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Approved APRIL 2014 Revision

MUHLENBERG COLLEGE FACULTY HANDBOOK

1. INTRODUCTION

The Muhlenberg College Faculty Handbook is intended to be a useful source of information for faculty members concerning matters pertaining to professional responsibilities and privileges. It addresses governance issues related to the Faculty, as well as the Board of Trustees and senior administration, and provides a framework for how changes are implemented via faculty committees and faculty meetings. The Handbook also outlines evaluation procedures for annual reviews, tenure, and promotion, and defines academic staff responsibilities. An overview of human resources' services and various academic, campus, and research resources is provided as well.

The information in the Handbook is provided by several offices and departments of the College. *In the ordinary course, specific* changes are drafted by the elected faculty members of the Faculty Personnel and Policies Committee, in consultation with the faculty, Provost, and President, and then presented to the Faculty for a vote. Changes approved by Faculty vote are subject to review and approval by the Educational Policies and Faculty Affairs Committee of the Board of Trustees with ultimate approval by vote of the Board of Trustees before such changes are incorporated into the Handbook. Final authority is vested by charter within the corporation of Muhlenberg College. Accordingly, the policies of the College codified in this Handbook derive from the Charter and the Bylaws and the policies and procedures adopted by the Board of Trustees.

Every effort has been made to ensure accuracy in the policy summaries, statements and conditions herein described as of the date of this Handbook. The College will endeavor to keep the information contained herein current; however, current revisions may supersede those found in this Handbook. **Copies** of the full policy statements which are sources used to prepare this Handbook, as well as new and additional policy statements not included or covered in this Handbook may be obtained from the Office of the Provost and the Office of Human Resources. **It should be noted, however, that this Handbook is a source of guidance and is not a contract of employment.**

The Web version of the Faculty Handbook posted on the Provost's Website is considered to be the definitive version of the Handbook. The College reserves the right to change policies, procedures and benefits from time to time as needs dictate. Prior to any change, the appropriate faculty committee will be consulted. In case of any disparity or conflict, the policies and procedures instituted by the Board of Trustees shall prevail.

2. COLLEGE AND FACULTY GOVERNANCE

2.1 Statement on Governance

Muhlenberg College is a private liberal arts college incorporated under the laws of the Commonwealth of Pennsylvania. It is affiliated with the Northeastern Pennsylvania Synod, the Southeastern Pennsylvania Synod and the Slovak Zion Synod of the Evangelical Lutheran

Church in America. Ultimate responsibility for operation of the College rests in the Board of Trustees. The College operates under a Charter granted it by the Commonwealth of Pennsylvania and under Bylaws adopted by the Board of Trustees as amended from time to time. Copies of the Muhlenberg College Charter and Bylaws are available in the President's Office.

2.2 Board of Trustees

2.2.1 Composition

The Board of Trustees consists of a maximum of forty-three (43) elected Trustees in addition to the President of the College who is a member of the Board *ex officio*. Of the Trustees,

- a. three (3) are the bishops of the supporting synods: the Northeastern Pennsylvania Synod of the Evangelical Lutheran Church in America (ELCA), the Southeastern Pennsylvania Synod of the Evangelical Lutheran Church in America and Slovak Zion Synod of the Evangelical Lutheran Church in America;
- b. two (2) shall be nominated by the Church Nominating Committee and ratified by the authorized committee or council of the Northeastern Pennsylvania Synod of the Evangelical Lutheran Church in America (ELCA), with the advice and consent of the Nominations and Honorary Degrees Committee of the College;
- c. two (2) shall be nominated by the Church Nominating Committee and ratified by the authorized committee or council of the Southeastern Pennsylvania Synod of the ELCA, with the advice and consent of the Nominations and Honorary Degrees Committee of the College;
- d. one (1) shall be nominated by the Church Nominating Committee and ratified by the authorized committee or council of the Slovak Zion Synod of the ELCA, with the advice and consent of the Nominations and Honorary Degrees Committee of the College;
- e. two (2) shall be nominated by the College through its Nominations and Honorary Degrees Committee after consultation with the Executive Director of, and ratified by, the Division of Higher Education and Schools of the ELCA, with the advice and consent of the Nominations and Honorary Degrees Committee of the College;
- f. twenty-eight (28) shall be elected by the Board of Trustees of the College; and
- g. five (5) shall be nominated by the Executive Council of the Alumni Association, with the advice and consent of the Nominations and Honorary Degrees Committee of the College and elected by the Alumni Association.

Upon such nomination and ratification or election of each Trustee, the Secretary of the Board casts a ballot for the Trustee's election for a term of three (3) years.

In addition, the Board of Trustees also has elected as Life Trustees certain former trustees who have served the College with distinction. These Life Trustees may attend Board meetings and have voice, but no vote.

Further, the Board shall have the power to appoint Associate Trustees who shall have such qualifications as the Board may, from time to time, determine. These Associate Trustees may attend all meetings of the Board and have voice, but no vote.

The Board of Trustees permits the faculty to elect two observers to attend meetings of the Board. Two student observers are also permitted to attend Board meetings: the student body president and a second student observer elected by the **Student Government Association**. These four observers attend meetings without the privilege of the floor or vote.

2.2.2 Responsibilities

The Board of Trustees represents and has full power to act for the College in the exercise of all its rights, duties, privileges and powers.

2.3 Senior Administration

In addition to the President of the College, the senior administration consists of the following positions:

Provost

Dean of the College for Academic Life

Dean of the Wescoe School

Chief Business Officer and Treasurer

Vice President for Human Resources

Vice President for Development and Alumni Relations

Vice President for Public Relations

Vice President for Student Affairs and Dean of Students

Dean of Admission and Financial Aid

Chaplain

The Muhlenberg Source Book contains an organizational chart outlining the responsibilities of these administrative officers. The chart is updated annually. With the exception of the Chief Business Officer and Treasurer, each officer is appointed by, is responsible to, and serves at the pleasure of the President. In the process of selecting an officer, the President may consult with others, including appropriate faculty.

2.3.1 President of the College

The President is the chief executive officer of the College and the official advisor to the Board of Trustees and the Executive Committee. The President is the direct representative of the Board of Trustees in implementing the policies of the Board and is responsible for reporting to the Board on the general welfare and progress of the College.

The President is responsible for all aspects of the life of the College including, but not limited to, academic, curricular and extra-curricular affairs, the religious life of the College, faculty, administrative managers, fundraising, and the College relations. To meet these responsibilities the President, with the approval of the Board of Trustees, appoints administrative managers who are responsible for duties as assigned by the President and serve at the pleasure of the President. The Board of Trustees may appoint an interim president if the President is unable to fulfill the duties of the President due to absence or disability.

The President is elected by and responsible only to the Board of Trustees for the discharge of his or her duties and serves on continuing appointment at the pleasure of the Board subject to existing contract commitments.

2.3.2 Provost

The Provost administers, through the chairs of the various academic departments, the degree and curricular programs of the College, and oversees the Wescoe School, the Registrar's Office, the Office of Multicultural Life, and the Art Gallery. As assigned by the President, the Provost also has senior operating responsibilities related to the College's continuing education programs. In consultation with academic department chairs, the Provost determines faculty needs, reappointment, faculty grants and oversees the ongoing evaluation of the faculty. In cases of promotions in rank and tenure, the Provost is a facilitator and procedural arbitrator. As such, he/she manages the process and helps to ensure that all parties follow established procedure. The Provost advises the President on procedural matters but does not perform an independent evaluation of the candidate or make a formal written recommendation in matters of tenure and promotion. The Provost has administrative responsibility for strengthening academic departments, programs, and divisions and for the following faculty committees: Academic Policy Committee, Curriculum Committee, Evaluation Committee on Tenure and Promotion, Faculty Development and Scholarship Committee, Faculty Personnel and Policies Committee, and the Nominating Committee.

In addition, the Provost is responsible for the evaluation of the curricular and academic programs of the College, for the projection of long-range curricula plans, for the preparation and control of the academic budgets of the College, and is responsible for fulfilling other goals and tasks assigned by the President. The Provost has responsibilities for the use and allocation of educational technologies. The Director of the Institute for Jewish/Christian Understanding reports to the Provost as does the Director of International Programs, and the Provost is an ex officio member of the IJCU Board. The Provost is an ex officio member of all College standing committees with voice, but not vote.

The Provost serves as staff liaison to the Educational Policies and Faculty Affairs Committee of the Board of Trustees.

2.3.2.1 Dean of the College for Academic Life

The Dean of the College for Academic Life is responsible for the academic support services provided through the offices of the Director of Libraries, Academic Support Services, Director of the Office of Career Development and Placement, and Health Professions Advisor.

The Dean has administrative responsibility for the Library Committee, the Teacher Education Committee, the Lectures and Forum Committee, and the Academic Judicial Board. In addition, the Dean is also responsible for academic advising, Dean's List, academic skills, first-year orientation, academic honors and awards, postgraduate honors initiatives, international students, student grants, internships, learning disabled students and academic probation.

The Dean of the College for Academic Life reports to the Provost.

2.3.2.2 Dean of the Wescoe School

The Dean of the Wescoe School's primary function and responsibility is the administration of the Evening College and its affiliated non-credit programs, including but not limited to, the Summer College, corporate partnership programs, professional development seminars, career enhancement programs and summer conferences.

In addition, this Dean shall be responsible for other matters assigned by the President and the Provost.

The Dean of the Wescoe School reports to the Provost.

2.3.3 Chief Business Officer and Treasurer

The Chief Business Officer and Treasurer is the chief financial officer of the College and is elected by the Board of Trustees and is responsible to the President and the Board of Trustees. The Chief Business Officer and Treasurer has primary responsibility for all funds and securities of the College, keeps accurate accounts of receipts and disbursements, and performs such other duties as the President, the Chairperson of the Board or the Board may prescribe.

The Chief Business Officer and Treasurer is responsible, within Board policy, for management of assets and debt and financial long-range planning and presents for Board consideration a budget that has been approved by the Finance and Investment Committee of the Board.

The Chief Business Officer and Treasurer presents to the Board an annual financial statement audited by an independent certified public accountant and oversees all benefit programs required by the Employee Retirement Income Security Act (ERISA) and other applicable legislation. This officer is also responsible for purchasing, computing and communication services, educational technologies, computer networking and user support functions for the College.

The Vice President for Human Resources, the Assistant Treasurer, Purchasing Director, Controller, Director of Information Technology, and Director of Plant Operations report to the

Chief Business Officer who is responsible for the College's business affairs, investments, risk management, financial aid, buildings and grounds, printing and payroll. The Chief Business Officer also is responsible for developing, in consultation with the President, a financial aid strategy and budget. In addition, the Chief Business Officer is responsible for the facilities and grounds and oversight of capital projects.

The Chief Business Officer and Treasurer serves as staff liaison to the Finance and Investment Committee and the Buildings and Grounds Committee of the Board of Trustees.

2.3.3.1 Vice President for Human Resources

The Vice President for Human Resources is responsible for the personnel functions of the College with a particular focus on administration, staff associate, and service personnel.

The Vice President for Human Resources performs such other duties as may be assigned by the President and the Chief Business Officer.

The Vice President for Human Resources reports to the Chief Business Officer and Treasurer.

2.3.4 Vice President for Development and Alumni Relations

The Vice President for Development and Alumni Relations has the administrative responsibility for fundraising activities of the College, including gifts and grants, prospect research, capital campaign, planned giving, annual giving, alumni relations, and corporate and foundation relations. Alumni Relations, Corporate and Foundation Relations, Information Services and Records, the Muhlenberg Fund, Planned Giving, and Prospect Research and Management all report to the Vice President for Development and Alumni Relations.

In addition, this Vice President coordinates programs and activities of the Alumni Association and serves as staff liaison to the Development, Alumni and Public Affairs Committee of the Board of Trustees.

The Vice President for Development and Alumni Relations reports to the President.

2.3.5 Vice President for Public Relations

The Vice President for Public Relations is responsible for the College's relations with the media and the community as well as all College publications, advertising, the bookstore, and the radio station. In addition, the Vice President coordinates College campus events assigned to this Vice President by the President including, but not limited to, convocations and commencements.

The director of radio station WMUH and the Directors of Media Relations and Sports Information report to this Vice President, who coordinates and directs their activities as does the Manager of the Bookstore. The Vice President for Public Relations is also staff liaison to the Muhlenberg Board of Associates and Woman's Auxiliary.

The Vice President for Public Relations is staff liaison to the Development, Alumni and Public Affairs Committee of the Board of Trustees.

The Vice President for Public Relations reports to the President.

2.3.6 Dean of Students

The Dean of Students has administrative responsibility for resident life and student housing, student health services and counseling, athletics and fitness, student government, student activities, campus safety and security, fraternities and sororities, community service programs and summer conference housing. Reporting and responsible to the Dean of Students are the Assistant Dean and Director of Greek Affairs, Area Coordinators and the Directors of Residence Life and Housing, Athletics, Safety and Security, Counseling and the Health Center, and Director of Seegers Union.

The Dean of Students is also responsible for the College Committee on Student Life, the Social Judicial Panel and Boards, and enforcement of the Social Code, and performance of such other duties as may be assigned by the President.

The Dean of Students is a staff liaison to the Student Affairs Committee of the Board of Trustees and performs such other duties as may be assigned by the President.

2.3.7 Dean of Admission and Financial Aid

The Dean of Admission is responsible for enrollment management, the recruitment and admission of new students, including individuals transferring from another institution of higher education, as well as financial aid. In addition, the Dean is responsible for admissions publications, campus visitation programs for prospective students, and campus tour guides. The admissions staff and the Associate Dean of Financial Aid report to the Dean of Admission.

Following consultation with the Vice President for Finance and Treasurer and the Dean of Students, the Dean of Admission evaluates and then recommends to the President plans (both short-term and long-range) for financial aid and enrollment management.

The Dean of Admission reports to the President.

2.3.8 Chaplain

The College Chaplain, a pastor of the Evangelical Lutheran Church in America, supervises the programs of the Chapel and has administrative oversight for the religious activities, organizations, and other denominational ministries of the campus (e.g., Hillel, Catholic Campus Ministry). The Chaplain is a pastoral counselor for students, staff, and faculty and works closely with the Dean of Students' staff. The Chaplain is staff liaison to the Religious Life Committee of the Board of Trustees.

The Chaplain reports to the President.

2.4 Academic Staff

The Academic Staff of Muhlenberg College consists of faculty and adjunct faculty.

2.4.1 Faculty

The faculty consists of the President of the College, the Provost, all academic deans reporting to the Provost, all faculty members who work full-time (other than those with a “Visiting” appointment), the Director of the Library and such other individuals to whom the Board of Trustees or the faculty may assign faculty seats. (Article V, Section 2, Bylaws) The faculty shall include those who are tenured or tenure eligible and those who are not tenure eligible.

2.4.1.1 Tenured or Tenure Eligible Faculty

Such faculty includes the Professors, Associate Professors, Assistant Professors, and Instructors who have received tenure or who have tenure eligible appointments.

2.4.1.2 Non-Tenure Eligible Faculty

Non-tenure eligible appointments to the faculty may be made for the following purposes:

1. to serve as a retirement incentive. A tenured professor may agree to relinquish tenure in exchange for a negotiated contract;
2. to employ people whose faculty responsibilities as defined by the department do not require a terminal degree;
3. to employ individuals who lack the appropriate credentials for tenure track appointment but whose professional experience will contribute significantly to the College;
4. to employ individuals who can bring to the College the benefits of distinguished academic, public service, or professional experience but who do not desire to hold a tenurable appointment even if they are so qualified;
5. to serve a department for a specified, limited term.

Individuals appointed to a non-tenure eligible position may hold any of the faculty ranks available to tenured or tenure eligible faculty although those hired under categories #2 and #3 above will normally be designated as Lecturers. Such individuals have all the rights, privileges and responsibilities of “tenure track” appointments. The College expects them to be excellent teachers and to play an active role in the life of the College and of the department. This includes voice and vote at faculty meetings, service on committees, and student advising.

The term of all such contract appointments shall not exceed three years, with the possibility of renewal.

At the start of each academic year, the Provost will report to FPPC on the total number of non-tenure eligible faculty employed at the College, together with the number of new non-tenure eligible appointments made in the previous year and the departments they represent.

2.4.2 Adjunct Faculty

Adjunct faculty are employed to assist the faculty in carrying out the instructional program of the College. An adjunct may be a part-time employee teaching less than a full instructional workload or an individual with “Visiting” status. “Visiting” appointments are made to replace faculty who have sabbaticals or leaves of absence or to fill spots left open while a search is being conducted; letters of appointment for such appointments will not exceed two years.

Adjunct faculty have voice at faculty meetings but are otherwise not entitled to the rights and privileges of the faculty set forth in this Handbook or granted to or established for the faculty. They are not expected to advise students or serve on committees.

2.5 Faculty Meetings

2.5.1 Schedule of Regular Meetings of the Faculty

There shall be at least four regular faculty meetings each semester. The dates shall be determined by the Provost.

2.5.2 Attendance, Voice and Vote

All regular appointed members of the faculty (defined in section 2.4.1) are accorded voice and vote in faculty meetings. All voting members are expected to attend.

Admission to faculty meetings with voice, but without vote, is also accorded to the following:

- a. Those members of the senior staff not included in the above; that is, Dean of Students, Chief Business Officer and Treasurer, Dean of Admissions and Financial Aid, Vice President for Development and Alumni Relations, Assistant to the President, Vice President for Public Relations, and Chaplain.
- b. Administrators whose responsibilities are related to the academic program: Director of Multicultural Life, Director of Academic Support Services, Director of Athletics, Registrar, Director of Media Services, Director of Information Technology.
- c. Four students elected by The **Student Government Association** from among those students serving on the following standing committees of the faculty: Academic Policy Committee, Curriculum Committee, Library Committee, Teacher Education Committee.
- d. Members of the Board of Trustees who may wish to attend.

- e. Coaches who are full-time administrative members of the Department of Physical Education and Athletics whose duties include both coaching and teaching.
- f. Professors Emeriti.
- g. Visiting Adjunct Faculty who are employed on a full-time basis.
- h. A representative of the Muhlenberg College Weekly is also allowed to attend faculty meetings, but without voice or vote.

2.5.3 General Regulations

- a. The Provost, in consultation with the Chair of the Academic Policy Committee, will formulate an agenda for faculty meetings. Information relative to agenda items which require action shall be sent in writing by the Office of the Provost to those persons entitled to attend such meetings at least five days in advance of the meeting, except for Professors Emeriti who will receive copies upon their written request.
- b. When possible and appropriate, any proposal should be published for presentation to the faculty at the faculty meeting prior to the one at which it is to be presented for action or, if appropriate, at a faculty forum. If it is presented at an earlier faculty meeting, brief debate may be permitted in order to elucidate the issues.
- c. A published proposal should, when appropriate, have a rationale appended to clarify its purpose and other relevant circumstances of its presentation.
- d. Oral reports of committees and administrative officers not requiring action should be no longer than needed to provide understanding to the faculty. If information is to be provided to the faculty in writing, it should be distributed to the faculty whenever possible at least 48 hours in advance of the meeting at which it will be reported.
- e. Unless otherwise agreed upon by the faculty, Robert's Rules of Order shall govern procedures.
- f. One-half plus one of the faculty voting membership shall constitute a quorum and the acts of a majority of such quorum shall be the acts of the faculty except as provided in the following paragraph. If there is no quorum, no vote shall be taken except to adjourn the meeting to a future date and time. Faculty members shall be given forty-eight hour's notice of that date and time.
- g. Except as specified in Robert's Rules for votes requiring more than a majority, a majority vote of those present and voting shall be binding in all actions. An online

vote is permitted for important issues on which the full vote of the faculty is desirable. The procedure is as follows:

- A Faculty or College committee (hereafter the “originating committee”) preparing to submit a motion (hereafter the “primary motion”) at a regularly scheduled faculty meeting for which the committee wishes to have an online vote must make a written request to APC that the vote be taken online. This request, including a rationale explaining why an online vote is desirable, must be made no later than three weeks prior to the scheduled faculty meeting.
- If APC endorses the request, a motion to approve the online vote will be brought before the faculty prior to discussion of the primary motion.
- A majority vote of the faculty present is required to authorize an online vote on the primary motion.
- Discussion of the primary motion and any amendments will take place during the faculty meeting under normal parliamentary procedures.
- The Nominating Committee will post the final version of the primary motion and ballot online within seven days after the faculty meeting and notify faculty that voting is open.
- The online vote will conclude seven days after the voting is opened.
- The number of votes cast must meet or exceed the faculty quorum number in order for the online vote to be valid.
- If a sufficient number of votes is not cast within the seven-day voting period, the motion will be put on the agenda for the next general faculty meeting for a vote at that time.

Proxy voting and absentee balloting are not permitted except in elections to standing committees or as representatives to ad hoc committees, boards and agencies for which the Nominating Committee may propose nominations.

Minutes of regular and special faculty meetings are sent by the Office of the Provost at least five (5) days in advance of the next faculty meeting to all persons who are authorized to attend faculty meetings regularly, except Professors Emeriti who will receive copies upon their written request.

2.5.4 Faculty Executive Sessions

The faculty, by majority vote of those present and voting, may go into executive session during any regular faculty meeting. Only voting members of the faculty are entitled to attend, but the faculty reserves the right, by majority vote of those present and voting, to invite guests who can supply vital information pertinent to the meeting. In addition, executive sessions may be held for

consideration of matters concerning individual students and faculty personnel matters, and such other matters to be brought by the President, including but not limited to pending litigation. Minutes of the executive sessions of the faculty are sent at least five (5) days in advance of the next faculty meeting by the Office of the Provost only to persons entitled to sit in executive sessions.

2.5.5 Special Faculty Meetings

Special faculty meetings may be called by the President or the Provost at any time or must be called on written request to the President by ten percent of the faculty membership.

2.5.6 Presiding Officer

The President has the responsibility of chairing faculty meetings, but can designate the Provost or other member of the faculty as the presiding officer.

2.5.7 Secretary of the Faculty

The Faculty Secretary is elected by the faculty for a one year term and is eligible for re-election.

2.5.8 Parliamentarian

The Presiding Officer will appoint a Parliamentarian at the beginning of the academic year.

2.5.9 Faculty Forum

The President or Provost may arrange at his or her discretion, meetings at which one or more members of the faculty or administration present matters of particular or general relevance to the College program for the consideration of interested colleagues. Such faculty forum sessions are open to all members of the faculty and the administration. Recommendations from the faculty forum may be transmitted to appropriate faculty committees.

2.6 Faculty Divisions, Department

The Bylaws of the College (Article V, Section 4) provide the faculty shall be organized into departments or divisions by the Board of Trustees following due consideration of recommendations made by the faculty and the President. The faculty in each department or division, subject to the approval of the President and the Board, shall be primarily responsible for the conduct of teaching and methods of instruction of courses in each such department or division. Presently, the faculty is organized into three divisions, each consisting of the appropriate academic departments, as follows:

2.6.1 Humanities Division

- a. Art
- b. Theatre and Dance

- c. English
- d. Languages, Literatures and Cultures
- e. Music
- f. Philosophy
- g. Religion

2.6.2 Natural Sciences and Mathematics

- a. Biology
- b. Chemistry
- c. Mathematical Sciences
- d. Physics

2.6.3 Social Sciences

- a. Accounting, Business and Economics
- b. Media and Communication
- c. Education
- d. History
- e. Political Science
- f. Psychology
- g. Sociology and Anthropology

2.6.4 General Regulations

The divisional organization provides the means by which the departments cooperate in the development of policies and programs relevant to their common purposes.

Each division, subject to the general regulations of the faculty, makes its own rules of procedure and operation. Normally, the chair of each of the three divisions is the head of each department in the division in succession according to seniority, for a two-year term. The division chair is to act as convener, calling meetings as needed or requested.

