

# **2015-16 Faculty-Staff Handbook – Table of Contents**

The Faculty-Staff Handbook was last revised in August 2015.

## **I. Binghamton University: General Information**

- I.A. Board of Trustees
- I.B. Chancellor of the State University of New York
- I.C. Binghamton University Council
- I.D. Organization
  - I.D.1. Office of the President
  - I.D.2. Division of Academic Affairs
  - I.D.3. Division of Advancement
  - I.D.4. Division of Operations
  - I.D.5. Division of Research
  - I.D.6. Division of Student Affairs
- I.E. Management Procedures Manual
- I.F. Alcohol-free and Drug-free Workplace Policy
  - I.F.1. Alcoholic and Substance Abuse in the Workplace
  - I.F.2. Smoking Policy
- I.G. Campus and Workplace Violence Policy
- I.H. Binghamton University Policy Regarding Harassment
- I.I. Domestic Violence and the Workplace Policy
- I.J. Information for Faculty and Staff with Disabilities
  - I.J.1. Rights and Responsibilities under the Americans with Disabilities Act (ADA)
  - I.J.2. Disability Parking Policies and Procedures
- I.K. Access to University Records
- I.L. Release of Listings and Labels to Third Parties
- I.M. Binghamton University Counsel

## **II. Faculty and Professional Staff Governance**

- II.A. Faculty Bylaws
- II.B. Graduate School Bylaws
- II.C. Professional Employees Council Constitution
- II.D. Professional Employees Council Bylaws

### III. General Personnel Policies and Procedures

### IV. Faculty Personnel Policies and Procedures

#### IV.A. Personnel Actions

##### IV.A.1. Recruitment

##### IV.A.2. Verification of Credentials

##### IV.A.3. Term Appointment

##### IV.A.4. Renewal Terms

##### IV.A.5. Evaluation for Renewal, Promotion, Tenure Decisions

##### IV.A.6. Changes in Faculty Status - Procedures

##### IV.A.7. Notice of Change in Status

##### IV.A.8. Tenure

##### IV.A.9. Joint Appointments and Courtesy Titles

##### IV.A.10. Distinguished Professorships

##### IV.A.11. Policy and Procedure for Granting of Emeritus/a Status

##### IV.A.12. Departure Interviews

##### IV.A.13. Professional Obligation

##### IV.A.14. Academic Year Obligation and Semester Obligations

##### IV.A.15. Annual Faculty Reports

##### IV.A.16. Jury Service

##### IV.A.17. Faculty Absence from Campus

##### IV.A.18. Attendance Records

##### IV.A.19. Faculty Resignations

#### IV.B. Leaves

##### IV.B.1. Sabbatical Policy

##### IV.B.2. Leave of Absence (Title F Leave)

##### IV.B.3. Leave Status and Faculty Responsibility

##### IV.B.4. Payroll Procedures for September Faculty Returning from Leave and for Mid-Year Faculty Appointments

#### IV.C. Teaching

##### IV.C.1. Guiding Principles and Practices of Effective Teaching

##### IV.C.2. Statement of Goals, Principles and Responsibilities for Undergraduate Education at Binghamton University

##### IV.C.3. Teaching Load

##### IV.C.4. Class Size

- IV.C.5. Announcements in Class
- IV.C.6. Visiting Speakers in Class
- IV.C.7. Temporary Reductions in Teaching Assignments
- IV.C.8. Compensation for Summer and Winter Session Teaching
- IV.C.9. Faculty Responsibility for Academic Advising
- IV.C.10. Faculty Responsibility for Assessment
- IV.C.11. Bookstore Policy
- IV.D. Extra Service Compensation for Faculty
  - IV.D.1. Compensation for Other Instructional Activities
  - IV.D.2. Compensation for Research Activities
- IV.E. Professional and Outside Activities
  - IV.E.1. Outside Consulting Work
  - IV.E.2. Consultant and Contractual Services on Grants and Contracts
  - IV.E.3. Payments
- IV.F. Notification of Appointment or Election to Committees
- IV.G. Academic Freedom
- IV.H. Faculty Statement of Professional Standards
  - IV.H.1. General Standards
  - IV.H.2. Policy on Research
  - IV.H.3. Policy on Sexual Harassment and Consensual Relationships
  - IV.H.4. Grievance Procedures
  - IV.H.5. Administrative Guidelines
- IV.I. Guidelines for Foreign Exchange and Visiting Scholar Programs
- IV.J. International Visiting Scholars
- IV.K. Academic Regalia
- IV.L. Commencement
- IV.M. Tuition for Members of Faculty Families
- IV.N. Instruction for Members of Faculty Families
- IV.O. Faculty Housing

