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## Faculty Handbook Section II - All-Faculty Policies and Procedures - Updated 8/16/2017

All Faculty  
*Rollins College*

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# FACULTY HANDBOOK

## ALL FACULTY OF ROLLINS COLLEGE

### SECTION II: POLICIES & PROCEDURES

This section includes descriptions and practices that apply to all faculty of Rollins College.

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In 2013-2014, as part of the College's 2015 reaffirmation of regional accreditation by the Southern Association of Schools and Colleges Commission on Colleges (SACCO) the following institutional policies pertaining particularly to faculty were approved by the appropriate governing bodies of the College. These policies, may be found at <https://rpublic.rollins.edu/sites/IR/SitePages/Policies.aspx> and are included in the Table of Contents, embedded in this document with working hyperlinks, and shown below. In particular, the Intellectual Property Policy, articulated on page 70 of this document, should be used in conjunction with KI 1004 *Use of Copyrighted Works*.

[\*AC 2000 Academic Credit Hours and Levels of Courses\*](#)

[\*AC 2001 Faculty Credentialing\*](#)

[\*AC 2002 Combined Course Instruction\*](#)

[\*AC 2003 Graduate Curriculum Standards\*](#)

[\*AC 2004 Evaluation of Adjunct Faculty\*](#)

[\*AC 2005 Courtesy Faculty Appointments\*](#)

[\*AC 2006 Faculty Professional Leave\*](#)

[\*HR 7200 Instructional Compensation for Staff\*](#)

[\*KI 1000 Policy on Policies\*](#)

[\*KI 1001 College Integrity and Accuracy in Representation\*](#)

[\*KI 1002 Substantive Change Policy\*](#)

[\*KI 1003 Creation-Revision of Academic, Non-Credit, Collaborative Programs\*](#)

[\*KI 1004 Use of Copyrighted Works\*](#)

[\*KI 1006 Community and Public Service Philosophy\*](#)

[\*KI 1007 Financial Conflict of Interest Policy for Sponsored Research Projects\*](#)

[\*SA 9000 Disability Services Policy\*](#)

[\*SA 9001 Student Complaints\*](#)

## ALL FACULTY POLICIES AND PROCEDURES

### ACADEMIC FREEDOM

Academic freedom is essential to the educational goals of Rollins College. "Academic freedom" refers to the policy of maintaining conditions of free inquiry, thought, and discussion for every member of the faculty in professional activities of research, teaching, public speaking, and publication. These conditions are regarded as necessary rights accruing to appointment on the faculty. Faculty members have the correlative obligation to speak and write with accuracy, with due respect for the opinions of others, and with proper care to specify that they speak on the authority of their own work and reputation, not as special pleaders for any social group or external agency, or as purporting to represent Rollins.

The faculty collectively may regulate such freedom within the spirit of the *1940 Statement of Principles and Interpretive Comments*, "Academic Freedom and Tenure," as amended, endorsed by the American Association of University Professors (AAUP).

#### Freedom of Expression

##### *1. Classroom Expression*

- A. Discussion and expression of all views relevant to the subject matter are permitted in the classroom contingent only upon the responsibility of the instructor to maintain order.
  1. Students are free to take reasoned exception to the data or views offered in any course of study and to reserve judgments about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.
  2. Requirements of participation in classroom discussion and submission of written exercises are not inconsistent with this section.
- B. Academic evaluation of student performance shall be neither prejudicial nor capricious. Performance should be evaluated only on an academic basis, not on opinions or conduct in matters unrelated to academic standards. Students who believe they have been subjected to arbitrary or discriminatory academic evaluations are guaranteed the right of appeal. In questions regarding the above, students shall follow the recommended procedures in attempting to have decisions re-assessed by the instructor.
  1. Appeal to the individual instructor directly.
  2. Appeal to the appropriate Dean.
  3. Any appeal shall be initiated after the issuance of a grade or evaluation, but before the end of the following term.
- C. Information about student views, beliefs, and political associations acquired by professors in the course of their work as instructors, advisors, and counselors is confidential and not to be disclosed to others unless under legal compulsion or by request of the student. Questions relating to intellectual or skills capacity are not subject to this section except that disclosure must be accompanied by notice to the student.

##### *2. Campus Expression*

- A. Discussion and expression of all views are guaranteed within the institution, subject only to requirements for the maintenance of order. Support of any cause by orderly means that do not disrupt the operation of the institution or violate civil law is permitted.

- B. Students, campus groups, and campus organizations may invite and hear any persons of their own choosing, subject only to requirements for use of institutional facilities and funds.

### 3. *Protest*

- A. The right of peaceful protest is recognized within the institutional community.
  - 1. Orderly picketing and other forms of peaceful protest are not to be prohibited on institutional premises.
- B. Interference with ingress and egress at institutional facilities, interruption of classes or institutional operations or damage to property exceeds permissible limits of behavior and will not be permitted.
- C. Even though remedies are available through local enforcement bodies, the institution may choose instead to impose its own disciplinary sanctions in cases of disorderly picketing and un-peaceful protest.
- D. Every student has the right to be interviewed on campus by any legal organization that is recruiting at the institution. Reasonable conditions may be imposed to regulate the timeliness of requests and to determine the appropriateness of the space. Any student, any group, or any organization may protest against such organization provided that protest does not interfere with any other student's rights to have such an interview.

### 4. *Confidentiality of Student Records*

Federal legislation (the Family Educational Rights and Privacy Act, FERPA) mandates standards for the protection of the confidentiality of student records and, at the same time, gives students the right to inspect the contents of their complete file in compliance with the law. Rollins students have access to their own records and the confidentiality of those records is guarded.

One of the provisions of the law allows institutions to release "directory information" as a matter of course, providing students have a reasonable time to ask that information be released only with the student's prior consent. Rollins publishes a student-faculty directory that includes names, campus and home addresses, and telephone numbers. Such a directory, when complete and accurate, is invaluable to students, teachers, and administrators.

Rollins College considers the following to be directory information: name, class, campus address, parents' names and address, telephone listing, date and place of birth, major field of study, participation in officially recognized sports, weight and height of members of athletic teams, dates of attendance, degrees, awards and honors achieved in the curricular and extracurricular life of the College, the most recent previous educational institution attended by the student, and individually identifiable photographs of the student solicited by, or maintained directly by, Rollins as part of the educational records.

Unless students have requested in writing to withhold any or all such directory information, the College may release it. Requests to withhold such information must be made annually prior to September 1.

## **ACADEMIC CREDIT HOURS AND LEVELS OF COURSES**

College Policy [AC 2000 Academic Credit Hours and Levels of Courses](#) (click link to access) provides Rollins' standards for academic credit hours and levels of courses. Academic credit provides a means of measuring and valuing the amount of engaged learning time expected of students enrolled not only in traditional classroom settings, but also in laboratories, studios, internships/practica, independent study, thesis or dissertation research and writing, experiential learning, and blended or hybrid learning

environments. Academic credit may also help to quantify the level and academic rigor of student learning.

### **AMOROUS RELATIONSHIPS WITH STUDENTS**

College Policy [HR 7575 \*Amorous Relationships with Students\*](#) (click link to access) articulates Rollins' position on amorous relationships with students. As an educational institution, Rollins College strives to maintain for its students an environment of safety, trust, and mutual respect. As part of its ongoing efforts to maintain a safe learning, living, working, and social environment, Rollins prohibits and will not tolerate discrimination, harassment or any mistreatment of students, faculty or staff.

While Rollins recognizes that "consensual" amorous or romantic relationships between faculty members and students do not constitute sexual harassment, it also recognizes that such relationships may end unhappily or become conflicted and result in charges of sexual harassment, or even physical or psychological abuse. In such cases, the College has a legal duty to respond to and investigate these charges in the same manner as charges arising in any other context.

Further, some courts reviewing such claims have held that faculty and student relations are inherently unequal because faculty members have, or are perceived to have, authority or control over students. Thus, in relationships that are inherently unequal, the existence of consent may not insulate an individual or the College from liability if charges of sexual harassment are filed.

Accordingly, all faculty are discouraged from engaging in romantic or amorous relationships with students, and are expressly prohibited from engaging in such relationships in circumstances in which they exercise power or influence over a student. Faculty who violate this policy will be subject to the disciplinary procedures of the institution, including possible termination.

### **COLLEGE INTEGRITY AND ACCURACY IN REPORTING**

College Policy [KI 1001 \*College Integrity and Accuracy in Reporting\*](#) (click link to access) ensures that Rollins College operates with integrity in all matters of institutional representation to external agencies and that the policy elements herein conform to commonly accepted practices in higher education. The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), the College's regional accrediting organization notes that "integrity, essential to the purpose of higher education, functions as the basic contract defining the relationship between the Commission and each of its member and candidate institutions." As declared in the College's mission statement, Rollins is "committed to the liberal arts ethos and guided by its values and ideals." Embedded within the liberal arts ethos, its values, and ideals, are commitments to accepting responsibility for ethical behavior and performing all roles with integrity. Rollins College is deeply committed to the principle of institutional integrity as embodied in the values of honesty, authenticity, trust, fairness, respect, and responsibility.

### **COMBINED UNDERGRADUATE AND UNDERGRADUATE/GRADUATE COURSES**

College Policy [AC 2002 \*Combined Undergraduate and Undergraduate/Graduate Courses\*](#) (click link to access) outlines the conditions to be met and criteria required for combined multi-level undergraduate courses and combined undergraduate/graduate courses at Rollins College. Undergraduate combined courses are those that offer instruction at multiple undergraduate levels simultaneously: e.g., same instructor, same day/date/time, same setting or classroom, with lower- and upper-division course assignments/sections. Undergraduate/graduate combined courses are those that offer instruction at both the undergraduate and graduate level simultaneously: e.g., same instructor, same day/date/time, same setting or classroom, with undergraduate and graduate level assignments/sections.

## COMMUNITY AND PUBLIC SERVICE PHILOSOPHY

In its mission statement, Rollins makes clear a deep commitment to the ethos of the liberal arts, including the social contract between the nation and its educational institutions. The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) also requires that all Rollins community and public service programs, as well as continuing education efforts, be clearly aligned to the College's mission. College Policy [KI 1006 \*Community and Public Service Philosophy\*](#) (click link to access) provides guidance and clarity to the College community regarding the community and public service components of the College's mission.

## CONFLICT OF INTEREST

Rollins College was organized and exists for the purpose of qualifying its students to engage in the learned professions or other employment of society and to discharge honorably and usefully the various duties of life. A fundamental principle of such endeavor is the application and use of high ethical and moral standards. The [College's Conflict of Interest Policy](#) (click link to access) is designed to ensure to all who look to Rollins College for service and leadership, that those persons who establish and administer policy and those who teach and otherwise work in the employ of the College dedicate themselves to the welfare of the College and its students to the exclusion of ulterior purposes and conflicts of interest.

## COURTESY FACULTY APPOINTMENTS

To aid in maintaining the quality, flexibility, and continuity of the academic activities of Rollins College – instructional, scholarly, professional, or artistic – the work of the regular faculty may be complemented by the services of qualified administrative staff engaged in the generation or dissemination of knowledge through the conferring of courtesy faculty status. College Policy [AC 2005 \*Courtesy Faculty Appointments\*](#) (click link to access) provides additional information and approval procedures for these appointments.

Courtesy faculty status is an unpaid, non-tenured faculty appointment conferred upon an administrative staff member whose appointment is in a non-academic unit of the College. The appointment provides faculty status, but is not subject to the appointment or tenure policies of the College of Liberal Arts or Roy E. Crummer Graduate School of Business Faculty Bylaws.

Courtesy faculty appointments are normally appropriate only for administrative staff members who hold the doctoral degree, are employed full-time by the College in a professional administrative staff position, and are deemed qualified to teach by the faculty of the academic discipline in which the courtesy appointment is sought. Courtesy faculty appointments are not to be regarded as an alternative to regular faculty appointments.