2.7 Appointment and Review of Academic Department Chairs

Chairs of academic departments are appointed by the President of the College upon recommendation from the Provost after all members of the department are given the opportunity to consult with the Provost about the goals of the department and its leadership needs. Department chairs serve at the pleasure of the President, usually for a four-year term.

Annual reviews of a department chair are conducted by the Provost. Each department chair prepares and submits to the Provost an annual review statement addressing his/her accomplishments as department chair; with reference to the responsibilities of department chairs outlined in the handbook (Section 2.7.1) and his/her goals as department chair for the following year. The Provost provides a written response to the annual review statement. The Provost and department chair then meet to discuss the outcome of the annual review.

Prior to the conclusion of the four-year term, all members of the department are given the opportunity to consult with the Provost concerning departmental needs, opportunities, and goals. Upon a recommendation from the Provost, based on the annual reviews and the Provost's consultation with department members, the chair may be reappointed by the President for another two-year term. In unusual cases, the department chair may be asked to serve for more than one 2-year renewal.

2.7.1 Responsibilities of Department Chairs

The primary responsibility of the department chair is to exercise professional leadership in developing and maintaining programs of study which present the academic discipline served in ways most effective and most appropriate to undergraduate higher education.

Department chairs in consultation with members of their department when that is appropriate, have responsibilities that include but are not limited to the following:

- The recruitment and ongoing evaluation of faculty and faculty development for their respective departments;
- The maintenance of advising programs for majors and minors;
- Calling and presiding over regularly scheduled department meetings;
- Preparing and submitting requests for departmental budget allocations and, subsequently, supervising budget expenditures;
- The scheduling of departmental courses and registration procedures in cooperation with the Registrar;
- Overseeing the academic standards of the department and ensuring that the general regulations established by the faculty are duly followed;
- Coordinating longer-term plans and goals of the department; and
- Representing the interests of the department to the administration.

It should be noted that chairing a department is a substantial form of college service. While a department chair may choose to serve on faculty, college, and ad hoc committees outside the department, it is not normally expected.

2.7.2 Remuneration

At the discretion of the President with the concurrence of the Provost, the chair of a department is given a reduced teaching load. A department chair does not receive additional remuneration.

2.8 Committees

Members of college and faculty committees here listed are the elected representatives of the faculty for the matters designated in the description of each committee. When there is a question regarding the appropriate committee to address an issue, the chair of the committee(s) seeking to address the issue will consult with the Academic Policy Committee to determine the proper committee designation.

General procedures:

Each committee elects a faculty member as its chair.

Any member may request a secret ballot and the result of that ballot is to be reported to the faculty.

No elected faculty member may serve concurrently on more than one regularly constituted faculty committee, except for the Nominating Committee.

All committees may seek advice and counsel from resource personnel.

Faculty and College committees shall be required to make a written report to the faculty at least once each year. As part of its report, each committee will inform the faculty of the recommendations made by the committee and whether or not these recommendations were acted upon. Names of individual applicants for awards, tenure and/or promotion will be omitted from such reports.

The term of service on all committees for elected personnel is for a period of three years. Should a vacancy occur before the expiration of any stated term, the Nominating Committee nominates and the faculty elects a member for the balance of the unexpired term.

2.8.1 Faculty Committees

Regularly constituted faculty committees are:

- a. Academic Policy Committee
- b. Curriculum Committee
- c. Evaluation Committee on Tenure and Promotion
- d. Faculty Development and Scholarship Committee
- e. Faculty Personnel and Policies Committee
- f. Library Committee
- g. Nominating Committee
- h. Wescoe School Academic Policy and Curriculum Committee

The Provost is an ex officio member of each faculty committee with voice, but without vote. The Provost may designate an academic dean as his or her representative to any faculty committee.

2.8.1.1 Academic Policy Committee

Membership consists of nine voting members: seven elected by the faculty, at least one from each division, and two students elected by the **Student Government Association**.

Functions

- a. To make recommendations to the faculty about all academic requirements and to exercise primary responsibility for long-range planning in academic areas.
- b. To establish guidelines for and consult with the Provost upon the construction of the academic calendar.
- c. To make recommendations to the faculty for the structure, formation, and organization of faculty divisions, departments, academic programs, majors and minors, and committees for the eventual recommendation by the faculty concerning such matters to the President and the Board of Trustees.
- d. To review and approve faculty rules and regulations, except those relating to tenure evaluation and faculty compensation, prior to adoption by the faculty and publication.
- e. To recommend faculty action on such matters as pertain to teaching and study, except concerning matters of curriculum.
- f. To explore possibilities for inter-institutional cooperation in academic areas and to recommend to the faculty programs involving inter-institutional cooperation.
- g. To act in an advisory capacity to the President and Provost in all matters related directly to the responsibilities of this committee.

2.8.1.2 Curriculum Committee

Membership consists of nine voting members: seven elected by the faculty, at least one from each division, and two students elected by The **Student Government Association**.

Functions

- a. To exercise jurisdiction over the curriculum, including review of the entire curriculum, as well as the addition or elimination of courses.
- b. To receive suggestions for course changes and significant changes in the requirements or structure of any major or minor and make appropriate recommendations for faculty action.
- c. To act in an advisory capacity and make recommendations to the President and Provost, especially on student appeals for waivers of academic regulations pertaining to curriculum requirements.

2.8.1.3 Evaluation Committee on Tenure and Promotion

Membership consists of seven voting faculty members, tenured, or approved for tenure; at least one from each division of the College.

Functions

- a. To evaluate members of the faculty in individual cases of promotion and tenure and to conduct all of the prescribed reviews of the service of faculty members and of the qualifications of prospective faculty members to be hired above the rank of Assistant Professor.
- b. To present their reasoned recommendations for tenure and promotion and the appointment of faculty above the rank of Assistant Professor to the Provost and the President.

2.8.1.4 Faculty Development and Scholarship Committee

Membership consists of six voting members, two from each division, elected by the faculty for three-year terms.

Functions

- a. To identify the interests and needs of the faculty concerning their professional growth and development.

- b. To help develop and implement an on-going program of faculty development which includes the areas of teaching, advising, and scholarship and research.
- c. To recommend to the President for appropriate action guidelines governing grants for faculty development, scholarship, and travel.
- d. To consider requests and review applications for sabbatical leaves and leaves of absence and to make recommendations to the President concerning such requests.
- e. To consider and review applications for faculty summer grants and make recommendations to the Provost regarding these grants.
- f. To review applicants and make recommendations for the Class of 1932 Research Professor and the Donald B. Hoffman Research Fellowship and to nominate faculty members for the Robert C. Williams Award for Junior Faculty and to make recommendations to the President concerning these faculty awards.

2.8.1.5 Faculty Personnel and Policies Committee

Membership consists of seven voting members elected by the faculty, at least one from each division.

Functions

- a. To consider questions, recommend policy to the President for appropriate action, and represent the faculty in the following areas: general conditions of employment, including questions of contracts (letters of appointment), retirement, compensation, teaching loads and non-teaching assignments.
- b. To act as an appellate body (without the ex officio members of the committee) to consider individual faculty personnel problems other than tenure and promotion appeals directed to it by any faculty member and to make recommendations to the President of the College (see Section 4.3 for Problem Resolution Procedures).
- c. To review and recommend the regular publication and revision of the Trustees' Handbook for Faculty.
- d. To serve as a liaison group between the faculty and the administrative officers on pertinent matters.

2.8.1.6 Library Committee

Membership consists of eight voting members: six elected by the faculty, two from each division and two students selected by the **Student Government Association**. The Librarian is ex officio member of this committee with voice, but without a vote.

Functions

- a. To serve in an advisory capacity to the Director of the Library.
- b. To evaluate the impact of the Library upon the faculty, the students and the mission of the College and recommend to the Librarian, to the faculty, and to appropriate administrative officers the consideration of any matters which affect the welfare of the Library.
- c. To recommend faculty action on such Library matters as pertain to teaching, study, and research.
- d. To serve as a liaison group between the faculty and adjunct faculty and the Librarian.

2.8.1.7 Nominating Committee

Membership consists of six faculty members elected by the faculty, two from each division.

Functions

- a. To provide nominations for all vacancies on faculty committees and for all officers elected by the faculty, including but not limited to, nominations for the Social Judicial Panel, the Academic Judicial Board, and Faculty Observers on the Board of Trustees.

The Nominating Committee should provide a mechanism whereby faculty members may nominate themselves for election to committees and should consider divisional representation when making its nominations for committees.

- b. To present its annual slate of nominees for the following academic year no later than the next to last regular faculty meeting of an academic year.
- c. In all elections, the committee will create an official ballot for faculty members to cast their votes. Normally, the committee will distribute an electronic ballot via an on-line voting system that will confidentially record each faculty member's vote before results are made available to the committee chair and Provost. Alternatively, the committee may distribute through campus mail a paper ballot on which faculty members will cast their votes before returning them in a sealed envelope to the Provost.
- d. To provide to the Nominations and Honorary Degrees Committee of the Board of Trustees the faculty's nominee(s) for the award of an honorary degree.

2.8.1.8 Wescoe School Academic Policy and Curriculum Committee

Membership includes four faculty elected by the faculty, up to three department chairs appointed by the President, and two students enrolled in the Wescoe School (one of whom must be from a degree completion program) who are appointed by the Dean of the Wescoe School. The Provost and the Dean of the Wescoe School are ex officio members of the committee. Department chairs must be chosen from departments that contribute to degrees offered through the Wescoe School, and elected faculty must have taught a course through the Wescoe School within the last two years. Elected faculty will serve staggered, three-year terms. The chair of the committee will be chosen by the committee from among the elected faculty members of the committee at its first meeting of the academic year.

Functions

To recommend to the full faculty policy and curricula for the Wescoe School as the Academic Policy Committee and the Curriculum Committee now attend to the traditional day programs.

2.8.1.9 Writing Program Committee

Membership consists of six elected faculty members, two from each division, plus the Director(s) of the Writing Program and Writing Center, and the Assistant Director of the Writing Center. In order to be elected to the committee, each faculty member must have taught at least one writing-intensive (W) course in the previous two years. In addition, there will be one student member, to be selected by Student Government, who has been trained as a tutor and served at least once as Writing Assistant to a First-Year Seminar. The Director(s) of the Writing Program, the Writing Center, and the Assistant Director of the Writing Center are ex officio members of the committee with voice but without a vote. The Director(s) of the Writing Program shall call the first meeting of the committee for the academic year, at which time the committee shall select one of the six elected faculty members as chair. The chair of the committee, in collaboration with the Director(s) of the Writing Program and Writing Center, shall develop the agenda for the academic year.

Functions

- a. To review and approve new FYS and W course proposals and special requests for W and FYS credit.
- b. To make recommendations to faculty regarding Writing Program policy.
- c. To consult with other committees and administrators on writing standards and initiatives.
- d. To facilitate the cross-campus discussion of issues pertaining to writing and writing instruction as an integral facet of campus culture.

- e. To periodically review existing W courses in consultation with faculty instructors and department chairs.

2.8.1.10 Appeals Committee for Tenure and Promotion Issues

Acts as the appellate body to consider individual faculty appeals concerning tenure and promotion matters directed to it and to make recommendations to the President of the College (see Section 4.3.2.1 Employment: Special Provisions in Tenure and Promotion Cases for Problem Resolution Procedures).

2.8.2 College Committees

Regularly constituted college committees are:

- a. College Committee on Student Life
- b. Lectures and Forums Committee
- c. Fitness and Athletics Committee
- d. Teacher Education Committee
- e. Internal Review Board

Section 2.3 of this Handbook indicates which member of the senior administration has administrative responsibility for a particular committee.

2.8.2.1 College Committee on Campus Life

Campus life encompasses the range of individual and collective experiences arising from participation in the College community. The Committee is a center for analysis of policies that shape the experience of campus life for all who work, teach, live and learn at the College.

Membership consists of nine voting members: two students chosen by The **Student Government Association**, who may also be members of the Campus Life Committee of the Board of Trustees; three faculty members elected by the faculty for three-year terms; one staff associate appointed by the Vice President of Human Resources; the Dean of Students, the Provost, and the College Chaplain, all *ex officio*, or their respective designees.

The Dean of Students shall call the first meeting of the Committee for the academic year, at which meeting the Committee shall elect a faculty member as chair. Regularly scheduled meetings of the Committee shall be open to all members of the College community.

Functions

- a. To identify campus life issues for research and analysis, to facilitate such research and analysis, and to make resulting policy recommendations to appropriate decision makers. In the performance of this function, the Committee will consult broadly and enlist the assistance of members of the College community as needed.

- b. To receive, in consultation with group leadership, regular reports from groups that address campus life issues. These groups may include but are not limited to student organizations, standing committees, and ad-hoc committees.
- c. To serve as an open forum for the discussion of campus life issues and to facilitate communication between and among campus constituencies when common interests develop.
- d. To make timely reports on Committee activities to the President, the faculty and the **Student Government Association**.

2.8.2.2 Lectures and Forum Committee

The Lectures and Forum Committee consists of seven voting members: three faculty members elected for three-year terms, two students appointed and confirmed by the Student Government Association, the Dean of the College for Academic Life, and the Vice President for Public Relations. This committee shall be chaired by a faculty member elected at its first meeting of each academic year. (December 2010)

This committee shall be chaired by a faculty member elected at its first meeting of each academic year.

The committee has responsibility for reviewing proposals and disbursing funds for two categories: Lectures, which supports a single, small-scale, faculty initiated event related to the academic program and Forum, a series of programs, thematically linked, that will distinguish the College regionally or nationally. The committee is also responsible for requiring a post-event report including information such as attendance. (December 2010)

2.8.2.3 College Committee on Fitness and Athletics

Membership of the committee consists of twelve voting members: three members elected by the faculty, all of whom are to be members of departments other than the Physical Education Department, a member of the Admissions staff appointed by the Dean of Admissions, the Chair of the Department of Physical Education, the Director of Athletics, ex officio; two male and two female student representatives elected by the **Student Government Association**; and a member of the Board of Trustees appointed by the President.

Functions

- a. To act in an advisory capacity on behalf of the College to the appropriate authorities and/or bodies regarding the policies and conduct of the athletic affairs of the College. Deliberations will include the following areas:
 - 1. student participation in recreational, intramural and intercollegiate athletic events;

2. membership and affiliations with athletic associations and conferences such as the NCAA, ECAC, and the Centennial Conference;
 3. the scheduling of athletic events, including the number of games to be played and the level of competition to be encountered;
 4. compliance with Title IX Federal Regulations relative to women's athletic programs;
 5. number and variety of sports offered;
 6. consistency of athletic programs with the academic goals of the College.
- b. To evaluate periodically the athletic program and facilities with attention to such areas as structure, development, and long-range plans.
 - c. To report to the President at the concluding regular meeting of each semester or at any time during the semester if warranted.
 - d. To make recommendations concerning athletic and fitness policy to the Board of Trustees.

2.8.2.4 College Committee on Information Technologies

Membership consists of thirteen voting members: one student employee of OIT; one student elected by The **Student Government Association**; three faculty members, one from each division, elected by the faculty for three-year terms; one staff associate elected by the staff associates; one systems librarian elected by the library staff; and ex officio members, the Chief Business Officer, the Director of Information Technology, the Provost, the Vice President for Public Relations, the Registrar, and the Director of Trexler Library.

This committee shall be chaired by a faculty member elected at its first meeting of each academic year.

The College Committee on Information Technologies develops policies for the use of information technology and advises the President and administration about the deployment of information technology resources. Policies and recommendations reflect and serve the educational mission of the College.

Functions

- a. Serves as a liaison among campus constituencies with interests in information and technology policy (e.g., web space allocation, use and exchange of identification numbers, access to faculty lists, outside access to campus web space ...).
- b. seeks input from the campus community on information technology needs required for curricular development and instructional enhancement, faculty and institutional research, effective administrative processes, and service to the community.

- c. Helps evaluate campus-wide information technology needs (i.e. campus-wide systems shifts, not individual packages), and advises the President and administration in setting priorities.
- d. Facilitates the use of existing resources by the faculty, staff, and students.
- e. Provides a forum for consideration and debate regarding intellectual property, data acquisition/trading, and privacy issues.
- f. Recommends policies for appropriate use and definitions of misuse of computers and other information systems.

2.8.2.5 Teacher Education Committee

Membership consists of three faculty members appointed by the Dean of the College for Academic Life. Each division will be represented and appointments will come from those departments and programs with which the Education Department works most closely (History; English; Languages, Literatures and Cultures; Mathematical Sciences; Chemistry; Biology; Physics; Psychology; Theatre and Dance; and American Studies); the head of the Education Department and the Dean of the College for Academic Life, ex officio; two students—one in the Elementary Education Program and one in the Secondary Education Program—selected by approved procedures; and a public school teacher or administrator to be chosen by the Education Department. Faculty and the public school representative will serve three-year terms. Students will serve a one-year term.

Functions

- a. To recommend faculty action on such matters as pertain to the teacher education program.
- b. To promote cooperation between the other departments and the Education Department.
- c. To provide an expression of institutional commitment and focus for college and departmental relationships with authorized accrediting agencies.
- e. To periodically be apprised of course offerings in the Education Department, laboratory experiences such as student teaching, various major areas and their relationship to the teacher education program, standards for admission to and retention in the teacher education program, and the effectiveness of the teacher education program and its graduates and to offer consultation as appropriate.

2.8.2.6 Internal Review Board

Membership consists of five standing members: three representatives from the College (two faculty members and one representative who may be a faculty or staff member), one student member, and one community member. Each college member is elected by the faculty for a three-year term and may be re-elected for an additional term. The student member is appointed by the President of the student body. The community member is appointed by the Provost after consulting with the IRB. This person is not otherwise affiliated with the institution and is not part of the immediate family of a person who is affiliated with the institution. Associate members may be drawn from the faculty, staff, students, or community on an as-needed basis to review those projects which fall within their areas of expertise and/or interests. There will always be at least one member whose primary concerns are in the scientific areas and one member whose primary interests are in nonscientific areas.

Functions

In accordance with the Muhlenberg College Policy on Research with Human Subjects, the Committee will review proposals for research and experimental activities in which human beings participate as subjects.

2.8.3 Judicial Panels and Boards

2.8.3.1 Academic Judicial Board

The Academic Judicial Board serves as an appeals board for students for alleged violations of the Academic Behavior Code and is overseen by the Dean of the College for Academic Life.

Membership consists of six students selected by the **Student Government Association** by whatever method it deems appropriate at its first meeting of the academic year and six faculty members elected by the faculty for three-year terms.

The Academic Judicial Board, at its first meeting of each academic year, shall select from its members a chair and secretary for that year.

Procedures to be followed by the Academic Judicial Board for alleged violations of the Academic Behavior Code may be found in the Muhlenberg College Student Handbook.

2.8.3.2 Social Judicial Panel and Boards

A group of fourteen students, eight faculty members and four administrators comprise the Social Judicial Panel from which Judicial Board shall be selected to hear alleged violations of the Social Code.

The fourteen student members of the Social Judicial Board Panel shall be comprised of: eight students elected by the **Student Government Association** and six elected by the Residence Hall Council and shall serve one-year renewable terms. The six faculty members shall be elected by

the faculty for three-year renewable terms. The four administrative staff members shall be selected by the Dean of Students for one-year renewable terms.

Each year at its organizational meeting, the Social Judicial Panel shall elect, by majority vote, a chairperson and vice chair from among the faculty members.

Additional information concerning the Social Code and Rules procedures for alleged violations of the Social Code may be found in the Muhlenberg College Student Handbook.

2.8.4 Ad Hoc Committees

Members of ad hoc groups (including task forces, ad hoc committees, planning and working groups) may be elected by the faculty or appointed by the President or the Provost to consider matters of special and/or short-term concern. When such a group is created, its creator will see that the group, its membership, and its charge are posted on the President's website in a section designated for this purpose.

On matters requiring faculty action, all recommendations of ad hoc groups (including task forces, ad hoc committees, planning and working groups) requiring a faculty vote are brought to the faculty by the relevant standing committee(s).

When ad hoc groups determine that they are working on matters requiring a faculty vote, they will then provide periodic updates to the faculty or college committee(s) that would normally bring the resulting proposal to the faculty for action. APC, in conjunction with the ad hoc group, will determine which committee or committees are normally responsible for the matter under consideration.

2.8.5 Faculty Observers to the Board of Trustees

The faculty will elect two Faculty Observers to the Board of Trustees, who will serve for staggered two-year terms. These observers will attend selected Board meetings at the invitation of the Board.

3. FACULTY APPOINTMENT AND PERSONNEL MATTERS

3.1 Appointment to the Faculty

All appointments to the academic staff are made by the President of the College. Appointments are made in consideration of departmental and institutional requirements which include, but are not restricted to enrollment trends, the need for a desirable mix of specialties, and the rank pattern in a department. Furthermore, appointments take into account the views of the members of the department where appointment is to be made and, in the case of appointments to the rank of Associate and Professor, the views of the Faculty Evaluation Committee.

3.1.1 Recruitment Procedures

The responsibility for recruiting new academic staff members lies with the Provost who consults with the head and other members of the department involved.

Openings are advertised and dossiers of prospective candidates are received by the department chair and evaluated by appropriate faculty. Preliminary interviews are conducted by phone or at a professional meeting. The most promising candidates are then brought to campus to engage in an intensive interview process, meeting with faculty, students, and administrators. Candidates are also expected to deliver a lecture, conduct a seminar or perform another appropriate teaching assignment.

Following the on-campus visits, the department makes its recommendation to the Provost. In consultation with the Provost, the President decides what action to take on the recommendation.

3.1.1.1 Equal Opportunity

Muhlenberg College does not discriminate against any person based on age, color, disability, gender, gender identity, national or ethnic origin, race, religion, sexual orientation, veteran status, or any other basis protected by applicable federal, state or local laws. This policy applies to employment, personnel decisions and all other activities and programs of the College. Any faculty member who believes a violation of this policy has occurred should bring the matter to the immediate attention of the Vice President for Human Resources (Third Floor, The Haas College Center, 484-664-3166) and may proceed under the Problem Resolution and Complaint Procedures. In addition, inquiries concerning the application of Title IX of the Education Amendments of 1972 (prohibiting discrimination on the basis of sex) may be directed [as described in the problem resolution procedure below or to the Assistant Secretary for Civil Rights, U.S. Department of Education.]

3.1.2 Terms of Appointment or Reappointment

Each faculty member is appointed to a specific department.

The following terms of appointment or reappointment are indicated in a letter of appointment from the President, which letter constitutes the offer of employment:

- a. academic rank;
- b. compensation;
- c. months of service per academic year (see Section 4.8);
- d. duration of appointment and employment;

- e. whether or not the employment is for a position where the appointee will be considered for appointment with tenure after the required number of years of service, that is a “Tenure Eligible” position;
- f. if the appointee is tenure eligible, a statement as to when tenure consideration will take place (see Section 3.4.3) taking into account prior service, if any;
- g. additional assigned responsibilities; and
- h. other pertinent matters, such as special equipment, moving expenses, and office space.

3.1.3 Joint Appointments

When faculty members as part of their contractual responsibilities devote a significant portion of their teaching and professional activity responsibilities to either multiple departments or an interdisciplinary program in fields in which the college currently offers a major or minor, the faculty members may receive a joint appointment to a department and a specified program or to two departments. When faculty members are granted joint appointment to two departments, one of the departments will be designated as the lead department. The chair of that department will be responsible for overseeing evaluation processes for faculty members receiving the joint appointment. Following consultation with the relevant department chair(s) and/or program director, faculty members not on an initial joint appointment may petition the Provost for a joint appointment at the following points in their association with the college: a) upon the conclusion of their second year review; b) following the receipt of tenure and at least three (3) years prior to seeking promotion to professor; or c) at any point after promotion to the rank of professor. Such joint appointments will be made based upon a recommendation to the Provost and President from a joint subcommittee consisting of three members each from FEC and FPPC.

Faculty receiving joint appointment will have a title reflecting their contractual appointment status within a department and a program or two departments.

