensions of any portion of the Bylaws shall be presented in writing to each member of the faculty at least fifteen working days prior to the meeting at which such suspension proposals shall be considered and voted. A suspension proposal must be specific as to the section and paragraph of the Bylaws to be suspended, and as to the time period of the suspension. A suspension of the Bylaws cannot exceed a duration of more than one academic year. Approval of a

suspension proposal shall require a two-thirds majority vote of the eligible present voting members of the faculty at one meeting.

ARTICLE II: ORGANIZATION UNITS

SECTION A ACADEMIC DEPARTMENTS

The faculty of the College of Pharmacy and Health Sciences shall be organized into academic departments and divisions according to professional or scientific area and teaching discipline. Additional departments, which may be created to meet future needs of the College, shall be formed and governed in accordance with these Bylaws.

The Departments/Divisions are composed of tenured, tenure-track, and non-tenure-track academic appointments based on the candidate's abilities, academic background, and current degree.

Each department/division shall formulate and follow a departmental/division mission statement and goals, which are in support of the mission and goals of the College. The mission and goals of the department/division shall also adequately and appropriately support the special and unique faculty needs of that department/division, and shall also effectively contribute to the development and delivery of the professional curriculum, to policy pertaining to faculty governance, and academic standards.

Each department/division shall be allocated a separate operational budget, and a member of the departmental/division faculty appointed to such responsibility by the Dean shall administer each. These administrators shall be the academic department/division faculty Chairs, and each will be responsible for providing leadership and governance to all faculty and staff appointed to that department/division. Department/Division Chairs in the College of Pharmacy and Health Sciences shall serve at the discretion of the Dean.

A Department/Division Chair may be assisted in his/her responsibilities by other faculty members appointed to serve as vice departmental chairs. Such appointments, like that of the Chairs, are through approval by and action of the Dean.

SECTION B FACULTY COMMITTEES

Standing faculty committees shall be appointed by the Dean to represent the total College faculty organization in the governance of their affairs, and to protect and promulgate faculty interests pertaining to the mission, role and functions of the College. These committees shall develop policy and provide recommendations for the governance of the following specific areas of academic business:

1. Learner qualifications and standards for admission into the professional and graduate education programs.
2. Learner standards for professional behavior and expectation within the professional and graduate education programs.
3. The programs of study for professional and graduate education, requirements and standards for graduation and progression from these programs.
4. The requirements and standards for faculty professional development, including academic promotion.

Faculty membership on standing College of Pharmacy and Health Sciences committees and subcommittees shall be determined by the requirements of committees as described in these Bylaws, and shall be representative of the College faculty as a whole (Article III). Membership on ad hoc subcommittees shall be determined by the Chair of the standing committee that created the ad hoc

subcommittee. When faculty nomination and vote determine membership, such elections will be conducted by the Dean's office. The Dean, from nominations submitted by the Executive Committee, shall appoint committee memberships. In either case, individual faculty members shall serve on only one standing committee in the College at any one time, except, if a department/division does not have sufficient qualified members to serve, or where a faculty member may choose to be elected on a committee, while serving as an appointed member on another committee. Individual committee memberships shall be limited to a period not to exceed two consecutive academic years, except as provided for initial committee appointments. The two-year limitation does not apply to designated administrative representatives, nor does it apply to the elected alternate for the Promotion and Tenure Committee. Deans and department/division chairs may only serve on a standing faculty committee if designated as such by these Bylaws. A retiring member of any one committee may again be appointed, nominated, or elected to that same committee after a lapse of one academic year.

If an elected or appointed departmental/divisional faculty representative to a standing College committee leaves the faculty organization permanently or due to extenuating circumstances the Dean shall cause to have an alternate representative to that committee elected or appointed no later than fifteen business days following the occurrence of the committee vacancy. An alternate representative shall serve only for the time remaining on the original term of the faculty representative replaced, but will be eligible for re-election or re-appointment to that same committee as a regular representative immediately following the completion of the alternate's term of committee membership.

Faculty membership on standing College committees shall be appointed initially to allow a replacement of only 50% of its elected or appointed membership in an academic year. To accomplish this, each standing committee to be newly organized under these Bylaws shall be appointed with one-half of the faculty membership serving for a period of three years, and one-half for the regular two-year period. Those members appointed for three years initially will be replaced after that period by an equal number of representatives appointed for the normal two-year period.

A standing committee appointment shall be from July 1 through June 30 of the next year, with the exception of the following committee memberships: the Admission sub-Committee will serve from July 1 through August 30 of the following school year, and the Promotion and Tenure Committee will serve from June 1 through June 30 of the following school year. Each committee cycle will begin with the seating of new members, the election of new committee officers, and the determination of a specific agenda for the next year. These organization functions shall be accomplished by each committee by July 1 (or as close to this date as possible) of each year. Each committee will then begin its work, fully organized, no later than the first thirty days of the next academic year beginning approximately August 1.

1. New committee appointments are to be determined, as specified, no later than June 15, and be seated on the respective committees by July 1.
2. In addition to seating new members and approving the new agenda, each committee will, unless otherwise directed by these Bylaws, elect a chair. The committee chair shall direct the activities of the committee and preside over its meetings.
3. Committee officers shall serve for a period of one committee cycle beginning with the organizational meeting in which they were appointed or elected and extending through the next organizational meeting the following year.

Standing committees shall keep and approve all minutes of meetings and business. The committee chair or their designee shall be responsible for the timely preparation of the minutes and their archiving. When accepted and approved by committee membership, minutes shall be appropriately distributed to the faculty. Regular reports of committee activities will be made to the faculty by the committee chair or designee via normally scheduled faculty meetings. If a new recommendation or policy is submitted by the standing committee to the faculty for approval, ratification by a simple majority vote shall be required.