## CREATION/REVISION OF ACADEMIC, NON-CREDIT, & COLLABORATIVE PROGRAMS

College Policy [KI 1003 \*Creation and Revision of Academic, Non-Credit, and Collaborative Programs\*](#) provides guidelines for the review and approval of new academic, non-credit, dual, or joint collaborative programs, or substantive program modifications to any of the above. The creation of academic degree, major, minor, or certificate programs (credit or non-credit); substantive changes to existing programs; the establishment of joint, dual-degree, or cooperative degree programs with other institutions; or the initiation of community or public service programs must align with the College's mission, institutional plans and priorities, available resources, and the needs of students. New degree, major, minor, or certificate program; substantive changes to an existing program; or the establishment of joint, dual, or cooperative degree programs may not be advertised or implemented until final approval is granted from the appropriate College entities outlined in this policy, the College's regional accreditation organization (the Southern Association of Colleges and Schools Commission on Colleges, SACSCOC), and other appropriate external accrediting organizations of the College, if required.

## DISABILITY POLICIES

**Disability Policy Under the Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990 (Faculty/Staff).** Rollins College is committed to equal access and does not discriminate unlawfully against persons with disabilities in its policies, procedures, programs, or employment processes. The College recognizes its obligations under the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 to provide an environment that does not discriminate against persons with disabilities. [College Policy 035.00](#) (click link to access), updated 11/2016 by Accessibility Services, formalizes the College's practices for faculty and staff.

According to the Americans with Disabilities Act, a "person with a disability" includes "any person who has: a physical or mental impairment which substantially limits one or more major life activities" such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, or working. Individuals with a record of such an impairment or who are regarded as having such an impairment are covered under these procedures.

Rollins College will make reasonable accommodations for any individual with a documented disability on a case-by-case basis.

Members of the College community who believe that they require an accommodation must provide either the Director of Accessibility Services (if they are a student) or the Director of Human Resources (if they are a faculty/staff member) in writing with the following information:

1. They must identify themselves as a person with a disability,
2. They must identify the nature of the accommodation desired,
3. They must provide adequate medical or other appropriate documentation of the disability and the desired accommodation.

The Director of Accessibility Services will review requests from students for accommodations, meet with the student individually to assess this need and the student will be informed of the accommodation offered in a timely manner. The Director may also help facilitate a resolution through mediation. The Director of Human Resources will consult with relevant departments as appropriate for requests from members of the faculty and staff. The Director of Human Resources will inform the staff or faculty member within thirty days of the accommodation offered.

If students or faculty members are dissatisfied with the accommodation offered they may appeal to the VPAA|Provost or designee. Members of the staff may appeal to the appropriate Vice President. No accommodations will be made for any member of the College community who has not completed the process outlined above.

**Accessibility Services Accommodation Policy (Students).** College Policy [SA 9000 Accessibility Services Accommodation Policy](#) (click link to access) provides clarifies procedures for all Rollins students (defined as students in all programs: CLA, Hamilton Holt, and the Crummer Graduate School of Business) implemented by the College to assess and accommodate persons with disabilities.

**Learning Disabilities.** Rollins College does not have a separate admission process or criteria for students with learning disabilities; students are admitted through the regular admission process and must be qualified for admission according to the College's admission criteria. Documentation is not required at the time of application, but should be sent to the Director of Accessibility Services soon after acceptance and the decision to attend is made.

Students must see the Director of Accessibility Services to determine eligibility for accommodations as well as to learn more about academic resources. Students are strongly encouraged to have these meetings



at the beginning of the semester. Classroom accommodations are determined through consultation with the student regarding his/her past success with various accommodations as well as documented needs and the demands of the course. Students may be eligible for substitutions of the foreign language and/or quantitative general education requirement if their disability warrants it and documentation supports it. However, substitutions will not be made for “major” requirements where those courses are essential to the curriculum.

While a learning disability cannot be “cured,” its effects can be lessened through instructional intervention and compensatory strategies. In general, a variety of instructional modes enhances learning for students with learning disabilities by allowing students to master material in one form when it may be inaccessible in another form. It is important to identify the nature of the disability to determine the kind of strategies that might accommodate it. Drawing upon the student’s own experience offers invaluable clues to the types of adaptation that work. It is important that a faculty member:

- Refer all students requesting classroom accommodations to the Director of Accessibility Services. Students must have appropriate documentation on file with the College before a faculty member should provide any accommodations. Faculty will receive an official accommodation form for any students with appropriate documentation needing accommodations who have met with the Director of Accessibility Services.
- Any faculty suspecting a student who is having difficulty in the class of having an LD or ADHD should refrain from suggesting a diagnosis, but instead refer the student to the Director for a screening consultation.
- Faculty should inform students of the College’s policy for providing accommodations in the course syllabus using the following statement.

*Rollins College is committed to equal access and inclusion for all students, faculty and staff. The Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 create a foundation of legal obligations to provide an accessible educational environment that does not discriminate against persons with disabilities. It is the spirit of these laws which guides the college toward expanding access in all courses and programs, utilizing innovative instructional design, and identifying and removing barriers whenever possible. If you are a person with a disability and anticipate needing any type of academic accommodations in order to fully participate in your classes, please contact the Accessibility Services Office, located in the Mills Memorial Building, Room 217, as soon as possible. You are encouraged to schedule a Welcome Meeting by filling out the “First Time Users” form on the website: <http://www.rollins.edu/accessibility-services/> and/or reach out by phone or email: 407-975-6463 or [Access@Rollins.edu](mailto:Access@Rollins.edu).*

*All test-taking accommodations requested for this course must first be approved through the Accessibility Services Office (ASO) and scheduled online through Accommodate **at least 72 hours before the exam**. Official accommodation letters must be received by and discussed with the faculty in advance. There will no exceptions given unless previously approved by the ASO with documentation of the emergency situation. We highly recommend making all testing accommodations at the beginning of the semester. ASO staff are available to assist with this process.*

While “Accommodate” is set to only allow tests to be scheduled with 72 hours or greater notice, exceptions are made on a case-by-case basis if the student or faculty member contacts the Accessibility Services Office after the 72-hour deadline has passed. Faculty should assure the confidentiality of information regarding students with disabilities.

## ENDOWED CHAIRS

### I. Appointments

- a. Appointments appropriate to the conditions of the chair will be made by the President upon recommendation from the VPAA|Provost and the appropriate Dean.
- b. Appointments are typically made for a five-year duration and are renewed at the pleasure of the President.

### II. Rights and Responsibilities

- a. Each chair shall have at its disposal a standard discretionary fund to be used for support of professional activities of the chair holder.
- b. The holder of the chair shall receive one course reduction per year to be used to pursue professional activities such as research, writing, or performance and a stipend with benefits. A written report outlining professional activities and research in progress must be submitted annually to the appropriate Dean and the VPAA|Provost.
- c. It is the annual responsibility of each chair holder to share the results of their professional activity with the College community and community at large. This may take the form of lectures, performances, workshops, or other appropriate community activities.

### III. Qualifications

Normal minimal requirements for appointment as an endowed chair are the achievement of the rank of full professor and demonstrated professional activity. Holders of endowed chairs should be distinguished for their outstanding scholarship and teaching excellence.

### IV. List of Endowed Chairs

A complete listing and details for all endowed chairs at Rollins, along with current faculty chair holders, may be found at <http://www.rollins.edu/about-rollins/our-people/endowed-chairs.html>.

## EVALUATION OF ADJUNCT FACULTY

At Rollins, adjunct faculty members are regularly evaluated and provided with feedback on the quality and effectiveness of their instructional services to ensure consistency with the College's mission. The purpose of this policy and associated evaluation process is to document the competence and effectiveness of adjunct faculty. [College Policy AC 2004 \*Evaluation of Adjunct Faculty\*](#) (click link to access) clarifies definitions and procedures for these evaluations.

## FACULTY CREDENTIALING

To ensure the highest levels of instructional quality for students, all full- and part-time (adjunct) faculty teaching undergraduate or graduate credit courses at Rollins College must possess the academic preparation, training, and/or experience to teach in an academic setting and meet or exceed the minimum requirements of the College's accrediting agencies. These standards are in keeping the College's commitment to its primary mission – educating students for global citizenship and responsible leadership – and the interrelated roles that faculty teaching, scholarship and scholarly endeavors, play in service to that mission and to the College's commitment to the liberal arts ethos, values, and ideals. Faculty members at Rollins must demonstrate not only mastery in their chosen disciplines(s), but also the ability to guide student learning and convey knowledge of their discipline(s) to students. [College Policy AC 2001 \*Academic Faculty Credentialing\*](#) (click link to access) provides credential requirements for all faculty at all levels in all programs of the College.

In cases where an instructor of record does not hold eighteen (18) graduate semester hours in the teaching discipline, exceptional alternative qualifications may be documented to justify a teaching

appointment. Departments or programs wishing to appoint as instructional staff an individual who does not hold eighteen (18) graduate semester hours in the teaching discipline must submit to the appropriate Dean a recommendation and completed Faculty Credentials Exception Report (see College Policy [AC 2001 Academic Faculty Credentialing](#)) noting outstanding professional experience and/or demonstrated contributions to the teaching field. The following information justifying the applicant’s qualifications must be included:

- discipline, employment status (full- or part-time), and name of instructor;
- courses to be taught, level of instruction (undergraduate or graduate), and number of sections to be taught;
- list degrees earned and, using graduate transcripts, the number of semester hours that are relevant to the course(s) assigned;
- detailed alternative qualifications including other degrees and concentrations, certificates and diplomas, professional licensure or certification, special training, documented teaching excellence in the field, honors, awards, special recognitions, publications or presented papers, related work experience, and other documented teaching competencies and achievements that contribute to effective teaching and student learning outcomes.

The appropriate Dean is charged with determining adequacy of exceptional contributions to the teaching discipline when alternate qualifications are used to establish faculty qualifications.

### **FACULTY SEARCH CHECKLIST**

This checklist applies to searches for all full-time faculty, including tenure track faculty, lecturers, visitors, artists-in-residence, executives-in-residence, and entrepreneurs-in-residence.

#### **Preparing for the Search**

*For searches beginning in 2018-2019, the hiring department will have a search strategy, addressing building a diverse pool and avoiding implicit bias, approved by the Dean of Faculty and the VPAA/Provost before the end of the prior spring term. In consultation with their Diversity Council representative, each search committee will build a plan to address a diverse pool and avoid implicit bias.*

- \_\_\_\_\_ Upon notification of an approved search the Department Chair sends the Dean:
  - \_\_\_\_\_ Ad copy delineating position requirements and any desired qualifications
  - \_\_\_\_\_ Selection Criteria
  - \_\_\_\_\_ Composition of Search Committee (must include one member from outside the department)
  - \_\_\_\_\_ Planned Outreach (where you want the ad placed and how long it should run)
- \_\_\_\_\_ Dean meets with department chair and a representative from Human Resources to provide feedback on selection criteria, ad copy and planned outreach.
- \_\_\_\_\_ Position will be posted on Rollins employment website and advertisements will be placed. Human Resources will be responsible for placing and paying for approved advertising.
- \_\_\_\_\_ Prior to commencing the candidate screening process, search committee will meet with the Dean and a representative from Human resources to receive guidance on:
  - strategies for conducting a successful search,
  - legal issues, and
  - use of the Rollins applicant management system

## **Candidate Screening**

- \_\_\_\_\_ Once application window closes, HR will provide search committee chair and Dean with a report summarizing applicant pool demographics to assess diversity of the pool and determine if additional outreach is needed.
- \_\_\_\_\_ Search committee will commence screening of candidate application materials based on selection criteria and identify candidates to be included in initial round telephone, skype or in person screening interviews.
- \_\_\_\_\_ List of candidates identified for initial round interviews will be forwarded to the Dean for review and feedback.
- \_\_\_\_\_ Dean will review the diversity of the pool of candidates identified for preliminary screening interviews and assess with search committee chair whether inclusion of additional candidates is desirable.
- \_\_\_\_\_ Search committee will commence screening interviews. Human Resources will notify the remaining candidates that they have not been selected to advance in the search.
- \_\_\_\_\_ Active reference checks will be conducted by the search committee prior to advancing any candidate as a finalist.
- \_\_\_\_\_ Search committee will advance list of finalists to the Dean for review and approval prior to scheduling any on-campus interviews. List should also include names of those candidates who were interviewed in preliminary round along with a short explanation of why they were not advanced as a finalist.
- \_\_\_\_\_ Dean reviews, seeks clarification on disposition of any candidates if needed, and approves finalists.

