

**faculty  
handbook**

**09 / 10**

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## **Preface**

The *Faculty Handbook* addresses matters of policy and procedure, regarding governance and faculty self-governance, teaching and other obligations, and conditions of employment. The *Handbook* does not apply to instructors in the continuing education program of the College.

In many respects, the *Handbook* embodies the history and culture of the College; indeed its use and its meaning depend on an understanding of the context in which it is woven. It is not a complete compendium of information that faculty need to be familiar with, and is supplemented by policies and procedures outlined in the *Student Handbook*, *Advising Handbook*, the College Catalogue, and in benefits documentation. Additional procedures, such as for specific studio areas (facilities) and academic departments, may be outlined elsewhere. Yet other conditions of employment may be specified in the contracts between the College and individual faculty members.

The *Handbook* is organized in several sections.

Sections 2, 3 and 4 concern structure and offices, and self-governance of faculty and its role in the academic programs of the College. Those policies and procedures regarding self-governance and the faculty's role in the academic programs and curriculum are legislated by vote of the faculty.

Section 5 concerns duties of faculty; appointments, salary, compensation and benefits; evaluation, rank, leave, faculty development and grievance procedures. Section 6 (which is currently only notional) concerns academic procedures (see note to Section 6 of 2005-06 *Faculty Handbook*). Sections 7 and 8 concern conduct and safety. An appendix (section 9) contains the academic calendar, organization chart, and other material. Some but not all of these policies and procedures are legislated by vote of the faculty; those that are include duties, evaluation, faculty development, and grievance procedures.

The contents of the *Faculty Handbook* derive from various sources: legislation originated within the Faculty Meeting or faculty committees, that is brought to the Faculty Meeting for vote; and content that originates from Human Resources or other administrative units, that may or may not be subject to faculty vote. The document is maintained in the office of the Dean of Faculty, and is (currently) available online via <http://studio.montserrat.edu/faculty/index.htm>.

Faculty policies remain amendable by vote of the Faculty and with the approval of the President and the Board of Trustees.

While the College expects these policies to form the basis of a steady and lasting relationship with its faculty, it recognizes that situations can arise that may require the college to modify, revoke, suspend or terminate any or all of these policies in whole or in part at any time. Particularly where these changes to policy substantially affect the conditions of employment of Faculty or the academic programs of the College, Faculty are to be consulted in the processes of determination and execution.

All faculty members are expected to be familiar with the contents of the *Faculty Handbook* and other documentation described above. Questions concerning these policies should be addressed to the Dean or the President of the College.

## **1. THE COLLEGE**

### **1.1 History**

Montserrat College of Art, a unique independent not-for-profit college of visual art and design, was founded in the 1960s as a school of visual arts. Montserrat became an accredited college in the 1980s and has retained its entrepreneurial and student-centered roots. Montserrat is a vibrant and close-knit community of 300 students and approximately 65 full and part-time faculty engaged in a broad array of artistic study and expression. Strong support and mentorship from faculty nurtures the artistic development of students and these are the hallmarks of the Montserrat experience. The College's curriculum includes a four-year bachelor of fine arts degree program, a pre-college program, continuing education offerings, study abroad programs, and internship/work opportunities. A fifth-year certification program in Art Education is also offered. Montserrat is accredited by the New England Association of Schools and Colleges (NEASC) and by the National Association of Schools of Art and Design (NASAD). The College is located just 20 miles north of Boston, in Beverly, Massachusetts.

### **1.2 Mission**

Montserrat College of Art, an independent institution of art, provides an intensive visual arts education that will enable students to sustain a lifelong involvement in art and design and to become informed, responsible members of society. In addition, Montserrat is committed to contributing to the cultural life of its surrounding communities. Through its degree, diploma, and community-based programs, Montserrat offers:

A vital learning community for students deeply engaged in the study of art and design which encourages and nurtures their unique talents, visions, aspirations, and commitment;

A varied curriculum that challenges the individual, fostering the growth of technical and perceptual skills, as well as intellectual awareness and understanding; and

An accomplished and diverse faculty of artists, designers and scholars who are dedicated to stimulating and reinforcing student progress and to promoting the highest standards of artistic and intellectual development.

A continuing array of public programs such as exhibitions, artist talks, master classes and more, which enhances the cultural life of our campus and the surrounding communities.

### **1.3 Statement of Institutional Values**

Montserrat College of Art, as a community, subscribes to these basic values:

*Art* — Art and the creation of art have intrinsic value. Montserrat encourages and supports the education and exhibition of visual artists, and fosters discussion, scholarship, and participation in the arts.

*Education* — Students' educational needs are central to Montserrat. The school fosters the development of each student's intellectual growth and prepares each student for life-long learning. The college is committed to providing a creative learning environment, with cultural and philosophical diversity, quality facilities, a supportive staff, a dedicated faculty, and a challenging, relevant curriculum.

*Individual expression* — Individual expression is essential to art, to education, and to community. Montserrat supports an environment conducive to the full and open expression of individual artistic and intellectual views.

*Excellence* — Aspiration to the highest standards in art and education spurs growth and achievement. Montserrat encourages all members of its community to challenge themselves and others to achieve excellence in their fields.

*Integrity* — Individual integrity is essential to the other goals of Montserrat. The school expects from all its members the honesty, responsibility, and effort necessary for a vibrant academic and artistic community.

*Community* — The Montserrat community provides the environment that allows the other values of the school to flourish. Montserrat is committed to encouraging cooperation and mutual respect in both the classroom and the workplace. The college represents and promotes its values not only to its students, but to its employees, the art community, and society at large.

## **2. STRUCTURE AND OFFICES**

### **2.1 Board of Trustees**

[language for this new section not available at this time ]

### **2.2 Office of the President**

[language for this new section not available at this time ]

### **2.3 Office of the Chief Financial Officer**

[language for this new section not available at this time ]

### **2.4 Office of the Associate Vice President of Community Affairs**

[language for this new section not available at this time ]

### **2.5 Office of the Dean of Faculty and Academic Affairs**

The Dean of Faculty is the chief academic officer of the College. The primary responsibilities of this office are to manage all aspects of the College related to its educational mission, academic policies, instructional programs, and related support services which include Academic Computing, Library, Gallery and Registrar’s Office. The Dean encourages an environment conducive to excellence in teaching, learning, art-making and creative and scholarly achievement.

The duties of the Dean of Faculty include the following:

- Provide leadership and oversight for all departments and their respective budgets within the academic affairs area

- Foster faculty creativity, scholarship and performance, and advance the overall development of the academic programs of the college

- Plan, implement and evaluate the educational programs of the college in cooperation with the Department Chairs

- Recommend to the President candidates for faculty appointment, reappointment, dismissal, promotion, rank, sabbatical and leaves-of absence; and provide general support for faculty

- Develop curriculum in conjunction with the curriculum committee and department chairs, and as appropriate, other programs and activities related to the educational mission of the college

- In consultation with the CFO, develop and administer the academic budget with the assistance of the department chairs and assist chairs in identifying needs for equipment, supplies, and personnel for the teaching program

- Implement faculty personnel policies, including evaluation of faculty performance, and general supervision of the work of department heads and other faculty

- Supervise the selection and appointment of teaching personnel, search procedures, and orientation of new faculty

- Supervise the directors of continuing education, young artist’s program, academic computing, gallery, library and the annual operating budgets assigned to these areas

Perform such other duties as may be appropriate to the educational mission of the College, or which may be assigned by the President

### 2.5.1 *Terms of Appointment and Evaluation Procedure for the Dean*

The Dean is appointed by the President, as advised by the procedure specified for administrative appointment in the college. The term of the appointment is ordinarily three years, subject to reappointment for one or more further three-year terms and subject to termination at any time by action of the President or the Dean. If the Dean also holds a faculty appointment, the discontinuation of the Dean as Dean shall in no way adversely affect the continuation of the person's terms of appointment as a faculty member.

Before the President gives formal consideration to the reappointment of the Dean, each department chair shall submit to the President a written statement of evaluation of the services of the Dean. All faculty members will be notified that they may, at their option, also submit such written statements of evaluation of the Dean. All such statements will be held in strict confidence. The President may consult further with anyone who has submitted a statement of evaluation of the Dean, as appropriate. The President then acts upon the proposed reappointment of the Dean.

## 2.6 **Office of the Dean for Student Services**

[language for this new section not available at this time ]

## 2.7 **Dean of Admissions and Enrollment Management**

[language for this new section not available at this time ]

# 3. **POLICIES AND PROCEDURES**

## 3.1 **Academic Freedom**

Each faculty member is entitled to full freedom in research, creative work, publications, and exhibitions.

Each faculty member is entitled to freedom in the classroom in presenting his/her course content.

Each faculty member is entitled to full and open expression of his or her opinions in faculty meetings, committee meetings, department meetings and all other college forums.

Faculty members do not act as spokespersons for the college unless officially authorized to do so.

In exercising their individual rights as citizens, faculty members are free from institutional censorship or discipline.

No attempt shall be made to abridge these rights or to inhibit faculty's legitimate exercise of these rights.

## 3.2 **Faculty Governance**

The faculty has the principal responsibility for governing the educational program of the college. Proposals approved in Curriculum and Faculty Affairs Committees are subject to faculty approval. In areas not under the responsibility of the faculty, recommendations of the faculty or of faculty committees are subject to the approval of the person or group holding responsibility for the respective area of concern.

