

# **Plan of Employment for Faculty Kalamazoo College**

**Adopted by Board of Trustees, April 13, 1996  
Amended January 17, 1997, October 25, 1997,  
June 9, 2001 & March 12, 2005**

## **Introduction**

This Plan of Employment for Faculty is intended to provide a clear and understandable procedure for employment and personnel decisions. It is designed to aid and support the College in building and retaining a competent faculty, and in dealing consistently with decisions regarding appointment, reappointment, tenure, promotion, and termination. It is also designed to promote professional growth and independence for the individual faculty member in the performance of duties, to provide incentives to individual faculty members to set and maintain high standards of teaching, scholarship, and service, and to protect the integrity of the faculty and the College as a whole.

This Plan of Employment replaces the Plan of Employment adopted by the Executive Committee of the Board of Trustees on March 19, 1981, by authority granted by the Board of Trustees on February 9, 1981. The Administration referenced subsequently in this document includes the President, the Provost, and such other administrative officers of the College as are delegated authority in personnel matters by them or by the Board of Trustees. The term Provost, in the following sections of this document, may also refer to any administrative designee of the Provost. The Faculty Executive Committee, Faculty Personnel Committee, and Educational Policies Committee referenced in this document are part of the Faculty governance structure as defined in the Faculty Bylaws adopted by vote of the Faculty on June 9, 1986.

The rights and responsibilities of the Faculty in personnel matters are affirmed by this document, including the requirement that changes in or additions to Faculty Bylaws be consistent with and complement these provisions, so as to make possible continued, effective participation of Faculty in personnel matters. To the extent that there are any inconsistencies or conflicts between the Plan of Employment for Faculty and the Faculty Bylaws, the Plan of Employment shall control. The Faculty Bylaws cannot grant rights that are inconsistent with or not contained within or granted by the Plan of Employment for Faculty.

## **Section I. Appointments to Faculty Positions and Rank**

The Administration, in consultation with the Faculty, shall have authority for appointments to ranks, for promotion to higher ranks, for authorizing the total number of continuing faculty positions, and for the total number of Faculty actually employed consistent with the means and needs of the College.

### **A. Regular Faculty Appointments**

1. Regular faculty members are those appointed to continuing positions in academic departments or programs. In addition to course-related teaching duties, regular faculty members are responsible for some combination of student advising and participation in other departmental and College responsibilities. More generally, full engagement with the College and their profession is expected of regular faculty members. Faculty members in such positions shall hold one of the following ranks: Instructor, Assistant Professor, Associate Professor, or Professor.

2. Tenure refers to the status achieved by regular faculty members successfully completing the required sequence of probationary appointments and reviews. Only regular faculty members are eligible for tenure. Tenured faculty members remain subject to performance review. However, they may lose their appointments only through termination procedures described in Section VII, below.

#### B. College Professor

Under exceptional circumstances the College may appoint as College Professor with tenure individuals whose stature in their fields will enhance the ability of the College to accomplish its mission. These appointments must be reviewed by the Faculty Personnel Committee and other committees as needed and by the Provost and the President and must be approved by the Board of Trustees before the appointment becomes effective.

#### C. Term Appointments

1. Term appointments involve full-time teaching for a fixed, limited duration to cover positions vacated by regular faculty due to leaves, reassignment, resignations, or emergencies or to provide necessary flexibility as determined by the Administration to meet specific short-term curricular or programmatic needs of the College not covered by regular appointments. The responsibilities of individuals on term appointments are essentially the same as for regular faculty.
2. Faculty who hold term appointments shall, as appropriate, be given the title Instructor, Assistant Professor, Associate Professor, or Professor with the modifier “visiting” used for appointments of one-year or shorter duration.
3. Term appointments are not covered by the remaining provisions of this Plan of Employment except as explicitly provided for in letters of appointment or other written agreements by the Administration. Renewal of term appointments is at the sole discretion of the Administration.

#### D. Lecturer and Adjunct Appointments

1. Appointments as Lecturer or Visiting Lecturer, depending on the anticipated duration of the relationship with the College, are given to individuals with needed or desirable teaching specialties not covered by regular or term appointments. These are compensated on a “per course” basis and do not entail College service beyond that entailed by the nature of the courses taught and those additional duties, if any, as specified in the letters of appointment.
2. Honorary appointments as Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor, or Adjunct Professor are given to individuals with academic qualifications whose association with the College is deemed beneficial. Such appointments are uncompensated, except when specific teaching or other responsibilities are entailed.
3. Lecturer, Visiting Lecturer, Adjunct, and other honorary appointments are not covered by the remaining provisions of this Plan of Employment except as explicitly provided for in letters of appointment or other written agreements by the Administration.