## **Finalist Interviews**

- \_\_\_\_\_ On-campus interviews will be scheduled by academic department.
- \_\_\_\_\_ All finalists' schedules to include interviews with the Dean and VPAA|Provost.
- \_\_\_\_\_ Information packet from Diversity Council to be provided to all finalists.
- \_\_\_\_\_ Once a finalist has been identified, the search committee will advance the name of the selected finalist to the Dean, along with explanation supporting selection of that finalist.
- \_\_\_\_\_ Dean will confer with search committee chair regarding any questions or concerns relating to the selected candidate.
- \_\_\_\_\_ Chair of the search committee will meet with the VPAA|Provost and Dean to discuss the search committee recommendation.
- \_\_\_\_\_ Dean will advance final candidate to VPAA|Provost for approval.
- \_\_\_\_\_ Dean will consult with HR regarding appropriate salary and extend job offer.

*Updated 9/2016 by Faculty Affairs Committee of the College of Liberal Arts  
Updated 3/2017 with additions by the VPAA|Provost  
Updated 8/2017 with changes requested by Diversity Council.*

**FERPA**

Family Education Rights and Privacy Act of 1974, FERPA, protects the privacy of student educational records. It gives students the right to review their educational records, the right to request amendment to records they believe to be inaccurate, and the right to limit disclosure from those records. An institution’s failure to comply with FERPA could result in the withdrawal of Federal funds and/or legal action on the part of the student. Parents may access educational records only with the consent of their student, regardless of their student’s age.

As a faculty member, you need to know the difference between **Directory Information** and **Personally Identifiable Information** or **Educational Records**. Personally Identifiable Information and Educational Records may not be released to anyone except the student and then only with the proper identification. Students may sign an online waiver to allow this information to be released to parents and/or spouses.

**Directory Information.** This information may be disclosed, unless the student requests otherwise. If s/he has so requested, his/her records will be marked “Confidential” in class rosters and DegreeWorks. In this case, you may not release any information about the student. Directory information includes:

Name	Enrollment Status (full-time/part-time)
Address	Major
Telephone Number	Degrees/Awards Received
Date of Birth	Participation in Officially Recognized Sports and Activities
Dates of Attendance	

**Personally Identifiable Information.** This information may not be disclosed. It includes, but is not limited to:

Social Security Number	Religious Preference
R Number	Race/Ethnicity
Residency Status	Email Address
Gender	

**Educational Records.** This information may not be disclosed. It includes, but is not limited to:

Grades/GPA	Academic Standing
Class Schedule	Academic Transcripts
Test Scores	

**General Practices to Keep in Mind.** Do not leave exams, papers, or other documents that have student-identifying information on them anywhere public – in a classroom, outside your office, etc. Do not provide grades or other personally identifiable information or educational records to students by telephone or email even on the student’s request. The College will be held accountable if another person sees or hears a student’s grade. Faculty members may access educational records if they have a **legitimate educational interest**.

**Records that are Not Considered Educational**

- Law Enforcement Records
- Medical Records
- Work Records, but not for individuals employed because of their capacity as a student – work study, graduate assistants, student workers
- Alumni Records

### **FINANCIAL CONFLICT OF INTEREST FOR SPONSORED RESEARCH PROJECTS**

College Policy [\*KI 1007 Financial Conflict of Interest Policy for Sponsored Research Projects\*](#) supplements the existing Conflict of Interest policy and applies only to faculty and staff seeking Federal funding for research or education projects. The Federal government requires that the College establish and administer a financial conflict of interest and disclosure policy for investigators who conduct research funded by Federal grants. This standard is designed to ensure appropriate management of actual or potential conflicts of interest. To promote objectivity in research and to foster compliance with Federal regulations, Rollins requires investigators seeking research funding and those who have obtained research funding from the Public Health Service (PHS), National Science Foundation (NSF), or other Federal agencies to comply with the policy on the disclosure of significant financial interests and the management and reporting of financial conflicts of interest.

### **GRADUATE COURSE AND CURRICULUM STANDARDS**

Graduate courses and curricula are defined as those leading to post-baccalaureate degrees at the master's or doctoral level. Rollins College graduate level courses and curricula must establish, maintain, and promote advanced study within the disciplines. Exploration of disciplinary literature, independent research and inquiry, scholarly activities, or professional experience must be included in all graduate curricula leading to postbaccalaureate degrees from the College. College Policy [\*AC 2003 Graduate Course and Curriculum Standards\*](#) (click link to access) provides guidelines for coursework and expected student outcomes.

### **PROCEDURES FOR MONITORING AND MANAGING GRANT-FUNDED ACCOUNTS**

Rollins College encourages and supports individuals who seek grant funding to support their academic work on campus or in any other way to benefit the College. To facilitate this process, the Director of Foundation Relations (for proposals to private foundations or corporations or proposals that are institutionally-driven) and the Director of Grants and Contracts (for proposals to Federal/state/government agencies or proposals that are faculty-driven) have been designated coordinators for all grant processes which seek and/or receive external support that benefits the College, its schools, divisions, departments, and/or faculty. The Offices of Foundation Relations and Grants and Contracts work collaboratively to ensure continuity with these efforts.

The following procedures became effective June 1, 1990, and were updated in July 2004, October 2008, and August 2016. They are intended to promote efficiency in seeking, coordinating, and monitoring grant requests and grant accounts; to assist individuals who pursue grants on behalf of the College; and to ensure timely grant reporting. They are not intended to inhibit efforts by faculty and/or administrators who seek grant awards which will improve the College and its programs.

The following procedures, however, do not apply to requests by faculty or other individuals who seek external funding to support their personal, sabbatical, or private activities unless funding received is managed through the College's Finance Office. The Director of Grants and Contracts will assist faculty in these personal efforts by working with them to identify external grant opportunities and, when requested, by reviewing and/or editing their applications for such support.

For proposed grant-supported projects, faculty and staff should complete and submit a Grant Proposal Endorsement form, which will be routed to respective Department Chair(s) or Director(); Dean (or Assistant/Associate Vice President()); Director of Grants and Contracts or Director of Foundation Relations; Vice President for Academic Affairs/Provost or Vice President for Institutional Advancement; Associate Vice President for HR & Risk Management; and Vice President for Business and Finance/Treasurer for administrative approvals, prior to preparation or submission of proposals.

Proposals requiring or involving new equipment, new technology needs, renovation of current space or facilities, the addition of new staff or faculty positions, community-based research or service-learning experiences, research involving human subjects, research using vertebrate animals, or research using potentially biohazardous materials, must be reviewed and approved by the corresponding department or committee's director prior to submittal. Grant Proposal Endorsement forms are available electronically from the Office of Grants and Contracts and should be submitted four (4) weeks prior to funding sources' application deadlines. Rough drafts of proposals may be submitted to the Director of Foundation Relations or Director of Grants and Contracts for review at that time. Faculty and staff submitting proposals should plan to present final drafts (with project budgets and budget justification details) to the Director of Foundation Relations or Director of Grants and Contracts no later than 10 working days prior to deadline to allow for adequate review by appropriate College officials, including the Finance Department.

### **1. Procedures for Submitting Grant Proposals**

- A. If receipt of a grant is contingent upon raising matching funds, the Vice President for Institutional Advancement must authorize the project before the proposal is submitted requesting said grant. This will help assure that raising of the matching funds will not impact negatively on other fundraising priorities and that efforts to raise the matching funds can be expected to reasonably succeed.

If receipt of a grant would require an institutional match involving College facilities, personnel, and/or budget support, the Vice President for Business and Finance/Treasurer must authorize said project before a proposal is sent out requesting such a grant.

Prior to submission of a grant proposal, the Finance Department will be given the opportunity to review the proposal budget to assure that consideration of budget implications, accuracy of financial information, computation of fringe benefits, and verification of indirect charges can be accurately incorporated into the proposal budget.

The Department Chair(s) and Dean(s) should be consulted prior to submission of a proposal if receipt of a grant resulting from said proposal will impact teaching programs and curricula affecting one or more faculty members or if the proposal involves a request for a course release or faculty leave.

Grant proposals submitted to Federal or other government agencies must first be approved by the Vice President for Business and Finance/Treasurer who authorizes submission of the proposal by the College's Authorized Organizational Representative (AOR) – the Director of Grants and Contracts or Director of Foundation Relations or other assigned representative, in their absence – to provide required assurances and certifications on behalf of the College.

In most cases, grant proposals will be submitted to the funding agency by either the Office of Foundation Relations or the Office of Grants and Contracts, where one copy of the proposal will be kept on file. In order to guarantee an on-time submission, final drafts of proposals in their entirety must be received by the Office of Grants and Contracts or Office of Foundation Relations no later than three business days prior to the funding agency's deadline. This ensures adequate lead time for successfully completing the submission process using the funding agency's preferred method.

For cases in which a proposal has been approved by College officials, and the Office of Foundation Relations or Office of Grants and Contracts has determined it may be submitted directly to a grant-awarding agency, corporation, foundation, or organization by the faculty or staff member requesting the grant (i.e., Project Director/Principal Investigator), that individual should provide a copy of the proposal to either the Office of Foundation Relations or the Office

of Grants and Contracts for the central files. *In all cases, the individual should aim to submit their approved proposals using the funding agency's preferred or required method no later than 48 hours prior to the funding agency's deadline to ensure adequate lead time for successfully completing the submission process.*

The Director of Foundation Relations or the Director of Grants and Contracts will notify the appropriate personnel of the College (i.e., President, Vice President for Institutional Advancement, Vice President for Academic Affairs/Provost, Vice President for Business and Finance/Treasurer, Director and/or Dean, and Finance Department personnel) regarding the status of the proposal and its intent. These individuals can then more accurately respond to inquiries or conversations about the request.

If a grant request is denied or held by the funding organization for later review, a copy of the correspondence relating this information should be held in the files of the Director of Foundation Relations or the Director of Grants and Contracts. All College officials notified of the proposal submission under item G above will be informed by the Director of Foundation Relations or Director of Grants and Contracts about important changes in the status of the proposal.

## **2. Management Procedures for a Grant Funded Account**

- A. If a grant request is approved, a copy of the notification should be forwarded to the Director of Foundation Relations or Director of Grants and Contracts, who will then determine who will serve as the Grant Manager(s). In most cases, the Grant Manager will be the Project Director/Principal Investigator listed on the grant proposal. One or more officers of the College may also be asked to supervise the grant. Appropriate personnel of the College will be told about the forthcoming grant and the identity of the Grant Manager(s).
- B. The Director of Foundation Relations, Director of Donor Relations, or Director of Grants and Contracts will ask the appropriate designee in the Finance Department to assign an account number to the grant and will indicate which Grant Manager(s) can "sign off" on expenditures from this grant account. The Director of Grants and Contracts or Director of Foundation Relations will forward all pertinent information regarding intent of the grant, matching funds necessary for receipt of the grant, effective dates of the grant, and required programmatic and financial reports and deadlines to the Finance Department and the Grant Manager(s) to ensure efficient post-award financial management of the grant account.
- C. The Grant Manager(s) authorized to expend funds from the grant account will use this grant account number on all purchase requisition forms or any other appropriate College forms to assure that proper debits and credits are processed by the Finance Department when bills are paid. Grant Manager(s) must ensure conformity with all institutional purchasing policies and procedures as well as any granting agency policies and procedures that pertain to the award. Grant Manager(s) on Federal awards should consult with the Director of Grants and Contracts to ensure compliance with any additional Federal grant regulations.
- D. When notification of a forthcoming grant has been received and the grant account number established, expenditures can be assessed against the account by the Grant Manager(s) prior to the actual receipt of funds. In this circumstance, the appropriate designee in the Finance Department should be consulted, and the grant account would reflect a deficit until the grant check is deposited or a "drawdown" from the Federal/state agency is completed by the Finance Department. This procedure also applies when grants extend over several years and annual grant payments can be realistically expected.
- E. The primary Grant Manager will maintain a grant file within his/her department which contains all grant information, including the original proposal and grantee's reporting guidelines and



deadlines. The file should also contain copies of all purchase orders, invoices, staff advance payment or reimbursement forms, and/or papers relating to expenditures from the grant account. Copies of these materials are not necessary for the files of the Director of Foundation Relations or the Director of Grants and Contracts, who need only an itemized list of expenditures included in the interim and/or final reports for the central file.

