DELAWARE COLLEGE OF ART AND DESIGN

FACULTY HANDBOOK

TITLE IX & VII REVISED August 10, 2020

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A. INTRODUCTION

The Faculty Handbook serves as a guide to the faculty of Delaware College of Art and Design. The Handbook describes current policies and procedures and the benefits currently available to its employees. This Handbook represents the collaborative effort by a group of the dean and the Program Chairs.

The Handbook is required reading for all faculty, supersedes all previously published policies and procedures, and is subject to revision at the sole discretion of the College. It may be revised and expanded as new policies are developed and existing ones modified, in response to the needs of the College and its employees.

Employment is on an at-will basis, so that either the College or the employee may end the relationship at any time and without cause or prior notice. Nothing in this Handbook changes the employment-at-will relationship or creates an express or implied contract or promise concerning the College's policies or practices, including policies or practices it will implement in the future. Accordingly, the College retains the right to establish, change, and abolish its policies, practices, rules, and regulations at will and as it sees fit.

This Handbook is not, however, intended to anticipate every situation or to answer every question about employment at the College. In addition, this Handbook is not an employment contract and is not intended to create any contractual or other legal rights. Specific questions concerning the policies and practices described in this Handbook should be directed to the dean or the president.

No exception will be made to any of the policies and practices contained in this Handbook unless the president of the College approves such exception in writing. The president will resolve any dispute about the interpretation of any of the policies or practices, and his/her decision will be final.

A.1. OVERVIEW OF THE DELAWARE COLLEGE OF ART AND DESIGN

In response to a request from Wilmington 2000 and encouraged by the interest expressed by Wilmington's corporate community and civic leadership, the Corcoran College of Art and Design and Pratt Institute proposed the establishment of a two-year professional College of art and design in downtown Wilmington. Originally founded through this partnership between the Corcoran College of Art and Design and Pratt Institute in September 1997, the Delaware College of Art and Design (DCAD) became a free-standing art and design college that offers an Associate of Fine Arts degree along with quality community programs and continuing education courses. DCAD draws the majority of its students from the state of Delaware and the adjoining areas of Pennsylvania, Maryland, and New Jersey.

The Delaware College of Art and Design, or DCAD, is located at 600 North Market Street in the center of downtown Wilmington. Its historic art deco building has been newly renovated and transformed into a state-of-the-art educational facility. Technologically current computer imaging and graphics labs, darkrooms and photo studios reflect the latest developments in these fields, while painting, drawing, and design studios, bathed in natural light; merge the modern with the traditional. The Toni and Stuart B. Young gallery provides an important showcase for student work, is open to the public, and is part of the downtown Arts Loop that attracts visitors and residents alike to explore the cultural resources of the city.

A.2. ACCREDITATION

The Delaware College of Art and Design is accredited by the Middle States Commission on Higher Education (MSCHE), 3624 Market Street, Philadelphia, PA 19104, 215-662-5606, www.msche.org, and the National Association of Schools of Art and Design (NASAD), 11250 Roger Bacon Drive, Suite 21, Reston, VA 20190, 703.437.0700, www.nasad.arts-accredit.org. DCAD has the legal authority to award degrees from the Delaware State Board of Education.

A.3. COLLEGE MISSION AND VISION

A.3.a. The Mission

The Delaware College of Art and Design educates, empowers, and challenges emerging artists and designers. We engage and inspire an inclusive and diverse creative community.

DCAD's Vision

DCAD teaches artists and designers the skills that will empower and challenge them to take creative risks and engage with their communities. We continue to evolve as a powerhouse of creativity and inspiration in Wilmington and beyond.

A.3.b. The Associate Degree (AFA)

DCAD offers the Associate of Fine Arts degree in five major areas of concentration: Animation, Fine Art, Graphic Design, Illustration, and Photography. The program serves highly motivated students who are pursuing careers in the fields of art and design. Apart from the traditional disciplines of the fine artist, these include diverse design opportunities in publishing, marketing, computer graphics, advertising, packaging, display design, photography, and other design-related fields.

The associate degree program emphasizes studio education in art and design combined with a liberal arts program as mandated by the relevant accrediting agencies. The studio curriculum allows students to develop basic skills, concepts, and values in their respective areas of study. The liberal arts curriculum instructs students in written and verbal expression, critical thinking, the history and theories of art and design, and the humanities.

Students enrolled in the associate degree program will receive thorough preparation for transfer opportunities. Completion of requirements of the associate degree may be accomplished through two years of full-time study. Upon completion, students will earn 63 to 72 credits composed of 42-46 credits in studio courses and 24 credits in liberal arts courses. Each associate major program requires a core group of foundation and academic courses during the first year.

A.3.c. Continuing Education

The Continuing Education Program at DCAD is dedicated to providing the community with dynamic courses that foster artistic and creative growth. From oil painting to computer graphics, a wide range of art & design classes and workshops are offered each semester. Each semester the Continuing Education Program offers classes and workshops in the following areas: Graphic & Web Design, Fine Arts, Jewelry Design, and Photography.

Courses are primarily scheduled in the evening and on weekends and are designed to meet the vocational goals of the greater Wilmington community.

CE also partners with the Admissions Department to coordinate and conduct young artists' programs for high school students in support of DCAD's mission to build enrollment.

B. COLLEGE GOVERNANCE

B.1. BOARD OF TRUSTEES

The Board of Trustees is the legal governing body of the Delaware College of Art and Design and holds ultimate authority as well as fiduciary responsibility for the College. It is the final institutional authority that grants degrees upon recommendation of the College.

The Board of Trustees consists of 15 members, plus one faculty and one student representative who serve as *ex-officio* members of the Board.

B.2. PRESIDENT'S LEADERSHIP COUNCIL

The President's Leadership Council of the Delaware College of Art and Design is an advisory, adjunct body to the Board of Trustees, who assigns its responsibilities at its discretion. The President's Leadership Council is explicitly charged with extending DCAD's connections and support into a broader segment of the community while representing and interpreting the views of the community.

The President's Leadership Council comprises nine ex-officio members and approximately 23 lay members chosen to be broadly representative of the best and most enlightened educational, artistic, and business leaders in the Wilmington community.

C. ADMINISTRATION

C.1. PRESIDENT

The president is the chief executive officer of the Delaware College of Art and Design and is the sole person responsible directly to the Board of Trustees for implementation of the policies and directions of the Board and its committees. All officers, faculty, staff, and students of the College are ultimately responsible to the president, and he or she is their official means of communication with the Board. It is the president's ultimate responsibility to direct the total program, including that of business management, of the College. He or she is responsible for employing all members of the faculty and staff.

C.2. DIRECTOR OF FINANCE

The director of finance oversees the College's operations/facilities management and security system, manages all financial operations of the College, including student accounts, and oversees all human resource functions.

C.3. DEAN

The dean serves as the chief academic officer of the College. The dean works with the president in administering the academic operations of the College while fostering faculty creativity, scholarship, and performance.

C.4. ASSISTANT DEAN

The assistant dean works collaboratively with the dean in the execution of academic operations of the College while fostering faculty creativity, scholarship, and performance.

C.5. REGISTRAR

The registrar maintains all academic records, administers an efficient registration system, issues necessary enrollment reports, and establishes procedures appropriate to these duties.

C.6. DIRECTOR OF ADMISSIONS

The director of admissions is responsible for effectively recruiting, reviewing, and admitting students to the College's associate degree programs. This includes general interaction with the public, direct involvement with applicants, and establishing positive relationships with area high schools and prospective students.

C.7. DIRECTOR OF FINANCIAL AID

The director of financial aid assists students with the federal student aid application process, administers the institutional financial aid program and directs students to external resources, and oversees institutional compliance in accordance with Title IV requirements.

C.8. DIRECTOR OF STUDENT SERVICES

The director of student services leads various aspects of student life, including housing, campus activities and co-curricular programming, preliminary personal and career counseling, career services, and problem intervention, as well as student policy enforcement and disciplinary issues.

C.9. DIRECTOR OF CONTINUING EDUCATION

The director of continuing education is responsible for planning, directing, and evaluating all non-degree programs, as well as developing opportunities for new course offerings. CE also partners with the Department of Admissions to coordinate and conduct young artist programs for high school students.

C.10. LIBRARY DIRECTOR

The librarian/library director is responsible for all policies and operations relating to the Edgar A. Thronson Library. This includes assisting students with research, answering reference questions, supervising library assistants, and teaching research-related sessions on the use of art library and internet resources.

C.11. DIRECTOR OF COMMUNICATIONS

The director of communications is responsible for the development of DCAD's institutional image, developing communication strategies implemented through public relations, media relations, advertising, publications, promotional materials, exhibitions, community outreach, grant writing, and institutional advancement.

C.12. DIRECTOR OF DEVELOPMENT

The director of development is responsible for the management, in cooperation with the president and the Development Committee of the Board, of a comprehensive, integrated fundraising program, with emphasis on major gifts and capital fundraising.

For a complete staff listing, see Director of Finance for a copy of the DCAD Organizational Chart.

D. GENERAL POLICIES AND PROCEDURES

D.1. DISCRIMINATION

The Delaware College of Art and Design is committed to a policy of equal opportunity for all educational activities, admissions, scholarship and loan programs, and employment. Discrimination on the basis of race, color, national origin, religion, sex, sexual orientation, age, disability, marital status, genetic information, veteran's status, or other protected status is prohibited at the Delaware College of Art and Design. Acts of discrimination that limit or deny access to the educational process and that create a hostile environment are not consistent with the philosophy or mission of Delaware College of Art and Design.

D.2. CODE OF EMPLOYER-EMPLOYEE RELATIONS

It is the policy of the College to implement fair and effective personnel policies and to require all employees to support the organization's best interests.

The College is committed to a mutually rewarding and direct relationship with its employees. Thus, the College strives to:

- provide equal employment opportunity and treatment regardless of race, color, national origin, religion, age, gender, sexual orientation, disability, marital, or other basis that would be in violation of applicable federal, state, or local law (see College Policies);
- provide compensation and benefits commensurate with the work performed, within the budgetary considerations of the fiscal year;

- establish reasonable hours of work based on the College's needs;
- monitor and comply with applicable federal, state, and local laws and regulations concerning employee safety;
- be receptive to constructive suggestions about a job, working conditions, or personnel policies;
- establish appropriate means for employees to discuss matters of concern with their immediate supervisor or department head.

As part of its commitment to providing students with a high-quality education, the College expects all employees to:

- treat students, visitors, and other employees in a professional manner;
- perform assigned tasks efficiently;
- be punctual;
- follow the policies adopted by the College.

The College retains the sole discretion to exercise all managerial functions, including the right to:

- dismiss, assign, supervise, and discipline employees;
- determine and change starting times, quitting times, and working hours;
- transfer employees within departments or into other departments and other classifications;
- determine and change the size and qualifications of the workforce;
- determine and change methods by which its operations are to be carried out;
- assign duties to employees in accordance with the College's needs and requirements and to carry out all ordinary administrative and management functions.

D.3. DEFINITIONS

D.3.a. Exempt

The law specifies that you are an exempt employee if your duties are principally executive, administrative, or professional. An exempt employee is not under the protection of wage and hour laws. Exempt employees are expected to work at least the number of hours agreed upon for their position and are not paid overtime.

D.3.b. Non-Exempt

Non-exempt employees are those who are protected by the hours of work and overtime provisions of the Fair Labor Standards Act, regardless of title or function, and regardless of full-time or part-time status. Non-exempt employees working more than forty (40) hours per week, excluding lunch, will be paid overtime at the rate of one and one-half (1½) times their hourly wage (with prior approval of their supervisor). All part-time employees who are paid hourly are considered non-exempt.

The director of finance or the president will make the final determination of who is exempt or non-exempt. For a more extensive explanation of these terms, please refer to the Federal Wage-Hour poster located in the mailroom.

D.4. AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY (EEO)/AMERICANS WITH DISABILITIES ACT (ADA)

The Delaware College of Art and Design is dedicated to providing an academic and work environment that is racially and culturally diverse. Intellectual, artistic, and professional growth is enhanced in an atmosphere that supports and encourages mutual respect for individual differences.

The Delaware College of Art and Design is committed to a policy of equal opportunity for all educational activities, admissions, scholarship and loan programs, and employment. Discrimination on the basis of race, color, national origin, religion, age, gender, sexual orientation, disability, marital or other basis that would be in violation of applicable

federal, state, or local law is prohibited at the Delaware College of Art and Design.

The Delaware College of Art and Design is a private, not-for-profit, educational corporation, tax-exempt under the United States Internal Revenue code. The College's non-discriminatory employment policies and practices provide equal opportunity in the application and employment process. Employment opportunities are available to all qualified applicants with selection determined on the basis of education, experience, aptitude, and ability.

Specifically, this policy applies to all terms and conditions of employment, including, but not limited to, hiring, the introductory period, training, promotion, compensation, benefits, layoff and recall, disciplinary action, termination, and retirement. These commitments apply uniformly to and are the responsibility of all levels of management.

Employees are protected by law from coercion, intimidation, interference, discrimination, or harassment for filing a complaint or assisting in an investigation in connection with federal and state EEO laws and regulations.

The director of finance is assigned responsibility for developing, facilitating, and monitoring Equal Employment Opportunity. A complete statement of applicable Federal and State Equal Employment Policies is posted in the mailroom.

D.5. SEXUAL HARASSMENT, SEXUAL VIOLENCE, TITLE IX

Delaware College of Art & Design Title IX Policy

Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. §1681 *et seq*. is a Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. Delaware College of Art & Design (the "College") must comply with Title IX.

Under Title IX, schools must operate free from sex discrimination, including sexual harassment.

Any of the following conduct on the basis of sex constitutes sexual harassment:

- An employee of the College conditioning the provision of aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct (often called "*quid pro quo*" harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
- Sexual assault, dating violence, domestic violence, or stalking.

The College will take immediate action to eliminate sex discrimination, sexual harassment, or sexual violence, prevent its recurrence, and address its effects. The College has a responsibility to respond promptly and equitably if the College has actual knowledge of or notice of sexual harassment allegations within the College's campus environment, education program, or activity. An education program or activity includes locations, events, or circumstances over which the College has exercised substantial control over both the respondent and the context in which the sexual harassment occurs and also includes any building owned or controlled by a student organization that is officially recognized by the College.

The College defines Actual Knowledge as notice of sexual harassment or sexual harassment allegations to a school's Title IX Coordinator, or any official of the school who has authority to institute corrective measures on behalf of the recipient, or to any employee of an elementary or secondary school.

A criminal investigation into allegations of sexual harassment or sexual violence does not relieve the College of its duty under Title IX to resolve complaints promptly and equitably.

The College does not discriminate on the basis of sex, nor does it tolerate discrimination on the basis of sex in its education programs and activities or employee work environments. The College strives to provide an environment free from sex discrimination, including sexual harassment. The College encourages students, parents, and staff to identify barriers to a discrimination-free environment in all schools. Any person (*e.g*., the alleged victim or any third party) may make a report to the Title IX Coordinator.

Complaints and/or inquiries concerning allegations of sexual harassment, or discrimination on the basis of sex, shall be directed to the College's Title IX coordinator in person, or by phone, mail, or e-mail, to Office of Civil Rights, or the Assistant Secretary of the U.S. Department of Education. Any person (*e.g.*, the alleged victim or any third party) may report to the Title IX Coordinator. All complaints will be received and investigated in a prompt and equitable manner.

The College's Title IX Coordinator is:

Katy Ro, Academic Dean
600 N. Market street
Wilmington, DE 19801
302-622-8000 x210
kro@dcad.edu

The Office of Civil Rights is located:

Office for Civil Rights, Philadelphia
U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Tel: (215) 656-8541
Fax: (215) 656-8605
Email: *OCR.Philadelphia@ed.gov*

The Title IX Coordinator's responsibilities include overseeing all complaints of sex discrimination and sexual harassment, and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. If a report of sexual harassment is made to a College employee, the employee will inform the Title IX Coordinator.

When the Title IX Coordinator is aware of an allegation of sexual harassment, the Title IX Coordinator will promptly and confidentially reach out to the student or staff member alleging sexual harassment to discuss available options, including, but not limited to:

- The availability of supportive measures to restore access to the school's education program or activity with or without the filing of a formal complaint;
- The right to file a complaint to initiate an investigation into the sexual harassment allegations; and
- The process for filing a formal complaint.

The Title IX Coordinator will provide the complainant with information concerning the right to supportive measures, even if no formal complaint is filed. The College will consider the alleged victim's wishes with respect to requests for supportive measures.

The respondent may also benefit from supportive measures. Supportive measures are free, individualized services designed to restore or preserve equal access to education, protect safety, or deter sexual harassment, not disciplinary or punitive, and without unreasonably burdening any other person. Examples of supportive measures may include:

- Counseling;
- Extensions of deadlines or other course-related or work-related adjustments;
- Modifications of work or class schedules;
- Campus escort services;

- Leave of absence;
- Increased security or monitoring of certain parts of campus; and/or
- Mutual restrictions on contact between individuals.

The College will keep confidential any supportive measures provided to the extent it does not impair the College's ability to provide the supportive measure. The Title IX Coordinator is responsible for coordinating effective supportive measures.

FORMAL COMPLAINT OF SEXUAL HARASSMENT

A **formal complaint** is an official document alleging sexual harassment. The College will investigate the allegations set forth in a formal complaint.

A formal complaint must be submitted by the employee, student, or the student's parent or legal guardian (in some cases), or signed by the Title IX Coordinator.

Formal complaints may be filed with the Title IX Coordinator in person, by mail, by telephone, or by email:

Katy Ro, Academic Dean
600 N. Market street
Wilmington, DE 19801
302-622-8000 x210
kro@dcad.edu

Even if the student or employee opts not to file a formal complaint, the Title IX Coordinator may decide to file a formal complaint on his/her own, which starts an investigation.

Emergency Removal: A respondent may be removed from the College's work environment, education programs, or activities on an emergency basis if the respondent poses an immediate threat to anyone's physical health or safety.

GRIEVANCE PROCESS:

The following are procedures for the grievance process for student and employee complaints of sexual harassment:

- The individuals involved in this grievance process are prohibited from discriminating against a complainant or respondent on the basis of sex.
- Prior to the interview of the respondent, both parties (the complainant and respondent) will receive written notice of the grievance process, notice of the allegations, the presumption of innocence of the respondent, an equal opportunity to select an advisor of the party's choice (who may be, but does not need to be, an attorney), an equal opportunity to submit, inspect, and review evidence throughout the investigation, notice of the policy that providing false information or falsifying information for the intention to defraud or deceive is in violation of the College's code of conduct (student or employee), and notice of the opportunity to engage in informal resolution.
- The College will provide written notice of the date, time, location, participants, and purpose of all hearings, interviews, or other meetings, with sufficient time for the party to prepare.
- The College will provide equal opportunities for the parties and their advisors to inspect and review the evidence obtained by the school as part of its investigation if the information is directly related to the allegations raised in the formal complaint.

- The College will give the parties a meaningful opportunity to respond to the evidence after the College has provided it.

- After gathering evidence, the College will provide an investigative report on the allegations of the formal complaint. The parties will have ten (10) calendar days to respond to the report in writing. If responses are submitted, the College will consider the response before finalizing the investigative report.

- The investigative report will then be finalized and provided to the parties. The investigative report will be circulated to the parties at least another ten (10) calendar days before any determination of responsibility, or ten (10) calendar days before a hearing, if a hearing occurs.

- Temporary delays are permitted only for a good cause. A good cause can include law enforcement activities, the absence of a party or witness, the absence of a party's advisor of choice, or the need to provide language assistance or accommodations of disabilities.

- The College will protect parties' privacy by requiring a party's written consent before using the party's medical, psychological, or similar treatment records during the grievance process.

- No information protected by a legal privilege, such as the attorney-client privilege or the doctor-patient privilege, can be used during an investigation unless the person holding that privilege has waived it. Neither a party nor the school is allowed to seek or permit questions about or allow the introduction of evidence that is protected by a recognized privilege.