ARTICLE III: STANDING FACULTY COMMITTEES

SECTION A FACULTY AFFAIRS COMMITTEE

The membership of the Faculty Affairs Committee shall be composed of:

1. One faculty member from each department/division who are elected to the committee by their respective department or division.
2. Two members-at-large shall be elected by the full faculty for a one-year term, staggered, with representation rotating from year to year among the different programs. One at large member will represent a department and one at-large member will represent a division. The Faculty Affairs Committee shall call for nominations for the member-at-large position. The member-at-large shall be nominated at the College faculty meeting and a secret ballot election shall be held. Only faculty who are eligible to serve on the Faculty Affairs Committee can vote for the member-at-large.
3. Neither the Deans of the College of Pharmacy and Health Sciences nor the academic Department/Division Chairs or Vice-Chairs are eligible for election to the committee.
4. The chair of this committee will be elected by committee members and serve a one year term.

This committee, as an advocate of faculty welfare, may thus consider all matters of relevant business referred to it by the faculty, as well as by the Dean or other faculty officers. They will be responsible for maintenance of the College of Pharmacy and Health Sciences Faculty Handbook and Bylaws. In more specific terms, this committee shall develop policy and make recommendations pertaining to procedures and instruments to be used in the evaluation of individual faculty activity by learners and faculty peers for the evaluation of petitions for promotion and tenure.

The Faculty Affairs Committee will also advise the Office of Academic Affairs on professional development needs and activities of faculty interest.

Specific activities include, but are not limited to:

1. Plan workshops, speakers, retreats or other structured activities designed to enhance the teaching skills of the general faculty.
2. Develop programs to encourage and reward faculty for achievements in teaching, research/scholarship and service.

To accomplish the work in the several areas of responsibilities, this committee may be divided into subcommittees.

SECTION B CURRICULUM COMMITTEE

The membership of the Curriculum Committee for Pharmacy (“CC” or Committee) shall be composed of:

1. Assistant/Associate Dean for Academic Affairs (*ex officio* without a vote except in case of a tie).
2. Assistant/Associate Dean for Experiential Affairs of the College (*ex officio* without a vote).
3. Assistant/Associate Dean for Assessment and Accreditation (*ex officio* with a vote).
4. Two members of the faculty from each academic department who are appointed to this committee by the Dean.

5. Two professional pharmacy learners nominated by the Pharmacy Student Governance Association (PSGA) annually and appointed by the Dean.
6. One practicing pharmacist appointed annually by the Dean who is not a full and/or part-time faculty member of the College of Pharmacy, serving a one year term.
7. The chair of this committee will be elected by committee members and serve a one year term.
8. Neither the practicing pharmacist nor the professional pharmacy learners may serve as Chair of this committee.

Nonvoting guests may be invited with the approval of the Chair.

This Committee shall be responsible for conducting a continuing appraisal and evaluation of the professional pharmacy program of study, and for the development of recommendations of curricular revision, additions and other alterations to assure optimal student learning and outcomes.

To accomplish these essential goals and purpose, this committee shall have both the responsibility and right to:

1. Develop and maintain a dynamic curriculum, meeting the needs of professional and graduate outcomes.
2. Develop and maintain a description of expected learning outcomes for the total curriculum.
3. Develop and maintain a description of expected learning outcomes of each discrete required course, and maintain a description of each elective course within the curriculum.
4. Review the content of individual and collective courses as to the completeness and contemporary nature of the content as well as their contribution to the breadth, depth, and value to the curriculum.
5. Develop policy and make recommendations to the faculty as required in all matters relating to learner progress in achieving the educational outcomes.
6. To accomplish the work in the several areas of responsibilities, this committee may be divided into subcommittees under the direction of subcommittee chairs.

The membership for the Occupational Therapy (OT) CC will be defined by the Division of Occupational Therapy. Activities of the OT CC will be consistent with those defined above.

SECTION C ASSESSMENT COMMITTEE

The membership of the Assessment Committee for Pharmacy (“AC” or Committee) consists of:

1. Assistant/Associate Dean for Assessment and Accreditation (*ex officio* with a vote only in the case of a tie).
2. Assistant/Associate Dean for Academic Affairs (*ex officio* with a vote).
3. One member of the faculty from the Department of Pharmaceutical and Administrative Sciences*.
4. One member of the faculty from the Department of Pharmacy Practice*.
5. One at large member of the faculty**.
6. Two professional pharmacy learners (one each from PY2 & PY3 classes) nominated by the Pharmacy Student Governance Association (PSGA) annually and appointed by the Dean.
7. Pharmacy Student Governance Association (PSGA) annually and appointed by the Dean.
8. College Instructional Designer (*ex officio* without a vote). Nonvoting guests may be invited with the approval of the Chair.

*Staggered two-year memberships

**One year appointments, alternating Departments

The Committee shall be responsible for facilitating the continual and ongoing assessment of the program and its progress toward attaining its mission and goals, and the effectiveness of its curriculum on student learning. To accomplish these essential functions and responsibilities, the Committee will develop and maintain the programmatic Assessment Plan, including the collection, compilation, and dissemination of all data contained therein.

To accomplish these essential goals and purpose, this committee shall have both the responsibility and right to:

1. Collaborate with all stakeholders on the management of evaluation instruments for assessing progress toward attaining the mission and goals of the program and the effectiveness of its curriculum on student learning.
2. Collaborate with all stakeholders on the management of evaluation instruments for assessing progress within all components of the Strategic Plan.
3. Collaborate with all stakeholders on data collection related to maintaining compliance with ACPE standards for accreditation.

The membership for the Occupational Therapy (OT) AC will be defined by the Division of Occupational Therapy. Activities of the OT AC will be consistent with those defined above.