- F. Careful coordination between the Grant Manager(s) and the appropriate designee in the Finance Department on a timely basis should also assure proper and allowable expenditures, as clearly defined in the awarded proposal and proposal budget approved by the granting agency. The Grant Manager(s) must discuss anticipated changes to the grant project scope or budget with the Finance Department and Director of Foundation Relations or Director of Grants and Contracts prior to expenditures to determine whether prior written approval from the granting agency is required.
- G. The Director of Foundation Relations or the Director of Grants and Contracts will notify the Finance Department and Grant Manager(s) regarding receipt of required "matching fund" grants applicable to a designated grant account. This "combined" account will assure an accurate total in the grant account and eliminate any confusion about which "matching funds" apply to the grant, particularly when the grant period covers more than one year or department. This procedure will also simplify interim and final reporting (both narrative and financial). In the case of Federal or other government grants, matching funding will most likely be monitored in a separate grant account.

### **3. Grant Reporting Procedures**

The Office of Foundation Relations or the Office of Grants and Contracts will maintain a master file containing pertinent information on all outstanding grants and required reporting dates. Although the Grant Manager(s) and Finance Department should record these reporting deadlines on their calendars and follow through independently, the Office of Foundation Relations or Office of Grants and Contracts may notify appropriate individuals regarding upcoming deadlines.

Grant Manager(s) are responsible for developing appropriate narrative information to be used for interim and/or final reports, and the appropriate designee in the Finance Department is responsible for preparing or confirming financial information for said reports as per the granting agency's guidelines. Submission of the interim and final reports should be coordinated with the Director of Foundation Relations or Director of Grants and Contracts when appropriate and when a letter from the President or other College official should accompany the report. The Director of Foundation Relations/Director of Grants and Contracts and the Grant Manager(s) should keep a copy of these reports in their files.

Financial reporting forms are often provided by the granting agency. Either a copy of this financial report, or a memo or cost report itemizing expenditures submitted by the appropriate designee in the Finance Department on the report, should be sent to the Grant Manager(s) and to the Director of Foundation Relations or the Director of Grants and Contracts for their files.

The Director of Donor and External Relations or the Director of Grants and Contracts will assist Grant Manager(s) and the Finance Department with reporting processes to the degree they need assistance.

When a Grant Manager, Director of Foundation Relations, Director of Grants and Contracts, and/or other applicable employee resigns, retires, goes on sabbatical, or is out of his or her office for an extended period of time, all necessary steps should be taken to assure the orderly transition of grant requests, management, coordination, and reporting responsibilities. Appropriate individuals at the granting agency should be informed about personnel changes that affect grant accounts.

*Updated 11/2016 by Office of Grants and Contracts*

A discrimination grievance is a complaint or report of an injury, injustice, or wrong where the grounds for complaint are based on sex, disability, race, age, religion, color, national or ethnic origin, ancestry, marital status, veteran status, sexual orientation, gender identity, gender expression, or genetic information.

Rollins College is committed to creating and maintaining a community in which students, faculty, and staff can work together in an atmosphere free of all forms of harassment, exploitation or intimidation. Specifically, every member of the College community should be aware that Rollins is strongly opposed to discrimination, sexual misconduct and harassment; and that such behavior is prohibited both by law (not all forms of inappropriate behavior are prohibited by law and by College policy. It is the intention of the College to take whatever action may be necessary to prevent, correct, and, if necessary, discipline for behavior, which violates this policy. The College's [\*Discrimination Grievance Procedure for Faculty and Staff\*](#) may be seen below or accessed at the weblink provided.

- I. **Eligibility and Timing for Filing.** Faculty and staff may use this procedure for discrimination related grievances. Grievances should be reported immediately upon occurrence of the events leading to the complaint, injury or wrong, and in any event must be reported within 180 days of such event unless the College determines that good cause for an extension has been established. However, there is no time limit for invoking this policy in cases of alleged sexual misconduct. Faculty and staff are encouraged to report alleged sexual misconduct immediately in order to maximize the College's ability to respond promptly and effectively.
- II. **For Grievances Against Students.** The procedures outlined in the [\*Code of Community Standards\*](#) (click link to access) are to be used in cases involving faculty or staff complaints against a student. If the complaints relate to sexual harassment/sexual assault by students, faculty and staff may use the [\*Title IX Policy\*](#) (click link to access).
- III. **Overview.** Upon receipt of a complaint, the Assistant Vice President of Human Resources and Risk Management (AVP) will notify the Dean/Department Head and Vice President over the respondent's department. Should the College determine that a formal investigation is necessary; the investigation will be conducted jointly by the AVP and Dean/Department Head, or their respective designees. The AVP (or designee) will act as an information resource for the faculty or staff and be available to answer questions. Should the AVP, Dean/Department Head, or Vice President have a conflict of interest or for any reason is unable to carry out their responsibilities under this policy in an impartial manner, the College may designate alternate officials to preside over the investigation.

The College cannot guarantee confidentiality. However, all reasonable efforts will be made to protect the privacy of the complainant and of the process.

No faculty or staff shall be disciplined for filing a good faith grievance or report of discrimination or inappropriate behavior.

If a faculty or staff member exercises his/her rights to file a complaint with a government agency or files a court action, the College reserves the right to terminate the grievance process. In the event that a faculty or staff has already commenced his/her grievance procedure at the time he/she files a complaint with any governmental agency including a state or Federal court, the faculty or staff member shall notify the AVP. If the College chooses to terminate the grievance process, the AVP will notify all parties involved.

**Note: if the complaint involves allegations of sexual misconduct or harassment, the College will continue the internal investigation regardless of whether the faculty or staff member files a complaint with the police department or an outside agency.**

#### **IV. Mediation**

- A. Faculty and staff may elect to utilize the Mediation Program. This program is designed to help resolve disputes in a more informal way than through the grievance process. It facilitates solutions without having to file a formal grievance. A mediation does not impose any solution but helps parties reach a mutually agreed upon solution. Mediation is a non-adversarial process that does not guarantee a resolution but is a good way to discuss disputes. Participation in a mediation process does not mean that an individual gives up any rights to file a grievance or any other formal procedure. Further, both parties must agree to mediate a dispute. No one can be forced into mediation. Mediation is not a process that imposes punishment, determines facts or decides who is right or wrong. Mediation is a process whereby miscommunication can be cleared up, individuals agree on solutions and people are empowered to make changes.
- B. If Mediation between the parties is (a) not appropriate or (b) not possible, or (c) does not lead to resolution, the AVP and the Dean shall proceed to investigate the report or complaint. Mediation does not preclude the College from conducting an investigation of a complaint or taking such disciplinary action as it determines is appropriate or necessary.

**Note: Mediation is not an available option if the faculty or staff member's complaint is related to sexual assault.**

**V. Grievance Investigation.** Both Complainant and Respondent shall have the option of assistance by an advisor of their choice from the College faculty or staff, during all portions of the Grievance procedure, provided that the chosen faculty or staff is willing to participate in the process. The advisor's role is to provide support and assistance during the process but not to speak on behalf of the complainant or respondent or in any way interfere with the process. Third parties shall not be allowed to participate in the process.

When a grievance is filed (verbally or in writing), the AVP will notify the respondent and provide him/her with the information regarding the complaint. The respondent may submit a written response to the AVP within seven (7) working days.

The AVP and the Dean, or an individual(s) appointed by the AVP, will initiate an investigation of the complaint and where possible, attempt to reach conciliation between the parties. During this period, the AVP and the Dean will have access to all information pertinent to the case, and may meet with any individual with information related to the case. Upon the conclusion of the investigation, the AVP and the Dean will present a report to the appropriate VP. The Dean and the AVP shall make a recommendation for resolution to the VP who will make a final determination within twenty (20) working days. All the time limits here may be extended at the discretion of the AVP. Decisions will be made using the preponderance of evidence standard (i.e., it is more likely than not that the alleged conduct occurred).

**VI. Appeals.** If the VP's determination is not acceptable to either the Complainant or Respondent, the decision may be appealed within seven (7) working days to the VP. The VP will then convene an appeals committee.

The appeals committee shall be formed as follows. The VP, with the assistance of the AVP, will select a list of ten (10) faculty and staff members. A list of these 10 individuals will be provided to the Complainant and Respondent. The appeals committee shall consist of one individual chosen by the Complainant, one individual chosen by the Respondent, and a third chosen by mutual agreement of the two parties. If mutual agreement is not reached, the VP will select the third member of the grievance committee. The grievance committee shall review the complaint, any response, any documents provided by Complainant or Respondent, and all other documents it deems appropriate. The grievance committee shall also have the option, but not the obligation, to schedule a hearing and/or take testimony from the parties and other witnesses. Upon conclusion of its review and/or investigation, the appeals committee will deliberate and

shall make a written report, including its conclusions and recommendations to the VP. The VP shall then have the option of amending his/her determination based on the recommendations of the grievance committee. The VP determination shall then be final.

*Revised May 19, 2015 by Human Resources*

## **INSTRUCTIONAL COMPENSATION FOR STAFF**

Rollins staff members are sometimes asked to provide instructional services for the College on an adjunct faculty basis. College Policy [HR 7200 Instructional Compensation for Staff](#) (click link to access) provides guidance for making such instructional teaching appointments for full-time staff members. Staff members are defined as those individuals whose full-time, primary appointments are in the staff job family (including administrators). Instructional appointments for staff members employed less than full-time must be reviewed by the staff member's immediate supervisor and Director of Human Resource to determine the impact of teaching on employment status.

## **INTELLECTUAL PROPERTY POLICY**

This policy is meant to encourage and support faculty, staff, and student research; to protect the rights and interests of College constituents as well as the College itself; and to provide College constituents with information that will guide understanding of intellectual property and its application at Rollins College. All faculty (full time and adjunct), staff, student employees, and students, as well as non-employees who participate or intend to participate in teaching and/or research or scholarship projects at Rollins College are bound by this policy.

Rollins College is committed to complying with all applicable laws regarding copyright and other forms of intellectual property. Furthermore, this policy shall not be interpreted to limit the College's ability to meet its obligations for deliverables under any contract, grant, or other arrangement with third parties, including sponsored research agreements, license agreements, and the like.

Questions of ownership or other matters pertaining to materials covered by this policy shall be resolved by the VPAA|Provost (or his or her designee) in consultation with others, as appropriate. In the event that resolution of such matters becomes controversial, the VPAA|Provost (or his or her designee) will convene an Intellectual Property Committee as described in Copyrights, Patents, and Trademarks Section II, Patents.

## **COPYRIGHT, PATENTS, AND TRADEMARKS**

**I. Copyright.** See policy [KI 1004 Use of Copyrighted Works](#) (click link to access), which supersedes this policy in the event of conflict.

***General Copyright Policy.*** Rollins College's policy is that all rights in copyright remain with the creator unless the work is a "work for hire," is commissioned by the College, or is otherwise subject to contractual obligations.

***Definition and Scope of Copyright Protection.*** Under the Federal copyright law, copyright subsists in "original works of authorship" that have been fixed in any tangible medium of expression from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. These works include:

- literary works such as books, journal articles, poems, manuals, memoranda, tests, computer programs, instructional material, databases, bibliographies;
- musical works including any accompanying words;
- dramatic works, including any accompanying music;
- pantomimes and choreographic works (if fixed, as in notation or videotape);

- pictorial, graphic and sculptural works, including photographs, diagrams, and sketches;
- motion pictures and other audiovisual works such as videotapes;
- sound recordings; and
- architectural works.

***Scope of Copyright Protection.*** Copyright protection does not extend to any idea, process, concept, discovery or the like, but only to the work in which it may be embodied, illustrated, or explained. For example, a written description of a manufacturing process is copyrightable, but the copyright only prevents unauthorized copying of the description; the process described could be freely copied unless it enjoys some other protection, such as patent.

Subject to various exceptions and limitations provided for in the copyright law, the copyright owner has the exclusive right to reproduce the work, prepare derivative works, distribute copies by sale or otherwise, and display or perform the work publicly. Ownership of copyright is distinct from the ownership of any material object in which the work may be embodied.

***Books, Articles, and Similar Works, Including Unpatentable Software.*** In accord with academic tradition, except to the extent required by the terms of funding agreements, Rollins College does not claim ownership to pedagogical, scholarly, or artistic works, regardless of their form of expression. Such works include those of students created in the course of their education, such as papers, theses, and articles. The College claims no ownership of popular nonfiction, novels, poems, musical compositions, unpatentable software, or other works of artistic imagination that are not institutional works (see "Institutional Works as Work for Hire"). Copyright in pedagogical, scholarly, or artistic works to which the College disclaims ownership under this policy shall be held by the creators regardless of whether the work constitutes a "work for hire" under copyright law.

