

ARTICLE I

(6) In schools or divisions without Departments, the Dean shall be considered the Chair.

ARTICLE II

G. Should the University wish to renew a non-tenured faculty member's appointment agreement, it will present a new appointment agreement by June 30 preceding the expiration date of the existing contract or agreement. If the appointee does not return the signed contract to the President before July 15 of the same year it will be presumed by the University that the faculty member does not wish to accept reappointment to the University.

H. Tenured faculty members will receive notification of salary for the next academic year by June 30.

K. Promotions to the ranks of Assistant Professor, Associate Professor, and Professor are initiated by the faculty member by written request submitted to the appropriate Department Chair no later than September 1. Written recommendations from the appropriate Department Chair, Dean of the School, and Vice President for Academic Affairs should accompany the application for promotion which shall be presented to the Faculty Committee on Recommendations. The Committee's report shall be forwarded to the President by the Vice President for Academic Affairs. The final decision will be made by the President and announced by March 1.

ARTICLE III

A. Tenure is permanence of appointment and is granted as a further guarantee of academic freedom by the President.

B. A faculty member must apply for tenure through his or her Department Chair no later than the dates specified in the following schedule: September 1 of the third (3rd) year for Professors; September 1 of the fifth (5th) year for Associate Professors; and September 1 of the sixth (6th) year for Assistant Professors. Successful candidates will receive tenure effective the following academic year. Unsuccessful candidates will receive a terminal contract for the following academic year. If the faculty member does not apply for tenure in the time-frame defined here, then tenure and the right to be considered for tenure or to receive tenure will be forfeited and the faculty member's employment will terminate at the end of the current academic year.

ARTICLE V

A. Staffing and Faculty Development Support

To accomplish its primary educational mission, teaching, the University must make every effort to maintain a superior Faculty. The University supports the development of its faculty members within reasonable budgetary limitations by subsidizing sabbatical, study, and professional development leave opportunities as defined below; by offering financial support for faculty research, publication, and other scholarship; and by providing financial support for university-produced academic journals and other publications.

B. Participation in Learned and Professional Societies

1. Personal membership in learned societies and professional organizations is linked to the faculty member's scholarly interests and association with professional colleagues. Therefore, it is the policy of the University that the faculty member rather than the University pay for such personal memberships.
2. Funds for attendance at meetings or conventions of learned societies or professional conferences must be approved in advance by the Dean. The actual expenditure for this purpose will depend upon the approved budgeted amount.
3. Within the limits of the budget and subject to pre-approval of the Dean, faculty members shall be reimbursed for expenses incurred in traveling to conventions or conferences according to the following criteria:
 - a. If travel is requested or required by the University itself, all transportation costs are paid by the University, together with the normal subsistence costs for each day spent at the destination.
 - b. If the travel benefits the professional development of the faculty member and therefore is beneficial to, but not required by, the University (e.g., the reading of a paper at a convention or conference), transportation costs are paid by the University, together with half of the subsistence costs for each day at the destination required for the particular professional activity.
 - c. If the travel benefits principally the faculty member (e.g., attendance at a scholarly convention or conference), the University pays half the transportation costs but no subsistence allotment shall be provided.
 - d. All expenses, itemized and accompanied by receipts, must be approved by the respective Dean before being submitted to the Business Office for payment.

C. Faculty Performance Evaluation and Feedback

1. The purpose of faculty evaluation is to assist in the professional development and growth of faculty members and to serve as a source of information upon which such decisions as

contract renewal, tenure, promotion and merit increments are based. An integral part of faculty evaluations are self-evaluations. Self-evaluations not only should present student evaluations and, in the case of non-tenured faculty members, peer evaluations of the faculty member's teaching, but also the faculty member's self-reflection on the effectiveness of his or her teaching. Teaching, in this case, means the full responsibilities of teaching including presenting material in class, preparing syllabi and tests, etc. In addition to teaching, the self-evaluation will include comments on the faculty member's research, publication, and other scholarship; service to the University such as committee work and student advisement, and community service.

2. All tenured faculty members are required to perform self-evaluations annually and comprehensive self-evaluations every five years. Untenured full-time faculty members are required to perform comprehensive self-evaluations annually.