SECTION D STUDENT AFFAIRS COMMITTEE

The Student Affairs Committee shall be composed of the following membership:

1. Assistant/Associate Dean for Student Affairs (ex officio without a vote, except in the case of a tie).
2. An Assistant/Associate Dean representing Assessment and Accreditation (ex officio with a vote).
3. Two members of the faculty from each academic Program who are appointed to this committee by the Dean. If a Program has more than one department/division within it, then the Program representatives shall be one per department/division.
4. Two professional learners from each Program, nominated annually by their respective learner associations, and appointed by the Dean.
5. One practicing professional from each Program, appointed by the Dean, who is not a full and/or part-time faculty member of the College of Pharmacy and Health Sciences, serving a one year term.
6. The chair of this committee will be elected by committee members and serve a one-year term. Neither the practicing pharmacist nor the professional pharmacy learners may serve as Chair of this committee.

The Student Affairs Committee shall serve as the standing faculty committee to:

1. Develop policy and make recommendations regarding standards for professional pharmacy learner recruitment and admission to the academic program.
2. Recommending to the Dean candidates for admission to the College of Pharmacy and Health Sciences.
3. Develop and provide programming designed to instill and promote professionalism and develop leadership skills amongst learners.
4. Establish and recommend standards for the awarding of professional learner scholarships, awards, and prizes, and supervise the giving of such.
5. Advise, develop, and approve any amendments, changes, or deletions from the College of

Pharmacy & Health Sciences Student Handbook.

To accomplish the work in the area of academic admissions, this Committee shall be divided into a standing admission subcommittee for each Program, composed of the following membership:

1. Assistant/Associate Dean for Student Affairs (ex officio without a vote, except in the case of a tie).
2. Assistant Director/Director of Pharmacy Admissions (ex-officio without a vote).
3. Both of the faculty representatives on the Committee representative of the respective Program. The chair of the subcommittee will be elected by the subcommittee members. If a department only has one representative on the subcommittee, a second representative to the subcommittee will be named.
4. The practicing professional from the Committee.
5. As deemed necessary, the Chair of the subcommittee may appoint additional faculty from the respective Program, in a manner representative of the faculty from the Program.

To accomplish the work in other areas of responsibilities, this committee may be divided into ad hoc subcommittees.

SECTION E ACADEMIC STANDARDS COMMITTEE

The membership of the Academic Standards Committee shall be composed of:

1. Assistant/Associate Dean for Academic Affairs (ex officio with a vote), who shall serve as chair of the committee.
2. Assistant/Associate Dean for Student Affairs (ex officio without a vote)
3. Two voting members of the faculty from each academic Program, appointed by the Dean. If a program has more than one department, then there will be a representative of each department.
4. One alternate member of the faculty from each academic program, appointed by the Dean. Alternate faculty member(s) do not attend, unless requested to attend as a guest, nor vote except when replacing a voting faculty member.

The Academic Standards Committee shall serve as the standing faculty committee on all matters relating to assessing learner progress in achieving the educational outcomes as identified by the faculty of the College of Pharmacy and Health Sciences. Such activities shall include:

- a) Throughout the academic year, assess each learner's progress towards accomplishing the curricular outcomes defined and delineated for each year.
- b) Following learner placement on academic probation, meet with learners experiencing academic difficulty to determine the status of learner progression and decide upon learner retention, remediation, suspension, or dismissal.
- c) Prior to Commencement deliver a summary report on the learners' outcomes to the faculty.
- d) All decisions of the Academic Standards Committee, subsequent to any appeals, shall be communicated to the affected instructors of record, faculty advisors, department chairs, and affected lead faculty advisors of student organizations.

Actions pertaining to learner progression, remediation, academic suspension, or academic dismissal taken by the Academic Standards Committee are final pending appeals. Appeal of the decisions made by the Academic Standards Committee can be found within the Academic Progression /Dismissal Appeals Process section of the College of Pharmacy and Health Sciences Student Handbook.

SECTION F STUDENT-FACULTY ETHICS COMMITTEE

The Student-Faculty Ethics Committee shall be composed of the following membership:

1. The Assistant/Associate Dean for Student Affairs (“ADSA”), who shall serve as a Committee member (for business meetings only), as the mediator at mediation meetings, and the presiding agent at Committee pre-hearing and hearings.
2. Two faculty members from each Program, appointed by the Dean, to serve as Committee members. The appointments for the faculty members from each Program shall be staggered, such that one member will be in his/her first year, (the secondary committee member), and one member will be in his/her second year (the primary committee member) of appointment to the committee.
3. Both secondary and primary members will be full members at all business meetings. For Committee hearings, the primary committee members shall serve on the hearing panel, unless unable to do so, then the appropriate secondary committee member will serve in that primary committee member’s stead.
4. Two learner members from each Program, nominated by the PSGA and appointed by the Dean, to serve as committee members. Learner members shall be appointed for two year terms, commencing after their Year-1 (Y-1) term. The learner members’ terms shall be staggered; therefore, at the end of each academic year, a new member shall be appointed from the Y-1 class of each Program to serve during his/her Year-2 (Y-2) and Year-3 (Y-3) years. Both Y-2 and Y-3 learner members shall serve as full members at all business meetings. For Committee hearings, the Y-3 learners shall serve on the hearing panel, unless unable to do so, then the ADSA shall appoint a respective Y-2 learner to serve in that Y-3’s stead.
5. Should the ADSA be unable to assemble four Committee members, two faculty and two learners, the composition required to form a hearing panel; the Dean of the College shall appoint appropriate non- Committee faculty or learners to complete the panel.
6. The Chair of this committee shall be mutually agreed upon by the committee members. Members of the Committee with an academic appointment to the College, with the exception of the Assistant/Associate Dean for Student Affairs, are eligible to serve as Chair or Secretary. Upon election, the Chair will appoint a willing voting member as Secretary.

