



College of the Atlantic
Faculty Manual

College of the Atlantic Faculty Manual

Table of Contents

1. [Manual Purpose](#)
2. [Faculty Appointments](#)
- 2.1. [Full-Time Faculty](#)
- 2.1.1. [Shared Faculty Appointments Accepted by the Board of Trustees, April 13, 1996](#)
- 2.2. [Pro-Rata Faculty](#)
- 2.3. [Lectureships](#)
- 2.3.1. [Guiding Principles](#)
- 2.3.2. [Creation of Lectureships](#)
- 2.3.3. [Responsibilities of Lecturers](#)
- 2.3.4. [Length of Contracts and Reviews](#)
- 2.4. [Visiting Faculty](#)
- 2.5. [Adjunct Faculty](#)
- 2.6. [Faculty Associates](#)
- 2.7. [Research Associates](#)
- 2.8. [Teaching Associates](#)
- 2.9. [Guidelines for Promotion to Fulltime](#)
3. [Types of Contracts](#)
- 3.1. [Term Contracts](#)
- 3.2. [Regular Faculty Contract Schedules](#)
4. [Search, Appointment, and Orientation Policies](#)
- 4.1. [Search Policy](#)
- 4.2. [Equal Opportunity Policy and Non-discrimination Statement](#)
- 4.3. [Affirmative Action Statement](#)
- 4.4. [Search Procedure](#)
- 4.4.1. [Abrogation](#)
- 4.4.2. [Conflict of Interest re Employment](#)
- 4.5. [Offer of Employment](#)
- 4.6. [Appointment Letters](#)
- 4.7. [Orientation](#)
- 4.8. [Personnel Records](#)
- 4.9. [Faculty Workload Policies](#)
- 4.10. [Evaluations of Student Work](#)
- 4.11. [Faculty Office Hours](#)
- 4.12. [Curriculum Approval](#)
5. [Faculty Evaluation](#)
- 5.1. [Notice of Review](#)
- 5.2. [Review Team Formation](#)
- 5.3. [Development of a Timetable](#)
- 5.4. [Categories for Evaluation](#)
- 5.5. [Evidence for Evaluation](#)
- 5.6. [The Contract Review Team Report](#)
- 5.7. [Personnel Committee Action](#)
- 5.8. [Extended Guidelines for Review Procedures](#)
6. [Separation](#)
- 6.1. [Resignation](#)
- 6.2. [Retirement](#)
- 6.3. [Non-reappointment](#)
- 6.3.1. [Notice of Non-Reappointment](#)
- 6.4. [Layoff](#)
- 6.4.1. [Prolonged Mental or Physical Illness](#)
- 6.4.2. [Financial Exigency](#)
- 6.4.3. [Financial or Enrollment Emergency](#)
- 6.4.4. [Ad Hoc Committee on Enrollment and Financial Emergency and Exigency](#)
- 6.5. [General Procedures Regarding Layoff](#)
- 6.5.1. [Appeals of Layoff](#)
- 6.5.2. [Severance Arrangements Under Layoff](#)
- 6.5.3. [Severance Payment Provision](#)
- 6.6. [Dismissal for Cause](#)
- 6.6.1. [Dismissal Procedures](#)
- 6.6.2. [Action Short of Dismissal](#)
- 6.7. [Disciplinary Warning](#)
7. [Faculty Rights and Responsibilities](#)
- 7.1. [Academic Freedom](#)
- 7.2. [Faculty Ethics Statement](#)
- 7.3. [Human Subjects in Research](#)
- 7.4. [Animal Subjects in Research](#)
- 7.5. [Deadlines](#)
8. [Leaves](#)
- 8.1. [Vacation](#)
- 8.2. [Personal/Sick Leave](#)
- 8.2.1. [Maine Earned Time Leave](#)
- 8.3. [Civil Duty Leave](#)
- 8.4. [Unpaid Leave](#)
- 8.5. [Family Leave](#)
- 8.5.1. [Parental Leave](#)
- 8.5.2. [Bereavement Policy](#)
- 8.6. [Military Leave](#)
- 8.7. [Fringe Benefits During Unpaid Leaves](#)
9. [Compensation Policies](#)
- 9.1. [Faculty](#)
- 9.2. [Part-time Visiting Instructors](#)
10. [Benefits](#)
- 10.1. [Worker's Compensation](#)
- 10.2. [Unemployment Compensation](#)
- 10.3. [Social Security](#)

College of the Atlantic Faculty Manual

- 10.4. [College Sponsored Benefits](#)
- 10.4.1. [Insurance Programs](#)
- 10.4.2. [Health Insurance-Continuation Coverage \(COBRA\)](#)
- 10.5. [Retirement Plan. TIAA-CREF Policy Provisions](#)
- 10.5.1. [Eligibility](#)
- 10.5.2. [Participation & Enrollment](#)
- 10.5.3. [Contributions](#)
- 10.5.4. [Contracts](#)
- 10.5.5. [Amendment](#)
- 10.6. [Tuition Remission](#)
- 10.7. [Academic Regalia](#)
- 10.8. [Emeritus Faculty](#)
- 11. [Faculty Development](#)
- 11.1. [Sabbatical Policy for Faculty](#)
- 11.2. [Sabbatical Timing and Eligibility](#)
- 11.3. [Procedures for Requesting Sabbatical Leaves](#)
- 11.4. [Returning to Campus from a Sabbatical Leave](#)
- 11.5. [Professional Conferences](#)
- 12. [Grievance Procedure](#)
- 13. [Drug-Free Workplace Program and Regulations](#)
- 13.1. [Sexual/gender Harassment Policy](#)
- 13.2. [Procedures for Resolution of Complaints of Discrimination or Sexual Harassment](#)
- 14. [Civil Rights Complaints](#)
- 14.1. [Investigation Procedure](#)
- 15. [Other Policies Relevant to Faculty Members](#)
- 15.1. [Campus Closure](#)
- 15.2. [Copyright Law Compliance](#)
- 15.3. [Conflict of Interest](#)
- 15.4. [Hazardous Waste Disposal](#)
- 15.5. [Outside Activities](#)
- 15.5.1. [Political Activity](#)
- 15.5.2. [Outside Consulting Policy](#)
- 15.6. [Sale of Employee Created Materials to College Students](#)
- 15.7. [Drug-Free Workplace Program and Regulations](#)
- 15.8. [Facilities and Equipment](#)
- 15.9. [Institutional Liability Insurance](#)
- 15.10. [Creative Works](#)
- 15.11. [Finances and Budgets](#)
- 15.12. [Travel Policy and Vouchers](#)
- 15.13. [Family Educational Rights and Privacy Act](#)
- 15.14. [Campus Services and Other Resources](#)
- 15.15. [Entertainment Policy](#)
- 15.16. [Children in the Workplace](#)
- 15.17. [Zero-Course Term](#)
- 16. [Academic Policies and Procedures of Interest to the Faculty](#)
- 16.1. [Visiting Courses](#)
- 16.2. [Evaluation of Visiting Faculty](#)

Appendices

- A. [Guidelines for Staff and Administrative Appointments](#)
- B. [Personnel Committee Code of Ethics](#)
- C. [Sexual Harassment Policy](#)
- D. [Current Sabbatical Policy](#)
- E. [Drug-Free Workplace](#)
- F. [Policy for Annual Raises and Salary Schedules](#)
- G. [Title IX Policy](#)

College of the Atlantic Faculty Manual

1. Manual Purpose

This document contains basic policies and procedures, which govern employment practices, outline legal obligations and provide guidelines for personnel decisions at College of the Atlantic. The document is not, and is not part of, an employment contract and its provisions may be amended at any time. Procedures may be amended at any time by the Board of Trustees and policy changes recommended by the Personnel Committee will be added to the Manual upon the approval of the President of the College and, if appropriate, the Board of Trustees.

2. Faculty Appointments

2.1. Full-Time Faculty

A full-time faculty member:

- a. ordinarily has full-time teaching duties or has teaching and other duties (e.g., academic administration, advising, research, equivalent to a full-time teaching load).
- b. fulfills the normal duties and responsibilities of a faculty member (see 4.10 through 4.13.).
- c. may be issued a term contract and may be referred to in this document as a contract employee.

2.1.1. Shared Faculty Appointments Accepted by the Board of Trustees, April 13, 1996

Definition

A shared appointment involves a single, full time, regular faculty position held by two people who divide the duties of a full time faculty member between them. Each faculty member must have the academic qualifications and experience necessary to discharge all the duties of the position.

Salary

The salary rates are based on a full time rate. Each person will get 50% of the full time salary rate, which their qualifications and experience merit, according to the college's usual policy.

Workload

One faculty member in a shared position will teach 3 courses in a year while the other teaches at least 2 courses. On the alternate year, they will reverse their teaching load.

The other obligations of a full time faculty member such as serving advisees, serving on committees, sponsoring independent and senior projects, etc., will be shared equally throughout the academic year. In order to properly fulfill committee assignments, advisees, and independent and senior projects, a presence on campus with posted office hours for all three terms will be required. (This will also fulfill the requirement for sabbatical eligibility). In each term, the workload equivalent for each faculty member should be equal to half of the required duties.

At the time of the initial contract or contract renewal, the full pattern of courses and committee assignments will be agreed upon for the duration of the contract. (See 4.10 through 4.13).

Evaluation and Reappointment

Procedures regarding contract reviews, evaluations and contract renewal outlined in the faculty policy manual will be followed.

Each person will be reviewed individually. At each contract review stage, it will also be appropriate for the review committee to evaluate the value of the team and make a recommendation on the continuation of the shared appointment.

College of the Atlantic Faculty Manual

If one of the two faculty members should not be reappointed, while the other receives reappointment, or if the shared appointment should end by mutual agreement, or as a result of one party's resignation, death or disability, the college will have the option of renegotiating the contract with the remaining member.

Sabbatical Eligibility

Sabbatical eligibility will follow the same college guidelines (currently, eligible for one term paid leave for every 9 terms of full-time teaching) with both members of the shared position taking the sabbatical during the same term.

Insurance, Health and Retirement Benefits

Each faculty member in a shared appointment arrangement will be eligible for retirement benefits under TIAA/CREF. If eligible, each faculty member will receive a pro-rated share of the health benefit and other insurance. Married persons would be eligible for the family health policy. Under the college's current health insurance policy, an unmarried pair would not be eligible for coverage as half time college employees are not eligible for coverage.

College Support

A shared position appointment will share at minimum a single faculty office and other resources and equipment equivalent to that of a full time faculty member. If space or other equipment, such as a computer, were available, another office arrangement and equipment may be supplied.

Requests to the President, or his/her designee, for college support for research or professional travel and conferences will be considered on the merits through the process applicable for such requests. In apportionment of resources, the principle that benefits accruing to the two individuals shall be the benefits of one position shall be observed.

Changes

Any change to a shared appointment agreement must be mutually agreed upon by the Board of Trustees or their designee, usually the President of the College, and the affected individuals. This appointment would not imply that either faculty member in a shared appointment position could increase their contract portion without a new search for an open position.

2.2. Pro-Rata Faculty

Pro-Rata faculty are faculty members who are given an appointment less than that of a full-time faculty member. Current appointments are for two-thirds time, defined as teaching 4 courses, half -time, defined as teaching three courses. Such pro-rata time faculty have contractual rights to pro-rata sabbatical leave, if eligible, and fringe benefits as provided in the Policy Handbook. To be eligible for sabbaticals, faculty must teach in all three terms. They are full voting members of the Faculty and have, on a pro-rata basis, responsibilities for advising, service on committees and other responsibilities of full time faculty members as detailed in the Manual.

Pro-rata faculty receive contracts of the same length and have the same pro-rated benefits and responsibilities, time and need permitting, as do full-time faculty. They are reviewed in the same way and with the same performance expectations as are full-time faculty. They fill curricular needs that require fewer than six courses a year and which the college might not otherwise be able to offer.

College of the Atlantic Faculty Manual

At times, a need may arise which can be filled most effectively and appropriately by promotion of an existing pro-rata faculty member to full-time status. In the same way, faculty members may request to reduce their time from full-time to part-time on a temporary basis without jeopardizing their status. All such adjustments must be made in consultation first with the Academic Affairs Committee and then by Personnel Committee, with formal contract approval by the President and the Board of Trustees.

A pro-rata appointment less than one half time (half-time is defined as three courses) may be made subject to certain reservations regarding fringe benefits. See the Business office for benefit details as applicable to such an appointment.

2.3. Lectureships

2.3.1 Guiding Principles

The category of lecturer must be used sensibly and sparingly. COA is committed to having most of our classes taught by regular faculty. Furthermore, COA is committed to having regular faculty perform the majority of non-teaching responsibilities of faculty at the college, including advising and committee work.

2.3.2. Creation of Lectureships

Specific procedures for identifying the need for a lectureship are as follows:

Lectureships, when granted, must arise from recognized and long-term programmatic needs identified by resource or other curricular areas and proposed to Academic Affairs. A Dean, President, Resource area, Program Area, or any group of 3 or more faculty can request that AAC consider the curricular need for a lectureship.

Academic Affairs will consider overall curricular need, determine the number or range of courses needed, and develop a job description for the lectureship.

Academic Affairs will forward its recommendation to Faculty Personnel Committee and through them to the Personnel Committee for their approval. Personnel Committee will determine in consultation with College administrators if there are sufficient resources to support the position at this time.

Once the lectureship has been approved and it is determined that there are sufficient resources to support the position, then the lectureship can be filled in two ways:

A. In most instances, Academic Affairs will recommend to the Personnel Committee that the lectureship be filled using the College's Opportunistic Hiring policy. Procedures under that policy will then guide the process of evaluating and hiring a person to fill the lectureship.

B. In some instances, a full search may be conducted similar to that used for regular contracted faculty. Personnel Committee will form a search committee to oversee the search for an appropriate person to fill the lectureship.

2.3.3. Responsibilities of Lecturers

Lectureships will be solely part-time teaching appointments. They must be constrained around specific needs determined by Academic Affairs and very clearly articulated teaching duties related to those needs.

A. Teaching

College of the Atlantic Faculty Manual

1. There will be a maximum of a three course annual teaching load associated with any lectureship (with the exception of non-English language courses which can have smaller class sizes and multiple sections of varying levels).
2. At the time of the lecturer's appointment, AAC, in consultation with the lecturer, will appoint a regular faculty member or members to serve as the liaison(s) for the lecturer. In the case of a group of liaisons, per any one term the group will internally appoint a point person that serves to represent the group, so that the lecturer need only consult with one individual.
3. In seeking the approval of AAC for her or his courses and course numbers, the lecturer must work with their liaison(s) in conjunction with the relevant resource areas or other faculty groups relevant to the subject of the lectureship.
4. Lecturers may also undertake independent studies and senior project supervision. Such activities are compensated at the same rate as part-time faculty in a non-teaching term. Lecturers may not offer more than a total of 6 independent studies, residencies or senior projects in a year without prior permission of the Academic Dean.

B. Administrative responsibilities

Lecturers do not have administrative responsibilities. A lecturer that is additionally hired as part-time staff will, however, have administrative responsibilities as part of their role as staff. In such cases, the lecturer will be annually evaluated on their administrative role as any other staff member.

1. In order to ensure full integration of their teaching activities into their respective resource area and the curriculum in general, lecturers are welcome at faculty meetings, faculty retreats, and resource area meetings as non-voting members.
2. In special cases, usually because of supporting qualifications, lecturers may be asked to sit on an *ad hoc* committee (e.g., a search committee). This request will be made by the Academic Dean in consultation with the lecturer's liaison(s). This service is uncompensated and is not intended to relieve regular faculty from their committee responsibilities.
3. Lecturers are not assigned advisees. However, they can accept up to a maximum of 6 advisees if the lecturer and the student mutually agree that the lecturer serve as their advisor.

2.3.4. Length of Contracts and Reviews

A. Lectureships will be given 3-year contracts. Lecturers will be subject to the continuing review process, conducted by Personnel Committee in consultation with Academic Affairs. Lectureships will be renewable for additional 3-year terms, depending on performance, but only if the curricular need remains. If at the time of a review AAC determines that the Academic need no longer remains or determines that the need should be met in another way, AAC may extinguish the lectureship.

B. The specific number of classes that a lecturer will teach in a given academic year (up to the maximum set forth when the lectureship was created) will be determined annually by AAC in consultation with the lecturer and her liaison(s).

C. Lecturers will be subject to a modified review process that focuses on teaching and any other specific responsibilities set out in their job description.

D. The lectureships line, like that of other faculty salaries, will be part of the Academic budget.

College of the Atlantic Faculty Manual

E. Lecturers are employees of the College but are not normally eligible for benefits from the college unless they have other staff responsibilities that, when combined with their teaching duties, constitutes a sufficient number of hours to be benefit-eligible pursuant to ERISA regulations.

F. A salary scale will be maintained that is similar to the regular faculty scale, but with its own monetary levels and appropriate benefits (as noted above). As part of that scale, lecturers' salary can increase as a result of years of service as a lecturer.

G. Lectureships will not lead to a regular faculty position. Should they wish, lecturers may apply for an appropriate regular faculty position if one becomes available. In this case, lecturers are subject to the same hiring process as dictated for faculty hires.

2.4. Visiting Faculty

Visiting Faculty are appointed under limited term contracts. They are selected by Academic Affairs Committee from applicants interested in the college mission, through periodic advertisements for such faculty and through regional or national contacts. They must have appropriate academic background, which may be an appropriate background degree in an academic field and/or equivalent professional achievement. They are not eligible for benefits.

Non-teaching responsibilities will be appropriate to their term of appointment and will be so indicated in the letter of appointment.

2.5. Adjunct Faculty

The adjunct faculty consists of individuals who may be contracted to teach from time to time without advertised searches owing to their prior successful teaching experience at the college. Criteria for selection of Adjunct Faculty will include academic need, proven excellence in teaching at the college, and willingness to serve. They are not eligible for benefits.

