

**Amherst College
Faculty Handbook**

2022-2023

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I.

Mission Statement | Amherst College

The Mission of Amherst College

Terras irradiant

“Let them give light to the world.”

1821

Amherst College educates students of exceptional potential from all backgrounds so that they may seek, value, and advance knowledge, engage the world around them, and lead principled lives of consequence.

Amherst brings together the most promising students, whatever their financial need, in order to promote diversity of experience and ideas within a purposefully small residential community. Working with faculty, staff, and administrators dedicated to intellectual freedom and the highest standards of instruction in the liberal arts, Amherst undergraduates assume substantial responsibility for undertaking inquiry and for shaping their education within and beyond the curriculum.

The Handbook: Purpose and Provisions

The purpose of the *Faculty Handbook* is to provide all members of the faculty, particularly those who are new to Amherst, with knowledge of the policies, regulations, practices, and expectations that prevail at Amherst College. The various provisions of this handbook are subject to revision from time to time by the trustees, administration, and faculty on their own initiative or in response to changes in state and federal legislation.

The provisions of this handbook derive their authority from various sources; they are primarily statements by the administration of customary practice, administrative organization, or explicit policy established at the college, often after consultation with the faculty. The committees of the faculty and the academic requirements of the college are voted by the faculty. Fringe benefit provisions and the conditions of employment are derived from actions taken by the Board of Trustees. The description of college facilities and other general information are provided as helpful addenda. Provisions of the handbook, whether derived from trustee vote, faculty vote, or administrative or trustee action are subject to modification or revocation by the appropriate authority following proper procedure. No such change will be retroactive.

Any questions concerning information given in this handbook should be addressed to:

Dean of the Faculty
Amherst College
P.O. Box 5000
Amherst, MA 01002-5000

Pre-Introduction:

A. DIVERSITY AND INCLUSION

Nondiscrimination Policy

Amherst College does not discriminate in its admission or employment policies and practices on the basis of factors such as race, genetics, gender identity or gender expression, sex, sexual orientation, age, color, religion, national origin, disability, or status as a veteran of the Vietnam War era or as a disabled veteran. The college complies with applicable federal and state legislation and regulations regarding nondiscrimination.

Inquiries should be directed to:

Chief Diversity and Inclusion Officer
Amherst College
P.O. Box 5000
Amherst, MA 01002-5000.

Americans with Disabilities Act

In accordance with the [Americans with Disabilities Act](#) (ADA), Amherst College will provide reasonable accommodations to an otherwise qualified applicant or employee with a disability to enable such person to perform essential job functions and/or enjoy the benefits and privileges of employment, so long as such accommodation does not imposed an undue burden on the College.

To be eligible for reasonable accommodations under the ADA, an employee must have a "disability," as defined below, and must be qualified to perform the essential functions of the position with or without reasonable accommodation. A disability is defined under the ADA as a physical or mental impairment that substantially limits one or more major life activities. A disability also includes having a record of such impairment, or being regarded as having such an impairment. Major life activities include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing and standing.

If you think you need a reasonable accommodation for a permanent or temporary disability, please contact the Office of Human Resources. A representative from Human Resources will provide you an overview of the required documentation. This documentation should be completed by the employee and the employee's medical provider. Once the completed documentation has been received, the Office of Human Resources will conduct an assessment of the documentation and the ability of the College to provide reasonable accommodations, and will guide the employee on next steps.

If you are a prospective employee or candidate and would like to learn about accessibility on Campus, please contact the Office of Human Resources at 413-542-2372, or the Department of Public Safety at 413-542-2291.

B. ACADEMIC FREEDOM

Amherst College Statement of Academic and Expressive Freedom

Institutions of higher learning dedicate themselves to a range of goals: the pursuit of truth and knowledge, the refinement and transmission of intellectual skills, the articulation of values, the creation of works of artistic merit, and the critical examination of received wisdom. The promotion of these goals requires unstinting dedication to academic and expressive freedom. Such freedom protects the right of members of the academic community to speak, write, curate, and create without obstruction, disruption, or the fear of institutional censure, censorship, or retaliation.

This strong commitment to the freedom of inquiry lies at the heart of Amherst College's mission to create a home in which the liberal arts may flourish. As a small residential liberal arts college that prides itself on the ability, curiosity, and diversity of its students, Amherst seeks to create a respectful environment in which members of its community feel emboldened to pursue their intellectual and creative passions. At times, the desire to foster a climate of mutual respect may test the college's duty to protect and promote the unfettered exchange of ideas. On such occasions, the college's obligations remain clear. The liberal arts cannot thrive absent the freedom to espouse and debate ideas that are unpopular, controversial, discomfiting—and even seemingly wrongheaded or offensive. Members of an academic community may and, indeed, should challenge and oppose ideas they find offensive and loathsome. Yet the response to disagreeable and even insulting ideas must not contravene the commitment to expressive freedom that enables the college to thrive as a space of liberal inquiry.

Even the most vigorous defense of intellectual and creative freedom knows limits. The college may properly restrict speech that, for example, is defamatory, harassing, invades a protected right to privacy or confidentiality, constitutes incitement to imminent violence, or otherwise violates the law. It may also restrict disparaging or abusive speech (e.g., racial epithets) directed at an individual or group based on their actual or perceived affiliation with a protected class, and for which there is no reasonable academic, educational, or artistic justification (voted by the faculty, December 15, 2020). The college may place reasonable limitations on the time, place, and manner of expression, and may restrict speech that directly interferes with core instructional and administrative functions of the college. But these restrictions and limitations must be understood as narrow exceptions to the college's overriding commitment to robust open inquiry (voted by the faculty, May 3, 2016).

Amherst College subscribes fully to the AAUP statements of principles on academic freedom published in 1940, and assumes that faculty members know their rights and their responsibilities as members of the academic profession.

C. ACCREDITATION

Amherst College is accredited by the New England Association of Schools and Colleges, Inc., through its Commission on Institutions of Higher Education. Accreditation of an institution of higher education by the New England Association indicates that it meets or exceeds criteria for the assessment of institutional quality periodically applied through a peer review process. An accredited college or university is one that has available the necessary resources to achieve its stated purposes through appropriate educational programs, is substantially doing so, and gives reasonable evidence that it will continue to do so in the foreseeable future. Institutional integrity is also addressed through accreditation. Accreditation by the New England Association is not partial but applies to the institution as a whole. As such, it is not a guarantee of every course or program offered, or the competence of individual graduates. Rather, it provides reasonable assurance about the quality of opportunities available to students who attend the institution. Inquiries regarding the accreditation status by the New England Association should be directed to the dean of the faculty. Individuals may also contact the association at:

The New England Association of Schools and Colleges, Inc.
Commission on Institutions of Higher Education
New England Association of Schools and Colleges
3 Burlington Woods Drive, Suite 100
Burlington, Massachusetts 01803
(781) 425-7714

Electronics Policy | Amherst College

Amherst College supports an extensive information-technology environment for faculty, staff, students, and other members of the college community. The college's general policies and codes of conduct apply to the electronic environment just as they apply in all other college settings. This Acceptable Use Policy (AUP) supplements these existing standards by describing the special rights and responsibilities that attach to use of the college's "E-Resources" (as defined below). The policy also explains the roles of those charged with maintaining, operating, and overseeing college E-Resources.

The entire community's cooperation helps to ensure that high-quality E-Resources remain available for the many endeavors of the college and its constituents.

Scope

This Policy applies to all information-technology and other electronic resources of the college ("**E-Resources**"), including without limitation:

- All computers, **systems**, equipment, software, **networks**, and computer facilities owned, managed, or maintained by the college for the handling of data, voice, television, telephone, or related signals or information
- Any access or use of the college's electronic resources from a computer or other system not controlled or maintained by the college; and,
- The creation, processing, communication, distribution, storage, and disposal of information under the college's control

Restrictions on Use

The college's [Eligibility for Accounts Policy](#) defines the conditions under which individuals are given the privilege of using this environment. In general, users are expected to conform to the same standards of conduct when using this environment as are applicable to the use of other college facilities. The examples given below are illustrative, and are not intended to cover all possibilities. There will be a need for exceptions in some circumstances. Consult the chief information officer with questions about specific activities or exceptions. Each account is provided for the use of a specific individual, and may not be shared with or lent to others. Individuals are expected to take reasonable precautions to prevent others from using their accounts.

Examples of violations include the following:

- Giving an account password to another person
- Logging in to one's account at a public computer, then leaving without logging out
- Providing access to the campus network to others

Email

The college may send official correspondence to members of its community via electronic mail.

Students, faculty, and staff, are expected to check their @amherst.edu email account regularly and are responsible for college information sent there. college employees are expected to use their Amherst College email account for all college-related communications. If a student elects to forward his/her @amherst.edu email to another email account, the student remains responsible for any material not received because of any defect in the forwarding mechanism or the destination account.

Accounts and Access Restrictions

User IDs and passwords are the primary method used to authenticate users of the college's E-Resources. They help prevent unauthorized access to E-Resources or any restricted information found within them. Users may not share their passwords with any other person and must protect them from disclosure by, for example, changing them regularly, monitoring access to their accounts, and contacting the college's IT Staff if they suspect their passwords have been compromised. Users may be held responsible for all activity conducted using their IDs. Users must select strong passwords (meaning passwords composed of a mix of at least eight numbers, letters, and symbols and not including a word commonly found in a dictionary, or as required by the system at the time of creation). No person, including any member of the IT Staff, is authorized to request any user's password.

All users must protect the college's E-Resources from unauthorized access. Specifically, all users must:

- Take responsibility for the security and integrity of information stored on any personal or assigned desktop, laptop, or handheld system
- Cooperate with system administrators during investigations of improper use
- Take care to access E-Resources only from secure environments and to log out of sessions before leaving any computer unattended
- Take all appropriate precautions when accessing confidential or restricted college data to protect the data from unauthorized disclosures and from threats to its accuracy or integrity
- Comply with requests from the IT Staff and other authorized personnel to cease use of E-Resources that compromises the E-Resources or the college

And, without authorization, no user may:

- Extend the network by introducing a hub, switch, router, wireless access point, or any other service or device that permits more than one device to connect to any college network
- Provide any other person with E-Resources or access to them
- Send e-mail chain letters or mass mailings for purposes other than authorized college business
- Alter, remove, or forge email headers, addresses, or messages, or otherwise impersonate or attempt to pass oneself off as another
- Obtain E-Resources beyond those allocated to the user, seek or gain access to data or user accounts for which the user is not authorized, or eavesdrop or intercept transmissions not intended for the user
- Use the college's Internet or other network access in a malicious manner or to alter or destroy any material which the user is not authorized to alter or destroy
- Tamper with, modify, damage, alter, or attempt to defeat restrictions or protection placed on accounts or any E-Resources; or

- Damage computer or network systems; create or intentionally introduce or propagate computer viruses, worms, Trojan Horses, or other malicious code to any E-Resource; attempt to degrade the performance of the system or to deprive authorized users of E-Resources or access to E-Resources.

Copyright and other Intellectual Property

Users must respect intellectual-property rights, including copyrights, in all use of college E-Resources. All use of content, including text, images, music, and video, retrieved from E-Resources or stored, transmitted or maintained using E-Resources, must comply with copyright and other applicable laws. Copied material, used legally, must be given attribution in conformance with applicable legal and professional standards.

Software may be copied, installed, or used on college E-Resources only as permitted by the software's owner or authorized licensor and by law. Proprietary software must be properly licensed, and users must strictly adhere to all applicable license provisions (including those concerning installation, use, copying, and the number of simultaneous users).

Respect for Others

The Statement of Intellectual Responsibility and the Statement of Respect for Persons apply to the use of the electronic environment. Users must honor the rights of others to privacy, academic freedom, and freedom from harassment. Users may not use E-Resources to threaten or harass any person or to create a hostile place to work or study. In particular, users must honor others' requests for the user to stop sending unwanted communications of any kind. Users may not do anything to interfere inappropriately with others' use of E-Resources, including by consuming E-Resources in excess.

Examples of violations of those standards include the following:

- Sending harassing or threatening messages,
- Using the network to participate in plagiarism,
- Interfering with another person's files, accounts or coursework
- Sending "junk email"—email sent to large lists of people without a reasonable expectation that they wish to receive it.

Use of the college's electronic environment for commercial purposes not relevant to the mission of the college is prohibited, unless specifically authorized in writing by the chief information officer.

Examples include the following:

- Operating a business from a dormitory or office that uses the college's electronic environment
- Fundraising and advertising using the college's electronic environment by groups or individuals other than officially recognized campus organizations
- Creating a website on the college server that sells items for personal profit.

Account owners may not engage in any activity that may reasonably be expected to be harmful to the systems operated by the college or a third party, or to information stored upon them. Examples include the following:

- Participating in the breaking of security on a computer system regardless of whether it is owned by the college or by some third party
- Disrupting service on a computer system by sending automated messages that tie up the computer.

Common resources, such as network bandwidth, are to be shared by all members of the college community. Individuals may not engage in activities that might reasonably be expected to cause congestion of the network, or prevent others from making reasonable use of the college's electronic resources, or incapacitate, compromise, or damage the college's electronic resources. Examples include the following:

- Operating network servers that consume more than a fair share of bandwidth
- Running programs that cause network congestion
- Sending "junk" email.

Enforcement Provisions

Violations of these conditions for the use of this environment are subject to the investigative and disciplinary procedures of the college, with the chief information officer acting in an advisory role. The Office of Student Affairs usually handles complaints against students. The Office of the Dean of the Faculty usually handles complaints against faculty. Complaints against staff and administrators are usually handled through supervisors and Human Resources. The [Eligibility for Accounts Policy](#) does provide for a small number of accounts for individuals who are neither students nor employees of the college; the chief information officer will handle these cases, with consultation with the college administration as appropriate.

Limitation of Privileges Pending Judicial Process

In addition, in some cases, the college must act more immediately to protect its interests and resources (including the electronic environment and the data stored in it) or the rights and safety of others. The chief information officer, or in his or her absence a delegate within Information Technology staff, has the authority to suspend or limit account privileges and access in those situations. When an account is suspended in this way, the chief information officer or the delegate shall notify the appropriate office who will handle the complaint, and will attempt to notify the account owner. Account suspension under these conditions is temporary while the complaint is handled through the normal investigative and disciplinary procedures of the college.

Users' Expectation of Privacy

The college recognizes the importance of privacy in an academic setting and does not routinely monitor a current user's email, data, software, or other online activity. There are limited circumstances, however, in which the college may access, monitor, limit and/or disclose a user's communications or other data on eResources without the user's permission. These circumstances include the following:

- To maintain the integrity of its systems, network or data
- When required by federal, state or local law, administrative rules, court order or other legal authority;

- To preserve the health and safety of individuals or the Amherst College community;
- When there are reasonable grounds to believe that a violation of law or a significant breach of college policy may have taken place and access, inspection or monitoring may produce evidence related to the possible misconduct; or
- To address a legitimate business need

Such college access to a user’s communications or other data on eResources without the user’s permission will occur only with the approval of the president and the dean of the faculty (for faculty), director of human resources (for administrators and staff) or chief student affairs officer (for students). In cases of emergency where necessary to preserve the integrity of the system, comply with laws or other legal authority, or preserve health and safety, the college may access, monitor, limit and/or disclose a user’s communications or other data on eResources without seeking the above-described permission. In that instance, the chief information officer or designee will log any emergency access for review by the president and dean of the faculty, director of human resources or chief student affairs officer, as the case may be.

Finally, the college cannot guarantee the security of those eResources against unauthorized access or disclosure.

Disclaimers

The E-Resources and anything accessible on or through them are made available “as is” and “as available.” The college makes no guarantee that any E-Resource will be free of objectionable matter, errors, defects, bugs, viruses, worms, “Trojan horses,” or other destructive features. The college is not responsible for any harm arising from E-Resources or users’ reliance on them, nor is it responsible for any third-party content accessed using college E-Resources, including content made available by another college user or any third party.

This policy is not a complete statement of the college’s rights or remedies, and nothing in this policy waives any of those rights or remedies, including any rights in or to the E-Resources.

Statement of Shared Responsibility in Responding to COVID-19 Pandemic

Statement of Shared Responsibility in Responding to COVID-19 Pandemic

Community safety during a pandemic is a collective responsibility. The ability of the Amherst College community to thrive during the current COVID-19 pandemic is contingent upon a shared understanding that we each have a role in taking steps that promote not only our own health but the health of the other individuals with whom we share our campus.

In furtherance of this important community goal, and in accordance with public health guidance, Amherst College requires that all students, faculty and staff abide by:

1. All applicable laws, regulations, and guidance from the U.S. Centers for Disease Control, as well as state and local public health authorities; and
2. All other safety precautions promulgated by Amherst College. The college will maintain a publicly-available listing of these safety precautions online at:
 - a. [*On Campus Community Expectations \(for students\)*](#)
 - b. [*Faculty & Staff Guide to Returning to Campus \(for faculty and staff\)*](#)

These listings may be updated over time.

The college encourages everyone to do their best to honor not only the letter, but also the spirit of any safety precautions. Students, faculty and staff who do not adhere to applicable safety precautions may be subject to disciplinary action under applicable processes. Such disciplinary action may range from a verbal warning to separation from the college.



I. Introduction | Amherst College

Amherst College was founded in 1821 as an outgrowth of Amherst Academy, which had been established in 1814. The founders of the college were residents of Amherst and nearby towns. More than 1,300 of them contributed money, materials, and labor to the enterprise, and the college was named for the town (which itself was named in honor of Jeffery Amherst, Commander of British forces in the French and Indian War). The first president of the Board of Trustees was Noah Webster, the lexicographer. The first president of the college was Zephaniah Swift Moore, who came from the presidency of Williams and brought fifteen Williams undergraduates with him to comprise about one-third of the original student body of forty-seven. Although the college was founded primarily to prepare young men for the Congregational ministry, from the start it has been an independent, non-sectarian institution; its charter, granted by the Commonwealth of Massachusetts in 1825, bans tests of religion in choosing students and teachers.

Today a distinguished liberal arts college of approximately 1,800 undergraduates, Amherst has been educating both women and men since the introduction of full coeducation in 1976.

The college has enjoyed a long and close association with the town and its residents, particularly with such poets and other writers as Emily Dickinson, Helen Hunt Jackson, David Grayson (Ray Stannard Baker) and Robert Frost. Its relation to the surrounding communities continues to be of great importance to the college, symbolized by the cooperative sponsorship of Hampshire College and by participation in Five Colleges, Inc.

Amherst has been well served by historians. The third president of the college, Edward Hitchcock, wrote *Reminiscences of Amherst College* (Northampton, 1863). The work combines personal anecdote, geological speculation, and political reflection. The first full-scale history of the College is William S. Tyler's *A History of Amherst College During the Administration of its First Five Presidents* (New York, 1895). Tyler's book is now itself a historic document that gives at firsthand flavor of the college during the final quarter of the nineteenth century. The most sustained general history of the college is Claude Moore Fuess's *Amherst: The Story of a New England College* (Boston, 1935). The eleventh president of the college, Stanley King, wrote of two aspects of Amherst in a way that gives them general interest and significance: *A History of the Endowment of Amherst College* (Amherst, 1950); *The Consecrated Eminence: The Story of the Campus and Buildings of Amherst College* (Amherst, 1951).

In 1972, as part of its sesquicentennial observance, the college published two volumes: *The Development of the Art Collection of Amherst College*, by Professor Charles H. Morgan, and *Poetry Amherst*, an anthology of verse written by students and alumni over one hundred and fifty years, edited by Richard Aldridge.

While there are many special studies that analyze the ideals and the broils in Amherst's past, three might be of particular interest to new members of the faculty. William Gardiner Hammond's *Remembrance of Amherst, An Undergraduate's Diary 1846-1912* (New York, 1946), edited by George Whicher, offers delightful insight into the character of undergraduate life in the mid-nineteenth century. Thomas Le Duc's *Piety and Intellect at Amherst College 1865-1912* (New York, 1946) is a

study of the controversies that waxed and waned at Amherst between the Civil War and the First World War. A book that is an outgrowth of a senior honors essay surveys a wider canvas and introduces the comparative approach. George E. Peterson's *The New England College in the Age of the University* (Amherst, 1964) deals with Wesleyan, Dartmouth, Williams, Union, and Bowdoin, as well as Amherst, arguing that the crises within the New England colleges during the last two decades of the nineteenth century mirrored a general collapse of the traditional conservatism of higher education.

Those interested in the innovative curricula initiated at Amherst in 1947 and 1978 will find an excellent treatment in *Education at Amherst: The New Program* (New York, 1955), edited by Gail Kennedy, and *Education at Amherst Reconsidered: The Liberal Studies Program* (Amherst, 1978), edited by Hugh Hawkins, Professor of History and American Studies Emeritus. Essays by members of Amherst's faculty, commissioned and edited by President Peter R. Pouncey, were published in 1991 in a volume titled *Teaching What We Do*.

Black Men of Amherst (Amherst, 1976), by Harold Wade, traces the experience and contributions of Amherst's African-American students from the earliest graduate in 1826 to the mid-1970s.

Two histories of the town are *The History of the Town of Amherst, Massachusetts* (Amherst, 1896), by Edward W. Carpenter, and *Essays on Amherst's History* (Amherst, 1978), edited by Theodore P. Greene, Professor of History Emeritus.

Black Women of Amherst College (Amherst, 1999), by Mavis C. Campbell, Professor of History Emerita, and *Race and Class Matters at an Elite College* (Temple University Press, 2008), by Elizabeth J. Aries, Clarence Francis 1910 Professor in Social Sciences (Psychology) are two more recent books by members of Amherst's faculty that also shed light on the college's history.

These books, and others, reveal what reflection confirms, that in the seemingly tranquil life of a New England town many live out their lives with unusual intensity.

To learn more about the history of Amherst College, please visit [A History of Amherst College](#).

II. Organization of the College

A. The Board of Trustees

In accordance with provisions of the charter, as amended most recently in 2014, the Board of Trustees of Amherst College consists of twenty-five members: the president of the college is an ex officio member so long as he or she shall continue in office; eighteen members elected by the board as term trustees, for six-year terms, and limited to two such successive terms; and six members chosen by the alumni of Amherst College for terms of six years each, in accordance with the regulations for the election of trustees by the alumni as adopted by the Society of the Alumni and the Board of Trustees in July 1874 and subsequently modified by amendment.

There are [two advisory committees to the Board of Trustees](#) on which faculty members serve: the Advisory Committee on Term Trusteeship and the Advisory Committee on Honorary Degrees.

There are four regular meetings of the board, known as the Fall, the Winter, the Spring, and the Commencement meetings. Meetings of the board take place in Amherst or at a place as may be designated by the chair and secretary of the board, but special meetings may be held at the call of the chairman at any time or place that he or she designates. A majority of trustees then in office constitute a quorum for the transaction of business.

Full details concerning the officers, the duties, the standing committees, and the appointees of the board are to be found in the charter and bylaws of the Trustees of Amherst College as adopted May 13, 1922, and as amended since. The bylaws can be obtained from the secretary of the board of trustees.

B. Administration of the College

1. The President

The president, who serves at the pleasure of the trustees, has charge of the internal administration of the college, is presiding officer of the faculty, has general responsibility for the property and grounds of the college, presides at all commencements, and confers all degrees voted by the trustees and signs the diplomas. The president reports to the trustees at least annually on the condition and needs of the college.

The president has power to call special meetings of the faculty and has a duty to call such meetings at the written request of no fewer than eight of the members of the faculty.

The concurrence of the president is necessary to all acts and resolutions of the faculty, unless, after non-concurrence, the act or resolution shall again be passed by a two-thirds vote of the faculty, a quorum being present, at the same or at the next succeeding meeting thereof. In all cases where there shall be a non-concurrence between the president and a majority of the faculty present at the time, the

names of those voting on each side of the question shall be entered in the minutes, and each member shall be entitled to have entered in the minutes the reason for his or her vote.

The president communicates to the faculty the resolutions and actions of the trustees insofar as the trustees themselves authorize.

The president, in consultation with the dean of the faculty, has the power to grant leaves of absence to members of the faculty for reasonable cause and shall report the details of every such arrangement to the trustees.

In keeping with procedures articulated in the *Faculty Handbook*, the president receives recommendations from the Tenure and Promotion Committee regarding faculty reappointment, tenure, and promotion to full professor and, in consultation with the dean of the faculty, makes his or her own recommendations on these matters to the Board of Trustees.

The president has general charge of the administration of student discipline and the power to suspend or remit penalties imposed by the faculty.

The collections of the college shall not be sold or loaned, in whole or in part, except by permission of the president.

In the absence or disability of the president, the Executive Committee of the Board of Trustees, pending action by the trustees, shall appoint an acting president who shall exercise the powers and discharge the duties of the president. (amended by the Amherst College Board of Trustees, October 18, 2014).

2. President's Administrative Team

The positions that represent the leadership of the major areas of college life report directly to the president and, as a collective, support and advise the president in his or her work. The make-up of the administrative team may change, based on the goals and needs of the president.

The Provost and Dean of the Faculty

The provost and dean of the faculty is the chief academic officer of Amherst College and has primary responsibility for matters of academic policy and for the academic budget. The provost and dean of the faculty oversees faculty hiring and advances and supports faculty development in the areas of research and teaching, as well as the college's liberal arts mission. The provost and dean of the faculty and his or her staff ensure that procedures governing faculty reappointment, tenure, and promotion are implemented, as voted by the faculty and articulated in the *Faculty Handbook*. The president consults with the provost and dean of the faculty on all recommendations to the board regarding faculty reappointment, tenure, and promotion. The provost and dean of the faculty serves as secretary to the Faculty Executive Committee and the Tenure and Promotion Committee, and secretary to the faculty and oversees the Robert Frost Library, the Mead Art Museum, the Beneski Museum of Natural History, the Emily Dickinson Museum, the Center for Community Engagement, the Center for Humanistic Inquiry, the Amherst Center for Russian Culture, the Office of Institutional Research and Registrar Services, the Office of Global Education, and the Office of Fellowships. The provost and

dean of the faculty has joint responsibility, with the president, for the Department of Physical Education and Athletics. The provost and dean of the faculty serves as the college's Five College deputy.

The position of dean of the faculty was renamed provost and dean of the faculty on July 1, 2019. The *Faculty Handbook* was then revised to reflect this change.

The Chief Financial and Administrative Officer

The chief financial and administrative officer has primary responsibility for the administration of the financial and business affairs of the college. The chief financial and administrative officer is assisted by the controller, who disperses and accounts for college funds; the director of budget and analysis, who is responsible for the compilation and oversight of the college's annual operating budget; the director of financial planning and analysis, who is responsible for financial reporting and forecasting; and the director of treasury operations and analysis, who is responsible for the college's debt portfolio, capital structure, and cash management. In addition, the chief financial and administrative officer, under the direction of the Investment Committee of the Board of Trustees and in conjunction with the chief investments officer, is responsible for the management of the college's endowment. At the direction of the president, the chief financial and administrative officer provides additional support to, and oversight of, non-academic administrative areas of the college, particularly during times when the president is conducting college business off-campus.

The Chief Advancement Officer

The chief advancement officer has primary responsibility for the following areas: Alumni and Parent Programs, Development (including the Annual Fund, Leadership and Planned Giving, and Foundation and Corporate Relations), the Career Center, Advancement Communications, and Advancement Operations. Working together, these departments engage alumni, parents, friends, foundations, and corporations in meaningful interactions that foster advocacy, philanthropic support, and engagement with one another as well as with faculty, students, and staff to support the college's mission and financial well-being.

The Chief of Campus Operations

The chief of campus operations has primary responsibility for areas that steward the preservation and enhancement of the college's physical assets and provide operational services to faculty, students, and staff in support of the college's mission. These departments include facilities; campus police; dining services; environmental health and safety; sustainability; and the office of administrative services, mail services, rental housing management, summer programs and sustainability. Core to the charge for each of these departments is ensuring the safety and well-being of the campus community. The chief of campus operations also serves as town/gown liaison with Town Hall and the business community.

The Chief Communications Officer

The chief communications officer is responsible for the college's communications, marketing, and public affairs; communicating Amherst's distinctive attributes across broad and varied platforms; bringing clarity and focus to the college's communications strategy and institutional position; and for building a comprehensive communications program across the college—including the areas of advancement, admission, and student life—that will reach all constituencies. This work encompasses

the website, media relations, publications, photography, videography, sports information, crisis communications, the alumni magazine, internal communications, major campus events, and other means of institutional communication.

The Chief Information Officer

The chief information officer has responsibility for strategic direction and management of the technology and systems that are used in teaching, research, and the administrative operations of the college. Departments reporting to the role include Academic Technology Services, which is focused on supporting teaching, learning, and research; IT Support Services, which maintains and supports the desktop and mobile computing environment; Administrative Information Services, which supports the business processes of the college; and other groups in IT that have responsibility for the college's wired and wireless networks, data systems, cable TV, and telecommunications.

The Chief Policy Officer and General Counsel

The chief policy officer and general counsel has primary responsibility for ensuring effective policy development and oversight as well as serving as the chief attorney for the college. The chief policy officer and general counsel is assisted by the associate general counsel, who provides legal advice and counsel on behalf of the college. The chief policy officer and general counsel oversees the Title IX coordinator, who is responsible for coordination and implementation of Title IX compliance and education, and the Office of Human Resources, which is responsible for the recruitment, hiring and retention of a diverse, qualified workforce.

The Chief Student Affairs Officer

The chief student affairs officer has primary responsibility for fostering a social and residential experience at the college that will help all students achieve their full personal and academic potential. To this end, the Office of Student Affairs seeks to help students build and advance a vibrant, supportive, and respectful campus community. Offices, departments, and selected services under the purview of the Office of Student Affairs include the class deans, the Counseling Center, the Health Center, Health Education, Residential Life, Student Activities, Religious Life, Case Management, Accessibility Services, Conduct and Community Standards, and orientation programs for new students.

The Dean of Admission and Financial Aid

The dean of admission and financial aid coordinates the work of the Offices of Admission and Financial Aid and is responsible for development of policy, strategic planning, and policy analysis related to admission and financial aid operations. The dean and the associate and assistant deans of admission have responsibility for the selection of each entering class. The dean of financial aid and associate and assistant deans of financial aid have primary responsibility for administration of all scholarships and loan funds, both those of Amherst College and federal and state funds administered by the college.

C. The Faculty | Amherst College

The faculty of Amherst College consists of (1) the president, the provost and dean of the faculty, professors, associate professors, and assistant professors appointed to regular full-time or part-time tenured or tenure-track positions; (2) all individuals on non-tenure track, renewable contracts, who

teach regularly in the college curriculum and whose primary affiliation is with Amherst College; and (3) all persons with visiting teaching appointments, for the duration of their appointment at Amherst College, provided that appointment is their primary professional responsibility at the time (voted by the faculty, May 1990).

Subject to the reserve power of control by the trustees, the faculty (a) shall have the power and the duty to fix the requirements of admission, the course of study and the conditions of graduation, to establish rules for ascertaining the proficiency of students and for the assignments of honors, to determine the academic calendar, and to fix the times of general examinations; and, (b) may establish rules of conduct to be observed by the students and penalties for the violation thereof.

The exercise of any of the powers conferred on the faculty, that involves a change in the educational policy of the college, shall take effect only after the resolution of the Faculty shall have been submitted to and approved by the Trustees. It is always understood that the trustees reserve to themselves the power of developing the educational opportunities of the college by uniting or dividing and by increasing or decreasing departments.

The executive committee of the faculty is known as the Faculty Executive Committee. The composition of the committee, its powers, procedures and responsibilities, are more fully described in Sections III and IV of the *Faculty Handbook*.

Academic Departments.

The faculty of Amherst College is organized into departments and programs. The departments, however, are less formal and more flexible than in many other institutions. Departments are expected to reach decisions in a collegial fashion. Each department, by election, will recommend to the president of the college one of its members as chair.

a. Department Chairs

The responsibility of being chair will be shared by the members of the department, generally by the tenured members, although an untenured member may serve as chair. Members of the department should also share where appropriate the regular administrative work of the department so that it does not fall upon the chair alone. The term of appointment may vary, but usually a chair serves no more than three consecutive years. The president reserves authority, under special circumstances, to appoint or to remove a chair of a department.

Each department operates under a budget approved by the provost and dean of the faculty and the chief financial and administrative officer and voted by the Board of Trustees. This budget is under the control of the chair or other designated member of the department. No commitments should be made for any departmental expenses without prior approval of that person and any bills or vouchers submitted to the controller must have that person's written approval.

The provost and dean of the faculty will annually inform each department chair of the current policies and procedures pertaining to the chair's responsibilities in such matters as hiring, reappointment, tenure and promotion of faculty; budget projections; and the submission of course proposals for approval.

The duties of department chairs specifically include, but are not limited to:

Transmitting program changes and new course proposals to the Committee on Educational Policy, sending course and class information to the registrar;

Coordinating and/or conducting searches, in consultation with the provost and dean of the faculty and with the chief diversity and inclusion officer;

Making annual arrangements with the provost and dean of the faculty for the department's budgets and projected faculty leaves and sabbaticals;

Holding annual conversations with the department's untenured faculty member(s). The chair, with at least one other tenured member of the department also present and participating, shall have at least one formal conversation per year with each of the department's untenured faculty member(s) to discuss in detail performance and progress in teaching, research or creative work, and other contributions to the life of the college. As to teaching, evidence should include all semester-end evaluations by students with signatures removed, the testimony of colleagues who have observed the untenured faculty member's teaching, and such course materials as the untenured faculty member sees fit to submit for discussion (voted by the faculty, November 1998; amended, April 2014). Prior to the annual conversation, the chair shall provide materials documenting the untenured faculty member's progress to the tenured members of the department and consult with them to reach a shared understanding of what should be conveyed in the annual conversation. Annual conversations are held each year until the time of the faculty member's tenure review (voted by the faculty, April 2014). A sum and substance letter about the conversation should be given to the untenured faculty member and be placed in the records of the department (voted by the faculty, May 1995). On an annual basis, the chair must notify the provost and dean of the faculty that the annual conversation has taken place with each of the department's untenured faculty members and that the sum and substance letter has been given to each candidate (voted by the faculty, April 2014).

Discussing procedures for reappointment and tenure with non-tenured department members, and for tenure with newly reappointed members;

Adhering to the schedule and procedure for tenure and promotion reviews;

Discussing with tenure candidates the sum and substance of the department's tenure recommendation;

Discussing with reappointment candidates a redacted version of the department's reappointment recommendation and the minutes of the Tenure and Promotion Committee's deliberations about the candidate's reappointment case. The provost and dean of the faculty also discusses with reappointment candidates the minutes of the Tenure and Promotion Committee's deliberations about their cases.

Discussing with reappointment candidates their proposals for the college's tenure-track sabbatical fellowships;

Managing departmental reviews, in consultation and coordination with the provost and dean of the faculty's office; preparing the departmental self-study, and consulting with the visiting review committee;

Discussing faculty and student grievances with the aggrieved parties and handling conflicts among peers by building a departmental culture of trust;

Representing the department to the administration--attending the provost and dean of the faculty's regular meetings for chairs during the semester, providing feedback to the provost and dean of the faculty on college-wide policies and practices, communicating departmental and other concerns to the provost and dean of the faculty, submitting an annual report (on department's progress toward goals articulated in external review process, on assessment of learning outcomes, and/or on reaccreditation matters);

In most departments, representing the department in discussions of the department's library budget with the director of the library;

Coordinating and/or delegating student advising/engagement in major, coordinating advising of majors, approving major declarations for students, approving requests for transfer credit (off-campus student and transfer credit, in collaboration with the Office of the Registrar, organizing student placement, sponsoring and advising student groups, ensuring student representation in departmental life;

Submitting annual evaluations of the department's staff, directing hiring of new staff, coordinating and supervising staff members' work schedule;

b. Department Staff

Departments are assisted by a full-time or part-time academic department coordinator. Additional clerical support is available through the Office of Administrative Services.

D. Other Instructional Personnel

Visiting assistant, associate and (full) professor; visiting artist and writer (for non-tenure-track individuals on contracts for up to three years).

Adjunct assistant, associate, and (full) professor; adjunct lecturer (a non-tenure track designation for those individuals with appropriate academic credentials, who have an ongoing relationship with one or more academic departments or programs of the college, and who may, as occasion demands, teach; these arrangements will be regularly reviewed by the provost and dean of the faculty).

Lecturer, senior lecturer, resident artist, writer-in-residence (for individuals on renewable contracts who teach regularly for the college).

Teaching associate (for those who assist in classes under the direction of a faculty member).

Research assistant, associate (for individuals who collaborate with faculty on research projects, with no specific teaching duties).

E. The Students

There are approximately 1,800 full-time students at Amherst College. The rules and regulations governing students, the committees that have jurisdiction over student life, and other pertinent information are summarized annually in the *Student Handbook*.

F. The Alumni

Any person who matriculated at Amherst College and whose class has graduated is eligible to become a member of the Society of the Alumni. The alumni maintain their own organization with elected officers and a governing council. The alumni are represented at the college by the alumni secretary and the staff of that office. A wide variety of publications designed to inform the alumni is published regularly by the college.

G. Five Colleges, Incorporated | Amherst College

Together with Hampshire, Mount Holyoke and Smith Colleges and the University of Massachusetts Amherst, Amherst College is a constituent member of Five Colleges, Inc. The five presidents and chancellor of the Amherst campus of the University of Massachusetts and the executive director of the Five Colleges serve on the Governing Board of Five Colleges, Inc. The executive director of the Five Colleges and his or her staff are responsible for the cooperative management of activities undertaken by the colleges jointly. The Five College Center is located at 97 Spring Street in Amherst. The president is represented in many Five-College discussions by a deputy, who is currently the provost and dean of the faculty. Questions concerning matters of Five-College interaction or policy should be addressed initially to the provost and dean of the faculty. There are many Five College Committees and seminars involving faculty with shared academic and curricular interests, and administrative officers with comparable responsibilities. For further information on Five College cooperation, please consult the *Student Handbook* and the Five College website <http://www.fivecolleges.edu/>

III. Faculty Appointments, Tenure, Promotions, Leaves, and Terminations

A. Regular Appointments | Amherst College

At all ranks, new appointments to tenured or tenure-track positions are made by a recommendation from the president to the Board of Trustees, which has the final power of appointment.

For all such positions, the authorization to search requires the approval of the president or the dean of the faculty, after consultation with the appropriate departments or committees and with the Committee on Educational Policy on the nature and ranking of the position. The president and/or the dean of the faculty normally interview all final candidates and formulate all offers.

A faculty member may be jointly appointed to two departments, either upon joining the Faculty after a formal search or as a current member of the Faculty on the invitation of a second academic unit. The faculty member with such an appointment will participate as a voting member in all personnel and curricular decisions concerning his or her two home departments. As well, he or she will have the same rank and will teach regularly in both departments. All requests for changes in joint affiliations, including those for such appointments and for resignations, will be directed to the dean of the faculty who will ask for the department's advice before making a change in appointment.

Recommendations for all appointments at the level of assistant professor, associate professor, and professor originate with the department or the committee responsible and are discussed by the chair of the department with the dean of the faculty or the president. An appointment at the Associate Professor level may be made with or without tenure.

To the extent possible, the college's regular tenure procedures are followed for appointments at the level of professor or associate professor with tenure (voted by the faculty, April 26, 2022).

B. Visiting Appointments | Amherst College

The terms of a visiting appointment will be made explicit in writing at the time of appointment. In cases where a visiting appointment has been made and a regular position has been created in the same discipline or department, a new search will be conducted in all but exceptional circumstances. The person who holds the temporary appointment may be a candidate for the regular position, but only as one applicant in a regular applicant pool. The college is committed to public notification of vacancies for appointments and to conducting searches for the best available candidates (amended by the faculty, February 2017).

C. Diversity | Amherst College

For all appointments to the Faculty, the President will require evidence of steps taken to establish a nondiscriminatory and fully representative applicant pool from which appointment will then be made on the basis of individual merit. To this end, Chairs of departments and committees authorized to search are asked to consult with the Special Assistant to the President for Diversity concerning the language and placement of advertising for all faculty positions and to submit a brief summary of the applicant pool to the Dean of the Faculty when they recommend a particular candidate for appointment. All candidates for faculty positions are given an opportunity to meet with the Special Assistant to the President for Diversity.

D. Reappointment to Tenure-Track Positions| Amherst College

1. The Meaning of Reappointment

A decision to reappoint is an expression of satisfaction with a faculty member's performance during the prereappointment period of a tenure-track appointment, potential for continuing development, and progress toward meeting the standards for tenure at Amherst College. Reappointment is a moment for the department and the Tenure and Promotion Committee to offer candid feedback to candidates about their strengths and weaknesses as scholars and/or creative artists and teachers; accomplishments at this early stage of their careers; and plans for the future.

2. The Criteria for Reappointment

The college values faculty whose commitment to the life of the mind is demonstrated through excellence in teaching, scholarship and/or the creation of works of art, and contributions to professional service. Amherst reappoints faculty members whose records are consistent with a positive trajectory toward meeting the tenure standards for growth, achievement, and continuing promise in the following areas: scholarly and/or artistic accomplishment, the ability to teach undergraduates effectively, and contributions to their home departments and programs, to the life and work of the college, and to their professional fields.