## **V. Professional Staff Personnel Policies and Procedures**

- V.A. Verification of Credentials
- V.B. Appointments
  - V.B.1. Term Appointment
  - V.B.2. Five-Year Term Appointment
  - V.B.3. Appointment to Titles Listed in Appendix A

- V.B.4. Appointment to Titles Listed in Appendix B
- V.B.5. Appointment to Titles Listed in Appendix C - Fundraising
- V.B.6. Renewal of Term
- V.B.7. Permanent Appointment
- V.B.8. Service Credits Applicable to Permanent Appointment
- V.B.9. Change in Professional Title (Probationary Appointments)
- V.B.10. Basic Annual Salary Protected
- V.C. Evaluation and Promotion
  - V.C.1. Evaluation System
  - V.C.2. Promotion
  - V.C.3. Notice of Change in Status
- V.D. Leave of Absence
- V.E. Professional Obligation
- V.F. Attendance Records
- V.G. Resignation
- V.H. Departure Interviews
- V.I. Grievance Procedure
- V.J. Discipline
- V.K. Jury Service
- V.L. Extra Service Compensation (See Also Extra Service Compensation by Faculty and Professional Employees in Section VI of the Faculty-Staff Handbook)

## VI. Research Policies and Procedures

- VI.A. Policy on Responsible Conduct of Research
- VI.B. Research Involving Human Subjects
- VI.C. Non-Research Activities Involving Human Subjects
- VI.D. Research Involving Recombinant DNA Molecules
- VI.E. Use of Vertebrate Animals in Research or Teaching
- VI.F. Use of Controlled Substances
- VI.G. Patent and Inventions Policy
- VI.H. Safety and Environmental Health

## VII. Instructional Policies

- VII.A. General Information and Policies
  - VII.A.1. Class Meetings
  - VII.A.2. Classrooms

- VII.A.3. Distance Learning Courses
- VII.A.4. Release of Student Information
- VII.A.5. Records Retention
- VII.A.6. Services to Students
- VII.A.7. Office Hours
- VII.A.8. Syllabus Statements on Credit Hours, Course Objectives and Learning Outcomes
- VII.A.9. Use of Community Resources for Teaching
- VII.A.10. Student Evaluation of Teaching
- VII.A.11. Academic Accommodations for Students with Disabilities
- VII.A.12. Web and Media Accessibility Policy
- VII.A.13. General Information About Student Activities
- VII.A.14. Orientation Programs
- VII.A.15. Advising Student Organizations
- VII.A.16. Sexual Harassment
- VII.A.17. Tutoring for Pay
- VII.A.18. Academic Honesty
- VII.A.19. Student Photographs
- VII.A.20. Eight Keys to Veterans' Success
- VII.B. Student Attendance Policies
  - VII.B.1. Religious Holidays - Education Law
  - VII.B.2. Student Attendance
  - VII.B.3. Absences by Students from Classes for Participation in Official University Events
- VII.C. Grading
  - VII.C.1. Student Evaluation
  - VII.C.2. Grading System
  - VII.C.3. Transferring Courses and Credit Within Binghamton University
  - VII.C.4. Examinations and Papers
  - VII.C.5. Final Examinations
  - VII.C.6. Submission of Grades
  - VII.C.7. Posting Grades
  - VII.C.8. NSF and Incomplete Grades
  - VII.C.9. Missing Grades
  - VII.C.10. Changing Grades
  - VII.C.11. Formal Complaints Concerning Grades

