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2018 / 2019

Montserrat College of Art
Beverly, Massachusetts

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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, 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 concerns academic procedures. 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 Academic Affairs, and is available online via <https://www.montserrat.edu/employment/>.

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.

Changes from Previous (2017-18) Edition

- Throughout “Dean of Academic Affairs” changed to “Academic Dean”
- Preface Deletion of “(which is currently only notional)” and “(see note to Section 6 of 2005-06 Faculty Handbook)” from section 5 description
2. 1 Academic computing deleted from responsibilities and Continuing Education added.
- 3.2.5a Deletion of “This committee merged during the 2009-10 academic year” from Library/Gallery Committee description

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 75 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

Founded by working creative professionals, Montserrat College of Art provides an individualized education focused on maximizing the professional and personal success of each student. Structured around experiential learning, studio practice, liberal arts, and professional preparation, the mission of the college ensures that its graduates leave equipped with the competence, confidence, and habits of mind to build lives of creative enterprise and community engagement. Montserrat recognizes its role as an economic driver and cultural leader in the region.

1.3 Statement of Institutional Values

Our individual and collective work as an independent institution of higher education is informed and guided by the following values:

The practice of art, design, research, and creative enterprise has intrinsic value.

Teaching, learning, and service are central to who we are.

Individuality, creativity, expression, and experimentation are respected and encouraged.

Accountability and integrity are essential to sustain creativity and shared community.

We thrive on diversity of people, ideas, and approaches.

2. STRUCTURE AND OFFICES

2.1 Office of the Academic Dean

The Academic Dean 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 Library, Gallery, Continuing Education, 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 Academic Affairs 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 Division 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, 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 Division Chairs and assist Program Coordinators 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, 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

2.1.1 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 Division 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.

2.2 Other Offices

Board of Trustees

Office of the President

Office of the Chief Financial Officer
Office of the Dean of College Relations
Office of the Dean of Students
Office of the Director of Development

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 Coordinator of the proposing program. 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.

Academic Technology Committee: to assist the College in developing strategic initiatives for the planning, development, and deployment of technology resources to the curriculum and learning environments.

Academic Planning Committee: to be concerned with “programmatically changes” to curriculum and programs (see 6.1.1).

Curriculum Committee: to be concerned with “routine” changes to curriculum (see 6.1.2).

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/Library 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 and 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 Division Chair and Program Coordinator

Duties of the Division Chair: Represents the Division internally and externally, works closely with the Dean, President and, as appropriate, the President's Cabinet to set academic strategic directions; monitors course interrelation within the division and within the curriculum as a whole; keeps abreast of new teaching methods and models; works with the relevant Program Coordinators on curricular matters, including development of courses and curriculum assessment, as well as budgets and faculty evaluations. With appropriate faculty/staff, develops plans for long-term division and program technology and facility needs.

Duties of Program Coordinator: Represents the Program to the Division Chair, fellow Program Coordinators and the students. Works with the Division Chair to develop curriculum, budgets, schedule, and to hire faculty. Works with the Division Chair and Senior Faculty to evaluate faculty. Maintains primary oversight within the program, for curriculum delivery, budget management, as well as hiring, orienting and mentoring new faculty. Acts as program liaison with Studio Technicians (if applicable) and the Academic Facilities Coordinator.

4.2 Terms of Division Chairs and Program Coordinators

Division Chairs serve for three-year terms. Their terms may be renewed for one additional term after the initial appointment, for a total of two consecutive terms (6 years). If, at the end of that time, no other faculty member is willing/able to serve in this capacity, the division may appeal to the Dean for a waiver of the three-term policy. Part-time faculty are eligible to serve as Division Chairs.

Program Coordinators serve a two-year term. Their terms may be renewed for two additional terms after the initial appointment for a total of three consecutive terms (6 years). Part-time faculty are eligible to serve as Program Coordinators.

4.3 Division Chair and Program Coordinator Selection

Procedure for appointing a new Division Chair or Program Coordinator:

When a chair or coordinator is nearing the end of his/her term, the Dean circulates nomination forms to all members of that division/program. Division/Program members submit these confidential nominations to the Dean; they may include a nomination to renew the current chair/coordinator's terms, a self-nomination, or a nomination of any other full-or part-time faculty member in the division. The division/program 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/coordinator. (Nominees have the option to decline.)

The Dean circulates ballots to all department members listing all nominated candidates for chair/coordinator. (If only one candidate is nominated, only one name appears on the ballot.) All division/program members are encouraged to vote. The Dean and the President take into consideration the vote of the division/program members, and the former chair/coordinator's evaluations of the past two years by division members and the Dean. If the Dean does not approve the appointment based on a majority of votes, s/he must meet with the division/program 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, 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 allows and defines dual appointments under which a faculty member teaches 2 or more classes and also has an administrative role. Dual appointments are considered on a case by case basis and must be approved by the Academic Dean and Human Resources. In such cases, an individual is either hired for a dual-appointment position, or the college, the Dean, the chairs of the relevant division, and the affected individual agree to a revised or new contract(s) that specifies duties and reporting obligations. Evaluation of the academic aspect of the position follows procedures as outlined in the handbook for all Faculty. Evaluation of the staff aspect of the position follows the procedures as outlined in the Staff Handbook.

Staff Members who teach occasionally

Times may arise when an adjunct position opens and a Staff member, with the permission of their supervisor, applies for and is chosen to teach the course. Teaching is separate from staff responsibilities; therefore staff members will be paid at an adjunct teacher's rate and will receive a contract stating as such. The College allows FT staff to teach no more than one class per semester, unless it's a dual appointment (see above). If the class falls during normal business hours, they must make up that time by coming in early or working late to ensure their staff obligations are met. All such arrangements require prior approval by the staff member's supervisor.