3. The Reappointment Schedule and Notification of Procedures

Initial tenure-track appointments to the faculty are made for a term of three years unless some other term is agreed upon by the provost and dean of the faculty, the department, and the appointee at the time of hiring. The Office of the Provost and Dean of the Faculty notifies department chairs and candidates for reappointment of the schedule and procedures for reappointment in the spring of the penultimate year of tenure-track faculty members' initial appointment. The chair of each department makes clear to its tenure-track faculty the considerations governing reappointment. The reappointment review of tenure-track faculty, at both the department and college levels, is normally conducted in the spring term of the third year of a tenure-track appointment. If a department makes a negative recommendation in the spring of the penultimate year of a faculty member's initial appointment, the Tenure and Promotion Committee reviews the case in the spring of the penultimate year.

4. Annual Conversations with the Chair Prior to and after Reappointment until the Time of Tenure

The chair, with at least one other tenured member of the department also present and participating, shall have at least one formal conversation per year with each of the department's untenured faculty member(s) to discuss in detail performance and progress in teaching, research or creative work, and other contributions to the life of the college. As to teaching, evidence should include all semester-end evaluations by students with signatures removed, the testimony of colleagues who have observed the untenured faculty member's teaching, and such course materials as the untenured faculty member sees fit to submit for discussion (voted by the faculty, November 1998; amended, April 2014). Prior to the annual conversation, the chair shall provide materials documenting the untenured faculty member's progress to the tenured members of the department and consult with them to reach a shared understanding of what should be conveyed in the annual conversation. Annual conversations are held

each year until the time of the faculty member's tenure review (voted by the faculty, April 2014). A sum and substance letter about the conversation should be given to the untenured faculty member and be placed in the records of the department (voted by the faculty, May 1995). On an annual basis, the chair must notify the provost and dean of the faculty that the annual conversation has taken place with each of the department's untenured faculty members and that the sum and substance letter has been given to each candidate (voted by the faculty, April 2014). These documents do not become part of a candidate's reappointment or tenure dossier.

5. Reappointment Procedures and Schedule

The tenured members of the department(s) make a recommendation to the Tenure and Promotion Committee for or against reappointment. In preparation for recommendations concerning reappointment, the department(s) gathers evidence concerning teaching effectiveness, scholarly or creative growth, and other contributions to the life of the college and the profession. In regard to scholarship and/or creative work, the tenured members of the department(s) are expected to review the scholarship and/or creative work submitted to the department by the candidate. The Tenure and Promotion Committee does not review candidates' scholarship and/or creative work at the time of reappointment, but relies on the candidate's letter to the department, the candidate's CV, and the departmental recommendation when evaluating the candidate's scholarly trajectory. In cases where there are fewer than two tenured faculty in the department of a candidate for reappointment, the provost and dean of the faculty and the Tenure and Promotion Committee appoint an ad hoc committee of tenured faculty in related departments to supplement or serve in lieu of the departmental committee in making a recommendation to the Tenure and Promotion Committee. In cases where a faculty member holding appointments in two departments is recommended for reappointment, a tenured colleague holding appointments to the same two departments participates in the deliberation and voting in both departments. The Tenure and Promotion Committee, however, in its own consideration of the case, does not give double weight to the colleague's evaluation. Departments submit dossier materials for reappointment to the Office of the Provost and Dean of the Faculty for communication to the Tenure and Promotion Committee by the first week in February of the year of the reappointment decision.

Reappointment dossiers include the following:

- 1) The candidate's current curriculum vitae, which will include a list of all courses, including special topics courses, taught at Amherst College and the years in which they were taught and a list of senior theses supervised;
- 2) A departmental letter of recommendation containing a judgment about teaching effectiveness; scholarship and/or creative work, and growth; and contributions to the general life of the college community and to the profession. The tenured members of the department(s) make a recommendation to the Tenure and Promotion Committee for or against reappointment. Further details are provided above.
- 3) Evidence of Teaching Effectiveness. For the reappointment review, departments are required to have solicited end-of-semester evaluations of teaching from all students from every course, including every special topics course, taught by a tenure-track faculty member, with the exception of honors students, since the time of appointment through the semester before the faculty member stands for reappointment. These

end-of-semester evaluations are signed and normally solicited in essay format in all classes in the final week of each semester on a common evaluation form approved by the faculty. After the submission of grades, they are made available to the instructor without the names of the respondents. In addition, on an annual basis, departments are required to solicit from all honors students advised by a tenure-track faculty member that year, whether the students complete their honors work or not, confidential "annual" letters, after students receive a final grade (after one semester, if students do not complete honors work, or after two semesters, if they do). In addition, on an annual basis, departments are required to solicit from all research students who were supervised by a tenure-track professor for 240 hours (the equivalent of six weeks of full-time work) or more that year confidential "annual" letters. Departments solicit annual letters from research students in the year in which the research experience took place—at the end of the academic year for research students who worked during the academic year, and at the end of the summer for those who worked during the summer. In all cases, annual letters from research students are solicited before the start of the next academic year. Annual letters from honors and research students taught through the year before the reappointment review become part of the candidate's dossier at the time of reappointment. In addition, at the time of reappointment review, departments are also required to have solicited, after students have received final grades, confidential "retrospective" letters of evaluation from all students from every course, including every honors and special topics course, taught by a tenure-track faculty member from the time of appointment through the semester immediately preceding the semester in which the reappointment review takes place. In addition, at the time of reappointment review, departments are required to have solicited retrospective letters of evaluation from all research students who were supervised by a tenure-track professor for 240 hours (the equivalent of six weeks of full-time work) from the time of appointment through the semester immediately preceding the semester in which the reappointment review takes place. Annual letters from honors and research students and retrospective letters are summarized in the departmental recommendation, a redacted version of which is shared with the candidate. Candidates are not provided with the letters themselves. Students asked to write letters are informed that their responses will be treated as confidential by the college. Reviews and ratings from informal and commercial websites, or any other anonymous materials, are inadmissible as evidence (voted by the faculty, May 17, 2022 and May 26, 2022).

The departmental evaluation of teaching effectiveness should draw upon a representative range of teaching activities in addition to evidence described above (3). Evaluation should derive from, but need not be limited to, conversations about courses with some members of the department; attendance by some members of the department at a number of class meetings at mutually agreed upon times; and assessment, by the candidate with at least one tenured member of the department, of the accomplishments of at least one of the candidate's courses at the end of a semester. Evaluations of teaching effectiveness should also be informed by the discussions of the tenured members of the department, the substance of which is conveyed during annual conversations. All written evidence used to evaluate teaching effectiveness assembled at the time of reappointment is also considered at the time of tenure review.

4) Candidate's Letter(s). By December 1, candidates for reappointment submit a letter to their department/s describing their teaching experience at the college, the present state of their scholarship or creative work and their aims and plans for the future, and their engagement in college life and the profession. Recognizing that Tenure and Promotion Committee members are usually not experts in candidates' fields, candidates for reappointment may choose to write a modified version of this letter for the Tenure and Promotion Committee, in which they describe their work and its significance in a less specialized idiom. If two letters are written, both are shared with the department. Both letters are

also included in the reappointment dossier and forwarded to the Tenure and Promotion Committee. The letter/s serves as the basis for a conversation between the candidate and tenured members of the department/s before the department meets to finalize the reappointment recommendation. This conversation provides the candidate with a forum to share information with the tenured members and to ask and answer questions. The letter/s do not become part of the tenure dossier.

Communication with the Candidate during the Reappointment Process

The chair of the department, by the due date for the reappointment dossier, provides the candidate with the text of the department's letter, which has been edited to protect confidentiality. The chair discusses the department's recommendation (whether positive or negative). Candidates who wish to comment on the departmental recommendation may send written commentary, in confidence, to the Tenure and Promotion Committee, within two weeks of receiving that recommendation. The departmental recommendation done at the time of reappointment is provided to the Tenure and Promotion Committee at the time of the candidate's tenure review. If the candidate wrote a confidential response at the time of reappointment, that document is also forwarded to the Tenure and Promotion Committee at the time of the tenure review.

The Tenure and Promotion Committee's Responsibilities in Reappointment Recommendations

The Tenure and Promotion Committee reviews each reappointment case individually, all members of the committee reading the documents submitted in each case. Its role in reappointment cases is to make recommendations to the president. When a candidate for reappointment is from the same department as a member of the committee, that member shall not be present during the committee's discussion of the candidate's case or vote on it. The member shall be present during any sessions in which the committee meets with the department about the case and will participate as a department member in that circumstance. Abstentions or absentations because of conflict of interest or other conscientious reasons are always acceptable when the vote is taken.

At least four members of the Tenure and Promotion Committee must review and vote on each reappointment case. In cases in which two or more members of the committee are required to abstain from such voting and discussion because they are from the same department as the candidate, or for any other reason, alternate Tenure and Promotion Committee members serve as replacements and are seated with voice and vote together with regular members of the committee for the session in which the candidate's case is discussed and a vote is taken. The alternates are drawn from the Tenure and Promotion Committee ballot, with the first alternate being the first runner-up, etc., excluding faculty members from the candidate's department.

After discussing each reappointment case, the Tenure and Promotion Committee notifies the recommending department(s) in writing about such aspects of the case as the committee finds to be in need of further clarification. If the Tenure and Promotion Committee, by straw vote, is tending toward a recommendation at variance with that of the department, it meets with tenured members of the department to hear arguments as to why it should support the department's recommendation.

The President's Responsibilities in Reappointment Recommendations

The president sits with the Tenure and Promotion Committee to review all reappointment cases, and the Tenure and Promotion Committee makes its recommendations for or against reappointment to the president. After receiving the committee's recommendations, the president consults with the provost

and dean of the faculty and then formulates the president's own recommendations to the board of trustees. If both the department and the Tenure and Promotion Committee make negative recommendations, the president will recommend a negative decision to the board of trustees. If both the department and the Tenure and Promotion Committee make positive recommendations, the president will convey these recommendations to the trustees, together with the president's own. If the president intends to make a negative recommendation to the board, the president will inform the Tenure and Promotion Committee, the department chair, and the candidate for reappointment of the fact. If the president makes a recommendation contrary to that of a department or of the Tenure and Promotion Committee, or of both, the president will present to the board the written recommendations of the department and the minutes of the Tenure and Promotion Committee and will, prior to the board meeting, give the reason(s) for that recommendation to the Tenure and Promotion Committee, department chair, and the candidate for reappointment. These procedures do not preclude presidential intervention in the reappointment process of a department if, after consultation with the Tenure and Promotion Committee, the president believes such intervention is warranted.

Notification of the Reappointment Decision

As noted above, the final decision concerning reappointment, whether affirmative or negative, is communicated by the president to the faculty member concerned and to the department chair. If the decision is affirmative, the faculty member will receive explicit notification in writing that the individual has been reappointed, and the term of the reappointment. If the decision is negative, the faculty member will receive explicit notification in writing of this decision. If the decision is made to reappoint for a second term, the chair and the provost and dean of the faculty will discuss with the candidate considerations that may enter into a subsequent tenure decision. When notification is given in the last year of the current appointment that a reappointment will not be made, an additional, terminal year will be granted. When, however, notification is given during the penultimate year of appointment that a reappointment will not be made, the contract ends at its original term. A faculty member failing to receive a positive reappointment decision will not normally be considered again for reappointment or for tenure. A faculty member who has been notified of a decision not to grant reappointment may request from the provost and dean of the faculty an explanation of the reasons which led to that decision. If the faculty member believes that improper procedures were followed, or that the negative decision constitutes a violation of academic freedom, the faculty member has the right to request a hearing by the Committee on Adjudication (see Grievance Procedure). The provost and dean of the faculty, as secretary to the Tenure and Promotion Committee, in each case maintains minutes of the committee's deliberations, including the number of positive and negative votes and abstentions. The provost provides the minutes of individual cases to the candidate and the department chair(s) after the committee has approved the minutes, the president has formulated a recommendation to the trustees and shared that recommendation with the board, the board has ratified the recommendation, and the final reappointment decision has been communicated to the candidate and the department(s). (The votes of the Tenure and Promotion Committee are redacted before minutes are provided to departments and reappointment candidates.)

6. The Reappointment Schedule in Relation to the Tenure Decision

Faculty members whose first regular full-time appointment is at Amherst College are normally considered for tenure in their seventh year at the college. Faculty members who come to Amherst College after not more than three years of regular full-time teaching at another college or university are normally given appointments at Amherst College of such duration that the total possible period of

untenured service, allowing for a terminal extension, is eight years, including any comparable prior teaching. (For part-time faculty, see Section F.) Any agreement about counting prior service is made explicit in writing at the time of the person's initial appointment at Amherst College, and the most appropriate way of computing previous experience may be discussed at this time. The decision on tenure for such persons may be made in the second, third, fourth, fifth, sixth, or seventh year of full-time service at Amherst College, depending on the circumstances at the time of appointment. In some cases, it may be agreed that faculty who arrive at Amherst with advanced standing may not stand for reappointment. All letters of appointment or reappointment specify the anticipated time of the decision. (Many revisions to the language describing reappointment procedures were voted by the faculty on May 17, 2022, with some additions on May 26, 2022.)

E. Full-time Tenure | Amherst College

An appointment without term is authorized by the Board of Trustees upon the recommendation of the president.

1. The Meaning of Tenure

An appointment with tenure means an appointment without limit of time that can be terminated only for adequate cause or under extraordinary circumstances because of financial exigencies. Academic tenure and academic freedom are distinguishable but linked in the life of a college or university. Without freedom to explore new ideas, or to criticize existing beliefs and institutions, higher learning would become a sterile exercise and society would suffer accordingly. Academic freedom must be sustained for all faculty without regard to rank or tenure, recognizing the fact that the use of such freedom may anger powerful vested interests in the larger society or arouse the ire of administrators, faculty colleagues, or students within the academy. Tenure is an institutional safeguard for the conditions of academic freedom.

The protection of academic freedom by a guarantee of permanent tenure, therefore, represents an important part of the continuous effort that must be made to preserve the freedom of thought and speech that is the breath of life for a democratic society. This being so, then, tenure imposes upon all who receive it the reciprocal obligation to make the fullest use of such freedom and to carry the results of honest and imaginative inquiry to the larger society even though this act may challenge cherished beliefs and established institutions. Tenure requires also that faculty members foster freedom of inquiry for their colleagues and their students and respect the virtues of intellectual integrity and the claims of reason and evidence.

2. The Timing of the Tenure Decision

As already indicated, an academic faculty member whose first regular full-time appointment is at Amherst College will normally be considered for tenure in his or her seventh year at the college. In exceptional circumstances, a department may, with the agreement of the faculty member, make a recommendation for tenure before the seventh year. A faculty member failing to receive a positive

tenure decision will not normally be considered again for tenure. A faculty member who is denied tenure in or before the seventh year will, if he or she wishes, have a terminal appointment for the academic year after the year in which a tenure decision is made. If more than one year remains in such a person's appointment following a negative tenure decision, then the faculty member may fulfill the remaining time of appointment until the end of the eighth year with the understanding that upon completion of this time employment by the college ends. (For exceptions to this schedule, see D, 5 above.)

3. The Criteria for Tenure

The college values faculty whose commitment to the life of the mind is demonstrated through excellence in teaching, scholarship, and/or the creation of works of art, and contributions to professional service. Amherst tenures faculty who demonstrate growth, achievement, and continuing promise in both scholarship and teaching, evinced by a notable record of scholarly and/or artistic accomplishment and a demonstrated ability to teach undergraduates effectively. These two aspects of a candidate's record are of primary consideration in the tenure decision. Strength in one will not compensate for shortcoming in the other. A record of scholarly excellence must include evidence of original research that is peer-reviewed or of comparable scholarly rigor and standing, and/or its equivalent in the creative arts. A record of teaching excellence must include evidence of the ability to convey knowledge and engage students in rigorous and stimulating ways and a commitment to their intellectual growth. Additionally, faculty members are expected to contribute to their home departments and programs, to the life and work of the college, and to their professional fields (voted by the faculty, April 26, 2022).

4. Procedures Followed in Tenure Decisions

In the spring of the academic year preceding that in which a tenure decision will be made for an individual candidate, the candidate and department chair will be informed in writing by the dean of the faculty of the schedule and procedures to be followed.

a. Departmental Recommendation. A recommendation concerning tenure originates in the candidate's department(s). The tenured members of the department(s) will make a recommendation to the Tenure and Promotion Committee for or against an appointment with tenure. In cases where there are fewer than two tenured faculty in the department of a candidate for tenure, the dean of the faculty and the Tenure and Promotion Committee will appoint an ad hoc committee of tenured faculty in related departments to supplement or serve in lieu of the departmental committee in making a recommendation to the Tenure and Promotion Committee. In cases where a Faculty member holding appointments in two departments is recommended for tenure, a tenured colleague holding appointments to the same two departments will participate in the deliberation and voting in both departments. The Tenure and Promotion Committee, however, in its own consideration of the case, will not give double weight to the colleague's evaluation. The tenured colleague is expected to submit one letter summarizing his or her evaluation of the candidate for tenure. Departmental recommendations will include the following (voted by the faculty, December 1991):

(1) A departmental letter of recommendation containing a judgment about:

- (a) teaching effectiveness;
- (b) scholarship, creative work and growth;
- (c) contribution to the general life of the College community and to the profession;
- (d) any considerations of departmental structure.

(2) A separately submitted, confidential letter from each tenured member of the department(s), including those on leave, assessing the candidate's qualifications. The substance of reservations expressed in individual letters should be reflected in the department's letter (amended by the faculty, March 1999).

(3) A current curriculum vitae, including a list of all courses taught at Amherst College and the years in which they were taught, and a list of senior theses supervised.

(4) Copies of the candidate's scholarly and creative work with, when applicable, a characterization of the journals in which or the press by which the work was published.

(5) For the tenure review, departments are required to have solicited end-of-semester evaluations of teaching from all students from every course, including every special topics course, taught by a tenure-track faculty member, with the exception of honors students, after the last semester considered as part of the reappointment review through the semester before the faculty member stands for tenure. These end-of-semester evaluations are signed and normally solicited in essay format in all classes in the final week of each semester on a common evaluation form approved by the faculty. After the submission of grades, they are made available to the instructor without the names of the respondents. In addition, on an annual basis, departments are required to solicit from all honors students advised by a tenure-track faculty member that year, whether the students complete their honors work or not, confidential "annual" letters, after students receive a final grade (after one semester, if students do not complete honors work, or after two semesters, if they do). In addition, on an annual basis, departments are required to solicit from all research students who were supervised by a tenure-track professor for 240 hours (the equivalent of six weeks of full-time work) or more that year confidential "annual" letters. Departments solicit annual letters from research students in the year in which the research experience took place—at the end of the academic year for research students who worked during the academic year, and at the end of the summer for those who worked during the summer. In all cases, annual letters from research students are solicited before the start of the next academic year. Annual letters from honors and research students that were reviewed at the time of reappointment and those received after the time of reappointment become part of the candidate's tenure dossier. In addition, at the time of tenure review, departments are also required to have solicited, after students have received final grades, confidential "retrospective" letters of evaluation from all students from every course, including every honors and special topics course, taught by a tenure-track faculty member after the last semester considered as part of the reappointment review through the semester immediately preceding the semester in which the tenure review takes place. In addition, at the time of tenure review, departments are required to have solicited retrospective letters of evaluation from all research students who were supervised by a tenure-track professor for 240 hours (the equivalent of six weeks of full-time work) after the last semester considered as part of the reappointment review through the semester

immediately preceding the semester in which the tenure review takes place. The department letters soliciting confidential annual and retrospective letters from students are included with their responses. Annual letters from honors students and retrospective letters are summarized in the departmental recommendation, a redacted version of which is shared with the candidate. Candidates are not provided with the letters themselves. Students asked to write letters are informed that their response will be treated as confidential by the college. Reviews and ratings from informal and commercial websites, or any other anonymous materials, are inadmissible as evidence. All written evidence used to evaluate teaching effectiveness assembled at the time of reappointment is also considered at the time of tenure review (voted by the faculty, May 17, 2022, and May 26, 2022).

(6) Letters from no fewer than six (6) and normally no more than eight (8), or in the case of joint appointments ten (10), external reviewers who are leading scholars or practitioners in the candidate's field, to be chosen equally from lists compiled by the candidate and the department(s) (voted by the faculty, May 1999); the department's letter of solicitation to them; and, a description of the process by which these persons were chosen as external reviewers, their qualifications, and their relationship, if any, to the candidate.

(7) Letters from colleagues in other departments, including those who have served on committees or taught with the candidate.

(8) The departmental evaluation of teaching effectiveness should draw upon a representative range of teaching activities in addition to evidence described in (5). Evaluation should derive from, but need not be limited to, conversations about courses with some members of the department; attendance by some members of the department at a number of class meetings at mutually agreed upon times; assessment, by the candidate with at least one senior member of the department, of the accomplishments of at least one of the candidate's courses at the end of a semester. Evaluations of teaching effectiveness may also be included in the letters described in (2) and (7) (voted by the faculty, March 1999). Evaluations of teaching effectiveness should also be informed by the discussions of the tenured members of the department, the substance of which is conveyed during annual conversations (voted by the faculty, April 2014). Annual conversations with the chair are held each year until the time of the faculty member's tenure review. Procedures for annual conversations can be found in [section III., D., 2.](#) (voted by the faculty, April 2014).

b. *Schedule for Submission of Departmental Recommendations.* These materials will be submitted to the Dean of the Faculty for communication to the Tenure and Promotion Committee by October 1st of the year of the tenure decision.

c. *Communication with Candidate.* The department chair will by October 1st provide the candidate with a copy of the department's letter. That letter shall be edited to protect confidentiality, but must include the number of positive and negative votes and abstentions. The chair will discuss that letter with the candidate (Amended by the Faculty, April 2000).

d. *Rights of Candidates for Tenure.* Candidates for tenure will submit letters on their own behalf to the Tenure and Promotion Committee by October 1st. If they wish to comment on the departmental recommendation, they may send written commentary, in confidence, to the Tenure and Promotion Committee by October 15 (amended by the faculty, May 2012).

e. Tenure and Promotion Committee Responsibilities in Tenure Recommendations. The Tenure and Promotion Committee reviews each tenure case individually, all members of the committee reading the documents submitted in each case. Its role in tenure cases is to make recommendations to the president. When a candidate for tenure is from the same department as a member of the committee, that member shall not be present during the committee's discussion of the candidate's case, including when straw votes are taken, or vote on the case. The member shall be present during any sessions in which the committee meets with the department and shall participate as a department member in that circumstance. The member shall also be present during sessions in which the committee discusses all cases together, including when final votes are taken, but shall not participate in the discussion of the candidate's case, or vote on it. Abstentions or absentations because of conflict of interest or other conscientious reasons are always acceptable when the vote is taken (voted by the faculty, May 17, 2022).

At least four members of the Tenure and Promotion Committee must review and vote on each tenure case. In cases in which two or more members of the committee are required to abstain from such voting and discussion because they are from the same department as the candidate, or for any other reason, alternate Tenure and Promotion Committee members serve as replacements and are seated with voice and vote together with regular members of the committee for the session in which the candidate's case is discussed and the session in which the candidates' cases are compared and a final vote taken. The alternates are drawn from the Tenure and Promotion Committee ballot, with the first alternate being the first runner-up, etc., excluding faculty members from the candidate's department (voted by the faculty, May 17, 2022).

After preliminary discussion of each tenure case, the Tenure and Promotion Committee will notify the recommending department(s) in writing about such aspects of the case as the committee finds to be in need of further clarification. The department(s) may then respond by letter or may request a meeting with Tenure and Promotion Committee (voted by the faculty, May 1999). In addition, if the Tenure and Promotion Committee, by straw vote, is tending toward a recommendation at variance with that of the department, it will meet with tenured members of the department to hear arguments as to why it should support the department's recommendation.

The Tenure and Promotion Committee will then make its recommendations to the President. The dean of the faculty, as secretary to the Tenure and Promotion Committee, will in each case maintain a record of the sum and substance of the committee's deliberations in arriving at its recommendations, including the number of positive and negative votes and abstentions, and will communicate that summary to candidates, upon their request, once the President has formulated his or her own recommendation to the trustees and has communicated it to the department chair and the candidate, and once the Committee has drafted and approved the sum-and-substance record (amended by the faculty, September 1999).

f. The President's Responsibilities in Tenure Recommendations. The president sits with the Tenure and Promotion Committee to review all tenure cases. The president, after receiving the Tenure and Promotion Committees recommendation, consults with the dean of the faculty, and then formulates his or her own recommendation to the Board of Trustees. If both the department and the Tenure and Promotion Committee make negative recommendations, the president will recommend a negative decision to the Board of Trustees. If both the department and the Tenure and Promotion Committee

make positive recommendations, the president will convey these recommendations to the Trustees, together with his or her own.

If the president intends to make a negative recommendation to the board, he or she will inform the Tenure and Promotion Committee, the department chair and the candidate for tenure of the fact. If the president makes a recommendation contrary to that of a department or of the Tenure and Promotion Committee, or of both, he or she will present to the board the written recommendations of the department and the minutes of the Tenure and Promotion Committee and will, prior to the board meeting, give the reason(s) for that recommendation to the Tenure and Promotion Committee, the department chair and the candidate for tenure.

These procedures do not preclude presidential intervention in the tenure process of a department if, after consultation with the Tenure and Promotion Committee the President believes such intervention is warranted.

g. Notification of the Tenure Decision. The final decision concerning tenure, whether affirmative or negative, will be communicated by the president to the faculty member concerned. If the decision is affirmative, the faculty member will receive explicit notification in writing that he or she is now a tenured member of the faculty. If the decision is negative, the college will endeavor to give the faculty member eighteen months' notice before final termination. This will entail an additional one-year terminal appointment.

A faculty member who has been notified of a decision not to grant tenure may request from the dean of the faculty an explanation of the reasons which led to that decision. If he or she believes that improper procedures were followed, or that the negative decision constitutes a violation of academic freedom, he or she has the right to request a hearing by the Committee on Adjudication (see Grievance Procedure).

F. Part-time Tenure | Amherst College

Members of the Faculty who teach part-time, but not less than half-time, on a regular basis at Amherst College, are eligible for tenure under the same qualitative standards as full-time members of the Faculty. It is intended that a person holding a regular part-time appointment from Amherst College regard that appointment as his or her primary professional obligation.

The appointment procedure for a regular part-time member of the Faculty usually requires three three-year appointments, with a review during the third and sixth years, and with the tenure decision occurring no later than the eighth year of part-time teaching. This schedule applies irrespective of the actual number of courses taught during the aggregate period. In the case of a faculty member who begins part-time teaching at Amherst after a number of years of full-time teaching at Amherst or at another college or university or after regular part-time teaching at another college or university, appropriate adjustments in the timing of appointments may be made at the time of the initial appointment.

The termination of a regular part-time teaching appointment is subject to the usual understandings concerning notice at Amherst College.

Once a favorable decision with regard to tenure for a regular part-time member of the Faculty is made, any subsequent alteration in teaching load will be negotiated by the individual with his or her department and with the Dean of the Faculty and the President. An arrangement to increase from part- to full-time teaching does not involve a qualitative judgment analogous to the tenure decision, but rather depends upon an initiative taken either by the individual or by the department or departments directly concerned, confirmed by the consent of the Dean of the Faculty and the President. A change to full-time teaching on a temporary basis does not presume any permanent adjustment in status from part- to full-time unless this arrangement continues for more than three years.

Should a full-time tenured member of the Faculty wish to negotiate a part-time arrangement on a temporary basis without change to permanent part-time status, he or she may proceed with these negotiations with the department or departments concerned. Final determination of the matter requires the consent of the Dean of the Faculty and the President.

Where one of the considerations in securing part-time teaching is the desire to combine it with regular concurrent activity outside the College, the substantive nature of the activity is appropriate to a regular part-time teaching arrangement. This decision is made by the President.

The presumption is that a regular part-time member of the Faculty will teach part-time throughout the year, rather than alternating full-time one semester with no teaching duties in the next.

Regular part-time members of the Faculty qualify for most benefits and perquisites of full-time faculty members on a prorated basis. These include eligibility for housing, and, on a prorated basis, disability and life insurance, pension plans, health insurance, and death benefit. Regular part-time members of the Faculty qualify for leaves according to the same schedule a full-time Faculty, although their compensation during leaves is on a prorated basis.

G. Promotion | Amherst College

A member of the faculty appointed initially as an assistant professor and subsequently granted tenure will be promoted to the rank of associate professor, effective the start of the academic year following the tenure decision.

A member of the faculty appointed initially as an associate professor without tenure and subsequently granted tenure will continue as an associate professor with tenure until promoted to the rank of professor (voted by the faculty, May 2007).

Promotion to the rank of professor may originate with the department or with the candidate and usually occurs between six and eight years after the tenure decision. A candidate's promotion committee consists of all tenured full professors in his or her department(s) and, at the request of the candidate, may include up to two other tenured full professors from the college faculty, chosen by the candidate in consultation with the dean of the faculty. The chair of the promotion committee is selected by the dean. A letter from the chair of the promotion committee, and signed by all members of the committee, discussing the candidate's scholarly or artistic growth and achievement, teaching performance, and college and professional service, should accompany all recommendations for promotion to the rank of

professor. The candidate may also submit a letter on his or her behalf (voted by the faculty, May 2007).

In cases where there are fewer than two tenured full professors in the candidate's department, the provost and the Tenure and Promotion Committee will appoint an ad hoc committee of tenured full Professors from related departments to serve as the promotion committee. Should the department have one member at the rank of tenured full professor, he or she will also serve. At the request of the candidate, the promotion committee may include up to two other tenured full professors from the college faculty, chosen by the candidate in consultation with the dean of the faculty. The Tenure and Promotion Committee reviews all candidates for promotion. The president formulates the various recommendations and presents them to the Board of Trustees, together with his or her own views. All promotions must be voted by the Board of Trustees (voted by the faculty, May 2007).

H. Leaves, Fellowships, and Research

1. Sabbatic Leaves and Leaves of Absence

Amherst College gives great weight to the continuing scholarly growth of faculty members in support of its mission to expand the realm of knowledge and to maintain the highest standards of instruction in the liberal arts. Research, publication, and creative work are considered important indications of such growth. The college's sabbatic leave program is designed to provide time for research, study, writing, or other creative work contributing to the professional growth and effectiveness of the faculty member as a scholar and teacher. The college recognizes that the continued scholarly growth of our faculty plays a vital part in the educational offerings of the college and the ultimate success of its students.

Faculty with regular appointments will normally be eligible for sabbatic leaves or unpaid leaves of absence after having completed three continuous years (i.e., six continuous semesters) of teaching. After six semesters, a tenured faculty member is eligible for one of the following during the same academic or calendar year: (1) one semester of unpaid leave of absence; or (2) two semesters of unpaid leave; or (3) one semester of leave at 80 percent of a semester's salary in combination or not, as wished, with one semester's unpaid leave of absence. Alternatively, regular faculty are eligible for one year of sabbatic leave at 80 percent of salary or one semester of sabbatic leave at full salary after six years of teaching uninterrupted by a sabbatic leave. They are also eligible if the six years of teaching are interrupted by a leave of absence without pay providing the last three years have been continuous. Amherst College will award Senior Sabbatical Fellowships to tenured members of the Faculty upon approval by the provost and dean of the faculty in consultation with the Tenure and Promotion Committee of a proposal for a program of research, study, writing, or other creative work to advance his or her professional growth and effectiveness as a scholar and teacher. ([Guidelines for Senior Sabbatical Fellowships](#).) Following reappointment, untenured faculty members are eligible for two semesters of sabbatic leave at 100 percent of salary, upon approval by the provost and dean of the faculty in consultation with the Faculty Executive Committee of a proposal of research, study, writing, or other creative work to advance his or her professional growth and effectiveness as a scholar and teacher. ([Guidelines for Tenure-Track Sabbatical Fellowships](#).) Visiting faculty and faculty on non-tenure track contract appointments will not normally be eligible for sabbatic leaves or unpaid leaves of absence.

By November 1 of the year preceding the academic year during which leave is to be taken, a faculty member should give notice to the provost and dean of the faculty and the department chair of the intention to apply for either a sabbatic leave or a leave of absence. All leave requests require approval of the Board of Trustees. A faculty member is expected to return to the college for at least one year's teaching after a sabbatic leave or leave of absence.

A leave may be delayed, but only those delayed for institutional reasons will allow for subsequent adjustment of the three-year teaching requirement. The provost and dean of the faculty will consider cases of postponement deemed necessary for the maintenance of the department's offering of courses necessary for the major, or for the performance of pressing extra-departmental teaching or other duties, as eligible for such scheduling compensation, provided that the rescheduling fits with the department's longer range schedule of leave rotation, and that it does not entail a replacement appointment.

Sabbatic leaves and one- or two-semester leaves of absence without pay will be counted as years in rank toward promotion. (However, a leave of absence without pay will not be counted toward eligibility for future sabbaticals.)

Leave policy is generally the same for tenure-track as for tenured faculty. However, an untenured faculty member who takes a one or two semester leave (at 100 percent salary) after three years of teaching will still be eligible for a full year sabbatical (at 80 percent salary) after three more years of continuous teaching and after a positive tenure decision, i.e., in his or her eighth year. Leaves (sabbatic and leaves of absence) taken by untenured faculty in their fourth, fifth, or sixth year will count as service toward tenure. Untenured faculty are eligible for only one sabbatic leave.

During sabbatic leaves, a department may seek a replacement for the teaching of one or more courses on a Five-College borrowing basis, and during a leave of absence without pay of a year or more, a department may request a replacement on a terminal contract, but such replacements will not be automatic.

Extended leaves of absence for not more than three years may be granted at the discretion of the president after consultation with the department concerned and the Faculty Executive Committee. The purpose of granting such extended leaves of absence without pay is to allow for research or public service and also to give faculty the opportunity to explore a new career or change in their professional field while keeping open the possibility of a return to a position at Amherst College. Faculty who return after extended leaves of absence must teach for three continuous years before being eligible for sabbatic leave or additional leave of absence. Extended leaves of absence do not count as years in rank toward promotion.

Changes and cancellations in all leaves require formal approval and may not be possible where the college is already committed to alternative arrangements.

2. Fringe Benefits during Sabbatic Leave and Leaves of Absence without Pay

Providing the faculty member agrees to contribute the share of benefit costs normally met by a faculty member, the college will, during a sabbatic leave, continue payment of all fringe benefits ordinarily payable. If requested to do so, the college will also pay such benefits during a leave of absence without

pay of one or two semesters with discretion left to the president, in consultation with the faculty member, to arrange otherwise. During extended leaves without pay, if the temporary employer does not provide fringe benefits similar to the Amherst College program, all, or a portion, of the benefits may, at the discretion of the president, be continued by the college, provided the faculty member agrees to contribute the share of benefits normally met by a faculty member. The faculty member, if he or she rents a college house or apartment, may be required to relinquish it at the beginning of an extended leave. Upon return to Amherst, the faculty member will be eligible to make application for housing under the regular point system. Similarly, office and library space may be reassigned in the case of extended leaves of absence.

For purposes of seniority and housing eligibility, sabbatic leaves or leaves of absence without pay will be counted as years of service.

3. Leaves of Absence

Full-time or part-time members of the faculty are eligible for the following paid leaves of absence. (Medical and parenting leaves may also be covered by the [Family and Medical Leave Act](#), ("FMLA") and the Massachusetts Maternity Leave Act ("MMLA"). Paid leaves under this section will run concurrently with leave to which the faculty member may be entitled under the FMLA or MMLA. See V.C.II.)

a. *Medical.* A full- or part-time member of the faculty with an appointment to the faculty of at least a one-year term will be eligible for up to six months of paid leave to recuperate from illness or recover from short-term disability. Paid leaves for illness or short-term disability generally are occasioned by absences of eight weeks or more; loss of time due to illness for shorter periods is usually worked out without formal leave by the department and the administration. The college will require a physician's letter to support a request for medical leave and may require a physician's certification of fitness to return to work. The terms of the leave will be confirmed in writing by the dean of the faculty's office, as are all other leaves of absence. Insofar as the relevant details are known, a stated intention about returning to work and the timing of the return should be given when a leave is requested.

The college recognizes that extended medical leave can interfere substantially with a faculty member's research, scholarship, and/or administrative responsibilities. To address this concern, the college offers faculty members on medical leave of a least eight weeks but less than a full semester the option of taking a one semester leave from their teaching responsibilities, with full compensation, so that they may use the additional time to accomplish their research, scholarship, and/or administrative goals, assuming they are medically able to do so. A request for a semester teaching leave should be made to the provost and dean of the faculty as early as possible. The provost will consult with the department to arrange appropriate coverage for the faculty member's teaching and/or administrative responsibilities during the semester affected by the leave, and the faculty member will work with the dean to identify the research, scholarship, and/or administrative goals to be accomplished during the leave. If the medical leave begins during an academic semester, then the teaching leave may be taken during that same semester. If the medical leave begins during the periods between semesters, then the teaching leave may be taken during the immediately following semester. This semester teaching leave will not affect calculations for sabbaticals or other leave of absence. Tenure-track faculty members may also

choose, at the time this leave is requested, to have the year in which the leave is taken not count toward service for tenure.

To illustrate, if an eligible faculty member is disabled for eight weeks because of pregnancy or childbirth, then the faculty member may request a one semester leave from teaching in accordance with this policy. If the disability begins during a regular academic semester, then the leave is available during that same semester. If the disability begins between semesters, then the leave is available during the following semester. During the semester leave from teaching, the faculty member is expected to perform, as medically permissible, the research, scholarly, and/or administrative duties agreed upon with the dean of faculty. The leave will not affect the faculty member's compensation or eligibility for sabbaticals or other leaves of absence. Tenure-track faculty members may also choose, at the time this leave is requested, to have the year in which the leave is taken not count toward service for tenure.

Long-term disability benefits, as defined by the college's insurance coverage begin for full-time and part-time faculty after six months of disability, as determined by the insurance carrier. If the disability may exceed six months, an application for long-term disability benefits should be made after three months of disability leave. A person receiving long-term disability benefits goes off the college payroll when disability benefits begin; reinstatement to active status depends upon individual circumstances.

b. *Parenting*. A request for a leave due to birth or adoption should be made to the provost and dean of the faculty as early as possible. The provost will work with the department to arrange appropriate coverage for the faculty member's teaching and/or administrative responsibilities during the semester affected by the leave. Parenting leaves are available only for faculty members who hold a tenure-track appointment, a tenured appointment, or a continuing appointment of at least two years. Parenting leaves are available only for the child's primary care giver and must be completed within twelve months of birth or arrival of the child for adoption. If both parents are employed at Amherst College, only one is eligible for a parenting leave. Given the natures and purposes of the leaves, a faculty member who takes a paid medical leave for pregnancy or the birth of a child may not also take a paid parenting leave for that same child. The terms of the leave will be confirmed in writing by the provost and dean of the faculty's office, as are all other leaves of absence. A stated intention about returning to work and the timing of the return should be given when a leave is requested.

Several options are available for parenting leave:

1. The faculty member may elect to continue working according to the terms of his or her appointment and receive his or her regular compensation. In return for this arrangement, it is expected that, under normal circumstances, he or she will return to his or her full-time teaching duties within a reasonable period of time. No special leave is necessary in this case and no adjustments are made to compensation.
2. The faculty member may elect to teach one less course for the semester of leave and receive his or her full compensation.
3. The faculty member may elect to take a leave from teaching for a whole semester during or immediately following birth or adoption, in which case the college will pay 72 percent of that semester's salary. The college will pay its share of the fringe benefits, as it does for a leave of absence, provided the faculty member pays his or her share.

Any semester in which a faculty member teaches at least one course will count as regular teaching time for purposes of sabbatical or leaves of absence eligibility. Parenting leaves under option (3) above will not affect calculations of eligibility for sabbatical or leaves of absence. Tenure-track faculty members may also choose, at the time a parenting leave is requested, to have the year in which the leave is taken not count toward service for tenure.

[Summary of the Basic Provisions of the Faculty Medical Leave and Parenting Leave Policies](#)

4. Leaves of Absence for Family or Pressing Personal Reasons

A leave of absence granted for extraordinary family or pressing personal reasons, not otherwise provided for in paragraph 3, is at the discretion of the President. Such leaves are usually for one semester and are without pay. Arrangements to cover teaching responsibilities should be discussed with the dean. Benefit coverage during such leaves is similar to that of sabbatical leaves. Leaves for longer periods, if granted, are similar to those for a faculty member exploring a new career or a change in a professional field. To the extent applicable, a leave under this paragraph will run concurrently with leave to which the faculty member may be entitled under the FMLA. (See V.C.II.)

5. Trustee Faculty Fellowship

Each year the college awards up to two Trustee Faculty Fellowships (full salary for one year) to untenured members of the Faculty on the basis of a proposal for a Tenure-Track Sabbatical Fellowship. All applicants for Tenure-Track Sabbatical Fellowships will be considered automatically for the Trustee Faculty Fellowship. The competition is open to all tenure-track members of the faculty who are eligible for leave, although preference is given to those who have completed their Ph.D. or equivalent and who have taught for at least two full years at the time of application. The college particularly encourages those who seek to develop a research project different in nature or significantly broader in scope than the dissertation, but Fellowships may be obtained for any project recommended as meritorious by the Faculty Executive Committee. See Tenure-Track Sabbatical Fellowship [Guidelines](#).

6. Miner D. Crary Summer Fellowship

Through the generosity of the family of Miner D. Crary 1897, the College offers a Crary Fellowship every summer. The Crary Fellowship is designed "for a promising young faculty member who, having completed his or her doctoral dissertation, is in need of an opportunity to undertake a new writing or research project." Applicants should email by February 13 a brief proposal, including budget, and a current curriculum vitae to [Marie Fowler](#) in the dean of the faculty's office.