## VIII. Information Technology Services

VIII.A. General Information

VIII.B. Computing Policies

## IX. Libraries

IX.A. General Information

IX.B. Food, Drink and Noise Policy

## X. Campus Resources and Facilities

X.A. Changes in the Use of University Space and Space Request Process

X.B. University Properties and Services

X.B.1. General

X.B.2. Use of Facilities After Closing Hours

X.B.3. Use of Facilities by Outside Groups

X.B.4. Anderson Center

X.B.5. Scheduling Activities

X.C. Secretarial Services

X.D. University Telephone Equipment and Services

X.E. Campus Mail Services

X.F. Discriminatory and Gender-Based Language

X.G. Use of Health Center

X.H. Use of Recreational Services

X.I. Motor Vehicle Registration and Parking

X.J. Lost and Found Property

X.K. Non-Credit Instructional Activities and Administrative Requirements

X.L. Educational Communications

X.M. Questionnaires and Surveys

X.N. Visiting Speakers

X.O. Guidelines for Sponsoring Campus Events

X.P. Guidelines for Sponsoring Campus Events Requiring Extraordinary Security

X.R. Child Protection Policy

## XI. Communications and Government Relations

XI.A. Official Announcements

XI.B. Institutional Public Statements and News Releases

XI.C. Political Activities and Assessments

- XI.D. Campus Visits by Candidates for Political Office
- XI.E. Press Conferences
- XI.F. Guidelines on the Naming of Buildings, Grounds, and Schools
- XI.G. Publications
- XI.H. Banners and Signs

## **XII. General Fundraising**

- XII.A. Role of the Binghamton University Foundation
- XII.B. Coordination of Request for Proposals to Approach External Constituencies for Fundraising
- XII.C. Fundraising Policies and Procedures
- XII.D. On-Campus Solicitations and/or Not-For-Profit Organizations

## **XIII. Copyright and Fair Use Policies**

- XIII.A. Copyright Policy, Information and Forms
  - XIII.A.1. Binghamton University Copyright Policy
  - XIII.A.2. Binghamton University Copyright Agreement Form
  - XIII.A.3. Binghamton University Royalty Distribution Plan
  - XIII.A.4. Copyright Basics
  - XIII.A.5. Copyright Registration Forms
  - XIII.A.6. US Copyright Office
- XIII.B. Fair Use Policy and Information
  - XIII.B.1. Fair Use Policy (from Copyright Law)
  - XIII.B.2. Fair Use Analysis
  - XIII.B.3. Binghamton University Libraries Course Reserves Guidelines
  - XIII.B.4. Fair Use and E-Reserves (from Association of Research Libraries)
  - XIII.B.5. Fair Use Guidelines for Educational Multimedia
- XIII.C. Computer and Multimedia Copyright Policy and Information
  - XIII.C.1. Binghamton University Computer and Network Usage Policy (Acceptable Use)
  - XIII.C.2. TEACH Act of 2002
  - XIII.C.3. Guidelines for Off-Air Recording of Broadcast Programming
  - XIII.C.4. The Digital Millennium Copyright Act of 1998

## **XIV. Fringe Benefits**

- XIV.A. General Information
- XIV.B. Retirement Plans
- XIV.C. Long Term Disability Insurance Plan

- XIV.D. Worker's Compensation
- XIV.E. Life, Accident, Sickness Insurance
- XIV.F. Health Insurance
  - XIV.F.1. The Empire Plan
  - XIV.F.2. HMO Blue, MVP, and CDPHP
- XIV.G. Vision and Dental Insurance
- XIV.H. Death Benefits
- XIV.I. Sick Leave
- XIV.J. Vacation Leave
- XIV.K. Tuition Assistance
- XIV.L. Employee Assistance Program
- XIV.M. Tax-Deferred Annuities
- XIV.N. New York State Employees' Federal Credit Union

## **XV. Other Policies**

- XV.A. Agreements, Memoranda of Understanding, Federal and State Laws
- XV.B. Management Procedures
- XV.C. Annual Security Report
- XV.D. Maintenance of Public Order

## **XVI. Associated Organizations**

- XVI.A. The Foundation of the State University of New York at Binghamton, Inc.
- XVI.B. The Research Foundation for the State University of New York at Binghamton
- XVI.C. The Alumni Association of the State University of New York at Binghamton, Inc.
- XVI.D. United University Professions, Inc. (UUP)
- XVI.E. University Women