The courses taught by staff run based on enrollment, and there is never any guarantee that a staff member will teach from semester to semester. For that reason, the College keeps separate teaching and administration rates of pay. Special circumstances, such as Senior Officers of the college who wish to teach, will be addressed on a case by case basis.

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 Program Coordinator 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 Academic Dean, 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 Program Coordinator 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 Academic Dean, 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, color, religious creed, gender, gender identity and expression, sexual orientation, genetics, veteran and active military status, national origin, ancestry, age, sex, or disability 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, ancestry, age, sex, sexual orientation, gender identity and expression, religious creed, veterans and active military status, genetics, 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 Division Chair before the end of the contract's penultimate 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, Program Coordinators, in consultation with the Division Chair, may propose full-time positions to the Dean. In consultation with the Division Chair and Program Coordinators, 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 Program Coordinator, one additional faculty member (from that program 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

Program Coordinators 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 Program Coordinator, in conjunction with Dean, designates an ad hoc search committee for the vacant position. The committee consists of the relevant Program Coordinator, one additional faculty member (from the program if

possible), and one member of the Faculty Affairs Committee designated by the chair of that committee or a staff member from Human Resources.

Other members may be appointed by the Dean as needed. The Dean also designates the chair of the search committee, which is usually the Program Coordinator. Variations from this procedure may be determined by the Dean.

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 Program Coordinator works with the Dean's office to place ads and solicit applications as necessary. The search committee, under the guidance of its chair and 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.

5.6.5 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. The faculty member may apply if he/she is visiting full-time during either semester of the academic year.

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.

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. In compliance with ACA regulations, all part-time or visiting full-time faculty working more 1560 hours during the academic year or “look back” period May 1st-April 30th are eligible to receive benefits coverage beginning the following benefits year. Benefit coverage under the ACA is only granted upon continuation of working 1560 hours each academic year. The health plan premiums are adjusted on July 1st of each year. Open enrollment is each June. 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.

5.7.3 Dental Insurance

All full-time faculty are eligible to join a Blue Cross Blue Shield dental plan offered by the College. Open enrollment is mid-May to mid-June. The dental plan premiums are adjusted on July 1st 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

The College provides all regular full-time and regular part-time employees (working 1,000 hours or more per calendar year) the opportunity to participate in a tax-deferred annuity managed by TIAA-CREF. Participation in this plan is voluntary with start dates handled on a quarterly basis. Contributions can begin on the first full pay period following date of hire and are made on a pre-tax basis. You may specify the allocation of contributions between TIAA (fixed and variable annuity funds) and CREF (seven variable annuity funds) in whole percentage amounts. The College contribution to the Group Retirement Annuity is reviewed by the President annually.

5.7.5 Life Insurance

Life Insurance, through USABLE 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. Full-time Faculty may purchase additional insurance but would be responsible for the cost.

5.7.6 Disability

All regular full-time faculty members are eligible for short-term disability 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 60% of monthly earnings. See the Human Resources office for full details.

Full-time faculty are covered by a long-term disability insurance program, through USABLE 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. This 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.

5.7.9 Employee Assistance Program

Montserrat offers an Employee Assistance Program (EAP) program from New Directions Behavioral Health. The EAP is available 24/7, 7 days a week and is free to all employees of the College and their immediate family members. Areas of support include: Marriage, children/child care, stress, emotions, finances, legal help, elder care, personal growth, supporting a healthy lifestyle, and work related issues. All services and referrals are confidential; no one will know you've called the EAP. You may reach them at 800-624-5544 or www.ndbh.com. Please see HR for any EAP or other benefit related questions.

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 according to the evaluation schedule 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. Faculty members may choose either the Program Coordinator or Division Chair to perform the evaluation. 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 Program Coordinator, 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

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 Program Coordinator 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 Program Coordinator 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 Program Coordinator and the Dean of Academic Affairs. These self-evaluations, student evaluations, and the Program Coordinator'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 Program Coordinator: The Program Coordinator will make a written statement of evaluation of each faculty member in the department. The Program Coordinator will give a copy of the evaluation statement to the Dean and the faculty member. The Coordinator'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 Program Coordinator 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.

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 Program Coordinator.

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. Faculty on long term contracts will be reviewed in the penultimate year. The Program Coordinator'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 Program Coordinator'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 Program Coordinator. 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		
	FT faculty up for initial multi-year appointment	FT faculty on renewal of multi-year contract	PT faculty
classroom visit by Program Coordinator(s)*	Oct 15	by last day of classes	by last day of classes
faculty statement to Program Coordinator(s)*	Oct 15	May 15	by last day of classes
statement of Program Coordinator(s), and/or Dean's statement, due to Dean	Nov 1	June 1	June 1
course evaluations reviewed	previous semester	current academic year	current semester
review of Senior Seminar advising reviews	previous semester	current academic year	current semester, if applicable
evaluation meeting between Program Coordinator(s)* and faculty member	by Nov 10	June 1	by July 1
review by Dean	Nov 10	June 10	July 1

*Faculty may elect to be evaluated by the Division Chair versus the Program Coordinator with the Dean's permission.