7. Miner D. Crary Sabbatical Fellowship

Crary Sabbatical Fellowships are available to a limited number of untenured faculty members eligible for sabbatic leave and are awarded on the basis of a proposal for a Tenure-Track Sabbatical Fellowship. Fellowships provide support for a second semester's sabbatic leave and bring the level of

support up to 100 percent salary for the year. All applicants for Tenure-Track Sabbatical Fellowships will be considered automatically for the Crary Fellowship. See Tenure-Track Sabbatical Fellowship [Guidelines](#).

8. Class of 1952 Dean Eugene S. Wilson Faculty Development Fellowships for Untenured Faculty Eligible for Sabbatic Leave

These awards provide support for a second semester's sabbatic leave for untenured faculty members eligible for sabbatic leave and bring the level of support up to 100 percent salary for the year. Nomination is made by a department chair, on the basis of a proposal for a Tenure-Track Sabbatical Fellowship. Only one nomination may be made by each department in a given year. A chief criterion for selection will be pedagogical: the extent to which the nominee's proposal will contribute to improved teaching at Amherst. Other criteria are originality, creativity, and scholarship. All applicants for Tenure-Track Sabbatical Fellowships will be considered automatically for the Wilson Fellowship. See Tenure-Track Fellowship [Guidelines](#).

9. Senior Sabbatical Fellowships for Tenured Faculty

Amherst College will award Senior Sabbatical Fellowships to tenured members of the Faculty upon approval by the dean of the faculty in consultation with the Committee of Six of a proposal for a program of research, study, writing, or other creative work to advance his or her professional growth and effectiveness as a scholar and teacher. The fellowship consists of the sum necessary to raise sabbatical salary support from 80 percent to 100 percent for one semester of leave after six semesters of service or two semesters of leave after twelve semesters of service. [Guidelines](#) [Previous Senior Sabbatical Fellowship Awards](#)

10. External Fellowships and Grants

Information about externally funded fellowship and grant opportunities for faculty members are regularly received by the Provost's Office, the Office of Alumni Relations and Development and the Amherst College Library. Every effort is made to keep a complete, current set of these materials in those locations. Faculty are encouraged to consult these materials regularly and to review the "home page" of the Foundation and Corporate Support Office. Faculty who may be eligible for NIH support are particularly encouraged to apply for it as the total of such grants to an institution affects eligibility for other programs.

11. Institutional Support for Faculty Research

Full details of application procedures for the programs described below will be provided to the faculty at the beginning of each academic year.

a. *Amherst College Faculty Research Award Program (FRAP)*. The Board of Trustees and the administration of Amherst College recognize the importance of encouraging research activities of all regular full- and part-time, tenured and tenure-track Amherst College faculty members. A college

committee on research awards has been established and assigned responsibility for the development and administration of the award program. Funds for research are available to all full- and part-time members of the faculty, either tenured or tenure-track, not on visiting appointments. Faculty members on sabbatical leave or leaves of absence for research reasons may apply for and receive awards. Members of the research awards committee may not apply for awards during their term of service, but do retain their entitlement to funds previously awarded.

Applications from faculty members in the performing and creative arts are encouraged and will be treated commensurable with applications from other disciplines. Research on curriculum development and the improvement of teaching is not eligible for funding by this program. An individual may not submit more than one application at a time.

To be eligible, the proposal must involve original research or creative activities by the principal investigator rather than solely providing support for the creation or maintenance of institutional facilities or research materials. Grants will not be awarded to support research to be performed in connection with fulfillment of degree requirements. There will usually be two rounds of competition each year. Applications for a research award must be received by the Office of the Dean of the Faculty no later than October 1 for the first round and January 15 for the second. It is the responsibility of the applicant to see that the dean of the faculty's office receives the application and all supporting material by the deadline. For those projects receiving awards, the actual size of the award may differ from the amount requested in light of other demands on available funds and the project's requirements as evaluated in the review process. Awards will be announced for the first round on or about January 15 and for the second on or about April 15, pending availability of funds. The sums awarded are subject to modification in light of other funding received for the project. The grant period will be eighteen months. A six-month extension period may be granted upon application if more time is needed to complete the project. All decisions on awards will be final.

Research applications will be judged on the scholarly merit of the proposed research and on the ability of the applicant to perform the proposed research successfully. Some of the factors which will be considered are: significance of the proposed work in relation to its contribution to the field; the extent to which the proposal reflects a well-conceived research design with reasonable promise of successful execution; evidence of scholarly promise and productivity; demonstrated familiarity with the literature in the field; and, sufficiency of other funding received by the applicant. When considering previous research accomplishments, the committee will take into account the fact that untenured faculty are often unable to present an extensive record of publication.

Applications in the creative and performing arts will be judged on the basis of merit and in accordance with the criteria appropriate for those areas. [Faculty Research Award Program Guidelines](#)

b. *Small Grants for Faculty Research.* Small grants in support of faculty research may be obtained on an annual basis (when funds are sufficient) from the dean of the faculty, to whom application should be made.

c. *Library Support for Faculty Research.* The director of the library is always happy to discuss faculty members' needs for library and research support. New faculty are especially encouraged to meet with the director of the library to discuss their needs.

d. *Support for Professional Travel.* The college provides funds to aid Faculty with professional travel. The college will reimburse faculty members (or, if requested, provide an advance) up to a maximum total announced each year for reasonable and documented professional expenses for registration, accommodations, meals, and transportation by the least expensive practical means. Requests for reimbursement should be sent to the Office of the Controller, which makes forms available for this purpose

Part-time members of the faculty are eligible for grants.

I. Termination, Dismissal, and Grievance

1. Termination

The connection with the College of faculty members appointed for specified terms shall automatically cease at the end of the term specified, unless they are reappointed. A member of the Faculty holding a term appointment or an appointment without term may be relieved of his or her appointment at any time by the Board of Trustees only for adequate cause or under extraordinary circumstances because of financial exigencies, the appointment of a faculty member with tenure can be terminated only for those reasons consistent with the definition of tenure.

2. Dismissal, suspension, demotion in rank, or deprivation of pay for cause (Voted by the Faculty May 1995).

a. *Adequate Cause.* Since the fundamental purpose of academic tenure is to preserve academic freedom, only the most serious violations of a faculty member's responsibilities as teacher, scholar, and colleague, especially the flagrant interference with the efforts of colleagues and students to exercise their rights of free inquiry and expression, can be considered adequate cause for dismissal, suspension, demotion in rank, or deprivation of pay.

A crime against the larger society is punishable according to the laws of the state and should not be cause for these severe sanctions unless such incrimination prevents the fulfillment of teaching obligations or otherwise seriously impairs the possibility of establishing classroom relations that are free of extraordinary constraint.

Any charge that might, for cause, lead to dismissal, suspension, demotion in rank, or deprivation of pay is a matter of utmost gravity, not only for the complainant and the faculty member being charged, but also the the College, and the decision to press charges must be weighed with a careful regard for the academic freedom of all parties directly concerned. The Amherst College Chapter of the American Association of University Professors may intervene in favor of the withdrawal of charges if it deems it likely that such proceedings might lead to an even greater impairment of academic freedom than the actions which led to the pressing of charges.

b. *Procedure.* Proceedings seeking, for cause, the dismissal, suspension from service for a stated period, demotion in rank, or deprivation of pay of a faculty member who has tenure or whose term appointment has not expired shall be initiated and prosecuted by the Dean of the Faculty (or the President who shall assume the responsibilities of the Dean as hereafter described if the Dean is directly involved or incapacitated for any reason).

(1) Such procedure must be preceded by discussions between the faculty member and the Dean looking toward a mutual settlement, and by an informal inquiry by the Committee on Adjudication which may, failing to effect an informal resolution, recommend whether in its opinion such a proceeding should go forward, without its opinion being binding upon the Dean.

(2) The faculty member charged will be provided with a formal communication prepared by the Dean setting forth the charges with reasonable particularity, and advising him or her of the rights enumerated below.

(3) Within fifteen days after the charges have been communicated to the faculty member charged, a Hearing Board shall be formed consisting of three faculty selected by the Faculty Executive Committee from among the Faculty elected to the Committee on Adjudication; the Hearing Board will select its own chair.

(4) A member of the Hearing Board may be disqualified for bias or a conflict of interest in response to a challenge brought by one of the parties (or may deem himself or herself disqualified for either of the same reasons); in addition, the faculty member charged and the Dean will each have one challenge without stated cause. The Chair of the Committee on Adjudication shall decide any such challenge, and the Faculty Executive Committee will appoint replacements for each member so excused from among the faculty members of the Committee on Adjudication. Prior acquaintance or knowledge of the facts of the matter does not, necessarily, constitute a conflict in interest absent a showing of an actual conflict of interest.

(5) Service of notice of the commencement of the hearing shall be made at least twenty days prior thereto, or a reasonable period in which to prepare a defense, whichever is greater. The faculty member charged may waive a hearing, with or without making a written response to the charges, in which case the Hearing Board will base its decision upon the record available to it.

(6) The Hearing Board may, with the consent of the parties concerned, hold joint pre-hearing meetings with them in order to (i) simplify the issues, (ii) effect stipulations of facts, (iii) provide for the exchange of documentary or other information, and (iv) achieve such other objectives as will make the hearing more fair, effective and expeditious.

(7) The Hearing Board, after consultation with the Dean of the Faculty and with the faculty member charged, will determine whether the hearing should be private or public.

(8) During the proceedings, the faculty member and the Dean will have the right to be represented by legal counsel of their choosing, and the faculty member will have the right to have an academic advisor of his or her choice; the right of the faculty member to legal counsel and an academic advisor does not

obligate the College to bear the expense of either. Legal counsel, but not academic advisors, shall have the right to address the Hearing Board and to examine witnesses.

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

(10) The burden of proof that adequate cause exists for the imposition of the penalties imposed rests with the Dean and will be satisfied only by a clear and convincing evidence in the record as a whole.

(11) The Hearing Board will grant reasonable adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.

(12) The faculty member will be afforded an opportunity to present witnesses and other evidence relevant to his or her defense.

(13) The faculty member and the Dean will have the right to confront and cross-examine all witnesses.

(14) In considering charges of incompetence, the testimony will include that of qualified faculty members from the College or other institutions of higher education.

(15) The Hearing Board will not be bound by strict rules of legal evidence, and, in determining the issues involved, may admit any evidence which is of a probative value not outweighed by unfair prejudice. The Hearing Board will also have final responsibility for establishing the procedures for obtaining witnesses and evidence which will protect the personal rights and dignity of all those who might be asked to provide the same as well as of the parties to the most reliable evidence available.

(16) The findings of fact and its recommendations will be based solely on the hearing record.

Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or the Dean will be avoided so far as possible until the proceedings have been completed, including consideration by the Trustees.

After all parties have been heard and all of the relevant evidence has been gathered, the Hearing Board will make explicit findings with respect to the charges and its recommendation, if any, for an appropriate sanction, including but not limited to dismissal, suspension from service for a stated period, demotion in rank, or deprivation of pay. Unanimous agreement of all members of the Hearing Board is required for the recommendation of dismissal, suspension from service for a stated period, demotion in rank, or deprivation of pay; the concurrence of a majority of the members is required for all other findings and recommendations. Any member of the Hearing Board who disagrees with the majority must make his or her own explicit findings and recommendations. The Dean and the faculty member will be notified in writing of the Hearing Board's findings and recommendations (and those of any minority member), and each will be given a copy of the transcript of the proceedings on which the Hearing Board's recommendation for a penalty is based.

The President shall transmit to the Board of Trustees the full report of the Hearing Board (and any minority report), stating its recommendations. Normally the Board of Trustees will decide the case on the basis of the Hearing Board's recommendation. If the Board of Trustees chooses to review the case, its review shall be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The recommendation of the Hearing Board shall either be sustained or returned to the Hearing Board with objections specified. In the latter case the Hearing Board shall reconsider its recommendation, taking account of the stated objections and receiving new evidence if necessary. The Hearing Board shall form its decision and communicate it in the manner as before. Only after study of the Hearing Board's reconsideration may the Trustees make a final decision over-ruling the Hearing Board.

A faculty member facing charges that might lead to dismissal, suspension, demotion in rank, or deprivation of pay should not be suspended by the President of the College during the proceedings involving him or her unless immediate harm to the rights of others is threatened by continued exercise of his or her teaching duties. Furthermore, a faculty member facing charges should have the right to request a leave from teaching duties, which ordinarily will be granted, in order to prepare his or her defense. However it originates, a suspension during the hearing proceedings shall be with pay.

3. Grievance Procedures for Members of the Faculty (Voted by the Faculty, October 1986)

Committed to the ideal of resolving grievances collegially, Amherst College makes no attempt to codify a distinction between grievances that might require a formal hearing and lesser disputes or disappointments that should be resolved informally. In every case, it is expected that an informal resolution will be attempted, typically beginning with a frank and open discussion with the appropriate person or persons, whether that be a faculty colleague or a member of the Administration.

a. *Petition of Grievance.* At Amherst there are numerous persons who may be expected to play a role in settling controversies or resolving disputes before they become grievances, among them, the President, the Dean of the Faculty, the Special Assistant to the President for Diversity; and the Chairs of the several departments. Moreover, any member may consult the ombudsperson on any matter of concern or complaint.

A member of the faculty who has been unable to achieve by informal means what he or she regards as a fair and reasonable resolution of a complaint may file a petition of grievance with the Chair of the Committee on Adjudication.

The filing of a petition of grievance does not automatically entail that the full case or any particular part will be submitted to a Hearing Board for formal hearing. In every case, the Committee on Adjudication shall, by reference to the petition alone, determine whether any of the allegations, if substantiated, would warrant or require any remedial action or relief and, if so, whether the petitioner has cited credible evidence in support of his or her allegations or complaint. The complainant's petition should be sufficiently specific and extensive to inform the Committee on Adjudication adequately on these points. A petition deemed by the Committee on Adjudication not to warrant a formal hearing shall not be heard. The committee may also decide not to hear a petition that is premature or unduly late. The decision not to hear a case shall be communicated in writing to the President of the College and to the immediate parties to the case. The Committee on Adjudication may request clarification or

additional information or evidence before ruling on the sufficiency of a petition, but this decision, whether affirmative or negative shall be final and unreviewable.

b. *The Committee on Adjudication and Hearing Boards.*

(1) *The Committee on Adjudication* (Selection, term of office, and function). The Committee on Adjudication consists of eight members of the faculty, serving three year terms, staggered to ensure continuity. Nominations are made by the Faculty Executive Committee, but additional nominations may be made from the floor during the faculty meeting at which the members of this Committee are elected by a majority of those present and voting. The Committee on Adjudication annually chooses its own chair.

Upon receipt of a petition of grievance, the entire Committee of Adjudication shall determine whether the petition merits a formal hearing, though Committee members who have a substantial or conflicting interest in the case shall neither vote on this question nor serve on the Hearing Board should one be named. Where it is determined that a petition should be heard, the Committee on Adjudication shall name three of its members to a Hearing Board to hear the case. In special circumstances, particularly where considerations of caseload or conflict of interest are involved, the Committee on Adjudication may make substitute appointments to a Hearing Board from the Faculty at large. Each Hearing Board shall choose its own chair.

(2) *General Procedures of the Hearing Boards.* Every effort shall be made to conclude hearings in a timely manner. Proceedings shall not be governed by strict rules of evidence. Parties shall be allowed a reasonable period to prepare and state their case and to present evidence and testimony, subject to the authority of the Chair to bar testimony that is dilatory or not germane to the case. Parties named in a complaint shall have a reasonable opportunity to respond to all charges brought against them. Any party to a grievance hearing may be accompanied by a colleague from the Amherst Faculty or administration as an advisor, but participation in such proceedings is restricted to the parties, witnesses, and members of the Hearing Board, subject to exceptions explicitly authorized by the Chair. To protect confidentiality and to promote free and open discussion, hearings shall be closed unless the parties agree in writing to some other arrangement, subject to approval by the Chair. The Board is authorized to request the appearance and testimony of any member of the Amherst community. Though the Board has no power to compel compliance, it is expected that any such request will be honored.

Where the subject of a complaint is some official or institutional (including departmental or committee) finding, decision, recommendation or action, the Hearing Board's review is limited to determining whether that body was authorized to act on the matter in question, whether it acted in accordance with procedures of the College and only after due consideration, and whether the decisions, recommendation or action was consonant with the acknowledged requirements of academic freedom or other substantial rights of the complainant. In no such case shall a Hearing Board enter into an assessment of the substantive merits of the finding, decision, recommendation or action complained of, and a finding of error shall result only in a recommendation to retract or reconsider the offending outcome. Where the Board discovers only harmless error it need not recommend any remedial action. At the conclusion of a case, the Hearing Board shall prepare a written summary of what it judges to be the central issues involved and a statement of its recommendations. This document shall be sent to the

President of the College and to all of the principal parties to the case, modified as necessary to protect confidentiality or to reflect the varying ways in which parties may have been involved in the case. The President shall receive a complete statement of the Board's summary and recommendations.

The President shall respond in a timely manner to the Hearing Board's recommendations, informing the Board and all of the principal parties to the case of his or her intended actions, if any.

Where the President is named as a party to a case that has been heard by a Hearing Board, that Board shall transmit its summary and recommendations to the Board of Trustees, whose actions shall be final.

(3) *Access to Information.* Almost every grievance whether addressed informally or formally, presents a tension between a complainant's right to know and the institution's need to protect the confidentiality of certain information and deliberations. Blanket provisions flatly favoring one side or the other appear to be both unnecessary and ill-advised. Rather, questions of access should be resolved by attending to the conflicting interests in specific cases. As a general rule, however, a complainant has no right to the confidential communications of colleagues whether as individuals or as members of a department or a College committee. On the other hand, if a Hearing Board is to make an informed decision and recommendation in a disputed matter, it must have access to all pertinent information including, for example, a department's minutes or other records in connection with a disputed reappointment or tenure recommendation, and where germane, the confidential minutes of the Tenure and Promotion Committee. Where the Hearing Board, as a result of its greater access to confidential information, discovers grounds for remedial action that may not appear in the complainant's petition, the Board shall make findings and recommendations that appropriately take into account those discoveries.

4. Resolution of Student Grievances with Members of the Faculty (Voted by the Faculty, May 1995)

a. *Informal Resolution.* Student grievances against members of the faculty can be resolved through informal or formal procedures. Students are encouraged to seek informal means of resolving grievances and are urged to consult with other persons who would be able to provide competent advice or referral concerning the issues involved. Such persons might include one of the Deans of Students, the Special Assistant to the President for Diversity, a member of the faculty (sometimes, especially, the student's faculty advisor or the chairperson of the student's major department), or a resident counselor.

If a student decides that there are no grounds for submitting formal charges, or if he or she is encouraged to resolve the matter through informal means, with the consultation and assistance of such persons as those listed above. The pursuit of such informal resolution does not prevent the aggrieved student from submitting formal charges at a later date if informal resolution fails.

b. *Submitting Formal Charges.* If informal procedures fail to resolve the grievance and if, after consultation with the Dean of the Faculty, the student wants to proceed with the grievance, he or she may submit formal charges against a member of the faculty. The complaint should be directed to the Dean of the Faculty and should contain a full written description of the nature and grounds of the grievance.

Throughout the informal procedures for the resolution of grievances, both the student and the faculty member may each be accompanied and represented by an advisor of his or her choosing from among the Amherst College Faculty, Administration, Staff or student body, and the student may be accompanied and represented by such an advisor in the presentation of formal charges to the Dean.

Upon receipt of such charges, the Dean of the Faculty will provide written copies to all of the parties against whom the complaint is directed. Within one week of receiving a formal charge, the Dean of the Faculty will proceed as follows:

If the Dean deems the charges insufficiently serious or insufficiently supported by evidence to warrant a formal hearing, he or she decides the matter himself or herself. This decision can be appealed to the President.

If the Dean determines that the charges, if proven, are sufficiently serious that, for cause, the imposition of either dismissal, suspension from service for a stated period, demotion in rank, or deprivation of pay would be warranted, he or she shall immediately initiate the procedure for the imposition of such sanctions as provided in Section III.I.2.

If the Dean deems the charges insufficiently serious to raise the possibility of such severe sanctions, but sufficiently supported by evidence to warrant a formal hearing, he or she shall explore with the aggrieved student and the accused member of the faculty the possibility of resolving their dispute through an alternative dispute resolution procedure, including arbitration by the Dean, which procedure, however, must include an explicit time schedule, may not result in the dismissal, suspension from service, demotion in rank, or deprivation of pay of the faculty member charged, and may not provide for further review thereafter. The parties shall have one week in which to agree on such a procedure. If they do not, the Dean will notify the Chairs of the Committee on Adjudication and the Committee on Discipline of the necessity of forming a Hearing Board within five days thereafter. Immediately upon the formation of the Hearing Board, the Dean will forward the grievance to it.

In order to protect the integrity of a potential appeal, one formal charges are submitted to the Dean of the Faculty, he or she must not discuss the case with the President.

In the case of a complaint against the Dean of the Faculty, his or her role in all phases of the grievance procedure will be assumed by the President. Similarly, the President's role as the officer to whom appeals are directed will be assumed by the Board of Trustees.

c. The Hearing Board and Hearing. The Hearing Board shall be composed of three faculty members chosen by the Chair of the Committee on Adjudication from among its members, and two students selected by the Committee on Discipline from among its members. The Chair of the Committee on Adjudication will normally not sit on a Hearing Board in order to be available to serve on appeals should they arise.

Each Hearing Board will elect its own Chair. The Chair of the Hearing Board will preside over the hearing, maintaining good order and recognizing who is to speak. He or she will be responsible for keeping a summary record of the proceeding. A verbatim transcript may be taken at the discretion of

the Chair, and will be taken if requested by a member of the Hearing Board or by either party to the dispute.

A faculty or student member of the Hearing Board may be disqualified for bias or a conflict of interest in response to a challenge brought by one of the parties (or may deem himself or herself disqualified for either of the same reasons). The Chair of the Committee on Adjudication shall decide any such challenge to a faculty member and shall appoint a replacement from among the members of that Committee or, in exceptional cases where no alternative member is available, the Faculty Executive Committee will appoint a substitute from the Faculty at large. The Chair of the Committee on Discipline shall decide any such challenge to a student member and shall appoint a replacement from among the student members of that Committee, or, in exceptional circumstances, where no alternative member of the Committee is available, the College Council will appoint a substitute from the student body at large.

The Hearing Board shall have the right to request information concerning allegations, to question witnesses and to ask for written accounts of alleged violations. It is expected that both the complainant and the accused will be present at the hearing, but if the accused chooses not to attend, the hearing may continue in his or her absence. The Board may consider any testimony or other evidence it believes has a probative value not outweighed by unfair prejudice, except 1) any written or oral statement made by any member of the College community in confidence to an official of the College, with the mutual understanding that it was made in confidence, shall remain confidential if the original maker of the statement so chooses, and the Board shall not consider it, and 2) the Board shall not have access to the confidential personnel file of the faculty member against whom charges have been made. The Board has the right to call witnesses and to oblige any member of the College community to appear. The burden of proof rests with the complainant and will be satisfied only by clear and convincing evidence in the record as a whole.

The Dean of the Faculty will present the formal charges to the Hearing Board, thereby initiating formal proceedings which will normally begin within three weeks of the formation of the Hearing Board.

All hearings of the Board will be confidential except when both parties to the dispute request open hearings and the Chair of the Hearing Board concurs. All members of the College community are reminded that, except in the case of an open hearing, any breach of confidentiality may threaten the fairness of the process. All parties are expected to refrain from any action, intentional or inadvertent, which might threaten the confidentiality of the proceedings. The Chair may close an open hearing at any time if he or she determines that the presence of spectators interferes with the conduct of the hearing or might undermine the integrity of the process.

Prior to the hearing, the Chair will inform both parties of the following rights:

(1) to receive a copy of the formal charges, a copy of the Hearing Board's procedures and notice of the time and location of the hearing. This information must be delivered at least fifteen days prior to the date of the hearing.

(2) to present their case to the Hearing Board at the earliest possible date consonant with the right to advance notice. Although the Chair will insure expeditious progress of the proceedings, either party may petition the Chair for more time to prepare his or her case.

(3) to select a member of the Amherst College Faculty, Administration, Staff or student body as an advisor and to have that advisor present during the hearing. Advisors may assist the parties in preparing the case. Advisors are present at the hearing not to serve as legal council, but to support and advise the parties. Advisors have the right, however, to address the Hearing Board and to address questions to witnesses.

(4) to challenge any member of the Hearing Board with bias or a conflict of interest in the case. (prior acquaintance or knowledge of the facts of the matter does not, necessarily, constitute conflict of interest absent a showing of an actual conflict of interest.) The Chair of the Committee of Adjudication will rule on the challenge of any faculty member of the Hearing Board, and the Chair of the Committee on Discipline will rule on the challenge of any student member.

(5) to have any decision based solely upon evidence introduced at the formal hearing.

(6) to present evidence; to call, hear and question witnesses; and to review and question all written testimony or documents. The Board will not consider anonymous statements made on either side of the case. All parties must be aware of the specific source and content of all testimony.

(7) to appeal the decision of the Hearing Board under procedures described in section vi below. Normally, hearings will be concluded within two weeks.

d. *The Finding.* The Hearing Board will reach a determination as to guilt or innocence, and, if the former, a recommendation for an appropriate course of action to remedy the harm done to the complainant and to protect other members of the College community, including a recommendation, if necessary, of any disciplinary action to be taken against the faculty member, within one week of the close of the formal hearing. The Hearing Board may not itself, however, recommend the imposition of dismissal, suspension from service, demotion in rank, or deprivation of pay, but may recommend that the Dean of the Faculty initiate the procedure established for that purpose. A determination of guilt requires a majority vote of the Hearing Board. The Hearing Board will prepare a written report summarizing the evidence, its determination of guilt or innocence, and its recommendation for a disposition. Any member of the Hearing Board who disagrees with the majority opinion must file an accompanying written minority report. The report and minority report(s) must be signed.

The report(s) will be directed to the Dean of the Faculty who will forward copies directly to the parties.

The finding may be appealed by either party in accordance with procedures specified below.

e. *The Disposition.* If the Hearing Board recommends that the Dean of the Faculty initiate the procedure for dismissal, suspension from service, demotion in rank, or deprivation of pay for cause provided in section III.I. of the Faculty Handbook, the Dean of the Faculty shall do so as soon as practicable, and there shall be no other review of this disposition other than the initiation of such

proceedings and the review provided therefrom. Such subsequent proceedings shall be conducted *de novo* without regard to the procedure of the Hearing Board described above.

In all other cases, the Dean shall review the Hearing Board's finding(s), report, and recommendations (if any), and whatever relevant information may be contained in the faculty member's confidential personnel file, normally within one week of receipt of such finding(s), report, and recommendations. The Dean may implement a disposition of the case different from that recommended by the Hearing Board (but not dismissal, suspension, demotion in rank, or deprivation of salary) only after notifying it of his or her intention to do so, providing written reasons for the same, and providing the Hearing Board an opportunity to reply. Both parties will be informed in writing of the Dean's determination.

f. Appeals. Either party to the original grievance can appeal the determination of the Hearing Board or of the Dean to an Appeal Board. Such an appeal may be made only on the grounds that one or more of the findings are not supported by the evidence, that substantial new evidence has been uncovered subsequent to the hearing, or that the Hearing Board or the Dean has committed specified procedural errors.

The notice of appeal must specify in writing the grounds on which the appeal is being made and must be presented within fifteen days of receipt of the Dean's determination.

Notice of appeal will be directed to the Chair of the Committee of Adjudication who will convene and chair the Appeal Board. The remainder of the Board will be composed of one faculty member selected by the Chair of the Committee on Adjudication from among its members, and one student member chosen by the Chair of the Committee on Discipline from among its members. None of the members of the Appeal Board shall have served on the Hearing Board for the case under consideration. Any member (including the Chair) of the Appeal Board may disqualify himself or herself, or be disqualified upon a challenge by any party for any of the reasons for which a member of the Hearing Board may be disqualified. Such a challenge to a member of the Appeal Board shall be decided and he or she will be replaced by the procedures outlined above for Hearing Board members, except that, if the chair of the Appeal Board is challenged, the Faculty Executive Committee will rule on the challenge and appoint a substitute if necessary.

All three members of the Appeal Board vote and a majority decides all questions. If a member of the Appeal Board disagrees with the majority choice of one of the actions listed below, he or she must file an accompanying written minority recommendation. All reports must be signed. These reports will be directed to the Dean of the Faculty.

The Appeal Board considers an appeal on the basis of the notice of appeal and the summary record or verbatim transcript of the hearing. After reviewing these materials, it may determine that it needs to hold additional hearings, question and otherwise take testimony from the parties and the Dean, and solicit such additional information as it deems necessary for a thorough review. After such review, the Appeal Board will take one of the following actions:

(1) Inform the Dean that the Appeal Board upholds the decisions of the Hearing Board and the Dean.

- (2) Inform the Dean that one or more of the findings are not supported by the evidence and the Dean and/or the Hearing Board is to reconsider the recommended disposition, or the charge is to be dropped.
- (3) Inform the Dean that the Hearing Board has made one or more specified procedural errors or that new evidence has been uncovered, which requires that the Hearing Board undertake a new hearing.
- (4) Inform the Dean that he or she has made one or more specified procedural errors, which require(s) reconsideration by the Dean.

Whatever its action, the Appeal Board shall prepare a written report which will be sent to the parties.

g. Records. When the final disposition of a case results in a finding that a member of the faculty is guilty of a violation, that finding together with the determination of penalty shall be placed in the member's employment file.

When the final disposition of the case results in a finding that the accused is not guilty of a violation, all references to the case will be removed from the accused's employment file.

A permanent file, with the names of all parties and witnesses removed, will be maintained for each case which reaches the formal stage, regardless of its outcome. This file will be kept in the Office of the Dean of the Faculty and will include all summary records, Board findings and penalties imposed. This file will be available to any future Hearing Board for the purpose of researching precedents and to any committee of the College charged with revising the policies concerning the resolution of student grievances with members of the faculty.

The verbatim transcript, if taken, will remain in the confidential files of the Dean of the Faculty until such time as all appeals and civil or criminal cases which may result from the original complaint are settled. It shall then be destroyed.

h. Miscellaneous. None of the foregoing in any way limits rights, responsibilities and procedures described in other College documents, nor does it in any way alter the power and responsibilities of the Dean of the Faculty and the President to enforce the extant rules and regulations of the College.

5. Resolution of Faculty Grievances with Students

a. Bringing a Complaint/Being Complained of. Anyone at Amherst College, or at one of the constituent institutions of the Five Colleges, may bring a complaint against a student for allegedly violating the Code of Conduct. All complaints should be made to the Dean who administers the Code of Conduct. He or she will write out a brief form of complaint which must be initialed by the complainant to signify his or her assent to the validity of the written account. The Dean who administers the Code is then responsible for investigating the complaint and for deciding, within ten days, its appropriate disposition. The Dean who administers the Code will interview both the complainant and the accused student, as well as any other witness whose testimony might be useful in deciding the case. After this investigation is complete, the Dean who administers the Code may reach any of the following conclusions:

- (1) There is no basis for the complaint, and accordingly it should be dismissed.
- (2) There is no substantial dispute on the facts of the case, but the act or acts the student committed do not constitute an offense under the Code of Conduct.
- (3) There is not substantial dispute on the facts of the case; and, it is agreed that the facts of the case warrant a finding that the accused student has committed an infraction of the Code of Conduct; and, the potential penalty if the accused student is found guilty is one term's suspension or less. In this instance, the Dean who administers the Code will decide the penalty, make record of it, and see to its enforcement.
- (4) There is substantial dispute between the two parties on the facts of the case, so the case must be brought to the Committee on Discipline for adjudication.
- (5) Whether or not there is substantial dispute on the facts of the case, the offense is of sufficient seriousness so that it might warrant a penalty greater than one term's suspension. In this instance, the case must also be brought to the Committee on Discipline for adjudication.
- (6) For any complaint, the Dean who administers the Code may decide that there are special circumstances which require that the case will be heard by the Committee on Discipline.

Normally cases that must go before the committee should do so within ten days of the initial complaint.

The Dean administering the Code of Conduct may also bring complaints on his or her own in response to information received from individuals or from the reports of the College Security Office, but never based on anonymous complaints or evidence.

b. The Committee on Discipline. The Dean who administers the Code of Conduct is responsible for gathering all evidence to be presented to the committee. He or she may interview witnesses, ask for written accounts of events that allegedly occurred, and otherwise take appropriate steps to gather reliable and truthful accounts of the situation. Complete details of the composition and functions of the Committee on Discipline are published annually in the *Student Handbook*. Faculty wishing to bring a complaint against a student should consult the current *Student Handbook*.

IV. Faculty Responsibilities, Regulations, Meetings, and Committees

Introduction

The College values faculty members who demonstrate a commitment to the life of the mind and concerned involvement in the general life of the College. Over the years, the Faculty has adopted several statements that are deemed to govern different areas of college life. Together, these statements,

which appear below and are published annually in the Catalog and *Student Handbook*, also form the College Honor Code.

A. Academic Regulations | Amherst College

1. Statement of Intellectual Responsibility (Voted by the Faculty 1966; amended April 1987)

Every person's education is the product of his or her intellectual effort and participation in a process of critical exchange. Amherst cannot educate those who are unwilling to submit their own work and ideas to critical assessment. Nor can it tolerate those who interfere with the participation of others in the critical process. Therefore, the College considers it a violation of the requirements of intellectual responsibility to submit work that is not one's own or otherwise to subvert the conditions under which academic work is performed by oneself or by others.

Article 1. Student Responsibility

Section 1. In undertaking studies at Amherst College, every student agrees to abide by the above statement. *Section 2.* Students shall receive a copy of the Statement of Intellectual Responsibility with their initial course schedule at the beginning of each semester. It is the responsibility of each student to read and understand this statement and to inquire as to its implications in his or her specific course.

Section 3. Orderly and honorable conduct of examinations is the individual and collective responsibility of the students concerned in accordance with the above Statement and Article 2, Section 3, below.

Article 2. Faculty Responsibility

Section 1. Promotion of the aims of the Statement of Intellectual Responsibility is a general responsibility of the Faculty. *Section 2.* Every member of the Faculty has a specific responsibility to explain the implications of the statement for each of his or her courses, including a specification of the conditions under which academic work in those courses is to be performed. At the beginning of each semester members of the Faculty will receive with their initial class lists a copy of the Statement of Intellectual Responsibility and a reminder of the duty to explain its implications in each course. *Section 3.* Examinations shall not be proctored unless an instructor judges that the integrity of the assessment process is clearly threatened. An instructor may be present at examinations at appropriate times to answer questions.

2. Statement on Freedom of Expression and Dissent (Voted by the Faculty 1968)

Amherst College prizes and defends freedom of speech and dissent. It affirms the right of teachers and students to teach and learn, free from coercive force and intimidation and subject only to the constraints of reasoned discourse and peaceful conduct. It also recognizes that such freedom and rights entail responsibility for one's actions. Thus, the College assures and protects the rights of its members to express their views so long as there is neither use nor threat of force nor interference with the rights of others to express their views. The College considers disruption of classes (whether, for example, by the abridgment of free expression in a class or by obstructing access to the place in which the class

normally meets) or of other academic activities to be a serious offense that damages the integrity of an academic institution.

3. Statement on Respect for Persons (Voted by the Faculty, 1969)

Respect for the rights, dignity and integrity of others is essential for the well-being of a community. Actions by any person which do not reflect such respect for others are damaging to each member of the community and hence damaging to Amherst College. Each member of the community should be free from interference, intimidation or disparagement in the work place, the classroom and the social, recreational and residential environment.

Harassment. Amherst College does not condone harassment of any kind, against any group or individual, because of race, religion, ethnic identification, age, handicap, gender or sexual orientation. Such harassment is clearly in conflict with the interests of the College as an educational community and in many cases with provisions of law.

Sexual Harassment. Amherst College is committed to establishing and maintaining an environment free of all forms of harassment. Sexual harassment **breaches the trust** that is expected and required in order for members of an educational community to be free to learn and work. It is a **form of discrimination** because it unjustly deprives a person of equal treatment. Sexual harassment can injure anyone who is subjected to it, regardless of gender or sexual orientation.

The College's policy on sexual harassment is directed towards behavior, and does not purport to regulate beliefs, attitudes, or feelings. It is based on federal and state law, which prohibit certain specific forms of sexual harassment; on the College's statement on respect for persons, which requires that a person's sex and sexual orientation be treated with respect; and on the following statement on sexual harassment passed by the Faculty on May 23, 1985:

Unwelcome sexual advances, requests for sexual favors and other unwelcome verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic work, or participation in social or extracurricular activities; (2) submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile or demeaning working, academic or social environment.

The College believes that sexual harassment, besides being intrinsically harmful and illegal, also corrupts the integrity of the educational process.

Because it is possible for one person to act unintentionally in a manner that sexually harasses another, it is imperative that all members of the College community understand what kinds of behavior constitute sexual harassment. Hence, we provide here a general description of sexual harassment.

Sexual harassment occurs when one person attempts to coerce another into a sexual relationship, or to punish a refusal to respond to or comply with sexual advances. Attempts to subject a person to unwanted attention of a sexual character, sexual slurs or derogatory language directed at another

person's sexuality or gender also can be forms of sexual harassment. Thus, sexual harassment can include a wide range of behavior, from the actual coercing of sexual relations to the forcing of sexual attentions, verbal or physical, on a non-consenting individual. It is also possible that sexual harassment can occur unintentionally when behavior of a sexual nature has the effect of creating a hostile environment. In some cases, sexual harassment is obvious and may involve an overt action, a threat, or reprisal. In other instances, sexual harassment is subtle and indirect, with a coercive aspect that is unstated.

Sexual harassment also occurs when a position of authority is used to threaten the imposition of penalty or the withholding of benefit unless sexual favors are granted, whether or not the threat is carried out. Sexual harassment, when it exploits the authority the institution gives its employees, or otherwise compromises the boundary between personal and professional roles, is an abuse of the power the College entrusts to them. The potential for sexual harassment exists in any sexual relationship between a student and a member of the faculty, administration or staff. Anyone in a position of authority should thoroughly understand the potential for coercion in sexual relationships between persons who are professionally affiliated. These relationships may involve persons in a position of authority over their colleagues (e.g., Tenured faculty and non-tenured faculty; administrators and staff); or they may involve those who teach, advise or supervise students.

Sexual harassment also takes the form of unwanted attention among peers. Sexual harassment by peers may have the purpose or effect of creating an intimidating, hostile, or demeaning environment. Sexual harassment by peers can occur between strangers, casual acquaintances, hall-mates, and even friends.

Because sexual harassment is a direct violation of the college's "Statement on Respect for Persons," Amherst College will seriously and thoroughly investigate any complaints of sexual harassment and will discipline those found guilty. Any student who believes she or he may be the victim of sexual harassment by a member of the faculty should consult the section on "The Resolution of Student Grievances with Members of the Faculty." Any student who believes she or he may be the victim of sexual harassment by a peer should consult the student grievance procedures in the *Student Handbook*.

Consensual Sexual Relations between Faculty Members and Students

The integrity of the faculty-student relationship is at the core of Amherst College's educational mission. This relationship vests considerable trust in the faculty member, who in turn bears authority and accountability as a mentor, educator, and evaluator. The college prohibits consensual sexual relations between faculty members and students who are enrolled at Amherst College and/or in Amherst College courses. Such relations compromise the integrity of the educational process and may place the student and sometimes the faculty member in a vulnerable position, reduce the instructor's impartiality, and create a disruptive learning environment for all students. Simply having faculty members recuse themselves from supervising, evaluating, advising, or teaching students with whom they had or have consensual sexual relations is not sufficient; doing so deprives those students of educational, advising, and career opportunities and does not address the impacts on other students or other members of the educational community.

Faculty members who have general questions about this policy or concerns about an alleged violation of it may contact the provost and dean of the faculty. Alleged violations of this policy are resolved

using the formal or informal procedures outlined in [Faculty Handbook \(III., I.\)](#). For purposes of this policy, [the definition of faculty in the Faculty Handbook \(II., C.\)](#) applies.

Students who have general questions about this policy or concerns about a past or ongoing relationship may contact the dean of students.**4. Statement of Student Rights (Voted by the Faculty April 1987; amended March 1998)**

Subject to respect for the rights of others, every student enjoys the assurance of the full exercise of those rights expressed in the Honor Code and the preceding three statements, including but not limited to the following specific rights:

The right to engage in the free exchange of ideas.

The right to protest and to dissent in a peaceable manner and to join with others in other nonviolent forms of common action.

The right to complain of injustice and to bring grievances to the appropriate offices of the College without fear of retaliation.

The right to attend functions and to utilize College facilities subject to prescribed rules.

The right to reasonable peace and quiet in residential and academic facilities and to an atmosphere conducive to work and study.

The right to privacy in one's assigned room, subject to compliance with the College's regulations and to the security of one's own property and property furnishing the common and public spaces at the College.

The right, when participating in any aspect of life of the College or traveling among the Five Colleges, to be free from harassment for reasons of one's race, religion, national origin, ethnic identification, age, political affiliation and/or belief, sexual orientation, sex, or physical disability.

B. Teaching and Advising | Amherst College

1. Teaching Load. Amherst tries to keep the teaching load at a level that permits the Faculty to devote considerable time outside of class to students and to scholarly or creative work. Generally, Faculty teach two courses each semester. Departments have historically adapted this norm to their individual circumstances. Faculty are encouraged to teach outside their own departments through participation in interdisciplinary and interdepartmental courses and seminars.