Individuals may be invited to become adjunct faculty only after having taught successfully at the college in at least two courses. Adjunct faculty members may be contracted to teach up to four courses per academic year to fill particular curriculum needs as defined by Academic Affairs Committee, but normal yearly commitments should not exceed two courses.

Appointment as adjunct does not guarantee continuing employment and is a term appointment. Adjunct faculty members are contracted to teach only, but encouraged to participate in college activities such as the all college meeting, staff meetings, and committees during terms that they teach. They may receive separate contracts to perform services for the college other than teaching. An individual is appointed to be an Adjunct Member by the President with the approval of the Board of Trustees for a period of three academic years after nomination by Academic Affairs Committee, and approval of Personnel Committee. The appointment is subject to review every three years at a joint meeting of Personnel and Academic Affairs Committees.

2.6. Faculty Associates

Faculty Associates are nominated by the President and approved by the Board of Trustees. They may use College facilities on a space-available basis as determined by the President and Campus Planning and Building Committee. Faculty Associates are invited to participate in all college activities. They cannot be paid to teach courses or perform administrative duties unless satisfying Academic Affairs Committee requirements for a visiting position, an adjunct position, or a full or part-time permanent position unless hired by Personnel through

College of the Atlantic Faculty Manual

a normal EEO/AA search procedure. They can be hired by the College as a paid temporary consultant for no more than one year. Faculty Associates cannot be simultaneously a paid employee, except that she/he may be paid for, or reimbursed for, such limited services and incidental expenses as representing the College at conferences, etc., as approved by Personnel Committee. They are not eligible for benefits.

2.7. Research Associates

The college may establish formal relations with appropriately qualified persons involved in research activities that support the College's educational and social goals. Upon the recommendation of a faculty member, such a person may be appointed as a Research Associate by the Personnel Committee, subject to approval by the President. The appointment may be for a period of up to three years and may be renewed as appropriate. Research Associates are encouraged to take part in the academic life of the College through involvement in research projects; by sponsoring workshops, independent studies and/or senior projects; by offering lectures in courses or to the general community; or by attending committees, staff meetings or All College Meeting, as appropriate. Research Associates are not remunerated unless specifically contracted through research contracts or grants to the College, nor can the College accept liability for any activities of a Research Associate. Research Associates have access to College facilities as space is available and subject to supervision of a faculty member or the Campus Planning and Building Committee. They are not eligible for benefits.

2.8. Teaching Associates

A qualified student, who has been at the college for at least one year, may be recommended for appointment by the Personnel Committee, subject to the approval of the President and Board of Trustees, to be a Teaching Associate. The Teaching Associate will assist a faculty member in teaching a course or offer a course under the supervision of a faculty member. Qualifications of a potential Teaching Associate must be endorsed by the faculty member with whom the Associate will work and the proposed coursework must be approved by the Academic Affairs Committee. The appointment is for a one-year period and may be renewed. Remuneration will conform to the salary scale established by the Personnel Committee. A Teaching Associate may not receive pay for teaching activities for which he or she also receives academic credit.

2.9. Guidelines for Promotion to Fulltime

Under these guidelines, qualified pro rata personnel may be eligible for promotion to full-time status. A pro rata hiring without a limited search may not be transferred to full-time without a search, unless two or more years in service at the College has elapsed. The criteria and requirements for such a promotion are the same as for any full-time appointment to the faculty:

- a. An established curricular need in the faculty member's area, of high priority in the curriculum at large, as determined by the Academic Affairs Committee, financial conditions permitting.
- b. Demonstrated excellence in teaching and related activities as determined by a comprehensive review.
- d. Appropriate academic background for full-time faculty employment. This means the most advanced degree usually earned in an academic field and/or equivalent professional experience or achievement.
- c. Approval by the Affirmative Action Officer, the President and the Board of Trustees is necessary.

3. Types of Contracts

3.1. Term Contracts

Term contracts at College of the Atlantic are given to Special Appointment and regular faculty members and are limited to the term of employment outlined in the letter of appointment. Term contracts do not confer upon a faculty member any entitlement to continued employment after the term specified in the letter of appointment expires.

College of the Atlantic Faculty Manual

3.2. Regular Faculty Contract Schedules

The initial employment contract is for three years, with a guidance review at the end of the first year, usually during the third term of the year. A full contract review will be completed before the end of the second year.

If the contract is renewed, the second contract may be for three years terminating at the end of the sixth year of service. The next contract review will be at the end of the fifth year of service.

If a contract is to be renewed, the third and subsequent contracts are usually for five years. The contract review for renewal normally takes place during the year prior to the final year of the contract.

Should the Personnel Committee be unable to complete a contract review, the existing contract will be extended for one year.

For the purpose of contract schedules, the Director of the Library is considered to be a member of the faculty.

4. Search, Appointment and Orientation Policies

4.1. Search Policy

Authorization for recruiting faculty and professional staff comes from the Board of Trustees and is usually transmitted to the Personnel Committee by the President. No action or representation is to be made without this authorization.

All vacant positions must be budgeted and approved prior to recruitment and appointment.

4.2. Equal Opportunity Policy and Non-discrimination Statement

No person shall on the basis of race, ethnicity, color, gender, sexual orientation, disability, age, veteran status, national origin, or religion, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment, or recruitment, consideration, or selection therefore, whether full-time or part-time.

4.3. Affirmative Action Statement

The College of the Atlantic will not engage in unlawful discrimination in employment against any person because of race, ethnicity, color, religion, gender, sexual orientation, national origin, age, disability or veteran status. The College will take affirmative action to ensure that minority applicants are recruited and fairly considered in all search processes, and that employees are treated during employment without regard to their race, ethnicity, color, religion, gender, sexual orientation, national origin, age, disability or veteran status, in accordance with the laws of the United States and the State of Maine. Such action shall include, but not be limited to, affirmative efforts with respect to employment, recruitment, or advertising; contractual changes, including layoff, retirement, or termination; rates of pay or other forms of compensation including professional development opportunities. Furthermore, the College of the Atlantic shall post in conspicuous places, notices setting forth the provisions of this non-discrimination policy.

The College of the Atlantic has an Affirmative Action Officer to whom questions on equal opportunity or affirmative action should be directed. The college defines Affirmative Action, following the American Association of University Professors, as “a set of specific and result-oriented procedures to which a contractor commits itself to apply every good faith effort. The objective of those procedures plus such efforts is equal

College of the Atlantic Faculty Manual

employment opportunity.” The college commits to ensure that draw from the largest possible marketplace of human resources in staffing its faculty and provides oversight during the search process to be certain that recruitment and consideration of candidates complies with these principles. The administrative officers and committee members of the College are responsible for ensuring that all personnel decisions are made in accord with the principles and requirements of equal employment opportunity.

4.4. Search Procedure

Academic Affairs is responsible, with input from college community and faculty members, for reviewing curricular needs and establishing faculty hiring priorities. The Board of Trustees authorizes searches based on budgetary considerations and curricular need. The Chair of the Personnel Committee is responsible for oversight of the personnel budget. This oversight includes: approval of search related expenditures and the determination of new faculty salaries based on the Guidelines set by the Compensation Committees.

The Academic Affairs Committee, with college community input and faculty consultation, defines the position, prepares a job description, an advertisement, and a tentative list of courses the faculty member will teach. Both the advertisement and job description must contain flexibility to allow the Search Committee to find the best person for the college, while remaining faithful to the Academic Affairs Committee’s original intent.

In all cases, the college must seek candidates who are highly qualified academically, show exceptional promise as teachers and who fulfill the curricular need. The importance of collegiality and shared vision in contributing to good working relationships must be balanced by the long term interest of the College to maintain intellectual, social and cultural diversity as well as intellectual freedom.

The search will follow the legal requirements of affirmative action and equal opportunity employment. The Personnel Committee and/or the Affirmative Action Officer will brief the search committee on these matters early in the search process; criteria related to these requirements must be determined before review of the candidates begins.

The Personnel Committee’s role in searches includes supervision of the search process, reviewing the job description and advertisement, selecting a qualified, representative search committee and chair, (with the President), monitoring the Search Committee to ensure proper procedures, documenting and maintaining search records, ensuring equitable treatment of candidates and evaluating the process.

The Personnel Committee must designate the final composition of the Search committee and qualifications for membership before the review of candidates begins. The Search Committee should include a faculty member as chair, two additional faculty members, and two students. One committee member must be from the Personnel Committee. Faculty members should be regularly contracted employees of the College. Student members must be in good academic standing and have matriculated at least one year at the college. Students interested in serving will apply to the Personnel Committee, which, with the consultation of the Search Chair, will select the student members from the pool of volunteers. In selecting Search committee members, the Personnel Committee should include a representative of the relevant resource area as well as members representing broader interests of the college community. The Personnel or Search committee may ask outside persons with expertise in a field to serve as consultants to the Search Committee.

The Chair of the Search Committee, and/or the entire Search Committee, should meet with the President and the Academic Dean to seek their opinions on the preliminary list of candidates who may be selected for campus visits.

College of the Atlantic Faculty Manual

Normally several candidates are invited to the college. In addition to the research-based presentation normally given, each candidate should lead a class or seminar in a setting typical of a College of the Atlantic classroom.

At the conclusion of each visit, the Search Committee will solicit broad community input emphasizing the candidates strengths and weaknesses, rather than mere numerical ranking or designations such as "acceptable" or "unacceptable".

At the conclusion of candidate visits, the Search Committee will meet with the President of review the strengths and weaknesses of each candidate. Following that meeting, the Search Committee will try to reach consensus in selecting a finalist. If consensus cannot be reached, the Chair of the Search Committee must ask the President's permission to make a decision by majority vote. After selection, the Committee will then meet with the President to summarize the outcome and make their recommendation.

Following the Search Committee's recommendation, the President may: 1. Accept the decision and carry the recommendation the board of Trustees for their final decision. Or 2. Direct the Search Committee to seek additional counsel or gather more information. Or 3. Direct the Search Committee to continue the search. Or 4. Disband the Committee and establish a new Search Committee.

In all cases, the Search Committee Chair will give the Personnel Committee a written report summarizing the search and turn over all of the search materials and applications.

This was accepted by the Board of Trustees on January 7, 1994.

College of the Atlantic Faculty Manual

4.4.1. Abrogation

The search procedure may be abrogated in the following instances:

1. When an individual of unusual personal qualifications is to handle a task of finite duration for the College. This is to be considered as a consulting assignment and must be approved by the President and chair of Personnel Committee. If the assignment exceeds one year, the entire Personnel Committee must approve this extension. This recognizes the need for qualified assistance of specific projects, and is not intended as a "back door" to permanent employment.
2. When an employee of the College is unable to fulfill the immediate term of employment, because of death, disability, or personal reasons, or dismissal or where a search fails to find a qualified candidate, the President and chair of Personnel Committee may approve a replacement. This is a temporary or interim status and the visitor may choose to apply or not for a continuing position if advertised at a later point.

4.4.2. Conflict of Interest re Employment

It is the policy of College of the Atlantic to seek for its faculty, administrative and support staff the best qualified persons regardless of their relation to other College employees. In accordance with this policy, close relatives or associates may be employed in the same or different areas of the College.

The fact that an employee is a close relative or associate of another employee shall not be used as a basis for denying to the employee the rights, privileges or benefits of regular appointment or job status, nor shall these relations be used as the basis for making such appointment or status.

In order to avoid possible conflict of interest, or consideration based upon any criteria but merit, no college employee shall participate in any institutional decisions or evaluations involving a close relative or business or professional associate. Such decisions include, but shall not be limited to: initial appointment, retention, promotion, salary, and leaves of absence. In case of uncertainty about the propriety of one's role in any such decision, please consult with the Personnel Committee chair or the Affirmative Action Officer.

4.5. Offer of Employment

Unofficial offers of employment for faculty positions may be made by the President or his/her designee, however, no offer of a contract of employment is valid and binding on the college unless written and until signed by the President or his/her duly authorized designee. No oral commitments or representations shall be binding on the College.

Actions regarding faculty contracts may be recommendations by the Personnel and/or Search Committees. These recommendations are normally presented to the President for approval and submission to the Board of Trustees of the College. All faculty contracts must be approved by the Board of Trustees.

4.6. Appointment Letters

All appointments shall be documented in contract letters approved by the College. Any terms or conditions of employment contrary to the general provisions of this Chapter must be specified in writing in the contract letter.

4.7. Orientation

It shall be the duty of the Academic Dean to orient each new faculty member to the policies, regulations and procedures of the College and the job duties and responsibilities of the faculty position. Such orientation shall be sufficient if the faculty member is provided a copy of or given computer access to this College of the Atlantic Personnel Manual and the position description for the position, which the employee has been hired to perform.

College of the Atlantic Faculty Manual

Thereafter, it shall be the obligation of the faculty member to inform the Academic Dean if further orientation is necessary or desired.

4.8. Personnel Records

An official personnel file shall be maintained on each employee at a central location designated by the President. Business records concerning each employee shall be maintained in the institutional business office.

All employees shall have access to their personnel and business record files, exclusive of confidential pre-employment placement credentials, during normal business hours and may request copies, at their own cost, of any material contained therein. Employees may not remove their files from the room in which they are housed.

Employees may enter statements in their files, which they feel clarify correct or refute material therein and such statements will be attached to the applicable documents in the files.

Employee's personnel files are confidential and access shall be restricted to the employee, the employee's authorized agent, and administrators authorized by the President and the Personnel Committee.

4.9. Faculty Workload Policies

Preamble: College of the Atlantic seeks to ensure that all members of its Faculty develop productive and rewarding work lives and succeed at meeting the workload specifications below. The College further recognizes that faculty success requires commitment and dedication from both the individual faculty member and the institution as a whole. College of the Atlantic therefore intends that at all times Faculty will know what is expected of them as well as what support is provided by the College. This mutual respect and responsibility will likely require periodic review and perhaps revision of the guidelines that follow. Mutual respect and responsibility also underlie the work of the President, Faculty Personnel Committee, and Associate Dean for Faculty (along with all the Academic Deans), although all recognize they are also charged with accountability for personnel actions and sometimes must confront challenging and complex situations. The College finally recognizes and appreciates that Faculty at College of the Atlantic have historically taken on a wide range of activities in support of teaching and learning, as well as administrative responsibilities for the College. In order to maintain the highest possible standards of preparation for and engagement in teaching, the College asks that Faculty remain mindful of the central nature of their teaching and advising functions.

Components of Faculty Workload:

Course Load: 5 courses per year with major committee work OR 6 per year with no major committee service for full-time faculty; other faculty as contracted. Courses should range from introductory to advanced. Faculty members are encouraged to consider and utilize a variety of instructional approaches, such as laboratory, studio, writing-focused, conference, and field-based classes. Narrative evaluations and grades will be turned in by the deadline set by the Registrar. A faculty member's courses will carry a strong pattern of enrollment, when averaged over the faculty member's course offerings. Faculty will frequently teach some smaller and some larger classes. However, a consistent pattern of especially small or especially large classes may be cause for conversation and possible remediation with the Faculty Dean.

Curricular Responsibilities: In order to maintain both coherence and innovation, courses taught should remain within the broad range of areas specified in a faculty member's job description.

College of the Atlantic Faculty Manual

For the sum total of tutorials, senior projects, and independent studies: 1-3 per term with a 9 per year upper limit except in special cases.

Faculty should be routinely supporting intermediate to advanced student work and the development of individualized student programs in Human Ecology. Most often this occurs with the sponsoring of tutorials, senior projects, residencies, and/or independent studies. Student demand for such sponsorship varies widely among disciplines and programmatic areas. The College recognizes such variations as well as differences in the demands associated with sponsoring particular independent studies, tutorials, etc., which depend on student and faculty preparedness as well as on the nature of the academic endeavor. Faculty are not required to configure their teaching toward independent studies and/or tutorials but rather asked to remain open to students seeking their support through these curricular options and to take on appropriate sponsorship when asked. In addition, faculty members who wish to conduct more than 9 total independent studies, tutorials, and senior projects during the academic year must seek prior approval from the Faculty Dean. The Dean's decisions may be appealed to Personnel Committee.

Human Ecology Essays:

An additional means of supporting advanced student work is the taking on of responsibility for reading Human Ecology Essays. Faculty will read the Human Ecology Essays of each of their senior advisees and are also asked to remember that a perfect distribution of workload would mean each faculty member read two Human Ecology Essays per year. Since the Human Ecology Essay reader will be designated by the student, however, the recommendation of these guidelines is simply that, as a general rule, faculty should feel free to limit their reading of Human Ecology Essays when their commitment exceeds 5 Human Ecology Essays in a given year.

Advising: 7-15 advisees for full-time faculty, with advisees seen on a regular (at least twice per term) basis. If a full-time faculty member has fewer than 5 advisees, a pattern of losing and not regaining advisees, or consistent difficulties in carrying out advising functions such as completing letters of recommendation, reviewing transcripts, assisting students in development of their human ecology degree, or following through on special needs, that shall be cause for concern. Alternate responsibilities for those with an extra-small advising load will be arranged with the Faculty Dean and documented in the faculty member's personnel file. Faculty who are feeling overburdened with advisees or unable to meet the needs of a large number of advisees should seek relief in consultation with the Faculty Dean.