The Student-Faculty Ethics Committee is charged with hearing cases in dispute of learner conduct on complaint of faculty or others. The hearing shall be scheduled by the Assistant/Associate Dean for Student Affairs, unless the case has been satisfactorily resolved during preliminary review by the Assistant/Associate Dean for Student Affairs. The Student-Faculty Ethics Committee will hear testimony from the reporting individual and the accused learner, evaluate the facts of the case, render a decision, and impose disciplinary sanctions if the learner is found to be in violation of the standards of academic, personal, professional, and social conduct. The ADSA shall sit in on all hearings, answering all questions regarding committee policies and procedures or evidentiary matters. Actions taken by the Student- Faculty Ethics Committee are final, pending appeal to the Dean of the College of Pharmacy and Health Sciences; the process for appeal can be found within the *Non- Academic Appeals Process* section of the College of Pharmacy and Health Sciences Student handbook.

SECTION G PROMOTION AND TENURE COMMITTEE

The membership of the Promotion and Tenure Committee shall be composed of:

1. Two members of the faculty shall be elected from each academic department/division by the respective department/division faculty. The two members from each department/division shall be in staggered terms.
2. Neither the Deans of the College of Pharmacy and Health Sciences nor the academic Department/Division Chairs or Vice-Chairs are eligible for election to the committee.
3. The chair of this committee will be elected by committee members and serve a one-year term.
4. All members of the committee shall be at the rank of Associate Professor or higher. If there are no Associate Professors or Professors within a department/division, then and only then may an Assistant Professor be elected to serve, such service for only a one-year term. The maximum successive terms that such a member may serve is two terms (of one-year each).
5. If a member of the Committee is under review for promotion or tenure during a year in which they are serving, that faculty member is not eligible to serve, and his/her membership on the Committee shall end immediately. An alternate faculty member shall be elected by the faculty of the respective Department/Division, for the purpose of serving the remaining term of the departing member.
6. If a member of the Committee determines, for any reason, that he/she must recuse him/herself from the evaluation of a specific faculty candidate for promotion, tenure or midpoint review, then the respective Department/Division shall elect an alternate to serve exclusively in the review of that faculty candidate.

The Promotion and Tenure Committee shall serve as the standing peer faculty evaluation body, and shall conduct all individual faculty activity evaluations requested by the Dean for purposes of recommending academic promotion and tenure.

SECTION H UNIVERSITY SENATE ELECTIONS

The election of University Senator(s) from the College of Pharmacy and Health Sciences shall be conducted:

- a) Nominations sought by the Office of the Dean.
- b) Election of senators is conducted by the entire faculty of the College of Pharmacy and Health Sciences.
- c) When more than one (1) candidate exists a secret ballot, either in person or electronic, will be conducted.
- d) The alternate can be from either department.

SECTION I AD HOC OR SPECIAL COMMITTEES

Ad hoc committees may be authorized and the chair appointed by the Dean. Charges to and responsibilities of these committees must be defined in writing by the Dean.

Faculty appeals committee

The membership of the College of Pharmacy and Health Sciences Faculty Appeals Committee shall be composed of:

1. Two members appointed by the Dean.
2. Two members selected by the concerned faculty member.
3. A person chosen by mutual agreement between the concerned faculty member and the Dean.

4. Assistant/Associate Deans are eligible for appointment to this committee.
5. All members of the committee shall be at the rank of Associate Professor or higher.
6. All members of the Committee shall have undergone a successful promotion and/or tenure review.
7. The chair of this committee shall be mutually agreed upon by the committee members.

The Faculty Appeals Committee is charged with hearing cases in dispute of sanctions, dismissal or denial of promotion and/or tenure of faculty, and appealed annual evaluations. The hearing shall be scheduled upon request of the faculty member who is appealing as described in Sections 10 and 11 of the College of Pharmacy and Health Sciences Faculty Handbook and the committee shall function according to the College of Pharmacy and Health Sciences policies and procedures.

ARTICLE IV: ACADEMIC APPOINTMENTS

SECTION A FACULTY APPOINTMENTS

Establishing rank and awarding contracts and/or tenure and promotion in the College shall conform to policies of the University.

SECTION B ANNUAL REVIEW, PROMOTION AND/OR TENURE DECISION

Each academic department in the College of Pharmacy and Health Sciences will establish the criteria, standards and guidelines to be considered in the promotion and tenure decision for faculty members of the department. It shall be the responsibility of the Dean to approve these standards and guidelines and to monitor their application.

The evaluation of a faculty member for tenure and/or promotion is the joint responsibility of the Promotion and Tenure Committee, Department Chair, Dean, Provost, and President.

The procedure for conducting review of any faculty member for purposes of recommending promotion, tenure, and reappointment shall be as follows:

1. All members of the faculty must undergo an annual review by their Department Chairs. The Department Chair will make recommendations to the Dean concerning annual reappointment by November 15th for faculty serving more than one year at the university and by February 15th for faculty in their first year of appointment.
2. A faculty member who is eligible may request or petition review for mandatory promotion and/or tenure. The formal written request is presented to the Dean no later than July 1st of any academic year the faculty member desires to undergo mandatory promotion and/or tenure consideration. The Dean will then forward this request to the respective Department Chair and the chair of the Promotion and Tenure Committee.
 - a. The petitioner, in consultation with their academic Department Chair, shall develop a dossier of the faculty member's accomplishments, according to the prescribed format in Appendix 2. The complete set of dossiers must be presented to the Dean's Office no later than September 1st in the academic year the faculty member desires to be considered for mandatory promotion and/or tenure. The Dean will send a letter requesting an evaluation from three (3) internal and three (3) external reviewers, supplied by the petitioner and who possess the expertise to evaluate the petitioner.
 - b. The Department Chair shall write an evaluation of the dossier with justification for or against mandatory promotion and/or tenure and submit it to the Dean no later than October 12th.