2. Teaching Evaluations of Tenured Faculty Members. On behalf of the faculty, written evaluations will be solicited from students in each course taught by a tenured faculty member. These responses will remain anonymous. Students will not be able to submit a response after they have seen their final grades for the course; faculty members will not be able to see the responses until after final grades have been submitted. An automated system of response solicitation will direct students to an

online evaluation form that offers a default template of questions (periodically reviewed by the Committee on Educational Policy) that will be customizable by each member of the faculty. All student comments will remain confidential, will be at the complete disposal of, and will be accessible only by the faculty member for whom the evaluations have been solicited (voted by the faculty, May 2007; amended, November 2014, effective 2015-2016).

3. Avoidance of Conflict of Interest. Instructors should not teach their own children or other close relatives (such as a spouse or partner, grandchild, parent, guardian, grandparent, sibling, or a spouse, partner, or child of any of the foregoing) in a course for credit at Amherst College. The potential conflict of interest could have negative effects on the student who is a relative of the instructor, as well as on the instructor's relation to the other students in the same course. In the rare instances in which such enrollment is unavoidable, the instructor should discuss the situation with the chair of the department and the dean of the faculty in advance of the course. In no event should parents, guardians, or other relatives be grading their own child's or other relative's work; another instructor should evaluate the work and decide upon the grade (voted by the faculty, December 4, 2018).

4. Advising. All members of the regular Faculty, except first-year faculty, participate in College advising for underclassmen and in advising students majoring in their departments.

5. College Advising. The Dean of New Students assigns all entering students to a member of the Faculty who serves as that student's College advisor for his or her freshman and sophomore years whenever practicable. College advisors are responsible for discussing their advisees' programs of study with them, paying attention to the advising guidelines published annually in the *Catalog*. They are also asked to consult with their advisees' class deans, especially, but not only, if one of their advisees appears to be experiencing academic difficulty. A number of academic support services are available through the Dean of Students Office.

6. Major Advising. All faculty members, except first-year faculty, have the responsibility for advising students majoring in their departments about general curricular matters, matters related to the major and senior honors work.

C. Degree Requirements

Requirements for the Bachelor of Arts Degree

The requirements for an Amherst College degree are set forth annually in the [College Catalog](#). Course requirements and special degree programs are also included in detail.

D. Classroom Attendance | Amherst College

Each member of the Faculty is free to state his or her policy with regard to absences. It is assumed that students will make the most of the educational opportunities available by regularly attending classes

and laboratory periods. A faculty member may take such action as deemed appropriate in the event that a student disregards the announced regulations. Continued or unexplained absences should be reported to the Dean of Students. If students are absent because of illness or family emergencies, they are asked to notify the office of the Dean of Students.

E. Course Scheduling | Amherst College

By faculty vote on April 23, 1968 (amended on December 15, 1987; May 3, 2011; November 18, 2014), courses may be scheduled according to the following pattern:

1. Monday-Wednesday-Friday: Fifty-minute classes may be scheduled on the hour: 9:00, 10:00, 11:00, 12:00, 1:00, 2:00, and 3:00. A 9:00 class may start anytime between 8:30 and 9:00. Eighty-minute classes may be scheduled at 8:30, 12:30, and 2:00 on Monday-Wednesday, Wednesday-Friday, and Monday-Friday. A 2:00 class may start anytime between 2:00 and 3:00 (amended by the faculty, November 18, 2014).

Longer classes of up to 110 minutes may be scheduled at 8:00 or at 2:00 or 2:30. Classes of two hours may be scheduled at 2:00 or 2:30. Laboratories, studios, and class meetings of longer than two hours may be scheduled at 2:00. On Fridays, any class longer than eighty minutes may begin as early as noon (amended by the faculty, May 3, 2011).

2. Tuesday-Thursday: Fifty-minute classes may be scheduled as follows: 9:00, 10:00, 11:30, 1:30, 2:30, and 3:30. The following alternative start times are acceptable: a 9:00 course may start at any time between 8:30 and 9:00; an 11:30 course may start between 11:30 and 12:00; and a 1:30 course may start between 1:00 and 1:30. Eighty-minute classes may be scheduled as follows: 8:30, 10:00, 11:30, 1:00, 2:30.

Classes and laboratories of more than eighty minutes may be scheduled as follows: starting at 8:00 or later, and finishing by 11:20. Two-hour meetings may start at 2:30. Meetings longer than two hours may start at 1:00 or 2:30 (amended by the faculty, May 3, 2011).

3. Classes may be scheduled at times other than those provided above by permission of the dean of the faculty. The dean should consider whether the course time creates new scheduling conflicts for students and whether alternatives to that course are available. (Classes that meet at least two times a week create new conflicts if the requested meeting times are split across distinct time slots, for example a class that meets Monday and Thursday morning or a class that splits between standard and nonstandard times.) Requests that create significant scheduling problems, and for which no alternative sections exist, should be turned down. As much as possible, classes should avoid unnecessary conflicts with courses in regular blocks. Classes scheduled to start after 4:30 should, in general, be second (or higher) sections of multi-section courses, so that students have alternatives within the standard schedule (amended by the Faculty, May 3, 2011).

4. If the registrar discovers that there are too many classes and not enough classrooms for a given time slot, he or she should consider the best way to match room capacities, configurations (lecture versus seminar), and technologies to class requirements. Priority may be given to classes scheduled within the

standard schedule over classes scheduled at nonstandard times. If necessary, the registrar may contact departments to suggest alternative times, and/or alternative rooms, for individual courses. The registrar should report to the faculty annually about course scheduling, assessing the college's efforts to balance its schedule and providing information about peak and non-peak times (voted by the faculty, May 3, 2011).

5. Departments have the authority to schedule classes into any regular slots, subject to the availability of classrooms. They should strive to use the possible course times as fully as possible. In general, they should avoid reusing slots until they have used all the available slots for classes of that particular length. When possible, they should schedule large-enrollment courses (more than eighty students) at non-peak times. Departments that use fourth hours should avoid scheduling them at peak times. Classes that meet five days a week should avoid using two blocks of peak times. Instructors should give advance notice when a course has required events and meetings outside scheduled times, such as evening exams, film screenings, and field trips. If possible, notice should appear in the course description (e.g., "this course requires occasional attendance on Wednesday evenings."), but in any event should be announced on the first day of class (voted by the faculty, May 3, 2011)

F. End-of-Semester Work | Amherst College

1. At the end of the semester there will be scheduled a five day examination period (including Sunday). An instructor may choose to:

a. hold no final examination;

b. provide the student with a copy of the final examination before the beginning of the examination period, to be taken at any time during the examination period according to the procedure outlined by the instructor ("take-home examination");

c. provide in the envelope supplied, an examination of two or three hours in length which will be made available at a designated examination center, the selection of the particular time period being left to the discretion of the individual student ("student self-scheduled examination");

d. hold an examination during a specific, scheduled session. Examinations to be given in this manner will be scheduled by the Registrar as to room and time (single-session examination).

2. Examinations in all courses must be completed by 5 p.m. on the last day of the examination period. Each student shall be responsible for completing his or her examinations and returning them in the manner prescribed within the designated time periods.

3. Members of the faculty will inform the Registrar, upon her/his request, of the manner in which they intend to conduct their final examinations. The Registrar will then designate examination centers for each course holding examinations under option 1 (c) and schedule those being held under option 1 (d). The Registrar will provide students and instructors with a list showing for each course the manner in which the examination is to be conducted, the date by which examinations must be completed, the days

and times for examination sessions, and when pertinent, the examination center in which the examination will be conducted.

4. With the exception of previously scheduled performances and exhibitions, no final course work may be assigned or due during the reading period, which extends between 5:00 p.m. on the last day of classes through 9:00 a.m. of the first day of the examination period (voted by the faculty, May 19, 2016).

5. Faculty members will submit their grades to the Registrar by the agreed date. (Any extensions are to follow the procedures designated by Faculty vote.)

6. Prior to each examination period the student members of the Committee on Educational Policy and of the Judicial Board will arrange to remind each student that examinations are covered by the Statement of Intellectual Responsibility and will explain the manner in which it applies to these examination procedures.

7. All other regulations with respect to examinations and final work are specified in the examinations and extensions section of the Amherst College catalog. Those regulations are binding and may be modified only by vote of the faculty.

G. Completion of Work/Extension Policy

All regular course work in a given semester must be submitted by the last day of classes at 5:00 p.m.

All final course projects, papers, and examinations in a given semester must be submitted by the end of the final examination period (voted by the faculty, May 19, 2016).

All other regulations with respect to the completion of work and extensions are specified in the examinations and extensions section of the Amherst College catalog. Those regulations are binding and may be modified only by vote of the faculty (voted by the faculty May 18, 2017.)

H. Grade Deadlines

Deadlines for receipt of grades in the Registrar's Office have been established as follows:

1. First semester: By noon of the first Monday of January.

2. Second semester: By 9:00 a.m. of the Monday after the last day of examinations for senior grades; by noon of the Wednesday after the last day of examinations for all other grades.

I. Special Exception for Reasons of Conscience

It is never easy to resolve conflicts between the conscience of an individual and the principles of a group. Colleges are, as they should be, especially sensitive to such difficulties and will always strive to avoid solutions that maximize administrative simplicity or tidiness at the expense of the individual whose actions, expressive of deep personal commitment, do not fit the general pattern. The general rules of the College have been adopted to deal humanely and expeditiously with the normal patterns of Amherst students and faculty. They must not be abrogated easily. On the other hand, there is reason to believe that some students may become involved in actions of conscience that put them into conflict with those rules. In an attempt to resolve such conflicts and without intending to weaken our belief in the general validity of the rules themselves,

"When in the view of a professor and the Dean of Students a student is unable to complete assigned work within the deadlines set by College rule as a result of activities outside of the College, and when these activities are clearly ones that the student cannot put aside for reasons of conscience, extensions may be granted for the completion of that work by the Dean of Students with the consent of the teacher involved. (In such cases, a grade of "N" will be entered for the course.) The Dean of Students will consult with the faculty member involved when assigning deadlines."

J. Religious Observance | Amherst College

In accordance with the laws of the Commonwealth of Massachusetts, Amherst College subscribes to the following statement:

Any student in an educational or vocational training institution, other than a religious or denominational educational or vocational training institution, who is unable, because of religious beliefs, to attend classes or to participate in any examination, study, or work requirement on a particular day shall be excused from any such examination or study or work requirement, and shall be provided with an opportunity to make-up the examination, study, or work requirement missed because of such absence on any particular day; provided, however, that such makeup examination or work shall not create an unreasonable burden upon such school. No fees of any kind shall be charged by the institution for making available to the said student such opportunity. No adverse or prejudicial effects shall result to students because of availing themselves of the provisions of this section. (See *Student Handbook* for Amherst College's particular statement on religious observances.)

[The Religious Life website](#) provides dates and information about religious holidays.

[Religious advisors](#) are happy to answer questions.

K. The Honors Thesis | Amherst College

When required as a condition of candidacy for honors, a student must submit the original copy of a typewritten or laser-printed thesis to the Registrar. To ensure archival preservation, the thesis copy to be deposited in the Archives should be on acid-free bond paper of 20 pound weight. Details of the format and materials are available from the Office of the Registrar. Theses are available to members of

the Faculty for perusal until the degree meeting of the Faculty, and thereafter placed in the College Archives. The copy deposited in the Archives becomes the physical property of the College.

The literary rights, including those of publication, copying extracts, or closely paraphrasing from the manuscript, shall remain the property of the author, except that the College shall have the right to permit access by the public to any unpublished thesis at any time. The author may dispose of other manuscript copies as he or she sees fit, and may publish and copyright the thesis at any time. No photocopy or audio duplicate of the thesis in the College Archives will be permitted, except for Interlibrary Loan proposes, without the author's written consent to each request.

The purpose of these regulations is to ensure access by interested readers to all theses presented in partial fulfillment of degree requirements at Amherst College. In exceptional circumstances, access to a thesis may be restricted for a specific period of time. Restrictions will be considered only where it is thought that access could cause injury to others. A request for restriction must be endorsed by the department for which the thesis was written and by the Dean of the Faculty and submitted in writing to the Archivist of the College.

L. Study Abroad | Amherst College

With the approval of the departments concerned and of the Dean of Students, a student may arrange to take an academic leave from Amherst College to spend a semester or a year at another institution and to receive transfer credit for work satisfactorily completed there. Amherst College does not as an institution have any sustained commitments to particular exchange or overseas programs beyond the Associated Kyoto Program, which makes possible an undergraduate year in Kyoto, Japan. A student interested in the available opportunities should be encouraged to consult the information and files available in the Office of the Dean of Students or the Office of Career Counseling. A wide variety of exchange programs and foreign study programs is available. Arrangements must, however, be made on an individual basis.

M. Cooperative Doctor of Philosophy Degree

When a student has been awarded a degree under this program, the fact that it is a cooperative doctoral degree involving Amherst, Hampshire, Mount Holyoke and Smith Colleges and the University of Massachusetts will be indicated on the diploma, the permanent record, and all transcripts, as well as on the commencement program.

The requirements for the degree are identical to those for the Ph.D. degree at the University of Massachusetts except for the statement relating to "residence." For the cooperative Ph.D. degree, "residence" is defined as the institution where the dissertation is being done.

Students interested in this program should write to the Dean of the Graduate School at the University of Massachusetts. However, students who wish to work under the direction of a member of the Amherst Faculty must have their proposal approved by the Dean of the Faculty of Amherst College.

N. Classified Research | Amherst College

Following a long study and a subsequent report by a faculty committee in 1977-78, the Faculty adopted the following guidelines related to sponsored research at Amherst College:

The Administration of Amherst College

1. will accept and administer only grants or contracts, the sponsorship and purpose of which are openly disclosed. (Should a benefactor wish to remain anonymous, the purpose of the grant must be openly disclosed.) Grants and contracts for research administered by the College will be accepted only if the faculty member involved is free to publish the results of his or her research.
2. will not cooperate with security investigations pertaining to the recruitment of any present or former member of the Faculty, student body or staff without the consent of the individual to such action in advance (Voted by the Faculty, October 1978).

O. Faculty Attendance and Grade Reports

Members of the Faculty not on leave are required to attend the opening convocation, all faculty meetings, and the commencement exercises. Any member of the Faculty unable to meet one of these obligations should inform the Dean of the Faculty or the President of the reason.

Members of the Faculty are expected, barring emergencies, to meet all scheduled classes.

Members of the Faculty are expected to report their grades to the Registrar within the period of time at the end of each semester voted by the Faculty (See Section H).

P. Informing the Administration of Address Changes

Faculty are expected to inform the Dean of the Faculty's Office of their addresses (and, if possible, telephone numbers) when they are away from Amherst on leave, over the summer or during January Interterm for an extended period of time.

Q. Outside Employment | Amherst College

Unless excused by the trustees or by the president, all faculty members shall be required to be in attendance at the college during the academic year. No faculty member shall be employed in any occupation which interferes with the thorough and efficient performance of the responsibilities of his or her office, and no engagement shall be made by any faculty member for teaching in another institution during the academic year without the permission of the president.

The arrangements for overtime faculty borrowing between the Five Colleges are governed by joint agreement among the colleges. Any arrangement for additional teaching at one of the Five Colleges must be discussed with the departments concerned and with the dean of the faculty.

R. Faculty Meetings | Amherst College

1. Attendance and Voting

The following members of the college have the right and responsibility to attend faculty meetings, with voice and vote: (1) the president, the dean of the faculty, professors, associate professors, and assistant professors appointed to regular full-time or part-time tenured or tenure-track positions; (2) all individuals on non-tenure-track, renewable contracts, who teach regularly in the college curriculum and whose primary affiliation is with Amherst College; (3) all persons with visiting teaching appointments, for the duration of their appointment at Amherst College, provided that appointment is their primary professional responsibility at the time; and, (4) the following members of the administration: the dean of students, the class deans of students, the dean of admission and financial aid, the director of financial aid, the director of the library, the chief information officer, the director of the academic computer center, the director of health services, the director of the counseling center, the director of athletics, the registrar, and the director of the Mead Art Museum.

Questions before the faculty may be decided by unanimous consent, voice vote, or electronic ballot if requested by the chair or a faculty member. Should an electronic ballot not be possible, a paper ballot may be used in its place (voted by the faculty, May 1990, amended April 16, 2019).

Faculty members on phased retirement retain the right to attend and vote in faculty meetings, though in their individual agreements with the Dean of the Faculty they may determine not to do so.

2. Attendance Without Vote

a. *Administration and Temporary Faculty.* Interchange faculty members from other colleges in the valley or part-time appointees teaching on a per-course basis and retaining primary concurrent affiliation with another academic institution (including adjunct appointees and teaching assistants and associates) are welcome to attend meetings of the faculty with voice but without vote, as are contract coaches of the Department of Physical Education, and the associates and assistants of administrative officers named above, unless individually otherwise designated.

Other members of the administration are statutorily designated as guests at faculty meetings. They include: the chief financial and administrative officer; the chief advancement officer; the alumni secretary; the secretary and assistant or associate secretary for public affairs; the assistant or associate registrar; assistants to the president; the assistants to the deans, specifically the Wilson and Mayo-Smith interns in the Admission Office; and the Five College Coordinator. Other guests may be invited to specific meetings of the faculty by the president with the concurrence of the Faculty Executive Committee. These persons, as guests, are not normally expected to participate in debate, although they may speak if questions are addressed to them.

b. Students. By vote of the faculty in October 1970, in order to provide improved communication of student sentiment concerning proposals originating in College committees whose membership includes students, student members of some faculty-student-Administration committees and officers of the Association of Amherst Students (AAS) are invited to be present with the Faculty during regular meetings of the faculty as participating, non-voting members of the meeting. Participation includes the right to speak and to make and second motions.

Student members of these committees and those officers of the Association of Amherst Students include: student members of the Committee on Educational Policy, the College Council, the Committee on Priorities and Resources, the Committee on Admission and Financial Aid, the Committee on Discipline, and the Library Committee, and the four executive officers of the student governing body. The editor-in-chief and the publisher of *The Amherst Student* are invited guests at Faculty meetings for purposes of information.

3. Faculty Meetings

Normally, during the academic year, there are six regular faculty meetings that take place in October, November, December, February, March, and April on Fridays at 3:00 p.m. In addition, one meeting (known as the “convocation meeting”) is held before classes start at the beginning of the academic year, and another meeting (known as the “commencement meeting”) is held leading up to commencement. Faculty meeting dates for each academic year are set in the summer before the next academic year. Faculty meetings are usually held in Cole Assembly Room in Converse Hall, though they may take place in other venues, as circumstances dictate. (Effective spring 2024, voted by the faculty May 2, 2023.) See the [faculty meetings schedule](#).

4. Special Faculty Meetings

A special meeting of the Faculty is held when in the opinion of the president or of the Faculty Executive Committee there is necessary business to be transacted. A special meeting may also be held at the request of eight or more members of the faculty.

5. Presiding Officers

The president of the college presides at meetings of the faculty. In the president's absence, the dean of the faculty presides. The dean of the faculty serves as secretary and may designate a recorder to keep the minutes of the meetings of the faculty. In the event that the dean of the faculty is presiding at a faculty meeting, a member of the faculty will be asked to serve as secretary *pro tem*.

6. Quorum

The quorum for the transaction of business at a faculty meeting is met when the number of those required to attend, eligible to vote, and present at the meeting is greater than one-half of the number of tenure-line faculty, lecturers, and resident artists not on leave in a given semester. Faculty on leave are not required to attend, but retain the privilege of attendance and vote; if faculty members attend a meeting of the faculty while they are on leave, they will be counted when constituting the quorum.

7. Agenda

An advance notice of the agenda of each meeting is normally sent to members of the faculty. Items not on the agenda may be discussed at any meeting and voted upon at any meeting of the Faculty. Whenever possible, the minutes of the meetings of the Faculty Executive Committee held since the last faculty meeting and copies of all recommendations to be considered by the faculty will be sent to each member of the faculty with the agenda.

In October 1980, the Faculty voted that:

Except in a grave emergency, the Committee of Six (changed to Faculty Executive Committee as of July 1, 2022) in setting the agenda for a Faculty meeting, shall not include any motion on a constitutional matter or a matter of policy unless it has assured that the motion, and the reasoning considered by the committee for and against it, will reach faculty members in time to allow reflection and informal discussion (normally by the Wednesday before the Tuesday of the meeting). This is known in local parlance as the Romer-Hawkins rule.

On the agenda and at meetings of the faculty, the usual order of business is:

- a. Call to order*
- b. Reading or review of the minutes of the preceding meeting of the faculty if they have not already been made available; approval of these minutes*
- c. Reading or review of the minutes of the meetings of the Faculty Executive Committee held since the last faculty meeting if they have not already been made available*
- d. Remarks by the President of the College*
- e. Remarks by the Provost and Dean of the Faculty*
- f. Election of committee members*
- g. Consideration of recommendations made by the Faculty Executive Committee and/or the Committee on Educational Policy to the Faculty*
- h. Consideration of recommendations from other committees*
- i. Questions to the Administration*
- j. Unfinished business*
- k. New business*
- l. Adjournment.*

8. Rules of Order

The rules of parliamentary procedure as found in Robert's *Rules of Order* govern the meetings of the faculty in all cases to which they are applicable and when they are not inconsistent with the customs or regulations of Amherst College. A member of the faculty is designated as the faculty parliamentarian.

9. Voting

Those eligible to vote are defined in the section on Faculty Meetings above. Questions before the Faculty may be decided by voice vote, by a show of hands, or by written ballot if so requested. Abstentions are in order.

10. Concurrence of President

The concurrence of the president is necessary to all acts and resolutions of the faculty, unless, after non-concurrence, the act or resolution shall again be passed by a two-thirds vote of the faculty, a quorum being present, at the same or at the next succeeding meeting thereof. In all cases where there shall be a non-concurrence between the president and a majority of the faculty present at the time, the names of those voting on each side of the question shall be entered on the minutes, and each member shall be entitled to have entered on the minutes the reason for his or her vote.

11. Binding Nature of Decisions

All decisions of the faculty arrived at by vote in the meetings of the faculty shall be binding, and all members are expected to adhere to the spirit and intent of such decisions.

12. Confidential Nature of Meetings

Discussions at faculty meetings are confidential, and public announcements of decisions taken at faculty meetings should be made only by the president or the dean of the faculty. Students wishing to report on matters discussed by the faculty will consult with the dean of the faculty to ensure the degree of confidentiality deemed necessary by the faculty.

13. Minutes of Faculty Meetings

The minutes of faculty meetings are circulated to the faculty and staff of the college. As noted above, there is a general expectation of confidentiality regarding faculty meetings, which extends to the minutes. The minutes should not be shared with anyone who is not officially entitled to receive them (voted by the faculty, May 2018).

S. Committees | Amherst College

Faculty participate in the governance of Amherst College through their actions in meetings of the faculty and through service on committees of the faculty, committees of the college, committees of the Amherst College Board of Trustees, ad hoc committees, and Five-College committees. For purposes of committee membership, candidates will normally be selected from the ranks of full-time and part-time tenure-line faculty. Committee service is expected of all tenure-line faculty, except for those in their first year. At Amherst, retiring members of committees are normally not reappointed or re-elected to that committee for at least one year (voted by the faculty, May 19, 2016). [Committees and appointed faculty members](#).

1. Committees of the Faculty

Faculty Committee Membership The right to serve on the Faculty Executive Committee and the right to vote for members of that committee are limited to professors, associate professors, and assistant professors appointed to full-time or part-time tenure-line positions. The committee chooses its chair from among its tenured members. The president of the college and the provost and dean of the faculty serve on the committee ex officio and without vote. The right to serve on the Tenure and Promotion Committee is limited to tenured members of the faculty. The right to vote for members of that committee is limited to is limited to professors, associate professors, and assistant professors appointed to full-time or part-time tenure-line positions. The president serves as chair of the committee, and the provost and dean of the faculty serves as secretary. The faculty members of the Committee of Educational Policy, Community Standards Review Board, the College Council, the Committee on Priorities and Resources and the Committee on Adjudication are elected by the faculty after nomination by the Faculty Executive Committee or after nomination from the floor. Faculty members of other regular committees of the faculty are appointed by the Faculty Executive Committee, usually for two- or three-year terms. Faculty members of college committees and/or of ad hoc committees may be appointed by the president of the college, with the advice of the Faculty Executive Committee, or may be elected by the faculty following the balloting system used for the Faculty Executive Committee.

The faculty members of the Committee of Educational Policy, Community Standards Review Board, the College Council, the Committee on Priorities and Resources and the Committee on Adjudication are elected by the faculty after nomination by the Faculty Executive Committee or after nomination from the floor. Faculty members of other regular committees of the faculty are appointed by the Faculty Executive Committee, usually for two- or three-year terms. Faculty members of college committees and/or of ad hoc committees may be appointed by the president of the college, with the advice of the Faculty Executive Committee, or may be elected by the faculty following the balloting system used for the Faculty Executive Committee.

a. *The Committee on Academic Standing and Special Majors* This committee is co-chaired by the chief student affairs officer and a member of the faculty appointed by the Faculty Executive Committee. Two additional members of the faculty are appointed by the Faculty Executive Committee for two-year terms. The three members of the faculty shall preferably include one each from the humanities, the social sciences, and the natural sciences. The committee acts on cases involving the dismissal and readmission of students who have failed to perform academically according to the standards of the college. It also administers the programs of Interdisciplinary Study, Independent Study, and Field Study. When the committee meets to consider matters of academic standing, the chief student affairs officer serves as chair; when the committee meets to consider student proposals for special majors, the designated faculty member serves as chair.

Proposals for special majors are considered by a subcommittee consisting of the three faculty members and the chief student affairs officer, ex officio. On matters of academic standing, the committee consists of three faculty members, the chief student affairs officer, the dean of students, the class deans, and the dean of financial aid, with the registrar serving as secretary of the committee, ex officio.

For matters of academic standing, the charge to the committee is as follows:

(1) The committee shall consider the standing of students in serious academic difficulty at the middle and end of each semester, and shall decide which students will be placed on or removed from academic probation.

(2) The committee shall decide which students shall be dismissed for reasons of unsatisfactory academic performance and what conditions need be met by such students to be readmitted to the college.

(3) The committee shall pass on all cases of readmission of students who were dismissed for unsatisfactory academic performance.

Students in good academic standing who take educational leave from the college temporarily to pursue a course of study at another institution need not apply for readmission. Their cases will be reviewed only if exceptional or unusual circumstances have led to academic failure during the period of educational leave.

Students in good academic standing who voluntarily take a leave of absence will normally not need to apply for readmission.

Students who have been dismissed or who have withdrawn for solely disciplinary reasons will be considered for readmission by members of the Office of Student Affairs.

b. *The Committee on Adjudication* The Committee of Adjudication consists of eight members of the faculty, serving three year terms, staggered to ensure continuity. Nominations are made by the Faculty Executive Committee, but additional nominations may be made from the floor during the faculty meeting at which the members of this committee are elected by a majority of those present and voting. The Committee on Adjudication annually chooses its own chair.

The Committee on Adjudication has several duties.

1. It provides the Hearing Board in cases involving dismissal, suspension from service for a stated period, demotion in rank, or deprivation of pay, for cause.
2. It serves as the Faculty Grievance Committee.
3. It provides faculty members of the Hearing Board and the Appeal Board in cases of student grievance against members of the faculty.

(1) The Faculty Executive Committee will select from the membership of the Committee on Adjudication a three member Hearing Board in cases of dismissal, suspension, demotion in rank, or deprivation of pay for cause brought by the provost and dean of the faculty.

(2) Where a member of the faculty has failed to resolve a grievance informally, the faculty member may then file a complaint with the chair of the Committee on Adjudication. The committee's procedure for determining whether to hear the complaint and for establishing a Hearing Board are described in the *Faculty Handbook* section on Grievance Procedures for Members of the Faculty.

(3) In cases of student grievance against a faculty member, the chair of the committee shall appoint three faculty from among its members to a Hearing Board. Should it be necessary, the chair of the

committee shall, with one other member appointed by him or her, serve as the faculty members of an Appeal Board. The procedures therefore are described in the *Faculty Handbook* section on Resolution of Student Grievances with Members of the Faculty.

If a member of the committee is disqualified for any reason from such service, he or she will be replaced by another member of the Committee on Adjudication. In exceptional cases where no alternative member of the committee is available, the Faculty Executive Committee will appoint a substitute from the faculty at large.

c. *The Committee on Admission and Financial Aid* The Committee on Admission and Financial Aid consists of four members of the faculty appointed by the Faculty Executive Committee for three-year terms, four students serving two-year terms to be chosen as described below and, as members, ex officio, the dean of admission and financial aid (secretary of the committee), the dean of admission, the dean of financial aid, and the chief student affairs officer. One of the faculty members is appointed by the Faculty Executive Committee as chair, normally after a year of service. It is hoped that different areas of the curriculum will be represented by the faculty members on the committee. The president will meet with the committee either at its invitation or on his or her initiative.

A College Committee on Admission and Financial Aid will convene under the chairmanship of the dean of admission and financial aid at least four times in each academic year. It will consist of the provost and dean of the faculty, ex officio, and eight voting members: the dean of admission and financial aid, the dean of admission, the dean of financial aid, the chief student affairs officer, and the four faculty members on the Committee on Admission and Financial Aid. At a meeting early in the fall of each year, the College Committee on Admission and Financial Aid will review the composition and diversity of the first-year class, paying attention to such issues as the distribution of students by curricular and extracurricular strengths. The committee will re-convene in advance of the release of notifications of admission to early decision candidates (normally in December) and prior to the release of notifications of admission to regular round candidates (normally in March) to consider such information as it deems necessary to insure that the college's stated policies are being implemented. At the end of each of these meetings the committee will vote on the admission actions recommended by the dean of admission and financial aid. The committee will hold a final meeting at the end of the academic year to review the outcome of the completed admission process (voted by the faculty, December, 1999).

Two students shall be elected by the student body for a two-year term to the Committee on Admission and Financial Aid. Following the election, the dean of admission and financial aid in consultation with the Committee on Admission and Financial Aid will appoint two additional student members for two-year terms. The four student positions are to be filled in staggered order, with one appointed and one elected position to be filled annually.

Because of Amherst College's commitment to equal opportunity and the role of the admission process in meeting an important part of this commitment, the presence on the committee of students from different minority and racial groups is especially valuable. In general, student members of the committee can provide particular advice on policy discussions about recruitment.

The primary function of the committee is to enhance communication between the faculty and appropriate administrative offices and in so doing to aid the faculty in carrying out its responsibility to formulate standards and policy for admission and financial aid. To these ends, the committee should review on a regular basis, through observation and quantitative studies, how adequately policy and practice are meeting stated goals, should develop and maintain mechanisms for communicating faculty opinion on the quality of our students to the staff, and should report annually to the faculty on the committee's work. Members of the committee should be sufficiently engaged in the admission process to enable them to carry out their responsibilities effectively (voted by the faculty, September 1984).

d. *The College Council* The College Council is composed of three members of the faculty, two or three members of the administration, and five students. The faculty members of the College Council are nominated by the Faculty Executive Committee and elected at large by the faculty. They serve for two-year terms. Two members of the College Council will normally be elected each year, so that the terms will overlap. The chief student affairs officer and the dean of students serve on the Council ex officio without vote. One or two other members of the Office of Student Affairs are appointed annually by the president. Of the five students, three are members-at-large from the freshman, sophomore and junior class elected each spring to serve throughout the following academic year. The president of the Student Government serves ex officio without vote during the academic year. At the end of the first semester, the freshman class elects a representative to serve during the following two semesters.

The chair of the College Council is one of the three faculty members nominated for that post by the Faculty Executive Committee and elected specifically as chair by the Faculty for a one-year term.

Subject to the reserved powers of the president and the Amherst College Board of Trustees, the College Council is the body to approve and determine policy in three areas: extracurricular faculty-student relations, the review of recommendations involving the Statement of Intellectual Responsibility, and social regulations for student residential and social life.

In addition, the College Council possesses power to make recommendations concerning a wide range of subjects that touch the joint interests of students, faculty and administration.

The College Council will not act as a review board to make decisions or recommendations in individual cases involving academic requirements and standards for granting degrees or involving the implementation of such academic requirements and standards. The College Council will not discuss and will not make recommendations to any group on particular personnel decisions in the faculty or administration.

e. *College Housing Committee* The College Housing Committee advises the administration on the general principles and rules of equity governing the housing program of the college. The committee consists of four members of the faculty serving two-year terms, the chief financial and administrative officer, ex officio, without vote; the director of Human Resources, ex officio, without vote; and the director of Rental Property, ex officio, without vote. In making appointments to the Housing Committee, the Faculty Executive Committee tries to ensure that various faculty interests are represented: married-single; younger-older; home owners and those in college housing.

f. Community Standards Review Board The board will consist of four elected student members; fifteen or more selected student members, representing a pluralism of identities and class years; four members of the faculty; and the dean of students, or that person's designee, who serves as the chair, ex officio, without vote. The faculty members of the Community Standards Review Board (CSRB) will be elected during a meeting of the faculty after nomination by the Faculty Executive Committee or after nomination from the floor. They will normally serve three-year terms, and their terms, when possible, will be staggered so as to maintain continuity from year to year. Incidents regarding violations of the *Student Code of Conduct* may be adjudicated by a hearing panel. Members will serve on CSRB panels.

Membership on the Board

The pool from which a CSRB panel is drawn will consist of approximately nineteen students and four members of the faculty. The dean of students, or that person's designee, will ordinarily serve as non-voting chair. The director of community standards, or that person's designee, will serve as record keeper.

The dean is joined by five voting panel members, three students, and two faculty members. Under certain circumstances, the dean of students, or that person's designee, is authorized to convene ad hoc panels, as described here, if necessary.

Student members of the CSRB will be chosen either by an election conducted by the middle of the second semester of each academic year by the Association of Amherst Students (AAS) or by a selection process administered by the Office of Student Affairs. The AAS will oversee the following procedures:

1. The election will be conducted according to the procedures outlined in the code of elections. The four candidates, with no more than two of the four candidates representing the same gender identity, who receive the highest number of votes will be elected. If this procedure cannot be followed because of an insufficient number of candidates, then the College Council will appoint a student to any position unfilled by election.
2. If one of the elected students resigns, the AAS will appoint an alternate, and the alternate will be of the same gender identity as the student who resigned when possible. In the event elected students are not available, and substitutes are required to maintain the quorum for a case, a substitute will normally be appointed by the chair of the College Council.
3. Additional students are appointed via a selection process administered by the Office of Student Affairs.

Student members will begin their two-year term on July 1 of the year of their election.

At the beginning of each academic year, the dean of students, or that person's designee, will schedule training for all members of the CSRB. In consultation with the board, the dean of students, or that person's designee, may, from time to time, schedule other such training to assist the board.

Ad hoc Panels

The CSRB is active only when classes are in session; there are no regularly scheduled hearings during final examinations or recesses. Occasionally, however, circumstances may prompt a complainant or respondent to request an expedited resolution during a period when the CSRB is inactive. In these circumstances, the dean of students, or that person's designee, is authorized to provide voluntary, alternative mechanisms for conflict resolution, including constituting ad hoc panels, provided both parties to the conflict consent to the voluntary alternative. Ad hoc panels may comprise Amherst college students or faculty, who need not be members of the CSRB. Panel compositions may be adjusted at the discretion of the dean of students, or that person's designee. Relevant policies and procedures will be reviewed with ad hoc panel members prior to their service.

Appeal

Either the respondent or the complainant may appeal a decision by the CSRB, the dean of students, or the director of community standards. All intellectual responsibility appeals and appeals of a decision of a CSRB panel are directed to the dean of the faculty. Appeals of non-intellectual responsibility-related decisions made by the director of community standards, or that person's designee (administrative adjudicator), are directed to the chief student affairs officer. An appeal may come forward based on the following grounds: bias shown during any part of the student conduct process; material procedural error; the inappropriateness of the sanction (respondent only); or the discovery of substantive new evidence that was not available at the time the decision was made.

The respondent or the complainant must submit a written statement of appeal to the provost and dean of the faculty or chief student affairs officer, as appropriate, which must state the grounds and reason for the appeal, within ten business days of the date of the written finding. Upon receipt of the statement of appeal, the dean of the faculty or chief student affairs officer will review the official records of the dean of students, director of community standards or the board's proceeding, and other materials bearing on the case as necessary. The provost and dean of the faculty or chief student affairs officer may interview the parties to the dispute or anyone else involved in the hearing process, including the panel members.

For an appeal of an intellectual responsibility decision by the dean of students or the director of community standards, the provost and dean of the faculty may refer the case to a panel of the CSRB, consisting of two faculty members, one of whom will act as chair, and one student. For an appeal of a decision by the CSRB, the provost and dean of the faculty may refer the case back to the original panel with instructions or may direct that the case be reviewed or reheard by a different panel of the CSRB. In the case of any such referral, the panel of the CSRB will report its findings and recommendations to the provost and dean of the faculty, who will resolve the appeal.

For any appeal, the provost and dean of the faculty or chief student affairs officer will render a decision with such terms as the provost and dean of the faculty or chief student affairs officer determines to be appropriate. The provost and dean of the faculty's or chief student affairs officer's decision is final, and no further appeal will be permitted (voted by the faculty November 2017).

g. *The Committee on Educational Policy* (voted by the faculty, December 2006). The Committee on Educational Policy (CEP) is composed of five faculty members, each serving a three-year term; the provost and dean of the faculty, ex officio, without vote; and three student members, each serving a two-year term. The humanities, the social sciences and the natural sciences must be represented on the committee, by both faculty members and student members. Each year the committee chooses its own chair and secretary from among its five faculty members. A researcher appointed by the provost and dean of the faculty informs and supports the work of the CEP. The chair sets the committee's agenda. The minutes of the CEP's meetings are circulated to the faculty and staff of the college. There is a general expectation of confidentiality in regard to the minutes. The minutes should not be shared with anyone who is not officially entitled to receive them (voted by the faculty May 1, 2018). Nominations of the faculty members for the Committee on Educational Policy are made by the Faculty Executive Committee and reported to the faculty in advance of the faculty meeting at which they are to be elected.

Additional nominations may be made from the floor at the meeting. Candidates must receive the approval of a majority of the eligible voting members of the faculty present at the meeting in order to be elected. Ideally, two members of the Committee on Educational Policy should be elected in two out of three years, and one member elected in the third. In this way, overlapping terms will create a continuity of membership. The student members of the committee are elected for two-year terms, two members being elected in one year, and a third in the other, alternately.

All members of the faculty are eligible to serve on the Committee on Educational Policy, with the same exceptions as govern eligibility for the Faculty Executive Committee.

The Committee on Educational policy is expected to review and evaluate, and to report to the faculty on, the general educational policy of the college; to consider suggestions from departments or from individual faculty members or students relating to changes in educational policy, including proposals for new courses, new programs, and altered major programs or honors requirements; and to make recommendations to the Faculty Executive Committee and the faculty. The Committee on Educational Policy advises the president and the provost and dean of the faculty about the allocation of faculty positions to departments. In making recommendations for such allocations, the committee considers, inter alia, the curricular needs of individual departments and the commitment of departments to offer courses that meet identified college-wide priorities and curricular needs. The CEP also maintains the college calendar, in consultation with the registrar and subject to the ultimate approval of the faculty (voted by the faculty, March 21, 2017).

h. *The Faculty Computer Committee* The Faculty Computer Committee consists of three faculty members appointed by the Faculty Executive Committee for two-year terms and one student member elected by the student government. In addition, the chief information officer of Information Technology (IT), the director of Academic Technology Services (ATS), and the director of the library are ex officio members without vote. One of the faculty members serves as chair. The committee advises the director of IT and the director of ATS on topics related to the use of computer technology in support of research and instruction and on other IT issues affecting the academic life of the college. One member of the committee serves as a faculty representative to the College's Internet Strategy Group (voted by the faculty, November 2007).

i. The Faculty Executive Committee The Faculty Executive Committee consists of five members of the faculty. Three of the members are tenured and two are tenure track. Tenured members serve for a term of two years. The tenure-track members serve for a term of one year. The terms of the tenured members are staggered to ensure membership continuity. The president and the provost and dean of the faculty serve on the committee ex officio and without vote. One of the tenured members serves as chair of the committee for a term of one year, setting the committee's agenda in consultation with other members and chairing committee meetings.

The Faculty Executive Committee's responsibilities include the following:

- advising the administration, and the faculty as a whole, on matters of college policy
- consulting with the faculty in order to represent its interests and those of the college as a whole
- consulting periodically with various members of the administration to gather, assess, and disseminate information on significant college activities, particularly those that touch on the academic mission (e.g., admissions, budget, faculty housing, student life, etc.)
- preparing the agenda for faculty meetings
- reviewing and recommending to the faculty any additions, deletions, or changes to faculty committees and their charges, both standing and ad hoc, and reviewing proposals developed by such committees
- following up on and communicating about policies and committee recommendations approved by the faculty
- nominating or appointing members of other faculty committees
- appointing the Faculty Executive Committee's chair

Normally, the Faculty Executive Committee meets biweekly during each semester of the academic year.

Election Process

Members of the Faculty Executive Committee are elected to represent the interests of the entire faculty, not those of special groups. They are elected without restrictions of divisional or departmental affiliation. In the discharge of their duties, the various members participate equally in all parts of the deliberations of the committee and in all votes taken by it.

The election procedure of the Faculty Executive Committee is designed to select members who will exercise their individual judgments as impartially as possible in the general interests of the faculty and of the college. It is important that members of the committee not feel any particular indebtedness to individuals or groups for support in the election process. The faculty has therefore declared that campaigning, caucusing and slating are inappropriate in Faculty Executive Committee elections. Faculty, and in particular new faculty, seeking information about names appearing on the ballot may, however, discuss them informally with other faculty.