5.11.8 Evaluation of Program Coordinator (bi-annual)

task	due date
faculty evaluation of Program Coordinator due to Dean	by May 1
departmental nomination due to Dean or panel	last day of classes, Spring Semester
review by Dean	May 30
Appointment of Program Coordinator by Dean	May 30

5.11.9 Evaluation of Division Chair (every third year)

task	due date
faculty evaluation of Chair by Program Coordinators 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 Division 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 February 1. The Dean's office verifies a faculty member's eligibility to apply for a change in rank and may assist faculty in compiling individual records of teaching and service, and shall solicit the recommendation(s) from the relevant Program Coordinator(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 Ad Hoc committee forwards its recommendation to the Dean.

The Dean, in consultation with the Ad Hoc Rank Committee, forwards the recommendations for the applicant's change in rank to the President; the change in rank is granted by action of the President.

In the spring of the application year, decisions will be finalized, and the applicants will receive a letter informing them of the decision. All new ranks and, if applicable, salary adjustments will go into effect at the start of the following academic year. For full-time faculty, rank changes are accompanied by an increase in compensation, as determined by the College.

When the change in rank is granted, the faculty will receive an annual contract letter stating the change in rank and the faculty's new rank will go into effect at the start of the next academic year.

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 Program Coordinator(s) 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. Faculty are eligible to apply for change in rank to Associate Professor after completion of the fifth year in their rank as Assistant Professor.

Professor

The rank of Professor requires the qualifications for Associate Professor, plus eight additional years of full-time experience at the rank of Associate Professor (see chart), continuing teaching effectiveness, service, and professional accomplishment during the eight year period and national professional distinction as judged by the committee from evidence such as national or international exhibitions, publications or citations in publications, which would tend to establish the person's involvement in a wider professional community. Faculty are eligible to apply for change in rank to Professor after completion of the eighth year in their rank as Associate Professor.

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. Documentation of teaching effectiveness may include: student evaluations, outside evaluator(s), peer review, evaluations by the Dean or Program Coordinator, review of student portfolios or academic work.

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, residencies, other professional work that is presented in a public or professional context, and activity in professional organizations.

5.12.5 Time-Table for Faculty Rank

task	due date
faculty's rank application due to Dean	February 1
Committee's recommendation due to Dean	April 1
Review by President and Letter to Candidate	April 15
Annual contract letters stating the new rank for the following year issued	June 15
The new rank in effect	Mid-August

Part-time faculty, see 5.6.3 for eligibility; Faculty with Visiting Full-time Appointments, see 5.6.4 for eligibility.

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 Program Coordinator. 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 member 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 member 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 Program Coordinator. 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

Part-time faculty are eligible for paid sick-leave for one class period of each 3-credit course taught per semester. Part-time faculty shall notify the Academic Dean's Office in the event of an absence, preferably in advance; the Dean's Office shall in turn notify the Program Coordinator. As necessary, absences over one per 3-credit course will be reviewed by the Dean.

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

Parental leave, medical leave, family care leave, and military family leave (qualifying exigency and military caregiver leave) are granted for reasons provided in the federal Family and Medical Leave Act of 1993 as amended (the "FMLA") and are made available in accordance with, and subject to, the conditions provided under the FMLA. To the extent applicable, a faculty member may choose to use accrued paid time off (vacation time and sick time) in order to receive pay during FMLA leave. In order to use such paid time off for FMLA leave, the faculty member must comply with the College's normal paid leave policies.

Eligibility Reimbursements

Faculty members are eligible if they have worked for at least 12 months at the College, have 1,250 hours of service in the previous 12 months, and if at least 50 employees are employed by the College within 75 miles.

Basic Leave Entitlement

An eligible faculty member may request up to 12 weeks of unpaid leave in a 12-month period (measured backward on a rolling basis) for any of the following reasons:

1. for incapacity due to pregnancy, prenatal medical care or child birth;
2. to care for the faculty member's child after birth, or placement for adoption or foster care;
3. to care for the faculty member's spouse, son, daughter or parent who has a serious health condition; or
4. for a serious health condition that makes the faculty member unable to perform the employee's job.

Definition of Serious Health Condition

A serious health condition is any illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical facility, or continuing treatment by a health care provider for a condition that either prevents the faculty member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Military Family Leave Entitlements

Eligible faculty members whose spouse, son, daughter, or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative child care, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible faculty member takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

Leave Taken Intermittently

Faculty members do not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Faculty members must make reasonable efforts to schedule leave for planned medical treatments so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Benefits

During an FMLA leave, the College will continue a faculty member's participation in the College's health and dental insurance plans and will continue to make its usual contributions to the premium costs of the plans, provided that the faculty member pays his or her share of

the cost. A faculty member may continue participation in, or contributions to, other College benefit plans, to the extent provided under the terms of the applicable plans. Faculty members will not accrue additional benefits such as vacation, personal or sick days while on FMLA leave. If a faculty member fails to return to work at the College at the conclusion of an FMLA leave, in some circumstances, the faculty member may be required to reimburse the College for any insurance payments made on the faculty member's behalf during any unpaid portion on an FMLA leave. Faculty members should contact the Human Resources Department for more information regarding the continuation of benefits while on FMLA leave.

Duration of Leave and Use of Accrued PTO

For all leaves except military caregiver leave, eligible faculty members are entitled to a maximum of twelve (12) weeks of FMLA leave per year, meaning a "rolling" twelve (12)-month period measured back from the date when the employee used any such leave. With respect to military caregiver leave only, the maximum duration of such leave is twenty-six (26) weeks per service member an injury during a single twelve (12) month period, measured from the first day the faculty member takes leave for this reason and ending twelve (12) months later, including the time spent on leave taken for any other reason(s) under the FMLA. An eligible faculty member is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the "single 12-month period" and only 12 of the 26 weeks total may be used for a FMLA-qualifying reason other than to care for a covered service member.