### 3.2.1 *Faculty Meetings*

The Faculty Meeting is the principal arena in which Faculty collectively discuss and vote on curricular and other matters over which they have responsibility. These include curriculum, faculty governance issues, and conditions of employment. The Faculty Meeting approves membership of and receives reports from the various Faculty Committees, and appoints and confers with the Faculty member of the Board of Trustees. The Faculty Meeting is also a means of communication among the Administration, Staff, Students and Faculty.

Faculty meetings are scheduled by previous consent of the faculty. Special meetings of the faculty may be called by the President, the Dean, or by any three faculty members. Special meetings of the faculty may conduct official business only if notice is given to all full-time faculty members at least 24 hours before the meeting, and if at least half of the full-time faculty members of the college are present at the meeting.

Voting members of the faculty include all full-time and part-time employees with faculty status in the day program. Faculty meetings are open to all full-time and part-time members of the faculty of the college. Part-time members of the faculty and staff are invited to participate in meetings of the faculty but are not obligated to do so.

A faculty representative, elected by the faculty, shall serve as chair of the meetings of the faculty.

Procedure in Faculty Meetings shall generally be according to *Roberts' Rules of Order*.

### 3.2.2 *Amendments to the Faculty Handbook*

The *Faculty Handbook* may be amended by vote of the faculty in the Faculty Meeting.

Amendments to the *Faculty Handbook* can be initiated by any faculty member or Committee. These initiatives must be documented and approved by the Faculty Affairs Committee. Once policy recommendations are approved by the committee, they are presented at a regular Faculty Meeting. The Faculty may discuss, modify, approve or return the submission to Committee. If the recommendation is approved the recommendation is forwarded to the President for approval. If the President does not approve of a policy change, the faculty may take their recommendation to the Board of Trustees for their consideration.

The Dean or a designate is authorized to make minor editorial adjustments to approved course descriptions so long as such revisions do not change the meaning of the text, as interpreted by the Dean and the Chair of the proposing department. The final copy of a course description approved by faculty is submitted to the taker of the minutes for the faculty meeting and to the Registrar and published with the minutes before the next faculty meeting.

### 3.2.3 *Faculty Forum*

The Faculty Forum is an assembly for discussion. The forum may address all issues that affect and concern the college. It may make recommendations to and requests of faculty committees, the administration, and the trustees of the college. The Faculty Forum is open to all full- and part-time faculty who teach in the day BFA and diploma programs. Voting members include all full- and part-time faculty. Meetings may be called by any three-faculty members. The forum may conduct official business only if notice is given to all full-time faculty members at least twenty-four hours before the meeting, and if at least half of the full-time faculty members of the college are present.

### 3.2.4 *Faculty Representative to the Board of Trustees*

“There shall be one Trustee position with a term of one year which shall be filled by a faculty member of the College who shall be appointed by the College faculty.” (*Montserrat College of Art Bylaws*, Art IV, Sec. 3, revised 5/30/02)

Toward the end of each academic year, the Faculty Meeting elects or re-elects a member to serve as the Faculty representative on the Board of Trustees for the following academic year. The representative-elect ordinarily attends one meeting of the Board during the year prior to his/her service. The Faculty Trustee reports on Board actions and discussions falling under or germane to faculty issues, and communicates to the Board his or her sense of the Faculty consensus and feelings on those issues.

### 3.2.5 *Faculty Committees*

#### 3.2.5 a *Standing Faculty Committees*

The following are the standing committees of the faculty and their responsibilities. All may form subcommittees.

*Curriculum Committee:* to be concerned with the program of study, graduation requirements, student advising, credits, and evaluations.

*Faculty Affairs Committee:* to be concerned with conditions of employment, evaluation procedures for faculty, selection procedures for new faculty, and governance of the faculty.

*Gallery Committee:* to advise the gallery director on policies for the gallery and to assist in relating the gallery program to the mission of the college.

*Library Committee:* to advise the librarian on actions and policies for the library.

#### *Procedural Guidelines for Standing Faculty Committees*

Members of the faculty committees shall be appointed annually and shall serve until a new committee is appointed. The Dean is designated responsible for soliciting and presenting a slate of nominations for committees by the final faculty meeting of the year. The slate of committees will be approved at the August faculty meeting. Changes in committee membership are permitted if faculty is informed of the proposed changes and there are no objections.

A minimum of three faculty members is required to constitute a committee. Service on the Gallery and Library committees is limited to three faculty members with a term-limit of two years. With that exception, faculty serve no more than five successive academic years on one committee. Faculty serve no more than two successive academic years as chair of one committee.

Meetings of the committees are open to all members of the faculty, and all faculty members shall be given seven days' notice of meetings on the faculty calendar. Only committee members may vote. A quorum, defined as a majority of the committee, is needed to vote.

Each committee of the faculty shall elect its own chair, unless the chair is designated by action of the faculty. The chair of each committee will have the following responsibilities: preparing, posting and distributing agenda and background information for each meeting, circulating minutes, scheduling meetings, chairing meetings efficiently, and meeting with the Dean or the President to discuss agenda items before each meeting, if appropriate. Committee chairs shall attempt to schedule committee meetings regularly at the same time once a month.

The President, Dean, and the Library and Gallery directors will serve *ex officio* on faculty committees.

#### 3.2.5 b *Ad Hoc Faculty Committees*

Ad Hoc Rank and Sabbatical committees are formed each year; other ad hoc committees (including Grievance) may be formed by either the Dean or at the Faculty Meeting.

The *Ad Hoc Rank Committee* will be responsible for reviewing all full-time and continuing part-time rank proposals and making recommendations to the Dean in November. The Committee may also be called to review rank proposals for new full-time faculty and/or visiting full-time faculty prior to the start of a semester.

The *Ad Hoc Sabbatical Committee* will be responsible for reviewing all sabbatical proposals and making recommendations to the Dean in November.

#### *Membership of Ad Hoc Committees*

From a pool of all full-time faculty members, five full-time faculty will be selected each year by lottery. Of these five, at least one must be from the Liberal Arts Department and one from a Studio Department. To insure that all full-time faculty have an opportunity to serve, faculty members will be disallowed from serving on any one committee in two consecutive years. Full-time faculty members may not serve on both Sabbatical and Rank Committees in the same academic year. Faculty members applying for Rank or Sabbatical will be removed from the pool for the drawing of that committee. The Faculty Affairs Committee Chair will work with the Office of the Dean to initiate and implement the lottery selection.

## **4. DEPARTMENTAL ADMINISTRATION**

### **4.1 Duties of the Department Chair**

Duties of the Department Chair include the following : leadership in planning the program of courses for the department, including future course propose and descriptions, developing new courses that represent a range of philosophical and stylistic viewpoints, and hiring faculty who embody these viewpoints; monitoring course content and interrelation of courses by visiting classes, reviewing course syllabi, and observing student work at evaluations; orientation of new faculty within the department; holding department meetings at least once each semester. The Department Chair is also responsible for writing recommendations for students and faculty when asked; writing evaluations of full-time faculty for reappointment annually, and for part-time teachers each semester; reviewing all course evaluations by students of each course in the department; working with Senior Seminar instructor to help implement a successful senior program; working with library and gallery committees to assure the department's representation; planning and supervising the department budget, and supervising the building manager to equip and maintain department studios. Department Chairs are required to introduce, mentor and support all faculty in their departments in the *Montserrat Hazardous Materials Management and Safety Precautions Program*, in tandem with the institution. This includes, but is not limited to, review of syllabi to ensure appropriate guidance and precautions in these areas.

### **4.2 Terms of Department Chairs**

Department chairs serve for two-year terms. Their terms may be renewed for two additional terms after the initial appointment, for a total of three consecutive terms (6 years). If, at the end of that time, no other department member is willing/able to serve in this capacity, the department may appeal to the Dean for a waiver of the three-term policy.

Continuing part-time and part-time faculty are eligible to serve as department chairs.

### **4.3 Department Chair Selection**

Procedure for appointing a new chair:

- a. When a chair is nearing the end of his/her two-year term, the Dean circulates nomination forms to all members of that department. Department members submit these confidential nominations to the Dean; they may include a nomination to renew the current chair's terms, a self-nomination, or a nomination of any other full- or part-time faculty member in the department. The department may wish to communicate by e-mail or meet as a group to discuss nominations openly. When the Dean receives all nominations, s/he confirms each nominee's interest in serving as chair. (Nominees have the option to decline.)
- b. The Dean circulates ballots to all department members listing all nominated candidates for chair. (If only one candidate is nominated, only one name appears on the ballot.) All department members are encouraged to vote. The Dean and the President take into consideration the vote of the department members, and the former chair's evaluations of the past two-year as by department members and the Dean. If the Dean does not approve the appointment based on a majority of votes, s/he must meet with the department to try to achieve a consensus. The Dean and the President have the final authority to make the appointment.