At least two of the members of the Faculty Executive Committee are elected in the spring of each year by faculty ballot. Two seats on the Faculty Executive Committee shall be reserved for tenure-track faculty, who will each be elected for a one-year term from a ballot containing the names of all eligible tenure-track faculty. Separately, all tenured members of the committee are elected for two-year terms from a ballot containing the names of all eligible tenured faculty. All tenure-line faculty vote for

candidates on both ballots. Each faculty member must vote for the exact number of vacancies to be filled from each ballot. On the second round of balloting, the number of names presented on the ballots is four times the number of positions remaining to be filled on that ballot. On each succeeding ballot, the number of names presented is twice the number of positions remaining to be filled. To be elected, a faculty member must receive a majority of the votes cast on a particular ballot. Balloting continues until all the positions to be filled have been filled by faculty members who have received a majority of the votes cast.

During any given election, all professors, associate professors, and assistant professors appointed to full-time tenure-line positions are included on the Faculty Executive Committee, except: 1) the president and the provost and dean of the faculty; 2) other faculty who are serving at least part-time in an administrative role outside their department(s); 3) those who will be in their first year at Amherst in the year following the election; 4) those who will not be at Amherst for one or both semesters of the year following the election; 5) retiring members of the Faculty Executive Committee and the Tenure and Promotion Committee, and those who retired from them (or, formerly, the Committee of Six) in the previous three years (i.e., retiring members cannot be reelected for four years); 6) those who have served three or more terms on the Faculty Executive Committee (or, formerly, the Committee of Six) and have exercised the option of taking their names off the ballot each year by contacting the Office of the Provost and Dean of the Faculty before the election begins; and 7) tenure-track faculty members who have exercised the option of taking their names off the ballot each year by contacting the Office of the Provost and Dean of the Faculty before the election begins;

Part-time faculty members in tenure-line positions and those on phased retirement have the option not to be included on the ballot.

After the election process is complete, the Faculty Executive Committee will also appoint the following year's committee chair, for a term of one year.

j. *The First-Year Seminar Committee* The First-Year Seminar (FYS) Committee consists of three faculty members, among whom the committee selects its chair, and a faculty representative from the Writing Center (ex officio without vote). The committee is responsible for assisting faculty to develop and teach courses that advance the goals of the FYS Program as voted by the faculty. To that end, the committee solicits such course proposals and forwards them to the Committee on Educational Policy (CEP) for approval by the faculty, participates in the planning of pedagogical workshops for the FYS Program, and encourages faculty collaboration and curricular innovation in the seminar offerings. In addition, the committee is responsible for assessing the program and reporting its findings to the faculty (voted by the faculty, May 2009).

k. *The Committee on Global Education* The Committee on Global Education is composed of three members of the faculty (each from a different department), one of whom will serve as chair, and the director of the Office of Global Education and the registrar, ex officio, with vote. The Faculty Executive Committee appoints the faculty members of the committee for three-year terms and appoints the chair. The Committee on Global Education shapes policies and procedures for evaluating and approving study-away programs and initiatives for Amherst students. The members maintain and review a list of college-approved study-away programs, review student petitions for study-away programs that are not already on the college-approved list, review student evaluations of all programs, facilitate outreach to departments, and consult with the director to

identify new opportunities for experiences off-campus and to facilitate student participation in them. The faculty members of the committee review applications for the faculty exchange with Doshisha University (the Amherst-Doshisha Professorship) and make recommendations to Amherst's provost and dean of the faculty. The committee also reviews other potential partner institutions and makes recommendations to the provost and dean of the faculty (voted by the faculty, April 4, 2017). (Significant revisions were made to this charge by vote of the faculty on February 6, 2018.)

l. *Committee on Health Professions* The Committee on Health Professions is composed of four faculty members appointed by the Faculty Executive Committee, including at least one each from the Departments of Biology, Chemistry, and Physics, and the health professions adviser. Faculty members normally serve for three years, and one serves as chair.

The Health Professions Committee recommends policies affecting students planning for careers in medicine and other health professions, provides academic advising and support for those students, and prepares recommendation materials for students and graduates applying to health professions schools.

m. *The Faculty Lecture Committee* The Faculty Lecture Committee is composed of three members, each serving initially for two years. The chair is typically chosen from among the returning members of the committee and serves for a third year. This committee arranges the program of college lectures, including those provided by specially endowed lecture funds.

n. *The Library Committee* The Library Committee is composed of three members of the faculty, one chosen annually by the Faculty Executive Committee, serving for three-year terms, two students, and the librarian of the college, *ex officio*. The committee chooses its chair and secretary each year. Its membership should include one representative each from the humanities, the social sciences and the natural sciences. The purpose of the committee is to discuss and to recommend policies concerning the library's collections and services.

o. *The Orientation Committee* The Orientation Committee consists of four members of the Office of Student Affairs, including the dean of new students, *ex officio*, who serves as the committee's chair; two other members of the faculty, appointed by the Faculty Executive Committee; the chief policy officer/general counsel (or his or her representative), *ex officio*; and four students (two students selected by the student government and two selected by the Office of Student Affairs). The faculty and student members of the committee normally serve two-year terms. The Orientation Committee acts in an advisory capacity to the Office of Student Affairs, which is charged with planning and administering orientation for new students and ongoing orientation programs. The committee approaches its work through broad consultation, drawing on the expertise of members of the Amherst College community. The role of the committee is to help develop and review the vision, policies, and programming of orientation, giving special attention to academic, social, and regulatory expectations for this experience (amended by vote of the faculty, May 2014).

p. *The Committee on Education and Athletics* This committee is composed of the chair of the Department of Physical Education, two representatives selected by the Department of Physical Education, three members of the faculty chosen by the Faculty Executive Committee, two students (one man and one woman) elected by their peers from a slate consisting of the Student-Athlete Advisory Committee, and a third appointed by the Association of Amherst Students (voted by the

faculty, May 2007); and the chief student affairs officer or his or her designee, ex officio. A member of the faculty chairs the committee. The president and the provost and dean of the faculty may meet with the committee. The purpose of this committee is to advise the college on the role and place of athletics in the educational enterprise of the college (voted by the faculty, 2004).

q. *Committee on Priorities and Resources* (voted by the faculty, May 2010). The Committee on Priorities and Resources (CPR) is a committee of faculty, students, and staff (with a faculty member as chair), with officers of the administration (the president, the provost and dean of the faculty, the chief financial and administrative officer and the director of budget and analysis, and the chief human resources officer) present ex officio (amended by vote of the faculty, May 2014). The four faculty members, at least one each from the humanities, the social sciences, and the natural sciences, normally serve for a term of three years, and their terms of office are generally staggered so that each year no more than two new members of the committee and the chair are nominated by the Faculty Executive Committee and elected by the faculty. To assure continuity of membership on the CPR, the Faculty Executive Committee will endeavor to nominate members of the faculty whose service on the committee will not be interrupted for two or three years. The minutes of the CPR's meetings are circulated to the faculty and staff of the college. There is a general expectation of confidentiality in regard to the minutes. The minutes should not be shared with anyone who is not officially entitled to receive them (voted by the faculty May 1, 2018).

Two of the three student members are elected from the student senate by that body and serve for terms of two years. One of these members is elected in one year, and a second in the other, alternately. A special election conducted from within the senate is used to select replacements for students unable to complete their terms of office. The third student member is selected by the senate from the executive branch of the student government for a one-year term, and serves without vote.

The two staff members of the committee are elected by the staff and normally serve staggered two-year terms.

The voting members of the CPR are its four faculty members, its two staff members, and two of its three student members (as described above).

The purpose of the CPR is to bring a range of faculty, student, and staff opinion to bear upon (1) the process of annually budgeting the resources of the college, and (2) the long-term allocation of resources. To ensure the CPR's involvement in the annual budget process, the administration will bring the budget currently being formulated before the CPR while there is still ample time to affect it. The administration will also present its sense of the priorities among competing claims on the college's resources. The CPR will present to the Amherst College Board of Trustees the committee's views on the annual budget as it is being prepared and on long-term financial concerns. In the spring term, the CPR will also receive and respond to new large capital requests and review the ongoing list of capital priorities and deferred maintenance projects. To discharge its responsibility to assess the continuing ability of the college's financial resources to support its educational mission, the CPR will periodically review the long-term financial impact of such things as the relationship between resources and programs, the level of compensation and benefits, the level and rate of change of the comprehensive fee, and other pertinent matters. To that end, the committee will query other offices and committees about proposals that have financial implications.

Particular responsibilities of the faculty members of the CPR are to represent to the administration the views of the faculty concerning the budget and to report to the faculty each year concerning the status of faculty salaries and compensation.

The committee may request that the Faculty Executive Committee include CPR reports or recommendations on the agenda of meetings of the faculty.

r. *The Faculty Committee on Student Fellowships* The Faculty Committee on Student Fellowships is composed of seven members: the director of fellowship advising, ex officio, and six members of the faculty, one of whom is chair (amended by vote of the faculty, October 21, 2014). The faculty members of this committee are recommended to the Amherst College Board of Trustees by the Faculty Executive Committee and serve for two-year terms. The purpose of the committee is to review applications of students and/or recent graduates who wish to receive graduate and undergraduate fellowships and scholarships and to make recommendations on behalf of the college to the groups or foundations that award the fellowships and scholarships. Two categories of fellowships and scholarships are principally involved: a) national or international fellowships and scholarships to which the college can nominate a limited or selected number of applicants (Fulbright, Marshall, Mitchell, Rhodes, Truman, and Watson are examples). For national fellowships and scholarships, the committee reviews applications, interviews applicants, and writes the letters of recommendation for nominated candidates. b) Amherst College Fellowships, for which the committee reviews applications for fellowships for graduate study, which are awarded by the trustees or faculty of Amherst College as described in detail in the *Amherst College Catalog*.

s. *The Tenure and Promotion Committee* The Tenure and Promotion Committee considers matters relating to the advancement of faculty through the tenure-line ranks, making recommendations to the president after reviewing cases concerning the reappointment of assistant professors, the promotion of assistant professors to the rank of associate professor with tenure, the promotion of associate professors to the rank of full professor, and named professorships. The committee also makes recommendations to the Faculty Executive Committee concerning proposed changes to tenure and promotion policies and procedures.

The Tenure and Promotion Committee is composed of five tenured faculty members, each serving two-year terms that are staggered to ensure membership continuity. The president and the provost and dean of the faculty serve on the committee ex officio and without vote. The president serves as chair of the committee, and the provost and dean of the faculty serves as secretary.

The Tenure and Promotion Committee meets with a frequency dictated by the number of cases it must consider, normally weekly from October through December and, as needed, every other week during the spring semester.

Election Process

Members of the committee are elected from among the tenured faculty of the college. In the discharge of their duties, the various members participate equally in all parts of the deliberations of the committee and in all votes taken by it, except that, when a candidate for reappointment or tenure is from the same department as a member of the committee. In this circumstance, that member shall not be present during the committee's discussion of the candidate's case, including when straw votes are

taken, or vote on the case. The member shall be present during any sessions in which the committee meets with the department about the case and will participate as a department member in that circumstance. In regard to tenure, the member shall also be present when the committee discusses all cases together, including when final votes are taken, but shall not participate in the discussion of the candidate's case, or vote on it. Abstentions because of conflict of interest or other conscientious reasons are always acceptable.

The election procedure of the Tenure and Promotion Committee is designed to select members who will exercise their individual judgments as impartially as possible in the general interests of both candidates for tenure and promotion and of the college. It is important that members of the committee not feel any particular indebtedness to individuals or groups for support in the election process. The faculty has therefore declared that campaigning, caucusing and slating are inappropriate in Tenure and Promotion Committee elections. Faculty, and in particular new faculty, seeking information about names appearing on the ballot may, however, discuss them informally with other faculty.

At least two members of the Tenure and Promotion Committee are elected in the spring of each year by faculty ballot. The first ballot circulated to the faculty consists of all those members of the faculty eligible for election to the committee. All tenure-line faculty vote, and each faculty member must vote for the exact number of vacancies to be filled. On the second ballot, the number of names presented on the ballot is four times the number of positions remaining to be filled. On each succeeding ballot, the number of names presented on the ballot is twice the number of positions remaining to be filled. To be elected, a faculty member must receive a majority of the votes cast on a particular ballot. Balloting continues until all the positions to be filled have been filled by faculty members who have received a majority of the votes cast.

During any given election, all tenured professors are included on the Tenure and Promotion Committee ballot, except: 1) the president and the provost and dean of the faculty; 2) other faculty who are serving at least part-time in an administrative role outside their department(s); 3) those in their first year at Amherst; 4) those who will not be at Amherst for one or both semesters of the year following the election; 5) retiring members of the Faculty Executive Committee and the Tenure and Promotion Committee, and those who retired from them (or, formerly, the Committee of Six) in the previous three years (i.e., retiring members cannot be reelected for four years); and 6) those who have served three or more terms on the Faculty Executive Committee (or, formerly, the Committee of Six) and have exercised the option of taking their names off the ballot each year by contacting the Office of the Provost and Dean of the Faculty before the election begins.

Part-time faculty members in tenured positions (no tenure-track faculty are eligible to serve on the Tenure and Promotion Committee) and those on phased retirement have the option not to be included on the ballot.

Ad Hoc Committees

Ad hoc committees are generally appointed by the president of the college, with the advice of the Faculty Executive Committee, to study and make reports on special problems or to serve as search committees for certain faculty or administrative appointments. Usually faculty are appointed to such committees by the president after consultation with the Faculty Executive Committee. In unusual

circumstances, the faculty members serving on ad hoc committees may be elected by the faculty, following the method of balloting used for elections to the Faculty Executive Committee.

Departmental Committees The faculty voted in May, 1969 to establish within each department clearly understood procedures whereby both faculty and student views can be mutually and seriously weighed in determination of departmental policy, including: departmental requirements for majors; the range of course offerings; the growth and development of the department within the college; possibilities for academically valuable cooperation with parallel departments at the neighboring four colleges. Individual departments may deem it appropriate to include also the nature of new teaching appointments within the department and the assessment of the teaching effectiveness of those teachers within the department who are being considered for tenure.

The nature of different subjects, the composition of the faculty and of the majors within different departments, and the conditions necessary to ensure both freedom of teaching and freedom of learning within different departments may call for somewhat diverse procedures to accomplish these goals.

2. Committees of the Amherst College Board of Trustees

There are two committees, advisory to the Amherst College Board of Trustees, on which faculty serve.

a. *The Advisory Committee to the Committee on Trusteeship* The Amherst College Board of Trustees has declared its intent to elect as term trustees only those who have been considered by an advisory committee consisting of two members of the faculty and two students. At its meeting of October 10, 1972, the faculty established a procedure to elect its representatives to the advisory committee.

Two faculty members are elected for two-year terms. The election procedure follows that of the Faculty Executive Committee, requiring that a person to be elected must receive a majority of the votes cast. All regular tenured and tenure-track members of the faculty except those on leave during the spring semester of the academic year, in which the election takes place and/or those on leave during one or both semesters of the academic year following the election, and those newly appointed during their first year at Amherst, are eligible to serve on the advisory committee. Although part-time faculty may choose not to be included on the ballot, faculty whose terms expire are again eligible in the following year.

b. *The Advisory Committee on Honorary Degrees* The two faculty members elected to the Advisory Committee to the Committee on Trusteeship serve also as the faculty members on the Advisory Committee on Honorary Degrees. This committee, which also includes three students elected by the senior class, meets with the Honorary Degrees Committee of the Amherst College Board of Trustees to discuss candidates for honorary degrees and to make recommendations to the board. The board has indicated that no candidate will be voted an honorary degree whose candidacy has not been discussed with the Advisory Committee on Honorary Degrees.

3. Committees of the College

There are several advisory committees composed of members of the faculty, administration, staff and student body, appointed by the president or other members of the administration to communicate with

different constituencies of the college and to formulate recommendations about policies and procedures to the president and other members of the administration.

Diversity and Inclusion The Diversity and Inclusion Advisory Committee performs advisory functions for the college administration. Its purpose is to bring to the attention of the college a range of opinions and suggestions regarding the provisions of the college's Diversity and Inclusion Program, which provisions reflect the laws and guidelines published by the U.S. Department of Health, Education and Welfare, and subsequent federal and state regulations. In carrying out its purpose it has authority to issue reports to the college community.

The committee is composed of five faculty members, seven trustee appointees, seven staff appointees, six students, and such other persons as the president chooses to include in order to provide diversity of perspective and to meet the needs of those groups covered by Affirmative Action legislation. The chief human resources officer or his or her representative and the special assistant to the president for diversity shall serve *ex officio*. All members are regular employees of the college. The president, to whom the committee reports at least once a year, appoints all members to the committee. Appointments are for two years. The committee elects its chair and secretary.

4. Five-College Committees

From time to time Amherst faculty members may be appointed by the president or the dean of the faculty, with the advice of the Faculty Executive Committee, to serve as representatives on Five College faculty committees to consider questions of academic policy of joint interest to two or more of the colleges.

T. Department and Program Reviews

The faculty endorsed in 1993 a regular schedule of departmental and program reviews. Each review includes an internal self-study and an evaluation by a visiting committee, the appropriate form of which will be determined jointly by the dean of the faculty and the department. The evaluation will be sent to the president, dean of the faculty, and department.

All departments and programs at the college should undergo external reviews on a ten-year cycle or as warranted by special circumstances. External reviews are intended to allow departments and programs to review and assess their work periodically and systematically, and to help departments and the college plan for the near- and long-term future within the context of staffing and budgetary realities. These reviews, which are structured to be independent and comprehensive, have proven to be very informative. They aid departments and programs in identifying and assessing curricular needs and directions. Requests for FTEs that have been informed by external reviews are often strengthened as a result.

See [external review guidelines](#) for details.

V. Salaries and Fringe Benefits

Introduction | Amherst College

All salary, fringe benefits and college service policies are determined by the Amherst College Board of Trustees on the recommendations of the president, the dean of the faculty and the chief financial and administrative officer. In making their recommendations, which are always subject to budgetary constraints and changes in state and federal legislation, these officers of the college regularly consult relevant national survey data, to ensure competitiveness, and consider matters of internal equity. They also draw on the advice of the Committee on Priorities and Resources and the director of human resources, who administers the fringe benefit program.

The Comptroller's Office deals directly with payroll processing, arrangements for any salary, grant and travel advances and reimbursements and accounting for them. The Human Resources Office deals directly with all fringe-benefit matters.

A. Salaries and Payroll | Amherst College

All salaries and any annual increments to them are established and voted by the board of trustees, usually at its April meeting, upon the recommendation of the president, in consultation with the provost and dean of the faculty and the chief financial and administrative officer

1. Payroll. The fiscal year of Amherst College runs from July 1 to June 30. Annual faculty salaries are for nine months' work but are paid in twelve equal installments on the last day of each month, July 31 through June 30, inclusive.

On request, checks will be deposited in the account of a faculty member at most banking institutions, available on the last bank day of the month. Otherwise, they will be mail to a campus or home address.

Salary checks will be subject to the following deductions: Federal withholding tax, Social Security tax, Massachusetts withholding tax, TIAA-CREF, insurance premiums (if participating), rent (if occupying College housing), and any other amounts (College mortgages, luncheon charges, etc.) due the college for any reason.

2. Withholding. Federal withholding taxes are computed in accordance with the federal percentage method, which considers the number of exemptions claimed on Form W-4 filed in the Office of Human Resources upon receipt of letter of acceptance.

Social Security tax will be computed at the prescribed rate.

Massachusetts income withholding taxes are computed in accordance with the state percentage method, which considers the number of exemptions claimed on Form M-4 filed in the Controller's Office. A faculty member may request a larger withholding if he or she wishes in order to approximate the actual tax more closely.

3. Summer Salaries. Members of the faculty are permitted to receive up to three-ninths of their annual salary for additional work done during the summer under research or foundation grants. Such grants are administered by the college and are subject to the normal allowances for overhead. Further details should be checked with the Office of the Controller.

B. Grants and Allowances

1. Requests for travel advances or reimbursements for purposes approved by the College through the Provost and Dean of the Faculty's Office should be made to the Comptroller's Office. Receipts for all expenses for which reimbursement is sought must be submitted to the office.

2. Faculty requesting advances for grants received in the Amherst College Faculty Research Award Program (FRAP) may receive no more than one half of the total funds awarded in advance of undertaking their research project. Once that amount is accounted for, the Controller's Office will advance the balance of the amount awarded. In exceptional circumstances, the Provost and Dean of the Faculty may waive this requirement.

3. Faculty Entertainment Allowance. An allowance not to exceed \$200 per faculty member per year is available for entertaining students. The Campus Center and Lewis Sebring Commons provide space especially for this purpose. In addition to being able to sign in students at the Lewis Sebring Commons, members of the faculty are entitled to six free meals each semester at Valentine (thirteen for faculty teaching First-Year Seminars) simply by presenting their Amherst College I.D. Card to the meal checker. Vouchers requesting advances and/or reimbursements for entertainment of students should be submitted in a timely fashion to the Controller's Office, and must be submitted within the fiscal year in which the expense was incurred.

NOTE: Requests for cash advances for any of these purposes must be made to the Controller's Office at least five working days prior to planned use of funds. Receipts for all expenditures must be submitted within two weeks of their disbursement to the Controller's Office. Similarly, Faculty seeking reimbursement for authorized expenditures must submit receipts for all items for which reimbursement is sought.

C. Fringe Benefit Programs for Full-time Faculty

The Director of Human Resources and the staff of the Human Resources Office are responsible for administering the fringe benefits program for all College employees. The actual provisions of each formal benefits plan, policy or contract will determine entitlement of benefits, benefit levels and other matters. Fringe benefit programs for which Faculty are eligible include:

1. Housing Program | Amherst College

Amherst College (the “college”) assists employees with housing costs by providing three programs: (A) The Rental Housing Program, (B) The House Purchase and Matching Grant Program, and (C) the House Purchase Subsidy Program.

Each plan is described in more detail below. Eligibility is as follows:

** Only under certain circumstances and with the approval of the president or provost and dean of the faculty*

	Rental Housing Program	House Purchase and Matching Grant Program	House Purchase Subsidy Program
Lecturers	X	X	X
Senior Lecturers	*	X	X
Visiting Faculty	X		
Tenure-Track Faculty	X	X	X
Tenured Faculty	*	X	X
[Contract] Coaches	X	X	X
Senior-Contract Coaches	*	X	X
Staff	*	X	
Senior Administrators	*	X	X

The Housing Program is administered by the rental housing management department, with the advice of the Faculty Housing Committee. This committee is composed of four faculty members appointed by the president, upon the recommendation of the Faculty Housing Committee and the following ex officio non-voting members: the chief financial and administrative officer (or that individual’s designee), the chief human resources officer, the director of housing management, an associate provost and associate dean of the faculty, and the chief of campus operations.

The House Purchase Subsidy program is administered by the Office of the Chief Financial and Administrative Officer.

The Housing Program is administered on an equal opportunity basis regardless of race, national or ethnic origin, color, religion, sex or gender (including pregnancy, sexual orientation, gender expression and gender identity), age, disability, genetic information, military service, or any other characteristic or class protected under applicable federal, state or local law.

After consultation with the Faculty Housing Committee, a house or unit is designated as either a rental unit or available for purchase. Once a house or unit has been designated as available for rent or purchase, eligible employees will have the opportunity to rent or buy such house or unit under the Rental Housing Plan or the House Purchase Plan, with priority determined by the point systems

described below. In either case, the employee will be able to either rent or purchase the available unit [for an amount that is below the fair market value]. As a result, such benefit could have certain federal income tax implications discussed in more detail below.

A. The Rental Housing Program

The housing assignment period for rental units is from mid-April through the last day of August. Eligible employees are advised of housing units that are expected to be available during the next academic year. Employees who want to be considered for rental vacancies during the housing assignment period must submit a Housing Request Form to the Department of Rental Properties by a date specified in the annual mailing. Failure to submit a timely Housing Request may result in removal from consideration.

Rental units are assigned on the basis of a point system based on (1) number of years of service, (2) number of children, and (3) rank when appointed to Amherst. The points associated with each of these categories are described below.

(1) *Points for Each Year of Service.* One point is given for each year's continuous service effective with the date of original appointment. For example, if the date of appointment is July 1, the appointee would be given one point for the spring housing assignment period of that academic year.

(2) *Points for Each Child.* One point is given for each dependent child as defined by Internal Revenue Service regulations. An exception is made for a child in utero. If at the start of the housing assignment period, a pregnancy is known to exist, an additional one point is given.

(3) *Points for Rank at time of Appointment to Amherst.* This category reflects credit for rank at the time of original appointment to Amherst College. These points assist faculty who may have been in academia prior to appointment to Amherst. The points associated with rank are given in the table below. They partially offset the greater credits for years of service accrued by faculty members who have spent their entire careers at Amherst. For example, a faculty member who is appointed (without tenure) to Amherst at the rank of associate professor would be entitled to six points under this category. A professor who was originally appointed as an assistant professor would receive two points.

Rank	Points for Rank when Appointed to Amherst
Assistant Professor	2
Associate Professor	6
Professor	10

Information of how a particular title correlates to the point system ranking is available from the Office of Human Resources.

The president can make special housing assignments that serve the interest of the college at his/her discretion.

Rental housing is generally intended for use by tenure-track faculty members, coaches, and visiting faculty. Upon receiving tenure or senior contract status, a renter may only remain in rental housing for two years. Any occupant who was a tenured member of the faculty, a senior-contract coach, a tenure-track faculty member who later received tenure, or an administrator eligible for rental housing, as of March 2, 1998, and who did not wish to or was not qualified to purchase his/her home at that time, may remain in his/her assigned unit only.

The following categories of employees are eligible for college rental housing.

Current Employees (assistant professors, coaches, and lecturers) These individuals are eligible either to move within the housing system or move from off campus into rental housing.

New Employees to the College (assistant professors, coaches, lecturers, full-time visiting professors of all ranks, and eligible visiting lecturers)

The procedure for the assignment of rental housing units is as follows.

Current Employees – Points will be assigned as described above and employees with the highest number of points will be offered housing first. In the case of a tie in points, assistant professors and lecturers will be assigned units first, followed by coaches. A game of chance (such as a coin toss) will be used to break ties within the two groupings.

Once all eligible current employees have been given the opportunity to select housing, eligible new employees will be offered housing as delineated below.

New Employees to the College – The assignments to new employees will proceed in a two-step process. Rental housing will be assigned first to new assistant professors, new coaches, and new lecturers. Points will be assigned according the system described above. In the case of a tie in points, assistant professors and lecturers will be assigned units first, followed by coaches. A game of chance (such as a coin toss) will be used to break ties within the two groupings.

Once all eligible new assistant professors, new coaches, and new lecturers have been given the opportunity to select housing, the assignment of rental housing units to all other qualifying new employees will be made in accordance with the point system.

Assignment to housing typically follows the fiscal year pattern of appointments, July 1 through June 30. Assignments for rentals are automatically renewed except when the terms of the assignment period are limited or a transfer to another housing unit occurs as a result of the spring assignment procedure. Letters of assignment will be sent to the new occupants by the director of the Department of Rental Properties. Occupants of college rental housing are required to sign a lease defining the terms and conditions of the rental. Conditions of maintenance and terms of payment are detailed in the letter of assignment and lease. Annual rent increases are determined by the Department of Rental Properties. It is recommended that renter's insurance covering personal belongings and liability be secured by all renters of college housing.

In the case of vacancies occurring after the end of the housing assignment period and through the following June, the director of the Department of Rental Properties, in consultation with the Housing Committee, may make temporary assignments to eligible employees until the end of that fiscal year, normally June 30, as circumstances dictate.

Separating faculty must be prepared to vacate rental college housing at the time of separation. Retiring faculty must vacate rental college housing within two years after retirement. The family of a faculty member who dies during the year may reside in college housing through the end of the fiscal year that follows the faculty member's death.

Maintenance Residents of college rental housing must take reasonable care of the premises and advise the Department of Rental Properties of conditions needing attention. It is expected that if a tenant is moving, the premises will be left in good order, within reasonable standards of cleanliness and repair. All alterations or improvements must be done by or approved by the college. Details about maintenance practices, interior decorating requests, alterations and improvements, and procedures for service and repair calls are available from the Department of Rental Properties.

Subletting The college requires that a rental unit be occupied as a primary residence by the individual to whom it is assigned. Subletting of a college housing unit is limited to periods of sabbatical leaves or other authorized leaves of absence. Written notification to the Department of Rental Properties of a subletting arrangement is required and must include the name(s) of the sublessee(s) and the dates the house or unit is to be sublet. A one month security deposit is required of all residents subletting their college housing units. Subletting is subject to the approval of the director of the Department of Rental Properties.

B. The House Purchase Plan

Some single-family houses are available for sale to tenured members of the faculty, senior lecturers, senior-contract coaches and eligible administrators. Priority in purchasing a home is determined by a point system identical to one that governs the rental housing program, except that a faculty member's rank on July 1 of that year's purchase solicitation determines the following additional points.

Rank	Points for Rank at time of Offering
Associate Professor	6
Professor	9

Details regarding terms of sale under the House Purchase Plan, including purchase price, financing, and the college's repurchase rights, are outlined below.

(1) *Purchase Price* The purchase price is 80 percent of the independently appraised value established by a college appointed firm. If a potential eligible buyer, or eventually, a potential eligible seller, wishes to contest this appraisal, he or she may hire an appraiser for another estimate of value. If the two estimates are within 5 percent of each other, the mean between the two will be taken as the final appraisal. If the two estimates are more than 5 percent apart, then a third appraiser, to be mutually

agreed upon and paid by the college and the eligible buyer/seller, will make a third estimate which will be the agreed upon value. The current condition of the home, its deficiencies and necessities, will be reflected in the independent appraised value. Any reasonable environmental abatement (including lead paint or asbestos removal) requested by the purchaser will be performed, at the college's expense, prior to any purchase.

(2) *Financing* A House Purchase Subsidy Program is available for down payment assistance to buyers who meet the terms of the program outlined in section C below.

(3) *Additional Terms* The home must be the purchaser's primary residence and must be occupied by the individual to whom it is sold. The home must be resold to Amherst College if the buyer ceases to be an eligible employee, or ceases to maintain it as a primary residence, or the home ceases to be owner occupied.

(4) *Terms of Resale* Upon resale to the college, the price will be 80 percent of the appraised value at the time of resale. (Value to be established by the same appraisal guidelines found under Purchase Price.) The following events will initiate the resale to the college: retirement, if the buyer ceases to be an eligible employee, divorce of eligible employee when the former spouse retains possession of house, death of eligible employee, and if the property is not the primary residence of the eligible employee.

The following timelines are applicable:

Separating Faculty	At time of separation
Retired Faculty	May retain ownership for two years
Widow(ers) of eligible employees	May retain ownership for five years
Divorced spouses of eligible employees	May stay in unit for two years after divorce

Matching Grant Plan For each house sold by the college, 10 percent of the purchase price will be made available to the purchaser to help pay for the cost of capital home improvements that will upgrade or maintain the structure and/or the systems of the house or the property. The matching grant fund will pay for up to one-third of the cost of the approved project. These improvements must be in the nature of capital improvements such as roof repairs, or upgrades or repairs to the utility systems, driveway paving or insulation. Routine painting, wallpapering, renovations of kitchens or bathrooms, and replacement of carpets are examples of non-qualifying repairs or maintenance. All requests must be made to the chief of Campus Operations before any work is performed on the project. The chief of Campus Operations, in consultation with other members of the administration, will determine whether a project qualifies for a matching grant. These grants will be taxable income to the homeowners.

Architectural Review Plans for exterior alterations to houses purchased from the college under the Housing Program are subject to review and approval under the architectural guidelines.

C. House Purchase Subsidy Program

The purchase subsidy options are available to tenure-track and tenured members of the faculty, coaches and senior-contract coaches, and certain administrators who are first-time purchasers of a

house while employed by Amherst College. Purchasers may take advantage of this program only once. A maximum of \$30,000 is available for this one-time only benefit. If more than one eligible individual is applying for a subsidy to purchase a property, the combined subsidy payments cannot exceed the limits noted below.

The subsidy options are available for use as a deposit to acquire the property. These options are not available for refinancing or renovating a home. The house must be located within a thirty-mile radius of the center of Amherst and must be occupied at all times as the borrower's principal residence.

Terms and conditions are effective February 1, 2014.

There are three different subsidy options. Only one may be selected.

Option One

Seven-year loan, interest free, up to \$30,000

This is an unsecured loan and is intended to be down payment assistance. This loan may not be assumed by another person or entity. Payments required under the terms of this loan will be made monthly by payroll deduction. Should the borrower retire and payroll deductions are insufficient to meet the obligation, then arrangements satisfactory to the college will be made.

In the event of the borrower's retirement with the approval of the college, or death, the loan shall become payable ninety days after demand by the college. Such demand may be made at any time prior to maturity. Unless and until such demand is made: (a) if the borrower has at least ten years of service at the time of retirement or death, the loan shall be payable in accordance with its original terms; or (b) if the borrower has less than ten years of service at the time of retirement or death, the loan shall become payable two years after the date of the applicable event.

The loan shall also become due and payable: (a) upon demand at such time as the borrower ceases to occupy the house as a principal residence; or (b) within ninety days after the date the borrower's employment at the college is terminated for reasons other than retirement.

The loan may be paid off before maturity without penalty.

Imputed income will be calculated based on the mid-term AFR in the month of the loan.

Option Two

Fifteen-year loan, below market interest, up to \$30,000

The interest rate on the loan will be set at 1.5 percent below the federal rate for long-term loans at the date of the loan. This is an unsecured loan and is intended to be down payment assistance. This loan may not be assumed by another person or entity. Payments required under the terms of this loan will

be made monthly by payroll deduction. Should the borrower retire and payroll deductions are insufficient to meet the obligation, then arrangements satisfactory to the college will be made.

In the event of the borrower's retirement with the approval of the college, or death, the loan shall become payable ninety days after demand by the college. Such demand may be made at any time prior to maturity. Unless and until such demand is made: (a) if the borrower has at least ten years of service at the time of retirement or death, the loan shall be payable in accordance with its original terms; or (b) if the borrower has less than ten years of service at the time of retirement or death, the loan shall become payable two years after the date of the applicable event.

The loan shall also become due and payable: (a) upon demand at such time as the borrower ceases to occupy the house as a principal residence; or (b) within ninety days after the date the borrower's employment at the college is terminated for reasons other than retirement.

The loan may be paid off before maturity without penalty.

Imputed income will be calculated based on the difference between the rate on the loan and the long-term AFR in the month of the loan.

Option Three

Monthly mortgage subsidy in the amount of \$75.00 per month for seven years.

Payment of the subsidy will be paid via stipend and added to monthly wages.

Exceptions to the practices described above are subject to consultation with the Faculty Housing Committee.

All terms of the Housing Program are subject to periodic review by the trustees of the college and by administration to determine whether the program is achieving its goals. The trustees reserve the right to alter or amend the terms of the program and the eligibility criteria as the trustees deem necessary or warranted.

2. Retirement | Amherst College

As a faculty member approaches retirement, he or she should consult with the dean of the faculty and the Department of Human Resources.

Retired faculty have *emeritus* status. *Emeriti* may participate in formal college ceremonies such as commencement and convocation. They retain library privileges and full access to campus facilities though they cannot normally be granted the use of laboratory or office space. The college will invite those who retire in the area to participate in a variety of college social events.

a. Retirement Plans

Please note that a special Enhanced Faculty Phased Retirement Option is being offered until June 30, 2018. See the end of this retirement section for details.

(1) *TIAA-CREF Retirement Income Plan.* All full-time and part-time faculty and trustee-appointed administrators having completed two years of service, may participate in the college's TIAA-CREF retirement plan. The waiting periods may be waived in cases of new appointees with immediate prior service in a related industry at the time of appointment to Amherst College.

The basic plan provides for a college contribution of 6 percent of monthly compensation up to an integration level established annually, and 9 percent of earnings in excess of that level. Through the matching plan, a participant may elect to contribute 1, 2, or 3 percent of base salary and the college will make an equal, additional contribution to the plan.

The participant may elect to have the total premium applied either to the TIAA annuity or to CREF, or may elect to divide the total premium between TIAA and CREF in any proportion.

Participants' contributions may be made on a pre-tax or after-tax basis.

TIAA and CREF premiums are payable on the first of each month and will be deducted from salary in the same month (for example, July 1 premiums will be deducted from July 31 salary).

The TIAA contract and CREF certificate are the full and immediate property of the individual and on severance from the college may be transferred elsewhere, continued privately, or suspended, and may be redeemed by lump sum payment in accordance with college policy and TIAA repurchase conditions.

Pamphlets describing the various conditions of the plan, tax shelter procedures, and options available under TIAA and CREF are available in the Department of Human Resources.

(2) *Tax Deferred Annuity Plan.* GSRA Plans. Employees of the college may, through a properly drawn salary reduction agreement with the college, direct a portion of their compensation towards the purchase of a Group Supplemental Retirement Annuity (GSRA). Such reductions of compensation would not be subject to Federal income tax until they are received as benefits, which can be as early as age fifty-nine and a-half without restrictions, or earlier, under certain circumstances, but generally occurs when the participant is retired and in a lower tax bracket. A GSRA is an annuity contract especially designed for use by those who want to set aside tax-deferred retirement funds over and above amounts being accumulated under the college's basic retirement plan.

GSRA annuities, like regular TIAA and CREF annuities, are fully owned by the faculty member, provide the same choice of lifetime annuity income options, provide for loans, and are not assignable. GSRA annuities can be established with the Teachers Insurance and Annuity Association, or the faculty member may select another plan, subject to such plan meeting the administrative requirements of the college.

(3) *Optional Phased Retirement Plan.*

Please note that a special Enhanced Faculty Phased Retirement Option is being offered until June 30, 2018. See the end of this retirement section for details.

Any regular member of the faculty with ten years or more of tenured service may elect to participate in the Optional Phased Retirement Plan at the end of the college year in which their sixtieth or subsequent birthdays to age seventy occur. Arrangements to participate in the plan should be made with the dean of the faculty by January 1 of the college year preceding entry into the plan. Such arrangements will be incorporated into an agreement which is subject to the approval of the president. The faculty member's department should be informed of the arrangements at the earliest possible date.

The plan provides opportunity for a member of the faculty to teach part time through the end of the college year in which age seventy is attained. The plan also provides an early retirement option (see below) that does not require teaching. This option is available to members of the faculty as early as the end of the college year in which their sixty-second birthday occurs through the end of the year in which their sixty-fifth birthday occurs.

The general provisions of the plan are:

(a) *Stipends.* Stipends are payments for services rendered as established by the agreement. The value will be adjusted annually to reflect the percent change in the average salary of full professors.

(b) *Service Agreement.* The individual choosing to participate in the plan will teach two courses in either one semester or both of a given academic year as agreed upon with the dean of the faculty and the department. During the period that a faculty member is on phased retirement, he or she may take up to one year of unpaid leave of absence. A faculty member on phased retirement is not eligible for sabbatic leave. It is expected that other obligations such as advising students and committee or community service will continue on a half-time basis.

(c) *Retirement Income and Benefits*

1) The college will pay the participating faculty member a percentage of his or her salary as follows, adjusted annually to reflect the percent change in the average salary of full professors through the end of the year in which age sixty-five occurs:

(1) Ages 60 - 61 70 percent of salary

(2) Ages 62 - 65 60 percent of salary

2) The College Housing and Second Mortgage Programs are available under the same terms as applicable to regular faculty.

3) The Grant-in-Aid Program is applicable.

4) The participant may continue in the basic Group Life Insurance Program with coverage based on the estimated full time salary adjusted annually to reflect the percent change in the average salary of full professors. The college pays the full cost of this benefit for the length of the agreement generally to the end of the year in which age seventy is attained.

5) Participation in the college's health and dental plans will be continued on the same cost basis as regular faculty members from the date of entry into the Phased Retirement Plan until the service agreement terminates.

Thereafter, a supplement to Medicare is available at no cost to participants for life for faculty hired prior to July 1, 2003. Dental benefits normally cease at retirement but may be extended at the faculty member's expense through COBRA. The college will reimburse the participants for the cost of Medicare premiums for self and spouse if the faculty member meets certain grandfathering provisions. Spouse and dependent's coverage under a medical plan may be added at the individual's expense.

6) Facilities. Library and secretarial services normally accorded faculty in connection with services rendered are available to the participant.

7) The college will continue to contribute to the individual's retirement annuity with TIAA-CREF. The participant will also be required to contribute to TIAA-CREF. The amount will be the same as those for active faculty, 9 percent up to an integration level established annually, and 12 percent of the balance of salary. Employee contributions will equal 3 percent of salary.

8) Disability benefits through TIAA-CREF cease upon participation in the Phased Retirement Plan. In the event of disability between the ages of sixty and sixty-five, early retirement income of 60 percent or 70 percent, depending on the age at time of disability, will continue through the end of the college year in which age sixty-five is attained. The service stipend will cease at the end of the month in which the disability occurs.

9) In the event of death between the ages of sixty and sixty-five, a death benefit will be paid to the next of kin (if dependent) consisting of six months' payment of estimated full salary. Payments of premiums to TIAA-CREF will cease at the end of the month in which death occurs.

10) Participation in the Amherst Plan may continue coincident with the service agreement.

(d) *Early Retirement.* Teaching or performance of other services is not required. The college will provide 60 percent of salary between the ages of sixty-two and sixty-five, plus all the above benefits excluding the stipend for services rendered, retirement plan contributions, and Amherst Plan.

Eligibility for early retirement ceases at the end of the college year in which age sixty-five is attained.

