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ABSTRACT

This faculty handbook was prepared in May 1972 as a guide to the organization of the faculty and administration of Clark University, and to the rules and regulations of direct concern to members of the faculty. A discussion of organization and administration covers the board of trustees, the president, teaching staff, and committees on personnel. Administrative policies and practices discussed include faculty responsibilities, appointments, termination, and fringe benefits. (KE)

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FACULTY HANDBOOK



SEPTEMBER
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FACULTY HANDBOOK

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FOREWORD

This Handbook, prepared under the aegis of the Steering Committee, is a guide to the organization of the faculty and administration of Clark University, and to the rules and regulations of direct concern to the members of the faculty as of May 1, 1972. Additional copies may be obtained from the Faculty Office.

Additional information about the University and the rules and regulations as they affect students can be found in the Clark University General Catalog.

I. ORGANIZATION AND ADMINISTRATION

A. The Board of Trustees

Final authority in the University is lodged in the Board of Trustees (The Corporation) by charter granted by the General Court of the Commonwealth of Massachusetts. (See the General Catalog for officers and members of the Board and its various committees. Faculty members serve on several committees of the Board of Trustees.)

B. The President of the University

The President serves as an ex officio member of the Board of Trustees. The following staff officers are directly responsible to the President:

The Provost*

The Executive Vice President for Development*

The Vice President for Business Affairs*

The Deans of Students*

The Executive Assistant to the President*

The Chairmen of Departments of Instruction

*Members, along with the Dean of the Graduate School, the Dean of the College and the Budget Officer of the Administrative Committee, which meets regularly and advises the President.

C. The Teaching Staff

The Teaching Staff is composed of faculty members (defined below), adjuncts and affiliates of various ranks*, student teaching assistants, and certain members of other institutions in the area who belong to the Worcester Consortium for Higher Education, Incorporated, of which Clark University is a member.

*Adjunct professorial status is used for intra-institutional, part-time teaching and research appointments; affiliate professorial status is used for inter-institutional, part-time appointments.

D. Internal Organization of the Faculty

1. Membership of the Faculty Assembly

Membership is restricted to those holding full-time academic appointment (including persons who may also be serving in an administrative capacity, and persons holding a joint academic appointment in the Worcester Consortium for Higher Education for whom Clark is the institution of appointment), the President, and the Librarian. Persons designated as members of the faculty under prior regulations and who do not fall within the above categories shall retain their membership for the period of continuous appointment in their present position, but their successors shall not have faculty status unless the Faculty votes otherwise.

New appointees and others not clearly qualifying under the above requirements shall be considered by the Committee on Personnel which shall recommend to the Faculty Assembly a determination of their status.

2. Officers of the Faculty Assembly

The following officers are elected at-large, and serve three-year, simultaneous terms:

The Faculty-Chairman calls faculty meetings, conducts meetings of the Steering Committee and serves as Vice Chairman of faculty meetings (the President or Provost acting as Chairman), gives leadership to the faculty, and serves as the major faculty representative in all appropriate university-wide governance bodies.

The Secretary of the Faculty keeps the minutes of faculty meetings, receives and sends communications for the faculty, receives communications from faculty and university committees, keeps minutes for and prepares agendas and reports at the direction of the Faculty Steering Committee, maintains the roster of the faculty, and conducts nominations and elections of officers and committee members chosen by the faculty.

The Parliamentarian of the Faculty is adviser to the Chair in making rulings during the course of faculty meetings on matters of procedure. Parliamentary decisions may be overruled by a two-thirds vote.

3. Committees of the Faculty Assembly

The Faculty Steering Committee prepares the Agenda for faculty meetings*; oversees the operation of and serves as liaison

*New business may be brought to the floor at a faculty meeting by someone other than a member of the Steering Committee.

with faculty committees, encouraging frequent reporting; receives reports, determining their distribution and subsequent consideration by the faculty; and assumes responsibility for the preparation of the Faculty Handbook.

The Committee is composed of the faculty officers; the President; the Provost; the Deans; the chairmen of the Undergraduate Academic Board, the Graduate Board, and the Committee on Personnel; three members of the faculty who have been members of the faculty for more than four years, nominated by those faculty members of more than four years' standing, and elected at-large; and three members of the faculty who have been members of the faculty for four years or less; nominated by those faculty members of four years' standing or less, and elected at-large. Each elected member shall serve a three-year term, one elected each year, and a member elected under the last category whose service at Clark University while in office exceeds four years shall serve as a committee member for his full three-year term. Elections are by closed ballot, normally at the election meeting in the Spring.

The Faculty Nominating Committee, composed of those faculty members elected to the Faculty Steering Committee, including the Faculty officers, prepares a slate of nominees for all faculty offices and committees excepting the Faculty Steering Committee and the Committee on Personnel, and in making nominations seeks to provide the widest possible participation of all faculty members

in governance. Additional nominations from the floor are always in order. The slate prepared by the Committee shall be presented to the faculty at least five days before the scheduled election.

4. Meetings

- a. Regular meetings of the Faculty Assembly are announced in the Fall for the entire academic year. Agenda are normally circulated five days before a meeting.
- b. Special meetings of the Faculty Assembly may also be called, and, whenever possible, will have a five-day notice with pre-circulated Agenda. The business at special meetings shall be restricted to the announced Agenda.
- c. Emergency meetings of the Faculty may be called on twelve hours notice by the Faculty Steering Committee. The business of the meeting shall be restricted to the emergency for which the meeting has been called.
- d. A quorum consists of one more than half of the members of the Faculty in residence.
- e. Minutes of the meetings are kept on file in the Faculty Office and may be inspected there by members.
- f. The latest edition of Robert's Rules of Order shall govern the Faculty Assembly meetings in all cases to which they are applicable and not inconsistent with the By-laws or with any special rules of order that the Faculty Assembly may adopt.

5. Jurisdiction and Business

a. The Faculty Assembly is the policy-making body in all areas in which the faculty as a whole has responsibility: academic programs, curricular matters, standards, student recruitment, admissions and aid, and internal organization. The faculty may delegate responsibility to other groups or sub-groups, or share it.

b. Appropriate Business for the faculty is that business which is broadly construed as having to do with the effective academic functioning of the University. In general it is a responsibility of the Faculty Steering Committee to deal with the question of the appropriateness of business in drawing up Agenda items for the Faculty Assembly.