***Ownership and Use of Course Materials (including class technology and videotapes of classroom activities).*** All course materials including, but not limited to, Blackboard (and other course management tools) materials, syllabuses, videotapes of classroom activities, websites, etc. developed by a Rollins faculty member belong to the faculty member unless grant or other outside funding sources dictate otherwise. Faculty ownership of such course materials does not, however, entitle the faculty member to any additional compensation from the College as a result of appropriately enrolled students' use of such materials. Faculty ownership of such course materials also does not preclude the College from using such materials for internal instructional, educational, and administrative purposes, including satisfying requests of accreditation agencies for faculty-authored syllabuses and course descriptions. Materials brought to Rollins from other institutions are bound by any ownership constraints from the institution at which they were developed; barring none, they belong to the faculty member.

The use of images or materials of students for use outside of a currently enrolled class is not permitted without a signed release from students. This includes videotaping, website images, and class materials where the expectation of a student is that their purpose is for that particular course. If the purpose of the class is to create a website, video or other materials for future courses, this permission is not needed.

***Institutional Works as "Work for Hire."*** The College shall retain ownership of works created as institutional rather than personal efforts that is, works created by administrators and staff for College purposes in the course of the creators' employment, College-commissioned faculty work, or works resulting from simultaneous or sequential contributions over time by numerous faculty, staff, and/or students. The employer (i.e., the College) by law is the "author," and hence the owner, of works for hire for copyright purposes; therefore, Rollins owns all rights, intellectual and financial, in such works. Administrators, faculty, and staff who gain professional expertise through such work, however, may

engage in professional activities – conferences, consulting, etc. – that may result in compensation.

"Work for hire" is a legal term defined in the Copyright Act as "a work prepared by an employee within the scope of his or her employment." For instance, work assigned to programmers is "work for hire" as defined by law as is software developed for College purposes by students and staff working collaboratively. This definition includes works prepared by employees in satisfaction of sponsored agreements between the College and outside agencies. Certain commissioned works also are works for hire if the parties so agree in writing. The mere fact that multiple individuals have contributed to the creation of a work shall not cause the work to constitute an institutional work. Where a work is jointly developed by College faculty or staff or student employees and a non-College third-party, the copyright in the resulting work typically will be owned jointly by the College and the third party. In such instances, both the College and the other party would have nonexclusive rights to the work, subject to the duty to account to each other.

**Works of Non-employees.** Under the Copyright Act, works of non-employees such as consultants, independent contractors, etc., generally are owned by the creator and not by the College, unless there is a written agreement to the contrary. As it is Rollins' policy that the College shall retain ownership of such works (created as institutional rather than personal efforts, as described in "Institutional Works as Work for Hire"), Rollins will generally require a written agreement from non-employees that ownership of such works will be assigned to the College.

Examples of works that the College may retain from non-employees are as follows: reports by consultants or subcontractors, computer software, architectural or engineering drawings, illustrations or designs, and artistic works.

**Use of Copyrighted Material.** (See College Policy KI 1004 Use of Copyrighted Works, section 6.1 concerning open access).

**Use of the College Name in Copyright Notices.** The following notice should be placed on College-owned materials: Copyright © [year] Rollins College. All Rights Reserved.

No other institutional or departmental name is to be used in the copyright notice, although the name and address of the department to which readers can direct inquiries may be listed. The date in the notice should be the year in which the work is first published, i.e., distributed to the public or any sizable audience.

Additionally, works may be registered with the United States Copyright Office using its official forms (<http://www.copyright.gov/forms/>).

**Reconveyance of Copyright to Creator.** When copyright is assigned to Rollins because of the provisions of this policy, the creator of the copyrighted material may make a request to the VPAA|Provost that ownership be reconveyed back to the creator. Such a request can, at the discretion of the VPAA|Provost, be granted if it does not: (1) violate any legal obligations of or to the College, (2) limit appropriate College uses of the materials, (3) create a real or potential conflict of interest for the creator, or (4) otherwise conflict with College goals or principles.

**II. Patents.** Rollins College is an educational institution whose fundamental mission is to provide an outstanding liberal arts education. Rollins recognizes that research, particularly that involving collaborative investigations with students and faculty, is one of the highest forms of education. All potentially patentable ideas and inventions developed in whole or in part by College personnel in the course of their employment, or with more than incidental use of Rollins College resources, shall be disclosed in writing to the Office of the VPAA|Provost. Written disclosure should include the (1) name of the inventor, (2) what was invented, (3) circumstances that led to the invention, and (4) the information as

to what might be subsequent activities surrounding the invention.

The next step is that an Intellectual Property Committee will review the invention disclosure information submitted. The VPAA|Provost (or his/her designee) will convene an Intellectual Property Committee to consist of two faculty members of the VPAA|Provost's choosing, two faculty members of the inventor's choosing, and a fifth faculty member agreed upon by the four other faculty members. This Committee will make a recommendation to the VPAA|Provost either to seek a patent using College funds or to decline further action.

If the College refuses to pursue application of the idea/invention, the inventor may then seek other aid outside the College to assess the patentability of the invention. If no action is taken, all patent rights revert to the inventor.

If there is positive action on an application, the College may wish to pursue evaluation of the invention from technical development consultants to ascertain whether there is sufficient interest and financial return that would make the acquisition of a patent feasible.

The remaining steps in the process are:

1. A patent is obtained or institutional steps are put into place to protect the invention as a trade secret. These steps may ensure that, in the event of not immediately applying for a patent, proper protection is maintained and limited disclosure and publication are delayed.
2. A patent, if any, is licensed and royalties are earned.
3. Legal enforcement of patent rights commences.

**Sharing of Royalties.** Royalty distribution will be as follows:

1. 100% will accrue to the College for recovery of costs associated with the patent/license development. This would include all fees for preparing and prosecuting patents. All marketing and licensing fees would also be included.
2. Remaining income would be distributed according to the following:
 

a.	Inventor(s) or their heirs	40% of gross royalties
b.	Inventor(s) Department	20% of gross royalties
c.	College	40% of gross royalties.

Under certain conditions, the College may agree to accept a negotiated percentage of equity in place of all or some portion of the license or royalty fee(s).

**III. Trademarks.** Trade and service marks are distinctive words or graphic symbols identifying the sources, product, producer, or distributor of goods or services. Trade or service marks relating to goods or services distributed by the College shall be owned by the College. Examples include names and symbols used in conjunction with the College wordmark and logo and those names or symbols associated with College athletics, events, programs, software, or activities.

*Rollins College's Intellectual Property Policy is based on policies adapted, with permission, from Stanford University.*

## LEAVE POLICIES

**I. Sabbaticals.** Full-time, tenured faculty are eligible for sabbatical leave upon six full years of service. Two options are available: a full year's leave at half pay or half year's leave at full pay. Fringe benefits and faculty status continue as normal during a sabbatical except that pension payments are computed as a percentage of salary paid.

The sabbatical program is intended to foster faculty professional development. Appropriate sabbatical

plans are diverse and vary with individual goals and departmental needs. Research, study, writing, performance, consulting and teaching elsewhere are traditional sabbatical activities, but learning new techniques, undertaking a reading program, traveling with an educational purpose or pursuing a new academic field may be appropriate as well. While teaching at another college or university may be an appropriate sabbatical activity, teaching at Rollins College is not.

Eligible faculty are notified by their dean or director at least a year in advance. Changes in sabbatical year may be made only with the dean's/director's approval. Faculty must report their general sabbatical plans and which option they will select by September 15 of the academic year prior to the proposed sabbatical. The appropriate Dean issues letters awarding sabbaticals by the following February.

Accepting a sabbatical implies that the faculty member will return to Rollins for regular assignment for at least one year following the sabbatical. Faculty are expected to file a report of sabbatical activities with their Dean by November 15 of the following year, following the sabbatical.

Before going on leave, a faculty member should arrange for the return of student papers and materials from the preceding term, and notify his or her advisees and arrange for their assistance. Since office space is at a premium, faculty on leave for a full year should normally expect to vacate their offices during this period.

***Faculty Full-Year Research Stipend (Faculty FYRST).*** Full-year research stipends (FYRSTs) of \$15,000 for associate professors and \$20,000 for full professors may be awarded to assist faculty using full-year sabbaticals for research. In addition, faculty continue to be paid one-half their normal salary during the year of the sabbatical.

By September 15 of the year prior to the beginning of the sabbatical, faculty applying for stipends must submit a request for funds to the Faculty Affairs Committee that clearly articulates how their full-year sabbatical will be spent, what is the anticipated product/result, and why this project requires a full year to accomplish. Faculty must also submit a letter of support from their department chair which articulates that departmental plans for covering their courses.

Faculty receiving FYRSTs may also apply other on-campus or off-campus grants or fellowships, but the full-year sabbatical stipend may not be used to fund the faculty member at a salary level high than 100% of his/her regular full-time pay. Also, faculty receiving stipends may not receive remuneration for teaching or administrative work at Rollins or any other institution during their sabbatical year without written permission from the VPAA/Provost.

Individual stipends are distributed in monthly pay over a nine-month period (Sept.-May), providing that a suitable mid-year report has been filed with the appropriate dean's office by December 15.

The Faculty Affairs Committee assesses the appropriateness of proposals and the feasibility of requests. All final decisions rest in the hands of the dean. Faculty returning from sabbaticals in which they have received stipends will be recognized by their dean through public fora at which they will present the results of their work.

**II. Leave Without Pay.** Faculty members are entitled to apply for leave without pay. Such leaves should be requested at least one year in advance and have the approval of the appropriate department head and dean/director. Fringe benefits are affected during such leaves, so faculty members should discuss the implications of a leave proposal with the Director of Human Resources as well as their dean/director.

**III. Faculty Professional Leave.** Rollins is committed to academic excellence. Professional leaves may be granted for a faculty member to devote time to scholarly work that will both contribute to his/her professional stature as a teacher-scholar and benefit the Rollins community. In granting professional



leaves, the mission of the College and the needs of our students are of utmost priority. College Policy [AC 2006 Faculty Professional Leave](#) (click link to access) provides additional details and procedures for such leaves. Please see College Policy [HR 7173 Faculty Scholarship Leave](#) (click link to access) for information on benefits during professional leaves.

**IV. Faculty Parental Leave for Childbirth or Adoption.** Rollins College is committed to supporting faculty members by providing them with clear and reasonable options for balancing their professional and parental responsibilities. A primary goal of College Policy [HR 7168 Faculty Parental Leave for Childbirth or Adoption](#) (click link to access) is to allow both the faculty member and the College the opportunity to maintain the integrity of the classroom and avoid placing undue burden on the individual or department. The College recognizes that no policy can anticipate all eventualities; therefore, the new policy leaves room for faculty members, departments, deans, and the VPAA|Provost to tailor certain aspects of parental leaves to accommodate individual situations.

### **NONDISCRIMINATION POLICY STATEMENT**

College Policy [030.00 Nondiscrimination Policy Statement](#) (click link to access) makes clear the College's policy not to discriminate on the basis of sex, disability, race, age, religion, color, national or ethnic origin, ancestry, marital status, veteran status, sexual orientation, gender identity, gender expression, genetic information, physical characteristics, or any other category protected by Federal, state, or local law, in its educational programs, admissions policies, financial aid, employment, or other school-administered programs. The policy is enforced by Rollins and, where applicable, Federal laws such as Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975. The College is an equal opportunity educational institution.

Inquiries regarding compliance with these statutes, and referrals to designated coordinators under the ADA/Section 504, Title IX, and the Age Discrimination Act may be directed to the AVP of Human Resources and Risk Management, 407-646-2577 or to the Director of the Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202- 1100, 1-800-421-3481, TDD: 877-521-2172.

*Policy created 1989 and updated Jan 1990, July 1997, Jan 2009, July and Oct 2011.*

### **POLICY ON POLICIES**

A policy is a statement of administrative or governance philosophy established to provide direction and assistance to the College community when conducting College business or activities that directly and substantially affect the operation of units, departments, or divisions. Policies at Rollins College are designed to align with the College's mission and institutional plan, clarify expectations for the community and stakeholders, enhance efficiency and effectiveness, and support the College's compliance with government laws, regulations, and accreditation requirements. Effective fall 2013, a uniform review and approval process, and a policy template, [KI 1000 Development, Oversight, and Publication of Policies](#) (click link to access) were implemented for Non-Academic Policies. Academic Policies remain the domain of the appropriate faculty governance entities. Policies of the College are not to be considered contractual in nature and are subject to change at any time as new policies are issued or current policies are updated. Policies at Rollins are well publicized and intended to be widely understood a comprehensive [Policies Website](#) (click link to access) is maintained by the Office of Institutional Research.