# **I. Binghamton University: General Information**

## I.A. Board of Trustees

## I.B. Chancellor of the State University of New York

## I.C. Binghamton University Council

## I.D. Organization

### I.D.1. Office of the President

### I.D.2. Division of Academic Affairs

### I.D.3. Division of Advancement

### I.D.4. Division of Operations

### I.D.5. Division of Research

### I.D.6. Division of Student Affairs

## I.E. Management Procedures Manual

## I.F. Alcohol-free and Drug-free Workplace Policy

### I.F.1. Alcoholic and Substance Abuse in the Workplace

### I.F.2. Smoking Policy

## I.G. Campus and Workplace Violence Policy

## I.H. Binghamton University Policy Regarding Harassment

## I.I. Domestic Violence and the Workplace Policy

## I.J. Information for Faculty and Staff with Disabilities

### I.J.1. Rights and Responsibilities under the Americans with Disabilities Act (ADA)

### I.J.2. Disability Parking Policies and Procedures

## I.K. Access to University Records

## I.L. Release of Listings and Labels to Third Parties

## I.M. Binghamton University Counsel

## **I.A. Board of Trustees**

Overall direction of the State University is the responsibility of a sixteen-member Board of Trustees. Fifteen members are appointed by the governor; the sixteenth is the president of the Student Assembly of the State University, ex officio, who serves as a voting member of the board.

## **I.B. Chancellor of the State University of New York**

The chancellor, the chief executive officer of the State University of New York, is responsible for developing and promulgating University-wide policies adopted by the Board of Trustees, including revising the University's Master Plan, coordinating the

University-wide budget process, overseeing facilities and academic planning, and directing statewide programs for the educationally disadvantaged.

## **I.C. Binghamton University Council**

The Council of the State University of New York at Binghamton is a ten-member body. Nine members are appointed by the governor; one is elected by and from among the undergraduate and graduate students of the University and is a voting member. The council's duties and powers include recommending to the Board of Trustees candidates for appointment as president; reviewing major plans regarding the development and improvement of the faculty, student life and academic programs; making regulations regarding campus facilities; naming buildings and grounds; making regulations regarding student conduct; and exercising supervision of student housing and safety.

## **I.D. Organization**

The day-to-day affairs of the State University of New York at Binghamton are conducted by the president, the administrative staff, and the faculty. The roles of the president and major administrative staff are described below. The organization and functions of the faculty are described in the Faculty Bylaws.

### **I.D.1. Office of the President**

#### *PRESIDENT*

The chief executive officer of the University, the president is responsible to the chancellor and the Board of Trustees. The president is charged with promoting the development and effectiveness of the institution and with overall administrative responsibility for the University, including budgetary planning and the allocation of resources. In addition, the president oversees the development of all University policies (as articulated in part in the Handbook) and the appointment and supervision of employees, as well as planning and implementation of initiatives supporting the University's mission, academic plans, and student development. The president also promotes the University's interests and advocates for it among external constituencies. As part of these responsibilities, the president prepares reports and makes recommendations to the University Council, the Chancellor and the Board of Trustees concerning the operation, plans and development of the institution. As chief administrative officer, the president assigns such powers, duties, and responsibilities as are appropriate to other administrative officers and special committees.

### *CHIEF OF STAFF*

Reporting directly to the president, the chief participates in all meetings of the President's Staff and serves as an adviser to the president on trends in higher education and policy implications of presidential decisions. The chief works with the vice presidents on University issues; coordinates the appointment of presidential advisory and other University committees; prepares special letters and reports for the president; serves as ex officio on a number of committees; provides support on a wide range of campus and system-wide issues; supervises secretarial staff for the Office of the President; monitors and oversees budgets for the office; and carries out special tasks as assigned by the president.

### *DIRECTOR OF ATHLETICS*

The director of athletics, who reports to the president of the University, has responsibility for the overall supervision and administration of the Intercollegiate Athletic program for the University, including management of facilities, budget preparation, financial management, planning, and staffing, as well as communications, marketing, and fundraising. The director of athletics is responsible for recruitment and selection of the coaches as well as relevant staff. The director is responsible for the relationships with, as well as compliance with, the rules and regulations of Binghamton University, the NCAA, and all affiliated conferences.