3.2 Personnel Records

Because of the importance to the individual and to the College of adequate and documented information to support decisions involving each academic staff member, especially personnel action such as those with regard to reappointment, promotion, tenure, compensation, termination, and dismissal, a complete personnel file is maintained in the Office of the Provost for each academic staff member. All materials used in making decisions regarding appointment, reappointment, tenure, promotion, and compensation are placed in the academic staff member’s personnel file.

In addition, the file also contains pre-employment information such as curriculum vitae, academic transcripts, letters of recommendation, information accumulated following employment such as copies of letters of appointment and reappointment, promotion and tenure actions, salary notification, appointments to special assignments, student evaluation summaries,

evaluation reports, records of professional activities such as conferences attended and copies of papers presented, copies of published scholarly work, commendations, reprimands, and records of any steps taken toward termination or dismissal.

Information in these files is available only to the academic staff member, the member's department chair, the President, and appropriate senior administrators as defined by the President.

For purposes of review in consideration of promotion and/or tenure, portions of these files are made available on a confidential level to members of the Faculty Evaluation Committee for Promotion and Tenure at the discretion of the Provost. Normally, the information made available to the Evaluation Committee on a confidential level includes copies of letters of initial appointment, all nominations, applications, and background information appropriate for consideration for promotion and tenure. However, compensation information is deleted.

A faculty or adjunct faculty member may at any time place a written statement or other materials in his or her file.

The College may permit access to and copying from these files pursuant to lawful requests of federal or state agencies relevant to any investigation, hearing, or court action. In such cases, the individual whose file is requested will be notified in writing by the Provost prior to the College's complying with the request.

3.3 Reappointment

On an annual basis, the President provides each faculty member who has met the expectations of the College as set forward in this Handbook for the three criteria for evaluation consistent with the staffing needs of the College, a written letter of reappointment, consistent with the College's Bylaws, as amended from time to time. The letter is to state academic rank, terms of the reappointment and employment, any additional responsibilities, and compensation. (See Section 3.1.2) Such letters of reappointment for an academic year are normally sent in the spring term of the preceding year.

3.3.1 Notice of Non-Reappointment

If a faculty member or lecturer is not offered an annual reappointment, notice of non-reappointment is given in writing by the President in accordance with the following:

1. If an appointment expires at the end of the first academic year of service to the College, notice is given on or before March 1 of that year; or, if the first year of service appointment is terminated during that year, at least three months in advance of the termination date.
2. If an appointment expires at the end of the second academic year of service to the College, notice is given on or before December 15 of that year.

3. If the decision is made to terminate the appointment after a second year of service, but prior to the completion of the third year of service, notice of non-reappointment must be given at least six months in advance of the termination date.
4. If an appointment expires at the end of three or more academic years of service to the College, notice is given prior to May 30 of that year and, in addition, the faculty member receives a final letter of appointment for the next academic year.
5. Items (1) and (2) and (3) above apply to, but are not limited to, an Instructor who has not made satisfactory progress toward the appropriate terminal degree (see Section 3.4.2). Item (4) applies to, but is not limited to, an Instructor or Assistant Professor who has not received the appropriate terminal degree by the end of the third academic year of service to the College and any tenure eligible faculty member.

3.4 Tenure

A faculty member who has received tenure has a continuous appointment that extends to retirement unless terminated sooner by resignation, early retirement, death, or by action of the Trustees under the provisions for Removal for Just Cause or by Reason of Anticipated Financial Exigency.

The evaluation for tenure is part of the College's continuing search for excellence, and the awarding of tenure is the recognition of an individual's proven positive worth to the institution and the expression of faith in the long term continuation of that worth. Every addition to the tenure holding faculty must be calculated to increase the strength of the department concerned and of the institution as a whole. Therefore, tenure is not a status which is automatically attained nor is evaluation for tenure simply a matter of determining whether certain minimum requirements have been met.

In other words, tenure is granted because very positive reasons exist for doing so rather than lack of reasons for not doing so. Tenure is a status which signifies that the candidate has clearly presented evidence that he or she has met the high standards established by the College and that evidence strongly suggests continued contributions to the College in the long term.

3.4.1 Basic Policy Considerations for Granting Tenure

The College affirms the concept of tenure as an important structure for supporting academic freedom within the academic community and for insuring continuity of the purposes and traditions of the institution. At the same time, however, considerable flexibility in staffing is essential to accommodate the rapid changes which may occur through curriculum revision or through shifts or declines in student populations and interests and the financial status of the College.

The College's tenure policy, as stated herein, was adopted by the Board of Trustees in 1974 and amended in 1979, 1983, and 1988. The Board of Trustees has also set forth its endorsement of tenure in Article V, Section 3 of the College Bylaws.

To be considered for tenure, a candidate must hold the appropriate terminal degree (see Section 3.4.2) and have received a highly favorable evaluation based on the criteria stated below in Section 3.5. The candidate must also fit the needs of the department and of the College for balance and flexibility of staffing; that is, there must be a tenure opening in the department for which the candidate is qualified in terms of the special needs of the department. Departments shall not expect to be 100% tenured.

Tenure is granted only by action of the Board of Trustees upon the recommendation of the President and Board of Trustees' Educational Policies and Faculty Affairs Committee. If tenure is granted, it becomes effective at the start of the next academic year.

3.4.2 Terminal Degrees

The terminal degree in all disciplines shall be the appropriate doctorate, except for the fields listed below. This terminal degree requirement may be replaced by the demonstration of exceptional qualifications.

ART:	Art History, Ph.D.; Studio Art, M.F.A.
THEATRE AND DANCE:	Drama History, Ph.D.; Performing Arts, M.F.A.
MUSIC:	Ph.D., D.M., D.A., or A.D.M.: for performance, an appropriate master's degree
BUSINESS:	Ph.D. or D.B.A.
ACCOUNTING:	Ph.D., D.B.A., M.B.A with C.P.A, or M.S. in Accounting with C.P.A.
PHYSICAL EDUCATION:	M.S., M.A., or M.Ed.

3.4.3 Timing of the Review for Considering the Granting of Tenure

The timing for tenure consideration of tenure-eligible faculty is based on the following guidelines:

- a. An individual hired as an Associate or Professor will usually be considered for tenure within the first three years of full-time academic service to the College.
- b. An Assistant Professor will usually be considered for tenure during the sixth year of full-time academic service to the College at that rank unless he or she had prior service at that rank at another institution. The faculty member and the College may agree to count up to three years of prior service toward the total of six.
- c. An individual hired as an Instructor must achieve the rank of Assistant Professor by the conclusion of the third year of full-time academic service to the College in order to remain tenure eligible.

- d. A tenure-eligible faculty member who takes a leave of absence for advanced study, research, or other scholarly activity will have that time count toward the probationary period leading up to tenure review.
- e. A tenure-eligible faculty member who is forced due to illness, maternity/paternity, or family emergency to be absent or operate at a greatly reduced level for a significant period of time may request a one-year extension to the pre-tenure period. The request should be made in writing to the Provost. The Provost will provide a written response to the request after consulting with FPPC and the faculty member's department chair. The letter granting the request must state the new timetable for tenure review.
- f. In very special cases, an individual may be appointed to the faculty at the rank of Professor with tenure by the Board of Trustees. The President of the College may recommend such an appointment to the Board following a careful review of the individual's credentials by the relevant academic department, the Faculty Evaluation Committee and appropriate administrators.

3.5 Evaluation Standards for Faculty

Muhlenberg College is committed to the concept of academic freedom and to a policy that will contribute to the dignity, productivity, and well-being of the academic community. Its appointments and promotions will be guided by the teaching performance and scholarship of faculty members, their willingness to share in the overall responsibilities of the College, and their commitment to the College and its purposes.

Muhlenberg College aims to develop independent critical thinkers who are intellectually agile, characterized by a zest for reasoned and civil debate, knowledgeable about the achievements and traditions of diverse civilizations and cultures, able to express ideas with clarity and grace, committed to life-long learning, equipped with ethical and civic values, and prepared for lives of leadership and service.

Consistent with these objectives, excellence in teaching is foremost among the criteria used to evaluate members of the faculty. Other criteria are, in part, evaluated by examining the influence they have on teaching performance. Certainly the quality of teaching is often enhanced by faculty scholarship and research. Likewise, a framework and climate for excellent teaching requires that faculty maintain effective contact with students beyond that occurring in the classroom and active participation in the governance of the College and his or her academic department.

The three categories for evaluation, teaching, scholarship and service to the College will be considered within the broader context of the mission of the College. Each faculty member is expected to exhibit values consistent with the traditions of Muhlenberg College as a church-related, liberal arts institution. This does not mean a uniform subscription to any particular belief, pattern of worship, or lifestyle. It does mean a respect for persons who differ, a readiness to engage open-mindedly in a corporate search for truth, and attentiveness to the role of values in

the educational task. The professional behavior of each faculty member should evidence a demonstrated concern for the growth of students as whole persons, as moral and spiritual as well as intellectual beings.

The following criteria are used in evaluating the abilities of faculty members, particularly for the purpose of making decisions concerning reappointment, tenure, promotion and compensation.

3.5.1 Teaching

Excellent teaching is foremost among the criteria used to evaluate members of the faculty for employment and advancement. At Muhlenberg the purpose of teaching is not just to facilitate student learning in the context of individual courses, but to contribute to the development of intellectually skilled, curious, knowledgeable, and socially engaged human beings. While high-quality teaching practices vary considerably among disciplines, courses, and instructors, the following provides a framework for the development and evaluation of teaching.

All instructors are expected to present course syllabi that include clear learning goals and grading standards; meet classes regularly; organize, communicate, and routinely update course content and material; provide a variety and quantity of assessments consistent with course goals; give timely feedback; foster an environment of open engagement and respect for students; make time outside of scheduled class meetings available to students; maintain high academic standards; and demonstrate a general commitment to the College mission and academic program goals. Beyond these expectations, evaluating a faculty member's performance also requires consideration of evidence for the following interrelated criteria: commitment, expertise, and effectiveness.

Commitment

Excellent teachers are committed to teaching. Expressions of commitment may include, but are not limited to, exhibiting enthusiasm, illustrating connections between course material and other fields of knowledge, addressing social concerns and questions of ethics, modeling intellectual engagement, and forming intellectual relationships with students that transcend narrow pedagogical roles. Instructors committed to teaching consistently work to improve instructional quality. Efforts to this end often include experimenting with different teaching techniques, adopting superior methods, and making effective use of feedback from students and peers.

Expertise

Excellent teachers show both an impressive depth and impressive breadth of knowledge, bringing relevant and current information from their respective disciplines into their courses and mentoring. They strive to grow in their fields and as educators, demonstrations of which may include participating in conferences, workshops, and other professional activities on or off campus that inform their instruction.

Effectiveness

Excellent teachers are effective. Effective teaching challenges students and is best evidenced through its impact on students. In addition to skill development, evidence of effective teaching may include, but is not limited to, curiosity aroused at the introductory level, intellectual growth,

inspiration to produce creative work at the advanced level, and recognition of achievement by agencies outside of the college.

Finally, evaluation of teaching relies on information derived from several sources, which include, but are not limited to, classroom observations by colleagues, examinations of course materials, such as syllabi, assignments, exams, and student work, results of formal student evaluations, and communications from former students.

3.5.2 Professional Activity

The candidate must provide evidence that she or he is continually and effectively engaged in professional activity such as scholarship and contributions to professional organizations. This professional activity must be relevant to his or her discipline, and congruent with the professional expectations of the college and the candidate's discipline. In addition, the candidate must demonstrate a pattern of consistent activity that suggests a trajectory toward continued productivity post tenure or promotion.

The pattern of professional activity will be evaluated in light of reasonable expectations for such activity at a liberal arts college where the primary mission is teaching and in light of the opportunities and resources actually available to carry on scholarship, research, and/or artistic presentation in the faculty member's academic field. All types of professional activity should be assessed wherever possible in terms of the type or quality of professional activity normally expected in the candidate's field.

Most forms of professional activity have been subject to some form of external validation (though potentially of varying degrees of rigor that may be addressed as noted under evaluation (see 3.5.2.2 a-g below).

Those evaluating the candidate should comment upon the quality of the candidate's professional activity, citing evidence that the candidate is continually and effectively engaged in professional activity such as scholarship, and contributions to professional organizations.

3.5.2.1 Scholarship

The primary type of professional activity to be considered is scholarship. Scholarship fits into a variety of categories. These categories, presented below in alphabetical order, include:

- a. The Scholarship of Application responsibly applies knowledge from the profession to address consequential problems facing society and its institutions;
- b. The Scholarship of Artistic Production whereby scholars in the performing, fine and literary arts present their work in public venues;

- c. The Scholarship of Discovery involving disciplined, investigative efforts within the academy targeted toward the accumulation and dissemination of new knowledge to practitioners within the profession;
- d. The Scholarship of Integration whereby scholars give meaning to isolated facts, put them in perspective, make connections across the disciplines, place the specialties in larger context, illuminate data in a revealing way, or often educate non-specialists; and,
- e. The Scholarship of Teaching whereby the candidate engages in research and publication regarding the analysis and application of innovative pedagogies within his or her discipline.

Normally, this activity should culminate in publications or presentations of works appropriate to the standards of the discipline.

3.5.2.2 Evaluation of Scholarship

Evaluators must also consider the following criteria:

- a. Books should be published by reputable academic or trade presses. Reviews of the book in appropriate journals should be considered. Textbooks ought to be evaluated as to the quality of the content and their contribution to the teaching of the discipline.
- b. Articles, essays, and creative writings should be published in appropriate scholarly journals. Some assessment should be made as to the quality of the journal in which the piece appears; in particular, is the journal refereed and what is its scholarly reputation.
- c. Reports for governmental bodies or private entities should be evaluated in terms of both the quality of the research as well as the prestige of the entity for which the research was conducted and the extent to which the research influenced the policies or activities of the contracting entity in a significant way. If the faculty member is unable to provide copies of the contracted study, due to the confidential or proprietary nature of the material, the research/scholarly activity of application must be documented with letters from appropriate authorities (for example the Executive Director of the contracting organization, Lead Investigator for the contracted research) within the organization attesting to the value of the scholarly activity and the way that the organization made use of this form of scholarship of application.
- d. Conference presentations should be evaluated on the quality of their content and on the prestige of the meeting to which they were delivered. National and regional meetings should rank higher than local meetings. Scholarly presentations should be ranked more highly than popular ones.

- e. Artistic production in the performing, fine and literary arts should be assessed by considering the quality of the work and the reputation of the presenting or publishing organization. Appropriate reviews of the presentation, if available, should be consulted.
- f. The pursuit of grants should be assessed by considering the quality of the work associated with the grant application. In the case of grants, the candidate should supply a copy of the grant application and a letter acknowledging receipt of the grant application. In the case of a successful grant application, the candidate should also provide a copy of the notification of the award of the grant.
- g. Research activity with student participation is particularly valued and shall be evaluated on the quality of the experience for the students as well as the quality of the work itself.

3.5.2.3 Professional Service

A second type of professional activity that can be considered is service that reflects professional expertise, such as leadership within one of the professional organizations relevant to the candidate's discipline, advising an organization, serving on a board that requires the candidate's professional skills, or providing a professional service to a community organization. Normally, such activity must be documented. In the case of other professional services the candidate must solicit and include in his or her file letters from appropriate authorities (for example a letter from the Executive Director of the organization receiving the service) within the organization attesting to the value of the professional services and the way that the organization made use of these services.

3.5.2.4 Work in Progress

In addition to projects already completed, work in progress represents a third, and less significant, area of scholarship that that the candidate may include in his or her file for consideration by evaluators in their assessment of the candidate's qualifications for tenure or promotion. Candidates should provide external corroboration for their contentions regarding the merit of work in progress especially if work in progress constitutes the bulk of the candidate's professional activity. Unlike the types of professional activity that have been subject to external validation (though potentially of varying degrees of rigor that the candidate and those evaluating the candidate will have commented upon), this type of professional activity by its nature will not have been subject to external validation. External review may be particularly important when departmental colleagues are less familiar with the subject matter of the scholarly work in progress. If the candidate chooses to solicit external review of his or her work in progress, those reviews and the work in progress will become part of that candidate's file. The candidate may comment on the solicited reviews once they become part of the file. The process of soliciting such external review will be:

- The candidate will identify four external reviewers from the candidate's sub-discipline who may speak meaningfully about his or her work in progress.

- For each name, the candidate should provide a brief statement explaining the rationale for choosing that individual as an external reviewer as well as his or her professional relationship, if any, with the suggested reviewers.
- The names and contact information for the four external reviewers should be submitted to the Provost at least 60 days before the file closing date for the academic year in which the candidate will be reviewed for tenure or promotion.
- By 50 days prior to the file closing date, the Provost will contact two of these individuals and secure their agreement to be an external reviewer.
- The Provost will provide each reviewer with copies of the candidate's vita and copies of the work in progress to be assessed. The materials may also include brief text explanations of the context and development of that work.
- The reviewers will be asked to write a letter focusing their comments upon:
 - the quality of the candidate's work;
 - the timeliness and/or importance of the topic of scholarship; and
 - their assessment regarding the potential for publication.

Assessment of work in progress shall consider progress made, likelihood of completion, and potential for publication or presentation.

3.5.3 College Service

The faculty plays a significant role in the formulation of College policy. Recognition should be given to the candidate's effective service to the life of the College such as in contact with students outside the classroom, participation in departmental responsibilities, faculty committees, and faculty meetings, advising, writing recommendations, recruitment of students, and contributions to student organizations.

College service may include: advising student organizations, service on College and departmental committees, departmental administrative duties, participation in the recruitment of students, writing recommendations for students, counseling students on career matters, and attendance at faculty meetings, forums and other campus functions. Assessment of the quality of the service may include: contributions to the thinking and work of a group, willingness to participate, dependability, acceptance of responsibility, and ability to promote collegiality by interacting and working together with reason, courtesy and respect.

An especially important area of College service is academic advising. The appraisal of advising may include the quality and extent of advising, availability, knowledge of academic programs and procedures, and sensitivity in responding to student concerns. Normally, first-year faculty will not be called upon to serve as a formal academic advisor.

3.6 Annual Evaluation Procedures for all Faculty

Evaluations for all faculty are conducted annually for the purpose of salary review and personnel decisions.

3.6.1 Annual Evaluation Guidelines

Ongoing assessment of a faculty member's performance should include the following: informal discussions and conversations with colleagues and students, course content and objectives, teaching methods, and teacher/student relationships, classroom visits by peers which may include the Provost, periodic reviews of professional activity and College service, and reviews of results of the student evaluations conducted toward the end of each semester. At least once a year, a faculty member shall discuss the results of his or her most recent student evaluations with the department chair. It is the faculty member's responsibility to initiate this conversation.

1. The department chair will visit every faculty member's classroom at least once each academic year.
2. In the spring, at the request of the Provost, each faculty member updates his or her resume, completes an annual self-assessment, and provides a copy to the department chair. The self-assessment should address each of the three areas referred to in Section 3.5.1 through 3.5.3. The faculty member also makes sure the department chair has access to: all written materials from any previous evaluation, results of the global question on formal student evaluations as approved by the faculty, examples of written course syllabi, exams and other written assignments.
3. The department chair writes an evaluation of the faculty member which addresses each of the three "criteria" and includes a recommendation concerning salary and employment status if under review.
4. A copy of the department chair's evaluation is given to the faculty member. The department chair and faculty member subsequently discuss the evaluation and may agree to make changes. Both individuals sign the final evaluation indicating that a discussion has taken place.
5. The faculty member may prepare a written response to the department chair's evaluation. Copies of the evaluation and any response are submitted to the Provost and placed in the personnel file.
6. The Provost meets with the department chair to discuss each faculty member's performance.
7. The Provost prepares salary and re-appointment recommendations and submits them to the President.
8. The President determines salary increases and issues letters of salary and employment status if under review.

3.7 Development and Evaluation Procedures for Tenure Eligible Faculty

Muhlenberg College values peer observation as an important component of the development process and a significant aspect of the evaluation process. At various points in a faculty member's career, peer observation is used as one of the integral components of assessment. It is

expected that senior colleagues be acquainted with best practices in peer observation and employ these practices in the course of their observations of junior colleagues. Key components of best practices includes: a pre-visit, the observation, and a post-observation conversation between the observer and the faculty member being observed.

Best practices require:

- A pre-visit meeting with the candidate to discuss the pedagogical goals of the courses to be observed and what material will be addressed in each session, and any other issues that the candidate or the observer deem appropriate in order to give the observer some contextual framework for observation.
- That in making a classroom observation, the senior colleague should be professional and as unobtrusive as possible. The senior colleague is NOT a participant in the class, but rather an observer. The classroom observation is centered upon an evaluation of the effectiveness of the instructor's: a) presentation of content, b) interpersonal dynamic with his/her students, and c) teaching methodology. The observer should take into consideration that there are many different effective teaching styles, and these procedures do not mean to suggest the superiority of one over another. Senior colleagues should document their observations, but do not need to share these notes with the candidate.
- A post-visit meeting with the candidate at the conclusion of the observer's visitations giving the faculty member being observed the opportunity to contextualize the class(s) observed and the observer the opportunity to raise issues that he/she believes are germane to his/her eventual assessment resulting from the observation(s). With the mutual consent of the observer and the faculty member being observed, the post-observation meeting need not be a lengthy or formal meeting.

Peer observations at Muhlenberg College incorporate the following additional procedures:

- At the conclusion of the post-visit, the senior colleague and the candidate will both sign the Observation Certification Form indicating the dates that they have completed the required pre-meeting, classroom observation(s) and post-visit meeting.
- The Observation Certification Form will be given to the department chair who will deliver the form to the Provost's Office where it will be placed in the candidate's file.

3.7.1 Second Year Development Review

Objectives:

- a. To provide a mechanism by which guidance and advice can be given within the department without a formal written evaluation and without the procedure becoming part of the personnel file.
- b. To include the second year faculty member in an open dialogue with the department members about his/her role in the department and to clarify the department's and the faculty member's expectations. To help to prepare the second year faculty member for the third year evaluation.

Process:

- a. The *lead* department chair will be responsible for initiating the following process and scheduling the appropriate meetings. (April 2012)
- b. Participants in the department development review will include the second year faculty member, tenured faculty, tenure eligible faculty who have successfully completed the third year evaluation, and non-tenure eligible faculty with more than four years of service in the department. When a tenure eligible candidate has a joint appointment in a department and an interdisciplinary program (see 3.1.3), *all senior colleagues from other departments who hold joint appointments in that interdisciplinary major/minor program* will serve as senior colleagues in the evaluation process. When a tenure eligible candidate has a joint appointment in two departments (see 3.1.2), *all senior colleagues from the lead and non-lead department* will serve as senior colleagues in the *review* process. (April 2012)
- c. In departments with fewer than three eligible participants, the department chair and the faculty member will agree upon faculty from other departments who will be invited to participate. *The chair will then provide a justification for the selection of the extra-departmental senior colleague(s) in terms of their ability to address meaningfully the candidate's activities in the three criteria of teaching, professional activity, and service. After consultation among the candidate, the department chair, the Provost, and the senior member of the candidate's appointed department where present, the Provost will name the extra-departmental senior colleague(s).* (April 2012)
- d. *If the candidate holds a joint appointment in an interdisciplinary program with fewer than three eligible participants, the candidate, the director of the interdisciplinary program, the chair of the candidate's department, senior colleagues who hold joint appointments in the candidate's interdisciplinary program and the Provost will consult.* The Provost will *then* name up to three (3) senior colleagues from other departments who contribute to that interdisciplinary major/minor program to serve as "senior colleagues" for the purpose of *the review*. (April 2012)
- e. In all cases, the department chair of the candidate's department will serve as the department chair responsible for oversight of the evaluation process. *Normally, the director of the interdisciplinary program will be one of the senior colleagues participating in the evaluation process. Normally, the chairs of the lead and non-lead department will be two of the senior colleagues participating in the evaluation process.* (April 2012)
- f. *Senior* colleagues (see 3.7.1b. and c.) *will* observe classes according to the procedures outlined in 3.7 at least once prior to a spring meeting. Those participating will be from the group described above. (April 2012)

- g. Early in the spring semester the participants (as described in **b. and c.** above, except for the second year faculty member) will meet to discuss his/her performance and any problems, recommendations, or areas of concern. (April 2012)
- h. This process will culminate in a meeting with all participants including the second year faculty member at which time he/she will have the opportunity to discuss his/her progress and plans in the three categories of teaching, scholarship and service. The purpose of the meeting is to clarify the expectations and goals of the faculty member and of the department
- i. At the close of the meeting, each participant will sign a form indicating that the process has been completed. This will be attached to the annual general evaluation.
- j. There will be no formal written record of the meeting. This is meant as a developmental process.