- c. Once the chair of the Promotion and Tenure Committee has received notification of the faculty member's request for consideration for mandatory promotion and/or tenure, the chair shall call a meeting of the Promotion and Tenure Committee to review the dossier and all additional information according to the standards and guidelines for mandatory promotion and/or tenure, tenure of the academic department where the faculty member holds a majority appointment. The Committee shall submit a written recommendation with justification and present the complete dossier along with all appended affidavits and information to the Dean no later than the October 12th in the academic year the faculty member petitions for mandatory promotion and/or tenure.
 - d. The Dean shall review the dossier and all appended affidavits, information, and recommendations according to the standards and guidelines for promotion and/or tenure. The Dean may, at his/her discretion, solicit additional external peer reviews of the faculty member's dossier, including affidavits and information appended by the petitioner, but shall not include any recommendations given at prior stages of the review. The Dean shall append a written recommendation with justification to the dossier and present the complete dossier along with all appended affidavits, information, recommendations and external reviews to the Provost no later than October 26th. The petitioner shall have access to the content of all appended affidavits, information, and reviews subsequent to the promotion/tenure decision, with all information that may identify the author(s) obliterated.
 - e. The identity of all internal and external peer reviewers shall be held confidential to the petitioner. The petitioner, upon appeal, shall have access to the content of the reviews with all information that may identify the reviewer obliterated.
3. A faculty member who is eligible may request or petition review for a non-mandatory promotion. The formal written request is presented to the Dean no later than October 1st of any academic year the faculty member desires to undergo promotion consideration. The Dean will then forward this request to the respective Department Chair and the chair of the Promotion and Tenure Committee.
- a. The petitioner, in consultation with their academic Department Chair, shall develop a dossier of the faculty member's accomplishments, according to the prescribed format in Appendix 2. The complete set of dossiers must be presented to the Dean's Office no later than October 1st in the academic year the faculty member desires to be considered for promotion. The Dean will send a letter requesting an evaluation/recommendation from three (3) internal and three (3) external reviewers, supplied by the petitioner and who possess the expertise to evaluate the petitioner.
 - b. The Department Chair shall write an evaluation of the dossier with a recommendation with justification for or against promotion and submit it to the Dean no later than January 25th.
 - c. Once the chair of the Promotion and Tenure Committee has received notification of the faculty member's request for consideration for promotion, the chair shall call a meeting of the Promotion and Tenure Committee to review the dossier and all additional information according to the standards and guidelines for promotion of the academic department where the faculty member holds a majority appointment. The Committee shall submit a written recommendation with justification and present the complete dossier along with all appended affidavits and information to the Dean no later than the January 25th in the academic year the faculty member petitions for promotion.
 - d. The Dean shall review the dossier and all appended affidavits, information, and recommendations according to the standards and guidelines for promotion and/or tenure. The Dean may, at his/her discretion, solicit additional external peer reviews of the faculty member's dossier, including affidavits and information appended by the petitioner, but shall not include any recommendations given at prior stages of the review. The Dean shall append a written recommendation with justification to the dossier and present the complete

- dossier along with all appended affidavits, information, recommendations and external reviews to the Provost no later than February 4th. The petitioner, upon appeal, shall have access to the content of all appended affidavits, information, and reviews subsequent to the promotion/tenure decision, with all information that may identify the author(s) obliterated.
- e. The identity of all internal and external peer reviewers shall be held confidential to the petitioner. The petitioner, upon appeal, shall have access to the content of the reviews with all information that may identify the reviewer obliterated.

ARTICLE V: RATIFICATION

These Bylaws shall become effective upon approval by vote of 2/3 (two-thirds) of the eligible present voting members of the faculty of the College of Pharmacy and Health Sciences on two consecutive meetings at two different time periods.

APPENDIX 1: PROCEDURES FOR FACULTY SEARCH AND RECRUITMENT

SECTION 1 FORMAL AUTHORITY TO APPOINT FACULTY

1.1. The authority to appoint faculty is delegated to the President of the University by the Board of Trustees. Appointments to the faculty are made with the recommendations of the appropriate faculty search committees, Department Chairs and Dean. Searches are conducted in accordance with all State and Federal requirements. Permanent records of searches are kept in the relevant Dean's Office in compliance with Federal EEO regulations.

SECTION 2 TENURE- AND NON-TENURE-TRACK FACULTY SEARCH AND APPOINTMENT PROCEDURES

2.1. Search procedures may begin when positions to be filled are approved by the President and are funded in the annual budget. Advertisements may be approved for new positions stipulating that they are conditional on budgetary approval.

SECTION 3 PLACEMENT OF ADVERTISEMENTS AND CRITERIA FOR SELECTION

3.1. Advertisements are placed by the Director of Human Resources and the CareerCenter after review and approval of the Dean of the College and the Provost, and the Chair of the Search Committee (the final ad copy should be made available to these individuals prior to publication). The criteria for the selection of candidates will be determined jointly by the faculty and Administration and approved by the Provost in writing prior to the placement of advertisements. Positions shall be advertised in appropriate national or regional professional and scientific websites (eg. American Association of Colleges of Pharmacy), posting on the College of Pharmacy and Health Sciences website, letters and postings to specific individuals or organizations, after the determination and approval by the Dean and Provost of position descriptions consistent with the needs of Colleges and Departments.

SECTION 4 RECEIPT AND DISTRIBUTION OF CANDIDATE APPLICATION MATERIALS

4.1. Candidates forward application materials to the Department Chair's office in which the search is conducted. Materials are kept in the Department Chair's office until the search is concluded. Copies of original documents are made available to Search Committee members online. Appropriate materials are copied and distributed to faculty interviewers for use during formal interviews. All participants in search procedures observe strict rules of confidentiality in regard to application materials. Materials may not be circulated to persons not formally involved in search procedures. Original materials (resumes, letters of application, letters of reference, official transcripts) are kept in Department Chair's office until the searches are concluded.