## **5 DUTIES OF THE FACULTY**

### **5.1 Duties of Full-time Faculty**

#### *Teaching and Related College Responsibilities*

The ordinary full-time teaching load is eighteen hours per week for studio courses or nine hours per week for academic lecture courses. For teaching assignments that include a substantial amount of time that is not in regular classes (such as direction of a student's independent study), the maximum for a full-time teaching load will be 180 student-credits per

semester. (A student-credit will be determined on a case-by-case basis by the Dean, department head, and instructor.) For faculty who are assigned to teach in more than one format (i.e. a combination of studio, lecture, or independent study), the separate parts of their assignment shall be considered proportionally according to the above ratios when arranging a schedule for them that is comparable to those faculty teaching in a single format.

Responsibilities of full-time faculty include teaching assigned courses, working with department colleagues to develop department curriculum and policy, keeping accurate records of student attendance, student progress and course content, supervising independent study projects, advising students, and duties related to Open House. Studio faculty will participate in all semester end evaluations and in seminar advising and reviews, as needed. Full-time faculty are also expected to attend faculty meetings, general college meetings, and commencement exercises. Studio faculty are responsible for pro-active participation in the *Hazardous Materials Management and Safety Precautions Program*, and should provide pertinent information to students in oral and written form.

### *Professional Responsibilities*

Full-time faculty are expected to demonstrate professional accomplishments through public exhibition of artwork, or through commissions, scholarly publications, other professional work presented in a public or professional context and through membership and leadership positions in professional organizations. Full-time faculty are also expected to remain currently informed in literature and other professional development within their fields of specialization.

### *Service*

Full-time faculty are expected to provide college and community service that can include faculty and college committee work, initiatives to improve the college program, work with student projects and college projects representing the college or professional interests within the wider community. Full-time faculty members are required to participate on one committee as a portion of their service to the college.

## **5.2 Dual Appointments**

The College occasionally makes dual appointments under which a faculty member also has an administrative role. In such cases: an individual is either hired for a dual-appointment position; or the College, the Dean, the chairs of the relevant departments, and the affected individual agree to a revised or new contract that specifies duties and reporting obligations of the new position. Evaluation of the academic aspect of the position follows procedures as outlined in the *Faculty Handbook* for all faculty.

## **5.3 Duties of Part-time Faculty**

Responsibilities of part-time faculty include teaching courses as assigned; working with department colleagues under the guidance of the department chair to develop departmental curriculum and policy; keeping accurate records of attendance, course content, and student progress; and such other duties as may be agreed upon at the time of appointment.

Studio faculty are responsible for pro-active participation in the *Hazardous Materials Management and Safety Precautions Program*, and should provide pertinent information to students in oral and written form.

Part-time faculty who teach studio classes will participate in the semester-end student evaluations as scheduled by the Office of the Dean of Faculty, based on their teaching load.

Part-time faculty who do not teach studio classes are not obligated to participate in the semester-end evaluations.

Part-time faculty are invited to participate in faculty meetings, faculty committee activities and advising, but are not obligated to do so unless the terms of their appointment specify such obligations; studio faculty are also encouraged to exhibit work in faculty exhibitions.

## **5.4 Duties of Visiting Full-time Faculty**

Responsibilities of visiting full-time faculty include teaching courses as assigned, working with department colleagues under the guidance of the department chair to develop departmental curriculum and policy, keeping accurate records of attendance, course content and student progress, and such other duties as may be agreed upon at the time of appointment.

Visiting full-time faculty who teach studio classes will participate in the semester-end student evaluations as scheduled by the Office of the Dean of Faculty, based on their teaching load. Visiting full-time faculty who do not teach studio classes are not obligated to participate in the semester-end evaluations.

Studio faculty are responsible for pro-active participation in the *Hazardous Materials Management and Safety Precautions Program*, and should provide pertinent information to students in oral and written form.

Visiting full-time faculty are expected to participate in faculty meetings and to serve on one faculty committee; studio faculty are encouraged to exhibit in faculty exhibitions.

Visiting full-time faculty are also expected to demonstrate professional accomplishment through public exhibition of artwork, or through commissions, scholarly publications, other professional work presented in a public or professional context and through membership and leadership positions in professional organizations. Visiting full-time faculty are also expected to remain currently informed in literature and other professional development within their fields of specialization.

## **5.5 Capstone Advising, Service on Review Panels**

Advising takes many forms at Montserrat, formal and informal, in and outside of the studio and classroom, involving both the student's work at hand and planning for the future. It also may involve participation in semester-end evaluations, as well as capstone (seminar) review panels.

### **5.5.1 Senior Fine Arts Advising**

Any member of the faculty may have up to three Senior Fine Arts Advisees. The Faculty member is selected by the student in conjunction with the Senior Fine Arts Seminar Faculty.

The advisor's responsibilities are: to help the student define and outline goals or projects as stated in the proposal of a program of study for the senior year; to meet with the student once every week at a regularly scheduled time to discuss in depth the progress of the student's independent study, production, and achievement toward goals for the year; to critique work produced by the student; to encourage research into art historical references and contemporary issues or research in areas relevant to the student's exhibition or portfolio; to be aware of the approximate amount of work achieved in relation to the number of credits elected and to advise the student on the adequacy of the work accomplished; to help the student select individual works for the graduation exhibition or portfolio; and to attend senior reviews. Advisors are evaluated by their advisees in the regular procedure for faculty evaluations.

### **5.5.2 Other Capstone Advising**

Where appropriate and budgeted, Design and other faculty serve on panel reviews — typically three sets of such reviews per semester — in Design Seminar.

## **5.6 Appointment of the Faculty**

### **5.6.1 Diversity**

Montserrat College of Art is committed to basing judgments concerning the admission, education, and employment of individuals upon their qualifications and abilities and affirmatively seeks to attract to its faculty, staff, and student body qualified persons of diverse backgrounds. The College does not discriminate on the basis of race, creed, gender, sexual

orientation, national origin, age, sex, sexual orientation, religion or handicap in admission to, access to, treatment of, or employment in its programs and activities.

The Human Resources Office has been designated to handle inquiries regarding the nondiscrimination policies. Inquiries concerning the application of nondiscrimination policies may also be referred to the Regional Director, Office for Civil Rights, U.S. Department of Education, J. W. McCormack Building, Room 222, Boston, MA 02109-4557.

The College supports a policy of non-discrimination against any person in employment or in any of its programs because of any difference that produces prejudices. The College shall make a deliberate and sustained effort to find, hire, and promote qualified staff, regardless of their race, color, national origin, age, sex, sexual orientation, religion or handicap.

All advertisements and position notices shall convey the fact that the College is an equal opportunity employer. All positions shall also be advertised internally within the College.

### 5.6.2 *Full-time Faculty Appointment*

Full-time faculty are year-round salaried employees of the college, as defined in Section 5.1 of the *Faculty Handbook*, and are eligible to receive health and retirement benefits as outlined in the College's personnel policies in the *Faculty Handbook*.

#### *Re-appointment of Full-time Faculty*

The college will attempt to issue letters of reappointment and salary offers to full-time faculty for the next year by June 15 of the current academic year. Faculty must reply to such offers within one month of the date of the offer, or the faculty member will be considered to have declined the appointment. Full-time faculty whose reappointment is in question will be informed by the Dean and the Department Chair before November 15th of the current academic year.

Full-time faculty who receive continuing reappointment according to the policies as stated herein (see Faculty Evaluation Procedures) will be offered three successive one-year appointments, followed by one three-year appointment, followed by successive five-year appointments. Any full-time faculty member may elect a one-year appointment.

#### *Determination of New Full-time Faculty Positions*

During the fall semester of each year, department chairs may propose full-time positions to the Dean. In consultation with the department chairs, the Dean develops a proposal for new full-time positions for the following year which includes the desired number and desired areas of expertise. The Dean discusses this proposal with the President, and the President decides by Oct. 10 if and how many full-time positions will be funded for the following year.

#### *Search Procedures for Full-time Faculty Positions*

*Formulation of a Search Committee* : The Dean designates an ad hoc search committee for each vacant position. The committee shall consist of the relevant faculty Department Chair head(s), one additional faculty member (from that department if possible), one member of the Faculty Affairs Committee designated by the chair of that committee, the Dean as necessary, and any other faculty members who may be appointed by the Dean. The Dean also designates the chair of the search committee. Ordinarily, five full-time faculty members serve on each search committee.

*Advertising the Position* : Montserrat College of Art provides equal opportunity for employment in all vacant faculty positions to all qualified applicants without regard to their race, creed, color, gender, age, sexual orientation, disability, or national origin. Vacant positions are advertised in appropriate venues and are posted at the College. Internal candidates, especially current part-time faculty at Montserrat, are encouraged to apply for open positions.

*The Role of the Search Committee* : The search committee works with the Dean to place ads and solicit applications as necessary for the new full-time position. The search committee, under the guidance of its chair, reviews applications, selects candidates to be interviewed, and conducts interviews and campus visits. Finalists may be asked to make a presentation before

the students and faculty of the college. The search committee makes its final recommendation to the Dean.

*Appointing the Candidate* : The President and the Dean review the finalist's application materials from the search committee. They determine contractual agreements including salary and benefits in accordance with policies in the *Faculty Handbook*. The President has sole authority to make the final decision on the appointment. If the President does not select that candidate, the President meets with the Dean and the search committee to discuss alternatives. These alternatives may include:

- reconsideration of the search committee's recommendation,
- consideration of the committee's other choices,
- reopening the search for that position.

### 5.6.3 *Part-time Faculty Appointment*

A part-time appointment is an appointment for teaching in the Degree and Diploma programs with a schedule that is regularly assigned as less than the defined full-time teaching load.