3.7.2 Third Year Evaluation

A third year evaluation for all tenure eligible assistant professors without credit for prior service will take place during the spring semester. The timing of this evaluation for faculty bringing in years of service will be agreed upon at the time of their appointment. The entire evaluative process is to be completed no later than May 1.

A third year evaluation includes the following:

- a. The faculty member prepares a personal statement to be placed in a third year file. The statement reviews his or her work at the College to date and includes some assessment of strengths and weaknesses with respect to each of the three “criteria”. (See 3.5).
- b. The third year file will also include an updated resume, examples of written course syllabi, exams, and other written assignments, the results of the global question on formal student evaluations, evidence of professional activity and college service, and whatever other information or materials the candidate wishes to include pertaining to the three criteria for evaluation.
- c. **In the evaluation of tenure eligible faculty, “senior colleague” refers to a tenured faculty member. [October 2011]**
- d. When a tenure eligible candidate has a joint appointment in a department and an interdisciplinary program (see 3.1.2), ***all senior colleagues from other departments who hold joint appointments in that interdisciplinary major/minor program*** will serve as senior colleagues in the evaluation process. When a tenure eligible candidate has a joint appointment in two departments (see 3.1.2), ***all***

senior colleagues from the *lead and* non-lead department will serve as senior colleagues in the evaluation process. (April 2012)

- e. In departments with fewer than three eligible participants, the department chair and the faculty member will make a recommendation of faculty from other departments who will be invited to participate. *The chair will then provide a justification for the selection of the extra-departmental senior colleague(s) in terms of their ability to address meaningfully the candidate's activities in the three criteria of teaching, professional activity, and service. After consultation among the candidate, the department chair, the Provost, and the senior member of the candidate's appointed department where present, the Provost will name the extra-departmental senior colleague(s).* (April 2012)
- f. *If the candidate holds a joint appointment in interdisciplinary programs with fewer than three eligible participants, the candidate, the director of the interdisciplinary program, senior colleagues who hold joint appointments in the candidate's interdisciplinary program and the Provost will consult.* The Provost will *then* name up to three (3) senior colleagues from other departments who contribute to that interdisciplinary major/minor program to serve as “senior colleagues” for the purposes of tenure evaluation. (April 2012)
- g. In departments with more than seven (7) eligible participants, the department chair and the faculty member, in consultation with the Provost, will develop a schedule of classroom visits so that they are spread as evenly as possible across semesters, courses and class sessions. [October 2011]
- h. In all cases, the department chair of the candidate's department will serve as the department chair responsible for oversight of the evaluation process. *Normally, the director of the interdisciplinary program will be one of the senior colleagues participating in the evaluation process. Normally, the chairs of the lead and non-lead department will be two of the senior colleagues participating in the evaluation process.* (April 2012)
- i. Each senior colleague (see 3.7.2 *c, d, e, f, and h*) will observe the classes of tenure eligible colleagues following the procedures outlined in 3.7 at least twice prior to the third year evaluation. (April 2012)
- j. Senior colleagues (see 3.7.2*c, d, e, f, and h*) will meet to discuss the candidate's file prior to the senior colleagues submitting their final letters to the departmental chair. [October 2012]
- k. Each senior colleague (see 3.7.2 *c, d, e, f and h*) will submit a letter to the department chair evaluating the faculty member's performance in each of the three “criteria.” The senior colleague will write a carefully considered and thorough evaluation, giving specific evidence in support of his or her assessments of the candidate. For each criterion, the faculty member will provide a summative

assessment evaluating the candidate's performance as outstanding, excellent, good, fair or poor. Prior to the senior colleague's submission of the letter to the department chair, the candidate will have the opportunity to review the letter for the purpose of offering corrections to factual errors such as erroneous quotes of statements from the candidate's personal statement, course titles, the dates, numbers, and titles of presentation or other professional activity and/or college service. The candidate will indicate that this meeting has taken place with his or her dated signature at the bottom of the final version of the senior colleague's letter. The chair *of the department* (see 3.1.3) will carefully review and consider the comments of senior colleagues when writing his or her third year letter evaluating the candidate. *In the case of joint appointments, the director of the interdisciplinary program or the chair of the non-lead department, will write a second summative letter. The director of the interdisciplinary program or the chair of the non-lead department will take into consideration the comments of senior colleagues within his or her program or department when he or she writes the third year letter evaluating the candidate. The lead department chair, or in the case of joint appointments the lead department chair and either the non-lead department chair or the director of the interdisciplinary program, will meet with the candidate for the purpose of discussing the letter, and for example, correct any factual errors that may be present in the letter. The candidate will sign the final version of the chair's letter indicating that the meeting has occurred. (April 2012)*

- l. The Provost may request written assessment of the faculty member's College service from individuals (e.g. faculty or college committee chairs) familiar with that work.
- m. Written evaluation from outside peers, particularly concerning professional activities, may be requested by the faculty member, the department chair or the Provost.
- n. The Provost holds a joint conference with the faculty member and the department chair (see 3.1.3) *or in the case of joint appointments the lead department chair and either the director of the interdisciplinary program or the non-lead department chair* to discuss the evaluation and the determination concerning continued tenure eligibility. A summary report of the results of this conference, written by the Provost, along with the evaluative letters written by senior colleagues and by the department chair, will be placed in the candidate's personnel file. (April 2012)

3.7.3 Evaluation for Considering the Granting of Tenure

In the year designated for considering the granting of tenure (see Section 3.4.3), an eligible faculty member will participate in an extensive evaluation. This evaluation will proceed as follows:

- a. Each spring semester the Faculty Evaluation Committee will establish the closing date for candidates standing for tenure in the subsequent fall semester to submit their files to the Provost's Office.
- b. In the spring semester prior to the candidate's standing for tenure, the Provost and those members of the Faculty Evaluation Committee completing their term on FEC will convene a meeting with the group of candidates eligible for tenure to discuss the general evaluation procedures and the application of the three criteria for tenure.
- c. A tenure eligible faculty member who has elected to bring in prior service as specified in the provisions of his/her appointment letter must make a final decision to become a candidate for tenure and indicate this decision in writing to the Provost by July 1. The evaluation process will begin at that point, and once the process has begun it will proceed until a final decision is reached.
- d. In the evaluation of tenure eligible faculty, "senior colleague" refers to a tenured faculty member in the department. When a tenure eligible candidate has a joint appointment in a department and an interdisciplinary program (see 3.1.2), *all senior colleagues from other departments who hold joint appointments in that interdisciplinary major/minor program* will serve as senior colleagues in the evaluation process. When a tenure eligible candidate has a joint appointment in two departments (see 3.1.2), *all* senior colleagues from the *lead and non-lead* department will serve as senior colleagues in the evaluation process. (April 2012)
- e. In departments with fewer than three eligible participants, the department chair and the faculty member will make a recommendation of faculty from other departments who will be invited to participate. *The chair will then provide a justification for the selection of the extra-departmental senior colleague(s) in terms of their ability to address meaningfully the candidate's activities in the three criteria of teaching, professional activity, and service. After consultation among the candidate, the department chair, the Provost, and the senior member of the candidate's appointed department where present, the Provost will name the extra-departmental senior colleague(s).* (April 2012)
- f. *If the candidate holds a joint appointment in interdisciplinary programs with fewer than three eligible participants, the candidate, the director of the interdisciplinary program, senior colleagues who hold joint appointments in the candidate's interdisciplinary program and the Provost will consult. The Provost will then name up to three (3) faculty contributing to the interdisciplinary program from departments participating in the program who will be invited to participate as "senior colleagues".* (April 2012)
- g. *Normally, the director of the interdisciplinary program will be one of the senior colleagues participating in the evaluation process. Normally, the chairs of the lead and non-lead department will be two of the senior colleagues participating in the evaluation process.* (April 2012)

- h. At least one week prior to the file closing date (see 3.7.3 a), each senior departmental colleague (see 3.7.3 *d, e, f, and g*) submits a letter to the department chair evaluating the faculty member's performance in each of the three "criteria" (see 3.5). The senior colleague will write a carefully considered and thorough evaluation, giving specific evidence in support of his or her assessments of the candidate. For each criterion, the faculty member will provide a summative assessment evaluating the candidate's performance as outstanding, excellent, good, fair, or poor. Prior to the senior colleague's submission of the letter to the department chair, the candidate will have the opportunity to review the submission for the purpose of offering corrections to factual errors, such as erroneous quotes of statements from the candidate's personal statement, course titles, the dates, numbers, and titles of presentations or other professional activity and/or college service. The candidate will indicate that this meeting has taken place with his or her dated signature at the bottom of the final version of the senior colleague's letter. In the case of a joint departmental appointment, the department chair of the candidate's lead department is responsible for oversight of the evaluation process. In the case of a joint appointment to a department and a program, the department chair of the candidate's department will serve as the department chair responsible for oversight of the evaluation process. The chair *of the department* (see 3.3.3) will carefully review and consider the comments of senior colleagues when writing his or her third year letter evaluating the candidate. **In the case of joint appointments, the director of the interdisciplinary program or the chair of the non-lead department, will write a second summative letter. The director of the interdisciplinary program or the chair of the non-lead department** will take into consideration the comments of senior colleagues *within his or her program or department* when he or she writes the third year letter evaluating the candidate. The *lead department chair, or in the case of joint appointments the lead department chair and either the non-lead department chair or the director of the interdisciplinary program*, will meet with the candidate for the purpose of discussing the letter, and for example, correct any factual errors that may be present in the letter. The candidate will sign the final version of the chair's letter indicating that the meeting has occurred. Evaluation letters from senior departmental colleagues and the department chair must include recommendations concerning the granting of tenure. (April 2012)
- i. Senior Colleagues (see 3.7.3 d) must make a minimum of three (3) total observation visits to the tenure candidate's classes prior to the tenure review following the procedures outlined in 3.7. At least one of these visits must be conducted after the third year review.
- j. The candidate will prepare a personal statement addressing each of the three criteria (see 3.5) that includes planned future contributions to the College if tenure is granted.
- k. Six (6) weeks prior to the file closing date (see 3.7.3 a), the candidate will make available to his/her senior colleagues a departmental tenure file which includes

the personal statement; an updated resume; examples of written course syllabi, exams, and other written assignments; the results of the global question on formal student evaluations; evidence of professional activity and college service; and whatever other information or materials the candidate wishes to include pertaining to the three (see 3.5) criteria for evaluation. *With the exception of the seven copies of the candidate's personal statement, which are to be provided to FEC as printed copies (See 3.7.3n), the candidate may choose to provide all or part of the tenure file in the form of either a printed hard copy or a password and copy protected electronic file. (January 2012)* Letters from untenured junior colleagues in the candidate's department or interdisciplinary program are normally not included in the tenure file. The candidate may petition the Provost for an exception to this rule.

- l. At least two (2) weeks prior to the file closing date (see 3.7.3 a), all senior colleagues (see 3.7.3 d) will review the file and meet together, either in person or via telephone conference, to discuss the candidate's record.
- m. At least one week prior to the file closing date (see 3.7.3 a), each senior departmental colleague (see 3.7.3 d) submits a letter to the department chair evaluating the faculty member's performance in each of the three "criteria" (see 3.5). The senior colleague will write a carefully considered and thorough evaluation, giving specific evidence in support of his or her assessments of the candidate. For each criterion, the faculty member will provide a summative assessment evaluating the candidate's performance as outstanding, excellent, good, fair, or poor. Prior to the senior colleague's submission of the letter to the department chair, the candidate will have the opportunity to review the submission for the purpose of offering corrections to factual errors, such as erroneous quotes of statements from the candidate's personal statement, course titles, the dates, numbers, and titles of presentations or other professional activity and/or college service. The candidate will indicate that this meeting has taken place with his or her dated signature at the bottom of the final version of the senior colleague's letter. In the case of a joint departmental appointment, the department chair of the candidate's lead department is responsible for oversight of the evaluation process. In the case of a joint appointment to a department and a program, the department chair of the candidate's department will serve as the department chair responsible for oversight of the evaluation process. The chair (see 3.3.3) will carefully review and consider the comments of senior colleagues when the chair writes his or her letter evaluating the candidate for tenure. The department chair will meet with the candidate for the purpose of discussing the letter, and for example, correct any factual errors that may be present in the letter. The candidate will sign the final version of the chair's letter indicating that the meeting has occurred. Evaluation letters from senior departmental colleagues and the department chair must include recommendations concerning the granting of tenure.

The Timeline presented below outlines the sequencing of actions to be taken by the candidate and senior colleagues as they fulfill their responsibilities in the tenure process.

<i>6 weeks</i>	<i>5 weeks</i>	<i>4 weeks</i>	<i>3 weeks</i>	<i>2 weeks</i>	<i>1 week</i>	<i>Last week</i>
<i>Candidate makes file available to senior colleagues</i>	<i>Senior colleagues review candidate's file</i>	<i>Senior colleagues review candidate's file</i>	<i>Senior colleagues review candidate's file</i>	<i>All senior colleagues have face to face or telephone conference</i>	<i>Senior colleagues' written comments submitted to the department chair</i>	<i>Chair's letter completed and delivered to candidate</i>

- n. The Provost may request written assessment of the faculty member's College service from individuals (e.g., faculty or college committee chairs) familiar with that work.
- o. Written evaluation from outside peers, particularly concerning professional activities, may be requested by the faculty member, the department chair or the Provost.
- p. Prior to July 1, the tenure candidate will choose five former students and the department chair will choose an additional five former students of the tenure candidate and provide their names to the Provost's Office. The Provost writes to these ten Muhlenberg graduates requesting letters evaluating the faculty member's teaching.
- q. During the months just prior to the tenure review, a representative of the Faculty Evaluation Committee on Tenure and Promotion shall observe the faculty member in a classroom setting on no less than three different occasions. The representative prepares a written report for the Committee and this will be shared with the candidate.
- r. A tenure file will be created for presentation to FEC which consists of the above items, all relevant information (compensation data excluded) in the faculty member's personnel file and whatever other materials the candidate may wish to include for consideration, *plus seven additional printed copies of the resume and personal statement*. A deadline for receipt of all materials to be supplied by anyone other than the candidate will be determined by the Faculty Evaluation Committee on Tenure and Promotion (FEC). The candidate will have five working days beyond that date for any further responses or materials he or she may wish to add.
- s. The tenure file is made available on a confidential basis to members of FEC. Each member individually examines this information and then the Committee

interviews the tenure candidate. When necessary, FEC has the discretion to ask the candidate for further concrete documentation to clarify any factual information in the candidate's file. Furthermore, the candidate may elect to submit to FEC any new, concrete documentation; for example, an editor's letter accepting an article for publication that changes or clarifies the status of material already in the file.

- t. Based on the information gathered in the tenure review process described above, FEC prepares a written evaluation of the candidate's record and offers a recommendation for or against the granting of tenure. The strength of that recommendation will depend upon the results of a vote (secret ballot). This evaluation will address each of the three "Criteria" (see 3.5) in sufficient detail to substantiate the Committee's decision. The evaluation is submitted to the Provost and the President.
- u. The President and the Provost meet with FEC to discuss FEC's recommendations. In consultation with the Provost, the President prepares a recommendation concerning the granting of tenure.
- v. The FEC evaluation and the President's recommendation then proceed to the Board of Trustees' Educational Policies and Faculty Affairs Committee for review. Educational Policies and Faculty Affairs Committee brings any positive recommendations before the full Board. Tenure is granted only by action of the Board.
- w. Following the action of the Board, the Provost informs the tenure candidate and the department chair of the results of the tenure review process, after which all materials supplied by the candidate can be retrieved from the Provost's office. If the decision is negative, the candidate has the right to request from the Provost copies of all written evaluations and proceed with an appeal under section 4.3.2.1.
- x. The procedure for determining whether a department chair will be granted tenure and promotion are the same except that the Provost or a senior colleague appointed by the Provost takes the place of the department chair.

Classroom Observation Record

The purpose of this form is to document that required observations of faculty are occurring on schedule and in compliance with observation procedures. Faculty observers are encouraged to keep detailed notes on the class observations in their personal files for reference when writing tenure and promotion letters.

Name of Faculty Member Observed: _____

(Please Print)

Name of Faculty Observer: _____

(Please Print)

Course Observed: _____

Date(s): _____

Pre-class meeting date: _____

Post-class discussion date: _____

Observer's Signature

Observee's Signature

Please submit the completed form to the Department Chair, with a copy to the candidate being observed, no later than one month after the observation date.

3.8 Evaluation Procedures for Promotion

Promotion is not automatic; in all cases it is awarded by the Board of Trustees upon the recommendation of the President and the Board of Trustees' Educational Policies and Faculty Affairs Committee in recognition of excellent teaching, significant professional activity, and service to the College within the context of the goals of the College.

3.8.1 Promotion to Assistant Professor

An Instructor who receives the terminal degree during the first three years of full-time academic service at the College is eligible for promotion to the rank of Assistant Professor. Upon receiving the degree, the Instructor should notify his or her department chair who consults with the Provost who makes a recommendation to the President. This promotion does not need to be approved by the Board of Trustees.

3.8.2 Promotion to Associate Professor

An Assistant Professor who is a candidate for the granting of tenure is simultaneously a candidate for promotion to the Associate Professor rank; consequently, the procedures in Section 3.7.3, Evaluation for Considering the Granting of Tenure, are also used for the promotion review and pertain to recommendations concerning promotion to Associate Professor.

3.8.3 Promotion to Professor

- a. Normally, an Associate Professor is first eligible to be considered for promotion to Professor during the eighth year following the award of tenure and promotion to the rank of Associate Professor. However, in the case of a faculty member who has held the rank of Associate Professor prior to the granting of tenure at Muhlenberg, this individual must serve at least five years as a tenured Associate Professor at Muhlenberg prior to standing for promotion to the rank of Professor.
- b. Each spring semester in consultation with the Provost, the Faculty Evaluation Committee will establish the closing date for promotion candidates to submit their files to the Provost's Office. Each spring semester, the Provost and those members of the Faculty Evaluation Committee completing their term on FEC will convene a meeting with candidates considering standing for promotion to discuss the general evaluation procedures and the application of the three criteria (see 3.5) for promotion. An eligible faculty member must decide whether he or she wishes to become a candidate for promotion and indicate this decision in writing to the Provost by July 1. The evaluation process will begin at that point, and once the process has begun it will proceed until a final decision is reached. For promotion to the rank of Professor, a faculty member must present clear and tangible evidence of:

- c. For promotion to the rank of Professor, a faculty member must present clear and tangible evidence of:
 - (1) a consistent pattern of excellent teaching, including contact with students outside the classroom;
 - (2) significant recent achievement with respect to the professional activities appropriate to his or her field;
 - (3) a significant continuing role in the life of the College.
- d. All evidence presented in the file should represent achievements in the three criteria (see 3.5) since the granting of tenure.
- e. The procedures described in Section 3.7.3, Evaluation for Considering the Granting of Tenure, are followed for the promotion review. However, senior department colleagues (see 3.7.3 d, *e, f, and g*) involved in the evaluation of a candidate for Professor will include only tenured Professors. (April 2012)
- f. Senior departmental colleagues (see 3.7.3 d, *e, f, and g*) will observe the candidate's classes following procedures outlined in 3.7 at least three (3) times following the granting of tenure and one of these visits must be conducted in the academic year in which the candidate stands for promotion. (April 2012)

3.8.3.1 Candidacy After Initial Eligibility

If an individual elects not to be a candidate for promotion to Professor when first eligible he or she may decide to be considered again during any subsequent academic year. Indication in writing of one's intention to be a candidate for promotion to Professor must be given to the Provost by July 1.

3.8.3.2 Candidacy After Denial of Promotion

If an individual is denied promotion to Professor, he or she may decide to be considered again during any subsequent academic year. Indication in writing of one's intention to be a candidate for promotion to Professor must be given to the Provost by July 1. During subsequent instances of standing for promotion to Professor after an initial denial, in addition to provisions for standing for promotion outlined in 3.8.3, the following procedures shall be in effect:

- a. Any FEC letter(s) concerning previous instances of standing for promotion will not be included in the packet of materials supplied by the Provost's office for FEC consideration in its current deliberations regarding the candidate's case for promotion;
- b. All previous letters from senior departmental colleagues and letters solicited from former students will be part of the Provost's file considered by FEC; and

- c. If more than three years have elapsed since the candidate last stood for promotion, the Provost's Office will solicit an additional 10 letters from different students following the procedures outlined in 3.7.3 k. These additional letters will become part of the candidate's file.

3.9 Evaluation of Non-Tenure Eligible Faculty

The College's expectations for the service of non-tenure eligible faculty shall be stated explicitly in the letter of appointment. Non-tenure eligible faculty will be evaluated annually by their department chair. In all reviews of non-tenure eligible faculty, the three criteria as appropriate for the nature of the appointment will serve as the standard for evaluation. If the comprehensive review indicates that the individual should not be re-appointed, the last year of the existing letter of appointment will serve as the terminal year. [October 2011]

3.9.1 Promotion of Non-Tenure Eligible Assistant Professors

A non-tenure eligible Assistant Professor is eligible for promotion to Associate rank any time after the fifth year of full-time academic service as an Assistant Professor at Muhlenberg College. The evaluation standards described in Section 3.5 apply in such cases, and the procedures in Section 3.7.3 will be used for the promotion review. Whether the review is carried out during the fall or spring semester is at the discretion of the Faculty Evaluation Committee and the Provost. An eligible faculty member must, in writing, indicate to the Provost his or her desire to be considered for promotion by July 1 and the review process will begin at that point.