3. Specific emphasis among objectives may vary depending on the interests and abilities of the faculty member, the nature of his or her profession, and the program in which the faculty member participates, and, in the case of Lecturers, upon their specific contractual obligations. However, general objectives and areas of concern most important to the University appear in order of importance in Article IV, Section B.

4. Academic administrators and faculty members are required to complete the following evaluation process:

- a. Evaluations shall be completed on a calendar year basis, covering the preceding spring, fall, and summer terms. Faculty members in their first year of appointment shall initially complete an evaluation covering their first fall semester
- b. All full-time faculty members, at the start of each evaluation period, shall meet with their Chair and identify relevant criteria for qualitative and quantitative evaluation as well as objectives that reflect the goals of their profession, Department, School, and the University. The extent to which these objectives are met will provide the basis for evaluation.
- c. While informal feedback and appraisals of performance should occur throughout the evaluation period, the formal review process shall commence soon after the end of the evaluation period and in any case no later than February 1. The formal review process shall proceed on the following timetable; by:

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| February 1 | Submission of self-evaluation to Chair |
| March 1 | Faculty self-evaluation with Chair and other administrator comments to Dean |
| April 15 | Faculty self-evaluation with Chair, Dean, and other administrator comments to Vice President for Academic Affairs |

- d. The review process shall include a meeting between the faculty member and his or her Chair, during which the faculty member will orally present the self-evaluation and the Chair will orally present his or her observations regarding the extent to which the faculty member has achieved the objectives identified at the beginning of the evaluation period, as well as regarding the faculty member's performance during the evaluation period.
- e. After the meeting between the faculty member and Chair, and no later than March 1, the Chair and other relevant administrators such as program directors or Deans from other Schools or Colleges of the University who are familiar with the faculty member's performance will forward their written evaluation(s) to the Dean of the faculty member's School.
- f. The Dean will review all data to date; add comments, if any, to the evaluations; provide those comments in writing to the faculty member, Chair, and other evaluators; and forward all material to the Vice President for Academic Affairs by April 15.
- g. The Vice President for Academic Affairs will review all data to date; add comments, if any; provide those comments in writing to the faculty member, Chair, other evaluators, and Dean; and, archive the final evaluation, including all comments.
- h. At any stage in the evaluation process, the faculty member may respond in writing to the appropriate administrator(s). All such responses become part of the evaluation materials as they are forwarded.

D. Paid Professional Leaves of Absence

A good program of Professional Leaves of Absence is important for improving the University's academic programs through the professional growth of its Faculty.

The general provisions covering all Professional Leaves of Absence are as follows:

1. The University must not suffer serious academic inconvenience by an absence. Paid Professional Leaves of Absence shall be granted with due regard to the claims of all eligible faculty members applying for such leaves and within the framework of the University's responsibility to meet the needs of the entire university community and its other financial obligations.
2. A faculty member desiring a Professional Leave of Absence shall submit in writing to the appropriate Department Chair a comprehensive plan of how he or she intends to use the leave time being requested.
3. The application for a Professional Leave of Absence normally must be filed by September 1 of the academic year preceding the year for which the applicant desires such leave. The application for a Professional Leave of Absence shall pass to the Faculty

Committee on Recommendations through the appropriate Department Chair, Dean, and the Vice President for Academic Affairs. The Committee's recommendation shall be forwarded to the President. The President normally will notify the applicant of the disposition of the request by March 1.

4. Within three months after returning to the University from a Professional Leave of Absence, the faculty member shall submit in writing, through the appropriate Department Chair, a written report on the results of the project undertaken during the leave. The report shall become a permanent part of the faculty member's personnel file at the University. This report shall be considered in the faculty member's next annual evaluation and in future requests for leave.
5. Salary as provided for in the specific policy, health care benefits, life insurance, long-term disability, and pension contributions will be continued during Paid Professional Leaves of Absence.
6. The President may grant the following types of Professional Leaves of Absence:
 - a. Sabbatical Leaves

The objective of the Sabbatical Leave Program is to enhance the academic quality of the University by providing faculty members with an uninterrupted opportunity for professional development. Thus, scholarly research, writing, specialized study related to one's academic field, and participation in programs designed to improve teaching are typical sabbatical activities.