If eligible for FMLA leave, a faculty member is required to use accrued paid time off (vacation time and sick time) in conjunction with leave under this policy. Use of accrued paid time off does not extend the length of any leave; it only allows the faculty member to receive pay during periods of FMLA leave which would otherwise be without pay.

Requests for Leave – Faculty Member's Responsibilities

Requests for leave should be made in writing to a faculty member's Program Coordinator or the Human Resources Department at least thirty (30) calendar days in advance of the leave, stating the purpose of the leave. Faculty members may obtain copies of request for leave forms from the Human Resources Department. If the need for the leave is not foreseeable, faculty members are still required to notify his or her manager or the Human Resources Department as soon as possible, and generally must comply with the College's normal call-in procedures.

Faculty members must provide sufficient information for the College to determine if they leave may qualify for FMLA, as well as the anticipated timing and duration of the leave. Sufficient information that the leave may be covered by FMLA may include that the faculty member is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Faculty members also must inform the College if the requested leave is for a reason for which FMLA leaves was previously taken or certified.

In addition to the Request for Leave of Absence form, faculty members will also be required to provide a certification, such as certification demonstrating a qualifying exigency for military family leave or certification from the health care provider in the case of parental

leave, medical leave, family care or military caregiver leave, and periodic recertification supporting the need for leave.

The College may, in some instances, request second or third medical opinions regarding the faculty member or his or her family member's serious health condition. Certification forms must be completed and returned to the College within fifteen (15) days. Failure to submit the completed FMLA request form and required certification form in a timely manner may result in the delay or denial of the leave. The college may request that the faculty member provide periodic recertification supporting the need for leave and to report periodically on the faculty member's status and intention to return to work.

The College's Responsibilities

Upon receipt of the Request for a Leave of Absence form by the Human Resources Department, the College will inform the faculty member whether he or she is eligible for FMLA leave. The notice will specify any additional information required, as well as the employee's rights and responsibilities. If the faculty member is not eligible for FMLA leave, the College will provide a reason for the ineligibility.

Upon receipt of the completed medical certification, the College will inform the faculty member if leave will be designated as FMLA leave and the amount of leave counted against the entitlement. If the College determines that the leave does not qualify as FMLA leave, the College will notify the faculty member.

Returning from Leave

Upon returning from FMLA Leave that has not exceeded twelve (12) weeks, or twenty-six (26) weeks in the case of military caregiver leave or military caregiver leave combined with leave for any other purpose under the FMLA, the faculty member will be returned to the same position that he or she left when the leave began or to an equivalent position with equivalent pay, benefits and other terms and conditions of employment, in accordance with the conditions provided for such reinstatement under the FMLA. The faculty member will be reinstated without loss of employment rights or benefits that they had earned or accrued prior to the beginning of the leave, except to the extent such benefits were used or paid during the leave.

If the faculty member is returning from a medical leave, he or she will be required to provide medical certification of his or her ability to return to work.

If the faculty member believes that an absence would qualify for FMLA leave, the faculty member should notify the College as soon as possible, but in any event, not later than two (2) consecutive days after returning to work from an absence.

Failure to Return to Work

If the faculty member decides not to return to the College, the faculty member is requested to inform the College of that decision as soon as possible. If prior to the end of an FMLA leave, the faculty member gives the College unequivocal notice of a decision not to return to work, the College's obligation to restore the faculty member to the same or equivalent position ceases and the College may fill the position. Depending on the circumstances, the College's obligation to maintain health benefits may also cease. If the faculty member fails to return to work at the end of an approved leave, the College may discharge the employee.

Limitations on Leave

Use of FMLA leave for purposes other than as set forth by the FMLA is strictly prohibited and may result in disciplinary action, up to and including termination of employment for cause. Faculty members on FMLA leave are prohibited from working for another employer while on leave, unless the faculty member has received prior written approval from the Human Resources Department and the employee's manager.

Key Employees

Certain key employees may not be eligible to be returned to the same or a similar position upon returning from FMLA leave, if such denial is necessary to prevent substantial and grievous economic injury to the College. A key employee is a salaried employee is among the highest paid ten percent (10%) of the employees employed by the College within seventy-five (75) miles of the facility at which the employee works.

Unlawful Acts by Employers

The FMLA makes it unlawful for an employer to interfere with, restrain, or deny the exercise of any right provided under the FMLA; or to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

Enforcement of the FMLA

Faculty members may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer for claimed violations of the FMLA. The FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

Maternity Leave

Pursuant to the Massachusetts Maternity Leave Act ("MMLA"), every full-time female faculty member is entitled to at least eight (8) weeks of unpaid maternity leave for the birth of a child, the adoption of a child under 18 years old or the adoption of a person under 23 years old who is mentally or physically disabled if the faculty member has completed an initial introductory period, or has been employed for at least three (3) consecutive months. The faculty member is required to give two (2) weeks' notice of her expected departure date and notice that she intends to return to her job.

The faculty member is entitled to return to the same or a similar position without loss of employment benefits for which she was eligible on the date her leave commenced, if she terminates her maternity leave within eight (8) weeks, with the exception of when other employees of equal length of service and status in the same or a similar position have been laid off due to economic conditions or other changes in operating conditions affecting employment during the period of such leave. Although the leave is unpaid, faculty members have the option to use any earned, unused PTO time during these eight weeks.

When a female faculty member is eligible for both leave under the MMLA and the FMLA, the eight weeks of maternity leave provided under the MMLA runs concurrently with leave under the FMLA.

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 day paid leave.

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 Leave

The Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994 was signed into law to protect the civilian employment of non-full time military service members in services and their respective reserve components ensuring that an employee may take a maximum of five (5) years leave for military service.