(1) Business not offered or accepted in advance as an Agenda item and brought up within the framework of New Business may be introduced at the meeting as Appropriate Business, despite a ruling of the Chair to the contrary, by a two-thirds vote.

(2) Should at least one-third of the vote have deemed the item appropriate business, the issue shall be returned to the Faculty Steering Committee for consideration. The Steering Committee shall report to the next faculty meeting its decision as to the appropriateness of the items and justify its position. Should the Steering Committee have ruled the item inappropriate for discussion, the ruling may be reversed by a majority vote.

c. Important Business relates to sensitive, on-going University-Faculty procedures which particularly demand a thoughtful, deliberative process.

(1) Important Business may be so designated in advance of the Faculty Assembly meeting by the Faculty Steering Committee and declared so by the Presiding Officer of the Assembly at the meeting. This would normally be stated on the pre-circulated Agenda.

(2) It is, however, also the responsibility of each member of the faculty, including the Presiding Officer, to appeal for invocation of the Important Business ruling should he feel this warranted. Under these circumstances, the business may be designated as important by a one-third vote. The motion to declare an item Important Business, when brought up from the floor, is debatable but not amendable. Discussion on the motion may be limited by the ruling of the Chair.

(3) Each motion designated as Important Business must be passed by a majority vote at two separate meetings, each properly called, with advance notification. Such motion may be amended between first and second votes provided that the amendment is germane.

E. The Committee on Personnel (COP)

1. This Committee advises the President on matters pertaining to appointment, reappointment, promotion, tenure, and dismissal; and is responsible for maintenance of faculty morale as related to personnel problems.

2. Membership

The Committee is composed of nine members of the faculty who hold tenure or who have held a faculty appointment in excess of three years. The President, the Provost, the Dean of the Graduate School, and the Dean of the College serve as ex officio and non-voting members.

3. Nomination, Election, and Term of Office

The Secretary of the Faculty submits the list of eligibles to the faculty at least twelve days before the election meeting in the Spring and members send the Secretary within four days thereafter sealed nominations of three candidates. The Secretary then announces the six names (and ties) receiving the largest number of nominations and thereafter a petition, signed by at least ten percent of the faculty and submitted to the Secretary not later than four days before the election meeting of the faculty, may place an additional name or names in nomination. The faculty by closed ballot, normally at the election meeting, elects three members to the committee for a three-year term by a plurality of votes cast, with no one winning election who receives less than forty percent of the votes cast.

For each additional vacancy, one additional nomination shall be solicited from the faculty and two additional names shall then be placed on the ballot. A faculty member, while serving on the Committee on Personnel, is not eligible for nomination for an additional term. The Chairman is elected from and by the faculty members of the Committee.

For regulations and guidelines concerning "Responsibilities, Criteria and Procedures in Faculty Personnel Decisions," see below under Part II.

F. Faculty Boards and Committees of Shared Responsibility

The following committees share responsibility with representatives of other components of the University community, but derive their authority from the Faculty Assembly and report to it.

1. The Undergraduate Academic Board has general supervision of the educational policies of the College. It makes recommendations to the faculty concerning such policies, approves any new course of study offered to undergraduates, and supervises honors work, and comprehensive honors examinations.

All ad hoc and standing committees relating to undergraduate curricula, such as January Study, Black Studies, Pre-Law, Pre-Medical, and the Summer School Board, and all subsequent committees concerned with academic procedures and practices report to the Undergraduate Academic Board.

Membership is composed of the Dean of the College as Chairman, six elected faculty members representing Groups A, B, and C-D, and three students, with the addition of the President, the Provost, and the Dean of the Graduate School. Nominations for faculty membership on the Board are made on the basis of the individual faculty member's interest in the Board's supervisory and innovative roles. The Student Council chooses the student members.

2. The Graduate Board formulates rules and regulations for organization, control, and supervision of graduate work; makes recommendations concerning proposals for new programs or the elimination or expansion of existing programs and refers such recommendations to the Faculty Assembly and ultimately to the Trustees; determines policy and control over graduate credentials, admissions, scholarships, and fellowships; and determines policy concerning all graduate degrees.

Membership includes representatives of each graduate department, the number and basis of selection to be determined by the Board, which also may decide to include at-large members; ex officio the President, the Provost, the Dean of the College, the Coordinator of Research, the Associate Dean and the Dean of the Graduate School, who is Chairman of the Board; and three representatives of the Graduate Student Council.

The Executive Committee of the Board is made up of one representative from each graduate department and is chaired by the Dean of the Graduate School.

3. The Research Board acts as an advisory body to the faculty and administration in all matters pertaining to sponsored research in the University and in the allocation of available University funds for research purposes.

Membership is made up of the Coordinator of Research (Chairman), four faculty members from graduate departments, two from undergraduate departments, a graduate student, and an undergraduate student. The faculty members are elected by the faculty for a staggered three-year term. The student members are chosen by their respective student councils for a one-year term.

University policy concerning sponsored research is as follows:

While supporting and encouraging the procurement of research and other grants, Clark University approves only such proposals as:

- (1) Conform with the recognized objectives of Clark University;
- (2) Impose no restriction upon the publication of research results, unless a clear national emergency requires such limitation; and,
- (3) Represent genuine research and educational interests of the Principal Investigator or Director.

For further information concerning research, see the handbook; "Sponsored Research: Policy and Administration," issued by the Coordinator of Research.

Reporting to the Research Board are the following committees:

- a. The Biomedical Sciences Committee allocates funds from the Biomedical Sciences Grant. The Coordinator of Research is Chairman, and the members are appointed by the President

upon the nomination of the Coordinator of Research from among those doing health-related research, normally in the natural sciences and psychology. The term of appointment is to be established.

b. The Committee on the Rights of Human Participants in Research and Training Grants. The function of this committee is to review and approve experimental procedures of all research and training programs supported by the Public Health Service which involve the use of human subjects. The Coordinator of Research is chairman, who appoints to membership three faculty members, an undergraduate and a graduate student.

c. The Committee on Conflict of Interest implements the statement jointly issued by the American Council on Education and the American Association of University Professors "On Preventing Conflict of Interest in Government-Sponsored Research." The duties and obligations of the Committee are:

(1) To issue annually to the University staff (administrators, faculty members, professional staff members and other employees) a statement of the ethical standards expected of the Clark community, and of such rules and regulations concerning outside activities, including consulting, and sponsored research as already exist or may be enacted;

(2) To expect reporting of outside activities by the University staff (as amended by the Faculty, March 1969);

(3) To receive and act upon reports of situations involving a possible violation of ethical standards; and,

(4) To investigate and act upon such situations as the Committee itself may deem necessary in order to avoid conflicts of interest.