- (1) Sabbatical Leave may be granted only to a faculty member who has served full time on the University's Faculty for at least six years.
- (2) A faculty member may apply for two semesters' leave at half pay or one semester's leave at full pay.
- (3) The University shall make every effort to provide faculty members with an equitable opportunity for Sabbatical Leave.
- (4) A Sabbatical Leave may be granted to the same person no more than once in any seven-year period.
- (5) A faculty member receiving a Sabbatical Leave must return to his or her duties at the University for at least one year after the leave ends. Should the faculty member elect not to do so, the salary and benefits paid during the leave must be returned to the University.

- b. Study Leaves

The President may grant, in rare and exceptional instances, subject to the conditions cited below, a Study Leave of one semester with full pay or a Study Leave for one academic year at half pay, to a faculty member who has served full time for at least two years, in order to enable the faculty member to complete the requirements for the terminal degree.

- (1) Applicants for a Study Leave must demonstrate the likelihood that the terminal degree can be completed during the leave period.
- (2) The faculty member must agree to return to his or her duties at the University for two years after the completion of the leave. Should the faculty member elect not to do so, he or she must return the salary and benefits paid him or her during the period of leave.
- (3) The time spent on Study Leave shall not count towards the eligibility requirements for a Sabbatical Leave. The deadline for applying for tenure will be extended by the length of the Study Leave unless the faculty member requests in writing that the leave not extend that deadline. If the deadline is extended, the tenure application will be due in the next annual application cycle based upon years of service and length of leave.

c. Professional Development Leaves

The President may grant a Professional Development Leave of up to one academic year with pay to a faculty member to aid in completing research of genuine academic importance, or for any other professional purpose, which directly furthers the teaching and research mission of the University.

- (1) A faculty member receiving a Professional Development Leave must return to his or her duties at the University for at least one year after the leave ends. Should the faculty member elect not to do so, the salary and benefits paid during the leave must be returned to the University.
- (2) The time spent on Professional Development Leave shall not count towards the eligibility requirements for Sabbatical Leave. The deadline for applying for tenure will be extended by the length of the Professional Development Leave unless the faculty member requests in writing that the leave not extend that deadline. If the deadline is extended, the tenure application will be due in the next annual application cycle based upon years of service and length of leave.

E. Paid Personal Leaves of Absence

1. Salary, health care benefits, life insurance, long-term disability, and pension contributions will be continued during any Paid Personal Leave of Absence.
2. Under the appropriate circumstances, the President will grant the following types of Paid Personal Leaves of Absence:
 - a. Medical Leave of Absence

The President will grant a Medical Leave of Absence to a faculty member who is unable to perform his or her duties as a result of a medical condition. A physician's certification citing the need for and expected duration of such leave must be provided upon request. Failure to provide an acceptable medical certification may result in a denial of the leave. The University reserves the right to require an examination and/or consultation with a physician with the cost of such examination and/or consultation paid by the University.

- (1) A faculty member on an approved Medical Leave of Absence will receive full salary for up to six months. A faculty member who remains unable to resume work because of the continuing medical condition after six months may be eligible for medical disability insurance payments.
- (2) A non-tenured faculty member who is unable to resume his or her duties after one year is not guaranteed job restoration. A tenured faculty member who is unable to resume his or her duties after two years is not guaranteed job restoration.
- (3) The time spent on a Medical Leave of Absence shall not count towards the eligibility requirements for tenure or a Sabbatical Leave. The deadline for applying for tenure will be extended by the length of the Medical Leave of Absence unless the faculty member requests in writing that the leave not extend that deadline. If the deadline is extended, the tenure application will be due in the next annual application cycle based upon years of service and length of leave.

b. Child Care Leave

- (1) The University provides six weeks of paid leave time for the birth and care of the faculty member's newborn child, or for the placement of a child with the faculty member for adoption. Paid leave under this policy runs concurrently with any FMLA leave to which the faculty member is entitled. If both parents work for the University, this paid leave may be taken by either parent, but not both. If this leave is taken, it will be counted toward the faculty member's FMLA entitlement; however, each parent will be entitled to use any remaining unpaid FMLA leave pursuant to the University's FMLA policy.

(2) Faculty members taking Child Care Leave will be expected to return to all duties at the conclusion of the leave. However, depending upon the length of the absence, a faculty member may be excused from teaching semester-long classes.