### **PROFESSIONAL DEVELOPMENT**

**I. Sponsored Research.** Guidelines for sponsored research have been prepared to assist faculty and staff members in applying for and managing externally-funded research and other sponsored projects (see

*Grant Proposal Procedures and Managing Grant-Funded Accounts for Rollins College* in this document). Faculty and staff members should be aware that funds accepted by the College become the responsibility of the College. The College is accountable for and liable for any errors or omissions. Therefore, the policies and procedures described in the grantsmanship procedures that follow are applicable to all requests for grants and subsequent grant funds administered by the College.

**II. Support for Professional Development.** Each school and division has its own programs of professional development and faculty are urged to consult other sections of this Handbook.

**III. Reporting Suspected Financial Misconduct.** In keeping with the desire to maintain the highest possible standards in safeguarding its financial resources and the integrity of its financial reporting systems and internal controls, the College has formalized a reporting procedure for faculty and staff who observe or suspect financial misconduct. This action flows from the desire to achieve voluntary compliance with the Federal Sarbanes-Oxley Act's best practices that apply to public corporations.

Any knowledge or concern about possible financial misconduct, including theft, fraud, kickbacks or questionable financial practices, should be reported promptly to one's immediate supervisor or department head. If the matter is not satisfactorily resolved at this level or if the supervisor or department head is involved in the suspected misconduct, the concerns should be reported to the appropriate dean, director, vice president or the president. In all cases, the individual to whom a matter is reported is to promptly notify the Human Resources Department, which will be responsible for providing guidance and confidential record keeping. By College policy, retaliation for good-faith reporting of possible financial irregularities is strictly prohibited.

Any individual who does not feel comfortable reporting through normal College channels may convey concerns anonymously by letter to the designated College attorney. Mr. James (Trippe) Cheek III at Winderweedle, Haines, Ward & Woodman, P.A., 250 Park Avenue South, Fifth Floor, Winter Park, Florida 32789, is currently serving in this capacity. The responsibility of the attorney is to pass information to the chair of the Board of Trustees.

## **RESEARCH AND SCHOLARLY MISCONDUCT**

**I. Background.** Rollins College expects adherence to the highest ethical and moral standards in the conduct of research and scholarly activity. The College is responsible for promoting academic practices that prevent misconduct and developing policies and procedures for dealing with allegations of misconduct. Students, faculty, staff, and administrators share responsibility for developing and maintaining standards to ensure ethical conduct of research and detection and appropriate handling of abuse of these standards.

Rollins bears primary responsibility for addressing allegations and investigating misconduct in research and scholarship by its faculty, staff, and students. These responsibilities exist regardless of whether the activity is funded by Federal, state, or private sources, or is the result of unfunded efforts.

The purpose of this policy statement is to inform those participating in research activities of both the College's and Federal funding agencies' research misconduct policies, to identify general types of research misconduct, and to set in place mechanisms to address and resolve alleged violations.

**II. Who is Affected.** This document describes procedures for investigating and resolving allegations of research misconduct and applies to all individuals engaged in and/or reporting publically any research or scholarship conducted under the auspices of Rollins College. This includes faculty members, post-doctoral fellows, staff members, guest researchers, graduate students, and undergraduate students. Such persons are subject to this policy regardless of whether their research is conducted on campus or elsewhere. Persons found guilty of willful misconduct are subject to disciplinary action by the College.

In cases involving allegations of research or scholarly misconduct against students, the College's Academic Honor Code Violation procedures shall be followed in lieu of this Procedure. To the extent that additional procedures are necessary for students, either to comply with legal requirements or because of their involvement in cases involving other persons subject to this Procedure, the VPAA|Provost may determine such procedures on an ad hoc basis.

**III. Definition of Research Misconduct.** For the purposes of this policy, Rollins considers the term "research" to encompass both research and scholarship as described in the relevant departmental criteria for tenure and promotion. Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Fabrication is making up data or results and recording or reporting them. Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record. Plagiarism is the appropriation of another person's ideas, processes, results, or words (for public dissemination or publication) without giving appropriate credit. Research misconduct does not include honest error or differences of opinion in the interpretations or judgments of data. A finding of research misconduct requires that:

- there be a significant departure from accepted practices of the relevant research community; and
- the research misconduct be committed intentionally, knowingly, or recklessly; and
- the allegation be proven by a preponderance of evidence.

**IV. Reporting Misconduct.** All members of the Rollins community are responsible for reporting what they believe to be research misconduct, as described above, on the part of Rollins faculty, staff, or students. Allegations of research misconduct on the part of any Rollins faculty, staff, or student must be immediately reported in writing to the appropriate Dean. For staff outside the purview of the referenced deans, the reporting should be made to the VPAA|Provost. At that time and throughout the remainder of the review process, the respective Dean (or respective Vice President, in the case of staff not reporting to Deans) will take all reasonable steps to preserve and protect the confidentiality of all information and persons involved to the extent possible. The Dean or VPAA|Provost shall: 1) limit disclosure of the identity of respondents and complainants to those who need to know in order to carry out a thorough, competent, objective, and fair research misconduct proceeding; and 2) except as otherwise prescribed by law, limit the disclosure of any records or evidence from which research subjects might be identified to those who need to know in order to carry out a research misconduct proceeding.

**V. The Inquiry Process.** Upon receiving a report of possible misconduct, the appropriate Dean shall promptly initiate an inquiry to be completed within 60 days. An inquiry consists of preliminary information gathering and fact-finding to determine whether an allegation or apparent instance of research misconduct has substance and if an investigation is warranted. At the start of the inquiry, the Dean must take all reasonable and practical steps to obtain custody of all the research records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence, and sequester them in a secure manner. The person(s) accused of misconduct (respondent) shall be notified in writing that an inquiry is being conducted, shall receive a copy of the allegations, and shall have an opportunity to respond in person and/or in writing to those allegations. In the event the Dean sees a conflict of interest in proceeding, he/she shall report that conflict to the VPAA|Provost. The Dean shall be directly responsible for the inquiry and will prepare a written report that states what evidence was reviewed, summarizes relevant interviews, and concludes whether or not an investigation is recommended. The respondent shall be given a copy of the inquiry report and the opportunity to comment. The respondent's written comments shall be affixed to the report.

The VPAA|Provost will receive the inquiry report and, after consulting with the Dean and/or other institutional officials, decide whether an investigation is warranted. The inquiry process is completed when the VPAA|Provost makes this determination.

If an investigation is not recommended, the inquiry is complete, but all material related to the allegation and inquiry will be maintained on file for a period of seven (7) years. All individuals involved in the inquiry process, including the respondent, the complainant, and the respondent's immediate supervisor or department chair, will be notified in writing that the charge of research misconduct was unfounded. The positions and reputations of persons who make allegations in good faith shall also be protected.

**VI. Notification of Federal Agencies.** If the research under investigation is sponsored through Federal funds, any finding that an investigation is warranted must be provided to the Federal agency, together with a copy of the inquiry report, within 30 days of the end of the inquiry. In these cases, the VPAA|Provost shall forward this information to the Director of Grants and Contracts, who shall then immediately notify the appropriate Federal funding agency, as required by law, that an investigation has been initiated. During the inquiry or investigation process, the Federal funding agency shall also be notified immediately upon determination that:

- a) public health or safety is at risk;
- b) Federal resources, reputation, or other interests need protecting;
- c) there is reasonable indication of possible violations of civil or criminal law;
- d) research activities should be suspended;
- e) Federal action may be needed to protect the interests of a subject of the investigation or of others potentially affected; or
- f) the scientific community or the public should be informed.

The Director of Grants and Contracts will also promptly advise the Federal funding agency of any developments during the course of the investigation which disclose facts that may affect current or potential funding for the individual(s) under investigation or that the funding agency needs to know to ensure appropriate use of Federal funds and otherwise protect the public interest.

**VII. The Investigation Process.** An investigation is a formal development, examination, and evaluation of a factual record to determine whether research misconduct has taken place, to assess its extent and consequences, and to evaluate appropriate action. If the VPAA|Provost concludes a formal investigation is appropriate, the Dean will notify the respondent in writing of the allegations to be investigated and will appoint an investigative committee of five faculty and/or staff members, one of whom will serve as chair and at least three of whom will be within the division of the individual charged with misconduct.

All committee members shall be determined to have the appropriate background to judge the issues being raised. The committee should be constituted in such a way that it has the necessary and appropriate expertise to carry out a thorough and authoritative evaluation of the relevant evidence. Standing committees that deal with research issues (e.g. Institutional Review Board for Human Subjects Research, Institutional Animal Care and Use Committee) may be used as one source for members of an investigative committee. Committee members may be from within or outside the College community, and must have no real or apparent conflicts of interest bearing on the question. The Dean may reserve the right to request that committee members sign confidentiality statements to ensure the protection of information and persons involved. In addition, the Dean will be present or available throughout the investigation to advise the committee as needed. The committee shall expeditiously begin a thorough investigation within 30 days of the end of the inquiry, and the entire investigation process is to be completed within 120 days.

During an investigation, the committee will examine all pertinent evidence (including, but not limited to, relevant research data and proposals, files, reports, publications, correspondence, and laboratory materials

or specimens), interview all individuals involved in making the allegation, and hear any testimony. All discussions by the committee shall be confidential. The committee shall be empowered to seek and obtain any relevant information that is pertinent to the investigation, and the respondent may present evidence and expert testimony on her/his behalf.

The investigation committee must:

- use diligent efforts to ensure that the investigation is thorough and sufficiently documented and includes examination of all research records and evidence relevant to reaching a decision on the merits of each allegation;
- take reasonable steps to ensure an impartial and unbiased investigation to the maximum extent practical;
- interview each respondent, complainant, and any other available person who has been reasonably identified as having information regarding any relevant aspects of the investigation, including witnesses identified by the respondent, and record or transcribe each interview, provide the recording or transcript to the interviewee for correction, and include the recording or transcript in the record of the investigation; and
- pursue diligently all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of any additional instances of possible research misconduct, and continue the investigation to completion.

All institutional members will cooperate with institutional officials in the review of allegations and the conduct of inquiries and investigations. Institutional members, including respondents, have an obligation to provide evidence relevant to research misconduct allegations to the committee or other institutional officials. The respondent shall receive a copy of the draft investigation report and, concurrently, a copy of, or supervised access to, the evidence on which the report is based, and be notified that any comments must be submitted within 30 days of the date on which the copy was received and that the comments will be considered by the institution and addressed in the final report.

**VIII. Final Report.** After reviewing all data, the committee will decide if the charge of misconduct is or is not substantiated. At least three of the five members must agree that the investigator is guilty of misconduct before such a decision can be rendered. At the end of the investigation, the committee shall draft a written report of its findings and recommendation. If a decision is not unanimous, a minority report will be attached to the majority report, outlining the reasons for dissent. The final report should include the following items.

- Names and qualifications of individuals comprising the investigative committee.
- A summary of findings, including any facts and analysis which support the committee's conclusion.
- A summary of testimony given by witnesses and respondent. All witnesses and the respondent should be given the opportunity to review their testimony and allowed to comment upon and revise the summary of their interview. These comments and revisions should be attached to the report.
- A conclusion as to whether research misconduct took place and if so, whether it was determined to be falsification, fabrication, or plagiarism, and whether it was intentional, knowing, or reckless.
- A minority report, if necessary.
- A list of any publications from the respondent that need corrections or retractions.
- A list of any current grants or proposals that the respondent has pending with any external funding agencies.

- Recommendations on appropriate administrative actions if guilt has been determined. These may include, but are not limited to:
  - removal of the responsible person from the particular project;
  - a letter of reprimand;
  - special monitoring of future work;
  - withdrawal or correction of all pending or published abstracts and papers emanating from the research where misconduct was found;
  - probation for a specified period with conditions specified;
  - suspension of rights and responsibilities for specified period, with or without salary;
  - initiation of steps leading to possible rank reduction or termination of employment; and/or
  - restitution of funds, as appropriate.