Membership is made up of the Coordinator of Research (chairman), one member of the administration appointed by the President, and three members of the faculty, one each representing Groups A, B, and C-D, elected for a staggered three-year term by the faculty.

4. The College Board consists of the Deans of Students (co-Chairmen); the Registrar; four other members of the faculty, one elected by the faculty each year for a four-year term; and two undergraduates selected by the Student Council.

The Board deals with the problems of academic standing, acts on individual petitions for exceptions from academic regulations, and recommends to the Trustees candidates for the bachelor's degree who have completed the stated requirements.

5. The Undergraduate Admissions Committee consists of the Dean of the College, the Deans of Students, the Director of Admissions, four faculty members, three students (at least one of whom should not be a graduating senior), and one faculty member (either the chairman or his designee) from the Financial Aid.

Committee to provide coordination. The Committee elects one of the faculty members as chairman.

6. The Undergraduate Financial Aid Committee consists of the Dean of the College, the Deans of Students, the Director of Financial Aid, the Vice President for Business Affairs, four faculty members, three students (at least one of whom should not be a graduating senior), and one faculty member (either the chairman or his designee) from the Admissions Committee to provide coordination of the two committees.

7. The Library Committee consists of the Librarian, a representative of the library staff, three members of the faculty, one each from Groups A, B, and C-D, one of whom is the chairman, two undergraduate students and one graduate student. The faculty members are elected by the faculty for staggered three-year terms. The students are chosen by their respective student councils.

The Committee acts as an advisory group working in close cooperation with the Librarian.

8. The Computer Committee provides advice and assistance to the University and to users of computer equipment, coordinates programs and activities, and deals with other matters related to computers, calculators, and other data-processing operations. Membership is made up of the Director of the Computer Center, the Dean of

the Graduate School, the Coordinator of Research, and the Vice President for Business Affairs, ex officio, and six elected members of the faculty for staggered three-year terms. The chairman is chosen from the faculty membership.

9. The Evening College Board determines the policies and educational offerings of the Evening College. It is composed of the Director of the Evening College, (chairman), six members of the faculty appointed by the President, and three students chosen by the Evening College Student Council.

10. The Summer School Board advises the Director of the Summer School, who is chairman of the Board. Eight faculty members, appointed by the President, make up the membership.

G. Committee Terms and Vacancies

1. Start of Terms

The terms of all Faculty Committees with the exception of the Committee on Personnel shall start with the close of the academic year (June 1, to coincide with commencement). The term of the Committee on Personnel shall start on September 1.

2. Filling Vacancies on Steering Committee and Committee on Personnel

When unscheduled vacancies occur within the Faculty Steering Committee and the Committee on Personnel, these shall be filled by elections, the Faculty Nominating Committee submitting two names for each unfulfilled position, and the election to be conducted by mail or closed ballot at a meeting. The post to be thus filled shall be for the remainder of the year in which the vacancy occurs.

3. Vacancies on Other Faculty Committees

When unscheduled vacancies occur within faculty committees other than the Faculty Steering and Committee on Personnel, these shall be filled by the committee in which the vacancy occurs from two nominees whose names shall be submitted by the Faculty Nominating Committee. The post to be thus filled shall be for the remainder of the year in which the vacancy occurs.

4. Departmental Organization

The academic department is a functional unit of the University comprising a group of faculty whose competence lies in one or more closely related subject matter areas.

- a. Responsibilities of the Department. Departments propose, justify, and administer departmental and adjunct budgets; make recommendations on appointment; promotion, and tenure of departmental faculty; develop and administer departmental educational programs at the undergraduate, graduate, and post-graduate levels; prepare grant requests for support of these programs from internal and external sources; foster the development of individual faculty research and joint or departmental research programs where appropriate; select applicants for graduate and post-graduate training; recruit and oversee the non-professional departmental staff; propose and supervise library acquisitions in the departmental discipline and related areas; propose and administer the use of departmental space; purchase and supervise the use of equipment; and perform various housekeeping

functions, e.g., the maintenance of records of departmental activity; the preparation of catalog copy, brochures, and publicity; the keeping of student records; and similar matters.

- b. Student Involvement. Since the major part of University life takes place within departmental structures, the meaningful involvement in governance for large numbers of students is best developed in the departments. The department, therefore, involves both students and faculty in the development of curricula and in recommendations for the selection and retention of staff.
- c. Curriculum Review. The department is obligated to undertake frequent reviews of its offerings and to consider possibilities for innovations in its specific subject areas, in the offering of courses and programs for non-majors, and in interdepartmental courses and programs.
- d. The Department Chairman serves as leader of the department for a renewable four-year term. All faculty members of the department are involved with the President in the selection of the Chairman; representative departmental majors and graduate students may also be consulted.

II. ADMINISTRATIVE POLICIES AND PRACTICES

A. Responsibilities, Criteria and Procedures in Faculty Personnel Decisions

1. General

- a. Procedures concerning faculty personnel decisions at Clark University are intended to guarantee for the institution a faculty of as high a quality as possible and for the individual faculty person a maximum degree of fairness.
- b. The University affirms, in principle, the several statements of the American Association of University Professors on academic freedom and tenure and maintains policies and procedures which are consistent with those statements.
- c. The President* will prepare annually by October 15 a description of faculty personnel decision processes, detailing the general and specific procedures, criteria, and allocation of responsibilities with respect to each Department, the Academic Administration, the Committee on Personnel, the faculty as a whole, the President, and the Board of Trustees.
- d. Said description, or notice as to where it may be obtained, is to be distributed to the faculty, student or other observers at the Faculty meeting, and other interested

The use of "President" here and below refers to the President or his designee(s).

members of the Clark community before the initiation of the decision-making process in any given year. It will also be given to prospective faculty prior to offer of appointment.