- The relevant evidence, including inculpatory and exculpatory evidence, will be objectively evaluated.

- Credibility determinations will not be made on the basis of a person's status as a complainant, respondent, or witness.

- The College will apply a presumption that the respondent is not responsible during the grievance process (often called a "presumption of innocence").

- The College bears the burden of proof and must correctly apply the standard of evidence. Any finding of responsibility comes at the conclusion of the grievance process. The College will use the preponderance of the evidence standard (the same standard will be used for formal complaints against students as for formal complaints against employees);

- The College will hold a live hearing during the grievance process.

- In the hearing, the parties' advisors are permitted to cross-examine other parties and witnesses. No party is permitted to cross-examine other parties and witnesses. If a party does not have an advisor, the College will provide the party with an advisor of the College's choosing, free of charge, solely for the purpose of conducting relevant cross-examination on that party's behalf. The advisor does not need to be a lawyer.

- If a party or witness chooses not to appear at the live hearing or chooses not to answer cross-examination questions, the decision-maker will exclude that party's or witness's statements and will evaluate any evidence that does not involve those statements. The decision-maker will not make inferences about the determination regarding responsibility based on the fact that a party or witness did not come to the hearing or submit to cross-examination.

- If either party requests it, the entire hearing will be held with the parties located in separate rooms, with technology enabling everyone to see and hear each other.

- In order to better coordinate schedules, the College may choose to hold the entire live hearing virtually, or the College may allow some participants to appear virtually, with technology that allows everyone to see and hear each other.

- The College will comply with all disability laws so that individuals with disabilities who participate in a school's grievance process are appropriately accommodated.

- The decision-maker will make a determination as to whether a question asked by a party advisor is relevant BEFORE the party or witness has to answer it.

- Questions and evidence about a complainant's prior sexual history are not relevant, with two limited exceptions:

    1. Where such information is offered to prove that someone other than the respondent committed the alleged sexual harassment; or

    2. It relates to sexual behavior between the complainant, and the respondent offered to prove consent.

- The College will create an audio or audiovisual recording, or transcript, of any live hearing, and make it available to the parties for inspection and review.

DECISION-MAKER AND DETERMINATION OF RESPONSIBILITY:

- The College will ensure the decision-maker is not the same person as the investigator or the Title IX Coordinator and will ensure there are no other conflicts of interest or bias with any of the individuals involved in the grievance process.

- The College will ensure all decision-makers receive training regarding bias and relevancy of evidence.

- Whether or not a hearing was held, the College's decision-maker will objectively evaluate the relevant evidence and reach conclusions about whether the respondent is responsible for the alleged sexual harassment.

- The decision-maker will weigh the relevant evidence and decide whether it meets the College's standard of evidence for sexual harassment.

- The College will send the written determination simultaneously to the parties, along with information regarding how to appeal the determination.

- The decision maker's written determination will include the following:

    1. The portion of the school/College's policy that was violated;

    2. A description of the procedural steps that were taken by the College;

    3. A findings of fact section;

    4. A section that draws conclusions after applying the facts to the portion of the school/College's policy that applies;

    5. A statement and rationale for the ultimate determination of responsibility;

    6. Any disciplinary sanctions that the College will impose on the respondent, and a statement regarding whether the College will provide remedies to the complainant;

    7. A statement and rationale for any remedies for the complainant, addressing how those remedies will restore and preserve equal access; and

8. A statement of the College's procedures that the parties have a right to appeal the initial determination regarding responsibility, and the permissible bases for appeal.

- If a respondent is found responsible for sexual harassment, the College will effectively implement remedies for a complainant designed to preserve or restore equal access to the school's education program or activity.

- A complainant's remedies can be disciplinary against the respondent and can range from a disciplinary referral to a recommendation for expulsion or termination of employment depending on the circumstances. Supportive measures, such as the following may also be implemented:

    - Counseling;
    - Extensions of deadlines or other course-related or work-related adjustments;
    - Modifications or work or class schedules;
    - Campus escort services;
    - Leave of absence;
    - Increased security or monitoring of certain parts of campus; and/or
    - Mutual restrictions on contact between individuals (if there is a determination of sexual harassment, a no-contact restriction may be implemented).

- **Dismissal of Complaints**:

    - **Mandatory Dismissals**

        - The College must dismiss a complaint that:

            - Does not describe conduct that meets the definition of sexual harassment;
            - Alleges sexual harassment that did not occur in the College's education program or activity; work environment and/or
            - Alleges sexual harassment that did not occur in the United States at all.
            - These complaints may be addressed under the code of conduct, depending on the circumstances.

    - **Discretionary Dismissals:**

        - The College may dismiss a complaint if:

            - If the complainant notifies the Title IX coordinator in writing that the complainant wishes to withdraw the formal complaint or some of its allegations;
            - If the respondent is not enrolled in, or employed by, the College; or
            - If specific circumstances prevent the school from gathering evidence sufficient to reach a determination about the allegations.

- In the event of a dismissal of a formal complaint, the College will promptly send written notice of the dismissal and the reasons to both parties. Either party has the option to appeal the decision.

- Individuals involved in the process will be trained in accordance with Title IX regulations, and the materials used to train Title IX personnel are available on the College's website.

APPEAL OF THE DETERMINATION OF RESPONSIBILITY:

The complainant or respondent may appeal the decision maker's determination of responsibility or the dismissal of a formal complaint to the College's President, Jean Dahlgren, (or designee) within ten (10) calendar days of receiving the determination of responsibility or the notice of dismissal. The appeal decision-maker will not be the same individual who made the determination of responsibility, the investigator, or the Title IX Coordinator.

The following are permissible grounds for an appeal:

1. A procedural irregularity affected the outcome of the matter;

2. New evidence has been discovered that was not reasonably available at the time of the determination on responsibility or dismissal; and/or

3. A conflict of interest on the part of the Title IX Coordinator, an investigator who complied evidence, or a decision-maker, and the conflict of interest affected the outcome.

- If a party files an appeal, the College will notify the parties in writing and will implement appeal procedures equally.

- Both parties will have the opportunity to submit a written statement supporting or challenging the outcome.

- After considering the parties' written statements, the Superintendent (or designee) will issue a written decision no later than 15 calendar days from the parties' written submission and send it to the parties simultaneously.

- The President's determination regarding whether the respondent is responsible for the sexual harassment allegations becomes final after appeal.

INFORMAL RESOLUTION PROCESS

- In appropriate cases, the College may explore the facilitation of a voluntary, informal resolution of the formal complaint. This is not an option in any case where the respondent is a College employee.

- The College will only attempt informal resolution if each party enters the process completely voluntarily. No party will ever be forced or coerced into engaging in an informal resolution.

- The College will obtain the parties' voluntary, written consent before using any type of informal resolution process, such as mediation or restorative justice.

- The College will provide a facilitator who is free from conflicts of interest or bias, and who has received special training.

- Even in situations where the parties engage in voluntary, informal resolution, the College will provide the complainant and respondent with notice of the allegations, notice of their rights, information about whether an informal process is confidential, and assurance that any party may withdraw from the informal resolution process at any time before an agreement is reached.

RECORD KEEPING

The College will maintain the following records for seven (7) years:

1. Records of a school's investigation;

2. Records of any appeal and the materials associated with the appeal;

3. Materials used to train Title IX Coordinators, investigators, decision-makers, and anyone who facilitates an informal resolution; and

4. Records of supportive measures that the College took in response to a report or complaint of sexual harassment.

PROHIBITION OF RETALIATION

The College prohibits retaliation against any individual, including complainants, respondents, and witnesses, for reporting sexual harassment or participating (or refusing to participate) in any Title IX grievance process.

If any individual feels that he or she has been threatened, coerced, or discriminated against in an effort to chill the exercise of Title IX rights, then he or she should make a report of retaliation. All complaints of retaliation should be reported to the Title IX Coordinator or the President of the College, and the College will ensure a prompt and equitable resolution of the complaint.

It is not retaliation for the College to punish an individual for making a bad faith, materially false statement during a Title IX grievance process. Additionally, engaging in protected speech under the First Amendment does not constitute retaliation.

The College will keep the identities of parties and witnesses confidential unless disclosure of an individual's identity is required under other laws or is necessary in order to conduct the grievance process.

Any individual shall have the right to file a formal complaint with the U.S. Department of Education, Office of Civil Rights at any time.

Office for Civil Rights, Philadelphia
U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107
Tel: (215) 656-8541
Fax: (215) 656-8605
E-mail: *OCR.Philadelphia@ed.gov*

OCR Electronic Complaint Form:
http://www.ed.gov/about/offices/list/ocr/complaintintro.html

In the event that a formal complaint does not meet the criteria to be processed under DCAD's Title IX Policy, the college will process the complaint through its Harassment Policy.

Delaware College of Art & Design Policy on Harassment

All Delaware College of Art and Design ("DCAD") employees should enjoy a non-hostile, non-intimidating, and non-offensive work environment free from unlawful harassment. Unlawful harassment in the workplace is a form of employment discrimination. It is the policy of DCAD that unlawful harassment, in any form, is unacceptable conduct that will not be tolerated. Under this policy, all employees share responsibility for assuring that the workplace is free from all forms of harassment. Unlawful harassment is any form of harassment based on an individual's religious affiliation or belief, gender, veteran status, national origin, race, marital status, disability, sexual orientation, gender

identity, color, creed, age, genetic information, that the individual was the victim of domestic violence, a sexual offense, or stalking, or any other category protected by law. Specifically as to sexual harassment:

Pursuant to Federal and State law, sexual harassment of an employee is an unlawful employment practice when the employee is subjected to conduct that includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an employee's employment;

(2) Submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

Specific examples of behaviors that are prohibited may include, but are not limited to:

- Physical assaults of a sexual nature;
- Unwanted and unnecessary physical contact with another employee;
- Unwelcome advances, propositions or sexual flirtations;
- Subtle pressure or requests for sexual activities;
- Verbal abuse of a sexual nature including, but not limited to, inappropriate verbal comments about an individual's body or sexual activities;
- Inappropriate use of sexually explicit or offensive language in discussions with or which describe an individual;
- Sexually explicit or sexually offensive jokes; and
- Display in the workplace of sexually suggestive objects or pictures, graffiti, or cartoons.

The purpose of this policy is to establish a method by which complaints regarding alleged or suspected harassment can be processed.

Employees who believe they have been subjected to harassment or any other unlawful employment discrimination should immediately report the basis of such belief to their direct supervisor and DCAD's Title IX Coordinator.

The complaint should be in writing, stating the basis for the complaint completely and listing the names of the persons involved and the dates of any specific incidents.

If the complaint involves someone in the employee's direct line of supervision, the employee is uncomfortable discussing the complaint with the individuals designated or is not satisfied with the resolution, that employee should report the matter promptly to DCAD's Title IX Coordinator and/or the President.

Additionally, all supervisors have an obligation to report any observations, reports, and/or complaints of alleged harassment to DCAD's Title IX Coordinator and/or the President. Supervisors who fail to do so are subject to discipline, up to and including termination.

DCAD will investigate all allegations of harassment promptly and will take appropriate corrective action when warranted.

Any employee who is found to have engaged in harassment in violation of this policy will be subject to appropriate disciplinary action, up to and including termination of employment.

Retaliation, in any form, against an employee or applicant who exercises his or her right to make a complaint under this policy, is strictly prohibited and will, in itself, be cause for appropriate disciplinary action. If an employee feels he/she has been subject to retaliation, the employee should file a complaint using the procedures set forth above.

D.7. WORKPLACE BULLYING

The College is committed to providing a safe and healthy work environment for all employees. As such, the College prohibits bullying of any kind and will deal with complaints accordingly. This policy applies to employees while working, at work functions, and while traveling on business. Bullying is defined as unwelcome or unreasonable behavior that demeans, intimidates, or humiliates an individual or group of individuals. Bullying can be:

- An isolated incident or persistent incidents
- Carried out by a group or an individual
- Either direct or indirect
- Verbal or physical

Some examples of bullying include:

- Abusive or offensive language
- Unwelcome behavior
- Unreasonable insults or criticisms (especially in public)
- Teasing and/or spreading rumors
- Trivializing work or achievements
- Exclusion or isolation

Bullying can have devastating results. If you witness bullying or suspect bullying is taking place, report it to your supervisor and/or to the director of finance immediately. All suspected incidents of bullying will be thoroughly investigated, and disciplinary measures will be taken accordingly.

D.8. WEAPONS IN THE WORKPLACE

The College prohibits the possession of firearms or any other lethal weapon on College property, in a vehicle being used on College business, in a College-owned or leased parking facility, or at a work-related function. This applies to all employees, students, and visitors on College property, even those who are licensed to carry weapons. Some examples of prohibited weapons include:

- Firearms (pistols, revolvers, shotguns, rifles and bb guns)
- Knives (switchblades, gravity knives, or any knife with a blade longer than three inches)
- Metal knuckles
- Bows and arrows
- Tasers

We prohibit weapons to ensure the safety and security of all employees and persons visiting the College. Any employee found in violation of this policy will be subject to disciplinary action, up to and including immediate termination. If you have questions or concerns regarding this policy, please contact the director of finance.

D.9. CONFLICT OF INTEREST

The Delaware College of Art and Design was organized and exists for the purpose of qualifying its students to engage in learned professions or other employment of society and to discharge honorably and usefully the various duties of life. A fundamental principle of such an endeavor is the application and use of high ethical and moral standards. The purpose of this policy is to assure all who look to the College for service and leadership that those people who teach and otherwise work in the employment of the College, as well as members of the Board of Trustees and President's Leadership Council, dedicate themselves to the welfare of the College and its students to the exclusion of ulterior purposes and conflicts of interest.
Activities that conflict with the interest of the Delaware College of Art and Design or cause employees to favor outside or personal interests over those of the College must be avoided.

In all activities and statements, Delaware College of Art and Design employees must make it clear whether they are acting or speaking for the College, their professional associations, or themselves. They must not represent or appear to represent, DCAD without a mandate to do so.
Discovery of events of a questionable, fraudulent, or illegal nature, or which appear to be in violation of the code of ethics, must be reported promptly to the president or director of finance. If such instances are identified with persons at the highest management levels within the College, the matter should be reported to the president or the Board of Trustees of the College. Failure to report such events also constitutes a violation of the code of ethics.
Violations of the code of ethics may constitute grounds for dismissal. Employees are expected to act fairly and honestly in all transactions with DCAD and with others to maintain the high ethical standards of the College. If an employee is unsure whether there may be a violation of the code of ethics, he/she should contact the president or the director of finance.

D.10. FUNDRAISING

The Delaware College of Art and Design, as a privately supported not-for-profit corporation, depends on donations from private individuals and from granting institutions. The involvement of an employee in fundraising for any other non-profit organization may create a conflict of interest**.** Employees who desire to participate in such activities must consult the president.

D.11. BUSINESS ETHICS

Every employee shall abstain from discussion and voting on any matter, which relates to the decision to engage or continue the services of a person, firm, or entity with which he or she is affiliated, including discussions and voting on the creation or termination of such relationships, or the compensation or other terms on which the relationship will exist. Any employee who is affiliated with another entity doing or desiring to do business with DCAD, or who holds a position of influence with another educational or arts-related institution, shall provide to the president complete information with respect to this relationship.

Employees must award orders, contracts, and commitments to suppliers of goods and services without favoritism. College business of this nature must be conducted strictly on the basis of merit.

D.12. DCAD INTELLECTUAL PROPERTY POLICY (DRAFT 2.3.14)

This policy has been adapted with permission from the University of the Arts.

“Faculty and Staff Work: As a general rule, DCAD does not claim copyrights in journal articles, books, lectures, musical compositions, creative works, or other copyrightable works that are created through independent academic effort or creative activity and that are intended to disseminate the results of academic research and scholarship, and/or to exhibit forms of artistic expression on the part of faculty, staff, and students.”

Introduction.

As a creative community of teachers, artists, and scholars, The Delaware College of Art and Design (hereafter DCAD) is committed to encouraging the creation of new works, new ideas, and new forms of creative and scholarly expression. With that in mind, we have established a “Policy on Intellectual Property” (hereafter the “Policy”) that is intended to protect the interests of those who create as well as the interests of the DCAD itself, which supports this creative and scholarly work.

I. Purpose and Scope:

This Policy expresses DCAD’s approach to ownership of intellectual property. It covers all those who are a part of DCAD’s – faculty, staff, students, visiting artists, visiting scholars, or other participants enrolled, employed or affiliated with DCAD, and this Policy governs in all circumstances unless DCAD has modified it through a specific agreement connected to a sponsored or commissioned work or as part of work under a grant or contract. Should there be any conflict between the provisions of this Policy and the terms of a separate agreement between DCAD and one of the individuals listed above, the terms of that separate agreement will govern.

II. Terminology:

The following terms are used throughout the Policy and are defined in Appendix A:
A. Copyright; B. Patent; C. Trademark and Service Mark; D. DCAD Employee; E. Students; F. Work; G. Sponsored Work; H. Student Work; I. Commissioned Work; J. Work Made for Hire; K. Independent Academic Effort or Creative Activity; L. Substantial DCAD Resources

III. The Rights of the Creator of IP Works:

We are indebted to the following institutions for their work on this intellectual property policy, which we have adapted to suit DCAD's needs: The University of the Arts, Art Center College of Design, Berklee College of Music, Boston College, California Institute of the Arts, Carnegie Mellon University, Cornell University, Indiana University, Ithaca College, Maryland Institute College of Art, Rhode Island School of Design, Savannah College of Art and Design, Tisch School of the Arts, University of California, University of Minnesota, University of Rochester, University System of Maryland, Stanford University, Washington University in St. Louis, and Wheaton College.

A. Faculty and Staff Work: As a general rule, DCAD does not claim copyrights in journal articles, books, lectures, musical compositions, creative works, or other copyrightable works that are created through independent academic effort or creative activity and that are intended to disseminate the results of academic research and scholarship, and/or to exhibit forms of artistic expression on the part of faculty, staff, and students.

Exceptions to this general rule include works that are sponsored works, commissioned works, or works involving the use of substantial DCAD resources (see Section V and Appendix A), or works made for hire. (See Appendix A and also Section IV for the DCAD ownership rights and rights of use.) Curricular proposals are deemed to be works made for hire. DCAD does not claim copyrights to syllabi created by faculty in the employment of DCAD. However, the DCAD retains the right to use and reproduce syllabi for educational purposes.

In terms of commissioned or sponsored works that are deemed works made for hire, the commissioning party is legally the author and thus owner of any such works. If a work made for hire is developed jointly by employees and/or students of DCAD and a non- DCAD party, the copyright of the resulting work will be jointly owned by DCAD and that party, unless modified in a written agreement.

Ownership of all patents relating to employee works and sponsored works is discussed in the section of this Policy that addresses patents.

In the case of the use of substantial DCAD resources, the authorizing parties within DCAD will develop a written agreement with the user of those resources to determine possible reimbursements, sharing of royalties, or other systems of compensation back to DCAD.

B. Student Work: DCAD makes no claim of copyright ownership in works created by undergraduate and graduate full-time, part-time, exchange, and "special status students" working on their own, or developed in the context of a course, i.e., without the use of substantial DCAD resources, and outside of any employment by DCAD. DCAD also makes no claim of copyright ownership in works that are not sponsored, contracted, or commissioned by DCAD. Note the following rules:
(a) Students working on a project governed by an existing written agreement to which DCAD is a party are bound by all terms of that agreement.
(b) Students hired to carry out specific tasks that contribute to a copyrighted or patented work of DCAD retain no rights of ownership in whole or in part to that work or to the student's contribution to that work.
(c) Students working collaboratively with DCAD employees on projects that result in copyrighted or patentable works are granted the same rights and subject to the same limitations of ownership as would the employees working on their own. However, students working collaboratively with DCAD employees are required to produce, sign, notarize, and file a written agreement outlining their rights before commencing on such projects. Either party has the right to initiate such an agreement.