### *CHIEF DIVERSITY OFFICER*

The chief diversity officer, reporting to the president, leads the Office of Diversity, Equity and Inclusion (ODEI), formerly the Affirmative Action Office, which is responsible for promoting a campus climate that values diversity, equity and inclusion, and is free of bias and harassment. The chief diversity officer is responsible for the University's diversity, inclusion and affirmative action efforts, including policy development, recruitment and retention program development and initiatives, legal compliance with appropriate federal and state laws and regulations and complaint resolution. The chief diversity officer also serves as the Title IX officer. The ODEI advances Binghamton University's teaching, research and service mission and commitment to excellence by working collaboratively throughout the institution with faculty, staff and students. For information, please go to <http://www.binghamton.edu/diversity-equity-inclusion/>.

### *EXECUTIVE DIRECTOR OF THE BU FOUNDATION AND ASSOCIATE VICE PRESIDENT*

The executive director of the foundation has fiduciary responsibility over the foundation operating budgets and finances and all functions of administering and managing the

foundation at its board of directors, internally supervises accounting services, information technology, gift and donor records and the Binghamton University Forum, and serves as executive director of the Binghamton University Foundation Housing Corporation, Southern Tier High Technology Incubator and Campus Related Properties. The executive director reports to the president.

### *UNIVERSITY OMBUDSMAN*

The University ombudsman is the designated neutral or impartial dispute resolution practitioner whose major function is to provide confidential and informal assistance to constituents of the University community (including students, staff, faculty and/or administrators). The ombudsman serves to protect against abuse, bias and other improper treatment or unfairness. Serving as a designated neutral, the ombudsman is neither an advocate for any individual nor the organization, but rather, an advocate for fairness and fair process who acts as a source of information and referral and assists in the resolution of concerns and issues. This office supplements, but does not replace, the University's existing resources for conflict resolution. As an independent, neutral, confidential and informal resource, the Office of the University Ombudsman does not accept legal notice for Binghamton University. For more information, please visit <http://www.binghamton.edu/ombudsman/>.

## **I.D.2. Division of Academic Affairs**

### *EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS AND PROVOST*

As Binghamton's chief academic officer, the executive vice president for academic affairs and provost provides leadership for the University's academic mission, including student recruitment and academic success, faculty hiring and evaluation, academic program development and review, global academic initiatives, and marketing and communications. In consultation with the president, the provost is responsible for budget, space, and resource allocations for all University divisions.

### *SENIOR VICE PROVOST AND CHIEF FINANCIAL OFFICER*

The senior vice provost and chief financial officer is responsible for developing and maintaining base budgets for the University and for developing strategies, assessments, and information that guide decisions about University program development. The senior vice provost and chief financial officer develops and maintains financial records, reports, and fiscal support services, including provision of accurate financial information to other campus administrators as necessary for planning and decision-making.

In addition to these responsibilities, the senior vice provost has the following responsibilities:

- To develop long-term and yearly enrollment and revenue projections
- To develop long-term and annual budget projections
- To collect and analyze data on key metrics that track progress toward strategic objectives
- To track University achievements relative to System expectations including assessment programs and performance funding
- To develop long-term and annual plans for academic space utilization
- To serve as a liaison to the University's facilities planning process

The senior vice provost and chief financial officer has direct line responsibility for the operations of:

- the Office of Institutional Research and Assessment,
- the Office of Strategic and Fiscal Planning,
- the Office of University Budget,
- the Office of Business Affairs,
- the Office of Administrative Affairs,
- the Office of Course Building and Academic Space Management,
- the Office of Athletics Compliance,
- the Anderson Center for the Performing Arts, and
- the University Art Museum.

The senior vice provost and chief financial officer also serves as the ethics officer for the University. The senior vice provost and chief financial officer reports to the executive vice president for academic affairs and provost.