2. Responsibilities

a. The University's charter provides that the Board of Trustees, acting on recommendations made to it by the President, has final authority for all decisions regarding faculty appointment, reappointment, promotion and tenure.

b. The President is, short of the Board of Trustees, ultimately responsible for faculty personnel decisions.

While the President must give great weight to a candidate's professional qualifications as established within the recommendations of the appropriate faculty bodies, he may, in the light of considerations additional to professional qualifications, e.g., reorganization of educational goals or structures, or financial resources, or institutional needs which may be in conflict with departmental goals, either reject or modify such recommendations. However, in such cases, he is obliged to explain his decision to COP in advance of his recommendation to the Board and inform the Trustees of the different recommendation of COP or other appropriate faculty body.

c. The Committee on Personnel, comprised of five elected faculty members, is advisory to the President in evaluating the professional credentials of faculty. The Committee shall operate in accordance with AAUP regulations as they are appropriate to Clark and expressed in this Handbook. It shall annually review and codify its own procedures and standards, which shall be incorporated in the document, described in 1 c and 1 d above. Each year it shall review all members of the faculty, whether or not brought to its attention in the form of particular recommendations. In the course of its annual consideration of departmental recommendations it will continuously concern itself with faculty morale, with the nature and quality of departmental policies and procedures in personnel decision-making, and, where it has concerns in particular instances regarding such policies and procedures, it may request the President* to address himself to such matters. In the case of new appointments, it shall review credentials if the appointment is to be made with tenure and/or at the level of Professor or Associate Professor.

d. The faculty, through its departments and COP, has primary responsibility for faculty status and is the judge of the professional qualifications of its own membership.¹ It is

¹The AAUP defines "primary responsibility" as "the ability to take action which has the force of legislation and can be overruled only in rare instances and for compelling reasons stated in detail."

responsible for gathering, evaluating and weighing all evidence which goes into its determination of professional qualifications.*

e. A department, upon its own initiative or that of COP or upon the request of one of its own members who wishes consideration of his status, is responsible for promptly organizing and commencing deliberations concerning possible personnel actions in the case of its members. The department shall develop systematic and effective mechanisms for determining scholarly or creative attainment, teaching effectiveness, general service to the university community, and academically relevant civic and community service.¹ It shall evaluate that information and where either appropriate or necessary seek additional primary information. These evaluations and, to the greatest degree possible, the primary data on which they are based, shall accompany the recommendation submitted by the department to the President*.

f. The President* has the obligation, upon receipt of a departmental recommendation, to review that recommendation as to the adequacy of departmental procedures, and where there are deficiencies to refer the recommendation back to the department for further consideration. The President* should also review recommendations across departments for evenness of interpretation and application of criteria and standards, and where there seem to be significant deviations

¹For details see 4. a. Departmental Procedures.

either in the direction of laxity or stringency it should so advise the department chairman and request departmental reconsideration. Where there is a department without a chairman, the President* has the responsibility to designate a person to initiate and conduct departmental faculty personnel deliberations. Finally, the President* has the obligation to submit to COP not only the departmental recommendation but also any other considerations that he considers relevant to a particular recommendation.

g. The individual faculty member is responsible for submitting an accurate vita annually to his department and to the Provost, with the understanding that it will be available to COP and the President as needed. He may also submit to his department chairman, to the President, to the Provost, or to COP any other information or documents concerning himself that he feels will contribute to the effectiveness and fairness of the decision-making process. The individual faculty member has the right of access, on request, to the President, the Provost, the Chairman of COP, and, if necessary, to the full COP, on any personnel matter pertaining to himself, whether or not his case is being formally considered.

h. Before any negative recommendation regarding personnel action is transmitted to the next level, it shall be communicated to the candidate and a candidate may request the authority making the recommendation to review it in the light of additional evidence or interpretation. Both

the basis for review and the response to it must be transmitted with the recommendation to the next level.

i. The President* and the Committee on Personnel are responsible for initiating periodic evaluations of tenured members of the faculty to determine if they meet appropriate performance criteria and, if they do not, to consider the means by which termination of tenured status should be achieved (as by early retirement, resignation with mutually satisfactory terms, or separation for cause in accordance with AAUP guidelines).

It is understood that informal but vigorous attempts at rehabilitation should be made before taking any steps toward termination of tenured status.

3. Standards

a. General

(1) In making recommendations for appointment, reappointment, promotion and tenure, the departments, the President*, and the Committee on Personnel should have as a primary aim the development of the University as a whole.

(2) The general criteria of chief concern in faculty personnel decision-making are as follows:

(a) Scholarly or creative achievement of recognized professional merit in the individual's chosen field, together with promise of its continuance. While this is most commonly, though not invariably, shown by publication or by other professional recognition outside the University, accomplishments equivalent to publication may be substituted where appropriate.

(b) Effective teaching in and/or out of the classroom situation.

(c) Significant contribution to the essential educational work of the University outside the classroom, including development of departmental programs, and participation in University planning or shaping of educational policy, in conspicuously important student advisory functions and committee work, and in academically relevant civic and community services.

(d) Length of service and seniority.

(3) In applying these criteria, the following guidelines shall be used:

(a) Faculty bodies responsible for personnel decision-making must be allowed latitude for defining the degree of accomplishment necessary in each area, as well as the balance of accomplishments in the several areas. Individual cases must be considered as individual cases, on their merits, and in the light of all relevant facts.

(b) While most faculty members will vary in degree of accomplishment with respect to criteria (a) through (c) above, it is expected that all candidates for appointment to the upper academic ranks will normally meet certain minimal standards in these several criteria.

(c) In matters of tenure and promotion to the rank of full professor, candidates for personnel action shall be expected to have met more than the minimal standards in

both teaching and scholarship, but distinguished achievement in either teaching or scholarship may compensate for lesser achievement in the other.

(d) Because of the critical role played by scholarship in the definition of a university, all members of the faculty - including those in the most junior posts - should be encouraged to make contributions to the development and dissemination of new knowledge in their professional fields.

(e) It is acknowledged that there may be variations within narrow limits among departments with respect to degrees of accomplishment expected in, and the weightings assigned to, the several criterial areas, and departments shall make their expectations as explicit as possible in their statement of guidelines and communicate them to prospective new faculty at or before the time an appointment is offered.