C. Independent Contractor Work: As a general rule, DCAD will only retain the copyright in a work that is created by an independent contractor DCAD has specifically ordered or commissioned the work and if a written agreement designating the work as a "work made for hire" and/or requiring assignment of the copyright rights in the work has been executed and signed by both parties. Subject to this rule, all DCAD employees will be considered

independent contractors with respect to any work that bears no relation to their employment as defined by their regular employment contract, and/or if they do not receive additional compensation beyond that specified in their regular employment contract and/or do not use substantial DCAD resources. Similarly, all DCAD students will be considered independent contractors if the work carried out bears no relation to existing student employment and/or if they do not receive additional payment for the work and/or do not use substantial DCAD resources.

D. Patentable Work: This Policy administers claims to patent ownership according to the procedures outlined below.

1. General Principles:

(a) Upon becoming aware of a potentially patentable invention or discovery, e.g., a potentially patentable article, method, apparatus or composition of matter, an employee of DCAD is required to report such finding promptly to the Dean if it has been created within the scope of employment as defined by the employment contract or job description, or if it is the result of substantial use of DCAD resources. Such invention or discovery, if patentable, may be deemed the property of DCAD.

(b) All patentable work undertaken as a sponsored or commissioned work shall be deemed the property of DCAD unless otherwise provided for in a separate written agreement.

(c) Normally, all patentable work done by students created in a course shall belong to them. However, work that involves substantial DCAD resources must be reported to the Office of the Dean and, if patentable, may be deemed the property of the DCAD.

2. Reporting Procedure:

(a) This report should be made in the form of the completed Invention/Discovery Disclosure Form in effect at the time such invention or discovery is made.

(b) Upon the report of potentially patentable work, DCAD may decide to pursue an investigation into the patentability of the specific invention or discovery through the use of appropriate legal and technical counsel. All costs for such an investigation will be borne by DCAD. If the investigation reveals that the invention or discovery may be patentable, DCAD will decide whether to commence the patent application process, again bearing all fees and costs.

(c) In the case of inventions or discoveries that are the subject of applications filed by DCAD, all right, title and interest to the inventions or discoveries, including the applications and any patents issuing therefrom vests with DCAD, and all employees and students subject to this clause do hereby assign and agree to assign all such right, title and interest to DCAD and to sign all documents considered necessary by DCAD to perfect and/or record the ownership rights of DCAD set forth herein.

3. Ownership and Royalties:

(a) If DCAD does not pursue an initial patentability investigation with respect to an employee's invention or discovery, or if DCAD decides upon investigation not to pursue a patent, or if DCAD discontinues pursuit of a patent at some point in the patent application process, DCAD may, in its sole discretion, which will not be unreasonably withheld, reassign ownership to the employee within a reasonable amount of time to be determined by the President and the Dean. At the employee's request, DCAD will provide written notification to the employee of DCAD's intent not to pursue a patent and a statement allowing the employee to pursue the patent.

(b) In those cases where DCAD fulfills its obligations to pursue the patent and succeeds in securing that patent, DCAD will make the appropriate licensing arrangements, where applicable. All costs for such procedures are to be borne by DCAD but will be recovered by DCAD from accumulated net income prior to any inventor or DCAD distributions. The subsequent accumulated net income, including gross royalties, and licensing fees from the patented discovery, device, or system, less all related direct expenses, will be divided as follows unless the parties agree otherwise in writing:
The inventor's share will be divided among his or her co-inventors, assistants, and any other relevant parties, as determined by a prior contract between the inventor, co-inventors, assistants, other relevant parties, and DCAD. The inventor's share will continue regardless of his or her subsequent employment status with DCAD. The Patent License Agreement Form attached hereto reflects DCAD's standard approach to licensing patent rights, but such an approach may be changed or modified at the sole discretion of DCAD.

First $5,000 net $5,001-$50,000 net above $50,000 net Inventor 100% 50% 40% DCAD 0% 50% 60%
If after a patent is obtained by DCAD and after a reasonable amount of time and a reasonable amount of effort, there has been no successful licensing of the patent, the inventor may apply to the Intellectual Property Review Council (IPRC)

to have the patent re-assigned to him/her. However, reassignment shall be at the sole discretion of DCAD, which shall not be unreasonably withheld. In the event of such a reassignment, the inventor shall grant to DCAD a royalty-free, non-exclusive, worldwide license to employ the invention(s) for the sole use of DCAD, unless DCAD specifically waives its right to such a license, in writing.

4. DCAD Ownership Rights and Rights of Use:

DCAD retains the royalty-free right to archive, use and reproduce works that it does not own, including faculty, staff, and student works, and the work of independent contractors using DCAD facilities, not subject to "work made for hire" agreements. DCAD's use is limited to non-commercial use, e.g., uses in support of education and scholarship, research, exhibition, archiving, accreditation, development, alumni relations, and promotion of DCAD and its activities generally.

DCAD retains ownership of sponsored works, commissioned works, or works involving the use of substantial DCAD resources (see Definition of Terms and Section V), or works made for hire (see Appendix A). DCAD retains all such rights unless they are modified by the specific terms of a written agreement. The rights of DCAD to a non-exclusive, global license to use and reproduce copyrighted materials for educational, research, and promotional purposes must be included in any agreement with a non- DCAD sponsor.

A. Trademarks, The Delaware College of Art and Design, on behalf of itself and other such established entities, claims ownership and exclusive right to use all relevant marks. This Policy is designed to protect the reputation of the institution and related entities and to prevent income from being generated through illegal or unapproved use of the institution's marks. Such marks include any and all names, logos, insignias, and related words, phrases, and images used by the institution and its related entities.

No DCAD mark(s) may be used without the prior written authorization of the appropriate authorities in the institution. However, faculty, staff, and students may use the mark for professional identification or affiliation. All products and services bearing the DCAD marks and distributed for sale or other promotional purposes are subject to the licensing policies of DCAD.

All requests for the use of DCAD marks must be submitted in writing to the Director of DCAD Communications. If the party seeking permission to use a DCAD mark is an entity outside of DCAD, be it a business, institution, organization, or an individual, that party must sign a license agreement with an official agent of DCAD authorizing its use of the requested DCAD mark(s). The Director of DCAD Communications retains information concerning what names, logos, insignias, and related words, phrases, and images currently comprise DCAD marks.

5. Substantial Use of DCAD Resources: Although "Substantial DCAD Resources" is defined (see definition of terms at the end of this Policy), it is acknowledged that such resources and their use may change over time, with changes in technology, physical infrastructure of DCAD, modes of employment, etc. Therefore, this Policy allows the Intellectual Policy Property Review Council (IPRC) to review the definition of "substantial use" in a regular manner in order to establish an appropriate standard. At the same time, this Policy allows appeal by all parties to the IPRC, as described below.

6. Reservation of Rights: DCAD reserves the right at any time in its sole discretion to modify and/or make changes to the Policy as advisable or appropriate. DCAD agrees, however, that it will endeavor to notify the entire DCAD community through both print and electronic means of its intention to make modifications and/or changes to the Policy at least 30 working days prior to their enactment.

7. Effective Date: This Policy is effective from May 31st, 2014, and will remain in effect until modified or revoked by the DCAD.

8. Jurisdiction: DCAD shall have the right to determine the most appropriate forum for any litigation, and in addition to applicable federal laws, the laws of Delaware without regard to choice of law provisions shall also apply in interpreting any contract or property issues raised by this Policy.

APPENDIX A: DEFINITIONS OF TERMS USED IN INTELLECTUAL PROPERTY POLICY

A. Copyright: Copyright is the intangible property right granted for a limited period of time by federal statute (Title 17 of the U.S. Code) for an original work of authorship fixed in any tangible form of expression. Copyright provides the owner of a "work" (defined in F.(a) below) with a number of exclusive rights including the exclusive right to reproduce

the work, to prepare derivative works based on the work, to distribute the work by sale or otherwise, to display the work publicly and to perform the work publicly (if relevant).

B. Patent: A United States patent is a property right granted by federal statute that permits the owner to exclude others from engaging in a number of activities, including the making, using, selling, or importing of a claimed invention throughout the United States for a set period of time. In the United States, an invention must be useful, novel, and non-obvious to be eligible for patent protection. Similar rights are granted in other countries, but the discussion of Patents in this Policy will focus specifically on United States patent rights.

C. Trademark and Service Mark: A trademark or service mark is a distinct word or phrase, name, symbol, device, picture, graphic, or some combination of these elements that is used in trade to identify goods or services. A trademark/service mark (hereinafter collectively, a "mark") serves both to identify the source of goods/services and to distinguish those goods and services from the goods and services of others. A mark owner can prevent other entities from using the same or a similar mark in a manner that dilutes famous marks of others or to identify overlapping or related goods and services.

D. DCAD Employee: A DCAD Employee is a full-time or part-time faculty member, visiting faculty, artist, scholar, or fellow (as defined in the Faculty Handbook attached hereto), or a full-time or part-time staff member (as defined in the Staff Handbook attached hereto), or student, who is employed by DCAD or who is working under a DCAD contract, either expressed or implied.

E. Students: A Student is a regularly registered, full- or part-time, undergraduate or graduate at DCAD. It includes students attending DCAD as "special status students": e.g., as participants in Professional Institute for Educators (PIE), Continuing Education (CE), the Pre-College, or Saturday programs; or in exchange programs or through special grants or fellowships.

F. Sponsored Work: A sponsored work is a Work (as defined above) that is produced or created pursuant to a written agreement between DCAD and a sponsor. Sponsored works do not include works created through independent academic effort or creative activity, even when based on the findings of the sponsored project, so long as an agreement does not state otherwise.

G. Student Work: A student work is a Work that is produced or created by a registered full-time or part-time undergraduate, graduate, or "special status student" of DCAD without the substantial use of DCAD facilities or equipment or the direct use of DCAD funds (where student financial aid and/or scholarships would not be considered "DCAD funds"), that is produced or created outside of any employment by DCAD, and that is not sponsored, contracted, or commissioned by DCAD.

I. Commissioned Work: A commissioned work is defined as a Work that is produced or created pursuant to a written agreement with DCAD and for DCAD purposes by (a) individuals not under the employ of DCAD and/or (b) DCAD employees acting outside the scope of their regular DCAD employment, as determined by their existing DCAD employment contract.

J. Work Made for Hire: A "work made for hire" is defined by the United States Copyright Act (Section 101) to be a copyrightable work "prepared by an employee within the scope of his or her employment." Pedagogical, scholarly, and artistic works are typically not considered by DCAD to be "works made for hire." Pedagogical and scholarly works include scholarly articles and papers written for publication in journals, presentations and scholarly papers prepared for seminars and conferences, and teaching materials, including classroom lectures, seminars, presentations, and online media. Artistic works include but are not limited to photography, film, audio-visual works, sculpture, painting, choreography, and the like. Curricular proposals are deemed to be works made for hire.

The Copyright Act also notes that a work made for hire includes "a work specially ordered or commissioned for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or as an atlas, if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire."

Examples of works made for hire include software programs created within the scope of an employee's duties by a staff

programmer for a computer company, a newspaper article written by a staff journalist for the newspaper that employs him/her, and a musical arrangement or ditty written for a music company by a salaried arranger on its staff.

K. Independent Academic Effort or Creative Activity: Independent academic effort or creative activity is defined as the inquiry, investigation, research, or creative activity that is carried out by faculty, staff and students of DCAD that advances knowledge or the development of the arts, sciences, humanities, or technology where the specific direction, methodology, and content of the pursuit is determined by the faculty, staff member(s), or student(s) without the direct assignment, supervision, or involvement of DCAD

L. Substantial DCAD Resources: Any substantial use of DCAD equipment, facilities, time, personnel, and monetary expenditures is considered a use of "substantial DCAD resources." This use does not include resources commonly provided to DCAD faculty and staff, such as offices, library facilities, basic artistic facilities, and everyday telephone, computer, and computer network support. However, substantial time spent in the use of these latter resources may constitute the use of "substantial DCAD resources." Resources not considered "commonly provided" include specially procured equipment or space, additional staffing or personnel, utilization beyond normal work hours of DCAD personnel, and monetary expenditures that require a budget. Faculty may use the basic artistic facilities unless use infringes on student use of those facilities for coursework.

D.13. CONFIDENTIAL INFORMATION

An employee may not disclose to any person who has no need to know any confidential or material non-public information acquired in the exercise of his/her responsibilities as an employee of the Delaware College of Art and Design.

For further disclosure information, please refer to the *Family Educational Rights and Privacy Act.*

D.14. ACCEPTANCE OF GIFTS & SERVICES

No employee may accept a gift directly or indirectly, in any form, from a supplier or prospective supplier.

For the purpose of this policy, the term "gift" means anything of significant value, including such meals and entertainment that do not serve a demonstrable business purpose. This policy extends to the employee's immediate family (spouse or life partner, parent, child, stepchild, or sibling) or any person with whom the employee shares or has shared a residence within the last year and with whom the employee maintains a committed relationship.

D.15. HOSPITALITY TO PUBLIC OFFICIALS

Acts of hospitality toward public officials should never compromise or give the impression of compromising integrity or the reputation of either the public official or the College. When appropriate hospitality is extended, it should be with the expectation that it will become a matter of public knowledge.

D.16. COPYRIGHTS AND ROYALTIES

As both a legal and ethical principle, creative works performed as part of an employee's assigned duties are the property of the College, together with any related copyrights, publication rights, or royalties. This is true whether the work is created during or outside of regular working hours since it involves the privileged use of College resources and is a responsibility of the job for which the employee is paid.

The patent or copyright royalties of any item or idea produced by an employee of the College when that item or idea is not directly related to the employee's job, and regardless of the employee's utilization of knowledge, information, or skills derived from the College, belong to the employee.

For further resources, see *Columbia Copyright*.

D.17. DRUG-FREE WORKPLACE POLICY

D.17.a. Introduction

The Delaware College of Art and Design policy regarding alcoholic beverages and illegal drugs has been established for the well-being of faculty, students, and staff. It is intended to promote and maintain a safe environment that is conducive to learning and to protect individuals and the institution from liability. The Delaware College of Art and Design does not condone the violation of Delaware and federal laws pertaining to the use of alcohol and illegal drugs. All students, faculty, and administrative staff are expected to be familiar with and abide by these laws and regulations.

D.17.b. Covered Workers

Any individual who conducts business for the College, is applying for a position, or is conducting business on the College's property, is covered by DCAD's drug-free workplace policy. Our policy includes, but is not limited to, full-time employees, part-time employees, volunteers, and students.

Applicability

The unauthorized use and abuse of alcohol and illegal use of drugs (while on the job or attending College functions either on or off campus) are violations of employee conduct; therefore, this policy applies whenever conducting business or representing the College. In addition, the College prohibits the off-premises abuse of substances when those activities adversely affect job performance or job safety.

D.17.c. Drug and Alcohol Policy

The use of drugs and/or alcohol affects job performance, influences workplace morale, and jeopardizes the safety of coworkers. Employees are prohibited from the illegal use, sale, dispensing, distribution, possession, or manufacture of illegal drugs, controlled substances, narcotics, or alcoholic beverages on College premises. Compliance with the Drug-Free Workplace Act shall be considered a condition of employment at DCAD.

Employees will be subject to disciplinary action, up to and including termination, for violations of this policy. Employees who are convicted of any criminal drug violation occurring in the workplace must report the conviction to the director of finance within five (5) days. The director of finance is then to take appropriate action as required by law.

Employees believed to be under the influence of drugs, narcotics, or alcohol will be required to leave the premises for the rest of the day, without pay. This will count as a first offense. If the employee commits a second offense, of the same, he/she will be subject to discipline, up to and including termination.

Any employee who is abusing drugs or alcohol may be granted a leave of absence to undergo rehabilitation treatment. The employee will not be permitted to return to work until certification is presented to the director of finance that the employee is capable of performing his or her job. Failure to cooperate with an agreed-upon treatment plan may result in discipline, up to and including termination. Participation in a treatment program does not insulate an employee from the imposition of discipline for violations of this or other College policies.

The College will, to the extent feasible, provide continuing awareness programs about the harmful effects of drug and alcohol abuse.

Employees who need to use prescribed drugs or narcotics while at work must report this requirement to the director of finance only if the use might impair their ability to perform the job safely and effectively. Depending on the circumstances, employees may be reassigned, forbidden to perform certain tasks, or even prohibited from working if they are judged unable to perform their jobs safely and properly while taking prescribed drugs or narcotics.

D.17.d. Assistance

- The Delaware College of Art and Design recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:
    - Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
    - Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- The College's health insurance policy may provide for employees covered under the health plan, a Mental Health and Substance Abuse Benefit. For a complete explanation of benefits and limitations, please consult the College's current health plan or the director of finance.

D.17.e. Confidentiality

All information received by the College through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

D.17.f. Shared Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and administration have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs. In addition, employees are encouraged to be concerned about working in a safe environment.

It is the director of finance's responsibility to:

- Inform employees of the drug-free workplace policy.
- Clearly state consequences of policy violations.

D.17.g. Communication

Communicating the drug-free workplace policy to both supervisors and employees is critical to a successful program. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.

D.17.h. Alcohol and Drug Abuse Treatment Services

The Delaware Department of Health and Social Services is available to assist Delaware College of Art and Design Employees with education, information, and a listing of substance abuse treatment services. The Division of Substance Abuse and Mental Health (DSAMH) provides public drug and alcohol treatment services for adults, primarily through contracts with private agencies.

D.18. SMOKING POLICY

In accordance with Delaware law, smoking is not allowed in any College building. Employees who wish to smoke may do so any place outside the building except within 25 feet of any College entrance or exit. Smokers have a special obligation to keep smoking areas litter-free and to responsibly observe break and work rules.

E. EMPLOYMENT

E.1. STANDARD OF CONDUCT AND CORRECTIVE ACTION

E.1.a. Employee Behavior

The Delaware College of Art and Design expects all employees to behave in a professional manner during working hours and/or while representing the College at any time. Employees are expected to adhere to the highest standards of honesty, fairness and integrity; to respect the rights of the College, its students, visitors, fellow employees and other members of the College community; and to perform job responsibilities conscientiously and energetically. Specifically, all employees are expected to:

- Actively support and pursue the mission and goals of the College as stated in the College mission statement.
- Protect and preserve the business operation and reputation of the College, as well as the morale of its employees.
- Adhere to all policies and procedures of the College.
- Respect and follow the established lines of communication within the organizational structure of the College.
- Maintain the confidentiality of all information relating to the College, its members, and its employees.
- Perform all job functions as stated in the job description and as assigned by the supervisor.
- Provide efficient and effective service as well as personal and courteous attention to all students and visitors.
- Maintain the security of the facilities and property of the College.
- Interact positively with fellow employees, students, and visitors to the College.
- Report to work punctually as scheduled.
- Give proper advance notice whenever unable to work or report on time.
- Perform various duties at College fundraisers and other College-sponsored events, as requested.

As part of the DCAD community, employees are expected to participate in College-wide functions such as gallery openings, lectures, field trips, and workshops, where appropriate.

E.1.b. Personal Appearance

Dress should be appropriate for the workplace, with consideration for the nature and location of the employee's responsibilities. Employees should be sensitive to their schedules and determine if business dress is more appropriate for a meeting, appointment, or special event that may be scheduled for that day.

E.1.c. Corrective Action

E.1.c.i. Open Door Policy

The Delaware College of Art and Design hopes that complaints will be resolved expeditiously in a manner that is fair to all persons involved and promotes open communication between employees. To that end, the College strongly urges any employee who feels that he or she has been wronged by another employee or supervisor to discuss the matter with that employee or supervisor in person before turning to the supervisor's supervisor, the director of finance, or the president and bringing the complaint under the College's Grievance Policy. Although it may be difficult or awkward to initiate these types of discussions, resolving problems with those immediately involved minimizes embarrassment and antagonism and furthers mutual understanding. If the supervisor is unable to ameliorate the complaint through informal communication and a satisfactory resolution is not reached, then the individual may bring the complaint under the College Grievance Policy. A grievance is defined as any difference arising between the individual and the College as to the interpretation or application of College policies, rules, or procedures relative to salaries, fringe benefits, or other conditions of employment.