Part-time faculty are appointed for one semester, or one academic year, and are engaged by letter of appointment from the College, which specifies the terms of the appointment.

#### *Re-Appointment of Part-time Positions*

Department chairs recommend to the Dean staffing for courses in their departments. They may recommend re-appointing Part-time Faculty previously or currently employed at Montserrat, or may search for new Part-time Faculty members to fill vacant positions.

#### *Search Procedures for Vacant Part-time Faculty Positions*

Variations from this procedure may be determined by the Dean.

*Formulation of a Search Committee* : The Department Chair in conjunction with Dean designates an ad hoc search committee for the vacant position. The committee consists of the relevant Department Chair, one additional faculty member (from the department if possible), and one member of the Faculty Affairs Committee designated by the chair of that committee. Other members may be appointed by the Dean as needed. The Dean also designates the chair of the search committee, which is usually the Department Chair.

*Advertising the Position* : In most cases, regional searches are adequate to attract qualified Part-time Faculty. Montserrat College of Art provides equal opportunity for employment in all vacant faculty positions to all qualified applicants without regard to their race, creed, color, gender, age, sexual orientation, disability or national or origin. Vacant positions are also posted in the faculty room of the school. Internal candidates are encouraged to apply.

*The Role of the Search Committee* : The Department Chair works with the Dean's office to place ads and solicit applications as necessary. The search committee, under the guidance of its chair, acting in accordance with policies provided by the Dean, reviews applications, selects candidates to be interviewed, and conducts interviews and campus visits. The search committee recommends to the Dean the final choice to fill the position.

*Appointing the Candidate* : The Dean approves all part-time staffing and new part-time hires. The Dean determines contractual agreements including salaries, in accordance with policies in the *Faculty Handbook*. If the Dean does not select the candidate that was recommended by the search committee, the Dean meets with the search committee to discuss alternatives. These alternatives may include:

- Reconsideration of the search committee's recommendation;
- Consideration of the committee's other choices;
- Reopening the search for that position.

#### *Eligibility for Rank*

Part-time Faculty members who have taught at the college for six semesters in the past four years — a minimum of 18 BFA credits — may apply to be assigned rank.

#### 5.6.4 *Visiting Full-time Appointment*

Faculty who teach three (three credit) courses as a one-semester appointment are designated as visiting full-time faculty. A visiting full-time faculty member may be appointed for either a one-semester or a one-year contract. Visiting full-time faculty are eligible to apply for rank.

### **5.7 Salary and Compensation**

Appointments to the faculty of the Montserrat College of Art are in one of the following categories: full-time, part-time, or visiting full-time.

Employment benefits that apply to full-time faculty shall not be construed to apply to part-time or visiting full-time faculty.

#### 5.7.1 *Salary*

Faculty will be paid salaries according to the terms described in their letters of appointment.

#### 5.7.2 *Health Insurance*

All full-time faculty are eligible to join the Blue Cross/Blue Shield HMO offered by the College. Health plan premiums are adjusted on July 1 of each year during annual contract renewal. Open enrollment is each June. The College pays a portion of the cost; details are specified by policy annually. All information on this plan is available in the human resources office. A companion plan to the BCBS medical insurance, called a Health Reimbursement Arrangement (HRA), is available to full-time faculty and provides for reimbursement of qualified medical expenses that apply towards the BCBS plan deductible. All information on both the health insurance plan and the HRA are available in the human resources office.

#### 5.7.3 *Dental Insurance*

All full-time faculty are eligible to join a Blue Cross Blue Shield dental plan offered by the College. Open enrollment is each June. The dental plan premiums are adjusted on July 1 of each year. The College pays a portion of the cost that is specified by policy annually. All information on this plan is available in the human resources office.

#### 5.7.4 *Retirement Benefits*

After two years of continual service of 1,000 hours per year or more, an employee may elect to participate in the TIAA-CREF Retirement Annuity Program. After the two years of service described above, the College will contribute an amount equal to 2.5% of the employee's salary if the participant contributes at least 5% of their salary, up to a maximum determined by ERISA. If a new full-time employee was an active participant (at least two years) in a TIAA-CREF Retirement Annuity Program at an eligible institution, there will be no waiting period.

From his/her date of hire, a full-time employee may also contribute to a TIAA-CREF Supplemental Retirement Annuity Program subject to any ERISA restrictions. The College does not contribute to this Supplemental Retirement Annuity Program. Additional information is located in the human resources office.

#### 5.7.5 *Life Insurance*

Life Insurance, through Unum Insurance Company, is available to full-time faculty with 100% of the cost paid by the College; full-time faculty members are eligible on the first day of the month following the date of full-time employment. An employee's life insurance policy's value is equal to one time their annual base salary. Enrollment forms are located in the human resources office.

All regular full-time faculty members are eligible for supplemental life insurance, through Unum Insurance Company, at the expense of the employee. Employees select their own coverage. Open enrollment for this plan occurs in June of each year. See the Human Resources Department for full details.

**5.7.6** *Disability*

All regular full-time faculty members are eligible for short-term disability through Unum Insurance Company at the expense of the employee, on the first of the month following the date of hire. Employees select their own coverage at a maximum of 70%. See the Human Resources Department for full details.

Full-time faculty are covered by a long-term disability insurance program, through Unum Insurance Company, at the expense of the College. Employees are eligible on the first of the month following the date of full-time employment. The long-term disability insurance program provides a benefit equal to 60% of their base salary. Please see plan documents for coverage details located in the human resources office.

**5.7.7** *Tuition Benefits*

Regular full-time faculty and staff members and their immediate dependents (children and spouse/domestic partner) may enroll in courses in the BFA or Diploma program at the College with full tuition remission. The remission does not include fees. Full-time faculty and staff may take Continuing Education courses and receive 100% off tuition only for one Continuing Education course or one Young Artists Program session per semester. Does not include College sponsored study abroad programs. One immediate family member (child) only will receive 100% off tuition for one full day two-week session only. One extended family member consists of grandchild, parent, niece/nephew will receive 50% tuition. This applies to Young Artist program only.

Part-time faculty in the day program may take as much as one three-credit course, tuition free, in any term in which the faculty member is teaching. Dependents of part-time faculty (children and spouse) may take a course with a 50% tuition reduction during the semester that the faculty member is teaching. Part-time faculty receive 100% off tuition only for one Continuing Education course per semester in which the faculty is employed. Continuing part-time faculty receive 100% off tuition only of one Continuing Education course per semester.

Dependents of part-time faculty (children and spouse) are not eligible for discounts through the Continuing Education and Young Artists' programs.

**5.7.8** *Workers' Compensation*

The college provides workers' compensation pay according to state and federal regulations.

**5.8** **Review of a Reappointment Decision**

A faculty member who is not satisfied with the decision as to reappointment may request additional review. As much as possible, the timeline for a review would be thirty days from the formation of the Ad Hoc Review Committee and would adhere to the following process:

An Ad Hoc Review Committee will be formulated consisting of three faculty members: one member appointed by the faculty member, one member appointed by the Dean, and one member appointed by the Faculty Affairs Committee.

The faculty member requesting the review shall present all review materials to the committee.

After reviewing the case, the review committee will make a statement of its findings and recommendations to the President and to the faculty member concerned. The President will review the statement of the committee and will reach a consensus with the review committee. The proceedings of the hearing committee will be kept in the strictest confidence.

**5.9** **Dismissal for Cause and Reduction in Force****5.9.1** *Dismissal for Cause*

A faculty member may be dismissed for cause. Cause shall be defined as any of the following:

- unsatisfactory work performance;
- misconduct;
- neglect of duty, including unexcused absence from class or from other duties;

conviction of a serious crime (acts of civil disobedience, depending upon circumstances, may be excepted).

Before terminating a faculty member for unsatisfactory work performance, the President must have received a report of the evaluation process for the faculty member, as described in these policies, within the previous thirty days.

If it is necessary to conduct the evaluation process explicitly to assist in considering termination for unsatisfactory work performance, the evaluation process must be completed within thirty days. In this case, new evaluations from students will not be received during the period of this evaluation procedure, but the procedure will include information from any previous evaluations by students. During the time of the evaluation process in this case, the faculty member may be suspended with pay at the discretion of the President.

After receiving the report of the evaluation procedure for a faculty member who is under consideration for termination for unsatisfactory work performance, the President shall act upon the proposal to dismiss be reviewed in the manner prescribed in these policies for the review of a faculty reappointment decision. If such a review is requested, the faculty member may be suspended without pay during the period of the review at the discretion of the President. Termination for reasons other than unsatisfactory work performance may be effective immediately.

#### 5.9.2 *Reduction in Force*

The appointment of a faculty member may be terminated at the sole discretion of the President when the college experiences any one or any combination of the following:

- financial exigency;
- curtailment of the program in which the faculty member is teaching;
- declining enrollment in the college or in the program in which the faculty member is teaching.

#### 5.10 **Severance**

In case of dismissal for reasons other than cause, there should be two weeks' pay beyond the termination date of the current contract for full time faculty only.

#### 5.11 **Evaluation of Faculty**

##### 5.11.1 *Purpose of Evaluation*

Evaluations of faculty performance shall be conducted annually and are intended to help maintain the highest standards of instruction in the College and to assist the President in determining whether a faculty member shall be reappointed. Evaluations are only advisory in the reappointment process. The President's discretion in the reappointment process is not affected by a minor flaw in the evaluation or reappointment procedure.