Availability on-campus: Faculty availability is crucial for the success of teaching and advising functions. At the same time, faculty find professional enrichment and renewal in activities off campus, especially those that provide opportunity for professional development (writing, reading, attending conferences, developing new courses, conducting research, etc.). The general expectation is that faculty will be on campus full-time during the 10 weeks of a term in which they are contracted to be present full-time. Faculty may develop a work week schedule that includes a regular time for professional activity. Such activity could include writing, research, travel to investigate field sites, or other professional development. This activity will be evaluated during the faculty member's review to ensure that effective use has been made of the time away from campus and that the College is sufficiently aware of the benefits of the faculty member's professional development. Should it be necessary to be away from campus, faculty must make arrangements to make up their classes or have them covered by a colleague who will add to and enrich the students' experience of the course. Faculty should also notify the Faculty Dean, clearly explaining their professional plans, in advance of absences of more than 3-4 days from classes and/or campus during the academic term. Such absences should be reserved for unique professional opportunities and/or family

College of the Atlantic Faculty Manual

emergencies, since they have a strong negative impact on the continuity of classes. Faculty are asked to notify the Faculty Assistant if they will be away from campus during term-time and provide adequate contact information.

Committee work and support of administrative offices: Faculty make valuable contributions to the administration of the college. All full-time faculty teaching 5+ courses per year must attend Faculty Meeting and serve on one major committee per year – usually a standing committee as defined by and through the College’s operating model – or its documented equivalent. Faculty members will consider, where appropriate, rotating their service among major committees, aiming as a general principle for 3-5 year terms of service except where special expertise may warrant longer continued contributions. Faculty should not serve on more than one major committee per year (with the exception of the expectation to participate in Faculty Meeting), but will ideally serve on several smaller committees and/or working groups in addition to their major committee. The College encourages faculty to allocate such commitments to collaborations that enhance their own and colleagues’ academic work. In addition to the two formal committee obligations (major committee and Faculty Meeting), encouragement to devote additional administrative work to faculty collaborations, and strong encouragement to regularly attend the All College Meeting, faculty are expected to provide support to both Admission and Development events. Full-time faculty should finally plan to serve on a faculty search committee or the equivalent at least once every few years. Although faculty may participate in and benefit professionally from a wide range of collaborations, faculty should aim to limit minor committees to 3 per year and attend no more than 3 permanent committee meetings per week. Faculty bearing too much of an administrative burden reduce the teaching effectiveness of the institution. Faculty should support their colleagues in focusing their committee service and empowering administrators to complete those tasks within their power. Similarly, faculty members not contributing to committee work will be exhorted to do so by their peers and the Faculty Dean. A reasonable number of Admission, Development, and Public Relations events or activities per year may be best gauged by the length and commitments involved in the event, but faculty should contribute to each of these areas at least a couple of times per year.

Professional Work — Course Development, Publications, Community Outreach, Conference Presentations, Performances, Shows, etc.: Such work should be part of a faculty member’s evidence of regular professional development and as such add to and enhance the faculty member’s ability to perform her contractual duties of teaching and advising. The Faculty Dean will, as one of her duties, work with each faculty member individually to ensure effective use of sabbatical periods, support of faculty professional development, and the balancing of professional development and teaching activities.

4.10. Evaluations of Student Work

An important subordinate task of the faculty is the evaluation of student work. Written evaluations must be submitted to the registrar not later than three weeks after the final day of classes of each term. Experience with late evaluations has shown both serious impact on the operation of the registrar's office and equally serious impact on academic standards. The Registrar may request the business office to escrow the paychecks of regular faculty members with late evaluations after 30 days; escrowed paychecks are released upon notice by the Registrar of completed evaluations. Final paychecks for visiting faculty may be escrowed until evaluations are submitted to the Registrar.

4.11. Faculty Office Hours

Faculty are also expected to maintain regular weekly office hours adequate to ensure availability to students and to keep the receptionist, faculty secretary and Academic Dean informed of unusual absences from campus or changes from customary working hours.

College of the Atlantic Faculty Manual

4.12. Curriculum Approval

Faculty members must work with the Academic Affairs Committee, which is responsible for maintaining a two-year projection of course offerings and annually solicits course commitments from faculty. This two-year plan is an important aspect of the college's long-term planning and also helps students and their advisors plan students' individual programs.

As the curriculum evolves and as personnel change, alterations of the two-year projection are inevitable; still, some degree of stability in the advertised course schedule is important.

In general, faculty are expected to follow through with their teaching plans for a full academic year, notifying Academic Affairs Committee in writing of any proposed changes in the succeeding year's schedule. In exceptional situations, changes may be justifiable within a given academic year. Such changes should be discussed among faculty members in the appropriate resource area or by the entire faculty and endorsed by them before presentation of the plan as a written proposal to Academic Affairs Committee, at least a full term before the change is to take effect. Faculty members should carry out the following term's teaching commitments as announced at the time preregistration materials are published.

Faculty involved in the development of new courses should discuss their plans within the resource area, complete a course proposal form for each course and submit it for approval to the Academic Affairs Committee; this form should include a catalogue course description, course prerequisites, level (introductory, intermediate, advanced,) and the frequency of its being offered. A record of all courses taught at the college is maintained by the registrar and includes terms each course had been taught as well as its enrollment history. Faculty should notify Academic Affairs Committee if courses are deleted from their repertory.

5. Faculty Evaluation

The policy of the college is to conduct an evaluative performance review of faculty members before a new contract is recommended to the President and Board of Trustees. Procedures may be changed as needed by the Personnel Committee.

The purpose of evaluation at the College of the Atlantic is both formative, and summative. Formative evaluation is helpful to the faculty in job related professional development and performance. Summative evaluation is necessary to make a judgment as to the performance of the faculty member before a recommendation regarding a contract is made.

The contract review is a formal process, which carefully considers all aspects of an employee's relations with the College. It is conducted by a Review Committee appointed by the Personnel Committee.

A guidance review process is provided for new faculty near the end of their first year of teaching. This process will be formative in nature.

5.1. Notice of Review

Faculty members are normally reviewed one year before the expiration of their contract.

Notice of the review is to be given by the Personnel Committee during the term prior to the review. The meeting must be advertised throughout the community and the individual must be notified in writing. During the

College of the Atlantic Faculty Manual

advertising period, any member of the community with evaluative comments about an individual may contact the Personnel Committee in writing.

5.2. Review Team Formation

The first step for the review is the formation of a small team of peers and a chair selected by the Personnel Committee. At minimum, the contract review team will consist of one faculty member from the Personnel Committee or a designee in case a member is not available; a faculty member appointed by the Personnel Committee; and a student appointed by the Personnel Committee from a list of nominees or volunteers. A second student may be added to the team on the request of the review committee chair with the approval of the Personnel Committee. The President or the Personnel Committee may also designate an additional member of the team from either inside or outside the College.

In reviews for faculty who are beyond their first five-year contract, two or three faculty members of the Personnel Committee may serve as the review team. If substantive issues arise that indicate problems, the team may be expanded.

5.3. Development of a Timetable

A timetable may be available for the completion of the review. When the Contract Review Team has been formed, the Team, the person being reviewed, and the Personnel Committee chair shall have, in writing:

1. The date for the Review Team report to the Personnel Committee.
2. The date that the reviewed is to submit a self-evaluation of performance and future plans to the Personnel Committee and the review team. The self-evaluation is to include a description of the ways in which the individual's work fits into the overall mission of the College as well as addressing the categories for evaluation.
3. The projected dates of meetings between the Review Team and the reviewed.

5.4. Categories for Evaluation

The categories to be examined are:

1. Teaching
Teaching refers to the provision of educational experiences for the primary benefit of students in classrooms, offices, labs, and the field, in formal classes, tutorials and independent studies. Teaching is the primary function of the College. It is mandatory that all faculty members demonstrate teaching excellence, offer courses suitable for the curriculum and teach a sufficient number of students.
2. Advising
Advising students as to their program development, academic performance and course planning is an important part of a faculty member's work. Availability for office hours and accessibility is an important element.
3. College Service
The most common opportunity for College Service occurs in our committee structure of governance, but it may include other service activities such as review and search committees, special task forces, participation in programs and activities. All faculty are expected to take on some college service activities which may vary according to an individual and time available.
4. Administrative Functions
The level of cooperation with the administrative, registrar, library, and other staffs and the Academic Affairs Committee as they support the teaching function is evaluated. This includes timely student evaluations, and registration assistance as well as course planning and library interactions.

College of the Atlantic Faculty Manual

5. Community Building

These functions are those which advance the health of the College and make it a better and more effective institution. This could be development of new programs or it could take the form of leadership, collegiality or positive support of programs.

6. Public Service, Relations, and Education

This area refers to the activities of members of the College community which relate to the concerns of the wider communities in which we participate: local, island-wide, state-wide, regional, national, and international. Research projects and publications, association participation and committee membership are examples.

5.5. Evidence for Evaluation

College of the Atlantic recognizes the following sources of evidence:

- a. Written student class evaluation instruments
- b. Oral interview or written statements gathered during the review process from current and past students, advisees, peers and COA community members.
- c. Class visitation
- d. Outside evaluators
- e. Self-evaluation of the faculty member.
- f. Work products such as research and other publications.
- g. Institutional research data pertinent to the individual being evaluated such as class, independent study and other workloads.
- h. Outcome measurements.
- i. And others as approved by the Personnel Committee

A key question that will be addressed in all reviews is "What has this person done, above the expected performance of normal duties, that is excellent?"

5.6. The Contract Review Team Report

The written report to the Personnel Committee is to include at least the following sections:

- A report on the evidence, process, procedures and timetable used.
- A description of the work performed by the Team including interviews conducted, course evaluations analyzed, etc.
- The substantive conclusions reached by the Team including recommendations for improvement, or any follow up required.
- The Team's recommendations regarding Personnel Committee action which may be:
 1. Normal renewal of the person's contract with or without specific recommendations.
 2. Reduced renewal of the person's contract with specific recommendations and a mandatory focused review.
 3. No extension or renewal of the person's contract.

Appendices to the report may include any questionnaire(s) used, the list of people interviewed, the person's teaching responsibility description, a copy of the person's self-evaluation and the term of the previous contract.

5.7. Personnel Committee Action

On completion of the Contract Review, the Review Team reports to the Personnel Committee in a formal meeting. The reviewed may or may not attend the meeting according to their wishes or that of the Review Team.

College of the Atlantic Faculty Manual

Normally, the Personnel Committee evaluates the review and makes a recommendation to the President. During the evaluation, the Personnel Committee should give primary consideration to the procedure and conclusions of the Team and not attempt to duplicate the work. However, the Personnel Committee may also request the Team to reconsider part of the work, reject the work completely and reorganize the Team, or make a different recommendation to the President. Any divergence from the Team's recommendations must be accompanied by a letter of explanation from the Chair of Personnel Committee to the reviewed and the review team.

If a new contract is to be awarded, the President forwards the recommendation to the Board of Trustees.

5.8. Extended Guidelines for Review Procedures

The Personnel Committee has developed Guidelines for evaluation which are found in Appendix D. These may vary and be amended when necessary.

6. Separation

At times, the College of the Atlantic or the contract employee (faculty members are contract employees) may find it necessary to sever their contractual relationship. To protect the interests of both parties, categories of separation are here defined, and the policies and procedures related to each are set forth.

Types of separation:

- a. resignation
- b. retirement
- c. non-reappointment
- d. layoff/termination
- e. suspension or dismissal for cause

6.1. Resignation

Resignation is a separation action by which the contract employee voluntarily seeks to be released from a contract with the College. Because of the extreme hardship, which is often caused by untimely resignation, it is requested that all contract employees provide the earliest possible notice of an intent to resign. It is expected that, except in unusual circumstances, resignation will be effective at the end of the academic term. Ordinarily, the employee is expected to give notice to the President and Personnel Committee not later than four months prior to the end of the academic year. (The end of the academic year is usually Graduation.)

If a resignation is for reasons of prolonged mental or physical illness, the College in consultation with the individual or his or her representative, may consider whether the option of leave of absence would be appropriate and beneficial for all parties concerned.

6.2. Retirement

There is no normal age for retirement at College of the Atlantic, though certain benefits of the TIAA/CREF retirement plan are available after age fifty-five and favorable income tax related issues become available after age fifty-nine and a half.

6.3. Non-reappointment

The term non-reappointment means that the College has decided not to renew an employee at the conclusion of the stated contract term.

College of the Atlantic Faculty Manual

The recommendation not to offer a new contract to an employee is made by the Personnel Committee to the President. No formal action is required by the President. Any such decision may not be unlawfully discriminatory, arbitrary, or capricious.

6.3.1. Notice of Non-Reappointment

A faculty member who has held a multi-year contract will receive notice of non-reappointment no later than September 1 of their final contract year of renewal.

6.4. Layoff

"Layoff" occurs because of a major institutional change or exigency and affects all employees. "Layoff" may take place before the end of the contract term of an appointment. Likewise, "Dismissal for Cause" applies to all employees. "Dismissal for Cause" is a severance action by the College for just cause and may occur at any time.

Layoff is a severance action by which the College terminates the service of an employee before the expiration of his or her current contract or appointment, without prejudice as to his or her performance.

Reasons for Layoff are:

- a. prolonged mental or physical illness;
- b. financial or enrollment emergency;
- c. financial exigency.

6.4.1. Prolonged Mental or Physical Illness

Termination of an employee for medical reasons will be based upon substantial medical evidence that the employee is or will be unable to perform the terms, conditions, and normal duties of the appointment due to medical circumstances.

The decision to terminate for medical reasons will be made only after there has been appropriate consultation and after the employee or his or her representative has been informed in writing of the basis of the proposed action and the reasons for it. If the employee or his or her representative so requests within ten working days of the notice of termination, the situation will be reviewed by the President. The College will in each case work within the disability program to ease the burden of any such medical termination as far as is contractually possible.

Prior to the termination of any employee for medical reasons, the President of the College or his designee will give the employee involved or his/her representative a written statement of his intent to take this action with reasons, framed with reasonable particularity. Upon the receipt of written notification of intent, the employee or his/her representative will have twenty-one (21) calendar days to respond before the proposed action is taken.

6.4.2. Financial Exigency

Financial Exigency is a rare and serious institutional crisis. It is defined as the critical, pressing, or urgent need of the College to reorder its monetary expenditures in such a way as to remedy and relieve the state of urgency within the College created by its inability to meet its annual monetary expenditure with sufficient revenue to prevent a sustained loss of funds.

Before any faculty are terminated because of financial exigency, the Board of Trustees must officially declare that financial exigency exists. Subsequently, the employees shall be represented in administrative processes relating to

College of the Atlantic Faculty Manual

program reorganization, or the curtailment or termination of instructional programs due to financial exigency through the Ad Hoc Committee.

6.4.3. Financial or Enrollment Emergency

In the situation where there is an unexpected drop in fiscal full-time student enrollment such as may occur due to outside factors such as market shifts, state or federal student aid policy changes, economic hardship in the major market area of the institution, or other similar reason, the Executive Committee of the Board of Trustees and the President may decide that a state of financial or enrollment emergency is in order. To implement such an emergency state the President should:

1. Meet with the Ad Hoc Committee in conjunction with the chairs and administrative staff and review the data and institutional plan for action.
2. Give the Ad Hoc Committee a reasonable time, i.e., twenty working days, to respond to the problem and formulate a plan.
3. After that consultation, implement the plan using existing College committees.

6.4.4. Ad Hoc Committee on Enrollment and Financial Emergency and Exigency

When in the opinion of the Executive Committee there is a financial situation that threatens the viability of the college, the Executive Committee may direct the President to convene an Ad Hoc Committee composed of the following membership:

The President (Chair), The Treasurer, the Administrative Dean, the Academic Dean, the chief Business Officer, Personnel Committee Chair, Academic Affairs Committee Chair, Executive Committee Chair (Ex Officio), Student Representative (Selected by ACM and approved by the Ad Hoc Committee).

The Ad Hoc committee will serve in an advisory role to the Executive Committee and will have the following responsibilities:

1. Establish the financial and related academic and administrative need requiring adjustment, within the mission of the College.
2. Review all possible non-personnel and voluntary personnel adjustments that will meet the needs as previously defined.
3. Develop recommendations based upon #1 and #2 above for final action by the Executive Committee. These recommendations may include modifications of employment provisions or employment severance.
4. The Ad Hoc committee and the Executive Committee will insure that any modifications of employment provisions or employment severance are in accord with the College's policies regarding nondiscrimination and follow the provisions of this Personnel Manual.

6.5. General Procedures Regarding Layoff

When financial exigency or enrollment emergency necessitates the termination of employees, a demonstrated institutional effort will be made to assist such employees to find employment either at College of the Atlantic or elsewhere.

If a contract employee is laid off for reasons of financial exigency, enrollment emergency, no replacement for his or her position will be hired within a period of two years unless the terminated faculty or administrative staff member has been offered reappointment under conditions comparable to those he or she had at the time of layoff, and has been given at least one month, after written notice of the offer of reappointment to accept the reappointment.

College of the Atlantic Faculty Manual

It shall be the duty of a laid-off contract employee to keep the college informed of his or her current address, and notice sent to the address by the college, shall be presumed received if sent by certified mail, postage prepaid.

6.5.1. Appeals of Layoff

The decision of the Ad Hoc Committee on actions taken under 6.4.2. and 6.4.3. is final. No appeal procedure is available under these actions due to the fact that the college has provided procedures for such an action.

6.5.2. Severance Arrangements Under Layoff

All College personnel who are working under contract shall be entitled to the following severance provisions:

Option A

- Notice: On or before September 1.
- Severance Pay: Six months of contracted salary and all vested fringe benefits.

Option B

- Notice: Less than one academic year.
- Severance Pay: One year of contracted salary and all vested fringe benefits.

Variations between Options A and B may be negotiated individually by the employee and the President.

6.5.3. Severance Payment Provision

Severance pay will commence at the end of the notice period and may be paid in installments. If severance pay is paid in installments, all installments will be paid within the time period indicated by the severance pay amount.

6.6. Dismissal for Cause

Dismissal for cause is a severance action by which College of the Atlantic terminates its contract or appointment with an employee for just cause as defined in a-k of this section.

Dismissal will not be used to restrain a contract employee's academic freedom or other rights as citizens.