### *EXECUTIVE VICE PROVOST FOR INTERNATIONAL INITIATIVES AND CHIEF GLOBAL OFFICER*

The executive vice provost for international initiatives and chief global officer guides the University's internationalization processes, assists with the strategic planning and tactical implementation of global educational initiatives, and oversees the Office of International Programs (OIP) and International Student and Scholar Services (ISSS). OIP is responsible for university-wide international partnerships, programs and projects. These include Binghamton's international exchange and study abroad programs, the Global Studies Minor (GSM), Languages Across the Curriculum (LxC), and the Dual-Diploma Programs with Turkey. ISSS serves over 2700 international students and scholars, providing them with a holistic and comprehensive range of services. The executive vice provost for international initiatives is tasked with exploiting the synergies

that arise between our campus' extensive global programs and initiatives while also serving as a resource for all our campus' academic units. The executive vice provost for international affairs and chief global officer reports to the executive vice president for academic affairs and provost.

#### *VICE PROVOST AND DEAN OF THE GRADUATE SCHOOL*

The vice provost and dean of the Graduate School provides leadership for the development of graduate education. As the principal academic and administrative officer of the Graduate School, the vice provost oversees admissions, academic progress, and awarding of degrees at the graduate level; implements graduate curricular policy as determined by the Graduate Council; has responsibility for activities involving graduate curricular and academic matters; and works closely with graduate directors and chairs to recruit graduate students and develop new programs. The vice provost also assists both faculty and graduate students in their realization of the teaching mission of the institution and coordinates with the vice president for research to facilitate the research mission of the institution. Academic units temporarily housed in the Graduate School report to the vice provost and dean of the Graduate School. The vice provost and dean of the Graduate School reports to the executive vice president for academic affairs and provost.

#### *VICE PROVOST FOR UNDERGRADUATE EDUCATION AND ENROLLMENT*

The vice provost for undergraduate education and enrollment provides administrative coordination for undergraduate programs in the various schools at Binghamton University, academic support units, and other undergraduate academic initiatives. Working directly with the offices of the deans, the directors of undergraduate programs and the faculty masters, the vice provost interprets policies and procedures and is also the primary contact, relative to undergraduate curricula, with the administration of the State University of New York and the New York State Education Department. In addition, the vice provost coordinates the development of the University's undergraduate enrollment plan, emphasizing both recruitment and retention of students, and supervises the Office of Admissions and the Office of Financial Aid and Student Records. The vice provost for undergraduate education and enrollment reports to the executive vice president for academic affairs and provost.

#### *VICE PROVOST FOR DIVERSITY AND INCLUSIVENESS*

The vice provost for diversity and inclusiveness will provide leadership within and beyond the division of Academic Affairs to increase diversity among faculty, staff, and students to foster an inclusive academic culture that enables the University to reap the

benefits of a diverse academic community and to promote the success of underrepresented faculty, staff, and students. The vice provost for diversity and inclusiveness reports to the executive vice president for academic affairs and provost and also works closely with the chief diversity officer, the Division of Diversity, Equity and Inclusion, and the other divisional diversity officers.

#### *ASSOCIATE VICE PRESIDENT FOR ADMINISTRATIVE AFFAIRS*

The associate vice president for administrative affairs is responsible for financial planning and fee management. In addition, the office coordinates summary level financial analysis and coordination of financial projects with related organizations, strategic planning, and benchmarking. Special projects are completed as assigned by the senior vice provost.

#### *ASSOCIATE VICE PRESIDENT FOR BUSINESS AFFAIRS*

The associate vice president for business affairs oversees operations for the accurate and timely processing and reporting of all accounting transactions relating to state, IFR, DIFR, and SUTRA funds in accordance with New York State, SUNY and campus policies and procedures in both the campus and SUNY accounting systems. The associate vice president monitors and reviews the accuracy of Binghamton University financial information used in preparing the SUNY Financial Statements, Binghamton University IPEDS report, the National Science Foundation report, and prepares the Annual Campus Financial Reporting Package and Quarterly Uniform Revenue Accounting System Filings. Additionally the associate vice president develops appropriate processes and procedures and accurate and timely payment of University accounts payable, P-Card and Travel related procurement and expenditures in accordance with OSC, SUNY and University rules, regulations, policies and procedures and coordinates development and implementation of the Residence Hall operating and long range budgets, projections and reserves as well as works with other University offices to develop and input to the SUNY system the University's fiscal year revenue projections, making adjustments as needed. The associate vice president for business affairs manages Accounting, Accounts Payable, Travel, Purchasing and Student Accounts Office operations to ensure that assigned duties are done efficiently and effectively and in accordance with established policies and procedures. The associate vice president for business affairs reports to the senior vice provost.