Where a faculty member's student and/or departmental evaluations identify areas of concern with classroom teaching, the faculty member is encouraged to address these concerns. A faculty member may request help in bettering their teaching effectiveness from their department chair, request a mentor be appointed by the Dean or ask the Dean to serve as mentor, or request a mentor from outside the Montserrat community through faculty development funds, if available.

Once a mentor has been appointed, the faculty member and mentor would identify, in writing, the area(s) of concern, and document the steps taken to address any identified problem(s). This document could then also be included in a faculty's portfolio for appointment review.

##### 5.11.2 *Criteria for Full-time Faculty Evaluation*

Criteria for evaluation of full-time faculty members are as follows:

*Teaching effectiveness* : including knowledge of the subject matter, ability to communicate with students, ability to motivate students, relevance of course content to stated course objectives, adequate management of class and studio business, advising and assisting students

in planning their programs of study and their professional future, and other activities and initiatives that help students achieve their educational objectives within the college.

*Professional accomplishment* : as indicated by the exhibition of work, commissions, publications, other professional work that is presented in a public or professional context, and activity in professional organizations.

*College and community service* : which may include faculty committee work, initiatives to improve the college program, work with student projects and college projects, and service in representing the college or professional interests in the wider community.

#### 5.11.3 *Criteria for Part-time Faculty Evaluation*

Criteria for evaluation of part-time and visiting full-time faculty members are as follows:

Teaching effectiveness and professional accomplishment as stated above, and college and community service if appropriate.

The review of the part-time faculty and visiting full-time faculty by the department chair will be completed by July 1st.

#### 5.11.4 *Information Material to the Evaluation*

*Course Evaluations* : Once each semester, students will be asked to complete course evaluation forms for each of their instructors. This procedure will be administered by the Dean, who will retain the completed evaluation forms. Copies will also be given to the faculty member's department chair and also will be made available to the President of the college if so required.

Copies of the completed forms (with the students' names deleted) will be given to the faculty member after the semester is completed.

*Faculty Self Evaluation* : Members of the Faculty are asked to submit a self evaluation addressing the three criteria of evaluation (5.11.2) at the close of each academic year to their department chair and the Dean of Faculty. These self evaluations, student evaluations and the department chair's classroom observation form the basis for faculty's evaluation at the end of each academic year and are part of faculty's permanent record. Other materials, such as a portfolio of student work or an assessment by another faculty member (chosen by faculty affairs) may also be considered as part of the Evaluation Portfolio.

*Statement of Department Chair* : The department chair will make a written statement of evaluation of each faculty member in the department. The department chair will give a copy of the evaluation statement to the Dean and the faculty member. The chair's statement will be based upon the following:

Quality of student work produced in that class in relation to the stated objectives of the course, as evidenced in semester-end evaluations.

Material submitted by the faculty member showing that the faculty member has met the criteria by which the faculty are evaluated.

At least one visit to a class being taught by new faculty and full-time faculty up for reappointment. Classroom visits of other teachers are made as needed at the discretion of the department chair and the Dean, or at the request of the faculty member.

The evaluation may also be based on the results of the student evaluation of the faculty member and such other evaluative information as may be available.

For faculty who do not serve under a department chair, the Dean will make the written statement of evaluation and conduct such other activities as are designated for the chair.

*Faculty Statement* : The faculty member will present a summary of professional activities for the last several years and may also make a written statement of self-evaluation and present any other information that the faculty member wishes to have considered.

5.11.5 *Optional Outside Consultation*

In any case in which the evaluation is for consideration of a three-year or five-year appointment, a qualified consultant from outside the college may be engaged to visit the classes of the person being considered, to talk with that person, and to present a written report of evaluation and recommendations concerning the person’s service as a faculty member. The consultant shall be particularly concerned with the criteria of teaching effectiveness and professional accomplishment. The consultant will be selected in agreement among the Dean, the faculty member concerned, and the department chair.

5.11.6 *Procedure for Evaluation of Each Faculty Member*

The Dean will assemble all records and statements deemed to be material to the evaluation of the performance of the faculty. The chair’s evaluation statement is given to the President and to the faculty member, and placed in the faculty member’s file. If a reappointment decision is to be made, the President will review the chair’s evaluation statement together with the evaluation information assembled by the Dean and any further information that the President may deem appropriate. The President will then act upon the proposed reappointment, notifying the faculty member of the action by letter and sending copies of the letter to the Dean and to the department chair. A faculty member who is not reappointed will be notified in this letter of the reasons for that action.

If this evaluation is to be used to assist in a decision upon reappointment, this procedure will be completed by November 15th. If the evaluation does not concern a reappointment decision, the procedure will be conducted by June 10th of the current academic year.

5.11.7 *Time-Table for Faculty Evaluation*

task	deadlines		
	full-time faculty up for multi-year appointment	full-time faculty on multi-year contract	part-time faculty
Classroom observation by Chair(s)	Oct 15	last day of classes	last day of classes
Faculty statement to Chair(s)	Oct 15	May 15	last day of classes
Statement of Department Chair(s), and/or Dean’s statement, due to Dean	Nov 1	June 1	June 1
Course evaluations reviewed	Previous semester	current AY	current semester
Review of Senior Seminar advising reviews	Previous semester	current AY	current semester, if applicable
Evaluation meeting between Chair(s) and faculty member	by Nov 10	June 1	by July 1
Review by Dean	Nov 10	June 10	July 1
Review by President and letter of appointment written	Nov 15	NA	NA
Notice of non-reappointment	Nov 15	NA	NA
Contracts for following year issued	June 15	June 15	June 15 or when appropriate

5.11.8 *Evaluation of Department Chair*

task	date due
Faculty evaluations of Chair due to Dean	by May 1
Departmental nomination due to Dean or panel	last day of classes, Spring Semester
Evaluation written by Dean	last day of classes, Spring Semester
Review by President	May 30
Appointment of Department Chair by President	May 30

**5.12 Faculty Rank**

5.12.1 *Eligibility*

Full-time faculty, continuing part-time faculty and visiting full-time faculty are eligible to be assigned rank if they request a rank and meet the appropriate criteria. Faculty are designated the rank of instructor, if no other rank is assigned.

5.12.2 *Process*

Eligible faculty who wish to be considered for a change in rank may submit a completed rank form with accompanying supportive material to the Dean by October 1. The Dean’s office may assist faculty in compiling individual records of teaching and service, and shall solicit the recommendation(s) from the relevant department chair(s). The Ad Hoc Rank Committee receives all these materials for its consideration. (See Section 3.2.5 b on membership of this committee). The committee forwards its recommendation to the Dean. Rank is granted by action of the President upon recommendation of the Dean, acting in consultation with the Ad Hoc Rank Committee.

In the case of a candidate for a full-time faculty position, rank to be offered the candidate will be set by action of the President upon recommendation of the Dean, acting in consultation with the Ad Hoc Rank Committee. The President will determine the new hire’s initial rank.

5.12.3 *Criteria Used for Awarding Rank*

For each rank designation, the Ad Hoc Rank Committee considers specific criteria in five areas: educational qualifications, teaching experience, teaching effectiveness, service, and professional accomplishments. Rank applicants are required to submit letters of recommendation, testifying to their teaching effectiveness, from their department chairs or from the Dean. These letters will be confidential only if applicants waive their right of access to them. In some cases, outstanding qualifications in one area may offset those in another area. (For example, an exceptional record of professional accomplishment may offset the lack of a terminal degree).

*Instructor*

All faculty shall be designated the rank of instructor if no other rank is assigned.

*Assistant Professor*

The rank of Assistant Professor requires a terminal degree and one year of experience; non-terminal masters degree and three years of experience; a bachelors degree and five years of experience; or a diploma (or equivalent) and seven years of experience (see chart). This rank also requires a high level of teaching effectiveness, service and demonstrated professional accomplishment.

Degree	Years of experience
Terminal (MFA, Ph.D.)	1
Master (non-terminal)	3
Bachelors (BFA, BA, BS)	5
Diploma or equivalent	7
No degree	9

*Associate Professor*

The rank of Associate Professor requires the qualifications for Assistant Professor, plus five additional years of experience and a record of continuing teaching effectiveness, service and professional accomplishment during the five-year period.

*Professor*

The rank of Professor requires the qualifications for Associate Professor, plus eight additional years of experience (see chart), continuing teaching effectiveness, service, and professional accomplishment during the eight year period and professional distinction beyond the local region, as judged by the committee from evidence such as a number of exhibitions outside the area, or a number of publications or citations in publications circulated outside the area, which would tend to establish the person’s involvement in a wider professional community.

5.12.4 *Definitions of Criteria Used in Awarding Rank*

*Educational Qualifications:* a terminal or other degree should be in the general subject in which the person is teaching. The equivalent of a diploma constitutes a combination of some formal post-secondary education and other qualifications sufficient to merit appointment to a position on the college faculty.

*Teaching Experience :* one year is counted for full-time college level teaching experience over an academic year in the field of the person’s professional competence, or equivalent years of part-time teaching by the number of credit hours taught (up to a maximum of 18 credits per year). In rare cases, significant professional accomplishment in the field of the person’s professional competence may be counted toward experience.