3.9.2 Promotion to Senior Lecturer

A) A Lecturer is first eligible to be considered for promotion to Senior Lecturer during the sixth consecutive year of fulltime teaching at the College. (January 2012)

B. Each spring semester in consultation with the Provost, the Faculty Evaluation Committee will establish the closing date for promotion candidates to submit their files to the Provost's Office. Each spring semester, the Provost and those members of the Faculty Evaluation Committee completing their term on FEC will convene a meeting with candidates considering standing for promotion to discuss the general evaluation procedures and the application of the three criteria (see 3.5) for promotion. An eligible faculty member must decide whether he or she wishes to become a candidate for promotion and indicate this decision in writing to the Provost by July 1. The evaluation process will begin at that point, and once the process has begun it will proceed until a final decision is reached. (January 2012)

C. For promotion to the rank of Senior Lecturer, a faculty member must present clear and tangible evidence of:

(1) a consistent pattern of excellent teaching, including contact with students outside the classroom;

As well as at least **one** of the following:

(2i) a continuing role in the life of the College;

or

(2ii) recent achievement with respect to the professional activities appropriate to his or her field. (April 2012)

D. The procedures described in Sections 3.7.3d-3.7.3p, Evaluation for Considering the Granting of Tenure, are followed for the promotion review *with the following exceptions:*

- 1) Senior department colleagues (see 3.7.3 d) involved in the evaluation of a candidate for Senior Lecturer will also include current senior lecturers within the department. (April 2012)
- 2) Senior departmental colleagues (see 3.7.3 d) will observe the candidate's classes following procedures outlined in 3.7 at least three (3) times. At least one of these visits must be conducted in the academic year in which the candidate stands for promotion. (January 2012)
- 3) *The personal statement (referred to in 3.7.3f) will address teaching plus college service and/or professional activity (as noted in C 2i and 2ii above) following the descriptions of the three criteria (see 3.5) that includes planned future contributions to the College if promotion to Senior Lecturer is granted. (April 2012)*
- 4) *Evaluation letters (See 3.7.3i) from senior departmental colleagues and the department chair must include recommendations concerning the granting of promotion to Senior Lecturer. (April 2012)*
- 5) *The file noted in 3.7.3n and o is a lecturer's promotion file not a tenure file and the FEC recommendation noted in 3.7.3p is a recommendation regarding promotion to Senior Lecturer only. (April 2012)*

E) The President and the Provost meet with FEC to discuss FEC's recommendations. Following consultation with the Provost, the President determines whether the candidate shall be granted promotion to Senior Lecturer. All promotions shall be reported to the Educational Policies and Faculty Affairs Committee at their next regular meeting. (April 2012)

F) Following the action of the President, the procedures outlined in 3.7.3s will apply. (April 2012)

G) Normally, the term of Senior Lecturer contract appointments will be three years, subject to on-going enrollment and financial exigencies considerations, with the possibility of renewal. (January 2012)

3.9.2.1 Candidacy After Initial Eligibility

If an individual elects not to be a candidate for promotion to Senior Lecturer when first eligible he or she may decide to be considered again during any subsequent academic year. Indication in

writing of one's intention to be a candidate for promotion to Senior Lecturer must be given to the Provost by July 1. (January 2012)

3.9.2.2 Candidacy After Denial of Promotion

A. Lecturer who is unsuccessful in his or her initial application for promotion to Senior Lecturer may reapply for promotion in the second year following initial denial.

B. The lecturer may again apply for promotion no sooner than the second year following the second denial of promotion.

C. A Lecturer is permitted only 3 applications for promotion to the rank of Senior Lecturer in a ten (10) year period. (January 2012)

3.10 Suspension or Termination of Faculty

3.10.1 Suspension or Termination for Cause

- a. Action to suspend or terminate the appointment of a faculty member, a lecturer or an adjunct faculty member may be taken by the President for "Cause", which shall mean:
 1. Failure or refusal without a valid excuse of the individual to perform his or her academic obligations; or
 2. Such flagrant disregard of the policies or rules of the College or of the customs of scholarly communities as to render the individual unfit to continue as a member of the academic staff; or
 3. A criminal conviction; or
 4. Incapacity or disability, whether physical or otherwise. This can only be implemented when the individual is deemed eligible to participate in the College's disability income protection program. Suspension may be only for the period of the disability.
- b. Suspension, termination, or threat thereof, may not be used to restrain or interfere with faculty members, lecturers, or adjunct faculty members in their exercise of academic freedom or rights of citizenship.
- c. Suspension or termination for cause of faculty but not lecturers or adjunct faculty, shall be handled as provided in Faculty Resolution Procedures (see Section 4.3).
- d. A faculty member shall not be summarily suspended by the President during the above-mentioned proceedings unless, in the opinion of the President, immediate harm to himself, herself, or others is threatened by the continuance of his or her employment. If any faculty member is summarily suspended, he or she shall

continue to receive his or her compensation until the conclusion of the proceeding and a final determination by the President of the matter.

- e. If, following the completion of the proceedings, the resolution of the matter includes a suspension, the determination shall specify the term of any suspension and whether the faculty member's compensation shall be reduced or not paid beginning on the date of the final determination by the President, through the said term of the suspension.
- f. However, should a faculty member's appointment be terminated for cause, unless the recommendation shall state that the faculty member has engaged (i) in gross personal misconduct which makes him or her unfit for association with students, and (ii) shall include in its report a recommendation either that his or her compensation be terminated immediately upon his or her receipt of notification of termination or that it be continued for some lesser period, the faculty member's compensation shall be continued for one year from the date of receipt of notification by the President of termination of his or her appointment, or if the faculty member holds an appointment for a term which ends in less than one year from the date of receipt of such notification, the faculty member's compensation shall be continued until the end of his or her term of appointment.

3.10.2 Removal of Faculty by Reason of Board Action to Reduce or Eliminate a Department or Program Due to Anticipated Financial Exigency or Curricular Change

- a. If the Board of Trustees of the College decides to reduce or eliminate a department or program because of curricular change or financial exigency, the President will seek to reassign to other faculty positions those faculty members displaced by the reduction or elimination. If such transfer is not deemed feasible, the President shall send a written notice by certified mail, return receipt requested, to each faculty member or lecturer whose employment the College proposes to terminate and who either has tenure at the time such notice is given or, by the operation of the College's tenure principles, is tenure eligible at the time of the proposed termination.

The President's notice to the faculty member or lecturer shall state that the College is engaged in proceedings which may result in termination of the faculty member or lecturer employment and, if it is finally decided that his or her employment will be terminated, such termination will become effective not less than one year from the date of such notice and that he or she may proceed pursuant to the Faculty Problem Resolution Procedures (Section 4.3).

In the case of adjunct faculty, the President also shall send a written notice by certified mail, return receipt requested, to each adjunct faculty on term appointment whose employment the College proposes to terminate because a

department or activity of the College is to be reduced or eliminated for any reason including financial exigency prior to the expiration of the term of the appointment.

The President's notice to an adjunct faculty member shall state that the College is engaged in proceedings which may result in termination of individual's employment and if it is finally decided that his or her employment will be terminated on the date when the adjunct faculty member's appointment terminates.

- b. Termination of an appointment based on reduction or elimination of a department or program by the Board of Trustees should be demonstrated to the faculty by the President through a 90-day forecast of financial exigency. Any curricular change is to have been approved by the faculty according to normal procedures for curriculum assessment and modification. Further, any such reduction or elimination resulting in termination of faculty appointments should be discussed by the President with the Faculty Personnel and Policies Committee so as to substantiate any claimed 90-day forecast of financial exigency, to demonstrate the necessity of the termination and to consider alternative actions.
- c. If the employment of a faculty member or lecturer is terminated under this section, his or her compensation shall be continued for one year from the date of the President's notice described above. In the case of an adjunct faculty member, compensation shall continue until the date the faculty member's appointment terminates or one year from the date of the notice, whichever occurs first. Until such termination date, the academic staff member will continue to work in his or her own field or on some other activity mutually agreed upon.

If the employment of a faculty member who has tenure is terminated under the provisions of this section, the released faculty member's position will not be filled by a replacement within a period of three years from the date of termination unless the released faculty member has been offered reappointment at the same rank with tenure and has declined.

3.10.3 Decreases in Compensation

Compensation of academic staff members may be decreased only in accordance with an expressed agreement between the faculty or adjunct faculty member and the College or because of the Board of Trustees' decision to reduce or eliminate a department or program or because of financial exigency. Such decreases shall be limited to the following: (a) simultaneous uniform percentage decreases in the compensation of all faculty members in the College or the adjunct faculty members, and (b) simultaneous uniform percentage decrease in the compensation of a class of faculty or adjunct faculty member such as a particular rank or department.

No decrease shall be made except after consultation, initiated by the President, with the Faculty Personnel and Policies Committee. Consultation shall cover such issues as the reasons for the curtailment of a department or activity, the existence in fact of a financial exigency, the

appropriateness of the selection of the particular class for compensation decrease, alternative actions and the like.

If after such consultation, the compensation of faculty or adjunct faculty members are decreased, with or without the concurrence of the Faculty Personnel and Policies Committee, the President shall notify the affected faculty or adjunct faculty members in writing, of (a) the fact that the compensation of all of the academic staff of the College or of a described group of the academic staff members have been simultaneously decreased; (b) the formula applied uniformly to determine the amount of the decrease and (c) the reasons for the action taken.

3.11 Resignation

Notification of resignation by a faculty member should be made in writing to the President of the College as early as possible. For Professors and Associate Professors, this should be not later than May 15 and for Assistant Professors, not later than June 1.

3.12 Retirement

Retirement status of full-time Muhlenberg College employees presently requires attainment of age 60 and 10 years of active service for purposes of health insurance. Retirement status is not available to members of the adjunct faculty.

3.13 Phased Retirement

The College offers a voluntary plan for phased retirement open to full-time members of the faculty. The plan will be available to full-time faculty members who have served the College for at least 10 years and are at least 60 years of age before September 1 in the first year of the phased retirement period. Participants in the plan may distribute a six-course teaching load over two or three years and remain free of other College responsibilities, e.g. committee work. Participants will be paid a proportion of their normal salary and they may begin drawing their retirement benefit anytime during the phased retirement period.

Details on phased retirement are available in the Human Resources Office.

3.14 Emeritus Status

Anyone who has served 10 years or more in the rank of Professor at Muhlenberg College will be granted the title "Professor Emeritus." Distinguished service of 10 years or more at the rank of Assistant Professor makes possible the title "Assistant Professor Emeritus."

4. ACADEMIC STAFF RESPONSIBILITIES

4.1 Ethics

As part of the College community, faculty members must behave in an ethical manner. Ethical behavior includes fulfilling the requirements of one's appointment, and enforceable college

regulations, but also extends beyond enforceable rules. Faculty members are expected to act with honesty, integrity, and in the best interest of the College, and are expected to be governed by the highest standards of professional conduct. The Code of Ethics also seeks to minimize the potential for conflicts of interest on the part of faculty members. The Code of Ethics, described below, is intended to guide behavior and facilitate conversations about problematic situations. It is anticipated that such conversations among faculty and their supervisors will preclude the need for formal sanctions; however, Section 4.1.3 provides guidelines should formal action be required.

4.1.1 Code of Ethics

These ethical guidelines were informed, in part, by the Statement on Professional Ethics adopted by the American Association of University Professors.

Faculty members:

- a. must observe the stated regulations and policies of the College, provided these do not contravene the principles of academic freedom or the right to criticize and seek revisions.*
- b. must demonstrate due respect for all students as individuals, encourage their free pursuit of learning, foster honest academic conduct, and adhere to proper roles as intellectual guides and academic advisors (see also handbook sections 4.1.1.h, 4.1.4, and 4.14).*
- c. must respect the confidential nature of the relationship between faculty member and student, recognizing that confidentiality is not absolute.*
- d. must ensure that evaluations of students reflect each student's true academic merit and achievement.*
- e. must be objective in professional evaluation of colleagues.*
- f. must accept an appropriate individual share of responsibility for faculty governance and committee service.*
- g. must refrain from any form of harassment of students, colleagues or other College associates (see also handbook sections 4.1.4 and 4.4).*
- h. must refrain from any form of exploitation of students, colleagues or other College associates.*
- i. must refrain from situations in which students compensate faculty members directly for professional, consultative, or advisory services unless granted explicit approval by the Provost.*
- j. must refrain from situations in which students' talents, skills or labor are used for a faculty member's significant personal gain.*
- k. must avoid using his or her official position or influence to further his or her personal gain or advancement, or that of family members (including spouse, domestic partners and dependents), or personal associates, at the expense of the College or against College policy.*
- l. must avoid accepting from or supplying to any student, organization or person doing or seeking to do business with the College, a loan, gift, or favor of more than nominal value. This includes loans, gifts, or favors accepted for or supplied to a faculty*

member's family (including spouse, domestic partners and dependents), or personal associates.

- m. must make only incidental use of College resources for purposes unrelated to the education, research, scholarship, and public service missions of the College. Such resources include, but are not limited to facilities, personnel, students, equipment, and confidential information.*
- n. must avoid creating the impression of officially representing Muhlenberg College when speaking or acting as private persons.*
- o. must not, without proper authority, give or release any information or data of a confidential nature, secured through one's position with the College, to a person or agency not authorized to receive such information. Information may be provided to school officials with legitimate educational interests (as defined by the Family Educational Rights and Privacy Act) if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College.*

Faculty members are expected to consult with the Provost and colleagues, their professional code of ethics, or other sources to determine the appropriateness of dealings that may cross the boundaries of teaching, advising, service or scholarship-related relationships (see also handbook section 4.1.2).

4.1.2 Conflicts of Interest

The following ethical guidelines regarding conflicts of interest apply to all faculty members who abide by the guidelines of the Muhlenberg Faculty Handbook. Further, this policy is intended to supplement, but not replace, the "Conflict of Interest Policy Statement for Muhlenberg College Officers and Other Persons with Substantial Influence," and the "Conflict of Interest Policy Regarding Family Members." Both of those documents are available from the Human Resources office and on the Human Resources website.

4.1.2.1 Definitions

A potential conflict of interest exists whenever a faculty member's personal, professional, commercial, legal, financial, or other relationships, interests or activities have the possibility (either in actuality or in appearance) of

- a. compromising a faculty member's judgment, objectivity, competence, or effectiveness;*
- b. biasing the nature or direction of scholarship;*
- c. influencing a faculty member's activities and decisions with respect to teaching and student affairs, appointments and promotions, uses of College resources, or other matters of interest to the College;*
- d. engaging in activities resulting in a personal, family (including spouse, domestic partners and dependents), or personal associate's gain or advancement at the expense of the College;*
- e. preventing the faculty member from carrying out the full range of responsibilities associated with his or her position; or*
- f. interfering or competing with the College's educational, scholarly, or service missions.*

4.1.2.2 Reporting Conflicts of Interest

A faculty member must avoid or disclose to his or her immediate supervisor (e.g., department chair) and the Provost all actual or potential conflicts of interest, including supplemental employment (see section 4.13: Supplemental Employment), and must not knowingly withhold or falsify disclosure of any potential conflict, or act in a manner contrary to the best interest of the College as a result of such conflict. A faculty member must also provide additional relevant information concerning disclosed or undisclosed matters as may be requested by the Provost for the purpose of evaluating actual or potential conflicts of interest. All disclosures must be made promptly as the conflicts arise or are identified. If the Provost determines that there is a serious potential conflict of interest, the Provost will consult with FPPC prior to rendering a judgment concerning the potential conflict of interest. Conflicts of interest which fall under the purview of the “Conflict of Interest Policy Statement for Muhlenberg College Officers and Other Persons with Substantial Influence” must be reported to the Vice President for Finance and the College President, as described in the policy. In those instances, all procedures described in that policy will take the place of those described here.

4.1.3 Ethical Violations

Suspected violations of the ethical guidelines described in sections 4.1.1 and 4.1.2 must be reported to the faculty member’s immediate supervisor (e.g., department chair) and the Provost. The Provost, in consultation with relevant parties including, but not limited to, the faculty member who committed the alleged violation and FPPC, will decide on an appropriate course of action. Faculty members may appeal any decisions or instructions established by the Provost by following procedures outlined in handbook section 4.3. During the appeal process, however, the faculty member must abide by the decisions and instructions of the Provost. [April 2011]

4.1.4 Professionalism in Relationships with Students

Faculty members must refrain from engaging in sexual or amorous relationships with Muhlenberg College students. These relationships can be exploitative or create a conflict between the interests of the College and the personal interest of the faculty member. Faculty members who engage in such relationships may be subject to disciplinary or legal action. A faculty member who believes his/her relationship merits an exception to this rule must disclose the relationship to and consult with the Vice President for Human Resources and follow any directions given by the College concerning the matter. (For additional guidance, see the “Conflict of Interest Policy Regarding Family Members,” available from the Human Resources office.) [April 2011]

4.2 Academic Freedom

Each member of the academic staff is entitled to freedom in the classroom in discussing subject matter and is expected to be fair and responsible in this regard. Each member of the academic staff is a citizen, a member of a learned profession, and a member of an educational institution. When he or she speaks or writes as a citizen, he or she should be free from institutional

ensorship or discipline, but his or her special position in the community imposes special obligations of responsibility. These require a learned person and educator to constantly recognize that both the teaching profession and the College may be judged by such faculty or adjunct faculty member's actions and utterances. Accordingly, an academic staff member must always be informed, accurate, discreet and respectful toward the opinions of others, and whenever appropriate, must make every effort to indicate that he or she is not speaking for the College. (Bylaws Article V, Section 5C). Each member of the academic staff is entitled to full freedom in research and in the publication of the results, as long as such activities do not interfere with the performance of his or her other academic duties; but research for pecuniary gain shall be engaged in only with the approval of the President of the College upon the recommendation of the Provost. (Bylaws Article V, Section 5B)

The College's position on the guarantee of academic freedom is informed by and relies upon the American Association of University Professors' "1940 Statement of Principles on Academic Freedom and Tenure, With 1970 Interpretative Comments" and "On the Relationship of Faculty Governance to Academic Freedom," May 1994.

4.3 Faculty Problem Resolution: General

This document sets forth procedures that members of the teaching faculty may use to resolve certain problems relating to their employment at the College. First, it sets forth procedures for resolving employment problems, which include problems of alleged discrimination based on institutional practices (as opposed to individual acts of alleged discrimination). Second, it sets forth procedures for resolving problems arising from individual acts of alleged discrimination or harassment by others within the College community. Employment procedures are provided with a view to obtaining reconsideration of official decisions and remedies for employment problems in general; discrimination procedures are provided with a view to obtaining remedies or redress from persons or agencies within the College community. A faculty member is encouraged to begin with Alternative Dispute Resolution (ADR) but may proceed with either or both problem resolution procedures as he or she thinks appropriate.

4.3.1 Definitions, Policies, and General Procedures

- a. The procedures provided in this document are available to any member of the teaching faculty, i.e. any person employed full-time or part-time to teach courses that satisfy degree requirements. In the case of an administrator who also teaches, the procedures provided here shall apply to his/her teaching responsibilities.
- b. A problem within the scope of these procedures is defined as the claim by a member of the faculty, that applicable laws, rules, or policies have been violated. Applicable laws, rules, and policies shall include but not be limited to Muhlenberg College's announced rules, regulations, and policies as approved by the faculty, the President, and/or the Board of Trustees.
- c. All documentation/evidence gathered pursuant to the procedures of either an Alternative Dispute Resolution (or ADR, as described in Section 4.3.1.1) or a

formal complaint will be kept in a confidential file separate from personnel files and released only at their request to a faculty member(s) and any member of the administration directly involved in the procedure and to the FPPC or a discrimination review board; and to others only pursuant to a subpoena or order of a court of competent jurisdiction or by statutory authority vested in governmental agencies. Personnel files of faculty members found to have engaged in improper conduct will contain a notation referring to the existence of a confidential file. All persons named in the documents of this file shall have the right to read the parts in which they are named and make a written response that will be included in the file.

- d. The FPPC shall consider all cases directed to it by a faculty member on any employment problem including, but not limited to, cases pertaining to tenure, promotion, termination (for just cause and not for cause), and academic freedom. In the case of complaints relative to salary and performance evaluation, FPPC's role shall be limited to a determination as to whether the established procedures of the College's decision-making process were followed. The FPPC shall convey its determinations of cases it has heard formally to the Provost and the President. It may recommend the reconsideration of decisions; it may not reverse them.
- e. The Provost shall convene a review board (as described in Section 4.3.3.1, d and e) to consider all cases involving alleged discrimination filed by a faculty member. The review board shall convey its determination to the Provost as a recommendation for action concerning a respondent or respondents.

4.3.1.1 Alternative Dispute Resolution Procedures ("ADR")

- a. The College recommends the use of informal procedures to address both employment and discrimination problems amenable to resolution in this way. Such informal procedures (hereafter referred to as Alternative Dispute Resolution Procedures or ADR) are described below. In most instances, all parties will benefit if the problem can be resolved informally. For this reason, faculty members are expected to identify problems and to seek resolution in an informal manner whenever possible. Depending on specific circumstances, the following approaches may be appropriate:
 - 1. Discussion (oral or written) between the parties involved with a view to resolving the problem.
 - 2. Carefully considered advice and support of others.
 - 3. The use of ADR (if all parties agree) presided over by the faculty member's department chair or if he/she is involved in the alleged violation, by the Provost. Under routine circumstances, this individual shall, within fourteen days, investigate the matter and respond to the grievant in an effort to clarify, interpret, and suggest changes that will lead to resolution of the problem.

- b. If the problem is resolved through ADR, its resolution shall be recorded by the person presiding over the matter, together with all relevant documents collected in a confidential file, separate from personnel files. The confidential file will be stored in the office of the Provost and is subject to the disclosure procedures set forth in Section 4.3.1.c.
- c. Should ADR fail to resolve a perceived problem or be inappropriate to its solution, procedures described below allow for the filing of a formal employment or discrimination complaint. The policy of Muhlenberg College is to encourage faculty to file such complaints promptly. The College will provide equitable and prompt consideration and resolution. Under ordinary circumstances, the faculty member is required to submit a formal complaint consistent with Section 4.3.3 within ninety days of an alleged violation.

4.3.1.2 Formal Problem Resolution Procedures (For Disputes Other Than Tenure and Promotion)

- a. Should ADR fail to resolve a perceived problem or be inappropriate to its solution, procedures described below allow for the filing of a formal employment complaint with the Faculty Personnel and Policies Committee within thirty days of the conclusion of the ADR procedures, or in a case in which ADR is inappropriate, within 90 days of the alleged incident. It is a faculty member's right to file such a complaint, thereby requesting a formal hearing by FPPC. The matter is considered to have become a formal employment complaint upon receipt of the complaint by the chairperson of FPPC. The FPPC is required to notify the Provost or other appropriate administrator of the formal employment complaint and to deliver a copy of it to him/her.
- b. Although the request for review requires no particular format, the faculty member shall provide the following information to FPPC in writing:
 - 1. a descriptive statement of all the facts and circumstances which provide the basis for the request for review,
 - 2. date(s) of the incidents and time period of the problem,
 - 3. a description of attempts, if any were made, to resolve the problem on an informal basis and the results of these attempts,
 - 4. the signature of the faculty member and the date of the submission of a request for review.
- c. The entire FPPC, less its ex officio members, shall consider the request for review. Any member of the FPPC shall be disqualified from the review if he/she previously participated in the decision which forms the basis of the request for review. Such disqualification may be requested by the faculty member.

- d. When the college is in regular session, the FPPC will normally convene to review the matter within fourteen days after receipt of a written request for review. Otherwise the committee will meet at its earliest convenience but no later than fourteen days after the beginning of the next regular term.
- e. All hearings will be conducted in closed session except in cases pertaining to academic freedom, where public sessions may be requested by the faculty member.
- f. It is the responsibility of the faculty member to establish a prima facie case, except for matters of termination for just cause or termination not for cause as provided in Sections 4.3.2.3 and 4.3.2.4. If the FPPC determines that the evidence does not warrant a formal review, the procedure will be terminated and the faculty member will not be allowed to appeal the decision.
- g. Decisions and recommendations of the FPPC will be made by majority vote, except that approval of two members of the committee will suffice to accept a request for formal review. The vote count (ayes, nays, abstentions) by which the committee adopts its finding and recommendations to the President will become part of the record and will be transmitted with the finding and recommendations.
- h. If, in the judgment of the committee, the facts merit a formal review (hereinafter “formal review” or “review”), FPPC shall have access to any relevant documents, minutes, memoranda and other evidence and shall call whatever witnesses it deems necessary to reach a conclusion.
- i. At least five days before the date set for the review, written notice of the time, place, and purpose of the review shall be given to the person who has filed the request for review and to others who will be involved in the review.
- j. The faculty member shall have the right to choose a representative from among the members of the faculty or staff of the College, but shall not have legal counsel present at the review.
- k. The parties to the request for review and their representatives shall have the right to call and examine witnesses, introduce written evidence, cross-examine any witness regarding any relevant matter, and make opening statements and summations whether orally or in writing.
- l. The person filing the request for review may be required by the FPPC to be present. Failure to do so upon request of the FPPC waives his/her rights under the procedures.
- m. If the FPPC, on behalf of the College, deems it necessary to obtain legal counsel, the chair of FPPC shall consult with College counsel.