#### E. Library Faculty

Librarians with the appropriate professional qualifications, as determined by the Provost, may have the status of regular faculty members, but without academic rank or eligibility for tenure.

#### F. Administrative Faculty

1. The President and Provost shall have the status of regular faculty members with rank appropriate to their academic qualifications. The President may not have tenure status unless already achieved as a member of the Faculty. However, the Provost may have a) tenure-at-large status upon appointment with the permission of the Board of Trustees and prior approval of the Faculty Personnel Committee; or b) tenure status if previously achieved as a teaching member of the Faculty.
2. Other administrators with appropriate qualifications and responsibilities, may also be appointed to faculty rank, regardless of whether or not their duties involve teaching. Such appointments will be made in consultation with the Faculty Personnel Committee.
3. Faculty members who are subsequently appointed to administrative positions retain all aspects of their previous faculty rank and status. Specific agreements with non-tenured faculty will be made at the time of the administrative appointment with regard to future eligibility and qualifications for tenure.

### **Section II.** Initial Appointments to Regular Positions

- A. All regular appointments are made by the President. The initial appointment to a regular position under normal circumstances will be probationary: i.e., not tenured. Such appointments and any subsequent probationary reappointments shall be for a fixed duration, and carry with them no presumption that reappointment or tenure will be granted at the end of such term. No faculty member on regular appointment will be continued for more than seven (7) years without tenure status unless arrangements are specifically agreed upon in writing by the Administration, the faculty member involved, and the Faculty Personnel Committee in advance of the sixth (6th) year of appointment.
- B. The initial appointment, under normal circumstances, shall be for two (2) years. Thereafter, the length of each subsequent reappointment shall normally be for two (2) years or as determined by the outcome of the review procedure provided under Section IV of this Plan of Employment. Up to four years of previous college teaching may be recognized by the College toward tenure qualification. The amount of such credit shall be established by the Administration at the time of the initial appointment to a position and that shall be so specified in the letter of appointment.
- C. The Administration shall consult with members of the affected department or program and the Educational Policies Committee before deciding not to fill a regular position in response to changing institutional needs or circumstances.

### **Section III.** Reappointment, Tenure and Promotion of Regular Faculty

- A. The process of evaluating a faculty member for reappointment, tenure, or promotion is by necessity complex. The individual faculty member's own performance and capability must be judged by the high standards of the Faculty and must also be viewed in the context of the

College's overall mission to provide superior liberal arts education, as well as the College's assessment of its needs, directions and resources. This process calls for full cooperation between the Faculty and the Administration—both groups responsible to the Board of Trustees—acting in the best overall interest of the institution.

- B. Each faculty member, through individual performance, helps determine the weight and importance of various factors relevant to assessing performance and contributions to the College. While other factors may become important in some cases, those generally recognized as relevant are:
1. Formal preparation—the Ph.D. or advanced degree generally considered the terminal degree in the faculty member's field;
  2. Effectiveness in teaching;
  3. Effectiveness in advising and counseling;
  4. Productivity in research, creative work, or other evidence of scholarly self-renewal;
  5. Contribution to institutional renewal through program initiative and inventiveness;
  6. Effectiveness in committee and administrative assignments;
  7. Contribution as a person to the total life of the community; and
  8. Relevance of the individual's specialties, interests and talents to current and projected programmatic emphases and needs.

Changes in the importance of the above factors or in other expectations as specified in an initial appointment letter or in subsequent performance reviews shall be communicated to the faculty member in a timely manner. However, this should not be construed as limiting the Administration's ability to change institutional direction or to respond to changing needs and circumstances.

- C. Reappointment or tenure cannot be determined by individual competence alone, as the institution must also determine where it can best commit its limited resources. The Faculty, through its procedures, is principally responsible to provide information and to make its evaluation regarding the individual's performance and the relevance of the individual's skill to the present and anticipated programmatic needs of the College. In making its decision on reappointment, the Administration makes its evaluation based upon the individual's performance and skill, but also must consider allocation of available resources to best accomplish the overall mission of the College.
- D. While the same factors are to be considered in all reviews, the weighting of these factors and the specific criteria applied may vary as a function of the kind of review and other circumstances. In particular, tenure decisions, which represent long-term commitments by the College, require a prudent long-range perspective on institutional conditions and directions.