*Teaching Effectiveness :* includes knowledge of the subject matter, ability to communicate with students, ability to motivate students, relevance of course content to stated course objectives, adequate management of class and studio business, advising and assisting students in planning their programs of study and their professional future, and other activities and initiatives that help students achieve their educational objectives within the college.

*Service :* College and community service may include faculty committee work, initiatives to improve the college program, work with student projects and college projects, and service in representing the college or professional interests in the wider community.

*Professional Accomplishment :* may include exhibitions, commissions, publications, other professional work that is presented in a public or professional context, and activity in professional organizations.

**5.13 Leave**

5.13.1 *Sabbatical Leave*

*Eligibility*

Faculty members will be eligible for sabbatical after completing six years of full-time teaching at Montserrat. Individuals will again be eligible after a six-year interval of teaching between the academic year in which they took their previous sabbatical and the academic year for which they are applying.

*Process*

An eligible faculty member may apply for a sabbatical by presenting to the Dean a proposal for the leave period, indicating the following: a description of the goals of the sabbatical and

suggested criteria for judging the accomplishments of these goals; a timeline for the achievement of these goals; a description of the activities that will be undertaken to achieve these goals; a description of the sabbatical's contribution to the college, the field of endeavor, and the faculty member's professional development; a description of the method for reporting to the college community on the sabbatical activities.

One aspect of this report to the college community will be a brief written summary of the sabbatical work to the dean. Additional methods of sharing his or her sabbatical may include a lecture, publication, or gallery exhibition to demonstrate production from the sabbatical leave.

A sabbatical may be for one semester, with full salary and benefits provided for the period of the sabbatical, or for one year at half pay and full health benefits. The proposal must be presented by November 15th for either the fall or spring semester of the next year.

The proposal is reviewed by the Ad Hoc Sabbatical Committee (see Section 3.2.5 b on membership of this committee) and a recommendation is presented to the President for final approval. The Dean will also submit a recommendation on the sabbatical request.

Individuals granted a sabbatical must agree to continue a minimum of one year as full-time faculty members upon completion of the sabbatical. Exceptions must be approved by the President.

#### *Criteria Used for Awarding Sabbaticals*

The following are some criteria to be considered in judging a sabbatical proposal:

- seniority of faculty member;
- feasibility of sabbatical proposal;
- anticipated benefit of proposal to college;
- anticipated benefit to the professional development of faculty member;
- anticipated benefit to the field of endeavor.

If a sabbatical application is turned down because of the number of applicants during a year, that application should receive priority among the next year's applicants. Priority does not guarantee acceptance and that application must still meet other criteria.

### 5.13.2 *Sick Leave*

#### *Full-time Faculty*

A faculty member who suffers incapacitating illness or injury is entitled to one week of sick leave, with full pay, for each year of full-time service to the college. The President or the President's designee may request a statement from an attending physician to confirm that the faculty member is so incapacitated. Paid sick leave shall be cumulative to a maximum of twenty-six weeks.

A "week" in the context of this policy shall be defined as the faculty member's assigned teaching schedule over a period of seven consecutive days.

Brief absence for illness or for other necessity for less than a week will not be counted against compensated sick leave. If such absence totals a week or more during a school year, the total amount of absence shall be counted.

Full-time faculty employed during the year in which this policy is adopted shall be considered to have accumulated sick leave for two-thirds of the years of their total previous full-time service with the college.

If a faculty member is absent s/he must notify the administrative assistant who will notify the department chair. Part-time faculty are allowed paid sick leave for one class period for each 3-credit course taught per semester. For example, a part-time faculty who teaches two courses during a semester will be paid if they are absent for two class periods. One class period of paid sick leave may be accumulated for each course taught for a maximum of 5 days. For example, if a part-time faculty teaches one course per semester for four semesters, four class

periods of paid sick leave are accumulated and may be used in case of illness. If a part-time faculty member is absent for more than two classes during one semester, the third class must be rescheduled.

With sufficient notice a substitute may be hired by the department chair. If the part-time faculty member exceeds two absences per semester and has used up the five days maximum, the part-time faculty member's compensation for the day will be used to pay the substitute.

#### *Part-time Faculty*

Under circumstances comparable to those specified for full-time faculty, part-time faculty are allowed one half day of paid sick leave each semester for each three-credit course taught. One half day is defined for this policy as one half of the assigned teaching time during a week for a course. One half day of paid sick leave may be accumulated for each course taught, to a maximum of five half days per course.

Part-time faculty employed during the year in which this policy is adopted shall be considered to have accumulated one half day of paid sick leave per year of previous part-time service, to a maximum of five half days, regardless of variations in teaching assignment during those years.

### 5.13.3 *Other Leave*

#### *Unpaid Leave*

After at least three years of full-time employment with the college, and subject to the agreement of the President, a full-time faculty member may take leave without pay for a period of as much as two years without losing benefits of length of service with the College. When a faculty member takes such leave, the period of leave shall not be counted as a part of a three- or five-year appointment period, if applicable. However, neither salary increases nor seniority shall accrue during the period of unpaid leave.

#### *Family and Medical Leave*

As required by the Family and Medical Leave Act of 1993, Montserrat College of Art grants eligible employees up to 12 weeks or the equivalent of unpaid leave during any 12-month period for: (1) the birth and first-year care of a child; (2) the adoption or foster placement of a child in the employee's home; (3) the care of a spouse, child, or parent with a serious health condition; or (4) the serious health condition of the employee. Employee must be employed 12 months. If the leave is planned, the employee must provide at least 30 days written notice prior to the anticipated leave date. Before the employee is permitted to return to work, the employee will be required to furnish in writing from a physician indicating that the employee is capable of returning to work and performing the essential functions of your position, with or without reasonable accommodation. Where required, the College will consider making reasonable accommodations for any disability the employee may have in accordance with applicable laws. The College will maintain any pre-existing health insurance coverage during the FMLA leave, provided the employee pays his or her portion of the premiums. With some exceptions, employees are entitled to return to the same or an equivalent position at the end of the leave and to the unconditional reinstatement of all fringe benefits. Please see HR for full details.

#### *Bereavement Time*

Up to five days are granted upon the death of a mother, father, child, spouse, sibling, grandparents, mother-in-law, father-in-law, or household member. In the event of the death of a relative not included in the above-listed categories, the college may grant up to one day paid leave. For categories not listed above, the college may grant up to one paid leave day.

#### *Jury or Witness Duty*

Employees selected for jury duty shall receive their regular salary while on unpaid duty. If the courts remunerate an employee, the College shall make up any loss in pay upon receipt of proof of payment by the courts. Benefits will remain intact.

*Military Reserves*

A military leave of absence will be granted to employees who are ordered to active duty in the US Armed Forces. A written request with a copy of the applicable orders must be submitted at least two weeks before the expected departure date unless the orders are issued under federal or State mobilization authority. Leave will be granted for the period specified in the orders, which must be sent to the HR department. Please see HR for full Military Leave details. Employees leave in excess of 30 days may elect to continue health and dental. Please refer to COBRA notification or HR for full details.

*Small Necessities Leave Act*

Mandates that certain employers provide up to 24 hours of unpaid leave during any 12 month period to “eligible employees”. This leave is in addition the 2 weeks already allowed under the Family Medical Leave Act. Reasons for taking the leave;

To participate in school activities directly related to the education advancement of a son or daughter of the employee, such as parent-teacher conferences or interviewing for a new school, or

To accompany the son or daughter of the employee to a routine medical or dental appointment.

To accompany an elderly relative of the employee to routine medical or dental appointments or for appointments for any other professional service such as interviewing for a group or nursing home.

**5.14 Faculty Development****5.14.1 Purpose of Faculty Development Fund**

Faculty Development Funds support professional development, individual or collaborative, including projects and other activities that will help advance a faculty member’s teaching or professional career.

The goals of a faculty development proposal may include:

Projects or activities related to professional accomplishment in one’s field of expertise.

Mentoring or coaching support in classroom teaching areas identified as requiring improvement in a faculty evaluation.

Increasing knowledge of media, technology, diversity, or other relevant activities related to teaching.

**5.14.2 Eligibility and Application**

All faculty members (full-time or part-time) are encouraged to apply for funds by submitting a Faculty Development Proposal Form to the Dean.

Faculty Development funds are available both fall and spring semesters. Applications received before the beginning of each semester will receive priority for that semester. Faculty Development proposals will be reviewed by the Dean.

**5.14.3 Faculty Development proposals**

Faculty Development proposals under \$500 will be reviewed by the Dean; proposals over \$500 will be reviewed by the Dean with consultation of the President or Vice President of Finance.

**5.14.4 Criteria Used in Awarding Funds**

The criteria used by the Dean for allocating funds are: consistency with goals; diversity of projects; balance among a broad range of faculty; availability of funds.

## **5.15 Grievance Procedure**

### *5.15.1 Definitions*

A “grievance” is a claim based upon an event or condition that affects the welfare and/or terms and conditions of employment of a teacher or a group of teachers and/or the interpretation, meaning, or application of the contract and the personnel policies as stipulated in the *Faculty Handbook*.

An “aggrieved person” is the person or persons making the claim.

A “party in interest” is the person or persons making the claim. (Example: A group of part-time faculty members who feel they have been discriminated against may instigate a claim as a group.)