- n. The review need not be conducted strictly according to rules of evidence or procedures applicable in courts of law; the chairperson shall make a determination as to the actual procedures to be used at the review and the relevance of any matter. Any relevant matter upon which responsible persons customarily rely in the conduct of serious matters may be considered.
- o. Within fourteen days of the completion of its investigation, FPPC will communicate in writing its findings and recommendations (along with the vote count of ayes, nays, and abstentions) to the faculty member and the President of the College. Members of the FPPC who dissent from the finding or recommendations of the majority may report their dissent in writing. Their separate report(s) will be included with the majority finding and recommendations transmitted to the President and will become part of the record of the proceedings.
- p. When the College is in regular session, within twenty-one days of receipt of the FPPC's findings and recommendation, the President will respond to the faculty member and to other affected parties with his/her written determination of the issues, the rationale, and resulting actions. Otherwise, the President will respond at his/her earliest convenience but not later than twenty-one days after the beginning of the next regular term.
- q. The written determination of the President shall be regarded as final.
- r. The record of the proceedings shall include all exhibits offered and a written summary of the testimony taken during the review: the FPPC's findings and recommendations sent to the President; and the President's determination. The FPPC, faculty member, or administration may request a stenographic record at the requesting party's expense.
- s. Appropriate arrangements shall be made for the safekeeping and confidentiality of records of review proceedings in the Office of the Provost.

4.3.1.3 Employment: Special Considerations in Tenure and Promotion Cases

Faculty appeals regarding tenure or promotion shall be directed to the Appeals Committee for Tenure and Promotion Issues (hereafter referred to as the Appeals Committee). In appeals of tenure and promotion decisions, the Appeals Committee's role shall be to determine if the established procedures of the College's decision-making process were followed and if adequate consideration was given to the individual's qualifications. If the formal hearing (hereafter referred to as the hearing), pursuant to the request for a review of the tenure or promotion decision, reveals that the procedures were not followed and/or that adequate consideration was not given, the Appeals Committee may recommend reconsideration of the decision. The Appeals Committee does not determine if tenure or promotion is warranted, nor does it recommend that the decision be overturned.

- a. Should ADR fail to resolve a dispute regarding tenure or promotion or be inappropriate for the dispute, procedures described below provide for the filing of a formal appeal. It is a faculty member's right to request a formal review of the decision. The request for the formal review must be made in writing to the Chair of the Appeals Committee within thirty days of being informed of the negative decision. The Appeals Committee Chair will forward the request for formal review to the Department Chair, the Chair of the FEC, the Chair of FPPC, the Provost, the President and all implicated parties, as designated by the Appeals Committee chair (or Acting chair) in consultation with the appellant within two working days of his/her receipt of the request for formal review.
- b. The Department Chair, the Chair of FEC, the Chair of FPPC, the Provost, the President and all implicated parties must be notified of the request for formal review and shall have 15 days to submit a written reply. The Appeals Committee will forward copies of any replies to the Appellant.
- c. Although the request for a formal review requires no particular format, the Appellant shall provide the following information in writing to the Appeals Committee Chair.
 1. A statement of the grounds upon which the Appellant bases his/her appeal;
 2. A descriptive statement of the facts which provide the basis for the formal appeal;
 3. A list of documents or other written material which the Appellant contends supports his/her appeal;
 4. The Appellant's position in support of the appeal; and
 5. The signature of the Appellant and the date of the request.

The burden of proof shall be on the person filing the request for a formal review.

- d. The Appeals Committee Chair will convene the Appeals Committee to review the matter. The review, along with any related hearing, will be conducted in closed session. When the College is in regular session, the Committee will be convened within ten days after receipt of a written request. In most instances, the Appeals Committee Chair will commence committee proceedings in time for their review to be completed before the next Board of Trustees meeting, however, the review must be completed for its recommendations to be reviewed by the EPFAC for final recommendation to the full Board of Trustees at the October Board Meeting following the initial negative decision..

- e. The Appeals Committee shall consist of eight tenured members of the faculty (seven active members and an alternate). The method and criteria of selection shall be as follows:
 1. There will be an Appeals Committee Chair and a Vice Committee Chair (to take over the position of the Appeals Committee Chair if the Appeals Committee Chair must recuse himself/herself) elected by the faculty for staggered three-year terms. The Appeals Committee Chair and Vice Committee Chair shall have served on, but not be current members of the Faculty Evaluation Committee (FEC) or the Faculty Personnel and Policies Committee (FPPC).
 2. The remaining six elected members of the Appeals Committee will serve staggered three year terms. The six elected members will include at least one representative from each division (humanities, social science, and natural science). At least one of these six members will have had prior experience on FPPC or FEC.
 3. At least one of the active members of the Committee (Chair, Vice Chair, or elected member) must be a former member of FEC.
 4. The elected members of the Appeals Committee will select five of their members as active and one as an alternate.
 5. Normally, the review will be conducted by seven Committee members. In circumstances where multiple recusals are necessary, both the review and the associated hearing may go forward with as few as five members. In the event that both the Chair and Vice Chair recuse themselves, the regular members of the committee will elect an Acting Chair from among their number.
 6. All members of the Appeals Committee, including the Chair and Vice Chair, may serve concurrently on any Faculty Committee except FPPC or FEC.
- f. It is the responsibility of the Appellant to establish a prima facie case. If the Appeals Committee determines that the evidence does not warrant a formal review, the procedure will be terminated and the appeal will not proceed.
- g. Decisions and recommendations of the Appeals Committee will be made by majority vote, except that approval of two members of the committee will suffice to accept a request for formal review. The vote count, (ayes, nays, abstentions) by which the committee adopts its findings and recommendations, will become part of the record and will be transmitted with the findings and recommendations. Whenever an appeal involving tenure or promotion decisions is accepted for a formal review, the Appeals Committee will send a copy of the appeal to the Faculty Evaluation Committee, the relevant Department Chair, the Provost and the President within 10 days of the decision to accept the appeal.

- h. The Appeals Committee shall have access to any relevant documents, and other evidence and shall call whatever witnesses it deems necessary to reach a determination.
- i. Within ten days after the committee decides to proceed with a formal review, the parties shall submit a list of witnesses and documents they intend to introduce at the hearing. The parties will include a brief statement to establish the relevance of the witness/document to their case.
- j. To avoid introducing new information not available in the tenure or promotion file at the time of review, no material may be taken from or new material added to the candidate's tenure file. Witnesses must have contributed to the appellant's tenure or promotion process or be providing information regarding the tenure process. Any documents and information obtained from the witnesses must be material to the tenure or promotion decision.
- k. At least ten days before the date set for the formal hearing, the Appeals Committee Chair will send written notice of the time, place, and purpose of the hearing to the parties and witnesses.
- l. The Appellant shall have the right to choose a representative from among the members of the faculty or staff of the College to serve as his/her advocate, but shall not have legal counsel present at the proceedings.
- m. Parties to the request for appeal and their representatives shall have the right to call and examine witnesses, introduce documents, cross-examine any witness regarding any relevant matter, and make opening statements and summations whether orally or in writing. In most circumstances, the hearing will proceed in the following manner:
 - I. Opening statements
 - The Appellant
 - Other parties, such as the Department Chair, the Chair of the FEC, the President
 - II. Appellant's witnesses questioned by the Appellant
 - Cross-examined by
 - Other parties
 - The Appeals Committee
 - III. Other parties' witnesses questioned by the party calling the witness
 - Cross-examined by
 - The Appellant
 - Other parties
 - The Appeals Committee
 - IV. Rebuttal witnesses questioned by the party calling the witness

The Appellant
Other parties
The Appeals Committee
Cross-examined by
Other parties
The Appeals Committee

V. Closing statements
The Appellant
Other parties

- n. All parties to the hearing have a responsibility to follow the above procedures and maintain decorum during the proceedings. To that end, the Chair, or Acting Chair, of the Committee has the discretion to require any party who disrupts the hearing or inhibits testimony to leave the proceedings. Also, the Chair or Acting Chair may temporarily suspend the proceedings to restore order.
- o. The Appellant will be required to be present during all testimony. Failure of the Appellant to be present may act as a waiver of the Appellant's rights under these procedures. Implicated parties may be present during all testimony but their presence is not required.
- p. Neither the Appellant nor other parties to the dispute will be present during the deliberations or conversations of the Appeals Committee.
- q. If the Appeals Committee, on behalf of the College, deems it necessary to obtain legal counsel, the Chair of the Appeals Committee shall consult with College counsel and may concurrently consult with both College Counsel and AAUP counsel.
- r. The review and its attendant hearing need not be conducted strictly according to rules of evidence or procedures applicable in courts of law; the Appeals Committee Chair, or Acting Chair, shall make a determination as to the actual procedures to be used at the review and the relevance of any matter. The Appeals Committee will evaluate relevance based on whether the testimony or evidence relates materially to the tenure and promotion decision; that is, it must be so substantial and important that it could affect the outcome of the case.
- s. Within fourteen days of the completion of its review, the Appeals Committee will communicate in writing its findings and recommendations (along with the vote count of ayes, nays, and abstentions) to the parties. Members of the Appeals Committee who dissent from the findings or recommendations of the majority, may report their dissent in writing. Their separate report(s) will be included with the majority findings and recommendations and will become part of the record of the proceedings.
- t. When the College is in regular session, within twenty-one days of receipt of the Appeals Committee's findings and recommendation, the President will respond to the faculty member and to other affected parties with his/her written

determination of the issues, the rationale, and resulting actions. Otherwise, the President will respond at his/her earliest convenience but not later than twenty-one days after the beginning of the next regular term.

- u. The Appeals Committee's findings and determinations plus the record of the proceedings shall be submitted by the President to the Chairperson of the Board of Trustees, who will appoint an Ad Hoc Committee to review the case. The Ad Hoc Committee shall not include members of the Educational Policies and Faculty Affairs Committee. Appeals submitted to the Ad Hoc Committee shall include a complete record of the proceedings, including copies of the findings and recommendations of the Appeals Committee and minority reports, if any.

The record of the proceedings shall also include:

- all exhibits offered at the review,
 - a written transcript (and/or voice recording), paid for by college, taken during the review,
 - the President's recommendation,
 - the Appellant's request for review, and
 - the parties' reply, if any.
- v. The Ad Hoc Committee will report its findings to the Board Chair with copies to the President and Provost. The Provost will communicate the outcome of the case to all parties involved. If the Ad Hoc Committee finds in favor of the Appellant, the tenure or promotion case will be reviewed by the EPFAC for final recommendation to the full Board of Trustees at the October Board Meeting following the initial negative decision. Tenure or promotion is granted only by action of the Board of Trustees upon the recommendation of the President and EPFAC.
 - w. All documents used in the course of the proceedings shall be returned to the Vice President of Human Resources for safe-keeping.

4.3.2 Appeals of Termination: Special Provisions

4.3.2.1 Employment: Special Provisions in Termination for Just Cause

In appeals of termination for just cause, the administration will have the burden of proof by a preponderance of evidence in accordance with the conditions set down for such termination (Section 3.10.1). Following the close of the administration's evidence, the FPPC will decide if a prima facie case has been made. If no prima facie case has been established, the FPPC shall conclude the review and make a recommendation in favor of the faculty member to the President. If a prima facie case has been established, the review will continue in accordance with the regular procedures set forth in Section 4.3.1.2. Termination will not be regarded as final until this appeal process has been completed. If the FPPC determines that the faculty member's evidence does not warrant a formal review, the proceedings will be terminated and the faculty member not permitted to appeal that decision.

4.3.2.2 Employment: Special Provisions in Termination Not for Cause

In appeals of termination not for cause, the administration will have the burden of proof by a preponderance of evidence in accordance with the conditions set down for such termination (Section 3.10.2). In particular, the administration will have the burden of establishing at least a prima facie case:

- a. of financial exigency, of the existence and extent of the condition;
- b. for elimination or reduction of a department or program, of a bona fide formal discontinuance of a program or department utilizing appropriate procedures of the College; or
- c. for termination in the case of prolonged physical or mental illness, of medical evidence that the faculty member is unable to continue to fulfill the terms and conditions of the appointment.

Following the close of the administration's evidence, the FPPC will decide if a prima facie case has been made. If no prima facie case has been established, the FPPC shall conclude the review and make a recommendation in favor of the faculty member to the President. If a prima facie case has been established, the review will continue in accordance with the regular procedures set forth in Section 4.3.1.2. Termination will not be regarded as final until this appeal process has been completed. If the FPPC determines that the faculty member's evidence does not warrant a formal review, the proceedings will be terminated and the faculty member not permitted to appeal that decision.

4.3.2.3 Employment: Special Provisions in Cases of Academic Freedom

Muhlenberg College adheres to the AAUP's definition of Academic Freedom ("On the Relationship of Faculty Governance to Academic Freedom," May 1994). "The academic freedom of faculty members includes the freedom to express their views:

- (i) on academic matters in the classroom and in the conduct of research
- (ii) on matters having to do with their institution and its policies, and
- (iii) on issues of public interest generally and to do so even if their views are in conflict with one or another received wisdom."

The assertion of academic freedom cannot shield the individual from whatever liability might otherwise exist for libel, slander or malicious defamation. Formal appeals regarding violations of academic freedom follow the procedures defined in Section 4.3.1.2 of this document. If, however, the President is involved in an alleged violation of academic freedom, FPPC will communicate in writing its findings and recommendations to the chairperson of the Board of Trustees and to the chairperson of the Board's Committee on Educational Policies and Faculty Affairs. A copy of the FPPC's findings and recommendations will be sent to the President.

4.3.3 Discrimination or Discriminatory Harassment

These procedures may be used by any member of the teaching faculty who believes that he or she has been discriminated against or harassed in connection with his or her status as a faculty member on the basis of race, color, sex, sexual orientation, religion, age, handicap, or national or ethnic origin. Further information relative to definitions of sexual harassment may be found in the document “Policy Statement on Sexual Harassment” found in Section 4.4 of the Faculty Handbook. Copies are also available in the Human Resources Office.

4.3.3.1 Discrimination or Discriminatory Harassment: Formal Hearing Procedures

- a. Should ADR fail to resolve a perceived problem or be inappropriate to its solution, procedures described below allow for the filing of a formal discrimination complaint. It is a faculty member’s right to request a formal hearing of the problem. The request for the formal hearing must be made in writing to the Provost. All allegedly culpable parties, (“respondent(s)”) must be notified of the request for the formal hearing. In this and in subsequent proceedings pertaining to the same request, the President shall act in the place of the Provost if the latter is involved in the alleged violation. Likewise, if the President is involved in the alleged violation, then two members of the Board of Trustees together with its chairperson shall act in his/her place in this and in subsequent proceedings pertaining to the request.
- b. Although the request for a formal hearing requires no particular format, the faculty member shall provide the following information to the Provost in writing:
 1. a descriptive statement of the facts and circumstances which provide the basis for the formal hearing;
 2. date(s) of the incidents and time period of the alleged discrimination or harassment;
 3. a description of attempts, if any were made, to resolve the problem on an informal basis and the results of these attempts;
 4. the signature of the faculty member and the date of the request.
- c. The burden of proof shall be on the person filing the request for a formal hearing.
- d. When the College is in regular session, the Provost will convene a board to review the matter (“review board”) normally within twenty-one days after receipt of a written request. Otherwise, the Provost will convene a board at his/her earliest convenience but not later than twenty-one days after the beginning of the next regular term.
- e. The review board shall consist of five members of the faculty. The method and criteria of selection shall be as follows:
 1. One member shall be recommended by the faculty member and one member of the respondent(s)—both to be approved by the Provost. The

remaining three persons will be selected by the Provost. During the selection process both the faculty member and the respondent(s) have the right to disapprove the selection of one of the persons chosen and request that another person be recommended by the individual who made the initial selection.

2. Review board members are to be selected not as advocates but rather as individuals capable of making mature judgments on the types of issues the complainant, respondent(s), and the Provost believe to be important to the case. The review board will name one of its members as chairperson.
- f. All meetings of the review board will be private; only those persons authorized by the review board may attend.
- g. Decisions and recommendations of the review board will be made by majority vote. The vote count (ayes, nays, abstentions) will be kept as part of the record of the hearing and transmitted to the Provost as provided in n. below.
- h. At least five days before the date set for the review board hearing, written notice of the time, place, and purpose of the review board hearing shall be given to the respondent(s) and to the person who has filed the request for a formal hearing, and each will be advised of his/her rights in these proceedings as stated below. The respondent(s) will be provided with a copy of the request for a formal hearing.
- i. Each of the parties shall have the right to be represented at his/her expense by a person of his/her choosing on the faculty or staff of the College and each may, at his/her expense, bring an attorney to the hearing. An attorney present at the hearing may consult with and advise his/her client, but may not otherwise participate in the hearing.
- j. The parties and their representatives shall have the right to call and examine witnesses, introduce written evidence, cross examine any witness regarding any relevant matter, and make opening statements and summations either orally or in writing.
- k. The person filing the request for a formal hearing may be required by the review board to be present at the hearing. Failure to do so upon request of the review board waives his/her rights under these procedures.
- l. If the review board, on behalf of the College, determines it is necessary to obtain legal counsel, its chair shall consult with College counsel.
- m. The review board's hearing need not be conducted strictly according to the rules of evidence or procedures applicable in courses of law; the chairperson of the review board shall make a determination as to the actual procedures to be used at the hearing and the relevance of certain matters. Any relevant matter upon which

responsible persons customarily rely in the conduct of serious matters may be considered.

- n. Within twenty-one days of reviewing the facts of the case, the review board shall provide to the Provost its written recommendations on the issues raised. It will state the vote count (ayes, nays, abstentions) by which its recommendations were approved and the rationale for its recommendation, and it will list recommended actions. Members of the review board who dissent from the recommendations of the majority may report their dissent in writing to the Provost. Their separate report(s) will be included with the majority of recommendations transmitted to the Provost and will become part of the record of the proceeding. Recommended actions may range from none to termination for just cause. The entire process of naming the review board, reviewing the facts, and arriving at recommendations shall normally not exceed sixty days.
- o. Within fourteen days of receipt of the review board recommendation, the Provost will respond in writing to the faculty member, respondent(s), and to other affected parties regarding his/her determination of the issues, the rationale, and resulting actions. Actions may range from none to termination for just cause.
- p. A particular formal request for hearing will be considered resolved if none of the affected parties request further consideration and review within a period of seven days of the receipt of the decision of the Provost.
- q. Appeals may be requested in writing through the Provost to the President of the College. Such appeals shall be transmitted immediately to the President for review and determination. However, if the appellant alleges that the President is involved in the alleged discrimination or harassment, then two members of the Board of Trustees together with, and chosen by, the chairperson of the Board of Trustees' Committee on Educational Policies and Faculty Affairs shall act in his/her place in this matter and in all others pertaining to the appeal as provided in Section 4.3.3.1.a.
- r. When the College is in regular session, the President shall review the case and, normally within twenty-one days, will provide to the faculty member, respondent(s), and other affected parties his/her written determination of the issues, including the rationale and any resultant actions. Otherwise, the President will issue a written determination at his/her earliest convenience but not later than twenty-one days after the beginning of the next regular term.
- s. The record of the proceedings shall include all exhibits received by the review board, a written summary of the testimony taken during the review, the review board's written recommendations to the Provost, and the written decisions of the Provost. Any participant to the proceedings may request a stenographic record at the requesting party's expense. In the event of an appeal to the President, the record of the proceedings shall also include the letter of appeal and the President's

written decision. If it is necessary for two members of the Board of Trustees together with its chairperson to hear the appeal because the appellant alleges that the President is involved in the alleged discrimination or harassment, then the record of the proceedings shall also include the letter of appeal and the written decisions of the three member Board panel.

- t. Appropriate arrangements shall be made for the safekeeping and confidentiality of records of grievance proceedings in the office of the Provost.
- u. These procedures may be amended by the faculty subject to the approval of the President and the Board of Trustees of the College.

4.4 Sexual and Discriminatory Harassment Policy

Prohibition of Sexual and Discriminatory Harassment

It is the policy of Muhlenberg College to provide an environment free from any form of sexual or discriminatory harassment. This policy applies to all College full and part-time employees, including management, staff, faculty, and support personnel and to all College students, contractors and consultants. All who work at the College are responsible for ensuring that the work and academic environment is free from discriminatory practices, including sexual harassment.

Specifically, the College expressly prohibits any form of unlawful harassment of its employees or students based on sex, race, color, religion, national origin, age, disability, sexual orientation, marital status or veteran status. Sexual and other forms of discriminatory harassment are unacceptable conduct, whether on the College's premises or in other College related activities and settings, and will not be tolerated by the College. Discriminatory harassment in the workplace is also prohibited by law.

Definition and Examples of Sexual and Discriminatory Harassment

For the purpose of this policy, the term "sexual harassment" includes any unwelcome or unwanted sexual attention, sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature or other offensive behavior directed toward an employee or student because of or on account of his or her gender, whether by a person of the opposite or same gender, when:

1. submission to or rejection of such conduct by an individual is used as a basis or factor in decisions affecting the terms or conditions of employment or education of any individual; or
2. submission to or rejection of such conduct by an individual is used either explicitly or implicitly as a basis for academic or employment decisions affecting that individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's academic or professional performance; or

4. such conduct creates an intimidating, hostile or offensive academic, employment, educational or living environment.

Examples of the types of conduct that constitute sexual harassment include, but are not limited to: threatening adverse employment or academic actions if sexual favors are not granted; unwanted and unnecessary physical contact; demands for sexual favors in exchange for favorable treatment or continued employment; display of pornographic material; excessively offensive remarks, including unwelcome graphic or suggestive comments about an individual's body, appearance or dress, obscene jokes or other inappropriate use of sexually explicit or offensive language; the display in the workplace of sexually suggestive objects or pictures which create an intimidating or hostile work environment; and other unwelcome and unwanted conduct of a sexual nature, such as leering, name calling and sexual innuendos.

Examples of the types of conduct, when done in isolation, that generally will not constitute sexual harassment include, but are not limited to: simple teasing, offhand comments, and joking which does not include sexual innuendo.

For purposes of this policy, "discriminatory harassment" includes any unwelcome or unwanted attention, and other verbal, visual, or physical conduct or other form of offensive behavior directed toward an employee because of or on account of his or her race, color, religion, national origin, age, disability, sexual orientation, marital status or veteran status (or such conduct or behavior that may be offensive on the basis of race, color, religion, national origin, age, disability, sexual orientation, marital status or veteran status and to which an employee may be exposed directly or indirectly) when:

1. submission to or rejection of such conduct by an individual is used as a basis or factor in decisions affecting the terms or conditions of employment of any individual; or
2. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance; or
4. such conduct creates an intimidating, hostile or offensive work environment.

Examples of the types of conduct that constitute discriminatory harassment include, but are not limited to: any form of discriminatory treatment based on race, color, religion, national origin, age, disability, sexual orientation, marital status or veteran status; communication or display of offensive material capable of a stereotypical or discriminatory meaning; offensive remarks containing stereotypical or discriminatory references, including unwelcome comments about an individual's body, appearance, manner, speech or dress capable of a stereotypical or discriminatory meaning; the display in the workplace of objects, drawings or pictures which create an intimidating or hostile work environment; and other unwelcome and unwanted conduct of a stereotypical or discriminatory nature, such as name calling and racial, religious or ethnic innuendos.

Coverage

This policy covers all College students and employees without exception. The College will not tolerate, condone or allow discriminatory harassment, whether engaged in by faculty, students, fellow employees, supervisors, managers, customers, vendors or other non-employees who conduct business with the College. The College encourages the reporting of all incidents of harassment, regardless of who the offender may be.

Complaint Procedures

A member of the teaching faculty who believes that he or she has been subjected to discriminatory harassment, or has been retaliated against for making a report of discriminatory harassment, or for providing information concerning an act of discriminatory harassment should utilize the appropriate Faculty Problem Resolution Procedures specified in Section 4.3 of the Trustees' Handbook for Faculty.