Dismissal proceedings may be instituted on the basis of the following grounds:

- a. professional incompetence;
- b. continued neglect of duties in spite of oral and written warnings;
- c. serious personal misconduct;
- d. deliberate and serious violation of the rights and freedom of community members;
- e. conviction of a crime directly related to the employee's fitness to practice his or her profession;
- f. serious failure to follow the canons and professional ethics of one's discipline or profession;
- g. falsification of credentials and experience;
- h. failure to follow standards of the institution in respect to guidelines within this Personnel Manual after oral and written warnings.
- i. other conduct which substantially interferes with the individual's ability to carry out his/her duties at the College or which substantially interferes with the ability of the College to carry out its function.
- j. unlawful possession, sale or distribution of illicit drugs or alcohol on College property or a part of College activities.
- k. A violation of the College's Sexual Assault and Misconduct Policy (See <https://www.coa.edu/student-life/title-ix/>).

College of the Atlantic Faculty Manual

6.6.1. Dismissal Procedures

Any investigation of a faculty member in relation to an alleged violation of the College's Sexual Assault and Misconduct Policy will be conducted by following the procedures for the Sexual Assault and Misconduct Policy.

Dismissal procedures for causes a-j may include the following steps:

- a. Written notice to the faculty member from the Chair of the Personnel Committee that a recommendation for dismissal for cause has been made to the Personnel Committee. This notice shall contain a written statement of the grounds upon which the recommendation is to be made, and a brief summary of information supporting such grounds.
- b. An investigation to determine whether cause exists and whether dismissal is the appropriate response.
- c. An opportunity to meet with the Personnel Committee if the employee so wishes.
- d. A recommendation to the President from the Chair of Personnel/Administrative Dean, that a dismissal, if appropriate, be made.
- e. A letter of dismissal from the Chair of Personnel/Administrative Dean or the President.

6.6.2. Action Short of Dismissal

Depending upon the circumstances, the President or Personnel Committee may recommend dismissal or the President may select a lesser disciplinary action short of dismissal, such as suspension for a period of time without pay.

In unusual circumstances, the Personnel Committee and/or President may take disciplinary action without previous citation or warning. Suspension may also be the temporary separation of a faculty or staff member from the College where it is determined by the Personnel Committee or President that there is a strong likelihood that the employee's continued presence at the College poses an immediate threat of harm to the College or to individual members of the College community. Such suspension shall be with pay and shall last only so long as the threat of harm continues, or until dismissal for cause occurs.

6.7. Disciplinary Warning

Discharge for cause should in normal circumstances be preceded by a written admonition by the Academic Dean or Chair of Personnel Committee describing the alleged problem and warning the employee that her/his employment status is in jeopardy. The warning must also stipulate a period of time within which correction of the alleged problem is expected. If the employee does not contest the allegation, corrects the problem and fulfills her/his duties, the matter is settled. If the employee fails to correct the negligence, dismissal procedures or a lesser sanction may be applied. Actions in Section 6 can be reviewed through the established appeal procedures; however, the burden of proof lies with the employee.

7. Faculty Rights and Responsibilities

7.1. Academic Freedom

College of the Atlantic is strongly committed to the protection of academic freedom in the tradition of American higher education. Under no circumstances is the controversial or unconventional nature of a subject grounds for its exclusion from classroom discussion. Indeed, it has become a custom at the college to give particular attention to exploring as many diverse perspectives as possible in a given discipline. Faculty members are further encouraged, within the range of their professional competence and the requisites of diversity, to develop and

College of the Atlantic Faculty Manual

present their personal views in class and to draw students into their active research and theory development. All faculty and staff members are expected to indicate when they are expressing personal views and when they are speaking outside their range of special competence.

As the college seeks to cultivate habits of original and critical thinking in its students, faculty and staff members should not be surprised by challenges to authoritative claims nor reluctant to answer them in some detail. This caveat applies equally in the conduct of all college business. Similarly, all faculty and staff members are protected in the right to speak outside the classroom, including criticism of practices at the college, provided that they are qualified in doing so either by training or professional involvement in the present situation.

As citizens, faculty and staff members are fully expected to be as active in public affairs as each feels appropriate. On occasion, a faculty or staff member may become involved in public or controversial issues as a representative of the College. Official representation of the College can only occur with the consent of the President. For this reason, it is particularly important that individuals clearly distinguish whether they are acting as private citizens or as representatives of the College. Opinions expressed as a representative of the College should always be subject to limits of professional competence.

Staff, faculty, and students are expected to exercise sound judgment, courtesy, and respect for each other. There is no self-evident case to be made for insisting on conformity to either institutional or societal norms of conduct and taste; however, it should always be borne in mind that the larger community will judge the college community by its members.

7.2. Faculty Ethics Statement

Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energy to developing and improving their scholarly competence. They accept the obligation to exercise critical self discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount

College of the Atlantic Faculty Manual

responsibilities within their institutions in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

As members of their community, professors have the right and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subjects, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for the college or their university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

We are indebted to the American Association of University Professors for this 1987 policy, which is adopted as College of the Atlantic policy.

7.3. Human Subjects in Research

To ensure the psychological and physiological safety and well being of any individual involved in a research project, any research using people (including, but not limited to, surveys, questionnaires, observations, interviews or experiments) requires written prior approval of the Academic Dean.

The Academic Dean maintains policy guidelines on Human Subject Research for the community members so interested in such research.

7.4. Animal Subjects in Research

All living organisms used in college-related activities should be treated thoughtfully, carefully and humanely. Plants and invertebrates may be collected, subject to existing laws, used for experimentation, or preserved. Vertebrates need to be treated with even more sensitivity. Live fishes, amphibians and reptiles may be maintained in the laboratory under supervision of an appropriate instructor. Birds or mammals may only be kept for specific purposes with written permission of the entire science faculty. Species not native to Mt. Desert Island will not be released here. Specimens taken from the wild must be returned to their place of capture under conditions that will permit their survival. No wild amphibians, reptiles, birds or mammals will be killed or used for surgical experimentation, but salvaged dead specimens obtained in a legal manner may be used under the supervision of an instructor. Commercially available preserved vertebrate specimens may be purchased for dissection at the discretion of instructors. Commercially available live specimens may be used for non-invasive experimentation under supervision of an instructor, but must be treated humanely and provision must be made for long-term maintenance or proper release according to the guidelines above. A committee to review research proposals involving animals is headed by the Academic Dean.

7.5. Deadlines

Faculty, staff and students are expected to meet all deadlines established by College offices and standing committees and the deadlines mandated by this Handbook and the Student Handbook or other College Policy Documents.

8. Leaves

8.1. Vacation

Teaching contracts are based on the 10-month calendar year, (September through June) and are defined with one-month vacation. Twelve-month contracts include one-month vacation. (21 working days)

College of the Atlantic Faculty Manual

8.2. Personal/Sick Leave

In order to accumulate paid sick leave, a faculty member must file monthly reports of leave taken. If records do not exist, cumulative leave may not be accrued.

All full-time employees are allowed paid personal leave of up to 6 days per year earned at the rate of one half day per month. This leave may be taken if needed in advance but if an employee leaves before it is earned, return payment will be expected. This leave may be used at the discretion of the employee for such purposes as illness, maternity, paternity, family grief and mourning, or other personal necessities. This leave may be carried over from year to year in a reserve account up to 64 working days to use for certified, extended illness. Unused personal leave will not be compensated for upon termination.

A regular part-time employee of at least half-time status is eligible for paid personal leave pro-rated to the level of employment. For example, a half-time employee may take up to 3 full days per year and accumulate up to 64 half days leave for certified illness.

For insurance and other regulatory reasons, accurate records of personal leave, vacation and time worked must be kept for all employees. A faculty member who expects to be absent should notify the Academic Dean, or if unavailable, the Personnel Committee, no later than the beginning of the workday in which the personal leave is taken.

8.2.1 Maine Earned Time Leave

The State of Maine has issued a Maine Earned Paid Leave Law (MEPL) effective January 1, 2021. College of the Atlantic (COA) will provide qualifying time off benefits under MEPL for faculty and professional staff as follows:

Eligible Employees:

Temporary Hourly Employees will earn one (1) hour of MEPL for every forty (40) hours worked as determined by submitted timesheets.

Temporary Salaried Employees (including adjunct faculty) will earn (1) hour for each week of work, irrespective of the number of actual hours worked. The workweek is defined as Monday through Sunday.

Enrolled, full-time students who regularly attend classes at COA are exempt from this law.

For employees who are benefit eligible and already earn vacation and personal time, our time off policy is more generous than the MEPL law. Our standard leave policy remains unchanged.

Faculty and Professional Staff under the above job descriptions can accumulate a maximum of forty hours of MEPL in a year. This maximum of forty hours can be carried over to a subsequent year.

Maximum Accruals:

Employees can accrue and/or use up to 40 hours each benefit year. Once an employee accrues 40 hours, they do not accrue additional hours in that year. Up to 40 hours of accrued leave can carry over from one benefit year to the next. If an employee carries over an accrual from the previous benefit year, their accrual in the present calendar year will not be greater than 40 hours, minus the carry over. For example, if 15 hours is carried over

College of the Atlantic Faculty Manual

from the previous year, the maximum the employee can accrue in the current year will be 25 hours, regardless of how much leave the employee uses in the current year.

Using Maine Earned Paid Leave:

The MEPL can be used for any reason such as emergency, illness, vacation, sudden necessity or planned time off, in a minimum of 15-minute increments.

The waiting period to begin use of MEPL is 120 days from the commencement of employment with COA.

Reasonable notice must be provided by the employee to the supervisor prior to MEPL usage, except in the case of absence due to emergency, illness or sudden necessity. Supervisor's may require up to four weeks of notice for planned absences. In the case of emergency, the employee should notify their supervisor as soon as is feasibly possible. Departments may establish scheduling guidelines to avoid situations where multiple absences impact the college's business and educational needs. The college may refuse requested time off that interferes with business or educational needs.

Paid leave accrued through the Maine Earned Paid Leave Law (MEPL) is not eligible for pay out at the separation of employment. Paid leave accrued under MEPL by a departing employee will, however, be reinstated at the full balance at the time of departure for employees upon their eventual return to employment at COA, so long as that return is within one year (365 calendar days, 366 in a leap year) of the employee's most recent separation. MEPL accrued paid leave expires one year after an employee's departure from COA employment.

MEPL can only be used to cover regular work time missed and not as additional income over and above regular contracted income for salaried employees or above regularly schedule work for that week for hourly employees. MEPL time used is not regarded as hours worked for the determination of overtime.

Rate of Pay:

When using MEPL, the rate of pay will be the prior week's average rate of pay, total earnings divided by total hours. Total earnings include all straight time earnings and additional stipends but do not include overtime or discretionary bonuses.

MEPL Year:

COA MEPL leave years span from July 1 through the following June 30. Each July 1 begins a new MEPL leave year. This is the date when prior the prior year's MEPL leave hours roll over to the next year. In the first year worked, as well as the first year this policy goes into place (January 1, 2021), the maximum of 40 hours will be determined through June 30.

8.3. Civil Duty Leave

A full-time or pro-rated college employee who is validly subpoenaed or summoned to involuntarily appear or serve as a juror during regularly scheduled work hours in a judicial forum, or compelled to appear before a judicial, legislative, or administrative body with civil power to compel attendance, shall be entitled to receive leave with pay for a period of time necessary for such appearance if the appearance may not be reasonably accommodated by rescheduling the employee's work hours, as determined by the College. Any compensation received for the appearance, other than travel and meal allowances, shall be reported to the College and may be deducted from any salary paid by the College for such civil leave subject to negotiation with the Personnel Committee. Civil leave may not be granted for appearances as an expert witness for a party to litigation, if the

College of the Atlantic Faculty Manual

employee is remunerated for the service. Civil leave must be approved in advance in writing by an employee's supervisor.

8.4. Unpaid Leave

Employees who have been employed at College of the Atlantic for 3 or more years may request additional personal leave which is unpaid. It is at the discretion of the College to grant such leave and determine whether it comes under the family leave requirements. Upon recommendation of the supervisor, the Personnel Committee or, if a faculty member, the Academic Affairs Committee, will decide if unpaid leave should be granted to the employee.

8.5. Family Leave

College employees with more than 12 months total service and who have worked more than 1,250 hours within that period are eligible for leave under the provisions of the Family and Medical Leave Act of 1993. Up to 12 weeks of protected, unpaid leave in a 12 month period are available with certain provisions to care for a spouse, child, or parent, (not parent-in-law) who has a serious health condition; or the employee's own serious health condition. Exact and complete provisions of the FMLA are available from the Business Office or Administrative Dean.

8.5.1 Parental Leave

Fulltime faculty members who have primary or coequal responsibility for the care of a newborn or a newly placed child are eligible for a one-term, one-course reduction in teaching, advising and committee work with no reduction in base salary or benefits, per birth, adoption, or placement of a child/children. This parental leave applies to all eligible employees regardless of gender identity and primary caregiver or birth parent status.

ELIGIBILITY. This benefit is available at hire to all fulltime faculty members. In the case that two fulltime COA employees share responsibility for the same child, they each are entitled to their respective parental leave benefit. If two faculty members share a position, the parental leave benefit may only be taken by one partner; the faculty members may decide which partner will use the benefit. Faculty are strongly discouraged from taking a sabbatical in the same academic year as a parental leave. If exceptional circumstances justify the need for taking a sabbatical and parental leave within the same academic year, it must be approved by the Academic Dean.

COMPENSATION. Faculty members who meet the eligibility requirements qualify for a one-course reduction in teaching and a one-term release from advising and committee work with no reduction in base salary or benefits (including continued contributions to the retirement plan and any group insurance coverages in effect at the time of the leave) per birth, adoption, or placement of a child/children.

NOTICE. A faculty member should notify the Academic Dean of a birth or adoption event with as much advance notice as feasible, preferably at least one term in advance. Prior to beginning their leave, faculty must work with the Academic Dean and Faculty Development Group (FDG) to prepare a Parental Leave Work Plan, outlining the timing and duration of the leave, and coverage of advising and committee duties.

FLEXIBILITY OF LEAVE. Parental leave may be taken during the term of the birth, adoption, or placement of a child/children, or anytime within the 12 months following the birth, adoption,

College of the Atlantic Faculty Manual

or placement event, but cannot bridge terms. To allow for flexibility of the employee's needs, the one-course release can be applied to a one- or two- course term (resulting in either a zero- or one-course term).

ADDITIONAL LEAVE. If further leave is needed for medical reasons associated with the birth, adoption, or child placement event, the College's one-time paid emergency family medical leave for faculty can be applied in addition to the parental leave benefit. The parental leave benefit will Faculty Parental Leave Benefit October 19th, 2018 count towards the 12 weeks unpaid leave guaranteed through the federal Family and Medical Leave Act (FMLA).

8.5.2 Bereavement Policy

- Purpose: The purpose of this policy is to define the steps to be taken in order to take time off with and without pay in the event of the death of a family member.
- Application: This policy applies to all staff who are scheduled to work at least 1,000 hours.
- Time Off: An employee is entitled to bereavement days. Reasonable verification of death and relationship shall be furnished to the College when requested.

In case of death in the immediate family, a regular employee may be excused from work with pay for a maximum of three (3) workdays in-state and five (5) days out-of-state, to make arrangements for or to attend the funeral. The supervisor may grant an additional period of time if it is necessary due to circumstances, distances to be traveled, etc.. The supervisor will provide a written notice of the additional time period with the reason for the request to the Director of Finance and Administration. This additional time off will be charged to the employees leave, or taken on a non-paid basis.

Relatives Defined

A member of the immediate family shall be construed to include a parent, guardian, brother, sister, spouse or recognized domestic partner, child, step child, current father-in-law, current mother-in-law, grandparent, grandchild.

An employee may attend the funeral of an individual who is not an immediate family member using either leave or on a non-paid basis, subject to supervisory approval.

This paid bereavement leave does not apply if the death occurs while the employee is on a paid or unpaid leave of absence, personal leave, sick leave, salary continuation, or disability. A regular employee may be excused from work with pay for one (1) day to attend the funeral of a close relative who is not a member of the immediate family or household.

8.6. Military Leave

Any employee who is inducted into, or called to active duty in, the Armed Forces of the United States, the organized militia, national guard, or a reserve component of the Armed Forces of the United States, for training and service and who leaves a position (other than a temporary position) with the College in order to perform such training and service and (1) receives a certificate of satisfactory completion of military service, and (2) makes application for re-employment with the College within ninety (90) calendar days after such employee is relieved from such training and service or from hospitalization continuing after discharge for a period of not more than 365 calendar days, such employee shall: (1) if still qualified to perform the duties of the position left,

College of the Atlantic Faculty Manual

be restored to such position or to a position of like seniority, status and pay; or (2) if not qualified to perform the duties of such position, by reason of disability sustained during such service, or qualified to perform the duties of any other position in the employ of the College, be offered employment and, if such employee so requests, be employed by the College in such other position the duties of which such employee is qualified to perform as will provide such employee like seniority, status and pay, or the nearest approximation thereof consistent with the circumstances in each such employee's case. The foregoing entitlement shall be allowed to each qualified employee provided that the College's circumstances have not so changed as to make it impossible or unreasonable to do so.

Employees who are restored to employment at the College in accordance with the provisions of this section shall be considered as having been on leave of absence during such period of training and service in the Armed Forces and shall be re-employed without loss of seniority, and shall be entitled to participate in insurance or other benefits offered by the College at the time the employee was inducted into the Armed Forces. Such employee shall not be discharged from the position in which they are re-employed, except for cause, for a period of 365 calendar days after the effective date of re-employment.

Active duty shall be defined to include participation in assemblies or annual training pursuant to any valid order of the command under which the employee serves, or attendance at service schools conducted by the Armed Forces of the United States for a period not to exceed ninety (90) calendar days, provided that any such attendance at a service school shall not exceed ninety (90) days in any 365 calendar day period.