ENHANCED PHASED RETIREMENT OPTION FOR FACULTY AGE SIXTY-THREE AND OLDER

AVAILABLE UNTIL JUNE 30, 2018

This program is designed for faculty who have not entered phased retirement by the time they turn sixty-three. This option retains all of the features of the core option (see below) but adds a salary percentage stipend for (an additional) one to three years for those entering into the program later. No colleague will be entitled to a salary percentage stipend for more than three years, and the stipend percentage will be set at 50 percent of salary for those years in which a faculty member participates in the plan beyond age sixty-five. This percentage is purposefully set below those for the plan years at

ages sixty to sixty-five, in order to maintain a stronger incentive for those considering early retirement to retire earlier. Those colleagues entering into a phased retirement option at age sixty-three or sixty-four will also be entitled to the 50 percent stipend for their post-sixty-five years, up to a maximum of three years of salary stipend. This proposal includes offering a 50 percent stipend to those past seventy, again with the three-year term. Those who have previously entered into a Phased Retirement Option agreement will not be eligible for the Enhanced Phased Retirement Option. Stipulations in the existing phased retirement program concerning when a faculty member agrees to retire have not been changed in this program. Thus, some colleagues entering into the program “early” will only be agreeing to retire by age seventy (seven years for a colleague at sixty-three).

BRIDGE APPOINTMENTS

Mellon funding will be used to support bridge appointments only for those faculty members who enter into the program at sixty-five or older (a maximum of five years to full retirement). Bridge appointments associated with younger participants in the program will be supported entirely through college funds. This enhancement will be extended to the entire Amherst faculty, again using a combination of Mellon and college funds, and will only be offered during the period of the Mellon grant, four academic years from 2014-2018. The Enhanced Phased Retirement Option described above will be implemented in sync with a program of bridge appointments and through a variety of approaches. The dean will identify departments that have multiple colleagues of retirement age and invite them to apply for bridge appointments, with the option of also applying for funding to develop departmental transition plans. As mentioned above, the dean will also meet with individuals who express interest in the program. In addition, all departments are invited to make proposals for bridge appointments. The process for proposing and allocating bridge appointments will mimic as closely as possible the college’s regular FTE allocation procedures. Once a faculty member expresses interest in retiring on the condition that a bridge appointment is made, the person and his or her department will consult with the dean and then submit a proposal for a bridge FTE/retirement plan to the Committee on Educational Policy (CEP). If the CEP makes a recommendation to the president and the dean for the bridge FTE, the dean will meet with the senior faculty member. A signed retirement agreement, stating that the senior colleague’s phased retirement will be contingent on the president and the dean awarding the new FTE to the senior colleague’s department, will be requested. Once the agreement is signed, the president and the dean will allocate the bridge FTE. A national search will then be launched, according to the college's regular schedule and procedures.

CORE PHASED RETIREMENT OPTION (Described above as well)

The regular, continuing phased retirement option offers choices that are most advantageous for those aged sixty to sixty-five. All agreements except the post-age seventy option require faculty members to retire by age seventy. Those who enter into phased retirement agreements at ages sixty or sixty-one receive 70 percent of their salary through the end of the academic year in which age sixty-two occurs, 60 percent of their salary from ages sixty-two through sixty-five, and a teaching stipend until they reach age seventy. Under the plan, faculty members have a reduced teaching load of two courses per year until they retire at age seventy. Those who enter into phased retirement agreements at ages sixty-two to sixty-five receive 60 percent of their salary through the end of the academic year in which age sixty-five occurs, as well as the other benefits described above. There is also an early retirement option for faculty members who are sixty-two or older, in which the faculty member agrees to retire by the end of the academic year in which age sixty-five occurs but does not teach, and the college provides 60 percent of salary each year plus all the above benefits except the teaching stipend. Compensation is

calculated based on the faculty member's annual salary when he or she enters the plan. Participants in the phased retirement plan may forego their teaching obligation for one year, and forego the teaching stipend that year, while under the plan agreement. Both imputed annual salaries and the teaching stipend are raised each year by the percentage of the average raise for full professors that year. In addition, for those seventy or older, the college offers a special three-year phased retirement option, during which the faculty member's teaching load is reduced to two courses per year, and his or her compensation for those years is just the teaching stipend described above. Again colleagues have the option of retiring before the three years are complete, but they agree to retire by the end of those three years.

3. Group Health & Dental Insurance

Regular faculty are eligible to select one of the health care programs offered by the College.

Faculty may select individual or family coverage. Faculty enrolling in a plan will also be included in the Dental Plan in a corresponding individual or family contract. Specific plan details, current rate information and enrollment forms are available in Human Resources Office.

Family coverage may include a spouse, unmarried children under age 19 and children who are full-time students until age 25 for health, age 23 for dental, or until they are no longer full-time students, whichever is earlier. Dependent coverage after age 19 is not automatic. To avoid loss of coverage, the Human Resources Office must be notified of student status 30 days prior to the dependent's 19th birthday. A new enrollment form will be required for continued coverage.

The current College contribution to a full-time Faculty member's premium is equal to the current rate of a single plan. An additional College contribution is made towards family coverage. Premium payments by the College are prorated for regular Faculty members working on a part-time basis.

Changes in plan participation, other than as a result of marriage, childbirth or adoption, generally may be made during the annual open enrollment period.

Health insurance for active faculty members over age 65 and their spouses remains the same as it was prior to age 65. The College recommends that employees contact the Social Security Administration three months before turning 65. However, it is not necessary to enroll in Medicare Parts A and B until separation from the College.

In certain instances where coverage under the group health plans would otherwise end, the College offers faculty members and their families the opportunity for a temporary extension of health coverage

at group rates with the faculty member paying the full cost of coverage. Further information about continuation of coverage (COBRA) is available in the Human Resources Office.

Upon retirement, at or after age 62 with 10 years of service, regular faculty members who began employment prior to July 1, 2003 are eligible for certain post-retirement health care coverage through the College. Please consult with the Office of Human Resources regarding your retiree health benefit.

Retiree health benefits for faculty hired on or after July 1, 2003 are currently under review. This website will be updated when the new plan is available.

Visiting faculty, full- or part-time, are eligible for health insurance.

4. Employee Assistance Plan | Amherst College

The Employee Assistance Plan (EAP) is a confidential resource and referral service that the College makes available to all Amherst College employees, their spouses and dependents. The Wellness Corporation provides a number of services including consultation, problem assessment, referral and follow-up services for a wide variety of personal and health-related problems. Visit www.WellnessWorkLife.com for information on a variety of topics.

Employees and their families may call (800) 828-6025 to speak with a professional counselor, or to schedule an appointment. Medical family leave days can be used by an employee for FSAP appointments.

5. Group Life Insurance | Amherst College

On the first of the month following three consecutive months of employment, faculty members are eligible for College-paid group life insurance coverage. To age 65 the insurance coverage is equal to 1.5 times an employee's annual salary. Upon attainment of age 65, the amount of insurance is equal to 1 time the basic annual salary and 67% at age 70.

In all cases, if the amount of insurance is not an even multiple of \$1,000, it is raised to the next higher \$1,000 multiple.

Optional life insurance with additional coverage of one, two, or three times a faculty member's annual salary may be purchased at low group rates, subject to a \$300,000 overall maximum. Enrollment for additional coverage can occur at time of appointment. If application for additional coverage occurs at a later time, a health statement and examination will occur.

A faculty member leaving the College may convert this insurance to a private plan and continue it at his or her own expense. To do so, he or she should consult the Human Resources Office.

6. Long Term Disability Insurance

On the first of the month following three consecutive months of employment, the College provides all faculty members with Long Term Disability Insurance coverage. Under this plan, faculty are assured of replacement of a substantial portion of income when faced with long-term illness or injury. After certification of the disability by the insurance carrier, the plan provides the following benefits beginning the first of the month following six consecutive months of disability:

A monthly income, inclusive of any income for Social Security and Workers' Compensation, of 60% of basic annual salary as of the date of disability, to a maximum benefit of \$4,500 monthly. The minimum benefit is \$50/month regardless of other sources of income.

The continuation of contributions to TIAA-CREF annuity in accordance with the terms of the retirement plan.

Continuation of College-provided life insurance benefits at the level of coverage at the time of disability until age 70 or cessation of benefits, if later.

The above benefits continue for up to 24 months for partial disability, or to age 65 for full disability. Additional benefits may be available after age 65 depending on circumstances and commencement of benefits. Health insurance benefits may be continued as defined by COBRA regulations.

An employee receiving benefits from the plan is normally considered separated from the College.

A faculty member leaving the College may convert this insurance to a private plan and continue it at his or her own expense.

Specific plan details are available in the Office of Human Resources.

7. Workers' Compensation Insurance | Amherst College

In accordance with State law, the College carries Workers' Compensation Insurance for all faculty members. It is important that any injury, however slight, incurred on duty be reported immediately to the Department Chair and the Human Resources Office in order to comply with the provisions of the law.

When compensation payments are made by the insurance company, the College will make up the difference between the amount paid and the faculty member's salary as long as the faculty member has active status. Extended absence due to injury incurred while on duty may prompt the College to

request disability insurance benefits for the faculty member following six full months of absence. Supplemental salary payments made by the College will cease upon approval for long-term disability benefits.

8. Death Benefits | Amherst College

If a participant in the TIAA-CREF Retirement Program dies before retirement, the beneficiary will receive the accumulated value of the retirement contracts, including the contributions of Amherst College and the proceeds of the life insurance plan.

In case of death of any regular member of the faculty, in addition to TIAA and life insurance benefits, the College will give to his or her next of kin, if dependent, a sum equal to one month's pay if the deceased was employed by the College for less than five years; three months' pay if employed between five and ten years; and six months' pay if employed ten years or longer.

9. Travel and Sojourn Insurance

Health and Emergency Medical Assistance

Faculty, staff, and students traveling internationally for college business (e.g. research, conferences) should contact their health insurance provider to find out if coverage extends to the country of travel. A college-sponsored trip is any trip related to research, courses, or official college business. Examples include professional/academic conference attendance, research, or official college visits. Travelers should also determine how to pay for health services should they be needed while abroad, since it is most likely that travelers will have to submit a reimbursement claim after payment in full is made at the time of service.

Emergency Medical Assistance Benefit

Most health insurance policies do not include coverage for emergency evacuation or repatriation of remains, both of which are costly. Amherst faculty members traveling one hundred miles from home or more on a college-sponsored trip have an emergency medical assistance benefit through five colleges, inc. with [AIG Travel Guard](#). A college-sponsored trip is any trip related to research, courses, or official college business. Examples include professional/academic conference attendance, research, or official college visits. The benefit covers the Amherst college employee only. Dependents and spouses are not covered, but coverage can be purchased through AIG travel guard by the employee. For more information, visit [Health and Emergency Medical Assistance](#).

Death or Disabling Injury

Amherst college provides insurance coverage for a faculty member who is killed or totally disabled as a result of accidental circumstances while traveling on college business away from the normal place of work. The coverage provides for a \$300,000 death benefit per individual with a catastrophic limit of

\$1,500,000 for any one accident. the faculty member's estate receives the death benefit. For more information about the plan, please contact the Office of Human Resources.

10. Benefits During Sabbatic Leave and Leave of Absence

During absence on sabbatical leave, or on an approved leave of absence, contributions to TIAA-CREF and insurance will continue in the normal amount. Any questions concerning this procedure should be discussed with the Director of Human Resources.

C. The Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) provides employees up to twelve weeks of unpaid, job-protected leave during a twelve-month "rolling" period for certain family and medical reasons.

In most cases, Amherst College [leave policies for faculty](#) equal or exceed [FMLA provisions](#) and will be deemed to run concurrently with the leave available under FMLA. Faculty should review the Amherst leave policies carefully. At no time will FMLA be used to limit already existing rights and protections provided under any other statutory provisions.

The twelve-month period is measured backward from the date an employee uses any FMLA leave. To be eligible, an employee must have worked at the College for at least twelve months and for at least 1,250 hours during the twelve months prior to the leave. Leave is available for birth or care of a newborn, for placement of a child for adoption or foster care, for the care of a spouse, son, daughter, or parent with a qualifying serious health condition; or in the event of a qualifying serious health condition that prevents the employee from working. In addition, the National Defense Authorization Act for 2008 provides up to twenty-six weeks of FMLA leave in a single twelve-month period to care for a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty. The aggregate amount of FMLA time available in a twelve-month period cannot exceed twenty-six weeks. The request for a foreseeable FMLA leave should be made to the Dean of the Faculty and Office of Human Resources.

An employee requesting FMLA Leave must provide at least thirty-days' notice before the date the leave is to begin if the leave is foreseeable. If at least thirty-days' notice is not possible, the employee must provide notice as soon as practicable (which ordinarily means at least verbal notice within one or two business days of when the employee becomes aware of the need for leave). The leave request must indicate that the employee is unable to perform the functions of the job, or that a covered family

member is unable to participate in regular daily activities, the anticipated duration of the absence, and whether the employee (or family member) intends to visit a health care provider or is receiving continuing treatment. Periodic recertification of extended leaves will be required.

If an employee is requesting FMLA Leave for his/her own serious health condition or to care for a child, spouse, service member, or parent with a serious health condition, the Certification of Health Care Provider form must be completed by the health care provider and returned to the Office of Human Resources within fifteen days to verify a qualifying serious health condition. If an employee fails to provide the requested medical certification within the required time, or if the certification is incomplete and is not remedied, FMLA Leave may be delayed or denied.

FMLA Leave may be taken intermittently; however, an employee who takes an intermittent leave may be required to transfer temporarily to another position with equivalent pay and benefits if that position better accommodates the recurring periods of leave. An employee may also take the leave in the form of reduced hours, or reduced work days during the week, until the days off add up to twelve work weeks (twenty-six weeks for a service member). Periodic recertification of extended leaves will be required.

In most cases, Amherst College [leave policies for faculty](#) equal or exceed [FMLA provisions](#). However, at no time will FMLA be used to limit already existing rights under College policies and protections provided under any other statutory provisions.

During FMLA Leave, the College will continue to provide health care coverage on the same basis as is normally provided. If an employee contributes to his/her health care coverage, the employee is required to continue to make payments during the leave period. If an employee does not return to work after FMLA Leave, the employee is responsible for repaying the cost of health benefits provided during the leave, unless the reason for not returning is due to a serious health condition or other circumstance beyond the employee's control.

Any employee who takes approved FMLA Leave will be reinstated to the position held when the leave began or to an equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment, unless a job elimination or other change in circumstance has occurred during the leave period. Certain "key employees" (as defined under the FMLA) may be denied job restoration.

Any employee returning from FMLA Leave which is taken for the employee's own serious health condition must obtain and provide the College with certification from the employee's health care provider, indicating that the employee is able to resume work.

Specific details and requirements of FMLA are available in the Office of Human Resources.

12. Moving Expenses

New members of the faculty are eligible for reimbursement of expenses incurred in the transportation of household goods and personal effects to the Amherst area. The President or the Dean of the Faculty

may authorize payments of actual expenses up to \$1,000 for moving distances of up to 1,000 miles; \$1,500 for 1,000 to 2,000 miles; and \$2,000 for over 2,000 miles.

Arrangements for reimbursement are made through the Office of Human Resources.

13. Grant-in-Aid Program | Amherst College

Dependent children of regular, full-time faculty members with five years of full-time service are eligible for the Grant-in-Aid benefit per academic semester.

Grant recipients must be legal dependents as defined by the IRS for Federal income tax purposes and must be enrolled as full-time undergraduates in an accredited two- or four-year college or university. Grants are made annually for a maximum of four academic years or eight academic semesters, or the equivalent, and are limited to the grant established for the year in question or the tuition of the institution attended, whichever is lower. Board, room, and other special fees are not covered by this grant.

Applications, along with a copy of current tuition charges, should be submitted to the Office of Human Resources no later than August 1st for the full academic year. Payments are made directly to the institution attended in two equal installments on or about August 15th and December 15th. Payment for the first and second semesters will be made after submission of the bill.

Children of eligible faculty members who retire or who die while employed will continue to receive the grant if the eligible dependent is currently enrolled at an accredited college or university at the time of death or retirement of the parent. Faculty members who otherwise separate from the College prior to the start of the semester will not be eligible to participate in the plan. Faculty who otherwise separate from the College during the semester will be responsible for refunding to the College a prorated share of the value of the Grant-in-Aid payment as determined by the College.

Applications and current program details may be obtained in the Office of Human Resources.

14. The Amherst Plan

With the Amherst Plan, a flexible spending plan established under Section 125 of the Internal Revenue Code, all faculty members may elect annually to pay for certain eligible expenses with before-tax salary dollars—dollars excluded from income for Federal, State and Social Security purposes. By taking advantage of the tax savings options offered by the plan, faculty members may increase their take-home pay. Faculty may choose to make before-tax deductions for any health insurance premiums they pay and/or set aside salary dollars to cover qualified out-of-pocket health and dependent care expenses. Expenses incurred during a plan year will be reimbursed up to the amount set aside in the related account. The IRS requires that any money remaining in a faculty member's account at the end of a plan year will be forfeited.

Participation is on a fiscal-year basis (July 1-June 30) with an annual open enrollment period. New faculty members may enroll in the plan within 90 days of hire date. Specific plan details and enrollment information are available in the Office of Human Resources.

15. Unemployment Compensation

All faculty of Amherst College are covered by the provisions of the Massachusetts Employment Security Law (commonly referred to as "Unemployment Compensation") and, therefore, are entitled to all applicable benefits under the act. This program provides weekly income benefits to all eligible individuals during periods of full or partial unemployment.

Employees on approved leaves of absence are not eligible for unemployment compensation.

16. Computer Purchases

Regular faculty members are eligible to purchase computers and some peripheral equipment at discount prices. A partial 24 month interest free loan for the purchase of this equipment may be arranged and paid for through payroll deduction.

D. Fringe Benefit Programs for Part-time Regular Faculty

Regular, part-time faculty are eligible for certain fringe benefits as follows:

1. Retirement

The date of appointment is the date for determining entry into TIAA, normally after two years of service. The percentage of contributions is the same as for full-time personnel.

2. Housing

Part-time, regular faculty members are eligible for College housing on the same basis as full-time faculty. Visiting faculty, full- or part-time, are eligible for College housing, but only after all regular faculty have been considered.

3. Insurance Coverage

Health insurance is available on a proportionate cost basis. The appointee shares the cost based on the terms of the appointment. Premium payments by the College are prorated for employees working on a part-time basis.

4. Life and Disability Insurance

The TIAA basic and optional group life insurance and long-term disability plans are available according to the terms of the current plan, as is the College's death benefit.

5. [Family and Medical Leave Act](#)

6. [Leaves of Absence for Temporary Disability, Illness or Parenting](#)

VI. College Facilities and Services

A. Libraries | Amherst College

The college's main library, the [Robert Frost Library](#), stands in the center of campus and supports all manner of teaching and research.

Collections include more than 1.3 million print volumes and millions more electronic items, including journals, databases, films, music, and troves of manuscripts and archival material. The [Five College Catalog](#) serves as the inventory of record for all cataloged holdings, including those shelved off campus. Archives and Special Collections maintains [online finding aids](#), and, increasingly, digitized versions of manuscripts, books, and images in [Amherst College Digital Collections](#).

Research and instruction librarians work with faculty to teach research to classes in all disciplines. A friendly and expert face is usually available at the [reference desk](#). Librarians are also happy to chat [online](#).

Frost Library offers numerous spaces for quiet study and collaborative work, including a cafe with comfortable seating, food and drink, and a new balcony.

The library's [website](#) guides you to catalogs, databases (with full-text articles from newspapers, popular and scholarly journals, images, streaming media, and more), government publications, [digital collections](#), primary sources, and freely available resources selected by librarians. Our [research guides](#) can get you started, point you to subject-specific databases, and give you [contact information](#) for the librarians who specialize in your field.

Facilities

The campus boasts four libraries: the main [Robert Frost Library](#), the [Keefe Science Library](#), the [Vincent Morgan Music Library](#), and the [Center for Russian Culture](#). Frost houses collections in the social sciences, humanities, fine arts, and parts of the sciences. Frost is also home to [Archives and Special Collections](#), Digital Programs, the [Amherst College Press](#), the federal depository collection, the [largest computer lab on campus](#), and all units that acquire, classify, describe, and preserve collections.

Hours

Hours for all facilities [are available here](#). Faculty and student IDs provides access to the science library 24 hours per day, 365 days per year.

Loan Periods

Faculty:

- Books & Scores: 365 days
- Print journals: 3 days
- Music CDs: 28 days
- Other media: 7 days

Students:

- Books: 28 days ([renewable in the catalog](#))
- DVDs: 5 days

The library charges fines for late material.

- Reserve material: \$5 for first hour; \$1 for each subsequent hour
- Recalled material: \$2 per day

Reserves

The library posts electronic reserves in the appropriate course's [Moodle](#) page. It maintains print reserve collections in Frost, the science library, and the music library. Instructions for placing material on reserve [are here](#).

Research and Instruction Services

The library provides expert research assistance [most hours](#) that Frost is open, and more limited hours in the science and music libraries. We encourage students to make individual appointments with librarians to discuss theses, term papers, and presentations.

Research and instruction librarians teach course-specific and assignment-specific research methods and strategies to more than two hundred classes each year. We are eager to partner with faculty in tailoring sessions to particular needs: please contact your [library liaison](#) for a conversation over coffee.

Ordering Material for the Library

B. Information Technology | Amherst College

The Department of Information Technology provides a wide variety of services and facilities to faculty and students. A standard computer, printer, and a suite of software are provided to all full-time faculty, as well as to part-time faculty where appropriate. A high speed Ethernet network reaches all faculty offices and classrooms, allowing faculty to connect to systems and resources on campus, in the library, and on the Internet at large. Email accounts, web accounts, and voice mail are provided for all faculty and students. Faculty also have access to private disk storage space. There are a variety of high speed color and black-and-white printers, scanners, and other specialized devices available for use in the Computer Center on the first floor of Seeley G. Mudd Building. A telephone help desk service, answered by professional staff, is available during normal business hours at 542-2526. The College participates in purchase programs with both Dell and Apple which permit faculty to buy personal computers at a discount for home use.

Curricular Computing Services, also located on the first floor of the Seeley G. Mudd Building, provides support to faculty using technology in their teaching. The department runs workshops and seminars for faculty and seminars for faculty and student technology assistants on a variety of topics. Faculty are welcome to come by the Faculty Computer Research Center in the Curricular Computing Office to browse the technology reading materials or to meet with a Curricular Computing Services staff member for one-on-one consultation and project planning assistance.

Most Amherst students own their own computers. Students may buy computers at discount prices from both Dell and Apple, either directly or through the College with the support of an interest-free College loan. The campus-wide Ethernet network extends to all dorm rooms, allowing students to connect their computers to the Internet. All students may use College-owned computers in the Seeley G. Mudd Building; in the Computer Center from 8:00 a.m. until 3:00 a.m. most days. Students can print from their rooms to the high-speed laser printers available in the Computer Center. They also have access to the special resource room containing various scanners and specialized software.

C. Administrative Services/Mailing Center | Amherst College

Work processing, copying and mailing services are available to all faculty members and, in particular, to those departments which have less than full-time department coordinators. The department is located in the basement of College Hall and is open five days a week during the entire year.

Available services include word processing, offset press work for high quality printing, high speed copying for medium to high volume of copies per originals, color copying, scanning of images, typesetting of invitations, brochures, notices, etc., and mailing of notices both on campus and through the U.S. Postal system. All work done by this office is charged to the department concerned. While all departments have access to low volume copiers with usage charges allocated back to the department, these copiers have a charge of .05/copy, where as the charge through OAS is cheaper.

Because there is a particularly heavy demand for copying services at certain time of the year, such as the start of each semester, and because other offices of the College rely on the services of OAS, it would be helpful if the faculty could allow at least two working days of lead time in submitting requests for classwork to OAS.

D. Athletic Facilities | Amherst College

Year-long athletic passes are available to all College employees, Passes may be obtained at the Alumni Gymnasium Building.

The athletic facilities are available to students, staff, administration, and faculty of Amherst College. Schedules for the fitness center, swimming pool, tennis courts, squash courts, and indoor track are published periodically by the Physical Education Department along with a listing of courses offered each semester.

A partial subsidy (approximately 40%) toward individual membership dues at the Amherst Golf Club, a corporation separate from Amherst College, is available to members of Amherst College, both presently employed or retired. Information concerning golf or other athletic programs may be obtained from the Physical Education Department.

E. Reserving Campus Facilities | Amherst College

The Registrar's Office is responsible for the scheduling of all academic and classroom space during the class day (8:30 a.m. - 4:00 p.m.) throughout the academic year.

The Rooms Reservations Office books all rooms needed after 4:00 p.m. on week days and on Saturdays and Sundays. This includes Alumni House, Johnson Chapel, and Porter Lounge in Converse Hall.

There is no fee for the use of College space for College-related business, with the exceptions of Physical Plant charges to accommodate special requests, and of Amherst College Dining Service charges, if the event is catered.

Members of the Amherst College community may reserve College space for non-College related events. In that event, a modest rental fee will be charged.

F. Campus Services | Amherst College

1. Campus Mail and Post Office

There is a substation of the Amherst Post Office in the Campus Center. Among the services available are: Certified Mail, Express Mail, Parcel Post, Registered Mail, Stamps, United Parcel Service (incoming parcels only). Post Office window hours are Monday through Friday from 8:30 a.m. to 1:00 p.m.; and 2:00 p.m. to 4:00 p.m. Saturday hours are 8:30 a.m. to 12:00 noon. Mail addressed for internal campus delivery can be routed through the College Post Office without paying postage, but such mail must be addressed with campus post office box numbers. When mailing more than ten pieces of mail at one time, the mailing must be sorted in numerical order by post office box number. Likewise, mail to be delivered by the Five-College Messenger can be routed through the Post Office without paying postage.

2. The Purchasing Office

The Purchasing Office in the Facilities Department will assist faculty members in purchasing furniture, equipment, supplies, etc. from outside vendors, or locating other College departments who may have such items for sale or donation. Each department office has purchase orders and office supply order forms. These forms can be obtained from the Purchasing Office. Faculty members are welcome to visit this office to use furniture catalogs and to obtain price quotations. The purchasing agent can visit the faculty member's office to advise on furniture needs.

3. Campus Police

The function of Campus Police is to ensure the safety and protection of all persons and property at Amherst College and to enforce campus rules and regulations as directed by College officials. Campus Police Officers are empowered to enforce the Laws of the Commonwealth of Massachusetts. All patrols are equipped with radios and are in constant contact with the College Operator. The patrol can always be reached in an emergency by calling the campus emergency number 542-2111. Security can be reached for non-emergency purposes by calling 542-2291. The Campus Police Office, which is located in the Service Building, is open Monday through Friday during normal business hours. A security dispatcher is on duty at all times in the Campus Police Office and is available to deal with unusual situations or emergencies. Faculty members must register automobiles and obtain Amherst College parking decals at the Campus Police Office. In addition to patrolling the campus, Campus Police are responsible for registering motor vehicles, traffic and parking control, accident and complaint investigations, transportation of the ill and injured, cash escorts, temporary storage of funds, maintaining a "lost and found" service, and providing personal safety escorts between College facilities during late evening and night hours. Campus Police also performs fire safety patrols and inspections, residence checks of College housing and provides Administration vehicle service.

4. Facilities Service Center

Routine maintenance and repairs can be requested by calling the Service Center at ext. 2254. Other work should be requested on purchase orders, on which the proper customer account number and Department Head signature is provided, and sent to the Service Center. All requests pertaining to College housing should be called in to the Service Center at ext. 2254. Some situations require prompt attention to avoid danger to health, property damage, or severe inconvenience. Examples of such emergencies are power and heating system failures, and serious roof and pipe leaks. Emergencies should be called in to the Service Center at ext. 2254 Monday through Friday, from 7:00 a.m. to 4:00 p.m. Evening, weekend and holiday emergencies should be called into Campus Security at ext. 2291. Emergency work has hop priority followed by routine maintenance, and then discretionary work and special services are scheduled for the remaining time available and in the order in which they are received. Facilities services are limited to College-owned property.

G. Telephone Service

The Network Department is responsible for all aspects of the College's telephone and voice mail systems. The Network Department can be reached by calling 542-2410, by writing to AC # 2216, or by emailing sajudycki@amherst.edu. Business hours are Monday through Friday from 8:00 a.m. to 4:30 p.m.

VII. Student Life and Welfare

The Dean of Students and the Registrar are in charge of the administration of academic affairs and College regulations, and the student Deans are in charge of participation in extracurricular activities. Consult the *Student Handbook*, published each fall, for further information.

Information on student organizations, health and safety, psychological services, and religious guidance is also available in the *Student Handbook*. Further information on the advisor system is available in the *College Catalog*. Information on general conduct and residence regulations is available in both the *Student Handbook* and the *Catalog*, and Chapter IV of this *Faculty Handbook* includes a section on Academic Regulations.

VIII. General Information | Amherst College

1. The Town of Amherst

The Town of Amherst was settled in 1731 as the "Third Precinct" of Hadley, the next town to the west. Amherst was incorporated as a separate town in 1759. In origin solely a farming community, it is now known chiefly for its three educational institutions. Amherst is a town of more than 35,000 inhabitants; the ultimate control of the Town's affairs rests with a representative town meeting. Approximately one-third of the members of the meeting are elected each year for three-year terms by the registered voters. Several members of the College faculty, administration, and staff are town meeting members. A Town Manager conducts town affairs subject to the authority of the Board of Selectmen, a group of five residents elected by the registered voters for three-year terms.

Citizens of Massachusetts, or of other states, moving to Amherst need only provide evidence of their residence in the town to become eligible to vote.

Registration for voting should be arranged with the Town Clerk.

2. The Five-College Area

The [University of Massachusetts](#) was founded as a land grant institution, Massachusetts Agricultural College, in 1863. It became one of the nation's leading centers of agricultural research and instruction. In 1931 its name was changed to Massachusetts State College and in 1947 to the University of Massachusetts. Before World War II it was approximately the same size as Amherst College. Its enrollment is now 23,500, of whom 5,500 students are seeking graduate and professional degrees.

[Mount Holyoke College](#) in South Hadley, ten miles to the south, was founded in 1837 as the first women's institution of higher learning in the country. Its present enrollment is approximately 2,000.

[Smith College](#), seven miles to the west in Northampton, was founded in 1875 and has a current enrollment of about 2,600.

[Hampshire College](#), in South Amherst, enrolled its first class of students in September, 1970. The other four institutions have been instrumental in the growth of Hampshire College and the four presidents are members of Hampshire's governing board. Its enrollment is approximately 1,250.

Among the five institutions there is an extensive program of cooperation in teaching, libraries, educational radio, exhibitions, concerts and dramatic productions, a scheduled bus system, and a joint Five-College calendar. Together the five institutions in the area consist of about 30,000 students and 2,600 faculty members.

A faculty member interested in further details concerning any aspect of Five-College cooperation should consult the Office of [the Five-College Consortium](#).

3. Automobile Registration in Massachusetts

The state of Massachusetts requires that a car brought into the state be registered in Massachusetts within a period of thirty days. The closest state Registry of Motor Vehicles is located on 116 Pleasant Street, Easthampton; operators' licenses and automobile registrations are obtainable at that office between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday. The state law requires

certification by an agent of an insurance firm licensed to practice within the commonwealth that certain standards of liability insurance are met. Massachusetts state law requires that motor vehicles registered in the state be inspected once a year by certain authorized garages.

An Amherst College faculty sticker, available from the Amherst College Security Office (Service Building, Physical Plant), is necessary for parking in college lots or on College roads.

IX. The Folger Shakespeare Library

The Folger Shakespeare Library in Washington, D.C., was established by the will of Henry Clay Folger, of the Class of 1879. Mr. Folger's original collection, which remains the nucleus of the Library's holdings, emphasized Shakespeare, Shakespeare's contemporaries, and the history of Shakespeare production. Continuing acquisitions of books and manuscripts have increased the size of the collection many times over and broadened the scope of the Library to include every phase of Tudor and Stuart civilizations. At present the Library is second only to the British Museum in its holdings of books printed in England between 1475 and 1640. Its holdings in the period from 1540 to 1715 in materials relating to the Continental Renaissance, and in such specialized areas as Renaissance musicology and drama are also extensive.

In his will, Mr. Folger spoke of an institution "for promoting and diffusing knowledge." The Library has sought continuously since its creation to enlarge its educational function. Its reading room is open to all qualified scholars. Through its photo duplication department and its traveling exhibits it provides services for scholars and school groups outside of the Washington area. The Folger Fellowship program offers senior, short-term, and dissertation year fellowships to both foreign and American scholars. Folger Institute seminars are offered annually in cooperation with the consortium universities of the Washington area. A program of lectures, concerts, and cultural events is held at the Folger theater and open to the general public. A publication program further contributes to the Library's objective of "defusing knowledge" of Shakespeare, of English culture, and of the Renaissance.

Through the generosity of the Friends of the Amherst College Library and the Alpha Delta Phi Fund, two Amherst students each year are offered Folger Fellowships. These Fellowships, available by application to the Folger Grants Committee, cover the costs of a two-week January residence at the Folger to work on an honors or other project of the student's design.

X. The Doshisha University | Amherst College

Located in Kyoto, Japan's ancient imperial capital, The Doshisha was founded by Joseph Hardy Neesima of the Class of 1870, the first Japanese to graduate from a Western institution of higher learning. Neesima stowed away aboard a clipper ship from Japan while it was still officially "closed." From the China Coast he eventually arrived in New England in 1865 aboard a ship owned by Alpheus Hardy who was a trustee of both Phillips Academy, Andover, and Amherst College.

After graduating from both Andover and Amherst, Neesima returned to Japan to found a Christian college in Kyoto. From this modest start The Doshisha has developed into a University of 19,000

students, a separate (but adjacent) Women's College, four senior and three junior high schools, and a kindergarten, with a total enrollment of approximately 30,000 students on four different campuses. The Doshisha is one of the oldest and best known private educational institutions in Japan.

Through the generosity of alumni and friends of the College, Amherst House, a New England Georgian style residence, was built on the Doshisha campus in 1932 as a memorial to Neesima and to Stewart Burton Nichols of the Class of 1922, the first student representative. It houses some twenty Doshisha students and serves as a center for cultural exchange between faculty and students from East and West. Since 1958, a graduating senior has been selected as the Amherst-Doshisha Fellow to live in Amherst House and teach English for one year. Over forty Amherst graduates and numerous Amherst Faculty have taught at The Doshisha.

In 1962 the College, thanks to further generosity of friends and alumni, built a Guest House of modern Japanese design, which includes well-appointed guests suites and dining facilities to enhance the possibilities of cultural exchange.

The six faculties and various institutes of Doshisha University include a Center for American Studies. The environs of Kyoto are among the finest in Japan for the study of classical art and architecture. Since 1976 an arrangement with Doshisha University has been established which permits a member of one of Doshisha's six Faculties (Theology, Letters, Law, Economics, Commerce, Engineering) to spend a year's leave at Amherst. Faculty members interested in the possibility of visiting Kyoto or of doing academic research in Japan, based at The Doshisha, should consult with the President, Dean of the Faculty, or the [Doshisha Committee](#).
[The Doshisha University](#).

XI. Appendix

A. Copyright Law | Amherst College

All employees of the college are expected to respect the copyright associated with intellectual property which, except under specified circumstances, prohibits the duplication, public display, or performance of such property without permission of the owner of that copyright. Intellectual property includes visual images, software, and other creative expressions, whether fixed electronically or in 'hard copy.' Copyright law is a particularly important part of the legal framework governing an academic community.

All members of the faculty should be aware of Amherst's guidelines regarding copyright and fair use. A link to this information can be found on the website of provost and dean of the faculty. Questions should be directed to the director of the library.

B. Scientific Misconduct | Amherst College

See the research misconduct policy for federally funded research [here](#).

1. Definition of Scientific Misconduct

Scientific misconduct may consist of fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research.

2. Receipt of Allegations or Evidence of Scientific Misconduct

To ensure impartiality in the receipt of allegations or evidence of scientific misconduct and impartiality in the initiation of immediate inquiry into them, all allegations will be addressed to and initially reviewed by the provost and dean of the faculty, the chief academic officer of Amherst College.

3. Initiation of Inquiry

Upon receipt and initial review of an allegation of scientific misconduct, the provost and dean of the faculty will convene that standing committee of the college known as the Faculty Executive Committee, consisting of five members of the faculty, elected at large by the faculty. The provost and dean of the faculty and the committee will conduct the initial inquiry.

4. Process of Inquiry

The Faculty Executive Committee will review the allegations and/or evidence and will, within sixty days of accepting its charge, complete its initial inquiry, unless circumstances clearly warrant a longer period. The committee will prepare a written report stating what evidence was reviewed, summarizing relevant interviews, and presenting the inquiry's conclusions. If an inquiry takes longer than sixty days to complete, the report will also contain documentation of the reasons for exceeding the sixty-day period.

The provost and dean of the faculty will provide the subject of the inquiry with a copy of the report. If the subject comments on the report, the comments will be made part of the record.

The provost and dean of the faculty and all persons involved in conducting the inquiry will protect, to the maximum extent possible, the privacy of those who in good faith report apparent misconduct.

They will also effort the affected individual(s) confidential treatment to the maximum extent possible and will permit the subject to comment on the allegations and findings of the inquiry.

5. Records of Inquiry

The provost and dean of the faculty will maintain for three years sufficiently detailed documentation of inquiries to permit later assessment of the conclusion that an investigation was not warranted, providing those records to the government on request.

6. Initiation of Investigation

If, after an inquiry, it is determined that an investigation is warranted, the provost and dean of the faculty will notify the Office of Research Integrity in writing before the date the investigation begins. The notification will include the subject's name, the general nature of the allegation, and the PHS application or grant numbers involved. The investigation will be initiated within thirty days of the completion of an inquiry that provides sufficient evidence that an investigation is warranted.

7. Process of Investigation

The investigation will be conducted by an ad hoc committee composed of members of the Amherst College faculty. The members of the committee will be named by the Faculty Executive Committee. When appropriate, persons with particular expertise in the area(s) under investigation will be included on the ad hoc investigating committee. The investigation will pursue all significant issues and will include examination of all available documentation, including relevant research data and proposals, publication, correspondence, and memoranda of telephone calls. The investigation will include interviews with individuals who have or might have information about the allegation and/or evidence. Each interview will be completely summarized in writing, and reviewed and commented upon by the person interviewed. A complete record of documentation will be maintained, substantiating the findings of the investigation. If the investigation cannot be completed within 120 days from its initiation, the provost and dean of the faculty will request from the Office of Research Integrity an extension, including with the request an explanation for the delay, an interim progress report and an estimated completion date.

8. Outcome of Investigation

If the ad hoc committee charged with conducting an investigation concludes that there is substantial evidence to support an allegation or evidence of scientific misconduct, they will submit their report together with any recommendations for the imposition of sanctions to the president of the college who will act upon the report and its recommendations. The President will communicate his or her decision to the individual(s) found to have engaged in scientific misconduct and will require of said individual(s) a written statement of their views, including their views of the sanctions imposed upon them.

The provost and dean of the faculty will notify the Office of Research Integrity of the outcome of the investigation and will submit a detailed report of the policies and procedures of the investigation, sources of information, findings and the basis for findings, the response of the individual(s) charged, and a description of any sanctions taken. The provost and dean of the faculty will prepare and maintain documentation to substantiate an investigation's findings, and will make this documentation available to the director of the Office of Research Integrity.

The Dean of the Faculty will also, if necessary, take interim administrative measures to protect federal funds.

9. Notification of the Office of Research Integrity

In addition to notifications of the Office of Research Integrity as provided for in Sections 6, 7 and 8 above, the provost and dean of the faculty will also promptly advise ORI of any developments during the course of the investigation which disclose facts that may affect current or potential DHHS funding for individual(s) under investigation or that the PHS needs to know to ensure appropriate use of federal funds and otherwise protect the public interest. Furthermore, if there is any plan to end an inquiry or an investigation early, the provost and dean of the faculty will notify ORI, explaining the reasons for the decision.

The ORI will also be informed at any stage of an inquiry or investigation of any immediate health hazard, need to protect federal funds or equipment, or need to protect the interests of persons involved in the inquiry or investigation (including those who have made or who are the subject of allegations,

their associates, and investigators), or if it is probable that the alleged misconduct is about to be reported publicly.

ORI will also be informed within 24 hours after receiving any reasonable indication that a crime may have been committed.

10. Protection of Individuals

The college will take precautions against real or apparent conflicts of interest among persons involved in an inquiry or investigation. It will undertake diligent efforts, as appropriate, to restore the reputations of persons alleged to have engaged in misconduct when allegations are not confirmed, and also undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make allegations.

11. Dissemination of Policy

The provost and dean of the faculty will distribute annually to all faculty and research associates at Amherst College who are engaged in scientific research a copy of this statement of policies and procedures with a letter emphasizing the importance of compliance with them.

Adopted 1990, revised 1995 .

C. The Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) provides employees up to twelve weeks of unpaid, job-protected leave during a twelve-month “rolling” period for certain family and medical reasons.

In most cases, Amherst College [leave policies for faculty](#) equal or exceed [FMLA provisions](#) and will be deemed to run concurrently with the leave available under FMLA. Faculty should review the Amherst leave policies carefully. At no time will FMLA be used to limit already existing rights and protections provided under any other statutory provisions.