SECTION 5 ACKNOWLEDGMENT AND MAINTENANCE OF RECORDS

5.1. Department Chairs will acknowledge the receipt of applications and indicate to candidates what additional materials are needed, if any. Department Chair assistants will keep applicant logs for each search, containing applicant names, addresses, positions applied for, visits to campus, and final dispositions. Department Chairs are responsible for notifications to unsuccessful candidates. Federal Law requires that original application materials of unsuccessful candidates be kept for six (6) months by the Department Chair's office. By University policy, however, materials are kept one (1) year and are then

destroyed. Application materials of successful candidates are kept permanently in the Office of the Provost, with copies maintained in the relevant Department Chair's office.

SECTION 6 COMPOSITION OF SEARCH COMMITTEES

6.1. The initiative for recommending candidates for faculty appointment lies with Search Committees, consisting minimally of three (3) faculty members from the appropriate discipline or department, and one (1) additional faculty member, preferably in a related discipline from outside the College and approved by the relevant Department Chair. Whenever possible, the Committee will consist of a mix of tenured and non-tenured faculty. Department Chairs are responsible for the management of searches, and for compliance with EEO requirements that document efforts made for the purpose of generating a diversity of candidates. Department Chairs are normally responsible for chairing Search Committees but they may choose to assign a Search Committee chair instead.

SECTION 7 APPLICATION MATERIALS AND REFERENCES

7.1. A formal letter of application is required, preferably long enough and sufficiently detailed to reveal candidates' writing abilities, educational backgrounds, teaching philosophy, and brief plan for research/scholarly activity.

7.2. A current and complete CV must be submitted.

7.3. Official transcripts of record are required for all work attempted and completed in higher education. Transcripts must be sent directly from the registrars of the candidates' institutions to the Dean of the College of Pharmacy and Health Sciences. Copies of official transcripts may be sent for the use of Search Committees. Oral or written offers of appointment will not normally be made or sent until all official transcripts of record are on file and have been reviewed. However, when constraints of time dictate, offers may be made contingent upon receipt of satisfactory transcripts.

7.4. Applicants must submit contact information for a minimum of three (3) current references who can address professional abilities. Additional references are required if personal characteristics were not addressed by the professional referees when contacted.

7.5. Search Committees should attempt to minimize the cost of searches by conducting conference or regular calls to applicants and referees where appropriate. Notes of calls and conversations are to be kept in candidates' files. All questions addressed either to candidates or referees must focus exclusively on matters relating to candidate selection criteria, educational and professional experience, and other matters relevant to the applicants' suitability for the advertised position. Legislation prohibits discussions of personal matters such as place of residence (except in the case of foreign nationals), age, marital status, family, political preference, race, religion, handicap, and sexual orientation.

SECTION 8 INVITATIONS TO CAMPUS FOR INTERVIEWS

8.1. Candidates may be invited for campus interviews after initial screenings are concluded, appropriate materials are on file, and travel funds are identified. Search Committee Chairs may extend invitations to candidates.

SECTION 9 ARRANGEMENTS FOR CAMPUS VISITS

9.1. Department Chairs and Administrative staff are normally responsible for making the necessary arrangements for campus interviews. Arrangements include obtaining housing in the University guest house (if possible), providing all necessary transportation, arranging for meals, and preparing and distributing interview itineraries. Chairs should make efforts to arrange with candidates for the least expensive airline reservations and on-campus, or if necessary, other housing accommodations. Travel arrangements are to be made through the College of Pharmacy and Health Sciences.

SECTION 10 ON-CAMPUS VISITS

10.1. Candidates are to be interviewed, normally, by the Provost, Dean, Search Committee, and faculty, staff and learners of the College of Pharmacy and Health Sciences. The President reserves the prerogative of participating in the interview process as time and circumstances allow. Candidates are to be asked to prepare for delivery a 50 minute classroom lecture or presentation of their choice (directed to an audience of learners) open to members of the Department, interested learners, and other interested members of the University community. Search Committee members will meet with the candidate at a luncheon on campus. If candidates stay overnight, they may be accompanied for dinner by Chairs of Search Committees or their designees and one additional faculty member or administrator. The University reimburses for the cost of restaurant meals, but not for alcoholic beverages, which are deemed inappropriate in conducting official University business.

SECTION 11 SELECTION CRITERIA FOR CANDIDATES

11.1. Appointments to the rank of Assistant Professor and above require completion of the Pharm.D. or Ph.D. (or an equivalent terminal degree). In exceptional circumstances candidates for tenure-track appointments who do not have terminal credentials may be given provisional appointments with conditions for permanent appointment indicated clearly in initial contract letters. Though candidate selection criteria are pre-authorized, selection is to be based primarily on judgments of candidates' teaching abilities, their willingness to be helpful to learners, and their acceptance of the mission of the University and College. Judgments of candidates' potential for research/scholarly activity, clinical practice, and professional development are important in assessing candidates' currency in the appropriate discipline and their willingness to stay abreast of the discipline. It is the responsibility of all involved in the selection process to assess the match of candidates to the mission and culture of the University and College.

11.2. The candidate's general knowledge, ability, and interest in University and College governance are also to be considered. Search Committees are to consider, where appropriate and within applicable legal guidelines, the ethnic and cultural diversity of the department in which the appointment is to be made. Departments should consider staffing profiles that are representative of University diversity goals so they may expose learners to a faculty trained at various educational institutions with a broad range of professional and intellectual perspectives, and personal and educational backgrounds. Individual candidates are to be judged, however, by their abilities without regard to race, creed, sex, age, non-disqualifying handicaps, or sexual preference. Diversity and gender balance are to be achieved by insuring an applicant pool large and broad enough to contain qualified diverse applicants.

11.3. The Provost of the University reserves the prerogative to cancel a search or reject Committee and administrative recommendations when applicant pools are not sufficiently diversified in all respects, as enrollment projections warrant, and as dictated by changes in annual budgets or University staffing

needs. In circumstances where the latter conditions may apply, the advertisement must state that the position is subject to funding.

SECTION 12 REFERENCE CHECKS

12.1. Department Chairs are responsible for documenting and verifying appropriate telephone reference checks of all candidates.