8.7. Fringe Benefits During Unpaid Leaves

It is a general policy of the College for an individual employee to be allowed to retain any fringe benefits during leaves of absence of up to 18 months. Certain benefits such as the health insurance plan normally require a contribution by the College. Under certain circumstances when a leave is of benefit to the College, the college may elect to continue the contribution. Complete details concerning benefits during a leave should be negotiated between the employee, Business Office and Personnel Committee prior to the start of the leave.

8.8. Medical Adjustment Policy

Recognizing simultaneously the institutional need to have courses covered, the presence of good disability policies, and the occasional medical emergency that may cause a faculty member to not be able to teach a full load, this policy specifies that:

- Faculty members may apply in writing to the Associate Dean for Faculty for a one-time only course load reduction (with compensation) based on medical necessity
- The written recommendation from a competent physician must form part of the application and permanent record of any such course load request and adjustment
- The Associate Dean for Faculty, with as needed assistance from Faculty Personnel Committee, will determine if the faculty member's application should be granted
- Assessment of the request will not be based on seniority or performance of employee but rather on the medical circumstances as specified professionally
- If granted, the faculty member's associated course reduction will be documented and recognized as the single instance of use of the policy

Faculty course reduction for medical necessity under this policy will be granted when faculty, on the advice of a physician, remain capable of teaching but must reduce course load during a recovery period.

College of the Atlantic Faculty Manual

This policy does not supplant the disability benefits of College of the Atlantic and is not meant to be a long-term solution to medical needs or an employed faculty member's inability to carry out full-time duties as contracted. It is meant to specify a one-term benefit that acknowledges the needs of both institution and faculty employee for occasional flexibility. Once the policy has been applied, all other requests must trigger the actual invocation of the disability condition or a change of contract.

9. Compensation Policies

9.1. Faculty

Compensation is a subject of agreement between the College and a faculty employee entering into or renewing a contract or appointment for employment. Compensation for full-time and pro-rata employees includes both salary and fringe benefits and eligibility for any merit pay program. Compensation for faculty holding special appointment contracts is determined by the type of contract and Personnel Committee scales.

The President and Board of Trustees acting in concert with the Personnel Committee will set the amount of compensation received by individual faculty members. Salary schedules in effect may be included as an Appendix.

9.2. Part-time Visiting Instructors

One-third (1/3) of salary will usually be available at the end of the month in which the term begins or as stated in the contract letter. One-third (1/3) of salary will be available at mid-term.

One-third (1/3) of salary will be available upon submission of completed written evaluations of student performance within 2 weeks after the end of the academic term.

If 5 or fewer students register for a course, the College reserves the right to cancel it and to offer an instructor \$300 as payment for preparation time already invested.

Any agreement to permit a student to complete work after the end of the academic term must be made according to existing guidelines on extensions. A teacher is not obligated to enter into such an agreement, but if he/she does the College will expect the teacher to fulfill that agreement in a timely fashion even though his/her full salary has already been paid.

10. Benefits

10.1. Worker's Compensation

The College provides worker's compensation coverage for employees in accordance with the laws of the State of Maine. For details concerning coverage and benefits, contact the Business Office Manager.

Employees are required to report any job-related illnesses or injuries to their supervisor immediately and fill out an accident/injury report within 24 hours of the incident of accident. The employee can lose eligibility for workman's compensation if the report of injury is not filed in a timely manner.

10.2. Unemployment Compensation

The College provides unemployment insurance coverage for employees in accordance with the laws of the State of Maine. For detailed information concerning coverage and benefits, contact the Business Office.

10.3. Social Security

College of the Atlantic Faculty Manual

The College provides Social Security insurance in accordance with the laws of the United States. For details concerning coverage and benefits, contact the local office of the Social Security Administration or the Business Office Manager of the College.

10.4. College Sponsored Benefits

The following benefits are provided to eligible College faculty and staff. The descriptive statement provided for each benefit is a summary statement. Details of coverage and benefits can be obtained from the Business Office Manager. The College reserves the right to modify coverage, change carriers, or terminate benefits as is determined appropriate in the best interests of the College.

10.4.1. Insurance Programs

For full-time and eligible part-time employees and their families, the College provides a personal flexible insurance plan, which includes medical and dental insurance, long-term and short-term disability, life insurance and accidental death benefits. This plan uses several companies and current details may be obtained from the Business Office Manager.

Pro Rata and regular employees who are hired to work at least 20 hours per week year round or 1000 hours per year may also participate in the plans with the College paying a portion pro-rated according to the level of employment, and the individual employee paying the balance. Arrangements should be made through the Business Office Manager.

The dependent(s) of a covered employee will become eligible for coverage on the date of the employee's eligibility for coverage and/or on the date which the employee acquires the dependent.

Domestic Partners may also be covered under the College's health insurance plan if plan criteria are met. The College will contribute the same percentage of the health insurance premium for the domestic partner. However, as the federal government does not recognize domestic partners as dependents, the portion of the premium that the College pays for the domestic partner will be taxed to the employee. See the Business Office Manager for more information.

10.4.2. Health Insurance-Continuation Coverage (COBRA)

On April 7, 1986, a federal law was enacted (Public Law 99-272, Title X) requiring that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage called "continuation coverage" at group rates in certain instances where coverage under the plan would otherwise end. This notice is intended to inform you, in a summary fashion, of your rights and obligations under the continuation coverage provisions of the new law. Both you and your spouse or dependent children should take the time to read this notice carefully.

If you are an employee of College of the Atlantic covered by its insurance carrier, you have a right to choose this continuation coverage if you lose your group health coverage because of a reduction in your hours of employment or the termination of your employment for reasons other than gross misconduct on your part.

If you are the spouse of a covered employee, you have the right to choose continuation coverage for yourself if you lose group health coverage for any of the following four reasons:

1. The death of your spouse;
2. A termination of your spouse's employment for reasons other than gross misconduct or reduction in your spouse's hours of employment;

College of the Atlantic Faculty Manual

3. Divorce or legal separation from your spouse; or
4. Your spouse becomes eligible for Medicare.

In the case of a dependent child of an employee, he/she has the right to continuation coverage if group health coverage is lost for any of the following five reasons:

1. The death of a parent.
2. The termination of a parent's employment for reasons other than gross misconduct or reduction in a parent's hours of employment with College of the Atlantic.
3. Parents' divorce or legal separation.
4. A parent becomes eligible for Medicare; or
5. The dependent ceases to be a "dependent" child under current regulations.

Under the law, the employee or a family member has the responsibility to inform the business office and insurance carrier of a divorce, legal separation or a child losing dependent status. College of the Atlantic has the responsibility to notify the carrier of the employee's death, termination of employment or reduction in hours or Medicare eligibility.

When the carrier is notified that one of these events has happened, the company and the business office will in turn notify you that you have the right to choose continuation coverage. Under the law, you have at least 60 days from the date you would lose coverage because of one the events described above to inform the business manager and carrier that you want continuation coverage.

If you do not choose continuation coverage your group health insurance coverage will end.

If you choose continuation coverage College of the Atlantic is required to give you coverage which, as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or family members. The new law requires that you be afforded the opportunity to maintain continuation coverage for three years unless you loss group health coverage because of a termination of employment or reduction in hours. In that case the required continuation coverage period is eighteen months. However, the new law also provides that your continuation coverage may be cut short for any of the following five reasons:

1. College of the Atlantic no longer provides group health coverage to any of its employees;
2. The premium for your continuation coverage is not paid;
3. You become an employee covered under another group health plan;
4. You become eligible for Medicare;
5. You were divorced from a covered employee and subsequently remarry and are covered under your new spouse's group health plan.

You do not have to show that you are insurable to choose continuation coverage. However, under the law you may have pay all or part of the premium for your continuation coverage. The law also says that, at the end of the 18-month or three-year continuation coverage period, you must be allowed to enroll in an individual conversion health plan provided under the carrier.

10.5. Retirement Plan. TIAA-CREF Policy Provisions

The College retirement plan is a Defined Contribution ("Money Purchase") Plan established by the Board of Trustees and effective as of September 1, 1975. Benefits are provided by fixed-dollar annuities offered by its companion organization, the College Retirement Equities Fund (CREF). TIAA is an insurance company founded in 1918 and incorporated under New York State Law. CREF is registered with the Securities and Exchange

College of the Atlantic Faculty Manual

Commission as an open-end diversified investment company. A CREF prospectus or information as how to obtain it may be obtained from the Business Office Manager.

The Plan operates under section 403(b) of the Internal Revenue Code and uses TIAA and CREF Retirement Annuities to provide benefits. The Administrator of the Plan is College of the Atlantic and the plan year extends from January 1 to December 31.

The following paragraphs describe some key features of the plan. A Summary Plan Description is available on the College of the Atlantic website and in the Business Office. Details of all phases of retirement options and TIAA/CREF investments and options are also available.

10.5.1. Eligibility

Any employee upon hire is eligible to join College of the Atlantic's TIAA/CREF retirement plan and set aside their own monies pre-tax (even before they are eligible for the match).

All College employees, 1000 hours per year or greater, are eligible to receive the employer contribution to the retirement plan after 12 months of continuous employment. For purposes of the employer contribution to the TIAA/CREF plan, an eligible employee is defined as being credited with 1,000 hours or more of service during any 12 consecutive calendar month period commencing with the date of employment.

Additionally, any benefit-eligible employee whose prior employer was an educational organization, a teaching institution, an institution of higher education, a non-profit (research) institution or an organization that meets the eligibility requirements of Code Section 403(b)(1) and that employee met College of the Atlantic's eligibility requirements at that prior employer, he/she is eligible for COA's match when they are eligible for other benefits at COA, and therefore do not have to wait a year for the employer contribution to commence.

10.5.2. Participation & Enrollment

New employees may begin participation in the Plan upon hire. The agreement for retirement withholding form must be completed and turned in to the College Business Office, and the online enrollment at TIAA/CREF must be completed by the employee for an employee to become a part of the plan. If you are eligible for the employer contribution to the Plan, you should begin receiving the College's match on the first of the month following completion of a 12 month period which constitutes one year of service at the College (except under the circumstances of previous employer eligibility detailed in section 4.5.1. above).

It is the responsibility of the College Business Office to inform all employees of the available benefits and to offer enrollment in the insurance and retirement plans. Employees must follow up by formal application and providing the necessary information for TIAA/CREF and other insurance programs.

10.5.3. Contributions

For eligible staff participants who are enrolled, the College will contribute 8% of their regular salary if the employee elects to contribute 2%.

Contributions by the College and the Participant are before taxes and may not exceed the limits imposed by sections 402, 403 and 415 of the Internal Revenue Code as may be adjusted from time to time. The Business Office or TIAA will have information about these limits.

College of the Atlantic Faculty Manual

College of the Atlantic shall forward the combined sum to TIAA-CREF for the purchase of retirement benefits for the participant. All such transactions will be made in strict accordance with the regular payroll schedule and are usually made monthly.

Such combined sum will be applied as premiums for retirement annuities on the participant's life, allocated between TIAA and CREF in any proportion as elected by the participants.

Participants can change their elected investment allocations with TIAA/CREF directly. Additionally, once a quarter, participants can change their contributions to TIAA/CREF by completing a new agreement for retirement withholding form and contacting the Business Office Manager at the College.

10.5.4. Contracts

Each TIAA retirement annuity contract and CREF certificate issued in accordance with this plan is for the sole purpose of providing a retirement and/or death benefit and is the property of the individual participant.

10.5.5. Amendment

While it is expected that this plan will continue, College of the Atlantic reserves the right to modify or discontinue it at any time, upon reasonable notice to its employees.

10.6. Tuition Remission

The spouse and dependent children of full-time employees are eligible for tuition remission at the College, provided they meet the requirements for admission, and for enrollment in good standing and provided they pay the student activities fee, appropriate lab fees, and a standard service fee set by the Business Office. An employee-dependent will not be eligible for traditional merit or specialty program scholarships. The tuition remission benefits supercede these institutional scholarships. However, the tuition remission benefits do not necessarily disqualify employee-dependents from receiving additional COA awards or federal financial aid. Dependency must be established with the Admissions Office using standard financial aid guidelines. The tuition remission rate for a current full-time college employee is 85% of the cost of tuition. The spouse and dependent children are also eligible to audit one course per term without charge.

Family members of pro-rate faculty or eligible part-time administrative or support staff are eligible for tuition remission, prorated as an average of up to the previous three years total contracts of the employee, and prorated on a course basis, provided they meet the requirements for admissions and for enrollment in good standing and provided they pay the student activities fees, appropriate lab fees, and a pro-rated standard service fee.

Tuition remission benefits are available to the spouse and dependent children of staff during any year in which the staff member is employed by the College.

An individual who has been employed by COA for a total of at least fifteen years, either formerly or currently employed, is eligible for the same tuition remission benefits which are extended to children of current faculty and staff, should their children gain admittance to and choose to attend COA. The governing tuition remission benefits policies shall be those in effect at the time the children actually attend COA. However, should the college have elected to reduce or eliminate tuition remission subsequent to an employee's separation from COA, the employee's children will be eligible to receive the same benefits which were in place at the time of the

College of the Atlantic Faculty Manual

employee's separation. To be eligible for the same benefits accorded to a current full-time employee, the employee must have worked a minimum of fifteen years at least half time (17.5 hours per week); benefits for employees who work less than 17.5 hours per week will be pro-rated.

In the case of termination with prejudice/for cause, the former employee, spouse or dependents are not eligible for this benefit.

10.7. Academic Regalia

When academic regalia is in order for a College event the College will provide academic regalia at no cost to those faculty members who do not have their own regalia or who do not wish to use their own regalia.

10.8. Emeritus Faculty

Upon retirement from College of the Atlantic, faculty members who 1) have served on the COA faculty for a minimum of fifteen years and 2) are at the age of sixty or above shall be eligible to be appointed to emeritus status by the Faculty Personnel Committee

Emeritus faculty appointments will be communicated by Faculty Personnel Committee, through the Personnel Committee, the President of the College, and the Board of Trustees and recorded as appropriate in the documents of the college

Faculty emeriti may

Teach occasional courses at the invitation of the Academic Affairs Committee – such courses would be compensated at the lectureship rate

Remain honorary faculty members with no contract or course obligations, but with continuing access to email, the COA library, and the COA affiliation (this latter offers use of the letterhead, support staff services on occasion, and space whenever available)

A list of faculty emeriti will be maintained by the Academic Dean, Administrative Dean, and the President and such faculty will be included with the faculty at all convocation and graduation events, as well as included in communications of all-college interest.

11. Faculty Development

In a small college, leaves of absence are a particularly important means for renewing faculty energy and abilities. Individuals are particularly encouraged to pursue leaves, which give them additional depth or experience in their field of expertise, or provide experience in new fields that will be of use to the college. Periodic leave is strongly encouraged and various forms of assistance may be given by the College. These include such options as subsidized leave, negotiated faculty exchange, aid in tuition or other costs, and short term assistance for work directly contributing to responsibilities at the college. The conditions and procedures for faculty development leave are given below. In all circumstances, it is the responsibility of the faculty member to assist in securing adequate replacement during his or her absence. The availability of leave is always restricted by the finances and needs of the College program, as judged by Academic Affairs and Personnel Committees; obviously the number of faculty on leave in any year should not be large.

11.1. Sabbatical Policy for Faculty

College of the Atlantic Faculty Manual

Purpose of Sabbaticals: The purpose of sabbatical leaves is to allow faculty members to pursue professional and creative activities not normally possible because of full academic year commitment to the college and the college's geographic isolation. As stated in the Statement of Principles on Leaves of Absence adopted by the American Association of University Professors:

Leaves of absence are among the most important means by which the teaching effectiveness of faculty members may be enhanced, their scholarly usefulness enlarged, and an institution's academic program strengthened and developed. A sound program of leaves is therefore of vital importance to a college or university, and it is the obligation of faculty members to make sure of the available means, including leaves, to promote their professional competence. The major purpose is to provide opportunity for continued professional growth and new, or renewed, intellectual achievement through study, research, writing, and travel.

11.2 Sabbatical Timing and Eligibility: Full-time faculty members receive one term of sabbatical leave with full pay and fringe benefits after each nine terms of teaching or administrative work. Faculty may negotiate a planned, unpaid leave to extend their period of absence, but must notify and secure approval from both the Academic Affairs and Personnel Committees twelve months in advance.

Faculty members are strongly encouraged to take sabbaticals as they become eligible. If a faculty member does not take a sabbatical when eligible, he or she retains the right to the deferred sabbatical and begins accumulating course "credits" toward another sabbatical. Such faculty may request to take their deferred sabbatical at any point or may continue to work additional terms to the point of becoming eligible to receive "accumulated" sabbaticals--i.e., two consecutive sabbatical terms.

Sabbaticals are usually taken in a term in which the faculty member would teach one course. A faculty member wishing to take a sabbatical in a term when he or she would normally teach two courses must teach an extra course in the year before or after the sabbatical occurs.

Pro-rata faculty members who teach in each academic term are eligible for pro-rated sabbaticals. After every 9 terms, such faculty members are eligible for a 1-term sabbatical during which time the college continues paying salary and fringe benefits as during a normal term of pro-rata teaching. Part-time faculty members who do not teach in all three terms are not eligible for sabbaticals. Such faculty members are eligible to apply for faculty development funds during their "off term."

11.3 Procedures for Requesting Sabbatical Leaves: Any changes to the proposed sabbatical schedule must be negotiated with the Academic Deans (Faculty Development Group and Academic Affairs Committee co-chairs) and approved through the Faculty Development Group. The college will make every effort to accommodate especially those changes that result from circumstances beyond the faculty member's control. When requesting a sabbatical, faculty must include a brief description of the activities anticipated during the sabbatical and their value to the faculty member and the college. In some cases the Academic Affairs Committee may delay a sabbatical by one or, at most, two terms so that the curriculum is not negatively affected by too many faculty being away in a given term. The academic deans will work proactively with the faculty to make sure that sabbaticals remain appropriately spaced. It is the responsibility of the faculty member to make sure that her or his advisees have an interim advisor during the sabbatical, and to make sure that book orders and scheduling requests for the subsequent term are taken care of.