4. Procedures

a. Department (see also Section 4 c)

(1) A description of departmental policies and practices regarding personnel decision-making in the case of its members shall be prepared by each department for inclusion as part of the document on personnel practices compiled by the President*. Such policies and practices shall be consistent with guidelines established by the faculty and the Committee on Personnel and shall be subject to review and approval by those bodies.

(2) Departmental personnel recommendations to the President* shall be made only after all regular department faculty members (including full-time faculty, those holding joint appointments with other departments, and those holding Consortium appointments where Clark is the institution of appointment) have been consulted. These recommendations may be decided upon either by the department faculty as a whole or by a duly constituted department personnel committee, and may, where appropriate, reflect information and opinion secured from or submitted by faculty of other departments.

(3) The department decision-making body shall normally secure two or more statements of evaluation from persons outside the University who are expert in the candidate's area of scholarship or creative effort.

(4) The department procedures shall specify means for the evaluation of a candidate's teaching ability including solicitation of information and opinion in written as well as oral form from selected persons (e.g. undergraduate and graduate students, teaching and research assistants, colleagues in own or cognate fields, and recent graduates) who have had occasion to observe the candidate's teaching and who might be able to comment on the candidate's long and short term influence on individuals and educational programs.

(5) Where recommendations are initially decided upon by a duly constituted department personnel committee, the

department chairman, on the request of the candidate, shall call a meeting of the department as a whole at which the personnel committee's recommendation shall be considered.

(6) While information and opinion concerning candidates may be obtained from persons outside the department, and while persons who are not department faculty members may participate at various levels and in various ways in the decision-making process, a department's final recommendation to the President* may be based only on the votes of department faculty members, but the recommendations of groups advisory to the department shall accompany the departmental recommendation.

(7) A chairman shall consult annually with members of his department regarding their progress toward tenure and advanced academic ranks.

b. Academic Administration (see also 4 c)

(1) The President*, upon receipt of department recommendations, shall review them for conformance to university-wide procedure and policy and for adherence to stated department procedure and policy (see 2 f above). He may confer with the Provost and other academic administrators for the purpose of ascertaining whatever organizational, programmatic, financial or other administrative considerations must be taken into account in the making of faculty personnel decisions, either in general or in the case of particular individuals, in order that he may submit such information to the Committee on Personnel.

(2) Where necessary, the Committee on Personnel during its deliberations may request the President* to seek clarification or remediation of department procedures or to gather additional information or opinion concerning candidates.

(3) After the departmental recommendations have been received by the President*, it will be his responsibility to inform each candidate and his department chairman of the progress on the individual's case.

(4) It will be the responsibility, of the President*, along with the Committee on Personnel, to ensure that each candidate under consideration by the Committee on Personnel is made fully aware of all his rights and prerogatives regarding the Committee's procedures, most particularly his right to submit information to the Committee either in writing or in person upon request.

c. The Committee on Personnel

(1) In order to protect all individuals concerned, matters before the Committee and discussions related thereto must be accorded the utmost confidentiality. . However, the chief faculty officer of the Committee may, with appropriate discreet judgment, speak for the Committee. He is always available for consultation with individual members of the faculty on matters within the purview of the Committee.

(2) The President* shall have responsibility for assembling and maintaining complete, accurate and current biographical information on each member of the faculty for the work of the Committee.

(3) In October of each year, the President* shall request the Chairman of each academic department to submit, on behalf of that department, recommendations with respect to reappointment, promotion, and tenure. Such recommendations should be in his hands by November 15 for transmission to the Committee.

(4) Accompanying each department recommendation should be:

- (a) a detailed curriculum vitae for the candidate concerned;
- (b) a statement of the procedures followed by the department decision-making body (only necessary in the case of significant deviation from announced procedures);
- (c) supporting documents summarizing the data upon which the recommendation is based, and, where indicated, primary documents as well;
- (d) letters from at least two outside reviewers who are qualified to assess the professional accomplishments of the individual.

Departments are cautioned against making recommendations solely on the basis of promise, rather than already demonstrated achievement.

(5) In October of each year and in advance of the first meeting of the Committee, the President* shall provide each member of the Committee with a summary of the status of each member of the faculty. This summary should include name, rank, department, date of birth, degrees with dates, rank and year of first appointment to the University, dates and nature of any promotions (including granting of tenure) at the University, teaching experience and academic ranks held elsewhere, and number of years of full-time teaching at Clark and elsewhere. The President* shall also provide the Committee

with a list of faculty by rank, in order of seniority, as well as a list of faculty within each department.

(6) At its first meeting early in the Fall, and before considering individual cases, the Committee shall review the entire list of faculty with a view to the identification of critical cases and to the collection of information. This review shall be used to identify those faculty members whose activities may satisfy stated criteria, but who may not have been recommended for promotion or tenure. It shall also be used to note those instances in which individual faculty members appear not to be demonstrating sufficient professional advancement towards satisfying the stated criteria for promotion or tenure. In connection with this review the Committee may request that additional information be obtained by the President* from department chairmen, extramural references, and any other sources pertinent to evaluation.

(7) At least one week in advance of any meeting at which an individual is to be considered, the President* shall provide each member of the Committee with the curriculum vitae and other relevant documents for that individual.

(8) The Committee shall first consider individuals for reappointment, then those for promotion, and finally those for appointment with tenure.

(9) Since the Committee is intended to convey faculty advice to the President*, only the elected faculty members of the Committee shall vote on motions. Unanimity of opinion

is to be desired. However, should a division of opinion occur, an affirmative vote of two-thirds of the elected faculty members of the committee shall be required to pass any motion for appointment as full professor or for appointment with tenure.

(10) The Committee shall notify the candidate of its recommendation in his case. In the event of a negative recommendation, the President* and the chief faculty officer of the Committee shall meet with the faculty person concerned to convey, within the limits of confidentiality, the basis for its decision.

(11) Normally no recommendation of the Committee shall be forwarded to the President* until all cases before the Committee have been considered and reviewed as a whole. When final Trustee approval has been voted, it is desirable that all individuals involved be notified simultaneously of the decisions of the Trustees.