SECTION 13 DECISION TO HIRE

13.1. It is desirable, though not necessary, that at least three (3) qualified candidates be interviewed for each position. The decision by the President to hire follows recommendations by Search Committees, Department Chairs, Dean, and the Provost. Department Chairs submit written recommendations for appointment to the Dean. Normally one (1) candidate is recommended. However, among equally qualified candidates more than one (1) name could be submitted by the Committee with ranking. Recommendations are to contain supporting documentation which includes reasons for the recommendation, and the concerns of dissenting Committee members. The Dean submits a separate letter of recommendation to the Provost.

13.2. The Provost approves or rejects recommendations for appointment. Approvals result in the President's issuance of formal written contracts to successful candidates. Candidates must respond affirmatively in writing within fifteen (15) days of the issuance of the contract for appointments to be formally confirmed.

SECTION 14 CONTRACTS

14.1. All contracts are prepared for the signature of the President by the Provost, in consultation with the Department Chair and Dean. Official transcripts must be in hand before contracts can be issued. The contract will specify the following:

14.1.1. Position type (Tenure-Track, Non-tenure-Track).

14.1.2. Length of probationary period and date of potential tenure review, if any.

14.1.3. Academic rank at initial appointment and start date.

14.1.4. Credit toward tenure and promotion for prior teaching and/or work experience. (Maximum one (1) year credit for each two (2) years of comparable teaching experience, or for each four (4) years of relevant work experience.)

14.1.5. Annual salary rate.

14.1.6. Any special terms or conditions of appointment (degree completion requirements, additional education required, administrative responsibilities, etc.).

14.1.7. Reference to the College of Pharmacy and Health Sciences Faculty Handbook is included in contract.

14.1.8. Requirement for attendance at New Faculty Orientation.

14.2. Contracts issued by the President officially confer faculty status on the appointees and, as such, welcome new faculty members to the University Community.

SECTION 15 PROFESSIONAL MEETINGS AND RECRUITMENT TRAVEL

15.1. Dean, Department Chairs, and Search Committee members will plan recruiting trips to appropriate meetings to interview potential candidates. The College of Pharmacy and Health Sciences will appropriately select faculty members to attend such meetings for the purpose of recruitment.

SECTION 16 APPLICANT ACCESS TO APPLICATION MATERIALS

16.1. Applicants may, under law, see all application materials including reference letters, unless applicants have waived such rights or referees have submitted in confidence. In these instances, letters and notes of reference telephone conversations are held in strict confidentiality.

APPENDIX 2: ANNUAL ACTIVITY REPORT GUIDELINES

All faculty members will undergo an annual review as outlined in Section 7. Annual reviews provide a basis for decisions on reappointment, promotion, tenure, and salary. The review process includes submission of an Annual Activity Report (AAR), discussion between the Chair and faculty member, and the Department Chair's written evaluation. The AAR is a narrative of accomplishments, and must separately cover each of the evaluative categories relative to the appointment level of the faculty member. The AAR should utilize the format developed by the department chairs in consultation with the Faculty Affairs Committee, and contain the following:

SECTION 1 EVALUATE CATEGORY

1.1. The weighting of each evaluative category as approved by the Department Chair, in consultation with the Dean, at the beginning of the current contract year.

SECTION 2 DOCUMENTATION OF TEACHING

2.1. List of courses taught; enrollment data; if team taught course, indicate percentage of contribution; and a summary of learner evaluations from all courses and experiential rotations. The faculty member should include his/her own interpretation of the learner evaluation in order to provide the context necessary for accurate judgments. Faculty members are encouraged to include peer review evaluations and any teaching awards/honors in their AAR.

SECTION 3 DOCUMENTATION OF SERVICE

3.1. Statement of faculty member's performance as an academic advisor, if applicable, including documentation if available, e.g., academic advising loads, letters from learners, and any other documents which provide supporting evidence of performance; statement of contributions to University, College, profession, and community; a listing of university, college, community, committees and other significant service.

SECTION 4 DOCUMENTATION OF SCHOLARLY ACTIVITY AND/OR RESEARCH

4.1. Papers, books or other educational material published or presented at professional conferences should be listed. Abstracts for proposals written for funding along with whether they were successful, including critiques of the proposals, when possible. Professional work performed, including new and innovative course research, unpublished research with a statement of progress, work on unfunded proposals, or consulting work, should be listed. Other professional activities should be explained and supported.

SECTION 5 DOCUMENTATION OF ACTIVITIES IN CLINICAL PRACTICE

5.1. Brief description concerning work on policies and procedures at the site and any development of innovative and new opportunities at the clinical site; scope of clinical practice; list positive impact on patient care as evidenced by clinical interventions; any recognition by peers locally and nationally in area of faculty practice and expertise, if available; summary of member's ability to critically evaluate medication usage and safety; statement of contributions to practice site and listing of clinical site activities; list any recognition or awards for professional achievement; and documentation of any referrals and consultations from other professionals.

APPENDIX 3: GUIDELINES FOR APPLICATION FOR PROMOTION AND/OR TENURE

To receive a promotion and/or tenure review an eligible faculty member must make a formal written request. This should summarize the qualifications of the candidate for the position requested. Such requests must be made in writing to the Dean of the College of Pharmacy and Health Sciences.

In the dossier, the faculty member should discuss and summarize the following areas: Teaching, Research/Scholarship, Service, and if the faculty member has a practice site, Clinical Practice. The primary dossier should consist of an initial cover page followed by the printed material, clearly indexed in a single 1-1/2 inch binder and must be under 100 pages in length. Supplementary material is included in a separate binder or binders. Three copies of the dossier and the Supplementary material are submitted to the Dean. The dossier must contain the following:

SECTION 1 EXECUTIVE NARRATIVE

1.1. Introductory Executive Narrative (limited to six (6) pages) in which faculty members describe the basis in all areas of performance, as well as those not apparent, that support a positive recommendation for the rank at which the candidate is applying. This should include highlighting accomplishments and expertise in the performance areas over the specified timeframe. In addition, plans for the future including development goals for teaching, scholarship/research, service, and clinical practice, if applicable.