11.4 Returning to Campus from a Sabbatical Leave: Within three months of returning from sabbaticals, faculty will present a short, written report of their sabbatical activities to Academic Affairs Committee. Faculty are also

College of the Atlantic Faculty Manual

strongly encouraged to present their sabbatical work to the community in a broader forum. It is expected that the faculty member will return to her or his teaching position at COA for at least one year after completion of a sabbatical.

11.5. Professional Conferences

All faculty may attend professional conferences which enhance their work at the college. Faculty may apply to the President through the Academic Dean for faculty development funds. Expenses incurred from attendance at professional conferences will be reimbursed only if the expenses have been approved in advance by the Academic Dean and /or the President and the funds are available.

12. Grievance Procedure

Purpose: This grievance procedure is intended to be a vehicle for the orderly consideration and resolution of employee grievances. A "grievance" means an unresolved complaint with respect to terms or conditions of employment, a claim that there has been a violation of the policies and procedures outlined in this manual, or a claim that disciplinary action is not warranted. This policy does not apply to questions of sexual harassment or decisions arising from the Sexual Harassment Complaint Procedure. College of the Atlantic recognizes that any employee has the right to bring problems or complaints to the attention of the College without fear of reprisal. The best efforts of the people involved should be used to effect a prompt and equitable resolution.

Coverage: This grievance policy applies to all College of the Atlantic employees, including student employees.

It is most desirable for employees to first try to resolve their difficulties informally by talking with their supervisor. There may be instances where discussions would be best served by the presence of an uninvolved objective community member mutually agreed upon by both parties.

The employee should promptly bring the matter to the attention of their immediate supervisor, or in the case of a faculty member an appropriate dean, explaining the nature of the problem and the relief sought. It is expected that the complainant's supervisor will make a good faith effort to resolve the situation. The supervisor should respond in writing within seven (7) working days.

If the employee is not satisfied that their supervisor has given the matter proper consideration, then the complainant should talk with the person to whom the supervisor reports.

Finally, if the employee is not satisfied that their supervisor's supervisor has given the matter proper consideration then the employee should talk with the Chair of Personnel or a member of the Personnel Committee for advice on how to resolve the problem.

Formal Grievance Procedure

If the informal procedure fails to resolve the grievance, and the employee wishes to continue the matter, he or she must begin the steps of the formal procedure no later than fourteen (14) calendar days after receipt of the final response from the supervisor's supervisor. The value of informal resolution cannot be underestimated, however, there may be times when an employee wishes to directly move to the formal grievance procedure.

1. The aggrieved employee will send the Chair of Personnel a written statement outlining the relevant facts, indicating the initial grievance, the relief sought and the informal steps which have been taken to resolve the situation. Either employee involved in the grievance may request the Chair of Personnel recuse him/herself

College of the Atlantic Faculty Manual

from the deliberations. If the Chair of Personnel needs to recuse him/herself, the Personnel Committee will select an appropriate designee to fulfill the role of Personnel's Chair.

2. Within seven (7) working days of receipt of the grievance the Chair of Personnel (or his/her designee) will request a written statement from all parties involved. The Chair of Personnel (or his/her designee) may, at his or her discretion, obtain additional written statements from other persons with knowledge of the grievance.
3. The Chair of Personnel (or his/her designee) will assure that parties have attempted to informally resolve the situation.
4. The Chair of Personnel (or his/her designee) will schedule a meeting within twenty-one (21) calendar days of receipt of the employee's written statement with the aggrieved employee, the supervisor and the person who is being grieved against. If either employee wishes, a fellow College employee may accompany him/her to the meeting to provide support and may offer suggestions or comments. This effort at resolution is not to be regarded as an adversarial proceeding similar to a trial, and is intended to air concerns and foster settlement of grievances and conflicts. The proceedings will remain confidential. The presence of legal counsel at the meeting is not permitted. Note taking is allowed, but recording of the meeting is prohibited.
5. The Chair of Personnel (or his/her designee) acts as facilitator of the meeting, hears both sides of the dispute and renders a written decision reflecting mutual resolution of the matter or actions to be taken in accordance with established practices in the college's Personnel manuals (section 2.6.5 of the Administrative and Support Staff Personnel Manual or 6.6.2 and 6.7 of the Faculty Personnel manual.) The written decision is completed within seven (7) calendar days following the hearing; all parties receive copies of the decision.

Appeal Procedure

If the formal procedure fails to resolve the grievance, either employee may begin the steps of this appeal procedure no later than fourteen (14) calendar days after receipt of the Formal Grievance Procedure decision.

1. The employee will make a written request to the Chair of Personnel Committee (or his/her designee) for a hearing before the Committee.
2. Personnel Committee will review its current membership to assure members have no special bias or interest in the case. Affected committee members will recuse themselves from deliberations.
3. The Chair of Personnel Committee (or his/her designee) will schedule a hearing within twenty-one (21) calendar days of receiving the employee's written request.
4. The Committee will conduct the hearing in any manner deemed fair and equitable by the Committee subject to the following:
 - A. The parties will be allowed to present all relevant facts and to present individuals who have direct knowledge of the facts and can offer information about the grievance.
 - B. The hearings will be conducted privately and confidentially.
 - C. The parties may have, as adviser at the hearing, any College employee of their choice. Such advisers may offer suggestions and comments.
 - D. The appeal hearing is not to be regarded as an adversarial proceeding similar to a trial and is not subject to the procedures of a court of law. The presence of legal counsel at the hearing is not permitted.
 - E. The decision will be made by a majority of the members of the committee who conducted the hearing.
5. Personnel Committee's decision will be forwarded to the President or the President's designee within fourteen (14) calendar days after the conclusion of the hearing.
6. Copies of Personnel's decision will be provided to the employee(s), the relevant supervisor(s) and the Chair of Personnel.

College of the Atlantic Faculty Manual

7. A request for an appeal may be filed with the President; if a grievance involves the president an alternative person will be designated in the President's place by the Personnel Committee. Upon receipt of a request for the appeal the President or his/her designee shall arrange mediation between the college and the party(ies) involved to be conducted by a pre-designated external mediator. These arrangements by the President or his/her designee include the delimitation of the amount of time and resources to be allotted toward mediation. The President (or his/her designee) will then render a final and binding resolution to the grievance.

13. Drug-Free Workplace Program and Regulations

College of the Atlantic, in compliance with and in support of the Drug-Free Workplace Act of 1988, hereby notifies all employees that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances is prohibited at College of the Atlantic.

Violation of this prohibition by an employee shall result in the college taking appropriate personnel action against the employee, up to and including termination of employment, or requiring the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

As a condition of employment, each employee shall abide by the terms of this statement and shall notify the College through the Personnel Committee of any criminal drug statute conviction for a violation occurring at COA no later than five days after such conviction. Within ten days after receiving notice from an employee or otherwise receiving actual notice of such conviction, the Personnel Committee shall notify the Department of Education of said conviction. Within thirty days of the Personnel Committee being notified of said criminal conviction, the Personnel Committee shall notify the Department of Education of the action taken.

The College drug-free awareness program advises that the dangers of drug abuse in the workplace include, but are not limited to physical and mental impairment, injury or death, loss of productivity, and personal and institutional liability.

The College is committed to maintaining a drug-free workplace as outlined and will provide employee assistance through referral for drug counseling or rehabilitation upon request through the Personnel Committee. Employees deemed by the College to be in violation of the prohibition short of actual conviction and short of requesting referral through the Personnel Committee shall be subject to the personnel action deemed appropriate by the college as outlined in the preceding paragraphs.

13.1. Sexual/gender Harassment Policy

College of the Atlantic seeks to create and maintain an academic environment in which all members of the community are free of harassment based on gender or sex. Undergirding community life must be the awareness on the part of every member of the rights and human dignity of every other member. Attitudes of condescension, hostility, role stereotyping, and sexual innuendo weaken the health of the community.

Sexual harassment of either students or employees is a violation of federal and state laws. In accordance with these laws, College of the Atlantic regards freedom from sexual harassment as an individual right of employees and students, which will be safeguarded as a matter of policy.

Maine state law defines sexual harassment as:

College of the Atlantic Faculty Manual

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting such individuals; or
 - Such conduct has the purpose or effect of substantially interfering with an individual's academic work or work performance or creating an intimidating, hostile, or offensive employment, education, or living environment.

The determination of sexual harassment will vary with particular circumstances, but it may be described generally as unwanted sexual behavior, such as physical contact or verbal comments or suggestions, which adversely affects the working, learning, or social environment of an individual. Sexual harassment affects both men and women, and can take many forms. Some of these are overt and unambiguous, while others may be more subtle and indirect. The common ingredient, even between peers, is an element of intimidation, which gives the harasser control of the situation and may provoke fear or discomfort in the victim. Familiarity between persons does not eliminate the possibility of abuse or sexual harassment. Date or acquaintance rape, and coerced sex thus cannot be dismissed on the assumption of familiarity. Every COA community member will be held accountable for his or her actions. No circumstance, including excessive drinking or substance abuse, is acceptable excuse for sexual harassment.

All alleged cases of sexual harassment, including harassment on the basis of sexual orientation and acquaintance rape, will be addressed within the Sexual Harassment Complaint Procedure.

Examples of sexual harassment include the following:

- Sexual contact that is not freely and explicitly agreed to by both parties.
- Repeated, unwanted attention of a sexual nature (e.g., written or verbal contact, lewd or suggestive behavior).
- Implied or expressed reward (e.g., hiring promotion, salary increase, better working conditions, higher grades, or recommendations).
- Implied or expressed threat of reprisal for failure to comply with a sexual request.
- Explicit, covert, or subtle messages repeatedly communicated by any COA community member expressing hostility toward or belittlement of an individual because of gender or sexual orientation.

13.2. Procedures for Resolution of Complaints of Discrimination or Sexual Harassment

Current policy and procedures for resolution of complaints of discrimination or sexual harassment are given in an Appendix.

14. Civil Rights Complaints

The College is committed to maintaining a humane atmosphere in which the race, color, creed, sexual orientation, religion, marital status, national or ethnic origin, physical or mental handicap or veteran status of an individual or group are respected and not disparaged. Therefore, the following procedures will be followed should any member of our community feel that such an atmosphere is not being maintained.

14.1. Investigation Procedure

College of the Atlantic Faculty Manual

The procedure utilized in the investigation of any complaint of civil rights infringement or discrimination will be the same as those used for the investigation of gender or sexual harassment. The first person to be contacted in such an event should be the Equal Employment Opportunity/Affirmative Action officer.

15. Other Policies Relevant to Faculty Members

15.1. Campus Closure

The Board of Trustees or the President of the College, or persons acting under their authority, may close the College due to circumstances beyond the College's control, which impair its ability to continue normal operations. Such circumstances may include, but are not limited to, inclement weather, natural disaster, labor disputes, national emergencies, or other circumstances beyond the College's control. During such periods of closure, employees shall be considered to be on leave of absence with pay. Announcement of the closure of the College shall be disseminated by means of local radio stations WKIS (93.6 FM), WQSQ (94.5 FM) and WWMJ (94.6 FM) WNBC (Channel 2). During such occurrences, the employees are requested to monitor the stations for information.

Normally, faculty unable to meet their class should call the Academic Dean, the Office of Academic and Administrative Services, or the Switchboard so that students may be notified.

15.2. Copyright Law Compliance

All employees of the College shall conduct their activities on behalf of the College including but not limited to any research or writing activities, in such a fashion so as to meet and comply with all the requirements of the United States Copyright laws and regulations (Title 17 U.S. C.).

As a condition of employment, each employee agrees to accept

- responsibility for reading and understanding the requirements of the copyright law and the policy statement and guidelines of the College and for complying with those requirements and guidelines. In the event that a copyright infringement occurs as a result of the acts of an employee, if the employee is able to demonstrate compliance with the policy and guidelines of the College, such acts shall be considered "good faith compliance" by the College and the employee shall not be required to indemnify the College for any damages, judgments, or costs which may be obtained against the College for the acts of the employee.

If, however, an employee willfully, intentionally, negligently, or without good faith, violates the copyright provisions, the employee shall be solely liable for all losses, damages, judgments, and costs of whatsoever kind or nature that may be incurred. Should the College be named in any legal or equitable

- responsibility for reading and understanding the requirements of the copyright law and the policy statement and guidelines of the College and for complying with those requirements and guidelines. In the event that a copyright infringement occurs as a result of the acts of an employee, if the employee is able to demonstrate compliance with the policy and guidelines of the College, such acts shall be considered "good faith compliance" by the College and the employee shall not be required to indemnify the College for any damages, judgments, or costs which may be obtained against the College for the acts of the employee.

If, however, an employee willfully, intentionally, negligently, or without good faith, violates the copyright provisions, the employee shall be solely liable for all losses, damages, judgments, and costs of whatsoever kind or nature that may be incurred. Should the College be named in any legal or equitable action arising from such wrongful infringement, the employee agrees to save, hold harmless, and indemnify the College against all losses,

College of the Atlantic Faculty Manual

damages, fees (including attorney fees,) or other penalties, monetary or otherwise, that may be incurred as a result of such conduct.

Information on copyright materials concerning written materials is posted by the College copy machines. Additional information of copyright as it pertains to computer software, visual and sound recordings and off-the-air taping can be obtained in the College Library.

15.3. Conflict of Interest

College employees shall disclose to the President all facts and circumstances related to any College transactions, activities, contracts or other dealings in which they are involved or may become involved on behalf of the College which might directly or indirectly involve them in a duality or conflict of interest. Such disclosure shall be made in writing as soon as is reasonable after the conflict or potential conflict comes to the knowledge of the employee. A duality or conflict of interest shall be deemed to exist at anytime when an interest held by the employee potentially prohibits or inhibits the employee from exercising independent judgment in the best interests of the College. A duality or conflict of interest shall exist whenever an employee is a director, president, general manager, or similar executive officer or owns or controls directly or indirectly a substantial interest in any non-governmental entity participating in a transaction with the College.

15.4. Hazardous Waste Disposal

Employees who handle toxic or hazardous substances on behalf of the College are required to maintain, use, and dispose of such substances in accordance with applicable state, federal and local laws and regulations as a condition of their employment. The employee may obtain assistance in ascertaining his/her obligations under these laws and regulations from the Director of Buildings and Grounds. If any violation occurs despite reasonable reliance upon advice given by the College, the employee shall be deemed to have acted outside the scope of his/her authority.

15.5. Outside Activities

Employees are required to conduct their activities on behalf of the College with the utmost good faith and loyalty. Employees may not compete with the College or convert business opportunities of the College to their personal gain or advantage or the gain or advantage of another. Employees may not convert confidential information of the College to their personal gain or advantage or the gain or advantage of others.

15.5.1. Political Activity

Employees, as citizens, are free to engage in political activities. Any member of the Community who wishes to engage in direct political activity which will involve substantial amount of time away from the performance of his or her responsibilities (e.g., holding or running for political office, managing a campaign, directing group action on behalf of a political candidate or issue) is expected to work out a mutual agreement for leave of absence with the President or his/her designee or the Provost, before undertaking such activity.

The terms of such leave of absence will be set forth in writing, and the leave will not affect unfavorably the status of an employee.

15.5.2. Outside Consulting Policy

Full-time contracted employees of the College are required to devote their best professional efforts to the performance of their contracted duties and responsibilities. They shall be entitled, however, to engage in outside activities in accordance with the terms and conditions set forth below.

College of the Atlantic Faculty Manual

The conditions for approval of major outside activities are as follows:

1. All major outside activities must be approved in advance by the President or his/her authorized designee. A request for approval must be submitted in writing by the employee to the appropriate official no later than ten (10) calendar days prior to the date when the outside activity is required to be commenced.
2. The President or his/her designee must respond to it in writing within ten (10) calendar days.
3. Regular activity of an outside nature will need approval only at the beginning of an academic year. The following information should be given to the President:
 - a. the entity or person for which or whom the outside activity is to be performed;
 - b. the dates on which, or period during which, the outside activity is to be conducted;
 - c. the approximate number of hours to be devoted by the employee to the activity;
 - d. the nature and amount of annual remuneration to be received and to what entity or person it will be directed;
 - e. the College facilities and equipment to be used (if any) and the approximate nature by conduct of the activity; and
 - f. a proposed plan for coverage or replacement of any College duties affected by conduct of the activity; and
 - g. a certification that the conduct of the activity does not constitute a conflict of interests as defined by College policies in the Personnel Manual.
4. Any requests submitted in compliance with this policy shall be approved if the President determines, in his/her discretion:
 - a. that the conduct of the activity does not constitute a conflict of interest as defined by College policy or the conflict of interest has been fully disclosed to, and approved by, all interested parties;
 - b. that all College duties required to be performed by the employee are appropriately covered or replaced; and
 - c. that appropriate provision has been made for the recovery of the cost of any use of College facilities and/or equipment.

All approvals to conduct outside activities shall be subject to the condition that the employee must disclose to the President in writing as soon as is reasonable, any change in any of the disclosures made in the request for approval.

15.6. Sale of Employee Created Materials to College Students

Faculty and staff members often create materials in which they hold commercial interests and which might be used in courses or programs, which the faculty or staff member is teaching or administering for the College. It is the policy of the College that faculty or staff members may require students to purchase materials in which the faculty or staff member holds a commercial interest for courses taught or programs administered by that faculty or staff member. This should be done however, through a college office, usually the business office, and not by individual instructors.

15.7. Drug-Free Workplace Program and Regulations

College of the Atlantic in compliance with and in support of the Drug-Free Workplace Act of 1988 hereby notifies all employees that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances is prohibited at College of the Atlantic.