(3) The time spent on Child Care Leave shall not count towards the eligibility requirements for a Sabbatical Leave. The deadline for applying for tenure will be extended by the length of the Child Care Leave unless the faculty member requests in writing that the leave not extend that deadline. If the deadline is extended, the tenure application will be due in the next annual application cycle based upon years of service and length of leave.

c. Military Reserve Leave

During Military Reserve Leave, the University will pay the difference between regular salary and military pay received, up to a maximum of ten working days per year. Faculty members must first request postponement of their reserve duty to a time when they do not have classes to teach.

d. Bereavement Leave

Bereavement Leave of up to one week in the case of death of an immediate family member (i.e., spouse, child, parent, grandparent or sibling) may be taken by faculty members as circumstances warrant. All Bereavement Leave must be arranged through the appropriate Department Chair and Dean and approved by the Vice President for Academic Affairs.

e. Jury Duty Leave

Faculty members who are summoned for jury duty acknowledge their civic responsibilities by fulfilling this obligation. The appropriate Department Chair and Dean must first be notified. The Faculty member's regular salary continues during any absence related to jury duty. Faculty members must first request postponement of their jury duty to a time when they do not have classes to teach. The Department Chair and Dean must be kept informed by the faculty member of this expected duty as soon as the faculty member receives notice.

Jury duty papers should be presented to the Department Chair as soon as they are received so that departmental schedules can be adjusted. Paid jury duty for full-time faculty members is limited to ten (10) working days per calendar year unless extended in the exclusive determination of the University; and it applies only to jury service performed during the scheduled work week. The faculty member shall be required to:

1. Notify his or her Department Chair as soon as possible before the day the faculty member is required to report for jury duty.
2. Return to his or her Department Chair a completed form certified by the Court Clerk.
3. Cooperate with the University in requesting excuse or delay from jury service where the faculty member's absence will adversely affect the University's operations.
4. It is understood that the faculty member will report back to work at any time when he or she is free from the responsibilities of jury duty.

F. Unpaid Leaves of Absence

1. The time spent on an Unpaid Leave of Absence shall not count towards the eligibility requirements for a Sabbatical Leave. The deadline for applying for tenure will be extended by the length of the Unpaid Leave unless the faculty member requests in writing that the leave not extend that deadline. If the deadline is extended, the tenure application will be due in the next annual cycle based upon years of service and length of leave.
2. Under the appropriate circumstances, the President will grant the following types of Unpaid Leaves of Absence:
 - a. Personal Leave

Faculty members who have completed one year of service to the University may request a Personal Leave of Absence without pay for compelling personal reasons. A written request must be submitted to both the appropriate Department Chair and Dean. The request must be approved by the Vice President for Academic Affairs and the Office of Human Resources must be notified. A Personal Leave of Absence may not extend beyond a maximum of 12 months from the original date of absence. During an Unpaid Personal Leave of Absence, the University will continue to pay health care benefits (as previously elected), life insurance, and long-term disability insurance for one month. The University does not continue pension payments during an Unpaid Personal Leave of Absence. When an approved Personal Leave of Absence extends beyond one month, health care coverage, life insurance, and long-term disability insurance terminate and are reinstated when the faculty member returns. A faculty member on a Personal Leave of Absence may elect to continue Health Insurance coverage by making arrangements to

reimburse the University for the monthly payments to cover the expense of this insurance.

b. Discretionary Leave

The President may grant at his or her sole discretion, in reliance upon the recommendations of the appropriate Chair, Dean, and the Vice President for Academic Affairs, an Unpaid Leave of Absence for any other purpose for not more than two years.

- (1) The application for such Discretionary Leave must be filed with the appropriate Chair by March 1 of the academic year preceding the academic year for which the leave is requested, unless emergency conditions exist.
- (2) Faculty members on such leave are eligible for group participation in the University's retirement annuity and health insurance programs, but at their own expense.

c. Family and Medical Leave

Family and Medical Leave shall be provided in accordance with the University's FMLA policy.

d. Military Leave

A faculty member who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, Army National Guard or Air National Guard engaged in active duty for training, inactive duty training or full-time duty, the commissioned corps of the Public Health Service, or any other category of persons designated by the President of the United States of America in time of war or national emergency will be granted an unpaid leave of absence for military service, training or related obligations in accordance with applicable law. Faculty members on Military Leave may substitute their accrued paid leave time for unpaid leave. At the conclusion of the leave, upon satisfaction of the conditions set forth below, a faculty member generally has a right to return to the same position he or she held prior to the leave or to a position with like seniority, status and pay that the faculty member is qualified to perform.