Failing this, any employee who is aware of or harmed by personnel actions or conducts that is illegal, unethical, or contrary to policies of the College, particularly the College's equal opportunity and sexual harassment policies, should promptly advise the director of finance in writing of all relevant facts. The College will conduct an investigation of the circumstances surrounding the alleged incident, and, if it is determined that the allegations are true, will subject the individual to appropriate disciplinary action, up to and including termination. Any College employee who knowingly brings false accusation against another employee will also be subject to appropriate disciplinary action, up to and including termination.

E.1.d. Disciplinary Procedures

Failure to abide by the policies outlined in this handbook and any other College policies may result in disciplinary action including termination. Misconduct that may result in disciplinary action includes, but is not limited to, purposeful unsatisfactory job performance; breach of DCAD confidentiality; failure to cooperate with a supervisor; refusal to work required overtime; tardiness; unexcused absence; unauthorized removal or use of property owned or controlled by the College or other personal property; dishonesty, falsification or misrepresentation; violation of the College's drug and alcohol policy; or felony violation of law.

Employees should be aware that this list does not attempt to identify every type of unacceptable conduct, and that conduct which is not specifically listed but adversely affects or is otherwise detrimental to the College, its employees, or its constituency may also result in disciplinary action.

E.1.e. Grievance Procedure

Step I

Individual*:* The individual discusses the problem with the supervisor to resolve the matter.

Supervisor: The supervisor attempts to resolve the problem through informal communication to a satisfactory resolution

Step II

Individual: Within five days after verbal discussion, if the problem is not resolved to the satisfaction of the individual, the individual submits to the dean a written statement with all pertinent information of the grievance that articulates the policy (ies) and/or procedure(s) being grieved and the resolution being sought.

Supervisor*:* Within five days of receiving the written grievance, the supervisor responds in writing to the grievant. A copy of the statement is filed with Human Resources. All parties receive copies of the written statements.

Step III

Individual: Within five days of receiving the written response from the supervisor, if no resolution is achieved, the individual meets with Human Resources to review the grievance and file an appeal.**

Human Resources*:* Within five days of meeting with the individual, Human Resources will write a report to be given to the President adjudicating the College's position. All parties receive a copy of this report.

** *In the event of a grievance with the director of finance, also the human resources representative, the individual should submit the grievance directly to the president.*

The President: Within five days of receiving the report from Human Resources, the president will meet with all parties and determine a resolution based on the report and any other information available. Within five days of this meeting, the president renders a written final decision to the individual adjudicating the College's position.

Step IV

Individual: If the individual is not satisfied with internal process, the individual may file a complaint with the Board of Trustees.

Step V

Individual*:* If the individual is not satisfied with the internal process, the individual may file a complaint with outside agencies.

E.1.f. Termination

It is the policy of the College to terminate employment because of an employee's resignation, discharge, retirement; the expiration of an employment contract, or a reduction in the workforce. In the absence of a specific written agreement, employees are free to resign at any time and for any reason and the College reserves the right to terminate employment at any time and for any reason (see Code of Employer/Employee Relations).

E.1.f.i. Forms of Termination:

Resignation

Ordinarily the employee must give three (3) weeks' notice, in writing, of intent to resign to the Chief Financial Officer. Failure to do so will not prejudice benefits but may result in the College's refusal to provide letters of recommendation. Once this notice has been received, its retraction is permitted only by mutual agreement of the employee and the College.

An employee who resigns receives all earned salary. An employee who resigns is not entitled to severance pay.

Employment Abandonment

An employee who is absent for more than three (3) consecutive working days without prior approval and without absence notification is considered to have abandoned his/her employment. On the fourth day of absence, the College will notify the employee by registered mail that employment has been terminated as of the first day of the unauthorized absence.

The notice will indicate the procedure for the employee to receive any earned salary. In case of abandonment, employee forfeits accrued vacation pay. Termination due to abandonment is not retractable unless the employee substantiates that he/she was unable to notify the College as required.

Reduction in Staff/Staff Reorganization

The College provides at least three (3) weeks' notice to employees when a reduction in staff or staff reorganization is required by the president. At the College's discretion, salary may be paid in lieu of notice. An employee who is terminated because of reduction in staff or staff reorganization is paid earned salary.

Discharge

An employee who is discharged is paid earned salary and accrued vacation pay. If an employee is discharged for cause, the employee is provided with sufficient but limited time to collect and remove all personal items. College property, phones, laptops, and computers cannot be altered or removed and must be surrendered forthwith.

Retirement

Employees should notify the College as early as possible of their intended retirement date. Advance notice is needed to process paperwork and to give employees time to make decisions. It is the employee's responsibility to notify retirement benefit plan retirement decision.

All employee benefits plans and programs are subject to amendment or termination, even after retirement, at the College's sole discretion.

Emeritus Status

Upon retirement, full-time faculty members may be granted the title "emeritus" upon recommendation by the academic dean based on distinguished contributions and service to the college during their tenure. Final approval of the title of "emeritus" to a retiring full-time faculty member will be reserved by the president of the College. The following criteria will be required for the title of emeritus:

- Served as a full-time faculty member at DCAD for a minimum of ten years.
- The faculty member's desire to continue association with DCAD after the faculty member's retirement.

Emeritus faculty will maintain an invitation to participate in key traditions of the College which include all convocation and formal exercises, faculty exhibitions, and will continue to have faculty privileges to the College library, studio spaces, and studio equipment as appropriate in order to not interfere with scheduled courses within the programs of Continuing Education and the Associate of Fine Arts degree.

E.2. EXIT INTERVIEW

In most cases, prior to the employee's departure, the director of finance will conduct an exit interview advising the employee of the status of benefits, including termination of benefits, and the method of calculating the employee's final payment, which will cover unpaid wages or salary, and unused annual leave for which the employee is eligible. Information will also be provided regarding the employee's eligibility for continuation of health benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA). At this time, the employee is to return all property belonging to the College to include: keys, equipment, I.D.s, tools, books, slides, reports, files and other work products to the College. Should the employee be unable to return any materials such as books or equipment borrowed from the College, he or she must provide payment equal to their replacement value.

E.3. EMPLOYMENT OF IMMEDIATE FAMILY

Ordinarily, the College does not employ members of the same family: spouse (legal or common law), child, parent, sibling, or any other relative residing in the employee's household. However, in certain cases, an employee's family member may be hired for special projects as a temporary, part-time employee.
If a family member of an employee is considered for employment, it may be only in a department separate from the current employee's, or in a position where there is not a direct or indirect supervisor/subordinate relationship between the employees. However, if two current full-time employees marry or become members of the same household, their employment at the College may continue as long as there is not an actual or apparent conflict of interest.
This policy extends to the immediate family of present and former members of the Board of Trustees and President's Leadership Council.

E.4. BACKGROUND CHECKS

Candidates for full-time employment may be requested to provide information for background checks. Only information directly related to position requirements (e.g., driving record) may be checked. This information is acquired and made accessible on a strictly confidential, need-to-know basis.

E.5. MEDICAL EXAMINATIONS

Successful applicants, to whom a conditional offer of employment has been extended, may be required as a condition of employment to pass a medical examination. This examination will serve only to establish their fitness to perform the jobs for which they have applied, without endangering the health and safety of themselves or others. If management determines that an examination is appropriate to a particular position, all applicants for the job to whom a conditional offer of employment has been made are to be examined.
Employees may be required to have a medical examination on other occasions when the examination is job-related and consistent with business necessity. For example, a medical examination may be required when an employee is exposed to unhealthful conditions, requests accommodation for a disability, or has a questionable ability to perform his/her duties.
Medical examinations required by the College must be performed by an approved physician or licensed medical facility will be paid for by the College, and the examination records will be treated as confidential and held in separate medical files in administration

E.6. IMMIGRATION AND NATIONALITY ACT OF COMPLIANCE

As a result of the Immigration Reform & Control Act of 1986, any offer of employment is conditioned upon satisfactory proof of a prospective employee's identity and legal ability to remain and work in the United States. Each employee must, within three (3) days from the beginning of his/her employment with the College, provide to DCAD

documentation proving the legal right to remain and work in the United States, as evidenced by completion of a U.S. Department of Justice, Immigration and Naturalization Service Form I-9, including all necessary documentation. If the necessary documentation is not provided within this time frame, employment with DCAD will be terminated.

E.7. INTRODUCTORY PERIOD

It is the custom of the College that all new employees and all present employees transferred or promoted to a new job are to be carefully monitored and evaluated for an initial period of three (3) months. After satisfactory completion of the introductory period, those employees will meet with their supervisors to discuss their performance during the introductory period. Termination and resignation during this period may be without notice.

E.8. PROFESSIONAL DEVELOPMENT

The College encourages professional growth and performance in its employees. Employees may serve in national, regional, and state organizations provided that such activities do not interfere with the fulfillment of assigned duties or compromise the College's reputation. College funding for such activities is available on a case-by-case basis, taking into consideration budgetary constraints, immediate needs, long-range planning and the College's responsibilities in the arts and education communities.

An employee who wishes to take part in such activities should inform his/her supervisor in writing as early as possible, describing the proposed activity, giving the reasons why the employee and the College would benefit, and detailing the approximate costs involved.

Whenever possible, these requests should be made prior to the upcoming fiscal year when the College's annual budget is in preparation.

E.9. PROMOTION/ADVANCEMENT

Advancement opportunities are based entirely upon the needs of the College at a particular time. Vacant positions will be posted on the College's website, and employees will have an opportunity to apply for such positions. An employee of the College who wishes to apply for another internal position should (but is not required to) notify his/her immediate supervisor before submitting a letter of application. If the new position is a promotion, an employee may be eligible for a salary adjustment.

Employees cannot assume "automatic" promotions or advancements, as all appointments result from open, public searches or notifications. An open position may or may not continue as currently described to meet the College's need. Any changes will be clearly stated in the posted position description.

E.10. TRANSFER/REASSIGNMENT

The College may transfer or reassign employees within a department, or from one department to another, in order to meet the operational needs of the institution. Salary adjustments may or may not be made when an employee is transferred.

E.11. PERSONNEL FILES

The College requires certain information to be on record for every employee, which comprise the employee's permanent personnel file. The College communicates with and collects with "consent" personal employment data for legitimate interests as grounds to process the Human Resource and institutional research databases. The College deletes all personal data collected with "consent" prior to employment within five years. However, for individuals who are offered employment, the College stores both electronic and/or hard copies of personal data collected during the employment process for the lifetime of the College. It is the responsibility of both the employee and the director of finance to keep these records updated.

These records are confidential. Only the employee's supervisor, the director of finance and the president who need employment-related information may inspect the files of that employee. The inspection must be approved by the director of finance, and should be recorded in the file inspected. The employee's employment dates and position are

public information.

Except as required by law or a court order, other information that is in the employee's file may not be released in any form without the employee's written permission.

An employee has the right to inspect the materials in his or her personnel file except for records excluded from inspection as per Delaware state law (i.e., letters of reference). Files must be inspected in the presence of the director of finance and the employee may request copies of, but not remove, documents in the file. Inspections by employees must be requested through the director of finance and will be scheduled at a mutually convenient time. Employee files cannot be removed from the Administrative Office. An employee has the right to enter a written statement into his or her personnel file on any matter contained in the file.

E.11.a Changes to Records

Employees have a responsibility to keep their personnel records up to date and should notify the director of finance in writing of any changes in at least the following:

- Name
- Address
- Telephone number
- Marital status (for benefits and tax purposes only)
- Number of dependents (for benefits and tax purposes only)
- Information changes regarding beneficiaries for any of the College's insurance, disability, and pension plans
- Persons to be notified in case of emergency

E.11.b European Union General Data Protection Regulation (GDPR)

Delaware College of Art and Design (DCAD) complies with the European Union's General Data Protection Regulation (GDPR) by requiring "consent" when requesting personal data, i.e., "any data that allows a living person to be directly or indirectly identified." The College only requests personal data that is lawful and processes the data when necessary and "with consent" for enrollment, institutional research, financial aid, student housing, and federal reporting or compliance.

Complete academic transcripts and current resumes should be on file with the director of finance for each faculty member. The resume should reflect the faculty member's position at the College. Faculty members are requested to notify the dean of any new degrees, publications, honors, etc. and promptly submit an updated resume.

E.12 OUTSIDE EMPLOYMENT

Certain types of outside employment, including self-employment and paid consulting activities, can be of benefit to both the College and its employees by stimulating personal and professional development. Remuneration may be monetary or non-monetary, direct or indirect. Outside employment includes any situation where College employees work for an organization, an individual or themselves on their own time and are privately paid.

Such activities, however, should not present a Conflict of Interest to the Delaware College of Art and Design, and should not interfere with the fulfillment of assigned duties. DCAD employees often will be considered representatives of the College while they are engaged in activities or duties similar to those they perform for the College, even though their work may be wholly independent of the College. Employees must receive permission from the president, or other appropriate supervisor, for any planned outside employment or consulting arrangements that are in any way related to the functions that those employees perform for the College. Disclosure is not required for small businesses or similar activities that are entirely unrelated to the work the individual carries out for the College. Part-time adjunct faculty members are not required to disclose or receive permission for employment at other institutions. DCAD employees should not draw upon any of the College's resources when involved in outside employment, except with the College's approval.

As both a legal and ethical principle, creative work produced as part of assigned duties and completed on work time is the property of the College, as are related copyrights, publication rights and royalties. Examples of creative work, which may be part of the job assignment, are College-related lectures to community or professional groups, design or writing for College publications, and research completed as part of a current assignment.

When an employee receives compensation for a service prepared on College time, on the College's behalf and directly furthering its interests, such compensation should be turned over to the College, exclusive of travel reimbursement. Such services performed outside the regular workday are governed by applicable compensatory time standards.

Wages, fees, honoraria, copyrights, and royalties related to personal activities, which are accomplished outside of work time, belong to the employee. Examples of this type of work may be teaching at a local university or delivering a lecture on a subject not related to the employee's job.

F. EMPLOYEE BENEFITS

Eligibility for benefits is determined by employment category and full- or part-time status. Detailed explanations and information are given to each new employee and updated as needed. DCAD, in its sole discretion, reserves the right to amend, modify, alter or terminate any or all of these plans at any time. Please see director of finance for any additional information. The following is a summary of the benefits offered.

F.1. INSURANCES

F.1.a. Health & Dental Insurance

The College currently offers health and dental coverage to qualified employees. The College pays a predetermined percentage (review annually) of the individual coverage for all full-time employees.

Enrollment takes place on the first of the month, on or after the date of hire. Open enrollment and coverage changes take place on December 1 of each year (renewal dates are subject to change). DCAD employees may purchase additional coverage at their own expense (See plan manager for description of current benefits).

When terminating employment, please consult with the director of finance to determine your eligibility to remain on the plan.

F.1.b. Workers' Compensation Insurance

Employee safety is very important to the College, and all employees are expected to comply with all safety and health standards, whether established by the College, or by federal or state law.

However, if an employee is injured in the course of employment, either on or off College property, he/she is covered by Worker's Compensation insurance under the College's commercial policy.

It is important that the director of finance is notified within 24 hours of a work-related injury that has occurred to any staff member so that an accident report can document the incident while it is current. Medical bills are processed through this insurance company and not DCAD's employee health insurance benefit plan. All employees are covered by this benefit.

Long Term Disability Insurance

This policy is offered to all full-time employees. Enrollment takes place on the first of the month, on or after the date of hire. There are no conversion privileges on termination (see Long Term Leaves of Absence). Consult the director of finance for policy details.

Life Insurance

This term insurance policy is currently offered to all full-time employees and pays as a death benefit, one (1) times the employee's annual salary, including the program chair's stipend. Enrollment takes place on the first

of the month on or after date of hire.

Social Security Insurance

This is a federally mandated benefit. Both the employee and employer share the cost. Its purpose is to provide retirement income for the employee and survivor's benefits to the employee's dependents. Information is obtained by calling the Social Security Administration. The Social Security Administration administers this plan, and all forms and information must be processed through their office. All employees are covered by Social Security.

F.2. GROUP RETIREMENT ANNUITY

All full-time employees are eligible for this benefit. Enrollment in the College's group retirement annuity, through TIAA, takes place on the first day of the month following date of hire. The College contributes the equivalent of 5% of the employee's gross earnings on a monthly basis into the employee's group retirement annuity. Employees may contribute additional funds to this account, and may also use a group supplemental retirement annuity to save additional pre-tax dollars (see below). This plan is 100% vested from the first day of eligibility. Upon termination, the employee has the option of leaving the funds with TIAA until retirement or closing the account and rolling over the proceeds into an IRA or other eligible plan. A lump sum distribution may be taken if the balance of the account is under a specified limit, but will be fully taxed and charged a penalty for early withdrawal (call TIAA for more details). It is very important to notify TIAA or the College of any address changes, since statements will be sent regularly to the employee's home.

F.3. GROUP SUPPLEMENTAL RETIREMENT ANNUITY

This voluntary form of pre-tax retirement savings is available to all employees of the College. The amount to be withheld each month from pay is determined by the employee and withheld from pay by a salary reduction agreement. The amount withheld is not subject to federal or state income tax.

F.4. BLOOD BANK OF DELAWARE

Delaware College of Art and Design employees have a group plan with Blood Bank of Delaware. An employee may join at any time individually or as a family. A donation of blood or monetary equivalent is usually required soon after you have joined. The $5 fee to join the plan is paid by the College. Please see the director of finance to obtain more information. All employees are eligible to join.

F.5. TUITION BENEFIT

In an effort to provide staff, faculty, and their immediate families the opportunity to take DCAD classes, DCAD has adopted the following policy:

F.5.a. Staff and Immediate Family

Full-time staff are entitled to take classes for credit, up to 6 credits in an academic year (Sept.-Aug.), taking no more than 4 credits in any one semester, so long as classes do not conflict with scheduled working hours, job performance, and available seats. Part-time staff (working at least 20 hours per week) are entitled to take up to 3 credits in an academic year.
Employees are also entitled to take continuing education courses at no cost based on availability.

F.5.b. Family

Immediate family members (spouse, domestic partner, child, and parent) are entitled to a full-tuition remission for degree programs upon acceptance or continuing education programs depending upon availability. This benefit does not apply to fees charged or room and board charges.

F.6. LEAVES OF ABSENCE

F.6.a. College Observed Holidays

- The Delaware College of Art and Design observes the following holidays:
    - New Year's Day
    - Martin Luther King Day
    - Labor Day
    - Independence Day
    - Memorial Day
    - Thanksgiving
    - Friday after Thanksgiving
    - December 24th through January 1

A Holiday Calendar with dates is published once a year. Please see the director of finance for a copy of the current year's calendar.

Ordinarily, holidays that fall on Saturday are observed the preceding Friday; those that fall on Sunday are observed the following Monday. If a College-observed holiday falls within or on an employee's scheduled annual leave, he/she is entitled to an alternative paid day.

F.6.a.i. Jury Duty

An employee should notify his/her supervisor as soon as a jury notice (or subpoena to testify as a witness) is received. Regular full-time and part-time employees will be granted leave with pay while serving on any federal or state court jury. Employees may retain any compensation paid by the Court in order to cover expenses such as parking, meals, childcare, etc.

Employees should report for work on days and during hours when they have been relieved from jury service. Employees are not required to use personal time for jury duty and must submit proof of service with their leave form.

If it appears that, there is the possibility they will be required for jury duty for more than one (1) days' time, employees should consult their supervisor. Anticipated absence for any other court-required activity should be discussed with the supervisor as early as practicable.

F.6.a.ii. Religious Observances

The College makes reasonable accommodations for employees whose religion may include observances, practices, and beliefs (such as Sabbath observance) which may conflict with the schedules, programs and terms and conditions of employment of the College. The College may require that the employee provides the College with advance notice, in writing, of his/her intent to keep such observance during a specific calendar period.