The College fully complies with the letter and intent of the Uniformed Services Employment and Reemployment Rights Act and will reemploy employees returning from military service provided they apply within the time required under the law for reinstatement. Time in service is regarded as the same as time worked for the College in connection with all benefits related to the length of employment.

Faculty members who are called to military service must inform Human Resources as soon as possible that they will need to take military leave. A faculty member whose military service ended must return to work or inform the College that he or she wants to be reinstated to the position he/she would have held had his/her employment not been interrupted by the military service, as long as the employee meets the requirements of the law to be reinstated.

Faculty members who are called to military service must inform Human Resources as soon as possible that they will need to take military leave. A faculty member whose military service has ended must return to work or inform the College that he or she wants to be reinstated in accordance with these guidelines:

- For a leave of 30 days or fewer, the faculty member must report back to work on the first regularly scheduling workday after completing military service, allowing for travel time.
- For a leave of 31 to 180 days, the faculty member must request reinstatement within 14 days after military service ends.
- For a leave of 181 days or more, the faculty member must request reinstatement within 90 days after military service has ended.

Military Training

Any faculty member who is a member of an organized unit of the ready service of the armed forces, is entitled to up to seventeen days in any calendar year in order to receive military training. The faculty member is required to give notice to the College of the date of departure and date of return for the purposes of military training and of the satisfactory completion of such training immediately thereafter. If the faculty member is still qualified to perform the duties of his or her position with the College, the employee will be restored to his previous or a similar position with the same status, pay, and seniority.

Small Necessities Leave Act

Faculty members are eligible for twenty-four hours of leave if they have been employed for at least twelve (12) months by the College and provided at least 1,250 hours of service to the College during the previous 12-month period.

The twenty-four hours of leave may be taken by an eligible faculty member for any of the following purposes;

- To participate in school activities directly related to the education advancement of a son or daughter of the faculty member, such as parent-teacher conferences or interviewing for a new school;
- To accompany the son or daughter of the employee to a routine medical or dental appointments, such as check-ups or vaccinations;
- To accompany an elderly relative (at least 60 years of age) of the faculty member to routine medical or dental appointments or appointments for any other professional services related to the elder's care such as interviewing at nursing or group homes.

Domestic Violence Leave

In accordance with Massachusetts law, Montserrat College of Art provides up to fifteen (15) days of unpaid leave per twelve (12) calendar months to any employee who is the victim of domestic violence or the family member of a victim of domestic violence. The leave is provided in order to allow the employee to seek relief that is directly related to domestic violence, such as medical attention, counseling or victim services, or to obtain legal assistance or attend court proceedings.

“Domestic violence,” for purposes of this policy, includes abuse by a current or former spouse, a person with whom a person shares a child, a person cohabiting with or who has cohabitated with the employee or family member, a relative, or a person with whom the employee or family member has had a dating relationship.

“Family member” is defined as (i) persons who are married to one another; (ii) persons in a substantive dating or engagement relationship and who reside together; (iii) persons having a child in common regardless of whether they have ever married or resided together; (iv) a parent, step-parent, child, step-child, sibling, grandparent or grandchild; or (v) persons in a guardianship relationship. An employee is entitled to leave if the employee, or the “family member” of the employee as defined in this paragraph, is the subject of domestic violence.

In order to be eligible for this leave, the employee must have exhausted all sick leave, personal days, and vacation time. Advance notice of the need for this leave must be submitted to Human Resources unless the leave is necessitated by an imminent threat to health or safety of the employee or the employee's family member. If the employee cannot provide advance notice because of an imminent threat, the employee must provide notice to Human Resources within three work days of taking the leave.

An employee who takes Domestic Violence Leave is entitled to restoration of his/her original position or an equivalent position upon returning from such leave. The taking of leave under this policy shall not result in the loss of any employment benefit accrued prior to the date on which the leave is taken.

Any employee seeking this leave must also provide documentation showing that the employee or the employee's family member was the victim of domestic violence. Acceptable forms of documentation include but are not limited to: (1) a protective order, order of equitable relief or other documentation issued by a court as a result of abusive behavior; (2) A document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the abusive behavior; (3) a police report or statement of a victim or witness provided to police, documenting the abusive behavior; (4) documentation that the perpetrator of the abusive behavior has admitted to sufficient facts to support a finding of guilt of abusive behavior; or has been convicted of, or has been adjudicated a juvenile delinquent by reason of, any offense constituting abusive behavior and which is related to the abusive behavior that necessitated the leave; (5) medical documentation of treatment as a result of the abusive behavior; (6) a sworn statement provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee or the employee's family member in addressing the effects of the abusive behavior; or (7) A sworn statement, from the employee attesting that the employee has been the victim of abusive behavior or is the family member of a victim of abusive behavior.

All information related to the employee's leave under this section shall be kept confidential by Montserrat College of Art and shall not be disclosed, except to the extent that disclosure is:

- (i) requested or consented to, in writing, by the employee;
- (ii) ordered to be released by a court of competent jurisdiction;
- (iii) otherwise required by applicable federal or state law;
- (iv) required in the course of an investigation authorized by law enforcement, including, but not limited to, an investigation by the attorney general; or
- (v) necessary to protect the safety of the employee or others employed at Montserrat College of Art

Montserrat College of Art will not coerce, interfere with, restrain or deny the exercise of, or any attempt to exercise, any rights provided in this Domestic Violence Leave policy or make leave requested or taken hereunder contingent upon whether or not the victim maintains contact with the alleged abuser.