Procedure

Any faculty member who is absent from work because of uniformed service shall be entitled to the reemployment rights described below if:

(1) the faculty member provides a copy of the military orders or other written or verbal notice in advance, to his or her Department Chair and office of human resources, unless he or she is unable to do so because of military necessity or it is otherwise impossible or unreasonable;

(2) the total, cumulative time the faculty member has been absent from St. Bonaventure due to uniformed service does not exceed five (5) years; and

(3) the faculty member reports to and/or submits an application for reemployment in accordance with the following schedule:

- A faculty member who served for fewer than 31 days or who reported for a fitness to serve examination must report to the Department of Human Resources not later than the beginning of the first full regularly scheduled work period on the first full calendar day following completion of the period of service.

- A faculty member who served for more than 30 days, but less than 181 days, must submit an application for reemployment no later than 14 days after completion of the period of service.

- A faculty member who served for more than 180 days must submit an application for reemployment no later than 90 days after the completion of the uniformed service.

- A faculty member who has been hospitalized or is recovering from an injury or illness incurred or aggravated while serving must report to the Department of Human Resources (if the service was less than 31 days), or submit an application for reemployment (if the service was greater than 30 days) in accordance with the appropriate provision above, measured from the end of the period that is necessary for the faculty member to recover from the illness or injury, so long as the recovery period does not exceed two years.

Required Documentation

A faculty member whose military service was for more than 30 days must provide documentation within two weeks of his/her return (unless such documentation does not yet exist or is not readily available) showing the following: (i) the application for reemployment is timely (i.e. submitted within the required time period); (ii) the period of service has not exceeded five years; and (iii) the faculty member received an honorable or general discharge.

Reemployment

A faculty member meeting the above requirements will be entitled to reemployment as follows:

- (1) a faculty member who was in the uniformed service for fewer than 91 days will be placed in the position in which he/she was employed on the date the uniformed service began;
- (2) a faculty member who was in the uniformed service for more than 90 days will be placed in the position in which he/she was employed on the date the uniformed service began, or in a position of like seniority, status and pay;
- (3) a faculty member who incurs or aggravates a disability during the uniformed service such that he/she is no longer qualified to perform the duties of his/her previous position will be placed in another position which is equivalent in seniority, status and pay (so long as the person is qualified to perform the duties of that position), or in a position for which he/she is qualified that is nearest in approximation to his/her prior position in seniority, status and pay.

St. Bonaventure is not required to reemploy a faculty member if:

- (1) circumstances have so changed that reemployment is impossible or unreasonable (e.g., St. Bonaventure need not reemploy the faculty member if there has been an intervening reduction in personnel that would have included that person);
- (2) reemployment would cause an undue hardship on St. Bonaventure; or
- (3) the faculty member's employment was for a brief, non-recurrent period of time and there was no reasonable expectation that the employment would continue indefinitely or for a significant period of time.

Continuation of Health Benefits

During a Military Leave of fewer than 31 days, a faculty member is entitled to continued group health plan coverage under the same conditions as if the faculty member had continued to work.

For Military Leaves of more than 30 days, St. Bonaventure will continue group coverage under the same conditions as if the faculty member had continued to work until the end of the month in which the Military Leave commences. A faculty member may elect to continue coverage at his or her expense thereafter. The maximum period of coverage is the lesser of the 18-month period beginning on the first date of the faculty member's absence, or the day after the date on

which the faculty member fails to apply for or return to his or her employment pursuant to the procedures set forth above.

The time spent on Military Leave shall count toward the eligibility requirements for a Sabbatical Leave. The deadline for applying for tenure will be extended by the length of the Military Leave unless the faculty member requests in writing that the leave not extend that deadline. If the deadline is extended, the tenure application will be due in the next annual cycle based upon years of service and length of leave.

ARTICLE VI

E. The contracted compensation (including benefits) for each contract period is shown on the appointment agreement. Benefits are printed in the University's Benefits Booklet published annually by the Director of Human Resources and distributed each year with every contract. Compensation amendments to the appointment agreement may appear in the form of a letter from the President. Notice of changes in compensation (including benefits) shall be distributed to faculty members on or before June 30 preceding the expiration date of the existing contract or agreement.