The chair of the investigation committee shall forward copies of the final report and attachments to the VPAA|Provost, the Dean, and the respondent. At that time, no additional evidence may be introduced into the record.

**IX. Administrative Action.** The VPAA|Provost will receive the final investigation report and, after consulting with the Dean and/or other institutional officials, decides the extent to which the College accepts the findings of the investigation and determine appropriate institutional administrative actions. The investigation process is complete when the VPAA|Provost provides a final determination in writing.

When a final determination on the case has been reached, the Dean will notify both the respondent and the complainant. If applicable, the VPAA|Provost will provide a copy of the final report to the Director of Grants and Contracts, who will ensure the report, the decision of the VPAA|Provost, and a description of any pending or completed administrative actions are provided to the appropriate Federal agencies within 120 days of the start of the investigation process. The VPAA|Provost will also determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case.

If applicable, the sponsoring Federal agency may also impose administrative actions, including 1) suspending or terminating an active award, or restricting designated activities or expenditures under an active award; 2) special reviews of all requests for funding from an affected individual or institution to ensure that steps have been taken to prevent repetition of the misconduct; 3) requiring special certifications, assurances, or other administrative arrangements to ensure compliance with applicable regulations or terms of the award; 4) restricting or suspending participation as a reviewer, advisor, or consultant; and 5) debarment or suspension of an individual or institution from participation in Federal programs.

**X. Timeline.** The entire investigation process is to be completed within 120 days, including appointing a committee, conducting the investigation, preparing the report, providing the draft report for comment by the respondent, preparing and sending the final report to the VPAA|Provost (with all attachments) for final determination, and submitting this information to the Federal agency, if applicable. If it is determined that the investigation will take longer than 120 days, a written request for an extension, setting forth the reasons for the delay, will be submitted to the appropriate Federal agency, if applicable.

**XI. Right to Appeal.** Individuals may appeal the judgment of the investigating committee and/or the administrative action. A written statement of the grounds for appeal must be submitted to the VPAA|Provost for review by the College's Faculty Appeals Committee within 30 days of written

notification of the results of the investigation. Grounds for appeal include previously unconsidered evidence, administrative actions not in keeping with the findings, conflict of interest not previously known among those involved in the investigation, and other lapses in due process. Upon receipt of a written appeal, the VPAA|Provost will convene the Faculty Appeals Committee and ask for an evaluation of the evidence and a determination. The Faculty Appeals Committee will forward its conclusions and recommendations to the President. The President, may, at his/her discretion, reopen the investigation. The President's decision will be binding on all parties and will be conveyed to all involved in a timely fashion. Appeals must be completed within 120 days of its filing, unless a written request for an extension has been approved by the Federal funding agency, if applicable.

**XII. Maintaining Records.** Unless advised otherwise in writing by the Federal agency, the College will maintain records of research misconduct proceedings in a secure manner for seven years after completion of the proceeding. The Dean is responsible for providing any information, documentation, research records, evidence, or clarification requested by the Federal agency to carry out its review of an allegation of research misconduct or of the College's handling of such an allegation.

### **VII. Other Considerations.**

***Admission of Research Misconduct.*** At any point during the inquiry or investigation process, the respondent may admit that research misconduct occurred and that he/she committed the research misconduct. Upon the respondent's admission, the VPAA|Provost, in consultation with the Dean and other institutional officials, may terminate the inquiry or investigation process and move to determine appropriate administrative actions. The institution's acceptance of the admission and any proposed administrative actions must be approved by the funding agency sponsoring the research, if applicable.

***Resignation Prior to Completion of Inquiry or Investigation.*** If the respondent, without admitting to misconduct, elects to resign his or her position after an allegation of research misconduct has been received, all proceedings under this policy shall continue. If the respondent refuses to participate in the process after resignation, the investigation committee shall use its best efforts to reach a conclusion concerning the allegations, noting in its final report the respondent's failure to cooperate and its effect on the review of the matter. The final report, the decision of the VPAA|Provost, and a description of any recommended administrative actions will be provided to the appropriate Federal agencies, if applicable.

***Restoration of the Respondent's Reputation.*** Following a final finding of no research misconduct, and with the concurrence of the Federal sponsoring agency, if applicable, the Dean and VPAA|Provost must undertake all reasonable and practical efforts to restore the respondent's reputation. All individuals related to the review process, including the VPAA|Provost, the President, and the respondent's immediate supervisor or chair will be notified that the charge of misconduct in research was unfounded.

***Protection of the Complainant, Witnesses, and Committee Members.*** During the research misconduct proceeding and upon its completion, regardless of whether the College or Federal agency determines that research misconduct occurred, the Dean must undertake all reasonable and practical efforts to protect the reputation of, or to counter potential or actual retaliation against, any complainant who made allegations of research misconduct in good faith and or any witnesses and committee members who cooperate in good faith with the research misconduct proceeding.

***Allegations Not Made in Good Faith.*** If relevant, the VPAA|Provost will determine whether the complainant's allegations of research misconduct were made in good faith, or whether a witness or committee member acted in good faith. If the VPAA|Provost determines that there was an absence of good faith, he/she will determine whether any administrative action should be taken against the person who failed to act in good faith.

## REPORTING SUSPECTED FINANCIAL MISCONDUCT

In keeping with the desire to maintain the highest possible standards in safeguarding its financial resources and the integrity of its financial reporting systems and internal controls, the College has formalized a reporting procedure for faculty and staff who observe or suspect financial misconduct in College Policy [091.00 Procedure for Reporting Suspected Financial Misconduct](#) (click link to access). This action flows from the desire to achieve voluntary compliance with the Federal Sarbanes-Oxley Act's best practices that apply to public corporations.

Any knowledge or concern about possible financial misconduct, including theft, fraud, kickbacks or questionable financial practices, should be reported promptly to one's immediate supervisor or department head. If the matter is not satisfactorily resolved at this level or if the supervisor or department head is involved in the suspected misconduct, the concerns should be reported to the appropriate dean, director, vice president, or the president. In all cases, the individual to whom a matter is reported is to promptly notify the Human Resources Department, which will be responsible for providing guidance and confidential record keeping. By College policy, retaliation for good-faith reporting of possible financial irregularities is strictly prohibited.

Any individual who does not feel comfortable reporting through normal College channels may convey concerns anonymously by letter to the designated College attorney. Mr. James (Trippe) Cheek III at Winderweedly, Haines, Ward & Woodman, P.A., 250 Park Avenue South, Fifth Floor, Winter Park, Florida 32789, is currently serving in this capacity. The responsibility of the attorney is to pass information to the chair of the Board of Trustees.

## RESIGNATION

A faculty member may terminate his/her appointment effective at the end of an academic year, provided that he/she gives notice in writing to the VPAA|Provost at the earliest possible opportunity, but not later than 30 days after receiving notification of the terms of his/her appointment for the coming year.

## RETALIATION

Rollins College does not tolerate, and strictly prohibits, any form of retaliation, including firing, demoting, and harassing, against an employee or a student who has filed a charge of discrimination, has complained about discrimination, participated (or is participating) in a proceeding, such as an investigation or lawsuit, or supports those who do so. The College adheres to Federal laws against retaliation, such as those enforced by Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975.

## RETIREMENT BENEFITS FOR TENURED FACULTY

**I. Introduction/General Information.** Rollins College has amended and restated this policy describing retirement benefits for tenured faculty (the "Policy") in order to financially assist eligible tenured faculty interested in taking retirement. The Policy is intended to be a "bona fide employee benefit plan" as that term is used in the Age Discrimination in Employment Act of 1967 as amended from time to time. The Policy is also intended to be a defined benefit plan, as defined by the Employee Retirement and Income Security Act ("ERISA"), which is "unfunded and maintained primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees." Benefits from the Policy are to be paid exclusively from Rollins' general assets and are not insured or guaranteed by any third party, including the Pension Benefit Guaranty Corporation. College Policy [HR 7312 Retirement Benefits](#) (click link to access) provides additional information on the College's retirement benefits programs.



## **II. Definitions**

**Administrator.** The term “Administrator” as used herein means the Assistant Vice President of Human Resources and Risk Management or such other person or committee as may be appointed by Rollins. The Administrator shall have the power to construe and interpret the provisions of the Policy, to decide all questions of eligibility and amount of benefits to be provided under the Policy, and to establish any rules and procedures needed to carry out the Policy. The Administrator shall have complete discretionary control and authority to administer all aspects of the Policy. The interpretations and decisions of the Administrator shall be final, conclusive and binding on all faculty members and any person representing a faculty member, unless the faculty member or the person representing him/her provides clear and convincing evidence that the Administrator acted arbitrarily and capriciously. When making a determination or calculation, the Administrator shall be entitled to rely on information furnished by an applicant faculty member, his/her beneficiary or other Rollins administrator.

**Base Salary.** The term “Base Salary” applies to a faculty member’s annual wages exclusive of any overloads, stipends, or fringe benefits such as bonuses, retirement plan contributions, and insurance.

**III. Effective Date.** This Policy shall become effective January 1, 2001. This amendment and restatement of the policy shall be effective for the academic year beginning September 1, 2012.

## **IV. Benefit Plan**

Retirement Plan (the “Plan”).

**1. Eligibility.** Only tenured faculty who are at least 60 years of age, but not more than 70 years of age, and whose age plus years of full-time Rollins service total at least 75 on or before the effective date of retirement shall be eligible to participate in the Plan. Eligible faculty can retire only on May 31 of any academic year (an academic year is defined as September 1-May 31)

**2. Benefits.** There are two kinds of benefits: 80% and 40%. Faculty members are eligible for one of these two benefits depending on their years of service and their age

**A. Eligible faculty members eligible for the 80% benefit:** Eligible faculty members who will be at least 60 or will reach the “normal” social security age (see chart below) on or before August 31 of the year in which the faculty member’s resignation will become effective and who elect to participate in the Plan shall receive a one-time sum equal to 80% of the faculty member’s Base Salary for the academic year in which the faculty member retires.

This payment shall be made in one- time lump sum payment, on May 31<sup>st</sup> of the calendar year of the faculty member’s retirement. Payments made under the Plan shall not be considered “compensation” for purposes of determining any benefits provided under any pension, savings or other benefit plan maintained by Rollins.

**B. Eligible faculty members eligible for the 40% benefit:** Eligible faculty members who are past the “normal” Social Security age as defined in (a) above and (c) below but not yet 71 years of age on or before August 31 of the year in which the faculty member’s resignation will become effective and who elect to participate in the Plan shall receive a one-time lump sum equal to 40% of the faculty member’s Base Salary for the academic year in which the faculty member retires.

This payment shall be made in one lump sum payable on May 31<sup>st</sup> of the calendar year of the faculty member’s retirement. Payments made under the Plan shall not be considered “compensation” for purposes of determining any benefits provided under any pension, savings or other benefit plan maintained by Rollins.

**C. Social Security Normal Retirement Age Chart:** *Note: Persons born on January 1 of any year should refer to the normal retirement age for the previous year.*

Year of Birth	Normal Retirement Age
1937 and prior	65
1938	65 and 2 months
1939	65 and 4 months
1940	65 and 6 months
1941	65 and 8 months
1942	65 and 10 months
1943-54	66
1955	66 and 2 months
1956	66 and 4 months
1957	66 and 6 months
1958	66 and 8 months
1959	66 and 10 months
1960	67

**3. Application Process.** An eligible tenured faculty member desiring to participate in the Plan must:

- On or before September 1 of the academic year in which the faculty member wishes to retire, notify his/her Dean in writing of her/his intent to retire
- Contact the Administrator (Human Resources) to insure that all eligibility requirements under the Plan are met and receive a copy of the release form to be signed and executed.
- A signed retirement agreement and release are to be submitted by the faculty member to the Dean no sooner than January 15 of the calendar year in which the faculty member is to retire. The signed retirement agreement and release must be received by the appropriate Dean on or before the **later of:** (i) January 15 of the calendar year, or (ii) forty-five days (45) from the date the form was provided to the faculty member but cannot be signed and submitted to the administration sooner than January 15. The retirement agreement will not be accepted prior to January 15 of the year in which the faculty member is to retire.
- A tenured faculty member desiring to participate in the Plan must resign his/her tenure by executing the written Retirement Agreement and Release form, effective at the end of the academic year (May 31) in which he/she elects to retire. The executed document waives and releases Rollins from any and all claims, known and unknown, that may have theretofore accrued, including any claims arising under the Age Discrimination in Employment Act.
- The Administrator (Human Resources) is responsible for insuring that all eligibility requirements of the plan are met. The Administrator shall compute the amount to be paid to the retiring faculty member and notify the faculty member of that amount. If an application to retire is denied, the Administrator shall provide the faculty member with a written notice of denial. A notice of denial shall include: (1) the specific reason or reasons for the denial; (2) specific reference to policy provisions on which the denial is based; (3) a description of any additional information or material necessary to perfect the faculty member's application and an explanation of why such material or information is necessary; and (4) information as to the steps to be taken if the person wishes to submit the application denial for review.
- Pursuant to the Older Workers Benefit Protection Act, the faculty member has a forty-five (45) day period from date of receipt to consider and accept this Retirement Agreement. Once having executed the agreement the faculty member has seven (7) days in which to revoke the agreement. The effective date of the Retirement Agreement shall be eight (8) days after the date on which the faculty member executes the Retirement Agreement.