SECTION 2 COPIES OF ANNUAL EVALUATIONS

2.1. Copies of Annual Evaluations by Department Chairs and Dean should be included in the main document. Copies of Annual Activity Reports should be included in the appendix section.

SECTION 3 CURRICULUM VITAE

3.1. Copy of updated CV.

SECTION 4 DOCUMENTATION OF TEACHING

4.1. Examples of course syllabi and exams from each of the different courses offered by faculty member. List of courses taught; enrollment data; if team taught course, indicate percentage of contribution; peer evaluations that focus on the candidate's teaching effectiveness; summaries of teaching evaluations for each class taught in the previous three (3) years (actual evaluations to be made available under separate cover). Reviewers will be able to reach less subjective judgments of teaching performance more accurately if learner evaluation records are complete. The faculty member should include his/her own interpretation of the learner evaluation in order to provide the context necessary for accurate judgments. A record of any teaching awards/honors should also be included.

SECTION 5 DOCUMENTATION OF SERVICE

5.1. Statement of faculty member's performance as an academic advisor, if applicable, including documentation if available, e.g., academic advising loads, solicited letters from learners, and any other documents which provide supporting evidence of performance; statement of contributions to University, College, profession, and community; a listing of university, college, community and committees in some logical order, with sufficient detail for reviewers to determine the level of effort and significant

accomplishments (e.g. mentor, recruitment team member). Evaluations by each committee/ task force chairperson within the College of Pharmacy and Health Sciences.

SECTION 6 DOCUMENTATION OF SCHOLARLY ACTIVITY AND/OR RESEARCH

6.1. Papers, books or other educational material published or presented at professional conferences should be listed accompanied by the abstracts or reprints (in supplemental binder). Proposals written for funding should be briefly described along with whether they were successful, including critiques of the proposals, when possible. Professional work performed, including new and innovative course development, unpublished research with a statement of progress, work on unfunded proposal, or consulting work, should be listed with enough detail for any reviewer to ascertain the level of effort and the significance of the work. Other professional activities should be explained and supported.

SECTION 7 DOCUMENTATION OF ACTIVITIES IN CLINICAL PRACTICE

7.1. Peer evaluations of clinical decisions concerning patients pharmacotherapy and laboratory interpretation by health-care providers; brief description concerning work on policies and procedures at the site and any development of innovative and new opportunities at the clinical site; demonstrated positive impact on patient care as evidenced by clinical interventions; recognition by peers locally and nationally in area of faculty practice and expertise; copies of published pharmacy or patient newsletters; summary of members ability to critically evaluate medication usage and safety; statement of contributions to practice site and listing of clinical site activities; list any recognition or awards for professional achievement; and documentation of any referrals and consultations from other professionals.

SECTION 8 LETTERS OF RECOMMENDATION

8.1. The candidate will submit the names of three (3) internal and three (3) external reviewers who possess the expertise to evaluate the candidate in all performance areas of their specific discipline. Internal reviewers must be faculty at the University; however, only two may come from the College of Pharmacy and Health Sciences and cannot be a member of the Promotion & Tenure Committee. Both internal and external reviewers must be at an equivalent or higher rank than the promotion level being sought by the faculty candidate. When the external reviewer does not come from an organization that grants ranks equivalent to those at the College of Pharmacy and Health Sciences, the professional standing of the external reviewer must be documented based on national and/or international recognition in their field and must be commensurate with level of promotion sought by the faculty candidate.

SECTION 9 SUPPLEMENTARY MATERIALS

9.1. Supplementary material is optional. It consists of additional supporting evidence for the case made by the candidate in the primary dossier. It also should be divided into areas of activity (teaching, clinical activity, etc.). The actual material included is up to the candidate, but items could include additional information about teaching evaluations, copies of proposals or research reports, or committee reports of some significance.

APPENDIX 4: TIMELINES FOR ANNUAL REVIEW, PROMOTION AND TENURE

	Tenure/Mandatory Promotion	Promotion Only	Annual Reviews
Applications and Dossiers to Dean due	Sept 1 st	Oct 1 st	
Promotion & Tenure Committee and Dept Chairs evaluation due to Dean	Oct 12 th	Jan 25 th	
Dean evaluation and Dossier due to Provost	Oct 26 th	Feb 4 th	
Decision Notice to Faculty	Dec 21 st		
Dept Chair begins annual review process for 1 st yr. faculty			Jan 31 st
Annual review sent to Dean by Chair for 1 st yr. faculty			Feb 15 th
Annual review sent to Provost by Dean (1 st yr. faculty)			Mar 1 st
Non-renewals sent by Provost (1 st yr. faculty)			Mar 15 th
Dept Chair begins Annual review process for > 1 st year faculty			Aug 1 st
Annual review sent to Dean by Chair for > 1 st yr. faculty			Nov 15 th
Annual review sent to Provost by Dean (> 1 st yr. faculty)			Dec 1 st
Non-renewals sent by Provost (> 1 st yr. faculty)			Dec 15 th
Renewals sent by Provost to all faculty			Mar 15 th

APPENDIX 5: FACULTY GRIEVANCE FORM

Name of Grievant _____ Date _____

College _____ Department _____

Grievant Signature _____ Date _____

NARRATIVE DESCRIPTIONS OF GRIEVANCE:

The narrative shall contain a concise statement of the action or inaction giving rise to the grievance, including the time-frame of the action or inaction and efforts to resolve the matter, and the remedy sought by the faculty member.

(Use back side of form or additional 8-1/2" X 11" white paper)

DISPOSITION OF GRIEVANCE:

Department Chair: _____ Date: _____

Dean: _____ Date: _____

Provost: _____ Date: _____

Attachments: (Resolutions, Decisions, Appeals)