#### *ASSOCIATE VICE PRESIDENT FOR COMMUNICATIONS AND MARKETING*

The associate vice president has supervisory responsibility for the University's branding, publications, web marketing and public relations programs. The associate vice president

integrates the University's overall marketing efforts; designs and implements a comprehensive public relations program comprising internal communications and local, regional, national and international media initiatives; supports the University's institutional advancement efforts; and advises administrators, faculty, staff and students on public relations and publications. The associate vice president reports to the executive vice president for academic affairs and provost and has a secondary reporting relationship to the president.

#### *DEAN OF HARPUR COLLEGE OF ARTS AND SCIENCES*

The dean of Harpur College of Arts and Sciences is the college's chief administrative and academic officer, and leads it in accordance with the University's mission and goals. Among the dean's general responsibilities are to consult with faculty to develop curricula and to maintain standards of performance; to foster excellence in teaching and research; to provide leadership for private fundraising; to facilitate new approaches to student learning; to promote interdisciplinary collaboration; to administer the college's budget; to recruit faculty; to help develop institutional partnerships and support recruitment efforts; and to take a leading role in other faculty personnel matters, including tenure, promotion, and renewal. The dean serves as chair of the Harpur College Council and acts to implement such academic policies as may be determined by that body. The dean of Harpur College of Arts and Sciences reports to the executive vice president for academic affairs and provost.

#### *DEAN OF THE GRADUATE SCHOOL OF EDUCATION*

The dean of the Graduate School of Education has overall responsibility for the development and operation of that school in accordance with the University's mission and goals. As the school's chief academic and administrative officer, the dean consults with the faculty in planning, developing, and supervising curricula for the school's degree programs; recruits and hires faculty and makes recommendations concerning faculty promotions, tenure, and renewals; and prepares and administers the school's annual budget. The dean is charged with building relationships with the external community as a part of the school's mission of service to the area. The dean also has responsibility for outreach and continuing education programs specific to GSE, and directs all external funding operations. The dean of the Graduate School of Education reports to the executive vice president for academic affairs and provost.

#### *DEAN OF THE COLLEGE OF COMMUNITY AND PUBLIC AFFAIRS*

The dean of the College of Community and Public Affairs has overall responsibility for the development and operation of that school in accordance with the University's

mission and goals. As the school's chief academic and administrative officer, the dean consults with the faculty in planning, developing, and supervising curricula for the school's degree programs; recruits and hires faculty and makes recommendations concerning faculty promotions, tenure, and renewals; and prepares and administers the school's annual budget. The dean is charged with building relationships with the external community as a part of the school's mission of service to the area. The dean also has responsibility for outreach and continuing education programs specific to CCPA, and directs all external funding operations. The dean of the College of Community and Public Affairs reports to the executive vice president for academic affairs and provost.

### *DEAN OF THE THOMAS J. WATSON SCHOOL OF ENGINEERING AND APPLIED SCIENCE*

The dean of the Thomas J. Watson School of Engineering and Applied Science has overall responsibility for the advancement and operation of the school in accordance with the university's mission and goals. As the school's chief academic and administrative officer, the dean consults with the faculty in planning, developing, and supervising curricula for the school's degree programs; recruits and hires faculty; makes recommendations concerning faculty promotions, tenure, and renewals; fosters faculty research and scholarship; promotes teaching excellence; works to ensure the school is a diverse and inclusive environment, administers the school's budget and develops the infrastructure to ensure an excellent academic environment. The dean is charged with building relationships with other units on campus and with the external community as part of the school's mission of service to the region and to the State of New York. The dean also has responsibility for outreach and continuing education programs specific to the school and for representing the Watson School at appropriate academic forums. The dean of the Watson School reports to the executive vice president for academic affairs and provost.