4.5 Alcoholic Beverages Policy

Muhlenberg College complies with all federal, state and local laws which regulate the possession, use and sale of alcoholic beverages and expects its academic staff and employees to also comply with such laws and regulations.

In addition, due to the increased liability associated with the provision of alcoholic beverages, Muhlenberg College will not allow off-campus individuals or groups using the College's facilities to have alcoholic beverages available at their events. "Off-campus" is defined as not being directly related to the business of the College. For example, faculty and staff events such as wedding receptions are to be considered "off-campus" for purposes of this policy. This policy is in force throughout the calendar year and noncompliance during an event will result in cessation of the function.

4.6 Policy on Safety and Security

The College, in its effort to comply with federal, state, and local legislation, requires the cooperation of professional staff in the storage, use, and disposal of hazardous materials and in maintaining laboratory safety.

Employee and student "right to know" policies and procedures are in effect. Crime statistics are reported regularly and accessible to employees and students. These programs are overseen by the Director of Safety and Security with the assistance of appointed chemical hygiene officers and designated faculty and staff.

4.7 Animal Care and Use Policy

The use of any live vertebrate non-human animal(s) (excluding service animals) in any College related activity must be brought to the prior attention of the Chair of the Institutional Animal Care and Use Committee (IACUC). A formal IACUC approval process may be required.

4.8 College Policy on Patents and Copyrights

4.8.1 Patents

4.8.1.1 Patents for Inventions Receiving No College Support

Patents resulting from inventions and discoveries made by the academic staff, employees or students in the course of their personal research without the use of facilities granted by the College specifically for the support of that research shall be the sole property of the inventors.

4.8.1.2 Patents for Inventions Receiving College Support

Patent rights resulting from research carried on by the academic staff, employees or students in connection with projects supported by College resources granted specifically for that purpose shall be assigned to and controlled by the College. The rate of compensation of the inventor shall be 15% of the gross income unless otherwise agreed upon in writing.

4.8.1.3 Patents for Inventions Receiving Support from Outside Agencies

Patents resulting from work performed by the academic staff, employees or students in connection with projects supported by outside agencies and administered by the College shall be handled as determined by the patent agreement and the contract with such outside agency. If the contract contains no patent agreement, the College will grant a non-exclusive license, without charge, to the organization for which the research was undertaken.

4.8.1.4 Notification of Patent Provisions

In the case of all sponsored research by the College or for an outside agency, the recipient shall be formally notified of the patent provisions and sign an agreement acknowledging such notification and the rate of compensation to be paid before the start of the project. If the College is not reasonably diligent in securing patent rights and financial promotion of any invention or discovery covered by this agreement, ownership shall revert from the College to the responsible academic staff member, employee or student.

4.8.2 Copyrights

4.8.2.1 Ownership of Copyrights

An academic staff member, employee or student has the right of absolute ownership of his or her own writings or software developments, whether or not made while using the regular facilities of the College, and the right to apply for, hold, and dispose of copyrights unless the writing and software development were done as a result of a specific research project sponsored and financed in whole or in part by the College.

4.8.2.2 Income from Copyrights

When income accrues from copyrights obtained on any book, article, or software, the preparation of which was supported by a specific grant from the College, Muhlenberg College will be reimbursed to the extent that royalties equal the amount of the grant. For this purpose it is understood that the salary and facilities normally available to the writer in the capacity as an employee of the College shall not be considered a specific grant, nor shall stipends paid to a faculty member on sabbatical leave or as a summer research award be considered support of a specific research project.

4.9 Academic Year Defined

Every member of the academic staff shall be available for service to the College during the academic year, except for stated College vacations and holidays. The academic year is defined as that part of the contract year extending from the period prior to the actual beginning of classes needed for the organization of the year's work, the actual terms of instruction, the Commencement period, and whatever time thereafter may be needed to conclude the work of the school year.

4.10 Attendance at College Ceremonies

All members of the faculty are expected to participate in the College ceremonies scheduled throughout the academic year, particularly the Opening Convocation, the Honors Convocation, the Baccalaureate Service, and Commencement. Academic regalia for these occasions may be rented through the Bookstore.

4.11 Work Load

4.11.1 Teaching Loads and Assignments

The teaching load for a full-time faculty member at Muhlenberg is equivalent to three courses per semester. Courses will normally meet at least three contact hours per week. Variations to this pattern will be recommended by the department chair to the Provost when the semester's schedule is prepared.

Teaching loads must be approved by the department chair and the Provost. To the extent possible, the Provost and the department chairs will attempt to assign teaching loads which are equitable over a period of two semesters. Factors such as number and nature of preparations, number of contact hours, and enrollment may be considered in determining equitable loads.

In computing the work load of academic staff members teaching laboratories, a two-third course credit will be awarded for a three-hour laboratory assignment. Laboratories of shorter duration shall have teaching loads computed proportionally.

A one-third course credit will be awarded for a one hour recitation assignment. Faculty or adjunct faculty instructing team taught courses shall normally be awarded a fractional teaching load credit.

4.11.1.1 Courses and Units

A course is a unit of instruction in a discipline. Such a unit may include lecture, discussion, recitation, computer work, and laboratory work. A course may be used to satisfy general academic requirements as well as major and minor requirements. For certain designated courses, only one-half course units will be awarded.

The non-laboratory courses most appropriate for more than three contact hours are beginning courses in language, formal logic, mathematics, accounting, music theory, and the studio arts in which more class time is needed for development of skills, exercises, and problem-solving. No additional financial compensation will be provided for those teaching more than three contact hours in such courses.

4.11.1.2 Location and Time of Classes

All classes will be held at the times and places provided by the Registrar. Prior to constructing a final schedule, the Registrar will consult with each academic department chair. Special requests will be considered and the Registrar will attempt to incorporate these into the schedule. Once a final schedule is established, however, further alterations are very unlikely.

4.11.1.3 Class Schedules

When constructing a faculty or adjunct faculty member's class schedule, the primary consideration is what contributes to effective teaching and the overall instructional needs of the College and the department subject to the availability of classroom and other teaching schedules. Faculty and adjunct faculty members are to arrange their other responsibilities in ways which retain the flexibility necessary for suitable class schedules. Department chairs will consider special requests to the degree that they do not impede effective teaching or interfere with the instructional needs of students, the department, and the College. Final approval of all class schedules rests with the Provost.

4.11.2 Other Responsibilities

Each faculty member is expected to be available to students outside of class. In addition to assisting students with their academic work, faculty advise individual students on a course of study and often help with career planning, as well as internship and job searches. Regular weekly office hours are particularly important for promoting contact with students and must be of sufficient duration to permit full access for advisees and students enrolled in the faculty member's courses. These hours reserved for students should be indicated in course syllabi and clearly posted. During periods of academic advising for course registration, office hours are typically increased.

4.12 Faculty Absences

Illness or college business away from campus sometimes necessitates absences from class and rescheduling is certainly appropriate. When an absence is anticipated, the students should be notified in advance and provisions made for substitute instruction or out-of-class assignment.

4.12.1 Emergency College Closings

As a general policy, Muhlenberg College will remain open and fully operational during snowstorms or emergencies of any nature. However, under dire circumstances the President or a designated representative will make the decision as to whether the College will close or remain open.

4.13 Supplemental Employment

Since academic appointment involves a full-time commitment to the duties and responsibilities of the profession, the College expects that obligations to Muhlenberg will assume absolute priority in the full-time academic staff member's professional life. Acceptance of employment elsewhere by full-time members of the academic staff, including consulting, shall not interfere with these obligations and is subject to the review and approval of the department chair and the Provost.

4.14 Responsibilities to Students

4.14.1 Assessment

The faculty has endorsed the following policies concerning assessment:

- a. All means of assessment shall be conducted by faculty and students in accord with sound educational policy and high ethical principles. This includes overt representation of grading policies on syllabi, return of work in a reasonably prompt manner, and at a minimum the return of some graded material prior to the "W" date.
- b. Individual faculty are responsible for administering assessment in accordance with the principles and regulations of the Academic Behavior Code.
- c. The Provost is empowered and directed by the faculty to implement its policy in the area of assessment.
- d. Means of assessing a student's efforts and progress should be assigned periodically through a semester.

- e. Faculty should inform students of grading policies. Normally, any test or exercise that is to count more than 20% of the final grade should be specified on the course syllabus. In any event, faculty should provide students with reasonable notice of any assignment that counts for a substantial percentage of the final grade.
- f. The Family Educational Right to Privacy Act (FERPA) requires that faculty maintain students' privacy as regards to grades. Consequently, instructors should not post grades alongside students' names or social security numbers. If a faculty member wishes to leave graded material in a public place for students to pick up, s/he should secure students' written permission to do so.
- g. Cases of academic dishonesty as described in the Academic Behavior Code shall be reported to the Dean of the College for Academic Life according to the procedures in the Academic Behavior Code.

4.14.1.1 Final Examinations and Other Culminating Experiences

- a. Except in unusual circumstances there shall be a final exam or other appropriate culminating experience in all courses.
- b. Normally, the final examination or culminating experience should not count for more than 50% of the course grade.
- c. Final examinations and other graded materials, if not returned to the student in some manner that ensures receipt by the student, should be kept on file by the instructor until the end of the semester following that for which the material was submitted.
- d. Final exams should be administered during the final exam period at the assigned time, not during the last week of classes. Similarly, culminating experiences in performance classes should be scheduled for the designated Performance Day rather than during the last week of classes.
- e. Individual faculty members are responsible for administering their final exam or other culminating experience in accordance with the Academic Behavior Code.
- f. The College uses a student schedule based method to create the final exam schedule. Once students' schedules are fixed, the Registrar will plan an optimized final exam schedule based on avoiding conflicts for students.
- g. Students are not required to take more than two exams a day. A student has a final exam conflict if s/he has two exams scheduled at the same time or if s/he has more than two exams scheduled on one day. The student must register the conflict with the Registrar by 4 p.m. on the last day to withdraw from class with a grade of W. Once the student has completed this process, his/her responsibility

for resolving the conflict is fulfilled. The Registrar will notify all faculty members involved in the conflict and request that they work together to resolve the conflict. If the faculty members cannot resolve the conflict, the Registrar will do so. The Registrar will inform all affected parties of the resolution.

- h. The Friday after classes end will be set aside for culminating experiences in performance classes. This pertains only to courses that have a performance emphasis.
- i. Saturday and Sunday will be study days.
- j. All other finals will be scheduled in three hour blocks Monday through Friday of the week following the last week of classes.
- k. Grades are due at 4:00 pm. on the Monday after finals end.

4.14.2 Adherence to the Policies of the Academic Behavior Code

Muhlenberg College has established an Academic Behavior Code because of its belief that academic honesty is a matter of individual responsibility and that, when standards of honesty are violated, each member of the community is harmed. As a prerequisite for matriculation, each student must pledge to adhere to the provisions of this Academic Behavior Code. On all work submitted for a grade, students shall write and sign the following pledge. "I pledge that I have complied with the Academic Behavior Code in this work." It is against College policy for a faculty member to accept any work submitted for a grade without the student having signed the full statement of the Academic Behavior Code.

Violations of the Academic Behavior Code include cheating during examination, plagiarism, collusion, false information and helping or hindering others.

Subject to the policies set forth in Section 4.13.2 above, each faculty member shall identify the procedures to be used for classroom examinations and other assignments in each course.

Class tests and final examinations should be proctored. Proctoring is defined as having a faculty member present in the room. Proctoring is the responsibility of the faculty member teaching the course, but in special situations that responsibility may be delegated to faculty colleagues or adjunct faculty.

Faculty members should refer to the Student Handbook for a complete listing of regulations regarding the Academic Behavior Code.

4.14.3 Recognition of Student Rights

4.14.3.1 Student Records (Privacy Act)

In accordance with the Family Education Rights and Privacy Act of 1974 (20 USCA 1232g et seq.) Muhlenberg College recognizes the rights of students to have access to specified records and to prevent their release to certain third parties without their personal authorization.

4.14.3.1.1 Directory Information

Students may request that directory information consisting of such data as the student's name, telephone number, address, major field of study, participation in activities, dates of attendance, and degrees and awards received, be withheld and released only upon written authorization even though this information is public in nature. Such requests are made to the Registrar.

4.14.3.1.2 Educational Records

Educational records refer to the files, documents, and other materials which contain information about students and which are maintained by the College.

Within 45 days of a written request to the appropriate office, current and former students may inspect and review these education records, with the exception of recommendations dated prior to January 1, 1975. Procedures for questioning the faculty accuracy of an educational record are outlined in the Student Records Policy. Furthermore, the College may not, except in specific instances as provided in the legislation and the Student Records Policy, release education records or information therein without the written consent of the student. Muhlenberg may release without restriction information which cannot be identified with particular students. An example of such data would be statistical information abstracted from education records.

Students who request and obtain access to education records have the right to an official explanation and interpretation of their content. Muhlenberg College will also provide a student access to a log of those, excluding faculty, staff and administration members, who have requested or obtained access to the student's education records. In addition, the College releases education records and/or information contained therein on the condition that the recipient will hold it in confidence and will release it only upon written consent of the student.

4.14.3.1.3 Confidential Records

A third category of student records is not open to student inspection. These records include statements submitted by parents in order to qualify for financial aid; recommendations dated prior to January 1, 1975, provided that such recommendations are used solely for the purpose for which they were originally intended; personal notes of faculty members and administrators which are in their sole possession and which are not accessible or revealed to any other persons except a substitute; and counseling and health records which are created, maintained and used only in connection with the treatment of a student and which are available to no one other than persons providing such treatment or to other professionals of the student's choice.

4.14.3.1.4 Waiver of Rights

Students may waive their rights to review recommendations submitted in connection with the application for admission to any other educational institution, for employment, or for honorary recognition. This waiver shall be valid on condition that the student upon request shall be notified of the names of all persons making recommendations and that such recommendations shall be used solely for the purpose for which they were intended. Waivers may not be required as a pre-condition for admission to Muhlenberg College nor for the receipt of any service provided by the College.

4.14.3.1.5 Students' Social Security Numbers

Students' social security numbers are provided by the College for internal use only. Any other use constitutes an abuse of students' privacy rights. Course rosters, grading documents and any other materials that include social security numbers are not to be circulated among students or posted for any reason or under any circumstances.

5. SALARIES AND BENEFITS

5.1 Policies and Procedures

The Human Resources Office is responsible for disseminating information on all benefits and for processing applications. While it is expected that the benefit program will be ongoing, Muhlenberg College reserves the right to interpret, modify or discontinue part or all of the program at any time.

5.2 Appointment Year

Faculty and full-time adjunct faculty letters of appointment are for the academic year as described in Section 4.8. However, accomplishing certain duties relating to the academic year, including but not limited to, continuing committee activities, academic advising, administering academic programs and department may require work and services by faculty and full-time adjunct faculty members during June, July and August.

5.3 Salary Payments

5.3.1 Full-Time Academic Staff

While each full-time faculty member's letter of appointment is for the academic year, salary payments are made in 12 monthly installments on the 20th of each month beginning in September. If the 20th falls on a Saturday, this pay will be received on the 19th. If the 20th falls on a Sunday, this pay will be received on the 21st. Checks may be picked up at the Controller's Office on payday. Checks not called for one hour before the administrative offices close for the day will be mailed to the home address.

Employees may make arrangements with the Controller for direct deposit of pay to a bank or other financial institution. Such deposits are available on payday.

5.3.2 Salary Payments – Part-Time and Temporary Adjunct Faculty

Adjunct faculty members employed for one semester or less will be paid monthly during the actual period of their employment. Those on one-year temporary appointments usually are paid in 12 monthly installments but may request that the June salary payment include, in addition, those amounts normally paid in July and August.

5.4 Salary Deductions

A new employee of the College must complete a W-4, “Employee’s Withholding Exemption Certificate” in the Human Resources Office. A new W-4 certificate may be filed at any time. Withholding is required from salary payments for federal income tax, social security, state income tax, and an annual \$52 City of Allentown Emergency and Municipal Services Tax (EMST). The EMST is levied regardless of one’s place of residence and is deducted from the first check of the new year or from the first salary payment if employment begins after the first of the year.

Voluntary deductions may be made for an employee’s share of group health insurance premiums on either a pre-tax or post-tax basis. Also, voluntary deductions may be made for pledged contributions to United Way or other programs of the College. Voluntary salary deductions for pre-tax supplemental contributions to the TIAA retirement program may be arranged in the Human Resources Office (see Section 5.8.1).

5.5 Remuneration for the Wescoe School

Remuneration of the adjunct faculty members for the Wescoe School teaching is paid in equal monthly installments usually October through December for the fall term and February through May for the spring term. (Remuneration for the summer sessions is paid in full, usually in the month following the start of the course.) For members of the full-time academic staff, Wescoe School remuneration will be added to their regular monthly salary payments. Voucher sections of checks will show the actual breakdown.

Unless a course is part of the academic staff member’s regular teaching load, the instructor will receive remuneration based upon a schedule that is established by the Dean of the Wescoe School.

Consideration, including but not limited to enrollment, can lead to the cancellation of a course by the Dean of the Wescoe School.

5.6 Leaves

5.6.1 Sabbatical Leave

The purpose of a sabbatical leave is to provide an occasion for scholarship, research, or creative activity which contributes to the professional competence and teaching ability of the recipient. Therefore, the granting of a sabbatical leave is not automatic. A sabbatical leave will be granted

only to a faculty member who will have a continuing appointment with the College after the end of the leave and who, at the time of notification of approval for the leave, has not made a commitment inconsistent with his or her return to the College.

Approval of an application for scholarly leave is contingent upon adequate fiscal and personnel resources being available to meet instructional assignments and other departmental responsibilities. If exigencies require, it may become necessary to deny or postpone leaves already granted.

Subject to the above, and at the discretion of the Board of Trustees, a faculty member may be granted a sabbatical leave not more often than once during each seven-year period following the attainment of tenure. Normally, an application for a sabbatical leave is submitted early in the fall semester of the preceding academic year.

A faculty member applies for a leave by submitting eight copies of a written proposal, along with an up-to-date vita, to the Provost. Proposals must carry the endorsement of the department chair concerned with respect to (a) the merit of the project and (b) the feasibility of the proposer's replacement in the department. In addition, the following guidelines will assist faculty in submitting competitive proposals:

1. that the narrative statement of the proposals be between two to four typed pages;
2. that the proposal be related to the discipline taught by applicant; and
3. that the proposal state precisely how the research or project will be carried out and present a timetable for achieving desired results (e.g., publication, new teaching, etc.).

Leave proposals are reviewed by the President, the Provost, and the Faculty Development and Scholarship Committee. Each proposal is evaluated on the basis of its potential for (1) contributing to a specific field of knowledge, (2) increasing the faculty member's knowledge of teaching subject matter, and/or (3) improving the academic course(s) taught by the faculty member. After completing its review, the Development and Scholarship Committee submits a written recommendation concerning each application to the President and the Provost. This recommendation includes a ranking of the proposals in order of merit for use only in years when there is an insufficiency of funds for all acceptable proposals. The President and Provost review the proposals and the Committee recommendations, then meet with the Committee to discuss the merits of each proposal and the feasibility of granting a leave. The President makes the final determination. Names of the successful applicants as well as brief abstracts of their leave proposals are presented to the Educational Policies and Faculty Affairs Committee of the Board of Trustees. A sabbatical is granted for one-half year at full salary or for one year at half salary. During the leave, the College will contribute to the faculty member's full benefit program.

The scholarship and professional development opportunities which the faculty member gains by the proposed sabbatical experience should be of value to the College. As a result, the recipient of a sabbatical leave is obligated to return to the College for at least one year of service after each leave. Should a faculty member granted a sabbatical leave accept an appointment at another institution or resign while on sabbatical leave or prior to completing his one year of

service at the College following the sabbatical leave, he shall pay the College an amount equal to all the costs, expenses and salary paid to him by the College during the leave.

A faculty member granted a sabbatical leave is obligated to carry out the program of study, research, or creative activity which was proposed in his or her request for the leave. Within three months after the start of the first semester following the completion of a faculty member's sabbatical leave, he or she must submit to the Provost a brief written report of his or her activities and accomplishments while on leave.

5.6.2 Class of 1932 Research Professorship

The Class of 1932 Research Professorship provides released time at full pay and full benefits for up to one year for a faculty member to pursue research or other creative work. To be eligible, an applicant must be a full-time Muhlenberg faculty member who has: (1) tenure, (2) taught at Muhlenberg for at least three years, (3) agreed to return to Muhlenberg for one full year of teaching following the year of the Professorship, (4) submitted an application detailing a research project, (5) been teaching (and not on another kind of leave) the year before the Professorship, and (6) not received the award within the last five years.

The Professorship is granted contingent upon fiscal and personnel resources being available to meet instructional assignments and other departmental responsibilities. If exigencies require, it may become necessary to deny or postpone the leave for the Professorship. Application guidelines and other information about the Professorship are available in the office of the Provost. The review and selection process is the same as that described for the granting of a sabbatical leave.

5.6.3 Donald B. Hoffman Research Fellowship

The purpose of the Donald B. Hoffman Research Fellowship is to encourage faculty members to engage in scholarship, research or other creative work which results in publication, presentation, or exhibition. The Fellowship provides a two-course reduction in teaching load for both semesters of an academic year and is rotated every other year between Natural Sciences/Mathematics and Humanities/History. Eligibility rules are the same as those for the Class of 1932 Research Professorship.

The Fellowship is granted contingent upon adequate fiscal and personnel resources being available to meet instructional assignments and other departmental responsibilities. If exigencies require, it may become necessary to deny or postpone the leave for the award. Application guidelines and other information about the Fellowship are available in the office of the Provost. The review and selection process is the same as that described for the granting of a sabbatical leave.

5.6.4 Leave of Absence

Except for leaves which are required by the Family and Medical Leave Act of 1993 (5 USCA 6381 et seq.) leaves of absence for faculty members shall be granted at the discretion of the

Board of Trustees and upon written application by the individual. Normally such leave of absence shall be without salary.

Deadlines for application and receipt of such leaves of absence are usually the same as those described above for sabbatical leaves. Some variations are permitted in the case of leaves of absence, however, because of the greater variety of circumstances under which such leaves may be sought and received.

During such leave of absence, an employee's coverage in any of the benefit plans will be continued only if the employee pays the entire cost of such benefits.

In the case of leaves which are entitlements provided by the Family and Medical Leave Act of 1993, the eligible employee shall be entitled to such leaves in accordance with the terms of the Act and all employment and benefits protection provided by said Act, any other policies of the College whether set forth herein or elsewhere which are more restrictive to the contrary notwithstanding.

5.6.5 Disability

Disability occurs when illness or injury, not compensable under Workers Compensation, prevents the employee from continuing to work. The Director of Human Resources administers the disability program of the College.

Occasional daily absences due to illness or injury are not recorded and are fully paid.

5.6.6 Sick Leave

Full salary may be paid for the first two weeks of an extended absence, regardless of the full-time employee's length of service to the College. Following this two-week period, full salary may be continued for the number of weekdays that have been accumulated under the College's sick leave program.

Under the College's sick leave program, full-time members of the academic staff (see Section 2.4.1.1 of this Handbook) accumulate paid sick leave for use during extended absences due to injury or illness. Accrual is at the rate of five weekdays for each full or partial year of service to the College and may accumulate to a maximum of 130 weekdays. Sick leave is paid at full salary. No payments will be made for accumulated sick leave at retirement or separation from employment.

Such leaves are granted in accordance with the Family and Medical Leave Act of 1993.

5.6.7 Short-Term Disability

Payment under the Short-Term Disability policy, which takes affect when sick leave has been exhausted, is 60% of the full-time employee's individual's current salary base to a maximum of \$3,000 per month.

The College will discontinue payment of salary under the Short-Term Disability policy when eligibility to the Long-Term Disability policy begins (six months from the onset of disability). See Section 5.6.8 of this Handbook for details of the Long-Term Disability plan.