Emergency Closings

The College may be required to close for emergency situations such as inclement weather or a utility failure. In these cases, the president will make the decision whether to close the College, delay the opening, or close early. Official announcement of school closing will be listed on the College's website, *www.dcad.edu*, as early in the morning as possible. In addition, the DCAD Main Office number (302) 622-8000, can be called for updated messages regarding the College's status for the day. All employees will receive a copy of the Emergency Procedure Policy during their orientation and/or from their supervisor.

F.7. LONG-TERM LEAVES OF ABSENCE

It is the policy of the College to grant full-time faculty extended leaves of absence under certain circumstances.

The granting and duration of each leave of absence and the compensation received by the employee, if any, during the leave of absence will be determined by the College in conjunction with applicable federal and state laws.

Requests for a leave of absence or any extension of a leave ordinarily should be submitted in writing to the employee's supervisor at least thirty (30) days before the start of the leave or extension period. When the need for leave or an extension is not foreseeable, employees should give as much notice as is practicable. The supervisor will forward the request to the president who will make the final decision. All employees on approved leave are expected to report to the director of finance any change of status in their need for a leave or in their intention to return to work.

Benefits that accrue according to length of service, such as annual leave, holidays, personal days and sick leave, do not accrue during periods of unpaid leave or during periods in which the employee receives workers' compensation or disability benefits.

F.7.a. Long-term Disability Leave

A full-time faculty member who becomes totally disabled as defined below, and who qualifies for the College's Long-term Disability Plan, is considered to be on Long-term Disability Leave. There is a required ninety (90) day elimination period.

An employee is totally disabled under the plan definition when he/she is limited from performing the material and substantial duties of his/her regular occupation due to sickness or injury. Total disability does not mean permanent total disability.

In order to minimize any unpaid time, an employee should file a claim as soon as the employee thinks he/she is disabled. A claim can always be canceled if the disability ceases to exist before the elimination period is satisfied.

During the disability period, health, life and disability insurance benefits for the faculty member who has completed two or more years of full-time service at the Delaware College of Art and Design will be continued by the College for a maximum period of twelve (12) months, provided that the disability is verified by a qualified medical doctor.

When the faculty member is physically able to return to work, he or she will be reinstated to the same position as held prior to the disability. If the position no longer exists, the faculty member will be assigned to a position of like pay and rank. Faculty members returning from a disability leave may be required to provide a doctor's certification of their ability to perform their regular work satisfactorily without endangering themselves, their students and/or their fellow employees.

If the faculty member is physically able to return to work, as determined by a qualified medical doctor, but does not return, his or her service will be terminated and recorded as a resignation

F.7.b. Family and Medical Leave

F.7.b.i. Who is Covered

The Family and Medical Leave Act (FMLA) is intended to provide a means for employees to balance their work and family responsibilities by taking unpaid leave for certain reasons. The Act is intended to promote both the stability and economic security of families, and the national interests in preserving family integrity.

The FMLA is applicable to any employer in the private sector who is engaged in commerce or in any industry or activity affecting commerce, and who has 50 or more employees each working day during at least 20 calendar weeks or more in the current or preceding calendar year.

All public agencies (state and local government) and local education agencies (schools) are covered. These employers do not need to meet the 50 employee test. Most federal employees are covered by Title II of FMLA and are subject to regulations issued by the Office of Personnel Management. In order to be "eligible" for FMLA leave, an employee must be employed by a covered employer and work at a worksite within 75 miles of

which that employer employs at least 50 employees; must have worked at least 12 months (which do not have to be consecutive) for the employer; and, must have worked at least 1,250 hours during the 12 months immediately preceding the date of commencement of FMLA leave.

F.7.b.ii. Basic Provisions/Requirements

The FMLA provides an entitlement of up to 12 weeks of job-protected, unpaid leave during any 12 months for the following reasons:

- Birth and care of the employee's child or placement for adoption or foster care of a child with the employee;
- To care for an immediate family member (spouse, child, parent) who has a serious health condition; or
- For the employee's own serious health condition.

An employer must maintain group health benefits that an employee was receiving at the time leave began during periods of FMLA leave at the same level and in the same manner as if the employee had continued to work. Arrangements will be made with eligible employee to pay for continual health benefits. Under most circumstances, an employee may elect or the employer may require the use of any accrued paid leave (vacation, sick, personal, etc.) for periods of unpaid FMLA leave. FMLA leave may be taken in blocks of time less than the full 12 weeks on an intermittent or reduced leave basis. Taking intermittent leave for the placement for adoption, or foster care of a child is subject to approval by the employer. Intermittent leave taken for the birth and care of a child is also subject to the employer's approval except for leave relating to the pregnancy, which would be leave for a serious health condition.

When leave is foreseeable, an employee must provide the employer with at least 30 days' notice of the need for leave or as much notice as is practicable. If the leave is not foreseeable, then notice must be given as soon as practicable. An employer may require medical certification of a serious health condition from the employee's health care provider, and may require periodic reports during the period of leave of the employee's status and intent to return to work, as well as "fitness-for-duty" certification upon return to work in appropriate situations.

When the employee returns from FMLA leave, the employee is entitled to be restored to the same or an equivalent job. An equivalent job is one with equivalent pay, benefits, responsibilities, etc. The employee is not entitled to accrue benefits during periods of unpaid FMLA leave, but must be returned to employment with the same benefits at the same levels as existed when leave commenced.

Employers are required to post a notice for employees that outline the basic provisions of FMLA and are subject to a civil money penalty for willfully failing to post such notice. Employers are prohibited from discriminating against or interfering with employees who take FMLA leave.

F.7.b.iii. Assistance Available

FMLA is administered by the Employment Standards Administration's Wage and Hour Division. More detailed information, including copies of explanatory brochures, may be obtained by contacting the local Wage and Hour offices. In addition, Wage and Hour has developed the Family and Medical leave Act Advisor, which is an Internet online system that answers a variety of commonly, asked questions about FMLA including employee eligibility, valid reasons for leave, employee/employer notification responsibilities, and employee rights/benefits.

F.7.b.iv. Penalties

Employees or any person may file complaints with the Employment Standards Administration, U.S. Department of Labor (usually through the nearest office of the Wage and Hour Division). The Secretary may file suit to insure compliance and recover damages if a complaint cannot be resolved administratively. Employees also have private rights of action without involvement of the Department to correct violations and recover damages through the courts.

F.7.b.ii. Relation to State, Local and Other Federal Laws

A number of States have family leave statutes. Nothing in the FMLA supersedes a provision of State law that is more beneficial to the employee, and employers must comply with the more beneficial provision. Under some circumstances, an employee with a disability may also have rights under the Americans with Disabilities Act (enforced by the U.S. Equal Employment Opportunity Commission)

G. PAY PRACTICES - FACULTY

G.1. ANNUAL SALARIES

Most full-time faculty and staff of the College are paid on a salary basis, individually agreed upon between the College and full-time faculty member. Such factors as competencies and contributions of the full-time faculty member, as well as normal salaries paid by the College to comparable full-time faculty members, are considered.

Each full-time faculty member is notified of his or her salary at the time that the employment agreement is issued. Program Chairs are given a stipend.

All faculty members are eligible for periodic increases in salary, raises, or bonuses based on performance and measured in terms of teaching effectiveness, service to the College and professional growth. Contribution to the overall productivity and atmosphere of the College and the success of its students, and fostering the mission of the Delaware College of Art and Design, are highly valued. In addition, the College will consider its own financial condition and the ability of the budget to support increases in faculty salaries.

Professional ethics prohibit the discussion of personal, financial, or other private matters, except between the employer and the faculty member.

Payment for services is due only upon completion of assigned duties and the College may reduce a faculty member's salary and/or withhold payment in response to a faculty member's failure, for whatever reason, to complete any or all duties assigned in or pursuant to the employment agreement. The faculty member will not be paid during any semester that he or she does not perform services for the College, except in the case of a sabbatical leave of absence.

G.2. PAY PERIODS

Bi-monthly pay periods run from the 1st through the 15th and the 16th through the end of the month. For all employees paydays are the 15th and the last day of each month, unless this falls on a non-working day; then, payday is the last working day before either the 15th or the last day of the month. Paychecks or direct deposit notices are delivered to the employee's mailbox.

PART-TIME: The first paycheck for an academic year is issued September 15. Adjunct faculty are paid in four installments during the fall and spring semester, and three installments during the summer semester, on the 15th of each month.

G.3. PAYROLL DEDUCTIONS

The deductions made from an employee's paycheck are those, which the employee has authorized (such as health insurance or TIAA contributions and those which the College is required to make by law.

G.4. SOCIAL SECURITY TAXES

Employee and employer contributions are required by the Social Security Act to provide retirement, disability and survivor benefits for the employee and his/her dependents.

G.5. FEDERAL, STATE AND LOCAL INCOME TAXES

The College is required by law to withhold from each employee's earnings an amount which represents his/her approximate tax on those earnings and to forward the withholdings to the appropriate Federal, State and Local

agencies. Tax withholding is based on the information provided by each employee on the federal Form W-4. Each employee is responsible for the accuracy of that form and for updating the information when necessary. The director of finance will provide W-4 forms for this purpose and answer any employee questions regarding withholding.

G.6. HEALTH AND DENTAL INSURANCE

The College pays the cost of an employee's basic individual health and dental care coverage. If an employee obtains additional coverage, the additional cost is deducted from the employee's paycheck on a regular basis.

G.7. DEDUCTION FOR RETIREMENT ANNUITIES

Employees who wish to make regular contributions to a pre-tax retirement annuity (TIAA) may do so by payroll deduction. A salary reduction agreement form must be completed and filed with the director of finance.

G.8. FLEX SPENDING ACCOUNTS

Employees who wish to make regular contributions to a pre-tax flex spending account may do so by payroll deduction. A flex spending enrollment form as well as a salary reduction form must be completed and filed with the director of finance.

G.9. DIRECT DEPOSIT

All employees are able to use Direct Deposit.

Under this system, an employee's net pay is directly deposited into his/her personal bank account(s). Instead of paychecks, informational pay stubs are provided on payday. Please see the director of finance to make any changes to your direct deposit information.

H. ADMINISTRATIVE PROCEDURES

H.1. COMMUNICATIONS AND USE OF DCAD PROPERTY

DCAD has provided computer and communications systems to support the conduct of the College's business activities. These systems include any individual personal computers provided to employees and all associated software; telephone, voice mail, and electronic mail systems; all centralized computer equipment; and any local and wide-area networks. Although limited personal use of the College's systems is allowed, subject to the restrictions outlined below, no use of these systems should ever conflict with the primary business purpose for which they have been provided, with DCAD's ethical responsibilities, or with applicable laws and regulations. Each user is personally responsible for ensuring that these guidelines are followed.

H.2. COMPUTERS AND NETWORK SYSTEMS

Developments in information technology in recent years have led to fundamental changes in the ways that people communicate, learn and share information. The Delaware College of Art and Design is committed to using these innovations to provide new educational benefits to its students, faculty, and staff and to introduce them to this expanding global community.

The installation of a campus network that links individual computers to each other, to a central file server, and to the Internet will create a special opportunity to speed the flow of information among individuals on this campus and the outside world. The shared drive and other data collection files are to be considered private and accessed only for College business purposes. Only administrative staff and faculty may add to the files, and no one should delete or damage stored information.

A computer network establishes a community. In any community, especially one as tightly linked as an electronic

network, individual decisions can have a powerful and immediate impact on a large number of people. Accordingly, it is important that a community develop rules and protocols to ensure that the rights and privileges of each member of the community are protected and that the College's significant investment in the technology is not wasted. For this reason, the College has developed a set of rules and protocols to ensure that our electronic interactions are as orderly and mutually respectful as the rest of our communal lives. This set of guidelines is called the Technology Policy. Like other policies, the Technology Policy is based upon the importance of respect and consideration for the rights of others.

The Delaware College of Art and Design stresses respect for all campus technology and consideration upon those who use the system. Use of the College technology is a privilege rather than a right. The College reserves the right to alter this policy as the situation dictates. Questions regarding this policy should be directed to the director of finance.

H.2.a. Hardware, Software, Disks And Documents

H.2.a.i. Hardware

Items of Delaware College of Art and Design hardware (CPU, monitor, keyboard, mouse, printer, scanner and other peripherals) represent a large investment of College funds and provide the student body, faculty and staff with an extensive array of tools for computer work. An equipment malfunction is costly to repair and makes the item unavailable to other users. Users should treat all equipment with respect, mindful that the user is part of the larger community.

Respecting the physical integrity of the hardware means that no one shall tamper with, use improperly, treat roughly, or remove any piece or part of a piece of hardware or its cabling from its proper location. All users must comply with use guidelines and restrictions posted or distributed by the system administrator.

Malfunctions or suspected malfunctions should be reported to director of finance for immediate attention. No one should attempt to repair or modify any equipment without the direct supervision of the Information Technology Coordinator.

H.2.a.ii. Systems And Applications

All installation of software is the responsibility of the Information Technology Coordinator. No one may install executable programs (.exe) or applications (.app) without authorization from the Information Technology Coordinator. No one may introduce system corrupting software, such as viruses, into any computer system or otherwise intentionally interfere with the operation of any system. No one may copy, transfer or remove any licensed software, including programs, applications, databases, or fonts that are installed on any computer hard drives. All users of college computers are expected to observe the terms of software license agreements and federal and state laws pertaining to software copyrights.

H.2.a.iii. Disks, Files, And Documents

The work of individuals stored on flash drives/external drives or saved in files on hard drives is considered to be private. Just as it is inappropriate to obtain, read, alter or copy work done by another on paper, it is inappropriate to access, read, alter, or copy work stored electronically without permission of the owner. The College will consider unauthorized electronic copying or electronic theft to be against College policy. Faculty and staff documents may be saved to designated drives on the College servers. Students may not save files to the College servers. Students are encouraged to save files to a personal external hard drive or cloud-based server.

H.2.b. COMPUTER NETWORK USE

Use of the network is public; therefore, the user is responsible for all activities generated by his or her account at all times. Use of the network outside the scope of College-related activities including commercial accounts is prohibited. The network is designed to monitor activity of all users. All users must abide by guidelines and restrictions.

Network users will be assigned a user name. Each user will be responsible for the confidentiality of his or her password and account. It is considered a College policy violation to attempt any system security bypass

involving equipment from the College.

Security on any computer system is a high priority, especially when the system involves many users. It is imperative that passwords be kept confidential, and it is recommended that passwords be changed on a periodic basis.

Users may not download, upload, or copy any material protected by copyright law without written authorization from the author. This includes any written documents or visual images found on the Internet, as well as software located on the College system.

As computer users in the DCAD community, it is the responsibility of all to guard against abuses that disrupt or threaten the viability of the College systems. If you feel you can identify a security problem, you must notify the director of finance immediately. Do not demonstrate the problem to other users. Do not use another's individual account without written permission the director of finance. The College, in its discretion, may deny any staff member access to its system. A user in doubt about whether a specific use of the network is authorized should consult with the director of finance. Resources for peer-to-peer file sharing can be found at *Educause*.

H.2.c. Printing

Printing is a costly resource. Please consider the environment before printing. Only documents required for College use should be printed and must follow copyright laws (see *Columbia Copyright*). Only College approved paper or transparencies may be used in the printers.

H.2.d. Internet and E-Mail Policy

Access to the Internet and e-mail are services provided to the faculty, staff and students of the College. These services are to be used primarily for College purposes, personal use should be kept to a minimum, not to interfere with DCAD operations. Any violation of this policy may be grounds for disciplinary action including removal of access privileges. Employees should not add their College email address to commercial databases and mailing lists.

In addition, the use of attachments to e-mail wastes precious space on our servers and can foster the spread of viruses; consider the size of the attachment as well as the security. It is strictly forbidden to open any executable files (.exe) or application (.app) that are attached to an e-mail message. These files should be deleted immediately, as they may contain viruses.

Employees should apply the same guidelines to electronic mail as they do in their correspondence and interoffice memorandums. E-mail is difficult to delete, and what is written can become a permanent record, open to scrutiny of third parties. Note that electronic mail is not guaranteed to be private. The College reserves the right to monitor and review all e-mail and other system use to protect the integrity of the system and the safety of its users. Staff members must exercise care that no personal e-mail correspondence or messages and comments posted to newsgroups and list-serves appear to be an official communication of the Delaware College of Art and Design or disclose the College's proprietary information.

H.2.d.i. General Guidelines for Computer Use

The use of your computer and/or account must be in support of education and research and consistent with the educational objectives of the Delaware College of Art and Design. Use of another organization's network must comply with the rules appropriate for that network. Transmission of any material in violation of any local, state, or federal regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, chain letters, and pyramid scheme messages and material protected by trade secret. Use for commercial activities is prohibited, as well as use of product endorsement, political lobbying, and illegal activities.

The Delaware College of Art and Design makes no warranties of any kind, whether expressed or implied, for the service it is providing. The College is not responsible for any monetary or emotional damage you suffer as a result of system failure. This includes loss of data, system delays, non- or mis-deliveries, or service

interruptions caused by the College, errors or omissions, or others not affiliated with the College. Use of any information obtained via the system or the Internet is at the user's own risk.

The College reserves the right to all material produced during an employee's or student's affiliation with the College, or other materials produced using technologies supplied by the College. Release of copyright may be obtained through written contractual agreement signed by a designated College authority.

Violations of this policy may result in the loss of user privilege and/or disciplinary action.

H.2.d.ii. Social Media Guidelines

Social media are Internet-based technologies, tools and channels that enable communities of participants to interact online. Facebook, Twitter, Instagram, Snapchat, YouTube, Pinterest, Tumblr and LinkedIn are examples of social media sites, platforms or applications. Blogs and websites where visitors may post comments or other material are additional examples. The Delaware College of Art and Design uses various social media to inform and engage its community of students, parents, employees, alumni, partners and supporters as well as members of the public.

Because communications via social media are instantaneous with a worldwide reach, they carry the potential for significant impact on institutional and professional reputations. As a result, institutions have a right and a responsibility to monitor how employees utilize social media and, in some circumstances, a duty to act when employee social media use affects the reputation, safety or liability of the institution.

Delaware College of Art and Design recognizes that social media sites such as Facebook, Twitter, LinkedIn, YouTube, etc., and personal web sites and blogs can be effective tools for exchanging information and interacting with many audiences as well as raising the visibility of the College. However, there are guidelines employees are asked to follow in order to clarify how best to enhance and protect personal and professional reputations when participating in social media.

Both in professional and institutional roles, employees need to follow the same behavioral standards online as they would in real life. The same laws, professional expectations and guidelines for interacting with students, parents, alumni, donors, media and other College constituents apply online as in the real world. Employees are liable for anything they post to social media sites.

H.2.e. Telephones

H.2.e.i. Voice Mail

Each employee is assigned a voice mailbox. Generally, an employee's telephone extension number is the voice mailbox number. If an employee does not have a specific telephone extension, the director of finance will assign a separate voice mailbox number.

Instructions for voice mail and the telephone will be provided to each employee. Please contact your supervisor if further assistance is required. Because this telephone equipment is so costly, care should be taken when eating or drinking around the equipment.

In order to eliminate unnecessary calls to the main number, please give out the automated number 302.622.8867 and include your extension.

H.2.f. Fax Machine

The College's fax machine is located in the main DCAD mailroom. The fax number is 302.622.8870. If the fax machine is not working, please inform the business office. Because of confidentiality, employees should use discretion when sorting other employees' mail and faxes. The fax machine is not intended for use by students.

H.2.g. Copy Machines

There are four copy machines in the College. The primary copier is in the main DCAD mailroom. This copier is

intended for business use only by staff and faculty. Any personal copies should be kept to a minimum or made on the card-operated copier in the Library or 4th floor student lounge.

All employees are responsible for taking care of the copiers, refilling paper, removing jammed paper, and keeping the machine clean. If any copier is not working, please inform the business office.