Violation of this prohibition by an employee shall result in the College taking appropriate personnel action against the employee, up to and including termination of employment, or requiring the employee to participate

College of the Atlantic Faculty Manual

satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

As a condition of employment, each employee shall abide by the terms of this statement and shall notify the College through the Personnel Committee of any criminal drug statute conviction for a violation occurring at COA no later than five days after such conviction. Within ten days after receiving notice from an employee or otherwise receiving actual notice of such conviction, the Personnel Committee shall notify the Department of Education of said conviction. Within thirty days of the Personnel Committee being notified of said criminal conviction, the Personnel Committee shall notify the Department of Education of the action taken.

The College drug-free awareness program advises that the dangers of drug abuse in the workplace include, but are not limited to physical and mental impairment, injury or death, loss of productivity, and personal and institutional liability.

The College is committed to maintaining a drug-free workplace as outlined in the preceding paragraph and will provide employee assistance through referral for drug counseling or rehabilitation upon request through the Personnel Committee. Employees deemed by the College to be in violation of the prohibition short of actual conviction and short of requesting referral through the Personnel Committee shall be subject to the personnel action deemed appropriate by the College as outlined in the preceding paragraph.

15.8. Facilities and Equipment

Requests for office, laboratory, or shop space should be taken to the Campus Planning and Building Committee. Requests for construction of furniture, apparatus, or bookshelves should also be taken to the Director of Buildings and Grounds. Changes should not be made in buildings, permanent facilities, or grounds without prior approval of the Campus Planning and Building Committee and the Director of Buildings and Grounds.

Housekeeping is everyone's business. Employees are expected to clean their own workspaces, to empty their own trash, and to contribute as little as possible to the burdens of the maintenance crew.

15.9. Institutional Liability Insurance

College of the Atlantic has a comprehensive liability insurance policy, which covers all its employees as officers and/or agents in the performance of their duties. In case of any concern, please see the Comptroller for details and coverage.

15.10. Creative Works

In the absence of any specific written agreement to the contrary, all proceeds from original works created by COA employees are the property of the employee.

In the absence of any specific written agreements to the contrary, all original works and all proceeds from such works are the property of the COA employee who created them. Employees working on their own projects may make use of local telephone service, typewriters, calculators, computers and office space; they should pay the College at standard rates for all costs such as Xerox copying, secretarial services, office supplies and long-distance telephone calls.

15.11. Finances and Budgets

The process of meeting financial needs is primarily the responsibility of the President and the Comptroller. The personnel budget is the responsibility of the Administrative Dean acting through the Personnel Committee,

College of the Atlantic Faculty Manual

which receives all requests for new staff positions, including assistantships. Requests for student work-study aides should be directed to the Director of Financial Aid.

Faculty members have individual budgets for course materials and printing and other course related expenses for which they are assigned a budget number. Normally, these budgets do not cover such expenditures as food and refreshment. Course budgets are sometimes increased by lab or studio fees related to expendables and equipment, which the student retains.

Large expenditures, including purchase of some major equipment items, are contained within the college operating budget. Requests for purchases of permanent equipment should be submitted as separate items to the Administrative Dean and the Business Manager. In spring of each year, each academic staff member and administrative department of the College submits a budget request for the next fiscal year. These budgets should be adequate to cover all appropriate expenses for the year, including such items as unusual materials, copying, and anticipated professional travel. Budget amounts may be adjusted at the discretion of the Business Manager; otherwise, the individual is responsible for the expenditure or reallocation of his or her budgeted funds. The business office may refuse to honor any commitment undertaken without first obtaining a purchase order number. The bookkeeper should be informed of the proper classification under which to place an expenditure in the faculty member's budget.

Faculty members are asked to keep in mind the financial restrictions of a small college and the commitment to use resources in accord with our program aims. Expenditures may be seasonally curtailed due to the cash-flow pattern of tuition calendars. Similarly, equipment purchases should be governed by responsible judgments of need and real expectations of usage.

15.12. Travel Policy and Vouchers

Reimbursement for previously approved travel will be made up to the pre-arranged limit following submission of an authorized voucher to the Business Office accompanied by receipts for transportation, lodging and meals.

15.13. Family Educational Rights and Privacy Act

All Employees who administer student "educational records" are required to comply with the College's F.E.R.P.A. non-disclosure policy. Violation of said policy shall be deemed to be a breach of duty. The Registrar has such a policy on file. A complete copy of F.E.R.P.A. is available in the Registrar's office for the full policy of COA in this respect.

15.14. Campus Services and Other Resources

All faculty members should have a copy of the college Handbook, which is printed yearly with current details on Campus Services, Resources. Community policies on Pets, Smoking, Alcohol, Parking, snow days, recruiters on campus are also found in the handbook.

15.15 Entertainment Policy

Revised: October 1999

There are occasions in which official entertaining and/or the purchase of gifts are in the best interest of the institution. It is essential that such entertaining or purchases be in keeping with the institutional image and mission. As a general guideline, it is expected that individuals will interpret this policy in a manner, which will keep expenses to a minimum. Accordingly, within the budgetary authority granted to each individual budget

College of the Atlantic Faculty Manual

manager—and the following guidelines—that person shall be able to determine the appropriateness of expending institutional funds:

1. Receipts or copies of credit card bills must be presented to Accounts Payable in order to get reimbursed. The name(s) of the person(s) being entertained or receiving the gift, and the purpose of the expense, must be included with the request for reimbursement.
2. An individual's supervisor may limit or restrict the authority of that employee to commit institutional funds.
3. Requests for reimbursement must be countersigned by an individual's supervisor.
4. The purchase of any individual gift may not exceed \$50, without the approval of the President.
5. Course and laboratory fees may be used for entertainment purposes, however, the use of funds must be for currently registered class members.
6. College funds may be used to purchase alcoholic beverages in appropriate circumstances. It should be noted that the federal government has mandated that no alcohol may be charged as either a direct or indirect expense of federally sponsored programs, including grants or contracts.
7. Business Meals and Meetings
 - a. Employee-only Business Meals: In cases where College employees meet over a meal when they are not traveling, the cost of the meal is considered a non-reimbursable personal expense unless the primary purpose of the meeting is to conduct business, and there is a clear and compelling reason to meet outside the office over a meal.
 - b. Occasional Employee Banquets and Functions: Generally, annual or semi-annual functions for employees are considered reimbursable business expenses when the expenditure is intended to serve as a token or appreciation that either promotes employee relations or recognizes individual or group achievements.
 - c. Recruiting: Expenses for dining involving non-College personnel are reimbursable when the purpose of the meeting is to conduct College business. The typical business meal might involve interviews of perspective employees, discussions with persons with whom the College conducts business, or meetings of groups at which agenda items pertinent to College business is discussed.

15.16 Children in the Workplace

Children have always been welcomed and appreciated on the COA campus. However, acknowledging that COA is both a learning environment and a workplace, children who are brought to campus must be properly supervised. This includes being cognizant that certain areas are inherently inappropriate and unsafe for children, and that children may be a disruptive factor in classroom buildings, laboratories, and offices. If your children come to campus, please put their safety first, while being considerate of others.

15.17 Zero-Course Term

A full-time faculty member is expected to maintain an active and visible presence on campus during all three academic terms. A full-time faculty member may, for pedagogical reasons, have a term in which he or she has no formal teaching responsibilities. A faculty member can have a “zero-course” term under the following circumstances:

- A zero-course term can occur at most once every four academic years unless Academic Affairs Committee (AAC) finds that there are compelling pedagogical reasons for allowing a zero-course term in a shorter interval.
- The zero-course term proposal must be presented to the relevant resource area or other closely related faculty cohort and approved at least two terms in advance by AAC and FPC.

College of the Atlantic Faculty Manual

- During the zero-course term, the faculty member must fulfill other job responsibilities, including but not limited to, formal and informal advising, committee participation, college service, attending faculty meeting and ACM.
- During the zero-course term, the faculty member may need to be away from campus for professional development; if the absence from campus will exceed more than a week, the absence must be approved by the Academic Dean (except in extraordinary circumstances, full-time faculty members should not be away from campus for more than 3 weeks during a term.)

16. Academic Policies and Procedures of Interest to the Faculty

16.1. Visiting Courses

Each year the regular faculty's course offerings are augmented by visiting faculty. The Academic Affairs Committee is responsible for advertising for, selecting and evaluating visiting faculty. The objectives of visiting courses in the curriculum are 1) to provide courses important to human ecology in fields in which we have no regular faculty, 2) to maintain continuity in disciplines of faculty on leave, 3) to experiment with courses in areas that the college might expand into as the curriculum evolves, 4) to offer electives that enrich diversity of courses, often based on student interest, and 5) to staff writing courses in addition to those offered by regular faculty. The procedure in selecting courses begins with discussion of academic needs in Academic Affairs Committee; the All-College Meeting is consulted, as feasible, for suggestions of areas of interest. Advertisements in several regional newspapers solicit course proposals in areas where academic need has been identified. Applicants' proposals, resumes and references remain in a course proposal file for a period of at least one year following their receipt. As visiting courses are needed, a sub-committee of students and faculty from Academic Affairs reviews proposals, contacts references and, whenever possible, interviews applicants before selecting visiting faculty. Credentials of visiting faculty are approved by Personnel Committee and recommendation of their appointment is forwarded to the Board of Trustees for final approval.

16.2. Evaluation of Visiting Faculty

In the fourth week of each term, mid-term evaluations are conducted in classes of each visiting faculty member; student representatives from each class report the outcome of such evaluations to Academic Affairs Committee in the fifth week. If problems surface, the Committee works via faculty liaison to assist the visitor in improving the course.

Appendices to the College of the Atlantic Personnel Manuals

- | | |
|---|--|
| A. Guidelines for Staff and Administrative Appointments | D. Current Sabbatical Policy |
| B. Personnel Committee Code of Ethics | E. Drug-Free Workplace |
| C. Sexual Harassment Policy | F. Policy for Annual Raises and Salary Schedules |
| | G. College of the Atlantic's Title IX Policy |

Appendix A

Guidelines for Staff and Administrative Appointments

The following is the procedure to be followed when filling a new or vacated Support Staff or Administrative position.

1. Administrative office head presents job descriptions and a request to the Personnel Committee.

College of the Atlantic Faculty Manual

2. Personnel Committee reviews recommendation and job description and forwards to the President and the Chief Business Officer.
3. If approved by the President, and funds are available in the Personnel budget, a Search committee is appointed or approved by the Personnel Committee. Major search committees are formed with advice of the President. A search for a new major administrative appointment must be also approved in advance by the Board of Trustees. Search committees for support staff may be formed by the office involved, but normally include members from other offices.
4. The search committee, depending upon the level of the position, will normally represent students, faculty and staff. If classes are not in session, students or faculty may not be available. For support staff positions, student or faculty are not necessary.
5. Upon final approval of the job description, it is advertised to COA employees and advertisements are placed in appropriate publications.
6. The advertisement usually includes:
 - a. brief description of the College.(Unless in local paper.)
 - b. job description and requirements (education, experience, etc.)
 - c. request for letters of reference or names of references
 - d. statement of Equal Opportunity and Affirmative Action
 - e. suggested deadlines and mailing address
7. Applications will be received by the appropriate office secretary or administrative assistant who will log and compile supporting application materials as received and send acknowledgements and follow-up letters as needed.
8. The Search Committee will review the applications and make selection of finalists based on materials, recommendations, telephone conversations with applicant(s) and referees. Finalists are usually invited to visit campus for interviews.
9. Letters of regret are sent to all unsuccessful applicants.
10. Personnel committee chair will approve any expenditures related to candidate(s) visits to campus or other unusual expense.
11. The Search Committee will meet after all suitable candidates have been interviewed to form a recommendation to Personnel Committee
12. Personnel Committee reviews the recommendation and if the process has been satisfactory, and the search concerns an administrative staff position, submits the recommendation to the President. In support staff hiring, the Search Committee chair reports directly to the Chair of Personnel Committee/Administrative Dean.
13. If a candidate is selected, the President, if a major administrative staff position, or his designate, and the Chair of Personnel/Administrative Dean if a support staff position, will notify the candidate, conduct negotiations, and prepare a formal contract letter.
14. The search process may be suspended if no suitable candidates are found.

Appendix B

Personnel Committee Code of Ethics

A. Preamble

Personnel issues at the College are among the most serious matters of concern to the College community. The Personnel Committee exists so that the community can participate in decisions regarding these matters. We recognize that an employee carries a responsibility to the entire College, beyond that traditionally owed to a supervisor. Similarly, the community at large has a special obligation to the individual employee. Further, it

College of the Atlantic Faculty Manual

must be recognized that we are a small community operating in an isolated environment. A job change has a major effect on an employee and family, and the small size of the College means that a major resource investment is represented in each employee. Consequently, any action by Personnel Committee affects the lives of our friends and colleagues, and has an impact on the viability of the institution. This situation leaves little room for error, and no room at all for irresponsibility, carelessness, or negligence. It places a heavy burden upon each member to make realistic assessments and compassionate decisions, often in the face of conflicts between individual and organizational goals. It is the job of Personnel Committee to solve problems in such a manner that the community becomes stronger and more cohesive, and to resolve rather than create dissension. This charge to all the members of Personnel Committee calls for the highest level of both prudence and ethical behavior.

B. Responsiveness to the College Community

A member of the Personnel Committee has a special obligation to be responsible to the personnel-related needs of individual members of the College community and to carry out a communications function that includes explaining the decisions of the committee to the rest of the community. The Personnel Committee member must be accessible and responsive in hearing concerns, responsible in transmitting those concerns to the committee, and responsive and communicative in explaining the policies and actions of the committee. Members represent the committee to the entire COA community, and the concerns of the community to the Personnel Committee.

C. Conflicts of Interest

Personnel Committee members will not vote in Personnel Committee on a matter in which they may stand to gain personally. They will not attempt to influence the vote of another member of Personnel Committee on a matter in which they may stand to gain personally. If they have any concern about a possible conflict of interest, they will discuss this concern with the Committee before they begin to discuss the matter at hand.

D. Service on Search and Contract Review Sub-Committees

Personnel Committee members are selected to serve on search committees for new staff and on contract review committees. There are several reasons why Personnel Committee members serve on these committees: to lend expertise to the work of the sub-committee and to ensure that the standard procedures are followed; to report on the work of the sub-committee to the Personnel Committee and to provide an informed liaison between the two committees; to lend objectivity and a neutral perspective in a situation in which there may be contending parties; and to attempt to resolve conflicts as they may arise. Personnel Committee representatives to a search or contract review sub-committee will attempt to remain objective, and will begin work on the sub-committee with a neutral perspective. Members will not serve as a Personnel Committee representative if they have a special interest in the outcome of the sub-committee's work, or if they have a preconceived judgment of what the sub-committee's decisions ought to be. All parties within the College, including contending parties, have opportunities to voice their concerns within the search and review processes; their special task is to remain objective, and they are honor bound to not represent a special interest group when they agree to represent Personnel Committee on a contract review or search committee.

E. Sensitivity to the Effects of Personnel Information

The information discussed at regular Personnel Committee meetings is often of a sensitive nature because it can be used--even unintentionally--to hurt the sensibilities or damage the interests of members of our College community. The committee often discusses the quality of staff and faculty performance, and staff and faculty members are understandably sensitive to such evaluations and judgments. In sum, Personnel Committee members must be especially sensitive to the concerns and needs of other members of their community whenever they discuss personnel matters outside of the Personnel Committee.

F. The Confidentiality of Executive Sessions

Sometimes Personnel Committee enters into Executive Session in order to discuss a personnel matter that is

College of the Atlantic Faculty Manual

particularly sensitive and affects the interests of an individual member of the staff or faculty or individual candidates for a position at the College. Conclusions from these sessions are reported to the COA community in the minutes, but not the substance of the discussion that preceded the conclusions or decisions. When Personnel Committee enters into Executive Session, by majority decision within the committee, members agree to report the substance of the discussion to no one except other members of the committee, and the President of the College or his designee, unless the committee votes to make this information nonconfidential. Members of Personnel Committee will strictly respect the confidentiality of the information discussed within Executive Session.

G. Affirmative Action

College of the Atlantic has a commitment to upholding the principles of civil rights, and this commitment implies we will conform to all legal requirements designed to protect the rights of women and minorities. Personnel Committee members must understand that they have an obligation to ensure that the College is operating under the guidelines of Affirmative Action and Equal Employment Opportunity and the American Disabilities Act. When making personnel decisions they will actively implement the Affirmative Action Plan whenever it is relevant.

H. Upholding this Code

Service on Personnel Committee requires special sensitivity to the personal and professional needs of the people who work for the College. While members of Personnel Committee must maintain the needs and objectives of the College as their foremost concern, they must be sensitive to the needs of individual staff and faculty members, for it is at the nexus of the institutional-individual relationship that a productive, supportive, and human-ecological working environment will be achieved. The regulations and procedures of the Personnel Committee are designed to encourage this productive and supportive relationship but no set of rules can comprehend all personnel matters. This code of ethics is intended to set reasonable and practical guidelines that will help to assure the confidence of all members of the College community in the work of the Personnel Committee. The Committee has adopted this Code of Ethics, and members have agreed to it. If they violate some portion of this agreement, they will resign from Personnel Committee.

Appendix C

Sexual Harassment Policy

Adopted by the All College Meeting 4 March, 1992 and added to and clarified upon attorney's advice in August, 1998.

Sexual harassment of either students or employees is a violation of federal and state laws. In accordance with these laws, College of the Atlantic adopts this policy as a statement of the seriousness with which we view allegations of sexual harassment, and in recognition of the impact that instances of such harassment have on our campus community. The College believes strongly that students should learn, and employees should work in an environment free from sexual harassment and we affirm our commitment to education the community in these matters and to responding appropriately to allegations of sexual harassment that are brought to our attention.