This program is administered by the Director of Human Resources who will secure verification of disability from the employee's personal physician. Confirmation of the disability by a physician of the College's choice may be required by the College.

Other benefits (health insurance, life insurance, pension contributions, etc.) will remain in force during a short-term disability absence as if the employee were in active service. The College continues these benefits for the entire month when short-term disability payment is paid for any portion of the month. Employee contributions to benefit plans, where applicable, will also continue during any paid short-term disability as if the employee were in active service.

The employee may continue to participate in appropriate benefit programs at his or her own expense should an unpaid leave of absence be granted following a paid short-term disability absence.

5.6.7.1 Maternity Disability Leaves

Maternity disability leaves are granted in accordance with the Family and Medical Leave Act of 1993 and with the College's short term disabilities policy. The disability period for a maternity leave is determined by the attending physician's certification of disability and is often six weeks following the date of delivery. Also, see Section 5.6.9 for information regarding Family and Child Care Leaves.

5.6.8 Long-Term Total Disability

Total disability occurs when illness or injury, not compensable under Workers Compensation, prevents a full-time employee from continuing to work.

After one year of employment at the College, persons who are employed at least 24 hours weekly or 1248 hours per year in a single assignment are covered by total disability insurance. The College pays the entire premium.

Benefits begin on the first of the month following six consecutive months of total disability and continue during such disability as certified to the insurer. Certain age restrictions apply.

The long-term disability insurance provides a monthly income benefit, an annuity premium benefit equal to the amount being paid to a TIAA-CREF retirement plan at the time of disability, and payment of premiums for continuation of existing group life insurance coverage.

5.6.9 Child and Family Care Leave

Family and child care leaves are granted in accordance with the Family and Medical Leave Act of 1993. Family and child care leaves are leaves without pay and may be requested by an employee of either sex.

5.7 Social Security Payments

The College matches each employee's contribution to social security. The social security contribution by the employee is paid through payroll deduction.

5.8 TIAA-CREF Retirement Annuity Plan

All full-time employees shall be enrolled in the Teachers Insurance and Annuity Association (TIAA) retirement program on the first day of the month following the completion of two years of full-time service. This preliminary service period is waived for any new employee who, at the time of employment at Muhlenberg, has a fully vested annuity contract that is in force and to which the previous employer is contributing.

Under the College retirement plan, the College makes contributions to individual TIAA-CREF retirement annuity contracts for each eligible employee. No employee contribution is required. Employees receive information from the Human Resources Office regarding the annuity contract applications they must complete when they become eligible to participate. Descriptive materials on the retirement program and the various options available may be secured from the Human Resources Office.

5.8.1 TIAA-CREF Supplemental Retirement Annuity Program

Under a salary reduction agreement made through the Office of Human Resources, in accord with section 403b of the Internal Revenue code, full-time employees may, from the time of employment, request that the College reduce their salary on a monthly schedule and purchase supplemental annuities from Teachers Insurance and Annuity Association.

5.9 Group Life Insurance Plan

All full-time employees who work at least 24 hours per week or 1248 hours per year in a single assignment are enrolled in the group life insurance program on the first day of the month which coincides with or next follows 12 months of employment. Muhlenberg College pays the entire premium for this insurance, the benefits of which are based upon the employee's current salary and age.

5.10 Group Health Insurance

Employees who work full-time may choose to enroll themselves and/or their dependents, including a qualified, same-sex domestic partner, in any of the health insurance plans offered by the College. The program is voluntary with the College paying approximately 80% of premium

costs for the selected plan and the employee paying the balance on a pre-tax basis through payroll deduction.

Employees who do not need health insurance sign a waiver indicating they have coverage through another plan, such as that provided by a spouse.

The enrollment period is within 30 days of employment. After that, an open enrollment period is held each year with changes and new enrollments taking effect January first, the College's anniversary date with each carrier. More information is available in the Human Resources Office.

5.11 Dental Insurance

Dental insurance is available to all full-time employees, dependents and a qualified same-sex domestic partner. The plan provides coverage for preventive care and simple restorations (fillings) for adults and children. The plan also provides access to discounts on periodontic, endodontic and orthodontic services. The full cost is paid by the employee through payroll deduction.

Initial enrollment is available for 30 days after employment. Additionally, an open enrollment period is held each year with enrollments taking effect January 1.

5.12 Workers' Compensation

All employees of the College are covered by Workers' Compensation, which pays for covered medical expenses incurred from accidents or illnesses that are job-related. Any accident at the place of work must be reported promptly to the Department of Campus Safety, the Human Resources Office and the supervisor. An employee's failure to submit accident reports promptly may result in denial of a claim to benefits or delay in the payment of benefits.

5.13 College Tuition Support

Tuition scholarship programs are intended to provide the means for the dependent children of eligible employees to attain a college education. These programs also provide eligible employees of the College and their spouses the opportunity for self-improvement. All support is limited to undergraduate courses. Details of the scholarship programs, including information regarding eligibility criteria and participating institutions, are available in the Human Resources Office.

5.14 Travel Accident Insurance

Effective upon employment, a "principal sum" indemnity for death or specified personal injuries while away from home on a trip "on business of the College" is provided for all full-time members of the academic staff.

Protection against liability for personal injury arising out of or in the course of employment as a teacher at the College is also provided to all full-time members of the academic staff.

5.15 Relocation Allowance

The College provides a relocation allowance for newly-employed full-time academic staff members if they are coming to Allentown or vicinity from out of town. The amount available is based on mileage according to a schedule established by the Vice President of Finance/Treasurer of the College. Reimbursement of costs up to the maximum allowance is made on the basis of submitted expense receipts after a new faculty member arrives on campus.

5.16 Death Benefit

If a full-time academic staff member should die before retirement, the College provides a death benefit in addition to group life insurance. The amount of the benefit is based on length of service.

If the faculty member has been continuously employed for less than one year at the time of death, the amount is equal to two weeks of current salary and is in addition to what has been earned. If the faculty member has been employed for one to five years of continuous service, the amount is equal to one month of current salary. If the faculty member has been continuously employed for five or more years, the amount is to equal two months of current salary.

Payment is to be made to the surviving spouse of the faculty member or to the contingent beneficiary(ies) named on the College's group life insurance contract. Such payment is not considered to be taxable income either by the state of Pennsylvania or the Internal Revenue Service and no withholding shall take place on the entire amount.

5.17 Post-Retirement Benefits

With regard to the post-retirement benefit program, Muhlenberg College reserves the right to change, modify, or discontinue the program or eligibility requirements and will provide appropriate notification in case of any such change.

5.17.1 Group Life Insurance

A full-time employee retiring subsequent to November 30, 1983 at age 60 or older who has been employed by the College for at least 10 consecutive years, will be carried by the College on group life insurance coverage according to the schedule in effect at the time of retirement.

5.17.2 Retiree Health Insurance Premium Reimbursement Plan

Eligible retirees are those who were hired before 1/1/96 and retire at age 60 or older with at least ten years of continuous service. Under this plan, the retiree selects health insurance of his/her choice and the College reimburses a portion of the health insurance premiums paid by the retiree (and, if married at the time of retirement, his/her spouse). Eligibility to premium reimbursement continues for the lifetime of both the retiree and the spouse. The dollar amount of

reimbursement is reviewed annually and may be adjusted after considering medical cost increases and the financial health of the College.

5.17.3 Tuition Scholarships for Dependents

Eligible retirees retain tuition scholarship benefits for their dependents, subject to specific limitations. Complete guidelines for tuition scholarship benefits are available in the Human Resources Office.

6. ACADEMIC AND RESEARCH RESOURCES

6.1 Computer Services

All members of the academic staff have access to computing resources through either his or her department or through the Office of Information Technology. In addition, there are a number of microcomputers located in various offices, classrooms and laboratory facilities.

Policies on computer access, duplication of copyrighted system, and privacy of data which were approved by the faculty on April 24, 1987 are available from the Office of Information Technology.

6.2 Cultural Events Program

Most cultural events on campus are open to the public free of charge. For those events for which admission is charged, Muhlenberg faculty members and faculty from LVAIC colleges often receive a discount upon presentation of a valid identification card.

6.3 Faculty Research and Professional Growth Grants

The purpose of the faculty research fund is to stimulate faculty research and professional growth which is related to the enrichment of the quality of academic life at Muhlenberg College. The fund is available to all full-time faculty members and is used to award grants in the following categories:

- a. Summer stipends:
 1. Research and study which will lead to publication, exhibition, or performance.
 2. Creation of new programs or courses.
 3. Enrichment of current courses.
 4. Professional development.

Recipients of these stipends must agree to devote at least eight weeks of full-time work to their projects and agree not to accept other professional obligations during this period.

A limited amount of funds is available for summer stipends which will cover a four-week period.

Collaborative proposals with two or more faculty members presenting an application, each of whom applies for an eight-week or a four-week period, will also be considered.

- b. Direct expenses:
 - 1. Direct expenses for research related to publication
 - 2. Direct expenses for dissertation expenses of faculty Ph.D. candidates.

A limited amount of these funds is also available throughout the academic year upon application to the Provost.

Seven copies of proposals should be submitted to the Provost and the application will be evaluated by the Provost and the Faculty Development and Scholarship Committee.

All recipients of such grants agree that within three months of the termination of the period during which the funds were expended, he or she will present a written report of the results of the project to the Provost. The applicant further understands that he or she may be called upon to discuss some of the results of the project before an informal faculty colloquium.

6.4 Departmental Enrichment Grants

Grants are available from the Provost's office for the purpose of enriching programs within a department. The grants are intended to strengthen a department's work by encouraging and supporting the faculty and the students in the department. Equipment purchases will normally not be available within the grant. A description of the project plus an itemized list of anticipated expenses and timetable should be submitted to the provost for approval. At the conclusion of the work, a brief report on the results of the project as well as expenses should be submitted to the Provost.

6.5 Student Research Grants

Funds are available for students to present their research both on campus and at other professional meetings. Application may be made by departments to present the work of distinguished students on campus in order to cover expenses for such occasions. Application may also be made by a faculty member or department who recommends that a student or students present their work at a professional meeting. A description of the undertaking plus an itemized list of anticipated expenses should be submitted to the Dean of the College for

Academic Life for approval. At the conclusion of the work, a brief report on the results of the project as well as expenses should be submitted to the Dean.

6.6 Pre-Doctoral Loans

Full-time faculty members are eligible to apply for cancelable loans to pursue doctoral studies on a part-time or full-time basis. The loans are made jointly by the College and the Department for Higher Education of the Evangelical Lutheran Church in America. Further information is available from the Provost.

6.7 Procurement of Grants

Grants from external agencies or organizations for the support of research, scholarship, professional and creative activities, as is the case for all gifts and grants to the College, should be pursued with the assistance and approval of the Office of Foundations and Corporate Relations which is responsible for arranging to secure any approvals and signatures required for submission of grant proposals. The Director of Foundations and Corporate Relations provides information and assistance for faculty members in identifying potential grant sources and preparing proposals.

6.8 Professional Travel

Funds for faculty travel to professional meetings and conferences are made available on a departmental basis. Each department chair decides how best to use available funds. If a full-time faculty or adjunct faculty member is reading a paper or serving as an officer at a professional meeting, he or she may apply to the Provost for travel expenses beyond funds available in the department budget. Members of the academic staff requesting such payment for travel expenses must obtain approval from the department chair and the Provost and must secure the proper forms from the office of the Provost. Expenses must be itemized and receipts furnished for such major items as food, transportation, and lodging.

6.9 The College Library

The Harry C. Trexler Library has an on-line catalog, collection development programs and a full-time staff. The Library's mission is to:

1. acquire, preserve and make available for use a collection of recorded knowledge supporting the College's curricular goals;
2. teach students and assist faculty to find and use our Libraries' resources and information resources elsewhere; and
3. foster and encourage learning and scholarship.

For a comprehensive overview, the academic staff may find these library publications available at the Information Services desk useful: A Guide to the Libraries (Handbook); The Topic Guides Series (The Research Paper, On-Line Services, Periodicals, Microforms, Interlibrary Loan, and Government Documents); and the Women's Studies College Guide: Cressman Library.

Information on selected services—information and instruction, lending, reserves, interlibrary loan and collection development—is located in Appendix D attached to this Handbook.

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7. CAMPUS SERVICES

7.1 Administrative Offices

During the academic year, the administrative offices at the College are open 8:30 a.m. to 5:00 p.m. weekdays. During the summer months, special arrangements may be made and announced to all employees.

The administrative offices are closed in observance of the following holidays: Labor Day, two days for Thanksgiving, Christmas Day, New Year's Day and three other days during the Christmas/New Year's break, Martin Luther King, Jr. Day, Good Friday, Memorial Day and Independence Day. Some administrative offices remain open on Labor Day, Martin Luther King, Jr. Day, and one of the days during the Christmas break. The Human Resources Office issues a listing of these offices each year.

7.2 Athletic Facilities

The members of the academic and administrative staffs and their families with valid ID cards are entitled to use the facilities of the Life Sports Center, including the gymnasium, Field House, racquetball courts, the weight-training room and the swimming pool. Hours of operation are posted by the Athletic Office. During the academic year, use of the swimming pool by the academic and administrative staffs is restricted to certain hours. Staff members may request a temporary visitor's pass for one guest.

7.3 Blood Bank

Any employee is eligible to become a member of the blood insurance program. This insurance covers all blood products provided to employees and their family members through the Miller Memorial Blood Center. Employees and family members are encouraged to donate at one of the facilities of the Center and/or at one of the mobile blood units scheduled on campus each year. However, contribution of blood is not required for this coverage.

7.4 Bookstore

The College-operated bookstore is located on the lower level of Seegers Union. It handles the sale of all textbooks and other reading and classroom materials required by students. Special service is available for single copy orders of books. Computer hardware and software are offered at educationally discounted prices. A wide variety of other items are also available for sale. Upon presentation of a Muhlenberg College ID card, employees receive a 10% discount on most purchases. (Food items, magazines and special sale items are ineligible for this discount.) Postage stamps are available at cost and a fee-for-service facsimile machine is available for personal use. Personal check cashing is available up to \$25 per day with employee ID card.

Notices will be sent before each semester specifying the date that book requisitions are due along with special instructions.

7.5 Classroom Supplies

Examination books are available from the Print Shop at any time and need not be requisitioned. Only academic and administrative staff members may pick up examination books at the Print Shop.

7.6 Classroom and Office Equipment

Equipment items are those defined as being capital in nature with a useful life of at least several years. Equipment requests must be included in the requested annual departmental budgets. All equipment requests must be approved by department chairs. The administration assists in the prioritizing of purchases. The Finance and Business Office determines the best vendor to utilize for the purchase and handles the associated details.

7.7 Public Relations Office

Members of the academic staff are encouraged to contact the Public Relations Office about their professional and community activities so that a news release can be prepared and issued to the appropriate news media. Newsworthy activities include faculty publications, presentations of papers, serving as panelists, critics, or reactors at professional conferences, election to officer positions or boards of professional and civic organizations, and research or studies undertaken (individually or with Muhlenberg students).

Members of the academic staff are urged to contact the Public Relations Office when they are in conversation with any reporter regarding a story. The Public Relations Office can often assist the reporter and capitalize on the contact the faculty member is providing.

In addition, the Public Relations Office provides services for production of brochures, programs, or fliers for college-sponsored events.

7.8 Dining Facilities

All Seegers Union dining facilities are open to faculty and academic staff members. These facilities include the Garden Room and the General's Quarters.

7.9 Duplicating Services

The Print Shop handles all requests for multilith reproduction and photocopying. Request forms, which may be obtained in the Print Shop, should be attached to all originals. As much time as possible should be allowed for the completion of the work. Examinations must be submitted at least 48 hours before the examination is scheduled.

7.10 Photocopying

Authorized College work also may be photocopied without charge on machines conveniently placed throughout the campus. College related work volume is recorded on departmental copier keys or on tally sheets provided near each machine.

Personal photocopying may be done at \$.10/copy at the machines located in the Print Shop lobby, in Seegers Union lobby, and in the Trexler Lobby.

7.11 Emergency Medical Services

Employees injured on the job should visit the College Health Center during office hours or contact the Campus Safety and Security Office (Emergency Ext. 3110, Non-Emergency Ext. 3112). If necessary, Campus Safety and Security will arrange transport to an appropriate medical facility. For all work-related injuries, an accident report must be completed promptly to ensure eligibility under the worker's compensation insurance maintained by the College. Should a medical emergency occur during office hours, employees may seek assistance at the Health Center with the understanding that the primary mission of the Health Center is to address the health needs of students, not to provide primary care to employees. Beyond work-related injuries and medical emergencies, the Health Center provides additional employee services related to selected Employee Wellness Programs (such as influenza shots, blood tests, etc.), announcing them as they are scheduled.

7.12 Identification Cards

The Office of the Director of Seegers Union issues identification cards to all full-time and part-time academic staff members and members of their families for the purpose of admission privileges to local College athletic contests and other College events. The identification card also functions as a Trexler Library card. For employees of the day program, eligibility to an identification card is certified by the Human Resources Office. Wescoe School employees may be certified by either Human Resources or the Dean of the Wescoe School. Upon separation from employment, all ID cards must be returned to Human Resources.

7.13 Mail Service

U.S. mail is delivered each weekday. Information regarding the receipt and mailing of packages may be obtained from the mail clerks. Departmental budgets are charged the cost of mailing materials which relate to the operation of the College; personal mail must be paid for by the sender. All departments have a four digit account number which is used for charging. All outgoing mail must be labeled with the four digit number.

7.13.1 Intracampus Mail

Intracampus mail is delivered to each department daily. Special intracampus envelopes for this purpose may be obtained from the Print Shop.

7.14 Media Services

The Media Services Department, located both in the Center for the Arts and Ettinger buildings, is available from 8 a.m. to 10 p.m. every academic day to service instructional video, audio-visual, and presentation equipment needs. Upon scheduled request, Media Services personnel will deliver, set-up, test and, if necessary, operate the required equipment. Media Services also provides production consultation and training services. To reserve equipment, please call the coordinator of technical services, Ext. 3459. For other requests or questions, please call the Director of Media Services (Ext. 3457) or use e-mail.

For information regarding media software (films, videotapes, etc.) available and reservation, contact the supervisor of Trexler Library Audio-Visual Services (Ext. 3450).

7.15 Parking

Limited parking space is available for the academic staff at the parking lots located behind the Trumbower Science Building, behind Trexler Library, behind Seegers Union, and behind the Center for the Arts. Parking is assigned to specific lots determined by a lottery conducted annually by the Office of Campus Safety and Security. Human Resources provides vehicle information registration forms to new employees and the Campus Safety Office provides a parking tag free of charge for authorized vehicle(s) with a designation of a campus parking location. Improperly parked or unregistered vehicles are subject to ticketing and fines.

7.16 Seegers Union

Reservations for space and special meals in Seegers Union must be completed by filling out reservation slips either in person at the Seegers Union office or by mail with a reservation request form.

7.17 Student Employees

Academic departments may apply to the Financial Aid Office for the service of one or more students who have applied for campus employment. Time sheets for each student must be kept and approved by the supervisor and forwarded to the Controller.

Students are also available for departmental service on a part-time hourly pay basis provided funds for this purpose have been included in departmental budgets. The selection of students is made by the supervisor and pay is determined by a scale published and supervised by the Director of Financial Aid. Some departments have limited funds for hiring students with highly developed specific skills regardless of financial need.

Each department is responsible for time-keeping and must submit reports to the Controller at the end of each pay period; payments are made to students through the Controller's office.

7.18 Student Services

Faculty members may wish to refer students to the Chaplain, the Director of Health Services, the Dean of Students, the Residence Life staff or the Counseling Center staff for special counseling.

The Career Center assists in finding part-time or summer work for students and arranges workshops, seminars and interviews for students.

Specialists in health and/or drug and alcohol problems are provided in the Health Center/Counseling Center.

The Academic Resource Center coordinates assistance for students through tutoring, study skills seminars and individual academic counseling. This office also coordinates assistance for students who have special needs or disabilities. This office maintains a list of persons available for tutoring students who need help. Faculty members are requested to advise good students of their eligibility to serve as tutors and to inform students who need tutoring of the availability of this service.

7.19 Telephone Service

Telephone service is available for every faculty member. The main number for the College, (484) 664-3100, is answered by dispatchers in the Campus Safety and Security Office on a continuous basis. Faculty members are encouraged to have callers dial their direct line phone number (rather than the main number for the department or the College) to minimize the number of calls that must be transferred.

7.19.1 Toll Calls

Business calls are charged to individual departments on a monthly basis. Personal calls are the responsibility of the caller and are to be paid to the Cashier in the Controller's Office.

7.20 Facsimile (FAX) Service

Facsimile machines are available for business use in many offices across the campus. Faculty departmental secretaries will direct employees to the appropriate location for work-related facsimile transmission. For personal use, a facsimile machine is available in the College bookstore.

7.21 Use of College Facilities

Faculty and adjunct faculty members wishing to use classrooms at times other than during regularly scheduled class periods must contact the office of the Director of Seegers Union. A "master calendar" is maintained there listing all reservations for special use of space throughout the College.

7.22 Use of College Vehicles

Several vehicles are available for use on College business. Reservations must be made through the supervisor of grounds as far in advance as possible.

7.23 College Keys

All academic staff members are issued keys appropriate to their needs for access to the buildings and offices where they work. Academic staff members are personally responsible for safeguarding all keys issued to them by the College, including access card keys used for certain buildings and offices. Should your keys be lost or stolen, immediately report the circumstances of the loss to the Campus Safety and Security Office. They will conduct the appropriate investigations and arrange for replacement of locks or reprogramming of security systems as appropriate. Upon termination, all College issued keys are to be returned to the department chair.

7.24 Campus Safety and Security

The College endeavors to provide a safe and secure environment for its students and employees. The academic staff and administrators are asked to report any incidents which may indicate criminal activity to the Campus Safety and Security Office. Crime statistics are reported regularly and are accessible to employees and students. Campus Safety and Security also handles fire emergencies, entry to locked buildings and transport of workers injured on the job.

8. ORGANIZATIONS AND ACTIVITIES

8.1 American Association of University Professors (AAUP)

The Muhlenberg chapter of the AAUP engages in discussion and action to maintain and advance both institutional and professional standards. The focus of meetings range from state and national educational issues to particular areas which concern Muhlenberg's program.

8.2 Faculty Club

All faculty and management staff members are eligible to become members of the Muhlenberg College Faculty Club, with facilities at the Hoffman House at 325 N. 23rd Street. The Faculty Club hosts many College affairs, including holiday, spring recess, and end-of-the-year functions. Dues are payable on a semester or yearly basis.

8.3 Muhlenberg College Alumni Association

By provision in the constitution of the Alumni Association, faculty members whether or not they have matriculated as students at the College are deemed members of the Association. Members of the faculty are not only welcome but urged to attend alumni cultural and social gatherings. Alumni of all ages welcome any opportunities to meet and reminisce with members of the College faculty. Registration for most events during alumni reunion and homecoming weekends is complimentary for faculty of the College.

8.4 Phi Beta Kappa

The Pi Chapter of Phi Beta Kappa of Pennsylvania was installed at Muhlenberg College in February 1968. The Society exists to promote excellence in the liberal arts and sciences and to recognize outstanding achievement and scholarly attainment in these studies. The names of seniors elected as members-in-course are announced annually at the Honors Convocation in April and those of juniors in the fall.

9. REVISION OF THE HANDBOOK

Revisions of the Faculty Handbook go into effect upon their approval by the Board of Trustees unless otherwise specified. Revisions to the Faculty Handbook will be posted at the Provost's website within two weeks of their approval by the Board of Trustees. Each revision to the Handbook will be followed by brackets containing the date on which the change was approved by the Board, and where specified, the date at which the provision will go into effect. All revisions to the Handbook will be highlighted in the text for a period of one year following their insertion into the Handbook. All such dates and highlights will be removed at the conclusion of the one year period.

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