- The faculty member is advised to seek legal counsel to ask any questions regarding the terms of this Retirement Agreement and the tax and other ramifications of participation in the Policy.

**V. Death of Faculty Member.** No retirement benefits under this Policy shall be payable to any person upon, after or on account of the death of a faculty member except that, if an eligible faculty member dies after the effective date of the eligible faculty member's retirement and resignation of tenure, outstanding payments shall be made to the eligible faculty member's estate.

**VI. Termination or Denial by Administrator.** The Administrator may terminate a faculty member's participation in the Policy, prospectively or retroactively, or may deny participation in the Policy to any individual, if the Administrator determines that such termination or denial is necessary in order to maintain the Policy as a "plan which is unfunded and is maintained by an employer primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees" within the meanings of Sections 201(2), 301(a)(3), 401(a)(1) and 4021(b)(6) of ERISA.

**VII. Notices.** Any notice required under the Policy shall be deemed to have been given when delivered in person or three (3) business days after the notice is postmarked by the U.S. Postal Service to be delivered to the last known address of the faculty member or to the VPAA|Provost or Administrator at his/her then current Rollins' business address.

**VIII. Alienation of Benefits.** No benefit, payment, proceeds or claim under this Policy shall be subject to any claim of any creditor of a faculty member and, in particular, the same shall not be subject to attachment or garnishment or other legal process by any creditor, nor shall an eligible faculty member have any right to alienate, anticipate, pledge, encumber or otherwise assign the payment or proceeds which he/she expects to receive, contingently or otherwise, under the policy, except as otherwise mandated by law.

**IX. Taxes and Withholdings.** Any and all amounts payable under this Policy shall be subject to such tax and other withholdings as are determined by the College to be required by law. Faculty members should consult with a licensed accounting professional to review and consider the tax ramifications of electing to participate under the Policy.

**X. Other Retirement Benefits / Agreements.** Eligible faculty members may also be eligible for additional retirement benefits pursuant to Rollins' Policy 300.12. Faculty members should review Policy 300.12 and consult with the Human Resources Department to ascertain eligibility for such benefits. Nothing in this Policy shall preclude Rollins and an eligible faculty member from agreeing to such other terms related to retirement as may be mutually acceptable to the parties. In addition, this Policy shall not affect any other plan or policy of the College relating to employment or retirement, except as specifically provided herein or as mutually agreed in writing by Rollins and the faculty member.

**XI. Forfeiture of Rights.** No amounts shall be payable under this Policy to any faculty member whose employment is terminated as a result of disciplinary action by Rollins or who retires after having been found to have committed actions or offenses that could have led to termination of employment. If a charge, complaint or investigation related to a faculty member's conduct is pending, benefits under this Policy shall be delayed until such proceedings are concluded.

**XII. Dispute Resolution.** Any faculty member who disagrees with any determination or computation of the Administrator may request reconsideration by the Administrator. A request for reconsideration must be in writing and delivered to the Administrator within sixty (60) days after the faculty member is provided notice of the determination or computation. In conjunction with a request for reconsideration, a faculty member may request to review all pertinent documents relating to the determination or computation. The Administrator will review a request for reconsideration as expeditiously as possible and notify the faculty member of the results of the review in writing. Written notification shall contain specific reasons for the

Administrator's decision as well as specific references to plan provisions pertinent to the decision. If a decision on review is not made within sixty (60) days after the written request for review is received by the Administrator, the claim will be considered denied.

**XIII. Amendments or Termination of Plan.** Rollins reserves the right to amend or terminate this Policy, or any part thereof, at any time upon written notice to faculty members. Failure to give notice of amendment or termination to any eligible faculty member shall not affect the effectiveness of the amendment or termination with respect to other faculty members to whom notice is given. Except as otherwise set forth herein, no amendment or termination shall adversely affect the benefits of any eligible faculty member who has retired pursuant to this Policy prior to the effective date of the amendment or termination. This Policy is a voluntary undertaking on the part of Rollins. It is not a contract between Rollins and any individual. Participation in the Policy does not provide any individual the right to be retained in the employ of the College, or any right or interest in the Policy other than as herein provided.

**XIV. Severability.** If any provision of this Policy shall be invalid or unenforceable, such invalidity or unenforceability shall not affect any other provisions hereof and the Policy shall be construed and enforced as if such provision did not exist.

**XV. Legal Compliance.** Rollins intends that the Policy will comply with all applicable laws and government regulations. The Policy shall be construed, administered and governed, in all respects, by the laws of the State of Florida to the extent that those laws are not pre-empted by ERISA.

*09/15/2011; Revised 11/2016 by Human Resources*

## **SEPARATION FROM EMPLOYMENT**

Faculty ending employment at the end of the academic year will have all pay, employment privileges, and benefits end on May 31st of the terminal year. The details of this arrangement are as described below. Questions should be directed to the Human Resources Department at 407-646-2353.

**I. Salary.** Any deferred salary due would be paid out on the May payroll. This includes May, June, July, and August for faculty paid over twelve months. This gives the faculty member the benefits of having all money due to accrue interest on his/her behalf and to assist in his/her transition to other employment.

### **II. Employment Privileges and College Property**

- All employment privileges, such as library and facilities use, parking, email, campus pipeline access, etc., will end May 31st.
- All College property, such as keys, R card, parking permit, books and materials, should be returned by May 31st.
- Office space is to be available May 31st to allow the department to prepare the space for incoming faculty.

### **III. Benefits**

- Retirement contributions will be made on all salary due for May through August.
- COBRA options will be offered as of May 31st on flexible spending accounts, health, dental, and vision insurance. COBRA gives the participant sixty days to elect continuation of coverage for up to 18 months.
- Cancer, Heart Care, Voluntary Life and Long Term Care are portable. Coverage will end May 31st. The participant has the option to continue the policy at the same rate he or she was paying as an active employee.

- College life insurance, disability, and all other College-provided benefits will end May 31st. College life insurance has a conversion option to continue coverage if elected within 31 days of May 31st.

### **SEXUAL HARASSMENT**

It is the policy of Rollins College to promote a cooperative work and academic environment in which there exists mutual respect for all College students, faculty, and staff. Sexual harassment is inconsistent with this objective and contrary to the College policy of equal employment and academic opportunity without regard to age, sex, sexual orientation, gender identity or expression, alienage or citizenship, religion, race, color, national or ethnic origin, disability, and veteran or marital status. Sexual harassment is illegal under Federal, State, and City laws, and will not be tolerated within the College. College Policy [050.00 Sexual Harassment](#) (click link to access) makes clear this commitment and related employee responsibilities.

A discrimination grievance is a complaint or report of an injury, injustice or wrong in which the grounds for complaint are based on of sex, disability, race, age, religion, color, national or ethnic origin, ancestry, marital status, veteran status, sexual orientation, gender identity, gender expression, or genetic information. The College's [Discrimination Grievance Procedure](#) for faculty and staff (click link to access) provides procedures to be followed for discrimination related grievances. For grievances against students, the procedures outlined in the Code of Community Standards ([www.rollins.edu/csr](http://www.rollins.edu/csr)) are to be used in cases involving faculty or staff complaints against a student. If the complaints relate to sexual harassment/sexual assault by students, faculty and staff may use the Title IX policy (<http://www.rollins.edu/sexual-misconduct/title-IX-policy/index.html>).

*Updated 11/2016 by Office of the VPAA/Provost*

### **WRITTEN STUDENT COMPLAINTS**

Rollins College's mission is to educate "students for global citizenship and responsible leadership, empowering graduates to pursue meaningful lives and productive careers. We are committed to the liberal arts ethos and guided by its values and ideals. Our guiding principles are excellence, innovation, and community." In keeping with the College's mission, we value and welcome information and feedback from students that can improve the educational experience. College Policy [SA 9001 Written Student Complaints](#) (click link to access) is designed to ensure that students and the Rollins community are informed and have access to the appropriate procedures for addressing concerns, articulating grievances, or filing appeals of College policies.

Examples of written complaints include grade appeals, academic honor code violations, campus safety violations, discrimination and sexual harassment, and decisions about athletic transfers, academic internships, disability services, financial aid, international programs, and international student issues. Written complaint and appeal instructions, processes, and procedures are published, disseminated and outlined in the College's undergraduate, graduate and evening catalogs as well as in student handbooks, the academic honor code website, and departmental webpages.

The College addresses student complaints at the department or unit level in a decentralized model. Students may raise complaints in a number of ways, depending on the area of concern, and may seek assistance from their academic advisor, a Student Success Coach, or the Dean of Students to determine the best route for addressing a particular concern. Students are encouraged to approach any concern by first discussing the issue with a member of the department or office involved, but must file formal complaints in writing following the policies and procedures that have been established by that department if further redress is required.

## SUBSTANTIVE CHANGE POLICY

Substantive change is defined as any significant modification or expansion of the nature and scope of a regionally accredited U.S. higher education institution's programs. Rollins College is required to notify and/or seek approval from external accrediting agencies, particularly its regional accreditor the Southern Association of College and Schools Commission on Colleges (SACSCOC), when considering new programs or degrees (or modifications to existing programs and degrees) that fall under Federal regulations. The following definition, policy, and procedures ensure that Rollins meets notification and approval requirements of external accreditors. College Policy [KI 1002 Substantive Change](#) (click link to access) provides additional information on the types of changes considered substantive and appropriate approval processes. The SACSCOC complete Substantive Change Policy Statement is available in its entirety at <http://www.sacscoc.org/pdf/081705/SubstantiveChange.pdf>.

## TRAVEL POLICIES

Rollins College recognizes participation in professional meetings and attendance at conferences and institutions to be an important form of professional development and scholarly exchange. Funds are budgeted for faculty travel and administered through respective deans and directors.

**Travel: Professional Meetings.** Faculty travel funds are administered through the offices of the appropriate deans/directors. Their purpose is to further the professional development of faculty members by providing assistance to attend and participate in professional meetings. A faculty member may seek funds in advance. To do so please see details described by the [Travel-Entertainment-Reimbursement Policy](#) (click link to access).

Faculty may be asked to predict their travel for the coming year in order to ensure the equitable allocation of available funds. After consultation with the Faculty Affairs Committee, the appropriate dean/director may apply restrictions to travel.

**Travel: Forms and Deadlines.** Please see the [Travel-Entertainment-Reimbursement Policy](#) (click link to access) for all details regarding deadlines, receipts, reimbursable and non-reimbursable expenses and appropriate forms.

**Travel: Notification of Changes.** It is the responsibility of the appropriate dean to notify faculty members of changes in these policies.

## USE OF COPYRIGHTED WORKS

Rollins College is committed to complying with all applicable United States (U.S.) copyright law. This includes the full exercise of the rights accorded to users of copyrighted works under the fair use provision (17 U.S.C. § 107), the so called library exemption (17 U.S.C. § 108), and the TEACH Act (17 U.S.C. § 110) of Federal copyright law. To that end, College Policy [KI 1004 Use of Copyrighted Works](#) (click link to access) informs and educates faculty, staff, and students about copyright law, their fair use rights and the application of the four factors for determining those rights as set forth in 17 U.S.C. § 107, and their rights and responsibilities according to §§ 108 and 110.

*Updated 6.1.17*

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*Rev. 7.9.15*

*Rev. 10.22.14*

*Rev. 7.31.14*

*Rev. 11-01-11*

*Rev. 9-26-11*

*Rev. 10-18-11*

*Rev. 7-17-09*

*Rev. 3-26-09*