#### **Section IV.** Review for Reappointment, Tenure and Promotion of Regular Faculty

##### **A. Eligibility**

1. Reappointment—Each faculty member on probationary appointment shall have his or her status and performance reviewed to determine whether reappointment will be offered. Reappointment, however, also depends on a determination that institutional conditions and directions make it both desirable and prudent to continue filling the position. To the extent that it is reasonable to do so, the review shall be conducted when the faculty member is resident on campus, if so doing allows all review procedures to be followed and notification deadlines, specified in this Plan of Employment to be met.

2. Tenure—A probationary faculty member is eligible for appointment to a tenured position after six (6) years of full-time teaching, including credit for prior teaching experience. Leaves taken for personal reasons lengthen the probationary period, unless a written agreement between the faculty member and the Administration specifies otherwise. Leaves of absence shall be granted consistent with applicable laws. In addition, a faculty member with credit for prior teaching experience may request that the probationary period be extended, not to exceed the sixth year of teaching at the College. Such requests require written approval of the Administration, in consultation with the Personnel Committee.
3. Promotion—Normally, a faculty member is eligible to be reviewed for promotion to Professor after six years in the Associate Professor rank; unusually meritorious candidates may be considered earlier. Eligible faculty members must submit a written request to the Administration to be considered (eligibility for promotions to other ranks is described in Section V.). A faculty member reviewed and not recommended for promotion will not normally be reviewed again for at least two years.

## B. General Procedures

1. Faculty members being reviewed shall be responsible to provide all relevant information requested by the Administration and the Faculty Personnel Committee for inclusion in a review file. More generally, faculty members on probationary appointment are responsible for demonstrating their competence and for providing opportunities for others to determine the relevance of their contributions to the needs of the College. Faculty members shall be able to see all materials submitted to their files, except those designated as confidential by the Faculty Bylaws or by the explicit procedures of the Faculty Personnel Committee.
2. The Provost will notify the Faculty Personnel Committee of each faculty member eligible for consideration for further probationary appointment, tenure, or promotion. The Committee shall develop a review procedure that is consistent with the directives and policies of the College and this Plan of Employment. Pursuant to that review procedure, the Committee shall then conduct a review of each eligible faculty member. Upon concluding its review, a report from the Faculty Personnel Committee, including its recommendation and rationale shall be submitted to the Provost (See Section IV, D regarding deadlines for the review by the Faculty Personnel Committee.)
3. The Provost, having the review file, the Faculty Personnel Committee's report, and information concerning institutional status and direction, shall also prepare a report. Should the Provost consider making a negative recommendation on reappointment or tenure on the grounds of institutional status and direction, as opposed to performance or qualification issues, there shall be consultation with the Educational Policies Committee and members of the affected department or program beforehand. The reports of both the Provost and the Faculty Personnel Committee shall then be submitted to the President.
4. Having received the reports of the Faculty Personnel Committee and the Provost, the President may review the file and any other pertinent material before making a decision on reappointment, promotion, or tenure. Should the President disagree with the recommendation of the Faculty Personnel Committee, he or she shall meet with them in an attempt to reach consensus before making a final decision.
5. The President's positive recommendation on tenure shall be submitted to the Academic Affairs Committee of the Board of Trustees for final approval at a regular meeting.
6. After being notified of the decision, the faculty member shall meet with the Provost to discuss both the review and decision. After that conference, a faculty member notified of

a negative decision on reappointment, tenure, or promotion may choose to meet with the President as well to discuss the decision. The faculty member may also request in writing that the President provide a written statement of the reasons for the decision. A copy of this written statement shall be placed in the faculty member's review file.

**C. Notification of Faculty Member**

1. The review schedule and notification for reappointment shall be predicated on providing one-year's notice in the event of the President's decision not to reappoint. A faculty member being reviewed shall be notified of the President's decision by September 30th of the last year of the current appointment. Should the decision to reappoint be negative, a final one-year appointment will be offered, if needed to provide the one-year's notice.
2. Only positive recommendations by the Administration on tenure are forwarded to the Board of Trustees for approval. A faculty member being reviewed for tenure shall be notified of the Board of Trustees' decision immediately following the regular Board meeting in June of the year in which the review takes place.