(12) A copy of that portion of the minutes of the Committee relating to a faculty member shall be inserted into the file of that faculty member.

(13) The Committee on Personnel should be notified as promptly as possible by department chairmen of all decisions regarding non-renewal of appointments, for the purpose of record and to provide the Committee with the opportunity to assure that the procedures followed are consistent with AAUP recommendations.

d. The President

(1) The President has final authority to determine the faculty personnel recommendations that are transmitted to the Board of Trustees. In the event that a recommendation he makes to the Board of Trustees differs from the recommendation made to him by the Committee on Personnel, practice calls for him to inform the Trustees, the members of the Committee on Personnel, the Chairman of the department, and the individual faculty member concerned.

(2) Normally the President, upon request, will convey the reasons for a personnel decision to the faculty person who is the subject of the decision.

5. Terms of Appointment

- a. The terms and conditions of every appointment shall be stated in writing and must be in the possession of both the University and the appointee before the appointment is consummated.
- b. Initial appointment or reappointment at the Instructor level may be for a term of one or two years; at the Assistant Professor level, two years; at the Associate Professor and Professor levels, two or three years.
- c. Notification of nonreappointment shall be given in writing as follows: by March 1 of the first academic year of service if the appointment expires at the end of that year; by December 15 of the second academic year of service if the appointment expires at the end of that year; at least twelve months before the expiration of an appointment after two or

more years at the University. Academic year contracts are understood to run from September 1 through August 31.

d. The probationary period prior to tenure is a maximum of seven years of full-time service at the Instructor rank or higher at any institution of higher education, except that, after service of more than three years in one or more institutions other than Clark, it may be agreed in writing that the appointment at Clark is for an additional probationary period of 4 years maximum.

e. Notification must be given at least one year prior to the expiration of the probationary period if the faculty member is not to be continued in service after the expiration of that period; failure to give such notice results in automatic tenure.

f. Unless agreed otherwise in writing in individual cases, time on sabbatical leave or leave of absence does not count as probationary service.

Notification is made to all faculty members by March 15 of each year of their status for the following Fall, including rank and - unless unavoidable budget procedures forbid - salary.

A faculty member may not be dismissed before expiration of a contract or after he has been awarded tenure except for adequate cause, with guarantee of academic due process, or for reasons of demonstrably bona fide financial emergency.

6. Review and Appeal Procedures in the Renewal or Nonrenewal of Faculty Appointments*

a. The Faculty Review Committee

The Faculty Review Committee (FRC) shall consist of the tenured non-chairmen who are members of the Nominating Committee and who are not currently on COP. In the event that there are not at least seven members of the Nominating Committee so qualified, members shall be added from those receiving the highest number of votes, but not elected, in the latest election to the Steering Committee, provided that they meet the stated limitations, to bring the number to seven if possible. In the event that challenges and voluntary withdrawals in a particular case reduce the number of FRC members sitting on the case to less than three, an election conducted by mail ballot shall be held for additional members (again also meeting the stated limitations) to bring the number to three.

b. The Decision Not to Renew

Once the Board of Trustees has decided not to renew the contract of a faculty member on probationary appointment, the faculty member has two rights: the right to be apprised of the reasons underlying the decision; and the right to petition for review, if he feels that his academic freedom has been violated, or that inadequate consideration was given to his case.

*The following procedures have been designed to reflect the statement on procedural standards adopted by the council of the AAUP in April 1971, and endorsed by the 57th annual meeting as Association policy. That statement has been adapted to the needs of Clark University.

(1) Notice of Reasons for Nonrenewal (Oral and Written)

(a) Oral Interview. In the event of a decision not to renew his appointment, the faculty member should be informed of the decision in writing, and, if he so requests, he should be advised of the reasons which contributed to that decision. The President* is the officer responsible for providing an oral statement of the reasons for nonrenewal, if requested. This shall normally be done in conjunction with the Chairman of COP. The faculty member should also have the opportunity to request a reconsideration by the decision-making body.

(b) Written Reasons. If the faculty member expresses a desire to petition the Faculty Review Committee or any other appropriate committee, to use its offices of inquiry, recommendation, and report, or if he makes the request for any other reason satisfactory to himself alone, he should have the reasons given in explanation of the non-renewal confirmed in writing by the President*.

(2) After the reasons have been provided to the candidate, if he believes that his academic freedom has been violated or that inadequate consideration was given to his case, he may present a formal petition for review.

(a) Petition for Review Alleging an Academic Freedom Violation.

If a faculty member on probationary or other non-tenured appointment alleges that considerations violative of academic freedom significantly contributed to a decision not to reappoint him, he may follow the procedures

described below in Section 7 with the exception that the burden of proof is on the complaining faculty member.

(b) Petition for Review Alleging Inadequate Consideration.

Insofar as the petition for review alleges inadequate consideration, the functions of the Committee which reviews the faculty member's petition (the FRC) should be the following:

(i) To determine whether the decision of the appropriate faculty body was the result of adequate consideration in terms of the relevant standards of the institution, with the understanding that the review committee should not substitute its judgment on the merits for that of the department or COP.

(ii) To request reconsideration by the COP when the Committee believes that adequate consideration was not given to the faculty member's qualifications.

(In such instances, the Committee should indicate the respects in which it believes the consideration may have been inadequate.)

(iii) To provide copies of its report and recommendation to the faculty member, his department, COP, and the President*.

7. Procedure in the Termination of an Appointment by the Institution

Termination of an appointment with continuous tenure, or of a special or probationary appointment before the end of the specified term, may be effected by the institution only for adequate cause.

a. Adequate Causes

Three classes of adequate cause must be distinguished:

(1) Termination based upon financial exigency or discontinuance of a program or department of instruction. Such termination shall take place only after consultation with COP and after every effort has been made to place the faculty member in another suitable position. The faculty member shall be given at least twelve months notice or, in lieu thereof, twelve months severance salary. The released faculty member's place shall not be filled by a replacement within a period of two years, unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it. The faculty member may have the issues reviewed by the FRC, with ultimate review of all controverted issues by the Board of Trustees.

(2) Termination for medical reasons. Such termination must be based on clear and convincing medical evidence and after consultation with COP. The faculty member may request the same procedural safeguards as are followed in a case of dismissal (see b. below).