There is a copier on the fourth floor and in the library. These are available for employee and student use with a copy card. Copy cards can be obtained from the business office. The other copiers do not require cards.

H.3. TOOLS, SUPPLIES, EQUIPMENT

College tools are to be used on College projects only. Please obtain permission from a department before borrowing tools, and make sure to return them to the department immediately after use. It is not appropriate to enter a department area and borrow tools while no one is present. The College's tools, supplies, or equipment are not for personal use and are not to be removed from the premises.

H.4. VENDING MACHINES

Vending machines are located in the student lounge on the fourth floor. Machines are refilled weekly by the vending machine contractor. If the machine malfunctions, please contact the business office.

H.5. MAIL

Mailboxes are assigned to students, faculty, and staff, and are clearly labeled for easy distribution of mailings. The faculty/staff mailroom is located on the first floor. The student mailboxes are located on the fourth floor in the student lounge. U.S. Mail is delivered once a day and distributed to faculty/staff mailboxes.

The College's postage meter is located in the mailroom. The postage meter is explicitly intended for business use only. Postage meter supplies are located next to the machine. Please check the date and postage amount before running mail through. Any mistakes should be placed in the director of finance 's mailbox for a refund from the post office. If the postage meter is not working, please contact the director of finance .

A postage meter and scale are available for College-related mailings up to 5 lbs. in weight. The security officer picks up outgoing mail from the Mail Room at 4:30pm daily and takes it to the mailbox on the corner of 6th and Market for postal service pickup at 5:00 pm.

For mailings over 5 lbs., or special deliveries, please take directly to the post office

FedEx will pick up outgoing deliveries from the College upon request. All FedEx packaging materials and directions for use are located in the mailroom. Forward all FedEx mailing receipts to the director of finance .

All shipments are delivered to the mailroom. Every effort is made to deliver oversized shipments and boxes to the appropriate area. It is the responsibility of the individual staff member to arrange for the receipt and pick-up of all material shipped to him/her. All such material should bear the name of the individual. Every effort will be made to notify employees when such material is delivered; deliveries with no individual name will be stored in the mailroom.

Students may leave mail for faculty and staff that comfortably fits in the Faculty/Staff mailbox. Under no circumstance should large objects be left in the mailroom for faculty or staff.

H.6. BULLETIN BOARDS

In order to facilitate the responsible distribution of information, and to minimize visual clutter in our building, the following posting policy has been implemented: notices, flyers or posters may only be placed in posting areas (designated homasote panels on the first floor, bulletin boards, first-floor kiosks, and elevators), or on mailboxes with the prior permission of the president. This does not apply to mailbox distribution of administrative memos or notices, or curricular-related material from faculty. . Posting privileges also require removal of the item upon the activity's expiration.

The faculty and staff bulletin board is located in the mail room and is open to all staff and faculty for personal and

professional postings. Periodically this board will be cleaned off and outdated information removed.

The homasote panels in the basement, third, fourth and fifth floor hallways are for displaying student work only, under supervision of the faculty. The homasote panels in the classrooms are for classroom use only, and the posting of curricular material by faculty. No notices, flyers or posters may be taped or pinned to walls anywhere else in the building, including the stairwells.

Solicitation materials and literature of a personal nature can be left in the mailroom for employees to pick-up at will.

H.7. PURCHASING OF EQUIPMENT AND SUPPLIES

H.7.a. Budget Development and Implementation for academic departments

Departmental budgets are established for each fiscal year of July 1 to June 30. Program Chairs submit budget proposals for annual operating expenses in accordance with the scheduled dates issued annually by the dean and/or director of finance.

The College budget is submitted to the Board of Trustees for review and approval. Approved budgets are then provided to the dean through the director of finance for distribution to the Program Chairs. The director of finance sends periodic budget reports to the dean.

All employees receive purchasing and budgeting guidelines at the beginning of each fiscal year.

H.7.b. Purchasing

The general requirements for the purchase of goods and services by any employee of the Delaware College of Art and Design include the following:

The purchase must fall into a pre-approved budget category, and the amount of the purchase when combined with other purchases in the same budget category may not exceed the total authorized budgeted amount.

Each purchase will require the approval of the person responsible (i.e., dean, Program Chair, authorized staff, or the director of finance) whose budget will be affected.

H.7.c. For purchases under $30:

Cash advances and reimbursements are available from the Business Office up to the amount of $30. A receipt must be presented in both cases. The receipt must be approved (initialed) by the dean and Program Chair responsible for the purchase and should include the account to be charged. Purchase orders are not required for purchases under $30.

H.7.d. For purchases under $500:

In some instances, a purchase order may be completed and approved by the supervisor and/or the director of finance. Forward the yellow copy of the approved purchase order to the director of finance .

The order is then placed, or purchase made, by the requesting person. Vendors may or may not require a purchase order for ordering. Please see the Business Office for a list of vendors with DCAD accounts. If DCAD does not have an account with a vendor, and there is a need for one, forward a credit application from the vendor to the director of finance for processing.

The employee may also pay for the purchase with his/her personal funds and apply for a reimbursement by check from DCAD. Check requests should be submitted along with receipts and approved purchase order to the director of finance for reimbursement. A check request form and accompanying receipt must be presented, approved (signed) by the dean and Program Chair responsible for the purchase and must include the account to be charged.

H.7.e. For purchases over $500:

For purchases over $500, a purchase order must be completed and approved by both the person responsible (i.e., Program Chair, authorized staff, or director of finance). After the purchase has been approved by the

director of finance, the white copy of the purchase order is returned to the requester so that he/she can place the order.

H.8. CHECK REQUESTS

If a check is needed in advance of the purchase, a Check Request Form must be completed, approved by the supervisor and submitted to the director of finance at least one week in advance of date needed.

H.9. RECEIVING ORDERS

All in-coming shipments will be directed to the mailroom area for pick-up by the person responsible for the order. He/she will be notified if the package is not picked up within a few days.

After receiving an order, check to see that all items were received as stated on the packing slip. Sign and forward ALL packing slips to the director of finance. If there is no packing slip, please advise the director of finance that the purchase was received.

H.10. INVOICING

Vendors should send invoices to the department head who ordered the goods or services. When invoices are received, the department head should match them to the packing slips or purchase orders. If there is a discrepancy in the amount(s) charged, the department head should contact the vendor to resolve the difference. Once it is confirmed that the goods or services have received, the department head should authorize the payment of the invoice by signing, dating, and coding to the appropriate account number. The invoice should then be delivered to the Business Office for payment.

H.11. EMPLOYEE BUSINESS EXPENSES

Necessary expenses of traveling on College business are provided and/or reimbursed with prior approval of the employee's supervisor.

H.12. MILEAGE REIMBURSEMENT

An employee is reimbursed at the IRS allowance for using his/her automobile on behalf of the College, provided that the employee's supervisor authorized the trip. For mileage reimbursement over $30, the employee must submit a check request (authorized by his/her supervisor) to the director of finance . Mileage expenses under $30 may be paid from petty cash, if desired.

H.13. REIMBURSEMENT OF TRAVEL AND BUSINESS EXPENSES

An employee may be reimbursed for certain travel expenses, business entertaining, etc., which have not been addressed above, provided that the employee's supervisor authorizes the expense, with prior approval.

For reimbursement, the employee must submit a check request form (approved by his/her supervisor) to the director of finance, along with a detailed listing of expenses and account numbers to be charged. Receipts must be attached.

H.14. MEMBERSHIPS IN TRADE AND PROFESSIONAL ASSOCIATIONS, CLUBS AND CIVIC ORGANIZATIONS

College funding for membership fees or participation in professional associations, is available on a case-by-case basis, according to budgetary planning within the department and/or authorization by the president.

H.15. SECURITY AND SAFETY PROCEDURES

H.15.a. Visitors and Guests

Employees must inform the security guard (ext. 101) of any visitors that are expected. The guard must be told in advance where to send the visitor when he/she arrives. All visitors will be required to sign in at the security

desk.

If the guard has not been informed of a visitor, he/she will make every effort to find the contact employee by phone. The visitor must remain at the security desk until the contact is reached.

H.15.b. Pets

Pets are not allowed in the school or in housing unless otherwise approved through official documentation through the Student Services office.

H.15.c. Food and Drink

For extensive health reasons, eating and drinking are not allowed in studio classes, photography areas, or computer labs.

H.16. KEYS AND ACCESS TO THE BUILDING

There is an institutional commitment to faculty and staff to have convenient access, when needed, to all work areas with as little restriction as possible, while at the same time maintaining key security, institutional security, and preventing unauthorized access to rooms within the building.

Keys will be issued to an individual and are nontransferable. They are only issued upon authorization of the director of finance and must be signed for by the recipient. When the period of authorization is over or the individual is no longer an employee of the College, the keys are to be returned to the director of finance.

H.17. BUILDING HOURS

When classes are in session, the building is open Monday through Thursday from 7:30 am to 11 pm, Friday from 7:30 am to 9 pm, Saturday from 8 am to 4:30 pm, and Sunday 9:30 am to 4 pm. Specific building hours are published each semester. The Administrative Offices are open Monday through Friday 9am to 5pm. Hours may change to accommodate student needs on a per semester basis. This change can be made by Administrative offices only.

Only authorized employees should enter the building during closed hours. He/she should notify the security monitoring company and possess the security code.

All employees who have been issued keys are responsible for those keys and must report any stolen or missing keys immediately to the director of finance.

H.18. PARKING POLICY

Parking in the DCAD King St. lot between the hours of 8 am and 5 pm is only available to limited full-time staff and faculty. This exclusion may also apply to all visitors and repair persons. Please inform anyone who will be visiting you that there is metered parking available on the street. After 5 pm, the lot is open to all staff and faculty on a first-come-first-served basis. Students are not allowed to park in the lot. Unauthorized cars are subject to towing.

The Delaware College of Art and Design is not responsible for lost or stolen articles from employee's vehicles. It is recommended that car doors be kept locked at all times and all items of value stowed out of sight.

H.19. LOST AND FOUND

All unclaimed articles found on College property should be immediately turned in to the Security Guard. If the owner can be identified, every effort will be made to return the item. If the owner is not known, the item will be held at the Security desk for a limit of six (6) months, at which time, it will be discarded.

H.20. CASH AND CREDIT CARD HANDLING

It is critical that all only authorized employees handle cash. Faculty are not authorized to handle cash and should send students to the Business Office for any payments to the school. Authorized employees who handle cash must be constantly aware of the security of the funds. Any cash received should be taken immediately or on a daily basis to the

Bursar's Office to be placed for processing.

All departments that accept credit cards must do so in compliance with credit card industry standards, and in accordance with DCAD's Security Information Policy. Credit card payments may only be accepted for goods, services, degree program tuition and fees, continuing education tuition and fees, exhibition sales, gifts to the College, and library fees.

H.21. SECURITY OF PERSONAL BELONGINGS

Employees are expected to exercise reasonable care to safeguard personal items brought to work. The College is not responsible for the loss, damage or theft of personal belongings, and employees are advised not to carry unnecessary amounts of cash or other valuables with them when they come to work.

H.22. REPORTING ACCIDENTS

Within twenty-four hours of an emergency situation an accident report form will be completed by the security guard in charge. Any employee who has witnessed an emergency may also be asked to complete an accident report form.

Employees who suffer any work-related injury, no matter how minor, must report it within 24 hours to their supervisor, or to the security guard who will complete an accident report form recording the incident.

For more detailed instructions in case of an emergency, refer to the College Emergency Procedures handbook, a copy of which is located in each area of the College.

H.23. MAINTENANCE OF WORK AREAS

In order for College employees to perform their duties properly and efficiently, they are expected to set an example for each other in maintaining a safe workplace:

- Report all unsafe conditions or acts.
- Obey all warning signs and encourage others to do so.
- Make sure that all aisles and exits are clear at all times.
- Approach corners, doorways, and aisles cautiously.
- Report loose floor tiles and torn carpeting.
- Pick up items that may cause someone to trip.
- Do not extend electrical cords across walkways.
- See that spills are cleaned up promptly. If further attention is needed, block off the area until the area can be cleaned up or repaired.
- Report electrical troubles immediately. Small shocks, overheating of equipment, switches sparking, or noise are all urgent warnings.

H.24 OCCUPATIONAL SAFETY AND HEALTH

Employees will be using a variety of materials in their work. They are encouraged to become familiar with the properties of these materials, the health and safety hazards of their use, and any safety precaution that will ensure safe use. Employees are encouraged to use all recommended personal safety devices when working with hazardous materials. Chemical manufacturers provide Safety Data Sheet (SDS), which provide necessary information.

All full-time employees are required to participate in annual health and safety training. Any hazardous condition must be reported to the director of finance immediately in order to maintain a safe and healthy environment.

H.25 RESOURCES

H.25.a. Field Trips

Employees may participate in College-sponsored field trips with the permission of their supervisor and at the request of a faculty member. Room permitting, employees are permitted a guest with the submission of an

appropriate “Liability Waiver Form.” Guests under the age of 18 must have the approval of the president. Faculty must notify the dean and the director of student services at least two weeks prior to school sponsored field trips and secure all appropriate waivers.

H.25.b. Edgar A. Thronson Library

The Edgar A. Thronson Library is a specialized art and design library supporting the research needs of DCAD’s students and faculty. The library houses a collection of more than 16,500 books, videos, sound files, digital images, electronic resources, as well as subscriptions to art and design periodicals. The collection of art and design resources supports and supplements DCAD's intellectual and artistic goals; with particularly strong collections in animation, art history, fine arts, graphic design, illustration, interior design, and photography. Search the library's collection by accessing the online catalog at *www.dcad.edu/library* or by visiting the library in person. In addition to both the library’s physical holding and electronic resources the library participates in InterLibrary Loan network, which allows patrons to borrow materials from libraries across the U.S. In addition, DCAD students can visit nearby library collections; including Delaware Public Libraries, University of Delaware, Delaware Art Museum, Winterthur Library, and the Delaware Historical Society Research Library.

H.25.c. Exhibition Space

The Delaware College of Art and Design maintains supervised exhibition spaces for displaying the work of students, faculty, and alumni of the College including the first floor Toni and Stuart B. Young Gallery. The Young Gallery is open to the public and provides an important showcase for student and faculty work, as well as visiting exhibitions. The gallery participates in the downtown Art Loop that attracts visitors and residents alike to explore the cultural resources of the city.

Other exhibitions spaces include the Denise and Richard Easton Sculpture Space and the homasote panels in the hallways. As Wilmington’s only professional art and design school, many other exhibition opportunities are made available to DCAD students.

I. FACULTY EMPLOYMENT

I.1. TERMS OF EMPLOYMENT

I.1.a. Faculty Qualifications

I.1.a.i. Studio Areas

Generally, for teaching in studio areas, the College seeks faculty who are practicing artists or designers as well as successful teachers. They should possess the terminal degree in their field, usually a Master of Fine Arts; in some cases, a record of substantial professional experience and achievement may be considered in lieu of the terminal degree.

I.1.a.ii. Academic Areas

Faculty in the academic areas should have demonstrated effective teaching ability and possess at least one graduate degree in the subject they are assigned to teach; the terminal degree, usually a Doctor of Philosophy, is preferred for full-time faculty.

I.1.b. Faculty Tenure

All faculty members are non-tenured and have no claim on future employment with the College beyond the life of their individual employment agreements. Should the College choose not to offer any employment beyond the term of an existing employment agreement, the College may so choose without any obligation to provide any explanation or review of the College's decision not to offer a new employment agreement. Once the employment agreement has been fulfilled, either party has the unfettered right to decline a further contractual or employment relationship, without prejudice or stigma to either party.

I.1.c. Appointment Process

Faculty appointments are made on the basis of curricular and scheduling needs, class availability, faculty expertise, enrollment management and other general factors by the president, in consultation with the dean and the Program Chairs.

The letter of appointment, issued by the president and signed by the faculty member, is a contract between the faculty member and the Delaware College of Art and Design, and is the only method by which faculty may be employed.

As specified in the letter of appointment, the contractual obligation between the faculty member and the Delaware College of Art and Design is effective for a specific period. A faculty appointment carries with it no assurance of future employment beyond the terms of the letter.

The terms and conditions of each appointment to the faculty are confidential.

I.1.d. Initial Full-Time Appointment

Initial full-time faculty appointments are generally made for one year, are probationary and expire at the end of the year. No promise is made or implied for further employment.

I.1.e. Reappointment of Full-Time Faculty

A full-time faculty member who has successfully completed one year's appointment and met the criteria for reappointment described herein may be reappointed for an additional year.

Full-time faculty reappointments are generally made for one year, are probationary and expire at the end of the appointment. No promise is made or implied for further employment.

I.1.f. Long-Term Appointments

A full-time faculty member who has successfully completed three continuous years' appointment and meets the criteria for reappointment described herein may, at the sole discretion of the College, be offered reappointment for a period of three years.

A full-time faculty member who has successfully completed a three-year appointment and met the criteria for reappointment described herein may apply for a long-term appointment of five years.

A full-time faculty member who has successfully completed a five-year appointment based on the criteria described herein may apply to have his or her long-term appointment renewed.

The College reserves the right to offer or not offer a long-term employment agreement without redress or explanation, and the faculty member reserves the right to refuse a long-term employment agreement without redress or explanation.

I.1.g. Issuance of Full-Time Reappointments

Except when extraordinary circumstances are present, the Delaware College of Art and Design will notify all full-time faculty members of the College's intent regarding their employment for the following academic year by June 1 of the current academic year.

Any expression of the College's intention to offer a faculty member appointment for the following year is non-binding; it is subject to the faculty member's satisfactory completion of his or her employment obligations for the current academic year and to the College's decision to budget that faculty member's position for the following academic year. The budgeting process for the following academic year will be completed by July 1 of the current academic year and written agreements will be forwarded by May except for positions designated after that time.

I.1.h. Teaching Assignments

Prior to the midpoint of each semester, the registrar prepares a schedule of classes for the following semester,

keeping in mind student needs, course of study, sequence of courses and availability of resources. Classes are assigned with special attention to the faculty member's area of expertise, demonstrated ability to successfully teach the course and preference to fulfill teaching and professional responsibilities. Final scheduling of courses depends on enrollment and student need. Whenever possible, every effort is made to limit the number of preparations without compromising the needs of the students. Faculty may be assigned to teach classes in more than one area if qualified.

I.1.i. Appointment Contingency

I.1.i.i. Full-Time Faculty

Teaching assignments in any given semester are contingent upon obtaining minimum class enrollments necessary for the effective operation of the College. Should these minimums not be reached, at the discretion of the dean, classes assigned to adjunct faculty members may be reassigned to full-time faculty in order that they may fulfill the terms of their appointments.

If a full-time faculty member cannot be reassigned to the appropriate classes that semester, the dean may apply part of that semester's assignment to a future semester, provided that semester falls within the faculty member's term of appointment, or the faculty member may be assigned other duties within the College, provided it is deemed appropriate by the dean and agreeable to the faculty member.

I.1.i.ii. Adjunct Faculty

- If enrollment is insufficient, or a class needs to be reassigned to a full-time faculty member, adjunct faculty members' appointments may be adjusted by the dean.

I.1.j. Position Description

A position description is prepared for each faculty by the dean, director of finance and the president. It outlines the major daily and long-range responsibilities of the position, the qualifications required and the supervisor to whom the employee reports.

Since an employee's responsibilities may change for a variety of reasons, the annual performance review includes an evaluation of the description by both the employee and the employee's supervisor. When a job description is updated, it must be approved by the president, one copy must be given to the employee, and one placed in the employee's file.

I.2. KINDS OF EMPLOYMENT

I.2.a. Full-Time Faculty/Program Chairs

A faculty member serves as coordinator for each area concentration, namely Animation, Fine Arts/ Foundations, Graphic Design, Illustration, and Photography. An Program Chair is also appointed for Liberal Arts.