The obligation of the College to honor these deadlines requires and is contingent on the full cooperation of the faculty member in the review process. Such early notice is also predicated on the assumption that affected faculty members shall under any circumstance continue to provide professional, cooperative and complete service to the College for the duration of their appointments. There is a reciprocal obligation on the part of faculty members to give adequate notice if they plan to resign for any reason.

**D. Review Timetable and Deadlines**

The Administration and the Faculty Personnel Committee shall, by mutual agreement, establish a timetable and additional deadlines as are deemed necessary to ensure timely completion of reviews within the framework of the notification deadlines stated in Section IV, C. The Faculty Personnel Committee shall inform affected faculty members of this timetable and deadlines.

**Section V. Promotion in Rank**

- A. Promotion to the rank of Assistant Professor is by action of the Provost, upon evidence of terminal degree completion by a faculty member or other achievements as specified in a faculty member's letter of appointment.
- B. The granting of tenure carries with it promotion to the rank of Associate Professor.
- C. Eligibility and review procedures for promotion to Professor are described in Section IV.
- D. Promotion above the rank of Assistant Professor for faculty in term appointments, if deemed eligible by the Administration, shall follow the review procedures described in Section IV.

**Section VI. Hearings on Procedural Issues**

- A. At the beginning of each academic year the Faculty Executive Committee shall appoint a Hearing Committee composed of a minimum of seven tenured faculty with the rank of Professor. It shall also designate one of the seven to chair the Committee. If necessary, additional qualified faculty members will be appointed at the time of a hearing request to

bring the number of available Committee members to a minimum of five. This Committee shall review procedural questions arising out of reappointment, promotion, and tenure decisions as described in Section VI of this document. In addition, it will consider appeals of decisions to terminate an appointment of any kind, as described in Section VII. Finally, it shall hear cases alleging violation of the principles of Academic Freedom, as described in Section VIII.

- B. A faculty member who believes that a reappointment, tenure, or promotion decision was not made according to the procedures described in the Plan of Employment, Faculty Bylaws, or the rules of the Personnel Committee, resulting in less than full and fair consideration of his or her performance and professional qualifications, may file a request for a hearing within twenty-one (21) calendar days of receiving written notification from the Administration.

Decisions resulting from review procedures provided under this Section VI are final and binding. They are the exclusive avenue for faculty members to challenge decisions on reappointment, tenure, and promotion. If faculty members allege violation of civil rights in termination decisions, they must also bring their claims under applicable civil rights laws in this forum.

- C. A faculty member desiring a hearing shall submit a written request, including a specification of the reasons for the request, to the Chair of the Hearing Committee who shall provide that Committee and the Provost with a copy of the request, and convene the Hearing Committee within seven (7) calendar days.
- D. The function of the Hearing Committee in these circumstances is to: a) determine whether prescribed procedures were followed in making the decision; and b) assess whether any departures from or omissions in procedures deprived the candidate of full and fair consideration of his or her performance and professional qualifications. The Committee is *not* an agency giving the candidate a second hearing on the substance or outcome of the decision itself.
- E. The Hearing Committee shall make a written report to the President and to the faculty member requesting the hearing within twenty (20) calendar days following its initial convening.
- F. The President shall thereafter draft or make the decision within twenty (20) calendar days of receiving the report of the Hearing Committee as to whether further procedures for review of the faculty member should be invoked. Any decision by the President that the matter should be resubmitted to any stage of review shall have the effect of waiving the normal timetable of events and deadlines, provided only that all parties shall endeavor to complete the procedure with all deliberate speed.

## **Section VII. Termination of Appointment**

### **A. Standards and Limitations**

Termination refers to action by the Administration to: 1) end an appointment prior to the completion of a contract term; 2) end a tenured appointment; or 3) not offer reappointment in contravention of notification deadlines. Termination does *not* refer to non-reappointment, which is covered in Section IV. Any appointment may be terminated by the Administration with the approval of the Board of Trustees, for the following reasons: 1) adequate cause, 2) financial exigency; or 3) a change in institutional conditions or directions which affect the faculty member's department or the College as a whole.