Montserrat College of Art will not discharge or in any other manner discriminate against an employee for exercising the employee's rights under this Domestic Violence Leave policy. The taking of leave under this Policy shall not result in the loss of any employment benefit accrued prior to the date on which the leave taken under this policy commenced.

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. (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 forth 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 Division 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 Division Chair, unless the grievance has been filed against the Division 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 Division Chairs 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 Program Coordinator(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. WORKPLACE POLICIES

7.1 Equal Employment

The College is committed to a policy of non-discrimination and equal opportunity for all applicants and employees with regard to race, color, religious creed, sex, sexual orientation, gender identity and expression, national origin, ancestry, age, disability, veteran status, active military service, genetic information, or any other category protected under applicable law. This policy governs all aspects of employment, including selection, placement, compensation, promotion, transfer, discipline, termination, and access to benefits and training.

Any faculty member with questions or concerns about any type of discrimination or perceived in the workplace or feels that he or she is being subjected to discrimination in the workplace, should immediately bring these issues to the attention of Human Resources. Faculty members can raise concerns and make reports in good faith without fear of retaliation. Anyone found to be engaging in any type of unlawful discrimination or retaliation will be subject to disciplinary action, up to and including termination of employment.

7.2 Americans with Disabilities Act

The College will provide reasonable accommodations to enable an individual with a disability to perform the essential functions of the job. If a faculty member is unable or finds it difficult to do all the functions of his or her job due to a disability, the faculty member should inform Human Resources of his or her disability, and discuss the type and nature of any assistance or adjustment to job duties which would enable the faculty member to perform the essential functions of the job. The College may ask to speak to the faculty member's physician or health care provider or may request medical documentation in order to assess the proposed accommodations.

7.3 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:

Impose a sanction up to and including termination or dismissal, as appropriate; or

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.

7.3.1 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.

7.3.2 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.

7.3.3 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.

7.4 Consensual Relationships

Consensual romantic relationships between faculty and student and administrator and student are deemed unprofessional and 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.

7.5 Sexual Harassment

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:

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;

Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's 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
Academic Dean
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 accused 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
1 Ashburton Place, Rm 601 424
Boston, MA 02108
617-727-3990

Springfield
Dwight Street, Rm 220
Springfield, MA 01103
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 Dean 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

Center for Addictive Behaviors
27 Congress Street 800-334-5512
Salem, MA 01970

Project Rap
202 Rantoul Street 800-329-5311 24 hr. hotline
Beverly, MA 01915 978-922-9444