(3) Termination because of lack of fitness of the faculty member in his professional capacity as teacher or researcher. Such termination is hereafter referred to as dismissal.

b. Dismissal Procedures

Dismissal shall be preceded by:

(1) Discussions between the faculty member and appropriate administrative officers looking toward a mutual settlement;

(2) Informal inquiry by COP which may, failing to effect an adjustment, determine whether in its opinion dismissal proceedings should be undertaken, without its opinion being binding upon the President*;

(3) A statement of charges, framed with reasonable particularity by the President*.

c. Hearing

The faculty member shall have the right to be heard initially by the FRC.¹ The hearing shall conform to the procedures recommended by AAUP as quoted below, with slight modifications (1968 Recommended Institutional Regulations on Academic Freedom and Tenure):

(1) Service of notice of hearing with specified charges in writing shall be made at least 20 days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges against him or asserts that the charges do not support a finding of adequate cause, the hearing tribunal will evaluate all available evidence and rest its recommendation upon the evidence in the record.)

(2) The Committee, in consultation with the President* and the faculty member, will exercise its judgment as to whether the hearing should be public or private.

¹A member of the FRC shall remove himself from the case, either at the request of a party or on his own initiative, if he deems himself disqualified for bias or interest. Each party shall have a maximum of two challenges without stated cause.

(3) During the proceedings the faculty member will be permitted to have an academic advisor and counsel of his own choice.

(4) At the request of either party or the FRC, a representative of a responsible educational association shall be permitted to attend the proceedings as an observer.

(5) A verbatim record of the hearing or hearings shall be taken and a typewritten copy will be made available to the faculty member without cost to him, at his request.

(6) The burden of proof that adequate cause exists rests with the institution, and shall be satisfied only by clear and convincing evidence in the record considered as a whole.

(7) The FRC shall grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.

(8) The faculty member shall be afforded an opportunity to obtain necessary witnesses and documentary or other evidence, and the administration of the institution shall, insofar as it is possible for it to do so, secure the cooperation of such witnesses and make available necessary documents and other evidence within its control.

(9) The faculty member and the President* shall have the right to confront and cross-examine all witnesses. Where the witness cannot or will not appear, but the Committee determines that the interests of justice require admission of his statement, the Committee shall identify the witness, disclose his statement and, if possible, provide for interrogatories.

(10) In the hearing of charges of incompetence, the testimony shall include that of qualified faculty members from this or other institutions of higher education.

(11) FRC shall not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in determining the issues involved. Every possible effort shall be made to obtain the most reliable evidence available.

(12) The findings of fact and the decision shall be based solely on the hearing record.

(13) Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers shall be avoided so far as possible until the proceedings have been completed, including consideration by the Board of Trustees. The President and the faculty member shall be notified of the decision in writing and shall be given a copy of the record of the hearing.

(14) If the FRC concludes that adequate cause for dismissal has not been established by the evidence in the record; it shall so report to the President. If the President rejects the report, he shall state his reasons for doing so, in writing, to the FRC, and to the faculty member, and provide an opportunity for response before transmitting the case to the Board of Trustees. If the FRC concludes that adequate cause for a dismissal has been established, but

that an academic penalty less than dismissal would be more appropriate, it shall so recommend, with supporting reasons.

If dismissal or other penalty is recommended, the President shall, on request of the faculty member, transmit to the Board of Trustees the record of the case. The Board of Trustees review shall be based on the record of the FRC hearing, and it will provide opportunity for argument, oral or written or both, by the principals at the hearing or by their representatives. The decision of the hearing committee shall either be sustained, or the proceeding returned to the Committee with specific objections. The Committee shall then reconsider, taking into account the stated objections and receiving new evidence if necessary. The Board of Trustees shall make a final decision only after study of the Committee's reconsideration.

d. Suspension, Salary, and Notice

Until the final decision regarding termination of an appointment has been reached, the faculty member shall be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to himself or others is threatened by his continuance. Before suspending a faculty member, pending an ultimate determination of his or her status through the institution's hearing machinery, the Administration shall consult with the COP. Suspension is appropriate only pending a hearing; a suspension which is intended to be final is a dismissal, and shall be dealt with as such. Salary shall continue during the period of suspension.

If the appointment is terminated, the faculty member shall receive his salary or notice in accordance with the schedule of notice to which he is ordinarily entitled, or, if he has tenure, for at least one year. This provision for terminal notice or salary need not apply in the event that there has been a finding that the conduct which justified dismissal involved moral turpitude. On the recommendation of the FRC or the President, the Board of Trustees, in determining what, if any, payments will be made beyond the effective date of dismissal, may take into account the length and quality of service of the faculty member.

8. Procedures in Cases of Alleged Violation of Academic Freedom

All members of the faculty, whether tenured or not, are entitled to academic freedom as set forth in the 1940 Statement of Principles on Academic Freedom and Tenure, formulated by the Association of American Colleges and the American Association of University Professors.

If a faculty member on nontenured appointment alleges that considerations violative of academic freedom significantly contributed to a decision not to reappoint him, his allegation will be given preliminary consideration by the FRC, which will seek to settle the matter by informal methods. His allegation shall be accompanied by a statement that he agrees to the presentation, for the consideration of the FRC, of such reasons and evidence

as the institution may allege in support of its decision. If the difficulty is unresolved at this stage, and if the Committee so recommends, the matter will be heard in the same manner as a hearing on dismissal except that the faculty member making the complaint is responsible for stating the grounds upon which he bases his allegations, and the burden of proof shall rest upon him. If he succeeds in establishing a "prima facie case," it is incumbent upon those who made the decision not to reappoint him to come forward with evidence in support of their decision.

B. Faculty Fringe Benefits*

1. T.I.A.A. or C.R.E.F.

5% of a faculty member's salary up to \$4,800.00 is contributed by the University.

10% of a faculty member's salary over \$4,800.00 is contributed by the University.

5% of a faculty members' regular salary is contributed by the employee, who may make arrangements, however, to contribute more if he so desires. Faculty members may also arrange to make a 5% contribution from Evening College, Summer School and grant salaries; the last to include a 10% contribution from the grant, where allowable.

Faculty members may participate in T.I.A.A.-C.R.E.F. without any waiting period. After four years of service to Clark, all those eligible must participate unless excused by petition to the Trustees.