1. Adequate cause includes incompetence, personal or professional misconduct, or inability or unwillingness to carry out responsibilities in an appropriate manner.
2. Financial exigency, as established by the Board of Trustees in consultation with the administration and faculty, is defined as a situation where an imminent financial crisis exists which threatens the survival of the institution as a whole and which cannot be alleviated by less drastic means.
3. Institutional conditions or directions shall refer to situations which make it desirable or prudent to eliminate positions in a department or program.

If the Administration ever finds it appropriate to respond to a condition of financial exigency or changes in institutional conditions or directions, it shall first advise the Faculty Executive Committee of this conclusion and meet to discuss alternative approaches designed to respond to the condition before taking further steps toward termination.

Although the standards which govern decisions in matters of termination must necessarily vary according to the circumstances of each case, the Plan of Employment provides a procedure for challenge and review, in this Section VII, that is equally available to a faculty member dissatisfied with a decision to terminate his or her appointment for adequate cause, financial exigency, or changes in institutional conditions or directions.

Decisions resulting from review procedures provided under this Section VII are final and binding. They are the exclusive avenue for faculty members to challenge termination decisions. If faculty members allege violation of civil rights in termination decisions, they must also bring their claims under applicable civil rights laws in this forum.

Any employment decision that is subject to review under this Section of the Plan of Employment shall be handled only under this section. The affected faculty member does not have the right to challenge the substantive aspects in one hearing under this Section VII and the procedural aspects in another hearing under Section VI. If the affected faculty member wishes to challenge both the procedural and substantive nature of the termination decision, the appeal must be brought and adjudicated under this Section VII.

## B. Procedures

In the event it becomes advisable to terminate an appointment, the procedures outlined below will be followed:

- 1a. Formal procedures for termination for adequate cause shall not be instituted until the Administration has consulted with the affected member of the Faculty in an effort to seek a mutually satisfactory solution. The faculty member shall be given an opportunity to tender a voluntary resignation before further action is taken.
- 1b. In cases of financial exigency or other institutional conditions or directions, formal procedures for termination shall not be instituted until the Administration has consulted with members of the department or program and the Educational Policies Committee as well as with the affected faculty member in an effort to seek a mutually satisfactory solution.
2. In the event the matter cannot be resolved in a mutually satisfactory manner, formal proceedings for termination will be initiated by the Provost, who shall prepare a clear and concise Statement of Grounds for Termination. A copy of the Statement of Grounds for Termination shall be provided to the faculty member and to the Faculty Executive Committee.

3. The affected individual may elect to challenge the grounds for termination by so informing the Faculty Executive Committee in writing, including a statement of the reasons for the challenge, within thirty (30) calendar days of receiving the Statement of Grounds. The Faculty Executive Committee shall immediately inform both the Hearing Committee and the Provost of this action.
4. The Hearing Committee shall convene to consider a disputed Statement of Grounds for Termination within thirty (30) days from the date the Faculty Executive Committee was notified. While the specifics of the hearing shall remain within the province of the Hearing Committee, the following procedures will be honored in any instance:
  - a. The hearing will not be open to either members of the College community or the general public.
  - b. The parties in this proceeding are the Administration on behalf of the College and the faculty member subject to termination. Each party shall have the right to counsel of its choosing and the right to present relevant witnesses and documents and to examine and cross-examine all witnesses.
  - c. A record of the proceedings shall be maintained and available to both parties.
5. The Hearing Committee, within twenty (20) days from the conclusion of its proceedings, shall provide the President and the affected faculty member with a report of its findings and recommendation.
6.
  - a. If the Hearing Committee concludes that the appointment should be terminated, the President shall immediately transfer the matter to the Academic Affairs Committee of the Board of Trustees with a recommendation that the appointment be terminated.
  - b. In the event the Hearing Committee recommends that the appointment should not be terminated and the President disagrees, they shall meet in an attempt to secure a consensus before further action is taken. If, after such conference, the President concludes that the appointment should be terminated, he or she shall forward that recommendation to the Academic Affairs Committee of the Board of Trustees, along with a copy of the report of the Hearing Committee.
7.
  - a. A faculty member shall have fifteen (15) days from the date served with a notice that a recommendation that his or her appointment be terminated has been submitted to the Academic Affairs Committee of the Board of Trustees to request a review by the Academic Affairs Committee of the Board. Such a request for review shall set out in detail the basis for appeal. Copies of the request for review shall be simultaneously given to the Hearing Committee and to the President.
  - b. The faculty member shall have twenty (20) days from the date a request for review is submitted to send the Hearing Committee, the President and the Academic Affairs Committee an analysis of the record and a position statement. The Hearing Committee and the President shall have twenty (20) days from receipt of this statement to file a reply. The faculty member involved, the Hearing Committee and the President may also request the opportunity to appear by themselves or with counsel before the Academic Affairs Committee to present their positions. A request for oral argument shall be made no later than the date for submission of written arguments, provided that every party shall be allowed to appear before the Academic Affairs Committee if a request is granted to any party.