Legal Aid

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

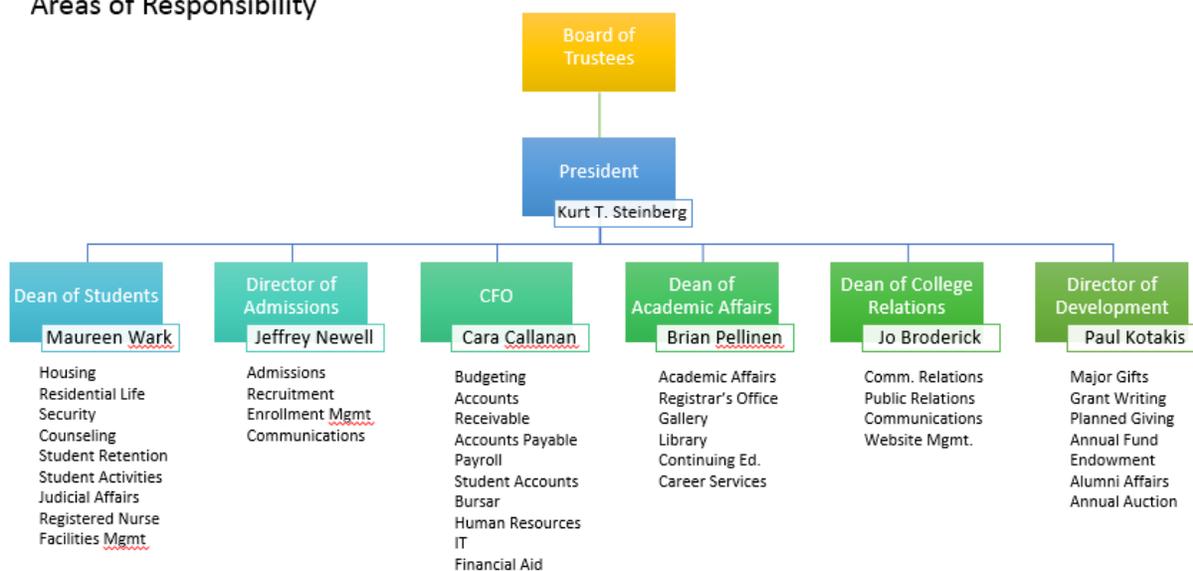
Hotlines

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

9. APPENDIXES
 9.1 Organization Chart



Senior Management & Functional Areas of Responsibility

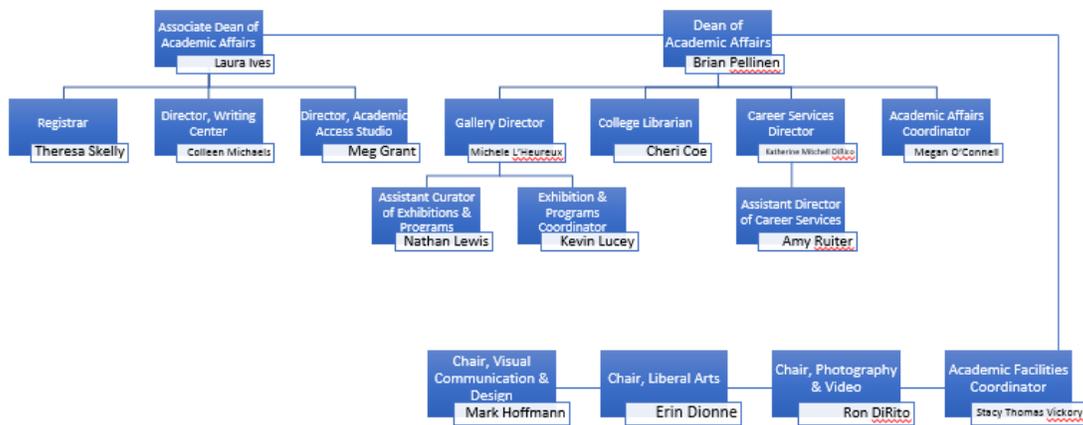


7/11/2018

Montserrat College of Art Organizational Chart



Faculty & Academic Affairs

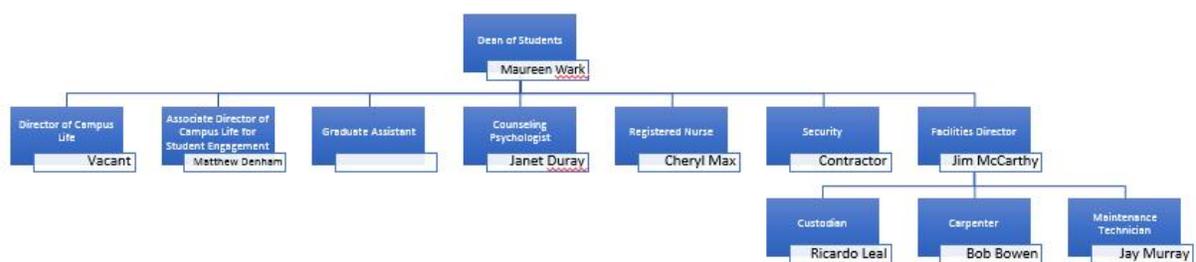


7/11/2018

Montserrat College of Art Organizational Chart



Student Services



7/11/2018

Montserrat College of Art Organizational Chart



Admissions



7/11/2018

Montserrat College of Art Organizational Chart



Advancement & College Relations

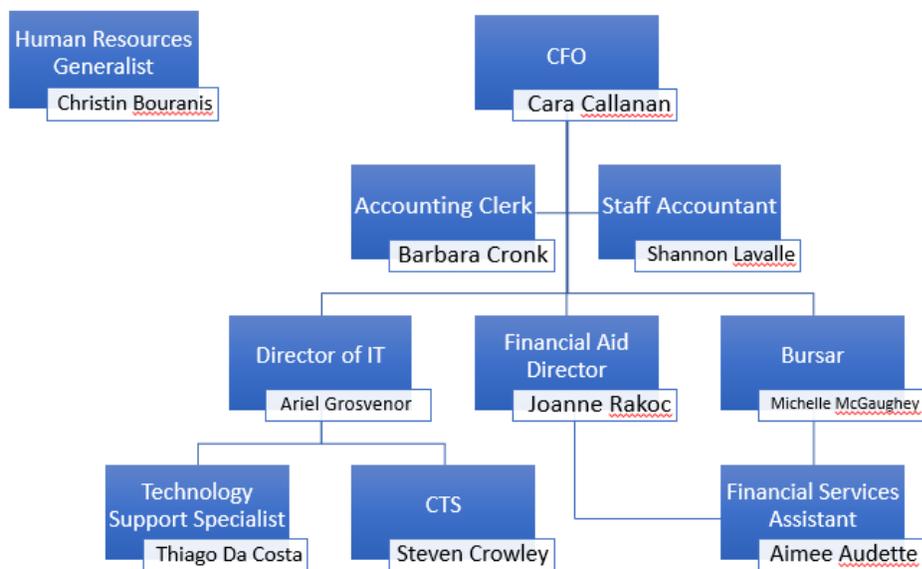


7/11/2018

Montserrat College of Art Organizational Chart



Business Office & Human Resources



7/11/2018

9.2 2018-198 Academic Calendar (as of July 2018)