The Program Chairs work closely with the dean to establish faculty, curriculum, and educational services for the area that reflect the educational policy of the school as a whole and fulfill the needs and interests of the student body. As representatives of their areas and as leaders within the College community, the Program Chairs fulfill an important role as decision-makers, consensus-builders, and communicators.

A full-time studio faculty member is normally responsible for teaching 12 credits of course work per semester, or 24 credits per academic year. Generally, a studio class meets for one and one half hours per week per course credit (3 credit class = 4.5 hrs. class time); liberal arts classes generally meet one hour per week per course credit (3 credit class = 3 hrs. class time). Thus, a full-time studio faculty member teaches 18 contact hours per week, and a full-time liberal arts faculty member teaches 12 contact hours per week.

A full-time faculty member's course load may be reduced in exchange for administrative or other service to the College; such a reduction in course load is determined by the dean and faculty member and be given final approval by the president, and the service is specified in the faculty member's appointment letter.

Prior to each semester, a full-time faculty member receives his or her teaching assignment for that semester indicating the specific courses and sections he or she will be responsible for teaching. This assignment is considered part of the faculty member's letter of appointment.

A full-time appointment, and its related compensation, however, presupposes a full-time commitment beyond the scheduled class time. This commitment involves course and program assessment, student progress reports, mid-semester evaluations, planning, preparing and implementing instruction, motivating students, and evaluating learning. In addition to their teaching responsibilities, full-time faculty are expected to advise students, mount student work, serve on committees, attend meetings, and actively participate in the academic life of the College.

I.2.b. Adjunct Faculty

Adjunct faculty members are hired to teach on an as-needed basis, and are employed on a semester basis. Adjunct faculty members are expected to attend area committee meetings, to participate in assessment and collection of data for assessment, student progress reports and mid semester evaluation and to participate in the academic life of the College as necessary for the effective performance of their teaching responsibilities. Adjunct faculty members are compensated on a per credit basis, based on the courses they are contracted to teach.

Federal requirements limit the number of credit hours that can be taught by an individual (part-time) adjunct to less than eleven. In accordance with those standards, adjuncts are limited to a maximum course load of eleven (11) credits.

I.2.c. Faculty Rank

- All faculty hold the title of "professor," in order to convey to faculty members and to students that all faculty are equally respected as capable professionals.

I.3. NEW FACULTY RECRUITMENT

I.3.a. Full-Time Faculty

Full-time faculty positions or vacancies may be created as a result of several factors including increased student enrollment, new programs, recommendations by accrediting agencies, retirement, resignation or death. The final determination of the necessity for and authorization of, recruitment of full-time faculty members is made by the dean in consultation with the president.

When the decision has been made to recruit a full-time faculty member, the procedure is as follows:

The dean, with assistance from the appropriate Program Chairs and other faculty members, coordinates the preparation of a job description, including the course or courses to be taught and specific skills or qualifications required by the position if appropriate. The job description is submitted to the president for final approval before circulation.

Notice of the position is advertised in professional journals and/or through their online job listings, such as the College Art Association, the Chronicle of Higher Education, and/or any other listing service deemed suitable. The notice of the position is also circulated among current adjunct faculty by posting in the mailroom.

A Full-Time Faculty Search Committee of at least three individuals is appointed by the president, made up of the dean, the Program Chair for the area in which the appointment is to be made, selected faculty, and member of the administrative staff; the president is an ex-officio member of the Faculty Search Committee. The dean serves as chair of the Faculty Search Committee. The Full-Time Faculty Search Committee reviews letters of inquiry, resumes, transcripts, and supporting materials and, based on credentials and experience, arrives at a complete list of qualified candidates to submit to the president for his or her review and authorization to proceed with the search. Upon the approval of the president, the Full-Time Faculty Search Committee invites candidates to visit the College for a personal interview and sends a packet of information about the Delaware College of Art and Design to the candidate, including a detailed job description. The Full-

Time Faculty Search Committee conducts an on-site interview with the candidate; the president may participate in such interviews. Interviews may be conducted off-site in exceptional circumstances.

After conducting the interviews and substantiating references, the Full-Time Faculty Search Committee gives the president a final written recommendation with preferences and evaluative annotations for each candidate interviewed. With due consideration for the preference of the Full-Time Faculty Search Committee, the president shall recommend that a final candidate be appointed, and conduct negotiations on salary and other conditions of employment. If the president does not agree to the first choice of the Full-Time Faculty Search Committee, a written explanation for his or her choice will be provided to the committee. If the Full-Time Faculty Search Committee finds, or the president determines, that none of the candidates is suitable for appointment, the president may dissolve and reconstitute the Full-Time Faculty Search Committee, which initiates a new search.

The president, with approval of the Board of Trustees, determines salary ranges for employees. The president makes the final decision on salary rates for new employees. No prospective employee is to be notified of his/her salary without approval from the president

I.3.b. Adjunct Faculty

The need for additional adjunct faculty is determined after the schedule for each semester is complete. The dean, in consultation with the Program Chairs, determines there is need for a search for adjunct faculty, and develops a job description for the position, if it does not already exist. Such a search is generally local, and is conducted by a Part-Time Faculty Search Committee consisting of the dean, the Program Chair for the area in which the appointment is to be made (who serves as chair of the committee), and the president as an ex-officio member.

The search consists of placing ads, reviewing the materials submitted by the candidates, and interviewing selected candidates, after which the committee chair presents a recommendation for appointment listing the final candidates in order of preference to the president. With due consideration for the preference of the Part-Time Faculty Search Committee, the president may offer appointment to one of the candidates recommended by the committee. Appointments to the Delaware College of Art and Design faculty are made by the president. The terms and conditions of each appointment to the faculty are confidential.

I.3.c. New Faculty Orientation

After an offer of employment is made and accepted, the registrar sends the new faculty member information regarding course scheduling, book and supply orders, and other pertinent matters. The faculty member shall also make an appointment with the director of finance to become informed regarding human resource and payroll matters.

Each new member of the faculty should arrange a conference with the dean and their Program Chair upon arriving at the College. Full-time faculty members should also arrange a conference with the president. New faculty members receive the Faculty Handbook and are informed of their classrooms, office assignment, and other academic matters.

The faculty member should survey the learning environment and make appropriate recommendations about needed adjustments, improvements, or additions of furniture, equipment, learning aids, etc. to the Program Chair.

The Program Chair serves as a mentor and takes special time with new faculty members, guiding them in the preparation of course materials and meeting individually with them to monitor their progress and provide advice and assistance as needed.

I.4. TERMINATION OF EMPLOYMENT

- Termination of appointment means the termination of the employment agreement for personal services and duties to the College and does not mean the reassignment from teaching duties to other professional services.

I.4.a. Termination of Appointment Prior to the End of Term

- Termination of any faculty member's employment prior to the end of the term of his or her appointment may occur for one or more of the following reasons:
    - A breach of any term of the faculty member's employment agreement and/or the faculty handbook which is incorporated therein;
    - Academic cause, which means service falling significantly below the standard that the College may reasonably expect of a person holding a faculty appointment;
    - Failure to uphold the mission, philosophy, principles, or policies of the College;
    - Personal conduct in conflict with the purpose of teaching and scholarship;
    - Personal conduct detrimental to College morale or operations, including but not limited to inappropriate behavior with students, such as public humiliation, unprofessional remarks or conduct, use of abusive language when communicating with College students, or fraternization;
    - Any discrimination against faculty, staff, or students based on race, color, national origin, religion, age, gender, sexual orientation, disability, marital or other basis that would be in violation of applicable federal, state or local law;
    - Failure to follow administrative directives despite proper notification;
    - Misrepresentation of professional credentials, qualifications, accomplishments, exhibitions, awards, published material, or experience;
    - Conviction of a felony; and/or,
    - Bona fide financial exigency of the College proclaimed by the Board of Trustees.

I.4.b. Process for Termination Prior to End of Term

A Faculty Review Committee, consisting of the Academic Review Committee and up to three other members of the academic and/or administrative staff of the College, shall make the initial determination to terminate.

Written notification of the decision to terminate will be delivered to the affected faculty member. In all cases, the faculty member shall have the right to a hearing for reconsideration by the Faculty Review Committee so long as the faculty member requests a hearing within five days of delivery of written notice of termination.

Upon timely receipt of a written notice of request for hearing and reconsideration, said committee shall convene within a reasonable time, and at that hearing the faculty member shall be given the right to present a defense personally to the committee.

Because this proceeding is an internal and administrative hearing, the faculty member shall not have the right to be represented by counsel and may not insist on the presence of his or her attorney or any other party. All the parties shall hold the fact and content of any such hearing confidential. Following the hearing, the committee shall notify the faculty member of its decision in writing. If the committee decides to affirm the termination, the faculty member shall have the right within five days of the date of delivery to appeal the decision to the president of the College.

The president will render a decision based on the record, without conducting a hearing. However, the president may meet with the affected faculty member and members of the Faculty Review Committee if he wishes. He or she will issue a decision whether or not to uphold the decision of the committee within five days of receiving the appeal. If the president decides not to terminate the faculty member's appointment, a written explanation for his or her decision must be provided to the Faculty Review Committee

The decision to offer to continue a faculty member's appointment will be made upon the following criteria.

I.4.b.i. Teaching Effectiveness

- Classroom performance as evaluated by the Program Chair, dean, students and self
- Quality of student work (as evidenced by examples mounted in the halls, submitted for student exhibitions and or documentation
- Competitions and honors won by students with the professor's motivation and guidance)

- Regular and frequent maintenance of course work displayed in the halls
- Effective use of time in and out of class, especially during scheduled office hours
- Promptness in performing assigned duties, such as submission of course outlines, rosters, mid-semester evaluations an
- d final grades
- Preparation of course outlines that are comprehensive and consistent with the College's guidelines
- Maintenance of College facilities as used by the area
- Availability to students outside of class, especially during office hours
- Successful advisement of students as measured by appropriate and constructive outcomes
- Variety of courses taught

I.4.b.ii. Service to the College

- Constructive participation in all faculty, program area, advisory, faculty search, and other committees
- Constructive participation in accreditation and other academic reviews
- Meeting with prospective students, participation in Portfolio Days, and portfolio reviews for prospective students
- Participation in co-curricular and extra-curricular activities such as orientation, exhibition openings, and guest lectures
- Contribution to the College of design or text for College publications and exhibits
- Sponsorship of student organizations and clubs
- Presentations to community groups and to high schools

I.4.b.iii. Professional Growth

- Exhibitions, publications, or presentations
- Professional honors, grants, fellowships, and residencies
- Membership in professional societies

I.4.c. Components of Faculty Evaluations

The faculty evaluation process is conceived and conducted as an opportunity for constructive review to assist the faculty in improving its effectiveness, while at the same time providing a mechanism for the accumulation of supportive materials for the purposes of reappointment. The Program Chair is responsible for coordinating the evaluation of his or her area's faculty members' performance. Data collection for faculty evaluation is a continuous process throughout the year.

Appropriate forms and criteria are used to evaluate each faculty member teaching at The Delaware College of Art and Design. Adjunct and full-time faculty evaluations are generally conducted on a one to three-year basis. Classroom observations are conducted by the Program Chairs and/or dean, and the observer prepares a written assessment of the faculty member's performance based on his or her observations. Faculty who have been with the College for three consecutive years, a total of six semesters, are observed on a three-year rotation schedule.

Students complete course evaluations, generally within the last two weeks of classes; the course evaluations are circulated and collected by the Registrar's office. Course evaluations are understood to represent only one view of faculty performance and are only meaningful when used in conjunction with other evaluation components. The information contained in the student evaluations is confidential and available only to the faculty member, registrar, Program Chair, the dean, and the president. Faculty members use course evaluation data to inform their goals for the next academic year.

Each faculty member completes a self-evaluation form assessing his or her own effectiveness as a teacher, service to the College, and professional growth and establishes goals for the following academic year.

The above components are evaluated by the Program Chair or the dean, who then meets privately with individual faculty members to review results of the evaluation process, to identify areas of strength and those that need improvement, to develop specific goals to address areas that need improvement and to make a recommendation whether or not the faculty member's appointment should be continued.

The assembled data are presented to the president for his or her review and decision.

After the evaluation meeting, the faculty member will receive a copy of the evaluation and may attach comments within one week prior to it becoming a permanent part of his/her personnel file.

I.4.d. Components of Program Chairs Evaluation

Program Chairs are evaluated based on their effectiveness as a teacher, service to the College, participation in assessment, and professional development. Data collection for Program Chairs evaluation is a continuous process throughout the year. Data collected is evaluated by the dean then presented to the president for his or her review and any decision that notes a change in status or salary.

I.5. SABBATICAL LEAVE

The Delaware College of Art and Design is committed to insure that, when financially possible, its full-time faculty members have the opportunity to maintain and increase their professional standing, and that a coherent block of time, uninterrupted by teaching demands, will assist them in their professional growth, contributing to their effectiveness as teachers and the reputation of the College.

Requests for sabbatical leave shall be for the purpose of pursuing creative work, research, or professional advancement. Sabbatical leave shall not be for the purpose of taking remunerative employment of any sort without specific justification of such employment as an education program, and with prior approval of the president.

Full-time faculty members who have been successfully employed at the Delaware College of Art and Design for a continuous period of seven years may request a sabbatical leave, and may reapply after each continuous period of seven years' teaching.

A sabbatical leave may consist of a full academic year's leave at half salary, or a semester's leave at full salary. A faculty member's full-time benefits shall continue during the sabbatical leave. The sabbatical period is calculated within the faculty member's accumulated service.

Following the conclusion of the sabbatical leave, the faculty member must submit a written report to the president and/or a presentation of his or her activities during the leave to the College community and in professional venues and settings, e.g., gallery exhibitions, publications, or conference presentations.

When a sabbatical leave is granted, the faculty member must return to teach for at least one full academic year at the College. If he or she does not return to fulfill all or part of this year, the faculty member must remunerate the College for the amount of salary paid during the sabbatical leave.

I.5.a. Procedures for Sabbatical Leave

Upon determination that the financial circumstances of the Delaware College of Art and Design permit it, the president may request applications for one sabbatical leave for the following academic year no later than November 30.

Faculty members who are eligible to apply for sabbatical leave may submit a formal proposal to the president by January 15.

A Sabbatical Leave Committee consisting of the president and dean reviews the proposals and evaluates them with regard to the quality of the faculty member's teaching and years of service to the College, his or her potential for professional growth, and the appropriateness of his or her proposal to foster that growth.

The president makes the final decision and announces the sabbatical leave by March 15. The College reserves the right to cancel or postpone sabbatical leave for financial or other reasons.

J. FACULTY PROCEDURES

J.1. FULL-TIME FACULTY MEETINGS

Program Chair (full-time faculty) meetings are generally held every Monday. The selected adjunct faculty representative is required to attend each of these meetings and record their own minutes to distribute to all faculty as a means of communication and transparency. Faculty who wish to bring up special topics at the meetings should inform the assistant dean before the meeting. Faculty meeting minutes are located the shared drive in the dean's folder.

J.2. COURSE SYLLABI

DCAD has adopted a required format for all course syllabi. A template will be sent to your DCAD email address by your Program Chair. While some course information will already be entered, you will need to add specific content and email a completed copy to your Program Chair for review and approval prior to final submission for the semester to the dean and assistant dean. Once approved, the course syllabi must be submitted to the dean and assistant dean by early July for the Fall term and early December for the spring term or as stated otherwise on the faculty member's contract. The dean maintains a file for each course in the curriculum. Faculty are advised to maintain copies of course outlines in their own files.

Faculty members are recommended to distribute an email copy of the course outline to each student enrolled in each course by the first day of class. The course outline must follow the required format. Office hours, office location, and attendance policies must be clearly noted. Please note that there is no school-wide attendance policy, and it is each faculty member's responsibility to clearly define and communicate his or her policy to the students.

At least three opportunities for evaluating the assessment of student progress must be offered in each course. A description of all evaluative opportunities should be included on the course outline, and at least two should occur prior to mid-semester. The factoring of each evaluative opportunity in determining the final grade should be clearly indicated. Students should be informed of their performance (i.e., receive a grade) as soon as possible, generally during the next class session or within one week after turning in work or taking a test. End-of-the-semester projects that constitute 50% or more of the final grade should be avoided.

The right of an instructor to regulate the content and organization of his or her courses will not be abridged by this regulation as long as the necessary material and objectives for the course are covered. Faculty must submit an electronic copy of the syllabus to the dean and the registrar.

J.3. ATTENDANCE

Students are expected to attend all scheduled classes, additional sessions deemed necessary by the professor, and field trips. Each faculty member is responsible for his or her own attendance policy, which should be clearly stated in the course outline and rigorously enforced. It is strongly suggested that no student be allowed to pass a class in which he or she has missed more than 20% of the class meetings.

J.4. STUDENT WORK LOAD

In academic classes, a faculty member should expect students to invest a minimum of two hours of study time for every credit hour. In studio classes, faculty should expect students to invest an amount of time equivalent to the scheduled hours in additional studio work.

J.5. SUPPLIES AND BOOKS

Program Chairs must submit the program supply and book list to the director of student services and the dean by May 1. Additional supplies must not exceed the allotted cost published in the syllabi.

First-semester students are required to purchase a freshman supply package through the college that contains most of the supplies they will need for their first-semester studio classes. Faculty teaching those classes should review the contents of the freshman supply package periodically in coordination with the Foundations Program Chair to ensure it

contains most of the supplies they will require.

Book orders should be cleared with the dean and submitted to the director of student services by May 1. Timely ordering is essential. Many publishers offer complimentary desk copies to faculty members when the text is adopted for course use. Faculty members who need a desk copy should request it directly from the publisher at the time of placing the order.

J.6. ADVISEMENT

Studio Program Chairs are the principle academic advisors for all students in their area. In addition, the Liberal Arts coordinator advises students who are placed in Academic Writing Lab. Students meet with their Program Chairs at pre-registration to review completed courses, progress in current coursework, and discuss a program of study for the coming semester. The Program Chairs can identify scheduling problems, ensure proper credit load and help with the selection of electives. The Program Chair is the first person a faculty member should contact if he or she has questions about a student's performance.

J.7. CLASS ROSTERS

On the first day of class each semester, faculty members should direct students in class whose name is not on the course roster to report immediately to the registrar's office to resolve the discrepancy.

The faculty member must not allow any student not listed on the roster to attend the class without first seeing a copy of the registration form, drop-add form or student's current schedule of classes from the registrar's office. Every effort should be made to ensure that the student is attending the class and section for which he or she is registered. Faculty should contact the registrar's office to determine a student's enrollment status.

Faculty members are not authorized to allow students to switch sections. Occasionally, students may arrange to attend another section of the same class if emergency or illness prevents them from attending their regular class. The faculty member must grant permission and the registrar's office must be notified.

J.8. GUEST LECTURERS

Each Program Chair is encouraged to sponsor guest lectures in their program's discipline. The Program Chair is responsible for overseeing the selection and scheduling of the lecture series. The guest lecturers should be dynamic presenters and active professionals in their field with a national profile and/or substantial record of professional achievement. Guest lecturers should also be available to meet with students on both a formal and informal manner.

At various times during the year, additional guest lecturers or workshop leaders may be scheduled on a class or area basis; these are generally organized by an individual faculty member and must be approved by the coordinator of the area in which the activity is to be given.

J.9. MODELS

Faculty members who require figure models for classes should contact the Foundations Program Chair to get a list of current models. Faculty are responsible for making arrangements for studio models themselves

At the end of each session, the faculty member must sign the model's time sheet. It is the model's responsibility to submit the time sheet for payment.

J.10. DOCUMENTATION OF STUDENT WORK

Each year, the College documents the work in the student exhibition for institutional needs. Faculty members may request additional images from the inventory taken by the communications department for their own use.

Digital images should be captured in RGB mode with a minimum file size of 3000 pixels on a given side and a minimum resolution of a 300 dpi. RAW files are preferred. Preferred video file size and type: 1080 pixels @ 30 Frames Per Second (FPS).