The twelve-month period is measured backward from the date an employee uses any FMLA leave. To be eligible, an employee must have worked at the College for at least twelve months and for at least 1,250 hours during the twelve months prior to the leave. Leave is available for birth or care of a newborn, for placement of a child for adoption or foster care, for the care of a spouse, son, daughter, or parent with a qualifying serious health condition; or in the event of a qualifying serious health condition that prevents the employee from working. In addition, the National Defense Authorization Act for 2008 provides up to twenty-six weeks of FMLA leave in a single twelve-month period to care for a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty. The aggregate amount of FMLA time available in a twelve-month period cannot exceed twenty-six weeks. The request for a foreseeable FMLA leave should be made to the Dean of the Faculty and Office of Human Resources.

An employee requesting FMLA Leave must provide at least thirty-days’ notice before the date the leave is to begin if the leave is foreseeable. If at least thirty-days’ notice is not possible, the employee must provide notice as soon as practicable (which ordinarily means at least verbal notice within one or two business days of when the employee becomes aware of the need for leave). The leave request

must indicate that the employee is unable to perform the functions of the job, or that a covered family member is unable to participate in regular daily activities, the anticipated duration of the absence, and whether the employee (or family member) intends to visit a health care provider or is receiving continuing treatment. Periodic recertification of extended leaves will be required.

If an employee is requesting FMLA Leave for his/her own serious health condition or to care for a child, spouse, service member, or parent with a serious health condition, the Certification of Health Care Provider form must be completed by the health care provider and returned to the Office of Human Resources within fifteen days to verify a qualifying serious health condition. If an employee fails to provide the requested medical certification within the required time, or if the certification is incomplete and is not remedied, FMLA Leave may be delayed or denied.

FMLA Leave may be taken intermittently; however, an employee who takes an intermittent leave may be required to transfer temporarily to another position with equivalent pay and benefits if that position better accommodates the recurring periods of leave. An employee may also take the leave in the form of reduced hours, or reduced work days during the week, until the days off add up to twelve work weeks (twenty-six weeks for a service member). Periodic recertification of extended leaves will be required.

In most cases, Amherst College [leave policies for faculty](#) equal or exceed [FMLA provisions](#). However, at no time will FMLA be used to limit already existing rights under College policies and protections provided under any other statutory provisions.

During FMLA Leave, the College will continue to provide health care coverage on the same basis as is normally provided. If an employee contributes to his/her health care coverage, the employee is required to continue to make payments during the leave period. If an employee does not return to work after FMLA Leave, the employee is responsible for repaying the cost of health benefits provided during the leave, unless the reason for not returning is due to a serious health condition or other circumstance beyond the employee's control.

Any employee who takes approved FMLA Leave will be reinstated to the position held when the leave began or to an equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment, unless a job elimination or other change in circumstance has occurred during the leave period. Certain "key employees" (as defined under the FMLA) may be denied job restoration.

Any employee returning from FMLA Leave which is taken for the employee's own serious health condition must obtain and provide the College with certification from the employee's health care provider, indicating that the employee is able to resume work.

Specific details and requirements of FMLA are available in the Office of Human Resources.

D. Drug Free Schools and Communities Act

The provisions of the Drug Free Schools and Communities Act Amendment of 1989 require Amherst College, as a recipient of federal financial aid and grants and contracts, to adopt and implement programs to prevent the use of illicit drugs and unlawful use of alcohol by employees and students.

Specifically, the Act requires the following actions by the College:

- 1) To establish standards of conduct that prohibit the unlawful possession, use, or distribution of drugs and alcohol by employees on campus or during any campus activities.
- 2) To apprise employees of the applicable legal sanctions under local, State and Federal Law and of the sanctions the institution will impose for violations of the policy.
- 3) To alert all such persons of the health risks associated with drug and alcohol abuse; and to inform employees about available counseling, treatment, and rehabilitation programs.
- 4) Conduct biennial reviews of their programs to assess their effectiveness, and the need for changes to ensure consistent enforcement of sanctions.

Amherst College fully supports the objectives of the Act, as expressed in the policy statement below, which is in effect for all faculty, administration, and staff. The Dean of Students has prepared a separate statement of policy regarding standards of conduct for students.

Campus Guidelines for Federal Drug Free Schools and Communities Act

Amherst College, in accordance with both federal legislative and existing policy, is committed to providing a drug-free, healthy, and safe environment for all faculty and staff.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, and the unlawful possession or use of alcoholic beverages on the campus is prohibited. If it is determined that a violation of this policy has occurred, appropriate disciplinary action will be taken in accordance with appropriate handbooks and referral to government authority for prosecution will result, where clearly required by law. Legal penalties for violation of these regulations include possible fines and/or imprisonment.

Alcohol abuse is the principal drug problem in this country, and the cause of grievous effects on behavior and health. It regularly impairs judgment, vision, coordination and speech, and often leads to dangerous and violent conduct, with tragic consequences to the individual and others. Over the long-term, the danger resulting to an alcoholic's own health and a family's well-being may be irreversible. And as with alcohol, regular users of other drugs develop physical dependence, so that when denied drugs, they experience withdrawal symptoms. Beyond that, psychological dependence occurs when the drug becomes central to the user's life and dominates all decisions.

Amherst College recognizes alcohol and drug dependency as an illness and a major health problem, and is anxious to help both those directly affected by it, and their families, who suffer the consequences. Employees who need help with substance abuse problems, or co-workers/family members of substance abusers are encouraged to use the [Employee Assistance Program](#) located at the

University of Massachusetts at 545-0350. Services include assessment, referral to professional treatment and self-help programs, an early recovery group and extensive follow-up. All contacts are confidential and conscientious efforts to seek help will not jeopardize any employee's job.

Issued 1990

E. Smoking | Amherst College

The Town of Amherst Health Department has enacted an ordinance prohibiting smoking in all workplaces including those of private employers. The ordinance now strictly prohibits smoking in all workplaces, including private offices, classrooms, meeting and conference rooms, recreational and dining facilities, restrooms, lounges, or any other enclosed place where College business might normally be conducted.

The College has been advised that the Amherst Health Department views dormitory rooms to be exempt from the ordinance on the basis of their definition as private residences. In all dormitory building common areas, however, smoking shall be prohibited. Outdoor areas of the campus are not regulated by the provisions of this ordinance. The ordinance carries the full weight of State law, deriving its authority from Chapter 111 of the General Laws. Penalties for violations in the form of fines may be imposed on both individual employees and on the College itself. Continued violations may jeopardize other existing permits issued to the College by the Amherst Health Department.

F. Sexual Harassment Policy | Amherst College

This policy incorporates and supplements the 1993 Statement on Sexual Harassment voted by the faculty and applies to all College employees, including faculty, trustee-appointed administrative and professional staff, and all other staff.

It is the goal of Amherst College to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by the College. Further, retaliation against an individual who has complained about sexual harassment or who has cooperated with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve the College's goal of providing a workplace free from sexual harassment, inappropriate conduct described in this policy will be dealt with using the established informal and formal procedures of the College, including disciplinary action, where appropriate.

Amherst College takes allegations of sexual harassment seriously and will respond promptly to complaints. Where it is determined that such inappropriate conduct has occurred, the College will act promptly to eliminate the conduct.

Please note that while this policy sets forth the College's goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit the College's authority to discipline or take remedial action for workplace conduct which is unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

As stated in the Faculty Statement on Sexual Harassment, the sexual harassment of students by College employees (faculty or staff) is also a violation of law and of College policy and will be cause for disciplinary action. (Sexual harassment of students by peers is covered in the *Student Handbook*.)

II. Definition of Sexual Harassment

See <https://www.amherst.edu/offices/diversityoffice/sexualharassmentpol/respectmanual/node/33802> where there is a definition of sexual harassment.

III. Complaints of Sexual Harassment

If any employee believes that he or she has been subjected to sexual harassment, the employee has the right to make use of all the established procedures of the College, including the filing of a complaint. This may be done in writing or orally.

If an employee wishes to file a complaint he or she may do so by contacting the Director of Human Resources, AC # 2204, 201 Converse Hall, telephone 542-2372; or the Dean of the Faculty, AC # 2209, 103 Converse Hall, telephone 542-2334. These persons, as well as the [ombudsperson](#), AC # 2280, Room 117 Valentine Hall, telephone 542-5156, are also available to discuss any concerns an employee may have and to provide information about the College's policy on sexual harassment and its complaint procedures under the employee's applicable *Handbook*.

IV. Sexual Harassment Investigation

When the College receives notice of conduct which appears to be sexual harassment, it will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in accordance with the College's customary procedures, and in such a way as to maintain confidentiality to the extent practicable under the circumstances and permissible by law. The investigation may, as appropriate, include private interviews with the person filing the complaint, with witnesses, and with the person alleged to have committed sexual harassment. When the investigation is completed the person filing the complaint and the person alleged to have committed the conduct will be informed, to the extent appropriate, of the results of the investigation.

V. Appropriate Response/Disciplinary Action

If it is determined that inappropriate conduct has been engaged in by an employee, appropriate action will be taken immediately, using the College's established procedures, to fulfill its obligation under the law to promote a workplace that is free of sexual harassment. Such action may range from counseling to termination of employment, and may include such other forms of disciplinary action as appropriate under the College's procedures.

VI. State and Federal Remedies

In addition to the above, employees who believe they have been subjected to sexual harassment may file a formal complaint with either or both of the government agencies below. Using the College's internal complaint process does not prohibit filing a complaint with these agencies. Each of the

agencies has a short time period for filing a claim. The MCAD's time frame is 300 days from the date of occurrence. A charge must be filed with EEOC within 180 days from the date of the alleged violation, in order to protect the charging party's rights. This 180-day filing deadline is extended to 300 days if the charge also is covered by a state or local anti-discrimination law. For ADEA charges, only state laws extend the filing limit to 300 days.

The United States Equal Employment Opportunity Commission (EEOC)
John F. Kennedy Federal Building
4th Floor, Room 475
Boston, MA 02203
Phone: 617-565-3200, 1-800-669-4000
Fax: 617-565-3196
TTY (Deaf and Hearing Impaired) 617-565-3204, 1-800-669-6820

The Massachusetts Commission Against Discrimination (MCAD)
Boston Office:
One Ashburton Place, Room 601
Boston, MA 02108-1518
(617) 994-6000

Springfield Office:
436 Dwight Street, Room 220
Springfield, MA 01103
(413) 739-2145

TTY (Deaf and Hearing Impaired) 617-994-6196

G. Patent Policy | Amherst College

The aim of Amherst College's Policy on patents is to make available College technology for the public benefit, while providing recognition of individual inventors and encouraging the prompt and open dissemination of research results (see

, for statement on Classified Research). This policy is designed to enable the College to fulfill its responsibilities under the law or contractually to the Federal Government and other entities that provide funds to the College for sponsored research.

I. Application

This policy applies to inventions which were conceived or first reduced to practice by Amherst faculty, students, staff, and any others, including visitors, in the performance of research, work, or study supported by externally sponsored funds administered by the College, or involving the material use of funds or facilities of the College. When an inventor is uncertain about the application of this policy to

an invention, he or she is encouraged to disclose it promptly to the College so that application of this policy might be agreed upon in advance of any attempts to commercialize it. All such disclosures should be made to the Comptroller. The College will accord such disclosures the confidentiality required to preserve the patent rights associated with them and will promptly inform the inventor(s) of any claims it might make to any such rights.

II. Federally Funded Research

The disposition of patent rights to inventions conceived or first reduced to practice in the performance of work under a funding agreement between Amherst College and an agency of the Federal Government is provided in detail by federal law and the funding agreement to do so as well, including disclosure to the College and the Federal Agency of any such inventions, the assignment of any patent rights to the College, the sharing of any royalties with the inventor(s) should the College pursue the commercial licensing of those rights (see the royalty sharing provisions below), the assignment of such patent rights to the Federal Government in the event the College elects not to pursue their commercialization, and the right of the inventor(s) to request from the Federal Government the retention of such patent rights. To the extent they are not inconsistent with federal law and funding agreements, the College will follow the policies outlined below in Section V. The Comptroller, in consultation with the Dean of the Faculty, is the person responsible for administering the College's patent matters, and must be notified of each such invention promptly after its discovery.

III. Research not funded by federal contract and not making material use of funds or facilities of the College

This policy does not apply to inventions discovered in the course of work which does not involve the material use of College facilities or funds (whether reimbursed or not). The College disclaims both ownership and liability pertaining to any such inventions.

IV. Research making material use of funds or facilities of the College and funded by others than the Federal Government

The patent rights provisions of funding agreements between Amherst College and funding sources other than the Federal Government involving the material use of College facilities or funds, will be flexibly negotiated on an ad hoc basis, with due regard to the rights and interests of the College and, in particular, the provisions of the *Faculty Handbook* regarding [Classified Research, Sec. D \(15\)](#). As a general rule, the College will seek to incorporate the provisions of Section V. below in any such agreement, but recognizes that any or all of such provisions may need to be amended to satisfy the funding source. The College will not enter into any such agreements with patent rights provisions unacceptable to the principal investigator.

V. Patent rights for inventions arising out of work not funded by outside sources but involving the material use of College resources or funding

Unless explicit arrangements are made to the contrary, the following principles generally prevailing at research institutions of higher education will apply to inventions conceived or reduced to practice in

the performance of work not funded by outside sources and making material use of funds or facilities of the College.

1. Patent rights to such inventions are owned by Amherst College.
2. The Comptroller, in consultation with the Dean of the Faculty, is the person responsible for administering the College's patent matters, and must be notified of each such invention confidentially and promptly after its discovery in order to determine whether the College will undertake the expense of pursuing its commercial potential.
3. The College will promptly evaluate that commercial potential, confidentially and without jeopardizing the patent rights, in consultation with the inventor(s) and utilizing outside evaluation services such as Research Corporation Technologies where appropriate.
4. If the College determines not to pursue its patent rights, it will promptly assign the same to the inventor(s), without reservation, except that the inventor(s) will not be permitted to utilize the College's name in connection with the marketing of such invention or any derivative products.
5. If the College determines to pursue the commercialization of its patent rights, it will do so promptly and diligently, and, except as otherwise negotiated with the inventor(s), it will undertake all of the expenses of the same. Without the agreement of the inventor(s), the College will not enter into any commercialization agreements which prohibit the free use of the invention by the inventor(s) for research or educational purposes.

VI. Royalties

Under all of the circumstances outlined above where it elects to pursue the commercialization of inventions subject to this policy, the College will remit to the inventor(s) 50% of all royalties it receives, after deduction of expenses directly related to such commercialization (e.g. patent filing fees and attorneys fees). Where special arrangements are made with the inventor(s) for the sharing of such expenses, or where the inventor's use of College facilities or funds is insignificant, other distribution percentages may be negotiated which will reflect the relative contributions of the College and the inventor(s).

(Approved May 20, 2000)

H. Interim Title IX Policy and Interim Title IX Grievance Process | Amherst College

Effective August 14, 2020

In May 2020, the U.S. Department of Education released new regulations that change the scope of sexual misconduct that falls under Title IX and which govern the investigation and grievance processes

required for Title IX matters. This *Interim* Title IX Policy and *Interim* Title IX Grievance Process are based on those new regulations; both apply to students, faculty, and staff. Concerns of sexual misconduct that do not fall under this policy, due to the required narrowing of scope of behaviors covered by Title IX, continue to be prohibited by the College and may be adjudicated under the College's Non-Discrimination and Harassment Policy.

The College encourages the reporting of all forms of sex- or gender-based concerns. The College is committed to creating and to continually fostering a community of our care, fairness, dignity, and respect. The Amherst Title IX office is available to support all members of the community in matters related to sexual misconduct.

In accordance with the U.S. Department of Education's Office for Civil Rights guidance, the *Interim* Title IX Policy and *Interim* Title IX Grievance Process are effective as of August 14, 2020; they will only apply to reported Title IX Prohibited Conduct that is alleged to have occurred on or after August 14, 2020. Reported incidents of sexual misconduct that are alleged to have occurred before August 14, 2020 will be subject to the College's Sexual Misconduct Policy in place at the time of the alleged incident and will be investigated and adjudicated according to the processes in place for the 2019-2020 academic year.

Title IX Compliance Statement

Amherst College is required to adhere to all federal and state civil rights laws barring discrimination, including, but not limited to, Title IX of the Education Amendments of 1972 ("Title IX").

Amherst is committed not only to compliance with these mandates but also to a culture that promotes the promise of these equal opportunity civil rights laws. Title IX prohibits discrimination based on sex in educational programs and activities. Amherst has developed policies and procedures that prohibit sex discrimination in all of its forms.

Purpose of Policy

The purpose of this policy is to provide the Amherst College community with a set of expectations regarding sex-based conduct that is prohibited by the College and by Title IX. In addition, this policy also:

1. Identifies the Title IX Coordinator, Deputy Coordinators and their roles;
2. Provides definitions of behavior that are prohibited by this policy and by Title IX, including a Statement Against Retaliation;
3. Provides information about how College community members can obtain support and access confidential resources;
4. Provides information about how to submit to the College a report of behaviors prohibited by this policy;
5. Provides information about how a report against a College community member will be assessed; and
6. Provides information about the options available to resolve concerns of behaviors prohibited by this policy.

Amherst's Title IX Coordinators

Title IX Coordinator

The Title IX Coordinator oversees the College's centralized review, investigation, and resolution process for reports of Title IX Prohibited Conduct and coordinates the College's compliance with Title IX. The Title IX Coordinator is supported by several College administrators who serve as Deputy Title IX Coordinators and also leads the College's Title IX Team.

Laurie Frankl

Amherst College
Converse Hall 105E
Amherst, MA 01002
413-542-5707
lfrankl@amherst.edu

Deputy Title IX Coordinators

Deputy Title IX Coordinators can be contacted by telephone, by email, video call, or in person during regular office hours. The duties and responsibilities of the Title IX and Deputy Title IX Coordinators include: supporting community members; training; and the oversight of policies and procedures.

For Students:

Dean Gendron

413-542-2337
dgendron@amherst.edu

Angie Tissi-Gassoway

413-542-2337
atissi@amherst.edu

For Athletics:

Maria Rello

413-542-8467
mrello@amherst.edu

For Staff & Visitors:

Maria-Judith Rodriquez

413-542-2372
mjrodriquez@amherst.edu

For Faculty:

Catherine Epstein
413-542-2334
cepstein@amherst.edu

Overview

The College is committed to treating all individuals with dignity, care, and respect. All Amherst College community members affected by Title IX Prohibited Conduct have access to support resources through the College. The College encourages Amherst community members to seek the support of campus and community resources. The College can provide guidance about College policy and assist persons in obtaining information about available resources. Individuals are encouraged to use all available resources, regardless of whether an incident occurred recently or in the past.

Amherst's Title IX Team

All reports are reviewed by the College's Title IX Team. This interdepartmental team, led by the Title IX Coordinator, oversees this policy. Members of the Title IX Team include the Title IX Coordinator, Deputy Title IX Coordinator(s) for students, representatives from the Office of Students Affairs, the Amherst College Chief of Police, and others as may be necessary.

The Title IX Team also oversees the resolution of reported Title IX Prohibited Conduct through the College's Title IX Grievance Process.

Application and Scope of Policy

This policy applies to all Amherst College community members, including students, faculty, and staff. This policy also applies to visitors, vendors, and independent contractors of the College. When used in this Policy, the term "employee" refers collectively to faculty and staff members.

All College community members are responsible for their actions and behavior, whether on or off-campus. Community members should be mindful of their behavior no matter where they are in the world. This policy applies both to on-campus and some off-campus conduct.

Off-Campus Conduct Review

Not all off-campus conduct falls within this policy. For purposes of determining whether off-campus behavior falls under this policy, the College will, as is required by federal law, review the off-campus conduct to determine if it meets the legal threshold for off-campus conduct that is covered by Title IX.

The Five-College Consortium

Amherst College has joined with Smith College, Mount Holyoke College, Hampshire College, and the University of Massachusetts Amherst to form the Five Colleges. Any College community member,

including Five-College students and Amherst College students, who wishes to report concerning behavior that occurs at an institution other than their home campus may do so by contacting the Title IX Office at either: 1) their home institution; or 2) the institution where either: a) the behavior occurred or b) where the alleged perpetrator of the concerning conduct is enrolled. As appropriate, the Amherst Title IX Office will coordinate with another institution in support of any persons affected by reported Title IX Prohibited Conduct.

Coordination with Non-Discrimination

Title IX Prohibited Conduct can occur in conjunction with other forms of sexual misconduct or misconduct related to an individual's actual or perceived protected identity [race, national or ethnic origin, color, religion, sex or gender (including pregnancy, sexual orientation, gender expression, and gender identity), age (over 40), disability, genetic information, military service, or any other characteristic or class protected under applicable federal, state, or local law]. Targeting individuals on the basis of protected identity may constitute a violation of the College's community standards, this Policy, and/or the College's Non-Discrimination and Harassment Policy. When reports of Title IX Prohibited Conduct include allegations that community members may have been targeted for or subjected to misconduct because of their actual or perceived protected identity the College will, so long as it is possible under federal law, coordinate the investigation and resolution efforts. Formal Complaints that allege behaviors that are prohibited both by this Policy and other College policies may, but will not necessarily be, investigated and resolved in a consolidated manner.

Statement on Privacy

The College is committed to respecting privacy in responding to reported concerns of identity-based discrimination or harassment. Consistent with the Family Educational Rights and Privacy Act of 1974 ("FERPA"), information related to a report of discrimination or harassment will be shared with only those individuals who "need-to-know" the information in order for the College to properly assess and resolve the matter.

Although the Title IX office may choose to release aggregate statistics regarding implementation of this policy, no individually-identifiable information will be released by the College except as required by law or College policy.

If a report of Title IX Prohibited Conduct discloses an immediate threat to the College campus community, the College may, in accordance with its obligation under the Clery Act, issue a Timely Warning notice of the conduct to the community in the interest of the health or safety of the broader campus community. Immediately threatening circumstances include, but are not limited to, reported incidents of recently occurring Title IX Prohibited Conduct that include the use of force, a weapon, or other circumstances that may represent a serious and ongoing threat to College students, faculty, administrators, staff or visitors.

All resolution proceedings are conducted in compliance with the requirements of FERPA (as applicable), the Clery Act, Title IX, and College policy. No information shall be released from such proceedings except as required or permitted by law or College policy.

Policy Definitions

Complainant

An individual who is alleged to have experienced conduct that could constitute Title IX Prohibited Conduct. A Complainant is not necessarily a person who has filed a Formal Complaint.

Formal Complaint

A Formal Complaint is a written document filed and signed by a Complainant (or otherwise showing that the Complainant is the one filing the document), or signed by the Title IX Coordinator, that alleges that a Respondent has engaged in Title IX Prohibited Conduct. The filing of a Formal Complaint with the Title IX Coordinator initiates the Title IX Grievance Process. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in a Program or Activity of the College. All Formal Complaints will be investigated by the College. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party.

Program or Activity

Locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which the Title IX Prohibited Conduct occurs. Examples include, but are not limited to: Book and Plow Farm; the Emily Dickinson Museum, and the Amherst College Wildlife Sanctuary. “Program or Activity” also includes any building owned or controlled by a student organization that is officially recognized by Amherst. “Program or Activity” broadly includes all operations of Amherst College in the United States including “any academic, extracurricular, research, occupations training, or other education program or activity operated” by the College. “Program or Activity” also includes computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of, Amherst College.

Report

A disclosure of any incident or concern regarding Title IX Prohibited Conduct made directly to the Title IX Office, any Title IX Coordinator, any College employee with mandatory reporting responsibilities or to any other person who then subsequently shares the information with the Title IX Office.

Respondent

An individual who has been reported to have engaged in conduct that could constitute behaviors prohibited by this policy.

Title IX Prohibited Conduct is:

1. Conduct on the basis of sex;
2. Against a person in the United States;
3. That is alleged to have occurred in a College Program or Activity; and
4. That meets one or more of the following definitions:

Quid Pro Quo Sexual Harassment: A College employee conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct;

Hostile Environment Sexual Harassment: Unwelcome conduct that a reasonable person would perceive as so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a College Program or Activity.

Sexual Assault: Any sexual act directed against another person, without the consent of that person, including instances where the person is incapable of giving consent.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.

Domestic Violence: Is violence, which includes felony or misdemeanor crimes of violence, committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Stalking: A course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.

Note: Other forms of sexual misconduct that do not fall under this policy may be prohibited by the College's Non-Discrimination and Harassment Policy.

Statement on Consent, Coercion, Incapacitation, and Alcohol & Drugs Consent is:

- A mutual agreement to engage in sexual activity.
- An **outward demonstration** of words and/or actions that clearly communicates a willingness to engage in sexual activity. Consent may not be inferred by arousal or by silence, passivity, lack of resistance, or lack of active response.
- **Continuous** and must be present from the beginning to end of each sexual encounter. Consent may be **withdrawn** at any time through words and/or actions that communicate a desire to stop. If consent is withdrawn, sexual activity must end immediately.
- **Specific** to each form of sexual activity. Agreement to one type of behavior is not agreement to another behavior. Consent to previous sexual activity does not mean consent to future sexual activity, regardless of relationship.

- **Informed and mutually agreed upon;** everyone involved must understand and agree to participate in sexual activity. A person who is incapacitated due to drugs or alcohol, sleep, or unconsciousness they are unable to consent.
- A **voluntary choice** to engage in sexual activity in which persons freely choose the activity without coercion, threats, or force.

In the state of Massachusetts, **consent can never be given by minors under the age of 16.**

Consent is not present if it results from the use or threat of physical force, intimidation or coercion, or any other factor that would impair an individual’s ability to exercise their own free will to choose whether or not to have sexual contact. Coercion includes the use of pressure and/or oppressive behavior, including express or implied threats of harm and/or severe and/or pervasive emotional intimidation, which places an individual in fear of immediate or future harm or physical injury or causes a person to engage in unwelcome sexual activity. A person’s words or conduct amount to coercion if they impair the other’s freedom of will and ability to choose whether or not to engage in sexual activity.

An individual who is incapacitated is not able to make rational, reasonable judgments and therefore is incapable of giving consent. Incapacitation is the inability, temporarily or permanently, to give consent, because the individual is mentally and/or physically helpless due to drug or alcohol consumption, either voluntarily or involuntarily, or the individual is unconscious, asleep or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if the individual indicates that they are unaware of where they are, how they got there or why or how they became engaged in a sexual interaction. Where alcohol and/or drugs are involved, incapacitation is a state beyond drunkenness or intoxication. Some indicators of incapacitation may include, but are not limited to, lack of control over physical movements, lack of awareness of circumstances or surroundings or the inability to communicate for any reason. An individual may experience a blackout state in which they appear to be giving consent but does not actually have conscious awareness or the ability to consent. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person’s level of intoxication due to alcohol and/or drug use. The relevant standard that will be applied is whether the Respondent knew, or a sober reasonable person in the same position should have known, that the other party was incapacitated and therefore could not consent to the sexual activity.

Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual misconduct and does not excuse one from the responsibility to obtain consent.

Complainants, Respondents, and Third Parties Can Expect

- The opportunity to meet with the Title IX or Deputy Title IX Coordinator or another member of the Title IX Team to answer questions regarding the College’s policies and processes related to Title IX Prohibited Conduct
- Information about the availability of Supportive Measures
- Notice of the option to work with law enforcement and to be assisted by Amherst College Police or other College officials in accessing and communicating with such authorities. This notice will include a discussion of the importance of the preservation of evidence

- The opportunity to request that the College take steps to prevent unnecessary or unwelcome contact or communication with another member of the College community
 - Prompt response to reports of retaliation. Any concerns of retaliatory behavior should be immediately reported to Amherst College Police and/or the Title IX Office.
-

On-Campus Resources

In addition to Confidential Resources listed in this Policy, all College community members have access to a variety of resources provided by the College that can provide crisis intervention services, counseling, academic support and medical services. Staff listed below can support individuals and can assist in coordinating with the Title IX Office. While not bound by confidentiality, these resources will nevertheless maintain the privacy of an individual's information within the limited circle of those involved in the College's review of a Title IX report.

Amherst College Police Department 413-542-2111

ACPD is available 24 hours a day, every day.

Office of Student Affairs/ Administrator on Call 413-542-2337

Available during regular office hours and can assist with academic concerns, changes in housing or other modifications and referrals to other resources. An Administrator on Call is also available 24 hours a day by calling Amherst College Police at (413) 542-2111.

Title IX Coordinator, Laurie Frankl 413-542-5707 | lfrankl@amherst.edu

Available during regular office hours.

Title IX Deputy Coordinators

Available during regular office hours.

- **Dean Gendron** (Students) | (413) 542-2337 | dgendron@amherst.edu
- **Angie Tissi-Gassoway** (Students) | 413-542-2337 | atissi@amherst.edu
- **Maria Rello** (Athletics) | (413) 542-8467 | mrelo@amherst.edu
- **Catherine Epstein** (Faculty) | (413) 542-2334 | cepstein@amherst.edu
- **Maria-Judith Rodriguez** (Staff, Administration, and Visitors) | (413) 542-2372 | mjrodriguez@amherst.edu

Community Advisors (CAs)

CAs (formerly Resident Counselors) are students living in the residence halls who are employed by the Office of Residential Life and trained to refer students to campus resources. CAs are mandated reporters.

Peer Advocates for Sexual Respect (PAs)

The Peer Advocates for Sexual Respect are students who receive intensive training and on-going

supervision to act as an educational resource and referral source for students who are in need of support on issues of sexuality, relationships, trauma, violence, and sexual respect or misconduct. PAs are NOT mandated reporters.

Community Resources

Students, faculty, and staff may also access resources located in the local community. These organizations can provide crisis intervention services, counseling, medical attention, and assistance in interfacing with the criminal justice system. All individuals are encouraged to utilize the resources that are best suited to their needs, whether on- or off- campus.

Emergency Response

- Amherst College Police Department 413-542-2111
- Amherst (Town) Police Department 413-259-3000

Health and Safety

- Amherst College Health Services 413-542-2266
 - Cooley Dickinson Hospital 413-582-2000
 - Emergency (Police, EMT, Fire): 911
-

Campus Reporting Options - Sharing a Concern with the College

All Amherst community members are strongly encouraged to report information regarding any incident of Title IX Prohibited Conduct to the Title IX Office. The College will review and respond to all reports of Title IX Prohibited Conduct. An individual does not have to decide whether or not to engage in the Title IX Grievance Process at the time the report is made. The College recognizes that choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time. The College will respect an individual's autonomy in making these important decisions.

Private Report to the Title IX Office or to a Person Who Is Obligated to Share a Report with the Title IX Office

Any individual who is concerned about Title IX Prohibited Conduct affecting an Amherst College community member may provide that information to the Title IX Office in person, via email or telephone, or by using the online Sexual Misconduct Reporting Form.

Except when submitted pursuant to one's mandatory reporting obligations - as set forth below- a reporting party may choose to disclose their identity as the reporting party OR may choose to submit the report anonymously (see below).

Mandatory Reporters of Information Regarding Title IX Prohibited Conduct

Individuals may also disclose concerns to faculty, staff, and certain student employees who have been designated by the College as "mandatory reporters" of information regarding Title IX Prohibited Conduct.

All College employees, except those identified as Confidential Resources, including faculty and staff, certain student employees, and certain student volunteers, are required to share with the Title IX Office information they learn that gives them reason to believe that an Amherst College community member has been affected by Title IX Prohibited Conduct.

Mandatory reporters are not expected to understand with certainty whether or not the behavior they have learned about meets all of the parameters of the definitions of this policy. Mandatory reporters must report the information to the Title IX Office, who will work with affected persons.

Community Advisors, formally "Residence Counselors," must report to the Title IX Office any information regarding Title IX Prohibited Conduct of which they become aware at any time, regardless of whether they are serving in their role at the time they learned of the behavior.

Students also have the responsibility to report – to a member of the Title IX Office – instances of Title IX Prohibited Conduct of which they become aware while acting in the following roles:

- **Student Security Monitors**
- **Orientation Leaders**
- **Community Engagement Orientation Trip (CEOT) Leaders**
- **First-Year Orientation Trips (FOOT) Leaders**
- **LEAP Leaders**

Anonymous Reporting

Any individual may make an anonymous report concerning an act of Title IX Prohibited Conduct. An individual may report the incident without disclosing their name, identifying the Respondent, or requesting any action. Depending on the level of information available about the incident or the individuals involved, however, the College's ability to respond to an anonymous report may be limited.

Anonymous reports may be made by telephone at 888-497-1022, or online at: www.amherst.ethicspoint.com.

Ethics Point is a service that allows anyone to report suspected misconduct or other issues with complete anonymity, if so chosen. This service allows the person making the report and College administrators to confer about additional details, while the reporting party's identity remains

anonymous. All reports will go to the Title IX Coordinator. Persons may also submit anonymous reports using the Sexual Misconduct reporting form and choosing not to submit their identifying information, though the College will be unable to confer with the reporting party.

Post-Report Requests for Confidentiality

The College will take all reasonable steps to review and respond to the reports consistent with any request by the Complainant for confidentiality or to not pursue an investigation. In doing so, the College may take steps to limit the effects of the alleged Title IX Prohibited Conduct without initiating formal action. Examples include: providing increased monitoring, supervision or security at locations or activities where the misconduct occurred; providing training and education materials for students and employees. The College will seek to respect the request of the Complainant, and where it cannot do so, the College will consult with the Complainant and keep them informed about the chosen course of action.

Pursuant to Department of Education regulations, a Complainant's identity may remain undisclosed for the purpose of receiving Supportive Measures, where feasible. However, should a Formal Complaint be filed, the Title IX Grievance Process will be initiated and both parties will receive written notice of the alleged incident to be investigated, which will include the names of both parties.

Reporting Patterns of Title IX Prohibited Conduct

In the event that an individual believes that they may be experiencing behavior that is part of a pattern of Title IX Prohibited Conduct, they should document that behavior and report it to the Title IX Office.

Time Frame for Reporting

Individuals are encouraged to report Title IX Prohibited Conduct promptly in order to maximize the College's ability to respond. The College does not limit the timeframe for reporting. Adjudication processes under this Policy are not available for reports against Respondents who are no longer associated with the College. Further, a Complainant must be participating in or attempting to participate in a Program or Activity at Amherst at the time the complaint is filed. Regardless of the status of the Respondent, the College will conduct a Title IX review and take appropriate steps depending on the level of control (if any) the College has over the Respondent.

False Allegations / False Information

Anyone who makes a report or a statement or submits false information as part of any process described herein that is later found to have been both materially false and made in bad faith may be subject to disciplinary action. This provision does not apply to reports made in good faith, even if the facts alleged in the report are not substantiated by an investigation or by a finding on a Formal Complaint. No complaint will be considered "false" or "made in bad faith" solely because it cannot be corroborated.

Amnesty for Students Who Report Title IX Prohibited Conduct

The College encourages reporting and seeks to remove barriers to reporting. The College recognizes that an individual who has been drinking or using drugs at the time of the incident may be hesitant to make a report because of potential *Student Code of Conduct* consequences for their own conduct. An individual who reports Title IX Prohibited Conduct, either as a Complainant or as a third-party witness, will not be subject to disciplinary action by the College for their own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. The College may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

Emergency/Immediate Options

The College encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual assault, stalking, domestic violence, or dating violence. This is the best option to preserve evidence and to begin a timely investigative and remedial response. The College will assist any College community member with safety concerns and will provide transportation to the hospital, coordination with law enforcement, and information about the College's resources and complaint processes.

Assistance is available from the College 24 hours a day year-round by calling the Amherst College Police Department. Any individual can request that a member of the Amherst College Police Department respond and take a report. Students may request to speak with an Administrator on Call or a member of the Counseling Center. Faculty and staff may contact the College's [Employee Assistance Program](#). There is no requirement that an individual file an incident report with the Amherst College Police Department in order to speak with an Administrator on Call, a member of the Counseling Center, or a representative of the Employee Assistance Program.

A medical provider can provide emergency and/or follow-up medical services, and the ability to discuss any health care concerns related to the incident in a confidential medical setting may bring peace of mind. The medical exam has two goals: first, to diagnose and treat the full extent of any injury or physical effect (e.g. sexually transmitted infection or the possibility of becoming pregnant) and second, if performed by a qualified Sexual Assault Nurse Examiner, to properly collect and preserve evidence. There is a limited window of time (typically no longer than 72 to 96 hours) following an incident of sexual assault to preserve physical and other forms of evidence. Taking the step to gather evidence immediately does not commit an individual to any course of action. The decision to seek medical attention and gather any evidence will remain confidential and may assist in the preservation of the full range of options to seek resolution through the College's complaint processes or through the pursuit of criminal action. The College encourages individuals to obtain medical attention promptly after an assault.

Coordination with Law Enforcement

Conduct that is prohibited by this policy may also be criminal under Massachusetts law. The College can assist a Complainant in making a criminal report, either with the Amherst College Police Department or the Town of Amherst Police Department. Filing a report with a law enforcement agency

does not require that a Complainant pursue a criminal prosecution. Reports to law enforcement will be forwarded to the Northwestern District Attorney's office for review. The College will, to the extent permitted by law, cooperate with law enforcement agencies if a Complainant decides to pursue the criminal process.

Court-Ordered Restraining Orders

In some cases, an individual may also wish to consider requesting that a local District Court issue an Abuse Prevention Order or a Harassment Prevention Order. These requests are civil proceedings that are independent of the College. Amherst College Police Department can assist community members in learning about and, if requested, filing paperwork with the Court to request an order of protection. If a court order is issued the College will, to the extent possible, assist the protected person in benefiting from the restrictions imposed by the court and will also facilitate on-campus compliance with the order.

Confidential Resources and Support – Making a Confidential Disclosure

The College encourages all Amherst community members to report concerns about Title IX Prohibited Conduct. The College recognizes, however, that not every individual will choose to report to the College or to local law enforcement. For those individuals who do not want their information to be reported to the Title IX Office, there are several confidential resources available for students, staff, and faculty. Staff at these resources are prohibited, either by state law and/or College policy, from releasing an individual's information without that individual's express consent (except under limited circumstances that pose an imminent danger to the individual or to others.)

The following resources are confidential. Disclosures made to individuals at these resources will not be shared with the Title IX Office:

On-Campus Confidential Resources

Amherst College Health Services 413-542-2266
Services are available during regular office hours.

Counseling Center 413-542-2354
Counselors are available during regular office hours and after hours through the Administrator on Call. The Center is staffed by medical, psychiatric, and psychological professionals.

Religious & Spiritual Life Advisors 413-542-8149
Advisors are available 24 hours a day through the Administrator on Call or the Amherst College Police Department.

For Employees

Employee Assistance Program 800-828-6025
Ombudsperson Larry Hunt 413-542-5156

Off-Campus Confidential Resources

Center for Women and Community 413- 545-0800 / www.umass.edu/cwc

The CWC provides confidential 24/7 counseling 24 hours a day to support victims of sexual violence, regardless of their sex or gender.

University Health Services University of Massachusetts Amherst 413-577-5000

Generally, open weekdays 8 am to 8 pm and weekends 11 am to 5 pm during the academic year.

Cooley Dickinson Hospital 413-582-2000

Sexual Assault Nurse Examiner (SANE) available to conduct examinations.

Safe Passage 413-586-5066 / www.safepass.org

A confidential 24/7 domestic violence hotline.

Statement Against Retaliation

Amherst College prohibits retaliation. Depending on the circumstances, retaliation may also violate applicable state and/or federal law.

Retaliation is any adverse action taken against a person because of their participation in the processes described in this policy. Such participation includes, but is not limited to: filing a report under this policy; providing information to, or otherwise cooperating with, the Title IX Team, or another College department; or supporting a party in the process of resolving an allegation of Title IX Prohibited Conduct. This policy's prohibition against retaliation applies to an individual reporting conduct under this policy—even if the content of the report is later disproved—as long as the report was made in good faith.

Title IX Review of Reports

The Title IX Team is positioned to provide seamless and equitable support to any Amherst College community members affected by alleged Title IX Prohibited Conduct, to assess campus safety and to respond to allegations of Title IX Prohibited Conduct.

Initial Assessment of Reports of Title IX Prohibited Conduct

The College will review and respond to reports of Title IX Prohibited Conduct. The Title IX Team, under the leadership of the Title IX Coordinator, will oversee the College's Title IX review process.

In every report of Title IX Prohibited Conduct, the College, through members of the Title IX Team, will make an initial assessment of any risk of harm to individuals or to the campus community and will take steps necessary to address those risks. The College will seek to respect any requests of the

Complainant, and where it cannot do so, the College will consult with the Complainant and keep them informed about the chosen course of action. The College's responsibility to review and respond to all allegations of Title IX Prohibited Conduct exists regardless of how the matter is ultimately resolved.

Supportive Measures

Upon receipt of a report, the Title IX Coordinator will contact the Complainant to discuss the availability of Supportive Measures. The Title IX Coordinator will consider the Complainant's wishes with respect to Supportive Measures and inform the Complainant of the availability of Supportive Measures.

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures taken in the interest of the safety of all parties or the College's educational environment, or to deter sexual harassment. The College will determine the necessity and scope of any Supportive Measures. Even when a person involved with the Title IX process does not specifically request that action be taken, the College may choose to implement Supportive Measures at its discretion in the interest of individual and/or community safety, or the integrity of the Title IX process.

Supportive Measures may include, but are not limited to:

No-Communication and Restricted Proximity Order (NCRPO)

Also known as No Contact Orders. A student may request, or the College may impose, communication and contact restrictions between College community members. In general, communication restrictions preclude in-person, telephonic, electronic, or third-party communications. The College may also limit an individual or organization's access to certain College facilities or activities as part of the NCRPO.