The Academic Affairs Committee shall consider only the record of the Hearing Committee's meetings and the written arguments unless it approves a request by either party for the submission of evidence not available or discovered at the time of that hearing or, on its own motion, elects to conduct further factual inquiries in relevant areas.

The Academic Affairs Committee of the Board shall act for the Board in all matters under this Section and inform the Board of its decision. That decision will be final for all parties of the proceeding.

### C. Suspension

A faculty member will not be terminated while the above procedures are pending. If, however, the President determines that harm to the faculty member, to others in the College community, or to the College itself could result from continuance, then the faculty member may be suspended. The President shall meet with the Faculty Executive Committee to discuss the reasons for and conditions of the suspension as soon as possible.

## **Section VIII. Academic Freedom**

Kalamazoo College subscribes to the definition of academic freedom as articulated in the American Association of University Professors' 1940 Statement of Principles on this issue:

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

(AAUP, 1995, pp. 3-4)

The protection of these professional freedoms rests with the force of opinion of the Faculty, acting in complete possession of the facts, rather than with regulations and prohibitions upon the Administration. In a case where a member of the Faculty believes that freedom of speech, scholarship independence, or political or religious viewpoints has been breached by actions of the College, the individual faculty member will be given the opportunity to have his or her grievances reviewed before the Hearing Committee.

An allegation of such a violation shall be made by clear and specific written notice to the Administration and to the Hearing Committee. The Hearing Committee shall review the matter

in an open and fair manner, giving all interested parties a full and equal opportunity to appear and present their positions. The Hearing Committee shall issue a report to the Provost and the Faculty Executive Committee regarding the allegations.

The written recommendations of both the Provost and the Hearing Committee, with reasons, will then be submitted to the President. The President, having also examined all available information and both recommendations, shall make a decision. If the President's decision does not concur with the recommendation of the Committee, there shall be a meeting of the President, the Provost and the Committee in which all parties attempt to reach a consensus before the President's report is made to the Board of Trustees.

### **Section IX. Harassment**

Fulfillment of the College's mission is predicated upon the open and free exchange of ideas; the broadest range of diverse convictions and opinions must be welcome within its educational forums. If such open and free exchange of ideas is to occur, all individuals must be protected from harassment, which is defined as any behavior, verbal or physical, which stigmatizes another on the basis of personal characteristics such as race, ethnicity, religion, sex, physical characteristics, or disabilities and which:

- involves an explicit or implied threat to personal safety;
- creates over an extended period of time an intimidating, hostile, or demeaning environment; or
- has the purpose or reasonably foreseeable effect of interfering with an individual's full and free participation in the educational or extracurricular life of the College.

It must be recognized, however, that conflicts may arise between academic freedom and the rights and responsibilities regarding possible harassment. Not every act that might be offensive to an individual or group is harassment. In particular, charges of harassment should not be invoked to stifle disagreement and controversy.

Faculty members have the responsibility not to harass students or other members of the College community and the right not to be harassed themselves. College policies and Faculty Bylaws shall, as necessary, further define these rights and responsibilities in ways consistent with this document and all applicable Federal and State of Michigan laws.

### **Section X. Periodic Review of The Plan of Employment**

The Plan of Employment is to be examined periodically by a joint Faculty-Administrative Committee, appointed by the President in consultation with the Faculty Executive Committee in order to make recommendations to the Administration and, subsequently, to the Board of Trustees regarding modifications of those sections whose operations have not proved entirely effective in realizing the best interests of the College. The provisions and procedures of this Plan also may be reviewed periodically by an appropriate committee of the Board of Trustees as determined by the Executive Committee of the Board. This document may be amended by the Board of Trustees as it deems appropriate and such amendment will be effective for all matters occurring after the date of such amendments.