Maine state law defines sexual harassment as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;

College of the Atlantic Faculty Manual

- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting such individuals; or
- Such conduct has the purpose or effect of substantially interfering with an individual's academic work or work performance or creating an intimidating, hostile, or offensive employment, education, or living environment.

The determination of sexual harassment will vary with particular circumstances, but it may be described generally as unwanted sexual behavior, such as physical contact or verbal comments or suggestions, which adversely affects the working, learning, or social environment of an individual. Sexual harassment affects both men and women, and can take many forms. Some of these are overt and unambiguous, while others may be more subtle and indirect. The common ingredient, even between peers, is an element of intimidation, which gives the harasser control of the situation and may provoke fear or discomfort in the victim. Familiarity between persons does not eliminate the possibility of abuse or sexual harassment. Date or acquaintance rape, and coerced sex thus cannot be dismissed on the assumption of familiarity.

Sexual harassment is of particular concern any time it involves an individual who has authority to grant benefits to or withhold benefits from another member of the community. This situation could arise between faculty and students, between faculty of different rank or between staff members of various ranks--or any time when an individual has supervisory, evaluative or other authoritative responsibility over another. In those instances, that individual must use care that that authority is not abused or perceived to be abused by relating such benefits to sexual attention.

Every COA community member will be held accountable for his or her actions. No circumstance, including excessive drinking or substance abuse, is acceptable excuse for sexual harassment.

The President has the right to remove from campus, before hearing takes place, any individual whose presence constitutes a danger to self or others.

All alleged cases of sexual harassment, including harassment on the basis of sexual orientation acquaintance rape and sexual assault, will be addressed within the Sexual Harassment Complaint Procedure.

Examples of sexual harassment include the following:

- Sexual contact that is not freely and explicitly agreed to by both parties.
- Repeated, unwanted attention of a sexual nature (e.g., written or verbal contact, lewd or suggestive behavior).
- Implied or expressed reward (e.g., hiring promotion, salary increase, better working conditions, higher grades, or recommendations).
- Implied or expressed threat of reprisal for failure to comply with a sexual request.
- Explicit, covert, or subtle messages repeatedly communicated by any COA community member expressing hostility toward or belittlement of an individual because of gender or sexual orientation.

Sexual Harassment Complaint Procedure

The primary goal of this procedure is to create a mechanism for handling questions, concerns, and complaints about sexual harassment. These guidelines are intended to facilitate communication, prevention and resolution of sexual issues within the COA community. All members of the community will be treated as equal individuals in these proceedings. Mediation and/or resolution of the complaint will not depend, in any way, on the duration of the complainant's or accused's anticipated stay or contributions to COA. In order to prevent an adversarial environment, legal counsel is not allowed to be present during any of the informal and formal procedures.

College of the Atlantic Faculty Manual

(Current case law may require that a student or employee be allowed to have an attorney present, but not participate in the hearing.) If the complainant feels uncomfortable without legal counsel, the Equal Opportunity Officer (EOO) will advise him/her of alternative options, including Maine Human Right's Commission. Complaints will be handled as expeditiously as possible.

Informal Procedures

IF YOU THINK YOU ARE BEING HARASSED OR HAVE BEEN HARASSED: The following are working guidelines for informal procedures for all members of the COA community:

1. When you think harassment is occurring/has occurred, presumably you will talk informally to a friend, advisor, counselor, faculty member, or Equal Opportunity Officer as a confidante (this does not mean a complaint has been filed). The Equal Opportunity Officer is always available to answer questions and provide information about harassment and appropriate procedures. Any student or employee who has been harassed, or is uncertain whether he/she has been harassed, is strongly encouraged to use these guidelines to get information and advising.
2. If you decide to make an informal complaint, the complaint should be made to the Equal Opportunity Officer (EOO), the Director of Public Safety, or Assistant Director of Student Services at least within 150 days after the alleged harassment. The College reserves the right, however, to initiate these internal procedures for the examination of complaints filed up to two years after the alleged harassment. If the complainant does not want to make the complaint in person, he/she may ask a person within the community to do so. However, the complaint must be documented, dated, and signed by the complainant. A written statement of all complaints will be given to the EOO and kept in a confidential file. **TO THE EXTENT PERMITTED BY LAW, ANY COMPLAINT THAT IS MADE WILL BE KEPT CONFIDENTIAL IN THE INTEREST OF THE COMPLAINANT AND THE ACCUSED.**
3. An informal inquiry will be carried out when a complaint is lodged. The EOO, the Director of Public Safety, or the Assistant Director of Student Services, or if one is unable to serve, another officer designated by the President, will conduct a confidential, informal inquiry in order to clarify the complaint. (For this example, assume the complaint was made by the EOO). It is important to know that initially the accused can be counseled by the EOO, without disclosure of the complainant's name. The EOO will privately speak to the complainant, the accused, and individuals who can help clarify the complaint. The content of the above conversations will be disclosed only for the purpose of clarifying the alleged harassment, otherwise they will be held in strictest confidence to the extent permitted by law. Throughout the inquiry, the EOO will counsel complainant and accused as to possible resolutions of the charge, essentially acting as a mediator between the two parties. The EOO will also help to ensure that the individuals involved feel safe in their daily routines on campus. If the charge cannot be resolved in a maximum of 20 in-school days, the complaint will be taken to a formal sexual harassment hearing board.

Procedures and Time Frame for a Formal Complaint

All involved parties have the right to ask the EOO about the status of these proceedings at any time.

1. A formal complaint should be brought to the EOO or his/her designee. If it is delivered verbally, the EOO will then write a statement specifying the charge. In order to assure accuracy of the complaint, the complainant will be asked to sign the statement. A copy of the written statement will be kept by the EOO.
2. The accused will be notified of a formal complaint with a written statement prepared by the EOO, and accompanied by a copy of the signed complaint. At this time, the EOO will also notify the President of the college that a formal complaint has been made. If the case involves an employee, the Personnel Committee also will be notified but will not receive any names nor details in order to maintain confidences.
3. Within seven working days of the formal complaint, a hearing board will be created and have a preliminary meeting, chaired by EOO. The purpose of this meeting is to review the goals and function of the board. It is

College of the Atlantic Faculty Manual

the role of the board to determine if harassment occurred, the nature and severity of the alleged harassment, and make a recommendation of possible sanctions, if appropriate.

4. Initial selection for the sexual harassment hearing board will be done randomly at the beginning of the school year. A list of names will be pulled and the individuals will be contacted by the EOO. If they agree to serve on the board, the EOO will educate and train them about sexual harassment, confidentiality, the goals of the board, and appropriately related issues. At least five individuals from each category (student, faculty, and staff) will then constitute a pool of potential hearing board members. The formal hearing board will have five members including, at minimum, one student, one staff, and one faculty member. The categories of the two remaining members will match the categories of the complainant and the accused, respectively.

When a formal complaint is filed, the EOO will contact members of the pool and choose at least three individuals from each category (student, faculty, and staff) depending on availability, balance of gender, and category of complainant and accused. The accused and complainant each have the opportunity to remove one of the three names presented for each position on the board; the EOO will name the final board from the remaining names. The parties are also able to request removal of a member of the board on the basis of actual bias. The EEO, as chair, has the authority to determine whether any actual bias exists such that it would interfere with the fundamental fairness of the proceedings. Removed members may be replaced from the pool of the same category.

5. The five sexual harassment hearing board members have seven working days to meet privately with the accused, the complainant, and individuals with knowledge of the alleged harassment, in order to clarify the complaint. The accused individual must have an opportunity to present his/her side of the story and to respond to whatever has been said by others about the incident. All meetings and conversations of the board, as well as those of the included parties, shall remain confidential to the extent permitted by law. The board will then have four working days to give the President (and Personnel Committee, if concerning an employee) their written conclusions and recommendations.
6. Within four working days, the President (and the Personnel Committee, if concerning an employee) will respond, confirming the board's recommendation or suggesting alternative actions. In the latter case, the board will reconvene in one week to amend or reconsider its recommendation. The President will be notified of the final, revised resolution--which will, if necessary, be sent to the Administrative Dean for implementation. The EOO will follow the course of implementation of the actions agreed upon by the hearing board.

Appeals

If one or both parties find a final resolution of the college unacceptable, a request for an appeal may be filed with the President. Upon receipt of such a request the President or his/her designee, shall arrange mediation between the college and the party(ies), to be conducted by a pre-designated external mediator. These arrangements by the president include the delimitation of the amount of time and resources to be allotted toward mediation. The President will then render a final and binding resolution of the case, based upon the above process and various findings. This ends the internal process of the College of the Atlantic.

Personnel Policy Manual

This sexual harassment policy and procedure replaces the policy and procedure contained the Personnel Policy Manual. The complaint and hearing procedure is used instead of the Grievance Procedure for other personnel issues. However, when the hearing board recommends suspension or termination of employment, the procedures under sections of the Personnel Policy Manual still apply.

Maine Human Rights Commission Statement

College of the Atlantic Faculty Manual

At any point in the above procedure, the complainant or accused may contact Maine Human Rights Commission and request their services.

Duplicate Procedures

Any complaint filed under the COA procedures will be processed even if the complainant files a complaint with an outside agency.

Conflict of Interest Statement

If for any reason, a potential board member believes he/she will be unable to maintain an unbiased viewpoint, then he/she shall decline from participating in the grievance proceedings. Should the Equal Opportunity Officer, the Director of Public Safety, or the Assistant Director of Student Services be involved in the complaint, or in making the complaint, he/she will not be involved in the complaint, or in making the complaint, he/she will not be included in the procedures in the capacity of mediator or counselor. As noted above, members may be removed for actual bias as determined by the EEO and replaced by members of the same categories.

Retaliation

Retaliation against anyone who makes or is involved in a complaint of harassment is illegal, even if the allegations are not substantiated. Retaliation will be viewed as a basis for a separate complaint under these procedures. However, if there is evidence that a complaint has been intentionally dishonest or malicious, the EEO will refer the complainant to the judiciary grievance board.

Potential Sanctions

The ramifications of harassment will certainly differ in various circumstances. Below is a partial list of sanctions that could be imposed on members of the community. In all cases, the punishment will be congruent with the severity of the charge. Sexual harassment can represent serious personal misconduct, and can be grounds for dismissal of an employee for cause under relevant sections of the Personnel Policy Manual. Repeat or previous offenses will also be taken into consideration when a sanction is recommended. These sanctions reiterate that harassment in any form is unacceptable to the COA community.

For students:

- letter of apology
- letter of probation
- required counseling (on or off campus)
- limits/conditions placed on individuals actions within the COA community
- required leave from the college
- permanent expulsion

For faculty and staff:

- letter of apology
- letter of censure
- required counseling
- limits/conditions placed on individuals actions within the COA community; frequent review by supervisor, faculty and staff
- change in position and/or responsibilities
- required suspension from campus
- termination of employment

Appendix D

College of the Atlantic Faculty Manual

COA Sabbatical Policy

1. The present COA sabbatical policy is authorized to continue at approximately three leaves a year with the following conditions until changed. The purpose of the leave is to pursue research, study or career development not normally possible because of full academic year commitment to the college.
2. The policy states that all full time faculty and part time faculty who teach and work all three terms yearly are eligible for the program. Normally, 15 courses or the equivalent are necessary to become eligible. New faculty are eligible as soon as they have completed their fourth year and have been awarded their first five year contract.
3. Faculty would normally take leave in a term in which they would teach one course. In other words, they should teach two courses or their pro rata load in the terms they were at the college.
4. Part time faculty not teaching all three terms would be eligible to apply for faculty development funds during their "off term" if they had a proposal for a project with value to the college and the faculty member acceptable to the Faculty Deans and the President.
5. Personnel Committee will maintain a priority list based on years and the number of courses (15) taught since a faculty members last leave.
6. Application for leave to the Personnel Committee will consist of a description of the proposed activity indicating its value to the college and the faculty member.
7. Faculty will be notified of their eligibility the year before they are eligible and they will have until the end of the second term of that year to apply for the leave. Prompt notification is important so that replacements can be hired, courses can be planned, or so that the next faculty member in line will have the opportunity.
8. Faculty members who are eligible are expected to take the leave when their turn arises. If they postpone, they are not at the top of the list but must wait until an open slot occurs or until a trade can be made with another eligible faculty member. The purpose is that leaves do not pile up and people who become eligible can take their leaves when due. Unusual arrangements can ordinarily be worked out with the Faculty Deans and the Personnel Committee.
9. Faculty contemplating leaves are expected to work with the Academic Affairs Committee, the Faculty Deans and the President to minimize the impact of their leaves. Once a leave is taken, the faculty member must return to the college for at least one full year.

Appendix E

Drug-Free Workplace Program and Regulations

College of the Atlantic in compliance with and in support of the Drug-Free Workplace Act of 1988 hereby notifies all employees that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances is prohibited at College of the Atlantic.

Violation of this prohibition by an employee shall result in the college taking appropriate personnel action against the employee, up to and including termination of employment, or requiring the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

As a condition of employment, each employee shall abide by the terms of this statement and shall notify the College through the Personnel Committee of any criminal drug statute conviction for a violation occurring at COA no later than five days after such conviction. Within ten days after receiving notice from an employee or otherwise receiving actual notice of such conviction, the Personnel Committee shall notify the Department of Education of said conviction. Within thirty days of the Personnel Committee being notified of said criminal conviction, the Personnel Committee shall notify the Department of Education of the action taken.

College of the Atlantic Faculty Manual

The College drug-free awareness program advises that the dangers of drug abuse in the workplace include, but are not limited to physical and mental impairment, injury or death, loss of productivity, and personal and institutional liability.

The College is committed to maintaining a drug-free workplace as outlined in the preceding paragraph and will provide employee assistance through referral for drug counseling or rehabilitation upon request through the Personnel Committee. Employees deemed by the College to be in violation of the prohibition short of actual conviction and short of requesting referral through the Personnel Committee shall be subject to the personnel action deemed appropriate by the college as outlined in the preceding paragraph.

Adopted: May 10, 1990.

Appendix F

Policy on Annual Raises and 1997-98 Salary Schedules

A. Annual Raises

Annual raises are normally set by the Compensation Committee to occur on October 1. Annual raises are contingent upon satisfactory work by the employee and on available funds approved by the Board of Trustees.

Present policy is to attempt to meet changes in inflation measured by the annual consumer price index, and area salary levels for comparable jobs. When possible, additional increments are made to reflect increased performance or substantial additional duties. A special effort is underway to raise faculty salaries toward comparable average annual salaries reported by the AAUP for Private B.A. colleges.

B. Salary Schedules

At the request of the President and with the approval of the Board of Trustees, the Compensation Committee develops a salary schedule with a total budget within the limits set by the Board. The Ad Hoc Compensation Committee regularly evaluates the philosophy of their approach and will develop future salary schedules within guidelines set by the board.

1. COA starting salaries will be set to reflect "COA equivalent experience" when possible.
2. Personnel Committee will use job descriptions to assign new employees to one of the employment categories shown on the following chart. For each employment category, the table gives:
 - a. the base salary (suitable for someone with no previous experience)
 - b. the normal maximum salary in the range

Guidelines for Starting Salaries, 1997–98

Non-Exempt Staff (Support staff are "not exempt" from State and Federal Wage and Hour Laws):

The ranges based on local scales are established for setting salary levels at the time of hiring. A new employee's salary will be based on their skills, experience, and the range available for the position. The salary levels are not "caps". Time of a current staff member at the college and capability at current job may result in a pay rate higher

College of the Atlantic Faculty Manual

than the stated range for a new hiring. Hourly pay estimate is based on 52 weeks and a 35 actual hour workweek (1,820 hours).

Hourly Annual Range Class Positions:

I	\$7.00–8.50/hour (\$12,740–15,470/year)	Part-time, Basic, Unskilled, Temporary Kitchen Help
II	\$7.50–9.50/hour (\$13,650–18,535)	Bookkeeper, Secretary, Receptionist
III	\$8.30–10.50/hour (\$15,100–20,300/year)	Custodian, Groundskeeper, Library Clerk, Assistant Cook/Food Prep, Payroll Clerk, Secretary
IV	\$9.36–13.20/hour (\$17,035–24,000/year)	Nightwatch & Maintenance, Dining Cook, Administrative Assistants: Skilled B&G

Administrative & Professional Staff:

Starting salaries are based on training, education and relevant experience in relation to the rest of the administrative staff and salary guidelines based on CUPA Surveys and competitive levels of comparable institutions. Current salaries may exceed hiring ranges if an employee has time built up at the college or as a professional in a comparable position.

Salaried Annual Range Class Positions:

Level I	\$17,000 – 19,000 Trainees, Admission Counselors, Assistant Directors
Level II	\$19,000 – 28,000 Professional Staff
Level III	\$24,000 – 42,000 Administrative Officers
Level IV	\$40,000 – 55,000 Executive Officers

The salaries of the President, Chief Development Officer, and Director of Admission are set by the Board of Trustees.

Faculty:

Salaries for faculty contracted for 97–98 began with a base of \$28,471 with \$1,000 added for a PhD. In 1997–98 faculty salaries ranged from \$34,000 to \$55,000 for 10-month contracts.

The new base for faculty starting in 98–99 was determined to be \$31,274 with 1 increment added for a PhD and with an increment of \$625 added for each COA year credit for previous experience as noted below.

A PhD was worth two increments of \$625; each year of post doctoral work was worth .5 of an increment; a year of a full time faculty position was worth .667 of an increment; a year as a teaching assistant or research assistant was worth .25 of an increment; a year of precollege teaching, .5 of an increment; and other work experience, (if related) worth .5 of an increment.

College of the Atlantic Faculty Manual

Visiting faculty salaries were \$1,800 per course with some arrangements for travel when necessary. Adjunct faculty salaries were set at \$2,500 per course.

Appendix G

[College of the Atlantic's Title IX Policy](#)