Academic, Employment, or Residence Modifications

An individual involved with the Title IX process may request academic or employment modifications or a change in residence after a report of Title IX Prohibited Conduct. An individual who requests assistance in changing their academic or residential situation will receive appropriate and reasonably available modifications.

Emotional Support

The College will provide counseling services, for students, through the Counseling Center or will assist in providing a referral to off-campus agencies.

The College will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the College's ability to provide the Supportive Measures. The Title IX Coordinator or their deputy are responsible for coordinating the effective implementation of Supportive Measures.

All individuals are encouraged to report concerns about the failure of another individual to abide by any restrictions imposed by a Supportive Measure. The College will take responsive action to enforce measures previously ordered or implemented by the College.

Emergency Removals

The College may remove a Respondent on an emergency basis where the appropriate College personnel determine that a Respondent poses an immediate threat to the physical health and safety of any individual, including the Respondent's own physical health and safety, regardless of whether there is a pending Title IX Grievance Process. An emergency removal is not limited to instances where the Complainant has reported an alleged sexual assault. Emergency removal may also be necessary to address other forms of alleged Title IX Prohibited Conduct or behaviors related to alleged conduct.

The College will engage in the following four-step process when evaluating the necessity of an emergency removal:

STEP 1: The College will conduct a prompt individualized threat analysis which will focus on the particular Respondent and examine the specific circumstances arising from the allegations of Title IX Prohibited Conduct that may pose an immediate threat to a person's physical health or safety.

STEP 2: The College will make a finding based on the individualized threat analysis focusing on whether (1) there is an immediate threat justifying and compelling an emergency removal; (2) the threat is to the physical health and safety of one or more individuals; and (3) the emergency situation specifically arises from the allegations of Title IX Prohibited Conduct.

STEP 3: The College will consider the appropriateness of other Supportive Measures in lieu of removal.

STEP 4: The College will provide the Respondent with notice and an opportunity to appeal the emergency removal.

Appeal of Emergency Removal

Respondents who have been removed from campus on an emergency basis may appeal the separation decision. Appeals of emergency removal decisions consist of an opportunity for the community member to speak with a member of the College administration to articulate the reasons why the separation decision should be reversed. Students who have received notice that they have been removed from the College on an emergency basis can appeal that decision to the Dean of Students, or designee, by sending an email to the Dean of Students, within 72 hours of receipt of notice of the removal decision, and requesting a meeting to request an appeal meeting. Staff members who have received notice that they have been placed on administrative leave can appeal that decision by sending

an email to the Chief Human Resources Officer, or designee, within 72 hours of receipt of notice of the removal decision, and requesting an appeal meeting. Faculty members who have received notice that they have been removed on an emergency basis can appeal that by sending an email to the Provost and Dean of the Faculty, or designee, within 72 hours of receipt of notice of the removal decision, and requesting an appeal meeting. Decisions on appeals will be made in writing. The College will endeavor to provide the written decision within 48 hours of the appeal meeting.

Investigative Leave

At the discretion of the College, Faculty and staff Respondents may be placed on Investigative Leave after a Formal Complaint has been filed against them.

Amherst College Interim Title IX Grievance Process

Effective August 14, 2020

Scope and Purpose

This *Interim* Title IX Grievance Process governs Formal Complaints of Title IX Prohibited Conduct that are filed against Amherst College students, faculty, and staff. The purpose of this *interim* process is to provide the community with a process to investigate and resolve all formal complaints of Title IX Prohibited Conduct that is consistent with applicable legal requirements.

As described in more detail below, Formal Complaints of Title IX Prohibited Conduct are resolved by different Decision Makers, depending on whether the Respondent is a student, staff, or faculty member. For ease of comprehension, when possible this policy refers to “Decision Makers.” The term Decision Makers in this policy refers collectively and interchangeably to the Title IX Student Hearing Board, the Title IX Staff Decision Maker, and the Title IX Faculty Hearing Board, as applicable.

Preliminary Matters

Effect of Pending Complaint on Student Respondents

Where the Respondent is a second semester senior, the College will, in most instances, withhold that student’s Amherst College degree pending conclusion and outcome of the Title IX Grievance Process. If the Respondent is a current student, no notation will be placed on the Respondent’s transcript of a complaint or pending disciplinary action during the Title IX Grievance Process. If the Respondent withdraws from the College before the final resolution of a Formal Complaint, the Respondent’s transcript will be notated to reflect pending disciplinary action, subject to modification to reflect the outcome of the disciplinary action.

Amnesty

A student who files a Formal Complaint or serves as a third-party witness during the Title IX Grievance Process will not be subject to disciplinary action by the College for their own personal consumption of alcohol or drugs at or near the time of the alleged Title IX Prohibited Conduct, provided that such violations did not and do not place the health or safety of any other person at risk. The College may initiate an educational discussion or pursue other educational remedies regarding the use of alcohol or other drugs.

Disability Accommodations

Parties to Title IX matters may request reasonable accommodations for disabilities under the applicable procedures of the College. To initiate the accommodations process, students should contact the Accessibility Services office; staff and faculty should contact the Office of Human Resources.

Advisors

Parties to a Title IX Prohibited Conduct complaint have the right to be assisted by an Advisor of their choice during the Title IX Grievance Process. An Advisor serves to guide the party through the process and may accompany the party to any meeting with a College employee, any meeting with an investigator, and to the hearing. When choosing an Advisor, parties should be mindful of the Advisor's availability. While the College will make reasonable efforts to take into account the Advisor's availability, the College will not allow the Advisor's unavailability to unreasonably delay the Title IX Grievance Process. As described below, parties who come to hearing without an Advisor will be provided a College-appointed Advisor for the hearing.

Role of the Advisor

As set out in Department of Education regulations, a party may choose whether or not to have an Advisor supporting them in all phases of the Grievance Process *except* the hearing phase. Parties must have an Advisor at hearing. Parties who do not have an Advisor to support them at the hearing will be provided an Advisor by the College. The Advisor may not disrupt an investigatory meeting. At hearing, an Advisor may only direct questions at the other party or witnesses as specified in this process. An Advisor may not make verbal objections or other statements of advocacy. The Advisor may consult with the party that they are assisting. The Advisor's role during the hearing process is defined in greater detail below.

Communications

All communications and notices required by these procedures may be made electronically, in hard copy, or in person.

Meetings with Title IX Coordinator

Any party may request to meet with the Title IX Coordinator or designee at any point before, during, or after the process.

Presumption of Not Responsible

The Respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of this process.

Initiating the Grievance Process: Filing a Formal Complaint

Formal Complaint

A Formal Complaint is a written document filed and signed by a Complainant (or otherwise showing that the Complainant is the one filing the document), or signed by the Title IX Coordinator, that alleges that a Respondent has engaged in Title IX Prohibited Conduct. The filing of a Formal Complaint with the Title IX Coordinator initiates this Grievance Process. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in a Program or Activity of the College. All Formal Complaints will be investigated by the College. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party.

Filing Requirements

To initiate the Title IX Grievance Process, the Complainant must submit a Formal Complaint, in paper or electronic format, to the Title IX Coordinator. The Formal Complaint must contain sufficient information regarding the allegations of Title IX Prohibited Conduct to permit the Respondent to understand the allegations being brought and to be able to adequately respond. At a minimum, the Formal Complaint must indicate: the name of the Respondent; the date or approximate date of the complained of conduct; a description of the conduct about which the Complainant is complaining; and the location of the alleged conduct, if known. Further, the Formal Complaint must indicate, to the best of the Complainant's ability, the alleged form(s) of Title IX Prohibited Conduct, as detailed in the College *Interim* Title IX Policy, that the Complainant alleges the Respondent committed. The Formal Complaint should clearly indicate that the Complainant is seeking for the alleged Policy violations to be resolved using this Process. It is not required that the Formal Complaint reflect every detail related to the allegations in the complaint; additional information may be discovered during the investigation.

A Formal Complaint should be filed with the Title IX Coordinator in person, by mail, or by electronic mail, to the Title IX Coordinator, Laurie A. Frankl, lfrankl@amherst.edu.

Review of Formal Complaint

If the Title IX Coordinator or designee determines that a Formal Complaint does not include sufficient information regarding the allegations of instances of Title IX Prohibited Conduct to permit the Respondent to understand the allegations being brought and to adequately respond, the Title IX Coordinator will request that the Complainant re-submit the Formal Complaint.

Opportunity to Amend Formal Complaint

If the investigation reveals other related allegations of instances of Title IX Prohibited Conduct not otherwise detailed in the Formal Complaint, the Complainant will have the opportunity to amend the Formal Complaint to include allegations of these additional related instances.

Timing of Complaints

Formal Complaints may be filed by individuals who, at the time of the filing of the Formal Complaint, are participating in or attempting to participate in the College's Programs or Activities. The College will not reject as untimely any Formal Complaint that otherwise meets all of the threshold criteria detailed in this policy.

Effect of Criminal Proceedings

The adjudication of a Formal Complaint of Title IX Prohibited Conduct under this process is independent of any criminal investigation or criminal proceeding. The College will not wait for the conclusion of any criminal investigation or proceeding to commence its own review, investigation, and, when applicable, proceedings outlined herein. Neither law enforcement's determination whether or not to indict and/ or prosecute a Respondent nor the outcome of any criminal prosecution are determinative of whether the Respondent is responsible for violating College policy.

Dismissal of Formal Complaints

Required Dismissal

At any time prior to the commencement of a hearing, if the conduct alleged in a Formal Complaint would not constitute Title IX Prohibited Conduct even if proved; did not occur in the College's Programs or Activities; or did not occur in the United States, the College is required to dismiss the Formal Complaint under this Process.

Permissive Dismissal

The College may dismiss a Formal Complaint if, at any time prior to the hearing:

- The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- The Respondent is no longer enrolled or employed by the College; or
- Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or any allegations therein.

Complaints that are dismissed pursuant to this section may be remanded to appropriate College personnel for review of the alleged conduct. Parties will be simultaneously notified of any decision to dismiss the Formal Complaint. Either party may appeal any decision to dismiss the Formal Complaint through the appeal procedures set forth below.

Agreements Not Recognized by the College

Other than a judicial order, the College will not recognize agreements between the Complainant and Respondent in which the College did not participate.

Notice of Allegations

Following the receipt of a Formal Complaint, the Title IX Coordinator will provide to both parties (if known) a Notice of Allegations. This Notice will include:

- A copy of or link to the College's *Interim* Title IX Grievance Process;
- Information related to the allegations of Title IX Prohibited Conduct alleged in the Formal complaint;
- A statement that the Respondent is presumed not responsible for the alleged conduct;
- A statement explaining that a determination of responsibility is made at the conclusion of the grievance process;
- Information regarding the parties' opportunity to be supported by a Advisor of their choice, who may be an attorney, and that their advisor may inspect and review evidence as provided for in this process;
- A reminder that his process prohibits knowingly making false statements or knowingly submitting false information during the Grievance Process.

Information for Respondent

When a Formal Complaint has been received and following the review described above, the Title IX Coordinator will inform the Respondent that a Formal Complaint has been filed against them, will provide to the Respondent a Notice of Allegations and a copy of the Formal Complaint, and will provide the Respondent with a copy of this Process and its provision, below, for the Respondent to submit a Written Response.

Written Response to Formal Complaint

The Respondent has the opportunity to submit a written response to the Complaint. Written responses must be submitted no later than 10 calendar days from the date the Respondent was provided the Complaint. Responses should be filed with the Title IX Coordinator. The Title IX Coordinator will share the Respondent's written response with the Complainant.

Acceptance of Responsibility

At any point in the process the Respondent may choose to accept responsibility for the conduct alleged in the Complaint. If the Respondent accepts responsibility for the conduct alleged in the Complaint, the process may, but will not necessarily, proceed to the Investigation Phase. If an investigation has already commenced, it may, but will not necessarily, continue to its conclusion. If a Respondent accepts responsibility for the conduct alleged in the Complaint, the Title IX Coordinator will request that the Decision Maker determine the outcome.

Non-Cooperation/ Participation by Parties - No Negative Inference

If the Respondent refuses or fails to meet and cooperate with the Title IX Coordinator or designee or the Investigator, the adjudication of the Complaint will nonetheless proceed. As detailed below, no negative inference will be drawn from the decision of any party to not participate in any part of the Title IX Grievance Process.

Informal Resolution of Formal Complaints

The parties may choose to engage in an informal resolution of the Formal Complaint, so long as the following conditions are met:

- Both parties have received the Notice of Allegations (described below);
- Both parties voluntarily choose to engage in informal resolution;
- Both parties provide informed written consent; and
- The Formal Complaint is not a matter brought by a student Complainant against an employee Respondent.

Informal resolution may include conflict mediation or a restorative conference with a College community member. Sanctions or other remedies may be agreed upon as a result of the informal resolution process. Because the outcomes of voluntary resolution conversations are mutually developed and agreed upon by the parties involved, an appeal of the process and its result is not permitted. If the parties are unable to agree on a voluntary resolution, the matter will be referred to the Decision Makers by the Title IX Coordinator. No statements made during the informal resolution process may be introduced before the Decision Makers. All information resolutions will be conducted in a reasonably prompt time frame.

Information Sharing

College personnel will take reasonable steps to protect the privacy of persons and information. Process participants, including parties and witnesses, should understand that disclosing information learned during the investigation may compromise the integrity of the investigation and could also be construed as retaliation. Persons are, of course, free to discuss their own personal experiences.

Expectations of Both Parties

- **Review Policy/Forward Questions**
Both the Complainant and the Respondent are expected to review this Process and timely forward any questions or concerns to the Title IX Coordinator.
- **Retain all Potentially Relevant Information**
Both parties are expected to retain - and not destroy - all potentially relevant information in their possession.
- **No Retaliation**
Both parties are expected to adhere to the College's prohibition against retaliation.

Investigation Phase

Investigator

The Title IX Coordinator will designate a trained and impartial Investigator to conduct an investigation of the alleged conduct and provide notice to the parties with the name of the designated Investigator. The Investigator will have specific training and experience investigating allegations of Title IX Prohibited Conduct. The Title IX Coordinator will oversee the Investigation Process.

Opportunity to Object to Investigator Designation

Within 48 hours of receiving notice of the designated Investigator, either party may submit to the Title IX Coordinator a request for removal of the Investigator based on bias, conflict of interest, or an inability of the Investigator to be impartial. Objections to Investigation Designation must include information supporting the request. The Title IX Coordinator will review the request and issue a determination either replacing the Investigator and providing the parties with a new notice of the designated Investigator, or informing the parties that the Investigator will not be replaced.

Investigation Process

The Investigator will coordinate the gathering of information from the Complainant, Respondent, and other individuals or entities that may have relevant information regarding the allegations using any of the methods listed below.

Document/Records Review

In addition to reviewing any documents submitted by the Complainant and Respondent, the Investigator will seek to obtain other records which may be directly related to the allegations raised in the Formal Complaint, including, but not limited to documents, police records, electronic or other record of communications between the parties or witnesses or records or other potentially relevant information. In seeking to obtain such evidence, the Investigator will comply with applicable laws and College policies.

Site Visits

The Investigator may visit sites or locations of potential relevance to the allegations in the Complaint and record observations through written or photographic documentation.

Complainant and Respondent Interviews

The Complainant and the Respondent will have the opportunity to be interviewed (separately) by the Investigator. The Investigator may offer the parties the opportunity to participate in more than one interview.

Witness Interviews

The Investigator will make a good faith effort to contact and interview any witnesses, including those persons no longer at the College or who may not have any affiliation with the College. The parties will have the opportunity to provide witness names to the Investigator. The Investigator may also interview any other individual believed to have relevant information. The Investigator will inform each witness or other individuals interviewed that they are prohibited from retaliating against the Complainant and Respondent or other witnesses.

All witnesses who provide statements to the Investigator are expected to participate in the hearing on the matter. The Title IX Coordinator, or designee, will notify all witnesses of the date, time, and

location of the hearing and offer each witness an opportunity to meet to discuss the Title IX Grievance Process.

Experts

The Investigator may contact any expert the Investigator determines is necessary to ascertain the facts related to the Complaint or other information the Investigator determines is necessary to assist a Decision Makers in determining whether it is more likely than not that the Respondent is responsible for the allegations in the Complaint. The parties may, but are not required to, identify expert witnesses who they believe will assist the Decision Makers in determining whether it is more likely than not that the Respondent is responsible for the allegations in the Complaint.

Mental Health Records

The College will not require that parties disclose medical and counseling records, which are privileged and confidential documents; such records cannot be shared with anyone other than the treating professional unless the patient agrees to disclosure. Any voluntary disclosure of such records must be in writing by the individual about whom the records concern. Individuals should be aware that there are legal implications to agreeing to share and produce privilege records in whole or in part. The production of partial records may lead to the waiver of privilege and the production of additional records. Individuals are encouraged to seek advice from a knowledgeable source about the possible consequences of releasing this type of information. A party who, after due consideration, believes that their own medical or counseling records would be helpful in determining whether Title IX Prohibited Conduct occurred may voluntarily decide to present their own medical or counseling records to the Investigator. The Investigator will review the records and will use discretion to determine what information, if any, is directly related to the adjudication of the Formal Complaint. Any and all records deemed directly related will be made available to the other party for review.

Please note that if a party decides to produce such records, the records must be produced in their entirety. The production of excerpts or selected documents is unacceptable and will not be considered. A party who does not wish to provide substantive medical records may decide to voluntarily provide a verification of therapeutic or medical services to the investigator, confirming simply that such treatment occurred, but not providing any details regarding the treatment.

Review of Evidence

Prior to the Investigation Report being finalized, the parties will have an opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including any evidence upon which the College does not intend to rely in reaching a determination regarding responsibility. The Parties and their advisors, if identified, will each be sent in hard copy or electronic format the evidence for review and will have 10 days from the date of receipt to provide the Investigator with a response, if any.

Investigation Report

Contents

After receiving the parties' written responses to the evidence, if any, the Investigator will prepare an Investigation Report summarizing and analyzing the relevant information determined through the Investigation and referencing any supporting documentation or statements. The Investigator may provide a summary of their impressions including context for the information. The Investigator will not make a recommendation or a determination as to whether or not an alleged violation occurred; that decision is reserved for the Decision Maker.

Distribution to Parties

The Complainant and the Respondent and their respective advisors will receive a copy of the final Investigative Report at least 10 days before the Hearing. Parties may submit, to the Title IX Coordinator, a written response to the final Investigation Report. Written responses must be filed within 7 days after receipt of the final Investigation Report. Written responses will be shared with the other party.

Notice of Hearing

The Title IX Coordinator or designee will issue a Notice of Hearing to the Complainant and the Respondent. The Notice of Hearing will identify the date, time, and place of the hearing and provide the names of the Decision Makers. The Notice of Hearing will be sent at least 7 days prior to the hearing date.

Decision Makers

Student Respondents: Title IX Student Hearing Board

The Dean of Students or designee will serve as the non-voting Chairperson ("Chair") and as an advisor to the Title IX Student Hearing Board. Title IX Student Hearing Board members shall not consist of faculty, staff, or students at Amherst College, including the Title IX Coordinator or the Investigator. The Title IX Student Hearing Board for a particular hearing is composed of three persons that are drawn from a pool of higher education professionals who have been recruited from the area community and trained by the College to serve on the Title IX Student Hearing Board. The Dean of the Faculty or designee may determine an alternate Title IX Student Hearing Board composition if a full Title IX Student Hearing Board cannot reasonably be convened. The Title IX Student Hearing Board is charged with making a determination of responsibility.

Faculty Respondents: Title IX Faculty Hearing Board

A Title IX Faculty Hearing Board shall be formed consisting of three faculty selected by the Faculty Executive Committee from among the faculty elected to the Committee on Adjudication. The Title IX Faculty Hearing Board will select its own chair. The Title IX Faculty Hearing Board is charged with making a determination on responsibility.

Staff Respondents: Title IX Staff Hearing

Hearings on Title IX Formal Complaints against College staff will be heard before the Chief Human Resources Officer, or designee, who will serve as Chair and Decision Maker. The Chief Human Resources Officer, in their capacity as Chair and Decision Maker, is charged with making a determination on responsibility.

Training for Decision Makers

Decision Makers will annually receive training regarding: how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for Complainants, any technology to be used at the hearing, the manner of deliberation, the application of the preponderance of the evidence standard, and the College's *Interim* Title IX Policy and *Interim* Title IX Grievance Process.

Recusal of Decision Makers

Decision Makers shall recuse themselves from any Title IX Grievance Hearing if they believe that they cannot serve without bias, conflict of interest, or an ability to be fair and impartial.

Pre-Hearing Opportunities

Request to Reschedule Hearing

Either party may request to reschedule the hearing. Requests to re-schedule must come directly from the Complainant or Respondent, must be submitted to the Title IX Coordinator or designee at least 48 hours prior to the scheduled start of the hearing, whenever possible, and must specify the reasons for the request. The Title IX Coordinator or designee will decide whether to grant such a request. The Title IX Coordinator or designee retains the discretion to reschedule the hearing at any time for good cause.

Request to Remove a Decision Maker

The Complainant and Respondent may submit written requests to the Title IX Coordinator or designee asking that a Decision Maker be removed for reasonable articulable grounds of bias, conflict of interest, or an inability to be fair and impartial. The written request must identify the grounds for the removal and be received by the Title IX Coordinator or designee within 72 hours following delivery of the Notice of Hearing. The Title IX Coordinator or designee will decide whether to grant such a request. Removal of a Decision Maker may require that the hearing be rescheduled.

Request to Present Witnesses Not Previously Identified

A party wishing to call any witness at hearing who has not been previously identified and/or interviewed by the Investigator, must submit a list of witnesses to the Chair or designee no later than 5 days prior to the scheduled start of the hearing. Parties should provide contact information (e-mail address; telephone number, if known) for any witness who is not a member of the Amherst College community.

A Request to Present Witnesses Not Previously Identified must include the following:

- A written statement and/or description of the information the witness is expected to provide at the hearing;
- A summary of why the witness' expected testimony is relevant to making a decision on the Formal Complaint; and
- The reason why the witness was not interviewed by the Investigator.

The Chair or designee will determine if there is sufficient justification for permitting a witness who was not interviewed by the Investigator. Generally, neither party will be permitted to call character witnesses. The Chair or designee may require that the Investigator interview newly suggested witnesses.

Hearing Board Witnesses

Decision Makers may call any person deemed to have relevant information.

Both parties and the Decision Makers will learn, prior to hearing, whether any witnesses have been approved, under these provisions, to appear.

Information for Consideration at Hearing

Information Not Provided to the Investigator

A party wishing to present documentation or other evidence at the hearing that was not provided to the Investigator, must submit to the Chair the list of documents or other evidence no later than 72 hours prior to the scheduled start of the hearing and a request that the documents or other evidence be available at hearing. The request must contain the following information:

- Identification and description of the document or other evidence the party intends to present;
- A summary of why the document or other evidence is relevant to making a decision on the complaint; and
- The reason why the document or other evidence was not provided to the Investigator.

The Chair will determine if the additional documentation or other evidence is relevant and if there is sufficient justification for permitting its use at the hearing. The Chair may also require that the Investigator review the additional documentation or other evidence. If the additional documentation or evidence is approved, it will be shared with the parties and the Decision Maker prior to the hearing.

Prior Sexual Behavior, Prior Findings of Similar Acts of Title IX Prohibited Conduct

When the Respondent raises consent as a defense, questions or information regarding prior consensual sexual contact between the parties may be deemed relevant, but is not necessarily determinative of whether it is more likely than not that the Respondent is responsible for the allegations in the Complaint.

Question and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless (1) such questions and evidence about the Complainant's prior sexual behavior are

offered to prove that someone other than the Respondent committed the alleged conduct; or (2) the questions or evidence concern specific incidents of the Complainant's prior sexual behavior with the Respondent and are offered to prove consent to the alleged conduct.

The above restrictions do not apply to information about a Respondent's sexual predisposition or prior sexual behavior.

A prior finding (post appeal opportunities) of responsibility for a similar act of Title IX Prohibited Conduct ("prior bad act") will always be deemed relevant and may be considered in making a determination as to responsibility and/or assigning of a sanction.

Mental Health Information

Any information regarding any person's mental health that was not previously provided to the Investigator, or otherwise approved for admission via a pre-hearing request, may not be introduced at hearing.

Hearing Requirements

Participants

Those who may be present at the hearing are: the Complainant; the Respondent; each party's Advisor; the Investigator; witnesses; and other College officials. The Investigator and witnesses may only be present in the hearing room during the Call to Order and when they are providing information to the Decision Makers. The Complainant and Respondent will be present in the hearing room, unless as prescribed under Alternative Attendance.

Attendance at Hearing

Non-Attendance

If a party does not attend a hearing for any reason other than an emergency, the hearing may be held in their absence. The refusal by a party or witness to participate in a live hearing and to submit to cross-examination can have significant effects on the outcome, including by limiting the statements of the non-participating party on which the decision-maker may rely in making a determination, including statements made to other witnesses.

Alternate Attendance

A Complainant or Respondent may request to participate in the hearing by suitable means that would not require physical proximity to the other. This can include, but is not limited to, using technology to facilitate participation from a remote location. Technology will enable participants to meaningfully interact with the person answering questions. Witnesses may request to appear virtually. The Chair may allow for witnesses to appear through technological means rather than in-person attendance. All requests by a party to participate in the hearing other than in person must be submitted in advance of the hearing to the Title IX Coordinator.

Standard of Evidence

The Decision Maker will determine the Respondent's responsibility by a preponderance of the evidence standard, which is whether the information provided at the hearing supports a finding that it is "more likely than not" that the Respondent is responsible for the alleged violation(s).

Recording Proceedings

Title IX Hearings are audio-recorded for the purpose of: (1) reference by the Decision Maker; (2) review on appeal by the Appeals Officer; (3) the official record of the hearing; and (4) availability to the Complainant or Respondent, upon request. Decision Maker deliberations are not audio-recorded.

Privacy

Hearings are not public and, to the extent technology is necessary to effectuate the requests of the party, all live video will be closed circuit and not available or accessible to non-participants.

Expectations of Hearing Participants

Truthful Testimony

The Complainant, Respondent, witnesses, and other individuals sharing information with the Decision Makers are expected to provide truthful information in any proceeding under this Policy.

Participant Conduct

Any participant in the live hearing, including Advisors, must conduct themselves appropriately and respectfully towards all other participants. Participants may not act, and Advisors may not question parties or witnesses, in a way that may be considered by a reasonable person to be abusive, intimidating, harassing, or disrespectful. The Chair, in their sole discretion, may respond to such behavior by adjourning the hearing and excluding the offending person.

Time Limitations

The Chair retains discretion to reasonably limit the time of any part of the Hearing Process.

Conducting the Hearing

Role of the Chair

The Chair is responsible for maintaining an orderly, fair, and respectful hearing and has broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding offending persons. During questioning of parties and witnesses by Advisors, the Chair will determine whether questions seek relevant information. The Chair will explain any decision to exclude a question as seeking non-relevant information.

Determining Relevance

In determining whether a question is seeking relevant information, the Chair will focus on whether the question seeks information, material to the allegations at issue, that would aid Decision Makers in determining whether the allegations are more likely or less likely to be true.

Role of Advisors at Hearing

Each party's Advisor will directly, orally, and in real time ask the other party and any witnesses relevant questions and follow-up questions.

Prior to the hearing, the parties are encouraged to meet with their Advisors in order to discuss with their Advisor the questions they would like asked at the hearing.

Parties are also encouraged, but not required, to submit to the Title IX Coordinator questions they would like asked at the hearing. The Title IX Coordinator will forward questions to the Chair. Pre-submitting questions may substantially shorten the duration of the hearing, since the Chair will have had the opportunity to assess the questions and whether they seek relevant information in advance of the hearing.

Advisors may not interject, coach, advocate for, or otherwise speak on behalf of the party they are supporting at hearing. This includes a prohibition against responding to, questioning, or arguing with the Chair regarding relevancy determinations.

In the event that a party does not have an Advisor present at hearing to conduct the questioning of the other party and witnesses, the College will provide an Advisor, of the College's choosing, to conduct the questioning at hearing.

Information Protected by Privilege

Information or evidence protected by a legally-recognized privilege or which relates to any party's medical, psychological, and similar records cannot be considered relevant unless the party about whom the information is requested or submitted has provided voluntary written consent to the inclusion of the otherwise protected information.

Duplicative/Repetitive Questions

Questions that are duplicative or repetitive may be deemed to not be seeking relevant information and may be excluded.

Decisions Regarding Questions

The Chair is not required to provide lengthy or complicated explanations in support of a relevance determination. Rather, it is sufficient, for example, for the Chair to explain that a question is excluded because the question seeks information related to otherwise excluded information or because the

question seeks information about a detail that is not probative of any material fact concerning the allegations.

Discretion of the Chair

The Chair retains discretion to alter, at any time, the order of the hearing process, as needed.

Hearing Process

Call to Order

The Chair will call the hearing to order. All parties, the Investigator, and available witnesses will be present to hear the Call to Order. The Chair will describe the hearing process and provide an opportunity for all parties to ask procedural questions prior to opening remarks and the presentation of information. The Chair will ask each individual present to state their name and identify their role during the hearing.

Complainant's Opening Remarks

The Complainant may present their own account of the events.

Respondent's Opening Remarks

The Respondent may present their own account of the events.

Questioning of Complainant

The Hearing Board may ask Complainant questions, followed by the Respondent's Advisor. The Hearing Board will then have an opportunity to ask additional questions of the Complainant.

Questioning of Respondent

The Hearing Board may ask the Respondent questions, followed by the Complainant's Advisor. The Hearing Board will then have an opportunity to ask additional questions of the Respondent.

Questioning of Witnesses

Any witnesses that have been identified by the parties or Decision Makers for questioning will then each be questioned directly by each party's Advisor and then Hearing Board. Once a witness is done answering questions, they will be asked to leave the hearing.

Recall of Witnesses or Parties

The Decision Makers reserve the right to recall any party or witness during the hearing process for further questions and to seek additional information necessary to make a decision.

Final Questions

The Chair will offer a final opportunity for any additional questions by each party's Advisor.

Summary Statements

Prior to the close of the Hearing, the Complainant and the Respondent may make brief summary statements to the Decision Makers. The Complainant will present their summary statement first, followed by the Respondent.

Effect of Non-Appearance at Hearing or Failure or Refusal to Submit to Questioning

As described above, the failure or refusal of a party or witness to participate in a hearing and/or to submit to questioning can have a significant effect on the outcome of a matter, including by limiting the Decision Makers' ability to rely on statements of the party who did not submit to questions. More specifically:

Effect of Failing to Respond to Question by Party's Advisor

If a party or witness is present at the live hearing, but disagrees with a determination by the Chair of a relevancy determination, they have the choice of either (1) abiding by the Chair's determination and answering the question, or (2) refusing to answer the question. If the party or witness refuses to answer the question, the Decision Makers may not rely on any statement about which a party or witness has declined to answer cross-examination questions.

Failure to Respond to Question(s) by Decision Maker

If a party or witness refuses to answer a question posed by a Decision Maker, the Decision Makers are not barred from relying on statements that related to the question posed in its determination of responsibility. The Decision Makers may not, however, draw any inference about the determination of responsibility based solely on a party's refusal to answer questions.

Decision Making

At the conclusion of the hearing, everyone other than the Chair, the College's legal counsel, and Decision Makers, if different than the Chair, will be dismissed from the hearing to allow the Decision Makers to deliberate in private. The Chair and the College's legal counsel may remain for deliberations, but do not vote. The Decision Makers' decision will be determined by majority vote. If the Decision Makers make a responsible finding, then the Chair or Title IX Coordinator, as applicable, will provide the Decision Makers with information related to the Respondent's prior conduct history, if applicable.

If the Decision Makers find the Respondent responsible for one or more alleged policy violations, it will deliberate regarding the appropriate sanction(s) and reach a decision by majority vote. The votes themselves will not be shared with the parties and only the decision on responsibility and any

applicable sanction will be announced. The Decision Makers may schedule additional meetings to complete deliberations if necessary.

Sanctions

If the Decision Makers find the Respondent responsible for one or more policy violations of the *Interim* Title IX Policy, the Decision Makers will impose appropriate sanctions. Sanctions may be issued individually or in combination with other sanctions. In determining the appropriate sanction(s), the Decision Makers may consider a number of factors including, but not limited to: restoring or preserving the Complainant's equal access to the College's Programs or Activities; the harm suffered by the Complainant; any ongoing risk to either the Complainant or the community posed by the Respondent; the impact of the violation(s) on the community, its members or its property; any previous conduct violations; any mitigating or aggravating circumstances.

Sanctions for Title IX Prohibited Conduct may range from mandated education, a formal warning, probation, suspension, expulsion (for students), or corrective action up to and including termination (for employees).

Sanctions may also require that existing Supporting Measures stay in place for a prescribed period of time. Likewise, sanctions may involve the imposition of new remedies, such as no contact orders, disciplinary probation, housing placement, or academic adjustments, based upon the facts developed during the investigation and the hearing, as well as the conclusions reached by the Decision Makers.

Written Determination of Hearing Outcome

The Chair will draft and simultaneously distribute to the parties a written determination of the hearing outcome, that will include the following:

- Identification of the allegations of Title IX Prohibited Conduct;
- A description of the procedural steps taken from the receipt of the Formal Complaint through to the determination, including: notifications to the parties; the identity of the Investigator; dates of interviews with parties and witnesses; dates and locations of site visits; methods used to gather other evidence; hearing date; and information related to any actual or perceived procedural issues, including delay for good cause.
- Findings of fact supporting the determination;
- Conclusions regarding the application of the *Interim* Title IX Policy to the facts;
- A statement of, and rationale for, the Decision Makers' finding as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the College's Programs or Activities will be provided by the College to the Complainant; and
- Information regarding appeal opportunities.

Appeal Process

Eligibility and Timeline

Either party may appeal the outcome of the hearing by filing a written Appeal Request, which must be delivered to the Title IX Coordinator within 7 calendar days of the Notice of Outcome. The Title IX Coordinator will inform the non-filing party that an Appeal Request has been filed.

Grounds for Appeal

The appeal may only be based on one or more of the following grounds and must state, with specificity, the moments during the process that gave rise to the stated grounds of appeal:

- Procedural irregularity that affected the outcome of the matter (i.e. a procedural error that, but for the error's occurrence, could have resulted in a different outcome);
- Bias or conflict of interest, by a Decision Maker, the Investigator, or the Title IX Coordinator (i.e. a Decision Maker, the Investigator, or the Title IX Coordinator demonstrated through specific words or actions that they were predisposed for or against one of the parties);
- Inappropriateness of the Sanction (i.e. the sanction is disproportionate to the gravity of the violation(s) for which the Respondent has been found responsible); or
- New Information that was not reasonably available at the time of the determination regarding dismissal of the Formal Complaint or responsibility was made that was not reasonably available at the time and that could have affected the outcome of the decision on dismissal or responsibility.

Standard of Review

The appeal is based on the record and is limited to the four possible bases for appeal. The appeal is not a de novo review.

Threshold Review

The Title IX Coordinator will forward the Appeal Request to:

- For **Student** Respondent matters: Provost and Dean of the Faculty, or designee;
- For **Staff** Respondent matters: Chief Financial and Administrative Officer, or designee;
- For **Faculty** Respondent matters: Provost and Dean of the Faculty, or designee.

For purposes of this process, persons who decide Appeal Requests are herein collectively referred to as the Appeals Officer.

Within 7 business days of the timely submission of the Appeal Request, the Appeals Officer will review the Appeal Request to determine, as a threshold matter, whether one or more of the Grounds for Appeal has been sufficiently alleged to warrant Review of the Merits—based on the following:

New Information

The Appeals Officer will determine whether the “new information” identified in the Appeal Request is:

- Relevant
- Substantive, and
- New (i.e. not available at the time of the hearing)

Inappropriateness of the Sanction

The Appeals Officer will determine whether the sanction is disproportionate to the gravity of the violation(s) for which the Respondent has been found responsible. In making this determination, the Appeals Officer will defer to Decision Makers’ decision unless it has no rational basis.

Procedural Irregularity

The Appeals Officer will determine whether the procedural irregularity identified in the Appeal Request:

- Constitutes a procedural irregularity; and
- Is corroborated by the record.

Bias by a Decision Maker, the Investigator, or the Title IX Coordinator

The Appeals Officer will determine whether the specific words and/or actions identified in the Appeal Request:

- Are corroborated by the record, and
- Could indicate that the Chair, Decision Maker, the Investigator, or the Title IX Coordinator was predisposed for or against one of the parties.

If the Appeals Officer determines that Review of the Merits is not warranted, the Appeal Request will be denied and the Appeals Officer will inform the Title IX Coordinator, who will notify both parties (normally within 48 hours).

If the Appeals Officer determines that Review of the Merits is warranted, each party will be notified. The party who did not submit the Appeal Request will be provided a copy of the Appeal Request and given 7 calendar days to submit a written Response to Appeal Request to the Title IX Coordinator, who will forward it to the Appeals Officer and the party who filed the Appeal Request. The Response to Appeal Request is optional – the absence of a Response to Appeal Request will not be taken into consideration in the Review of the Merits.

Review of the Merits

If Review of the Merits was granted on the basis of Procedural Irregularity and/or Bias of a Decision Maker, the Investigator, or the Title IX Coordinator, the Appeals Officer will conduct a Review of the Merits, which is based solely on the Appeal Request, the Response to Appeal Request (if any), and the

record of the original hearing, as follows:

Procedural Irregularity

The Appeals Officer will determine whether it is substantially more likely than not that, if the identified procedural irregularity(s) had not occurred, the hearing could have resulted in a different outcome.

Bias of a Decision Maker, the Investigator, or the Title IX Coordinator: The Appeals Officer will determine whether it is substantially more likely than not that the specific words and/or actions identified in the Appeal Request indicate that a Decision Maker, the Investigator, or the Title IX Coordinator, was predisposed for or against one of the parties.

If the Appeals Officer finds merit to the appeal, it will remand the matter to a new hearing conducted by Decision Makers who did not decide the original matter.

The Appeals Officer will communicate its decision to the Title IX Coordinator, who will inform the parties. The Appeals Officer's decision is final.

Review by Original Decision Makers

If the Review of the Merits was granted on the basis of New Information and/or Inappropriateness of the Sanction, Appeals Officer will remand the matter to the original Decision Makers, which will be convened within 14 calendar days of the decision to grant Review of the Merits. If the original Decision Makers cannot be convened within 14 calendar days, the Appeals Officer may determine whether to extend the deadline or remand the matter to a new hearing board for a new hearing.

Once convened, the original Decision Makers will conduct the Review of the Merits solely on the basis of the Appeal Request, the Response to Appeal Request (if any) and the record of the original hearing, as follows:

New Information

The Decision Makers will assess the weight and effect of the new information in light of all other evidence from the original hearing and will determine whether to:

- Affirm the original finding(s) and sanction(s)
- Affirm the original finding(s), and issue a new sanction(s), or
- Issue a new finding(s) and sanction(s)

Inappropriateness of the Sanction

The original Decision Makers will reconsider the factors relevant to determining sanctions as identified above and will issue a new sanction.

After conducting the Review of the Merits, the original Decision Makers will communicate its decision to the Title IX Coordinator, who will inform the parties. The decision is final.

Order of Precedence

In the event that the Appeals Officer grants a Review of the Merits on multiple Grounds for Appeal, such that reviews by both the Appeals Officer and the original Decision Makers are warranted, the process will begin with Appeals Officer review. If the Appeals Officer finds merit in the appeal and therefore remands the matter to new Decision Makers, any other basis for appeal will be moot. If the Appeals Panel does not find merit on the basis of Material Procedural Error or Bias by the Decision Makers, the Investigator, or the Title IX Coordinator, then the process will continue with Review of the Merits on the basis of New Information and/or Inappropriateness of the Sanction.

Communication During the Appeals Process

In order to preserve the integrity of the Appeal Process, the parties, as well as their respective advisors and witnesses, should direct questions, comments or concerns to the Title IX Coordinator and refrain from initiating communication directly or indirectly with the Appeals Officer or any other person involved in reviewing the Appeal throughout the duration of the Appeal Process.

Designees

The Appeals Officer may designate someone to fulfill any or all of the responsibilities identified in the Appeal Process. In the absence of the Appeals Officer, the Title IX Coordinator will designate another individual to serve the role of the Appeals Officer.

Records Maintained

The College will maintain an official record of the hearing.

If a student has been found responsible by the Decision Makers for violating the *Interim* Title IX Policy, such records shall be used in reviewing any further conduct issues or developing sanctions and shall remain a part of a student's conduct record.

Generally, suspension, expulsion, and withdrawal pending disciplinary action are permanently noted on a student's transcript. The conduct files of students who have been suspended or expelled from the College are maintained in the Office of Student Affairs for no fewer than 7 years after their departure from the College.

Time Frames

The College will endeavor to undertake and complete each stage of the *Interim* Title IX Grievance Process in a reasonably prompt manner. General time frames for each stage are provided below. The College may delay this process or provide limited extensions of time frames for good cause. Written notice of delays or extensions will be provided to the parties. Good cause includes, but is not limited

to: the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or the accommodation of disabilities.

Investigation Stage: 90 days

Conclusion of the Grievance Process: 21 days

Conclusion of Informal Resolution Process, if utilized: 30 days

Resolution of an Appeal Request: 21 days

Contact Information

Inquiries about Title IX and the application of Title IX regulations to the College may be referred to:

Laurie A. Frankl
Title IX Coordinator

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U.S. Department of Education
Office for Civil Rights

Lyndon Baines Johnson Department of Education Bldg.
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Washington, DC 20202-1100
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FAX: 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov

Boston Office
Office for Civil Rights

US Department of Education
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