Academic Calendar 2018-2019

Fall Semester 2018

Thursday, August 23	Summer Retreat (faculty and staff): 8:30am – 11:30am; 248 Cabot Street, B-208
Thursday, August 23	Faculty Meeting, 12:30pm – 2:00pm; 248 Cabot Street, B-208
Thursday, August 23	Make-up day for Studio Evaluations, 2:30pm - 5:00pm; Hardie Building
Saturday, August 25	Residence Halls Open, New Students
Sat.-Tues., August 25-28	Orientation for New Students*
Sunday, August 26	Residence Halls Open, Returning Students
Wednesday, August 29	Fall Undergraduate Classes begin, 8:30am
Wednesday, August 29	All-School Convocation, 11:15am; location TBD
Monday, September 3	Labor Day ~ No undergraduate classes, day or evening
Wednesday, September 5	Last Day to Add/Drop Undergraduate Courses
TBD	Freshman Trip to Peabody Essex Museum*
Monday, October 8	Columbus Day ~ No undergraduate classes, day or evening
TBD	Art History Trip to MFA (evening)*
Thursday, October 11	Faculty Meeting, 9:00am – 11:30am; Hardie Building, H-201
	No 8:30am or 9:55am classes; Classes resume at 12:30pm
Mon. -Fri., October 15-26	Mid-Semester Warning Notice Period
TBD	Freshman Trip to Mass MoCA*
Wednesday, October 24	Advisor Meeting, 11:15am – 12:15pm; B-208
Tuesday, October 30	Advising Day* ~ No undergraduate classes, day or evening
Tuesday, October 30	Beyond Montserrat: Internship Prep*
Monday-Friday, November 5-16	Registration for Spring Classes
TBD	Bus trip to New York City
Wednesday, November 7	Last Day to Withdraw from Undergraduate Classes
Wednesday, November 7	Faculty Meeting, 12:30pm – 3:00pm; Hardie Building, H-201
	No 12:30pm or 1:55pm classes; Classes resume at 3:30pm
Monday, November 12	Veterans Day (observed) ~ No undergraduate classes, day or evening
Friday-Saturday, November 16-17	Montserrat Art Sale!
Tuesday, November 20	Classes end for Thanksgiving break at 9:10pm
Wednesday, November 21	Residence Halls Close at 10:00am
Wed.-Fri., November 21-23	Thanksgiving Recess ~ No undergraduate classes, day or evening
Sunday, November 25	Residence Halls Open at 10:00am
Wednesday, December 12	Last Day of Undergraduate Classes (classes end at 9:10pm); Required Evals Begin
Thursday, December 13	Inclement Weather Make-up Day (scheduled if needed)
Friday-Wednesday, December 14-19	Semester-end Studio Evaluations*
Tuesday, December 18	All Studio and Liberal Arts Grades Due from Faculty by 11:59pm
Wednesday, December 19	Residence Halls Close at 5:00pm
Wednesday, December 19	Fall Undergraduate Semester Ends
Friday, December 21	Final Semester Grades Available via Campus Café
Friday, December 21	Official Date of December Graduation;
	Commencement: Friday, May 17, 2019

*student attendance is required

**dates subject to change

Winter 2019

Wednesday, Dec. 26 – Saturday, Jan. 12** Travel Program: Mallorca, Spain
 Wednesday, Jan. 2 – Friday, January 11 Wintersession: Online Liberal Arts Courses

Spring Semester 2019

Sunday, January 13 Residence Halls Open, New and Returning Students
 Monday, January 14 Orientation for New Students*
 Tuesday, January 15 Faculty Meeting, 12:00pm – 2:30pm; Hardie Building, H-201
 Tuesday, January 15 Make-up day for Studio Evaluations, 3:00pm - 5:00pm
 Wednesday, January 16 Spring Undergraduate Classes begin, 8:30am
 Monday, January 21 *Martin Luther King, Jr. Day ~ No undergraduate classes, day or evening*
 Wednesday, January 23 Last Day to Add/Drop Undergraduate Courses
 TBD Art History Trip to MFA (evening)*
 Monday, February 18 *Presidents Day ~ No undergraduate classes, day or evening*
 Thursday, February 21 Faculty Meeting, 9:00am – 11:30am; Hardie Building, H-201
 No 8:30am or 9:55am classes; Classes resume at 12:30pm
 Mid-Semester Warning Notice Period
 Mon. -Fri., February 25-March 8 Residence Halls Close at 10:00am
 Saturday, March 9 Spring Break ~ No Undergraduate Classes, day or evening
 Mon.-Fri., March 11-15 Residence Halls Open at 10:00am
 Sunday, March 17 Advisor Meeting, 11:15am – 12:15pm; 248 Cabot Street, B-208
 Wednesday, March 20 Bus Trip to New York City
 TBD Advising Day* ~ No undergraduate classes, day or evening
 Tuesday, March 26 Beyond Montserrat: Internship Prep*
 Tuesday, March 26 Artrageous! 33, Montserrat College of Art's Annual Auction Party
 TBD Registration for Fall Classes
 Mon.-Fri., Apr 1-April 12 Last Day to Withdraw from Undergraduate Classes
 Wednesday, April 3 Faculty Meeting, 12:30pm – 3:00pm; Hardie Building, H-201
 Wednesday, April 10 No 12:30pm or 1:55pm classes; Classes resume at 3:30pm
 Spring Open House
 Saturday, April 13 Patriots' Day ~ No undergraduate classes, day or evening
 Monday, April 15 Accepted Students Day
 TBD MASH – Media Animation Showcase
 TBD Last Day of Undergraduate Classes (classes end at 9:10pm); Required Evals Begin
 Wednesday, May 8 Inclement Weather Make-up Day (scheduled if needed)
 Thursday, May 9 Semester-end Evaluations*
 Friday-Wednesday, May 10-15 All Studio and Liberal Arts Grades Due from Faculty by 11:59pm
 Monday, May 13 Residence Halls Close at 5:00pm (except for Graduating Seniors)
 Wednesday, May 15 Spring Undergraduate Semester Ends
 Wednesday, May 15 Faculty Meeting, 2:00pm – 4:30pm; Hardie Building, H-201
 Thursday, May 16 Commencement
 Friday, May 17 Final Semester Grades Available via Café Web
 Friday, May 17 Memorial Day ~ College closed
 Monday, May 27

Summer 2019

Saturday, May 18 – Saturday, June 15** Summer Session I: Travel Program: Niigata, Japan
 Monday, May 20 – Friday, June 28** Summer Session I: Online Liberal Arts Courses
 Monday, July 1 – Monday, July 29** Summer Session II: Travel Program: Viterbo, Italy
 Monday, July 1 – Friday, August 9** Summer Session II: Online Liberal Arts Courses
 Thursday, July 4 Independence Day

*student attendance is required

**dates subject to change

9.3 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 read the material.

9.4 Family Educational Rights & Privacy Act (FERPA)

The Family Educational Rights and Privacy Act of 1974 (FERPA, 20 U.S.C. 1232g; 34 CFR part 99) 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.