### *5.15.2. Purpose*

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to the problems that may from time to time arise affecting the welfare or working conditions of faculty. Both parties agree that these proceedings will be kept as confidential as may be appropriate at any level of the procedures.

Nothing contained herein will be construed as limiting the right of any faculty member having a grievance to discuss the matter informally with any appropriate member of the administration and to have the grievance discussed by the Faculty Affairs Committee before a formal claim is made.

### *5.15.3 Procedure*

When a complaint that is subsequently similar to a grievance that has been filed with the college is filed subsequently with an outside agency, the college shall not hear the matter, unless there is clear and convincing evidence that such a hearing would facilitate resolution of the complaint.

Any complaint that has been filed and resolved by an outside agency cannot then be filed as a grievance with the college.

Since it is important that grievances be processed as rapidly as possible, the timetable specified at each level should be considered as a maximum, and every effort should be made to expedite the process. The time limits specified may, however, be extended by mutual agreement.

In the event a grievance is filed at such a time that it cannot be processed through all steps in this grievance procedure by the end of the school year and, if left unresolved until the beginning of the following school year, could result in irreparable harm to a party in interest, the time limits set for herein shall be reduced so that the procedure may be exhausted prior to the end of the school year or as soon thereafter as is practicable.

*Level 1* : The grievance shall be submitted in writing to the faculty member’s department chair no later than ten (10) working days following the grieved event. If no satisfactory settlement is reached within five (5) working days after the receipt of the written complaint, the employee may request a formal review of the case. The grievance is then presented in writing with a copy to the dean within five (5) more working days.

*Level 2* : Within five (5) working days of receipt of the grievance, the dean shall call a conference that shall include the aggrieved faculty member with his/her department chair, unless the grievance has been filed against the department chair. If the issue cannot be formally resolved, a written decision by the dean shall be given to the employee within three (3) working days of the conference. If the employee is dissatisfied with this decision, s/he may proceed to level 3.

*Level 3* : If the decision of the dean is unsatisfactory, the faculty member may petition, in writing, that the grievance be placed before an ad hoc committee. The Faculty Affairs Committee shall convene the ad hoc committee to rule on the grievance within ten (10) working days of receipt of the written grievance. The committee shall consist of the president as chair and four faculty members selected by the Faculty Affairs Committee. No individual

shall participate on the committee if s/he has been involved in the grievance or if the aggrieved faculty member believes that the participation of such individual would be prejudicial. The dean may serve in an advisory capacity to the committee, and the complaint may be accompanied by one member of the college for purposes of moral or informational support. Within five (5) working days of the hearing, the chair shall communicate the committee's decision to the faculty member. The decision shall be based on a majority vote of the committee.

#### 5.15.4 *Rights of Faculty to Representation*

No reprisals of any kind will be taken by the president, dean, or any member or representative of the administration against any aggrieved person, any party in interest, any member of the Faculty Affairs Committee, or any other participant in the grievance procedure by reason of such participation.

A faculty member may be represented at all stages of the grievance procedure by his/herself or, at his/her option, by a grievance representative selected by the faculty member from the staff of the college or from outside.

## 6. **ACADEMIC PROCEDURES**

### 6.1 **Curriculum Approval and Implementation Process**

#### 6.1.1 *Changes to the Curriculum : Programmatic*

Programmatic changes include (but are not necessarily limited to) new programs (including concentrations, majors, minors); reconfigurations of departments; and overall credit (and other) requirements for the BFA.

##### a. Approval

- 1 Department chair(s) if and as applicable
- 2 Curriculum Vision and Policy, and Curriculum Course Approval, committees
- 3 Faculty (in Faculty Meeting)
- 4 Dean (in consultation with the President); may form *ad hoc* committee to review feasibility
- 5 President
- 6 Academic and Student Affairs Committee (of Board of Trustees)
- 7 Board of Trustees

##### b. Implementation

- 8 Dean's Office — responsible for implementation timeline, initial budget approval; accreditation plan approvals; implementation by Registrar and Advising offices (summary sheets, revision of *Advising Handbook*, etc.); updates to website and other published materials.

#### 6.1.2 *Changes to the Curriculum : Routine*

Routine changes include changes to program (concentration, major and/or minor) requirements, deletion of courses required in any concentration/major; change in senior capstone requirements for students in a particular concentration/major; changes in prerequisites; and the approval of new courses (whether required or not).

##### a. Approval

- 1 Department chair(s) if and as applicable
- 2 Curriculum Course Approval Committee
- 3 Faculty (in Faculty Meeting)

##### b. Implementation

- 4 Dean's Office — responsible for implementation timeline, initial budget approval; implementation by Registrar and Advising offices (summary sheets, revision of *Advising Handbook*, etc.); updates to website and other published materials

## **7. CONDUCT**

### **7.1 Drugs and Alcohol**

*Drug-Free Workplace* : Under the Drug-Free Workplace Act of 1988, Montserrat College of Art is required to maintain a drug-free environment for its employees and students. This environment is guaranteed to be free from the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances on Montserrat property or during the course of College Business. In cases where a Montserrat College of Art faculty member has been convicted of a drug-related work-related offense, the College will, within (30) thirty days of receiving notice:

- a. Impose a sanction up to and including termination or dismissal, as appropriate, or;
- b. Require the satisfactory participation of the convicted individual in a drug abuse assistance or rehabilitation program.

In compliance with the Federal Drug-Free Schools Act, Montserrat maintains a drug-free campus. This applies to controlled substances, illicit possession and/or abuse of prescription drugs, and the abuse and/or the unlawful use of alcohol.

#### *7.1.1 Drugs*

Federal, state and local laws prohibit the manufacture, distribution, possession, and/or use of controlled substances (illegal drugs) and the illicit use of prescription drugs. Violation of these laws is a criminal offense subject to arrest and criminal prosecution in state and/or federal courts. Violation of these laws on College premises and/or at College-sponsored events is considered grounds for disciplinary action up to and including dismissal from the College in addition to sanctions specified by federal, state and local law.

#### *7.1.2 Alcohol*

The Commonwealth of Massachusetts regulates possession, sale and use of alcohol. Persons under the age of twenty-one (21) are prohibited from the possession and/or use of alcohol; providing alcohol to persons under twenty-one is prohibited. Violation is subject to severe sanctions including arrest and criminal prosecution. Driving under the influence of alcohol or with open containers of alcohol is illegal for all persons and is similarly subject to arrest and criminal prosecution. Violations of these laws and/or the Alcohol Policy (listed below) on College premises or at College-sponsored events will be subject to disciplinary action up to and including dismissal from the College in addition to legal actions.

#### *7.1.3 Alcohol Policy*

In order to foster the College's role as an educational institution and to protect members of its campus community, Montserrat College of Art restricts the use of alcohol as follows:

1. No person may distribute alcohol to any student at any time on College premises or at College sanctioned events or activities, unless special permission has been obtained.
2. For any event in which alcohol is served in the presence of students, please see Student Handbook Alcohol Policy.

### **7.2 Consensual Relationships**

Consensual romantic relationships between faculty and student and administrator and student are deemed unprofessional and legally inappropriate. Such relationships may materially interfere with or impair the performance of required professional duties, responsibilities and relationships, and are therefore discouraged under this policy. Faculty, administrators and supervisors are warned against the dangers of apparently consensual relationships. Should complaints of sexual harassment be made and be determined to have just cause, the involved

faculty, staff or supervisor shall bear full responsibility for proving a defense of mutual consent.

### **7.3 Sexual Harrassment**

#### *Definition of Sexual Harassment*

Sexual harassment is prohibited under Title VII of the Civil rights Act of 1964, Title XI of the Higher education Amendments of 1972 and Chapter 151B and 151C of the Massachusetts General Laws. The legal definition of sexual harassment is this: “Sexual Harassment” means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

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

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment as would direct or implied requests by a professor for sexual favors for actual or promised academic benefits such as a favorable grade. The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace or academic environment that is hostile, offensive, intimidating, or humiliating to male or female workers, may also constitute sexual harassment. While it is not possible to list all circumstances that may constitute sexual harassment, guidelines on workplace sexual harassment issued by the Equal Employment Opportunity Commission define sexual harassment as verbal or physical misconduct that denigrates or displays hostility toward an individual and that has its purpose creating an intimidating, hostile, or offensive work or academic environment, or interfering with an individual’s work or academic performance, or otherwise affecting the person’s employment or academic opportunities. The following are some examples of conduct that, if unwelcome, may constitute sexual harassment, depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness:

Unwelcome sexual advances – whether they involve physical touching or not

Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life, commenting on an individual’s body, comment about an individual’s sexual activity, deficiencies or prowess;

Displaying sexually suggestive objects, pictures, or cartoons;

Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;

Unwelcome inquiries into one’s sexual experience and;

Unwelcome discussion of one’s sexual activities

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with the investigation of such complaint is unlawful and will not be tolerated by the College.