*Administrative officers who have Trustee appointments are also entitled to these benefits.

2. Social Security Taxes

All employees are subject to social security taxes, based on current rates. Deductions are matched by the University.

3. Blue Cross-Blue Shield (Master Medical)

40% of the premium for Blue Cross-Blue Shield Health Insurance is paid by the University. 60% of the premium is paid by the employee. There is no waiting period for coverage of Blue Cross-Blue Shield if employee joins within 30 days.

4. Massachusetts Dental Service Corporation Basic Benefit Plan

This is a group plan offered to employees through the University. The University makes no contribution.

5. Group Life Insurance

60% of the premium for the Group Life Insurance is paid by the University.

The amount of insurance for each person is equal to his basic annual earnings rounded to the next higher multiple of \$500 with a maximum benefit payable of \$40,000.00. The scheduled amount of such insurance shall be reduced by 50% upon attainment of age 65.

There is no waiting period for coverage of this insurance to become effective, but, if a person does not subscribe for life insurance upon appointment, subsequent coverage is dependent upon physical examination.

6. Total Disability Insurance

The total premium for this insurance is paid by the University. Six months after the beginning of total disability the insurance pays 60% of the first \$1,000 of monthly salary plus 40% of the balance of monthly salary - less any amount received from Social Security for disability.

Insurance continues payments to T.I.A.A.-C.R.E.F. until age 65 when T.I.A.A.-C.R.E.F. payments begin.

The payments increase 3% annually to allow for inflationary trends. All full-time employees are covered fully from the first day of employment. Disability due to pre-existing conditions are excluded from coverage until the employee has been covered for one year.

7. General Liability Insurance

The University has a comprehensive general liability policy which covers and protects all faculty (as well as other employees) against any suit claiming bodily injury or property damage resulting from actions of employees arising out of their duties on behalf of the University.

8. Travel Accident Coverage

All full-time faculty members and administrative officers have been provided travel accident coverage by the University. The policy provides for \$100,000 if death or dismemberment occurs while traveling outside of the city limits on University business. In order to be eligible for this insurance, a notice must be sent before the trip to the Dean of the College on a form available at his office.

9. Travel to Professional Meetings

Travel expenses may be reimbursed from the faculty travel account but travel is normally limited to one professional meeting a year and to a maximum of \$300 per trip. Applications must be made to the Dean of the College before the end of the first week in October on forms provided by his office.

10. Tuition

Faculty members and their wives and children, when duly enrolled in the University, may attend classes without payment of tuition. The University also pays 60% of the tuition, up to a maximum of 60% of Clark's tuition, for undergraduate education of the children of full-time faculty (including Clark-based inter-institutional appointees), faculty members emeriti, and widows of faculty members and administrative staff, who attend accredited institutions of higher learning other than Clark. For full details and application forms, consult the Controller.

C. Miscellaneous

1. Payment of Salaries*

Salaries of members of the faculty are paid on the 15th and 30th day of each month, or the business day just preceding when the payday falls on a weekend or holiday - 24 payments in the calendar year. For special and sufficient reasons a faculty member may arrange to have his salary paid on a nine- or ten-month basis. Salary adjustments normally become effective on September 1.

*Payroll deductions may be arranged for systematic savings.

2. Sabbatical Leaves

Full-time faculty members who have been in service at Clark University for at least six years may apply for leaves, normally, for a single semester with full pay, in order to pursue a well-advanced or at least a well-planned program of study. Other leaves of absence may be granted by action of the Trustees, on the recommendation of the President. Applications for leave are made through the chairman of the department, who forwards them to the President.

The following policies apply to the payment of fringe benefits during sabbatical and other leaves:

“ One semester sabbatical at full pay - all fringe benefits continue as usual through the University.

Year sabbatical at half pay - the University will continue life and medical insurance at the usual contribution rates. If additional financial support is received from government, industry, a foundation or another university, these agencies should contribute to T.I.A.A.-C.R.E.F. in accordance with their T.I.A.A.-C.R.E.F. agreement and in proportion to the faculty member's contribution. In this circumstance, the University will continue its contribution to T.I.A.A.-C.R.E.F. based on one-half of the faculty member's salary provided the faculty member makes the usual 5% contribution. A faculty member who plans to take a full-year sabbatical at half pay and does not anticipate additional support from other sources may obtain the full University contribution to T.I.A.A.-C.R.E.F. based on his full normal salary. In this case, of course, he must be prepared to make his contribution in the amount which would have been paid under full salary.

Leaves of absence - in requesting a leave of absence, the faculty member should set forth a full explanation of his fringe benefit arrangements. His employer or sponsor during this leave of absence should be prepared to carry all fringe benefit expenses. This may be done by coverage provided by the employer or through the University, in which case the employer shall reimburse Clark for its contribution to these benefits.

3. Absence

When possible, absence from officially scheduled appointments for two consecutive days should be announced in advance.

4. Faculty Obligations

Trustees, Administration and Faculty have adopted the principle that the prime obligation of a member of the faculty is the discharge of his full duty to the University and that non-university tasks, on or off campus, performed for a pecuniary return should be entered upon only after a complete understanding with the authorities of the University. It is understood, however, that a member of the faculty may undertake teaching responsibilities elsewhere equivalent to one course each semester without prior consultation with the Administration. It is also understood that a member of the faculty may engage in consulting work equivalent to one day per week.

It is the duty of members of the faculty, when in residence, to attend the opening exercises (assembly) each semester, all faculty meetings, commencement exercises, and other formal convocations.

5. Retirement

A member of the faculty on tenure may retire from active service voluntarily or may be retired by the Board of Trustees after reaching the age of 65 and until he reaches the age of 70. Retirement is obligatory at 70, subject to the provision that the Trustees may continue the services of an individual beyond the age of 70 on a year-to-year basis. Retirement for administrative officers is obligatory at 65, subject to the same provisions.

In the application of rules stated above, the provisions for retirement normally become effective at the end of the academic year in which the specified age is reached.

D. Central Services

The following services are available to the faculty members:

Layout and design, mechanical art, offset printing, binding, processing of bulk mailings.

Other services are also available. For further information, for guidance, and for costs, consult the manager of Central Services, 111 Woodland Street.