J.11. REMOVAL OF WORK

All work must be removed from classrooms, mailboxes, and lockers by the last day of the semester. Work left behind by students who have graduated, withdrawn, been dismissed, or departed for vacation will be disposed of in the general clean-up following each semester. When necessary, students will be financially responsible for the disposal of such items. DCAD cannot be responsible for work and personal property left in lockers or classrooms during the school year.

J.12. TRANSCRIPTS

The registrar's office maintains the educational records for enrolled and formerly enrolled students. The Delaware College of Art and Design complies with the Family Educational Rights and Privacy Act of 1974 as amended. A copy of this federal regulation is available in the Registrar's Office.

Transcripts will be released only at the written request of the student for a fee of $5 to $8 per copy depending on the delivery method. Transcript requests can be made online at:
https://www.studentclearinghouse.org/secure_area/Transcript/login.asp?FICEcode=04139800

Delivery options include electronic PDF, mail, and hold for pick-up at DCAD's campus. Transcripts will not be issued to persons with holds on their records. Holds must be cleared by contacting the Bursar at 302-622-8867 x102.

K. FACULTY RIGHTS AND RESPONSIBILITIES

K.1. PROFESSIONAL ETHICS

The Delaware College of Art and Design believes that the "Statement of Professional Ethics," promulgated by the American Association of University Professors and reproduced here, may serve as a guide to the variety of obligations assumed by all members of the academic profession.

Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the

program of the institution and give due notice of their intentions.

As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their College or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

All faculty members should strive to make these recognized standards of the profession an integral part of their personal and professional lives.

K.1.a. Additional Standards

All faculty members are expected to uphold the mission, integrity and reputation of the College. Faculty members shall not undertake any activity that impacts negatively on the Delaware College of Art and Design. Any concerns or complaints with regard to the College are to be communicated directly to the faculty member's superior or supervisor in accordance with the organizational chart. Any concerns that a faculty member feels have not been duly considered should be brought to the attention of the dean.

Faculty members should use discretion and exercise good judgment regarding personal business dealings of any kind with College community members. Faculty should avoid personal interactions that could in any way compromise the professional relationship with students or cause some students to feel that another student has a special relationship with the faculty member.

Faculty members should not invite individual students to their homes or studios. Classes or extra help sessions should never be held in the home or studio of a faculty member, or the home or studio of a student. Classroom space or other space on campus is provided for classes, conferences, and extra help sessions.

Consensual relationships between faculty and students or between supervisor and faculty member, while not expressly forbidden, are generally deemed very unwise. The professor-student is one where, by its nature, control and power are solely vested in the professor. A faculty member who engages in an apparently consensual sexual relationship with a student (or supervisor with a faculty member) will not be immune from a charge of sexual harassment or discrimination. Where a faculty member has engaged in a relationship with a student, or a supervisor has engaged in a relationship with a faculty member, a defense based upon consent will not be available.

K.1.b. Violations of Professional Ethics

Faculty members are expected to act fairly and honestly in all transactions with DCAD and with others to maintain the high ethical standards of the College. Violations of professional ethics may constitute grounds for dismissal. If a faculty member is unsure whether there may be a violation of professional ethics, he/she should contact the dean or the Chief financial officer.

Discovery of events of a questionable, fraudulent, or illegal nature, or which appear to be in violation of professional ethics, must be reported promptly to the dean. If such instances are identified with persons at the highest management levels within the College, the matter should be reported to the president of the Board of Trustees of the College.

K.2. ACADEMIC FREEDOM AND RESPONSIBILITY

Each faculty member has individual freedom of inquiry and expression in teaching, research, and publication. Academic freedom and responsibility are here defined as the liberty and obligation to study, to investigate, and to discuss facts and ideas concerning all branches and fields of learning. No limitations on such freedom are imposed other than those required by generally accepted standards of responsible scholarship and research.

When faculty members speak, write, or act as citizens, they are free from institutional censorship or discipline, and they should undertake to avoid any implication that they are representing all or part of the institution or that they are

institutional spokespersons. In order to avoid confusion and possible unintentional duplication or contradiction, public statements about College matters are released only by official College spokespersons.

All faculty are expected to respect the academic freedom of individuals within the College community, and the College community as a whole, and the right of the College to determine overall enrollment, personnel, and content relevant to the educational program, based on the mission and philosophy of the College.

K.2.a. Academic Freedom and Professional Security

Institutional statement of purpose relevant to academic freedom: The Delaware College of Art and Design is a private, not-for-profit, degree-granting, accredited, co-educational College open to resident and non-resident students. The College's goal is to nurture and cultivate the unique qualities of each student through an effective and engaging curriculum, in an inspiring environment, with the help of involved teachers. The College offers the associate of fine arts degree and exists for the purpose of preparing talented students for transfer opportunities in art and design. The College emphasizes individual attention in a supportive environment.

All important decisions within the College relate to the College's mission statement. Providing a professionally-oriented, productive, well-rounded educational experience for students is the goal of curricular, co-curricular, and extracurricular programs of the College. Faculty are expected to support the overall mission and the more specific goals and objectives of the College.

K.2.b. Academic Research

All students and faculty are free to examine, question, and research any discipline; they are required and expected to examine, question, and research the disciplines actually taught at the College and assigned to them or chosen by them. In-depth study of the substance of these disciplines occurs inside and outside the classroom in structured and unstructured ways.

The Delaware College of Art and Design is primarily a teaching institution, not a research institution. With regard to faculty development and continuity, however, faculty members are expected to be working in their respective fields.

K.2.c. Faculty Development

Faculty members are expected to maintain knowledge of current trends in their fields and to participate in professional activities other than teaching without infringing upon teaching responsibilities. Faculty members are expected to pursue creative work and research directed toward their teaching areas, as well as other subjects of interest.

The breaks between semesters provide the faculty with opportunities for pursuing their own work. A full-time teaching position involves at least 30 -33 weeks of the year, leaving 20 - 22 weeks or fewer for work outside of the instructional setting. A faculty member who is actively involved in creative work, research and professional growth brings a valuable added dimension to the classroom, and such development is expected but should not interfere with the faculty member's responsibilities to the school.

Faculty members are encouraged to attend professional conferences and represent the interests of the College, students, and graduates in their respective fields. Faculty members are also encouraged to seek membership in professional organizations or societies and to serve as liaisons between the College and the professional world.

K.2.c.i. Support for Faculty Development

The Delaware College of Art and Design may reimburse faculty for dues in professional organizations where they serve as contact persons or coordinators for institutional membership. The College, however, does not pay for faculty member's individual membership in professional organizations.

Financial support for conferences and other professional activities may be sought through the Program Chair. Ideally, faculty members should inform their Program Chairs far enough in advance of conferences they wish to attend so that funds may be provided for in the area's budget.

Faculty must submit, in writing to the Program Chair at least 90 days before the conference, a request for support including copies of pertinent information: i.e., conference brochure, expected budget, supporting materials, and explanation of the request's benefit to the faculty member and to the College.

If the Program Chair approves the request, he or she must recommend a level of support based on the availability of funds and other anticipated requests, and forward the recommendation to the dean at least 60 days prior to the conference.

The dean may approve the request at the funding level recommended or revise the amount; College funds cannot be committed unless prior approval is given. Once the request has been approved, a copy will be forwarded to the Chief financial officer.

Upon return from the conference, the faculty member must submit a request for reimbursement to the Chief financial officer providing documentation of expenses. The faculty member must also submit a written report of the conference to the Program Chair who will notify the Chief financial officer that funds can be released. Support will be made based on anticipated demand and availability of funds, and may not constitute full reimbursement.

K.2.c.ii. Personal Expenses Reimbursement

Faculty members may be reimbursed for travel, mileage other personal expenses for off-campus travel on College business. Approval for such reimbursement must be obtained in writing from the Program Chair prior to incurring the expense.

K.2.d. Faculty Exhibit

An exhibit of faculty work is held each year. Faculty teaching studio courses are expected to participate in the exhibit, which opens at the College and may travel to other selected sites.

L. Faculty Duties and Responsibilities

L.1. TEACHING RESPONSIBILITIES

The activities of a faculty member must assist in accomplishing the mission of the College to prepare students for careers in arts and design, and to create and maintain a positive atmosphere for learning among students, faculty and staff. It is the faculty member's responsibility to ascertain and fulfill his or her responsibilities and duties as well as to ascertain and abide by policies of the College.

All faculty members are required to adhere to all procedures and deadlines relating to the submission of syllabi, student progress reports, assessment of student learning, student course evaluations, and final grades. All faculty are also required to participate in various department and College meetings and adhere to and enforce College policies and procedures.

In the event that a faculty member cannot meet with a class as scheduled, the faculty member must contact his or her supervisor (Program Chair, dean, or assistant dean) as soon as possible to communicate arrangements for class coverage.

DCAD expects you to use your DCAD email (*jdoe@dcad.edu*) for all DCAD-related electronic communication. Full-time faculty members are expected to check their DCAD email daily; part-time faculty are expected to check their DCAD email at least twice a week.

Faculty members are responsible for meeting with all of their classes as scheduled, i.e., one and one half fifty-minute hours (not including breaks) per credit per week for studio classes, and one fifty minute hour (not including breaks) per credit per week for academic classes. Faculty are responsible for actively teaching students for the entire class period through example, demonstration, experimentation, audiovisuals, role-play, and as many varied, student-centered learning strategies as possible. Faculty members should be aware of individualized styles of learning and should adapt teaching methodology to individual needs.

Studio classes should incorporate demonstrations, lectures and note-taking as well as creative and analytical studio work. Lecture classes should include lectures, readings, visual resources, and other strategies that actively involve the learner in the academic process.

Faculty members are expected to arrive for class at least five minutes before the class is scheduled to begin and remain after class at least five minutes to ensure that the room is neat and ready for optimum learning, that all equipment and materials are in good order, and that they are available to meet with students who have particular concerns or questions. Faculty members are expected to be in the studio or classroom at all times during the scheduled class time.

Faculty members are responsible for maintaining a high standard of professionalism in the classroom at all times and for covering the maximum amount of material possible. Time constraints make it essential for class time to focus on meeting the course objectives, adhering to the course descriptions as stated in the College catalog and following the course outline.

Students perform best when expectations are clearly defined, and are motivated to excel when improvements are acknowledged and encouraged. Professors are to be positive in attitude, striving to maintain an energized classroom.

Students should be encouraged by praise whenever possible. Normally, students are prepared to succeed by moving from the simple to the complex and from the concrete to the abstract. Faculty members must explain to students why aspects of their work are weak and show them how to improve.

Expressing sarcasm or derision toward students, colleagues, or administrative staff is unacceptable. A humane learning environment, in which expectations are clearly communicated and examples given, will result in optimal student outcomes.

Faculty members should counsel students who are not performing to capacity and guide those students toward success. If a learning problem is evident, faculty members should discuss the student's problem with the Program Chair/advisor and should direct the student to other avenues of assistance such as extra-help sessions or outside tutoring; if diagnostic testing or counseling is required, the faculty member should contact the director of Student Services.

Faculty members should learn each student's name and major area of concentration. Other pertinent information such as full-or part-time status, start semester, and academic status may be requested in writing on the first day of class.

L.1.a. Use of Class Time

Each class session is important and should be planned to take advantage of all the instructional time available. All students should be assigned productive work to do throughout the entire time allotted to a class.

Faculty members are expected to express concern to students who have been absent and to discourage students from missing any part of any class. Faculty members should contact students who incur two consecutive absences and must immediately notify the student’s Program Chair of chronic attendance problems (two absences in a row or three or more total absences).

L.1.b. Office Hours

Faculty members must also schedule office hours consisting of 15 minutes per week for every credit they are assigned to teach that semester. Faculty should meet with students in the faculty offices they are assigned; however, in some circumstances it would be preferable to meet in an empty classrooms or studio. Students with questions or problems may use this time to meet individually with their professors. If no students seek attention, the faculty member may use the time to evaluate or plan course work, or otherwise prepare for the class. Faculty members must post office hours outside their office doors and/or syllabi.

L.1.c. Non-Teaching Responsibilities

In addition to activities directly related to the classroom, each faculty member is expected to participate in ~~all~~ faculty meetings and committee meetings, department assessment meetings, attend and support other activities of the College, continue his or her professional growth, and lend his or her leadership, advice, and expertise to the College’s programs and projects.

While instruction is the faculty member's primary responsibility, faculty members are leaders within the academic community and are expected to make contributions to the institution as a whole. Other than teaching effectiveness, as primarily measured by observable student outcomes of high quality, faculty are evaluated on their contributions to the collegial atmosphere of the College and on their service to the College.

Faculty are expected to attend school-wide events such as exhibition openings, guest lectures, new student orientation and graduation. Occasionally, other special events may be held which require faculty participation.

Faculty members are expected to actively support all non-instructional aspects of the College just as all staff members support and contribute to the instructional program. The Delaware College of Art and Design, like most other Colleges, highly values faculty service to the College and faculty public service, especially time dedicated to College-sponsored programs.

Faculty members are encouraged to propose their own ways of meeting the College's admissions, fundraising, publicity, and/or other goals through service opportunities that makes use of their professional and personal strengths. These proposals may be submitted to the dean.

L.1.c.i. Recruitment, Admissions, and Retention

Leadership in recruiting, admitting and retaining excellent students is required of all full-time faculty members. Periodically, faculty may be called upon by the admissions department with the dean's approval to assist in admissions' related events.

L.1.d. Absences, Illness and Emergencies

If a faculty member is unable to meet a scheduled class, he or she must contact their supervisor (Program Chair and dean) as soon as possible to communicate arrangements for class coverage or who may arrange for another faculty member to take over the class. Faculty members may ask fellow faculty members to substitute for them in teaching classes; however, the Program Chair must first approve such substitutions.

Faculty members must secure permission in advance from the Program Chair for all absences not related to unexpected emergencies or sudden illness, and should provide alternate assignments to cover the missed session; under no circumstances should a faculty member plan to miss more than one week's class time.

If the faculty member must miss enough classes so as to substantially disrupt the effective conduct of the class, the Program Chair may recommend to the dean that the class be reassigned to cover the remaining classes in the most expeditious manner for the benefit of the enrolled students. This may require, but is not limited to, reassigning other faculty members to cover the classes with appropriate compensation to the substitute professors.

In the event of the extended absence of a faculty member from classes, the faculty member will make all necessary materials immediately available to the Program Chair including class roster, grades, syllabuses, textbooks, slides or other materials deemed necessary to continue the course. Depending on the number of classes missed, the need to compensate substitute teachers and the amount of preparation supplied a faculty member who is absent for more than one class session may have his or her salary adjusted on a pro-rated basis.

All faculty members are evaluated by their Program Chair and/or the dean.

M. Faculty Committees

M.1. ACADEMIC ACTION COMMITTEE

The dean, Program Chairs, director of student services, director of financial aid, and the registrar form the Academic Action Committee. The dean serves as Chair of the Academic Action Committee.

The Academic Action Committee is responsible for reviewing, coordinating and recommending curricular changes. The Academic Action Committee also reviews extension of academic probation, academic dismissal, readmission, and final

grade appeal.

The Academic Action Committee meets once per semester. The group may meet more frequently if needed.

It is the responsibility of the Program Chairs to communicate appropriate matters covered in the meeting to other members of his or her area, and to bring ideas, suggestions, questions or concerns from the members of his or her area to the meeting. Since communication cannot take place effectively if all or part of the meeting is missed, all Program Chairs are expected to attend all meetings, arrive on time and be prepared to stay for the duration of the meeting.

M.2. FACULTY SEARCH COMMITTEE

New faculty recruitment is conducted by the Faculty Search Committee, which is comprised of at least three individuals and is appointed by the president made up of the dean, the Program Chair for the area in which the appointment is to be made and selected faculty; the president is an *ex-officio* member of the Faculty Search Committee. The dean serves as chair of the Faculty Search Committee. The Full-Time Faculty Search Committee reviews letters of inquiry, resumes, transcripts, and supporting materials and, based on credentials and experience, arrives at a complete list of qualified candidates to submit to the dean for his or her review and authorization to proceed with the search. Upon the approval of the dean, the Full-Time Faculty Search Committee invites candidates to visit the College for a personal interview and sends a packet of information about the Delaware College of Art and Design to the candidate, including a detailed job description. The Full-Time Faculty Search Committee conducts an on-site interview with the candidate; the president may participate in such interviews. Interviews may be conducted off-site in exceptional circumstances.

M.3. AREA DEPARTMENT MEETINGS

Area department meetings, consisting of all faculty within each area, are established for each of the areas of concentration, for liberal arts and for the foundation curriculum. Area department meetings are chaired by the Program Chairs and occur twice a semester. Each faculty member contributes to the ongoing development of their department through discussion and assessment of curriculum and student performance by attending these meetings.

The Program Chair is responsible for compiling minutes of department meetings and submitting a semi-annual report to the dean on progress made toward achieving the goals listed above, which is submitted to the president for inclusion in his or her report to the Board of Trustees.

M.4. SEMESTER START MEETING AND FACULTY COUNCIL MEETINGS

All faculty members, full-time and part-time, deal with a broad range of issues and areas of the College including, but not limited to, the curriculum, the library, professional development, the exhibition program, and the lecture series.

All-faculty meetings are held once a year. All full-time and adjunct faculty are required to attend this meeting unless excused by the dean. The dean presides at the all-faculty meeting. A staff member acts as secretary at the all-faculty meeting and takes minutes. The minutes are distributed to all faculty members within one week of the meeting.

The presence at any meeting of one more than half the number of full-time members of the faculty constitutes a quorum for the transaction of business at that meeting.

The College convenes weekly or bi-monthly Program Chair (AC) and Curriculum Assessment Committee (CAC) faculty meeting, attended by the dean, assistant dean, Program Chairs and an appointed Adjunct Faculty Representative, to engage all faculty and solicit input on decisions, facilitate College-wide communications, and encourage participation in self-study and assessment. The appointed Adjunct Faculty Representative's role is to represent adjunct faculty in shared governance at DCAD though AC and CAC or other meetings sanctioned by the president. The Adjunct Faculty Representative advises the dean, assistant dean and Program Chairs about needs, issues, and concerns of adjunct faculty at Delaware College of Art and Design; as well, as communicates the agendas of the AC/CAC meetings to adjunct faculty. The Adjunct Faculty Representative is responsible for conducting 1 to 2 all-adjunct faculty meetings per semester in addition to compiling and submitting a report of those meetings to the members of the CAC.

Special meetings of the faculty may be requested by any faculty member whenever there is necessary business to be transacted outside of the normally scheduled meetings and communicated to the dean. These faculty meetings must

have an agenda that is distributed to all faculty two weeks prior to the scheduled meeting and submitted to the dean. All members of the faculty are eligible to vote in the faculty meetings. Questions before the faculty should be decided by a show of hands.

All discussions at faculty meetings are confidential and may not be reported or conveyed in any fashion to students or to other individuals who are not members of the faculty. Only the dean or the official College spokesperson should make public announcement of decisions made or business discussed at faculty meetings.

M.5. CURRICULUM ASSESSMENT COMMITTEE

The CAC is co-chaired by the dean and assistant dean. Membership includes all Program Chairs and the Adjunct Faculty Representative. The CAC conducts systematic reviews of the curriculum with respect to mission, goals, and student learning outcomes; advises and recommends proposed curricular revisions based on assessment; creates and disseminates rubrics for the assessment of course, program, and core competencies; provides guidance for the implementation of the *Education Assessment Plan* and the *Academic Program Review*; conducts the assessment of core competencies (Core Competencies Assessment Team, CCAT); and provides scholarship and best practices for teaching and learning.

N. STUDENT CONDUCT

N.1. CODE OF STUDENT CONDUCT

The Delaware College of Art and Design has a Student Conduct Handbook outlining all of the college's policies for student behavior. Please refer to this handbook for a detailed description of all college policies, possible outcomes and sanctions for policy violations, procedures and timelines for student conduct cases, as well as other student conduct related information.