#### *Procedures for Making, Investigating and Resolving Complaints of Sexual Harassment*

If any member of the Montserrat community believes that he or she has been subjected to sexual harassment, they have the right to file a complaint with the College. This may be done in writing or verbally. If you need to file a complaint, you may do so by contacting any of the

individuals listed below. These people are also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

- President
- Director of Human Resources
- Dean of Faculty & Academic Affairs
- Dean of Student Services

*Sexual Harassment Investigation*

When the College receives a complaint, the College will promptly investigate the allegations in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint and with witnesses. The appropriate administrators listed above may also interview the person alleged to have committed sexual harassment. All employees, the complainant, alleged harassment [ ? ] and potential witnesses should refrain from discussing any and all aspects of the investigation. When the College has completed its investigation, it will to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation. If it is determined that inappropriate conduct has occurred, the College will act promptly to eliminate the offending conduct, and when appropriate, impose disciplinary action.

*Disciplinary Action*

If it has been determined that inappropriate conduct has been committed by a member of the College community, the College will take such action as is appropriate under the circumstances. Recommendations for disciplinary action may range from counseling to termination of employment. Other forms of disciplinary action may be imposed as deemed appropriate under the circumstances.

*State and Federal Remedies*

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with:

United States Equal Employment Opportunity Commission (EEOC)

1 Congress Street, 10th Floor  
 Boston, MA 02114  
 617-565-3200

Massachusetts Commission Against Discrimination (MCAD)

Boston	Springfield
1 Ashburton Place, Rm 601	424 Dwight Street, Rm 220
Boston, MA 02108	Springfield, MA 01103
617-727-3990	413-739-2145

**8. SAFETY**

**Reporting Crime to the Appropriate Police Agencies**

Since the College does not maintain its own police force, members of the Montserrat community should report all crimes to civil authorities, such as the City of Beverly Police Department. Incident reports forms are available at the front desk. These forms should be filled out and submitted to the Vice President of Student Services.

*Emergency and Other Resources Directory*

Emergency and Fire 911

Police Department	978-922-1212
Fire Department	978-922-4000
Ambulance	911
Poison Control Center	800-682-9211
Beverly Hospital	978-922-3000

*Counseling*

On Campus Psychologist Janet Dauray	978-921-4242 ext 1200
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*Center for Addictive Behaviors*

27 Congress Street Salem, MA 01970	800-334-5512
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*Project Rap*

202 Rantoul Street Beverly, MA 01915	800-329-5311 24 hr. hotline 978-922-9444
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*Legal Aid*

Lawyer Referral, MA Bar Assoc.	800-392-6164
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*Hotlines*

Mass Alcohol and Drug Narcotics Anonymous Alcohol Anonymous	617-445-1599 617-884-7709 617-426-9444 800-252-6465
Alanon Hotline National Cocaine Hotline Samaritans AIDS Action	617-843-5300 800-COCAINE 508-688-6607 800-235-2331

**9. APPENDIXES**

**9.1 Organization Chart**

**9.2 Academic Calendar**

**9.3 Duties of Director, Writing Center**

9.3.1 *Teaching and Administrative Responsibilities*

Director, Writing Center is a full-time faculty position involving (1) writing instruction and tutoring in the Writing Center; (2) administration of the Writing Center; and (3) the teaching of one or more courses per semester in the Liberal Arts Department. The position falls under the category of a teaching assignment that includes a “substantial amount of time that is not in regular classes” (*Faculty Handbook* 5.1). The Director works with students individually and in workshop settings to improve writing and study skills; helps students find and use resources; oversees the Center’s referral role for first year composition courses; and generally supports writing across the curriculum. The Director promotes the Writing Center (via classroom visits, newsletters, interaction with faculty, etc.); trains and oversees professional and peer tutors; keeps accurate records of Writing Center use; and manages and supports students in the use of the Writing Lab and its facilities.

The position reports to the Office of the Dean; classroom teaching is evaluated by the appropriate department chair.

9.3.2 *Professional Responsibilities*

The Director is expected to remain current with developments in writing pedagogy.

#### 9.3.4 *Service*

In addition to the primary writing-oriented responsibilities of this position, that would likely include supervision of the *Word/Image* literary journal and other projects, the Director is expected to provide college and community service that can include faculty and college committee work, and projects representing the College in the wider community.

#### 9.3.5 *Evaluation of Director, Writing Center*

##### *Purpose of Evaluation*

A performance evaluation of the Director, Writing Center, is conducted annually; it is intended to help the faculty member maintain a high standard of effectiveness in the performance of her or his duties, and to assist the Dean of Faculty in determining whether the faculty member shall be re-appointed.

The Dean of Faculty evaluates the incumbent's performance in both teaching and administrative duties, consulting with the relevant department chair/s with regard to classroom teaching, and taking such other information as is relevant into account. A copy of the evaluation is given to Director, Writing Center.

##### *Criteria for Evaluation*

*Writing Center teaching and administration* : Teaching effectiveness (measured in part by feedback from student clients, and from faculty whose students have used Writing Center support); evaluations from students served; referral statistics; faculty feedback on writing across the curriculum activities. At the end of each semester, the Director, Writing Center submits to the Office of the Dean a report on the Center's activities.

*Classroom teaching* : Teaching effectiveness, including knowledge of subject matter, ability to communicate with students, ability to motivate students, relevance of course content to stated course objectives, adequate management of class business, advising and assisting students in planning their program of study and their professional future, and other activities and initiatives that help students achieve their educational objectives within the college.

*College and community service*, which may include faculty committee work, initiatives to improve the college program, work with student projects and college projects, and service in representing the college or professional interests in the wider community.

##### *Information Material to the Evaluation, and Procedure for Evaluation of Faculty Writing Center Director*

Same as Sections 5.11 of the *Faculty Handbook*.

##### *Faculty Rank*

The Director, Writing Center is eligible to be assigned rank if he/she requests a rank and meets the appropriate criteria as outlined in Section 5.12 (Faculty Rank) of the *Faculty Handbook*.

##### *Salary*

The Director, Writing Center will be paid a salary according to the terms described in his/her letter of appointment.

##### *Sabbatical Leave*

The Director, Writing Center is eligible for sabbatical as outlined in Section 5.13.1 (Sabbatical Leave) of the *Faculty Handbook*.

##### *Benefits, Sick and Other Leave*

The Director, Writing Center is eligible for benefits as outlined in Section 5.7 of the *Faculty Handbook*.

##### *Faculty Development Policy*

The Director, Writing Center is eligible for Faculty Development Funds as outlined in Section 5.14 (Faculty Development Policy) of the *Faculty Handbook*.

## 9.4 **Protocols for Faculty Meetings**

The *Faculty Handbook* states that Faculty Meetings are, in general, run according to *Roberts' Rules of Order*. *Roberts'* states that different institutions will modify the rules according to their own needs, and Montserrat has done so. What follows are some points concerning Faculty Meetings that are not meant to be strict rules but flexible guidelines for Faculty Chairs. Most points are from *Roberts' Rules of Orders*, though there are some exceptions made in light of long-time precedent at Montserrat.

*Roberts' Rules of Order* states that there can be a revote on an issue only if someone on the winning side asks for a revote. (Presumably they're changing their vote.)

A quorum is half the full-time faculty, plus one (not counting those on sabbaticals or leaves).

Voting may take place by raised hands or by yays and nays. There can be a call for a written, private ballot. (*Roberts'* states that the ballot should be counted by two people.)

*Roberts' Rules* doesn't mention proxy votes, but at Montserrat proxies in writing have always been accepted.

The chair doesn't vote except to break a tie. In a written vote, s/he should write down her ballot with everybody else, but keep it aside, in case of a tie (if s/he wishes to vote).

Discussions can begin without a quorum (if there is no call for a quorum count), but no votes can be taken.

A vote is carried if more than half of those voting approve it. So if there are twenty faculty members, and only twelve vote on an issue, seven will carry the vote. Abstentions needn't be counted.

The person who makes a motion can modify it (if there are no objections) without a vote.

*Roberts'* states that everyone who wishes to talk on an issue should have a chance before anyone is recognized for a second time. (This is a rule honored mostly in the breach at MCA.)

The ruling of the chair can be over-ruled by a majority.

The primary deviation from *Roberts' Rules of Order* at MCA has been the permitting of extended, informal discussion as the faculty comes to a consensus on how to proceed on an issue.

### *Duties of the Faculty Chair*

The faculty chair solicits items for the agenda and formulates the agenda. The chair gives the agenda to faculty a week before the faculty meeting (by e-mail or mailboxes). Items on which the faculty will be expected to vote should be received by faculty a week before the faculty meeting so that they have ample to to read the material.

## 9.5 **Family Educational Rights & Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act of 1974 (FERPA, 20 U.S.C. 1232g; 34 CFR part99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds from under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are eligible students.

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the

school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a Judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. Students have the right to decline disclosure of personally identifiable information including ID images, contained in their education records except to the extent that FERPA authorizes disclosures without consent.

Parents have the right to expect confidentiality of certain information about them in student records and, under certain conditions, to gain access to information in student educational records. For Purposes of FERPA, Montserrat College of Art requires parents to provide proof to the Office of the Registrar that a student is a dependent within the meaning of Section 152 of the Internal Revenue Code in order to qualify to inspect and review educational records without the student's written consent. The College limits the information that may be released to parents of a non-dependent student to directory information unless the written consent of the student is obtained.

Records relating to an individual who is employed by Montserrat College of Art not as a result of his or her status as a student are also excluded. However, employment records relating to Montserrat College of Art students who are employed as a result of their status as students are considered educational records.

## **9.6 Index**

[ language for this new section not available at this time ]