### *DEAN OF THE SCHOOL OF MANAGEMENT*

The dean of the School of Management, as its chief academic and administrative officer, has general responsibility for the operation of the school in accordance with the University's mission and goals. With the advice of the school's faculty, the dean is responsible for the development and operation of the academic programs, for the recruitment and retention of faculty and staff, for strategic planning and development, and for leading the fundraising efforts of the school. In addition, the dean's responsibilities include the preparation of the school's budget, the establishment and

maintenance of appropriate ties with the business community, and the development of executive education and other non-credit instructional programs relevant to the school's mission. The dean of the School of Management reports to the executive vice president for academic affairs and provost.

#### *DEAN OF THE DECKER SCHOOL OF NURSING*

The dean of the Decker School of Nursing serves as its principal administrative and academic officer and is responsible for all aspects of the school, leading it in accordance with the University's mission and goals. These include faculty recruitment and development, curriculum planning, coordination and development of both undergraduate and graduate programs, and presentation of an academic budget. The dean consults with other deans and with the chairs of academic departments to assure that required courses in the physical, behavioral, and social sciences are available to meet nursing pre- and co-requisites. The dean works with the faculty of the school to develop and evaluate academic programs and to prepare proposals for outside funding. The dean also consults with local, regional, and state leaders in health care to determine the impact of the programs operated by the school, to assess regional needs in nursing education, and to promote further opportunities for the school and its programs. The dean of the Decker School of Nursing reports to the executive vice president for academic affairs and provost.

#### *DEAN OF LIBRARIES*

The dean of University Libraries is responsible for strategically leading and managing the University Library system to support the institution's mission of teaching and research. The dean administers and enhances the Libraries' budget by developing additional sources of revenue, coordinates the development of library collections and provision of library services, manages library human resources, implements knowledge management techniques that include utilization of new and emerging information technologies, and represents the University and its Libraries to appropriate constituencies locally, nationally and internationally. The dean reports to the executive vice president for academic affairs and provost.

#### *FOUNDING DEAN OF THE SCHOOL OF PHARMACY AND PHARMACEUTICAL SCIENCES*

The founding dean of the School of Pharmacy and Pharmaceutical Sciences is the school's chief administrative and academic officer and leads it in accordance with the University's mission and goals. The founding dean is hiring a leadership team consisting of associate and assistant deans and department chairs and provides leadership for the

development of a new curriculum. The founding dean will lead the school in the ACPE accreditation process. The School of Pharmacy plans to matriculate the first class in August 2017, pending Precandidate status being awarded by ACPE. The program will offer the PharmD degree leading to licensed pharmacists and a PhD in Pharmaceutical Sciences and Health Outcomes. The University is currently designing a new, state-of-the-art building to house the new school. The founding dean of the School of Pharmacy and Pharmaceutical Sciences reports to the executive vice president for academic affairs and provost.

### *DIRECTOR OF BUDGET*

The Director of Budget is responsible for State, Income Fund Reimbursable (IFR), State University Tuition Reimbursement Account (SUTRA), and Dormitory Income Fund Reimbursable (DIFR) budgets in both SUNY and the campus financial management systems. The Director assists in formulating budget projections, developing and implementing budget plans, and monitoring compliance with budget assignments. The main functions are:

- Develop the University's State appropriation budget documents, including State University Tuition Reimbursement Account (SUTRA), Dormitory Income Fund Reimbursable (DIFR) State Purpose, and Income Fund Reimbursable (IFR), working with responsible areas.
- Maintain historical budgetary records and analyze potential changes to the University's budget.
- Verify that funding is available for new positions and/or for changes to existing positions when requests are submitted.
- Maintain detailed files for Divisions/Departments and Operational areas which estimate fiscal year Personal Service Regular (PSR) and Adjunct faculty expenditures in the Revenue Offset Purpose fund.

### **I.D.3. Division of Advancement**

The Division of Advancement is responsible for the University's advancement programs, including the Binghamton University Forum; the Alumni Relations Office, including the Alumni Association and its regional chapters; and the fundraising program and related services.

### *VICE PRESIDENT FOR ADVANCEMENT*

The vice president for advancement oversees the alumni engagement and fundraising programs, including chapter and affinities, volunteer programs, signature events, major

and annual giving, donor relations and prospect management and research. The vice president serves as an ex-officio voting member of the boards of the Binghamton University Foundation and the Alumni Association. The vice president for advancement reports to the president.

#### *ASSOCIATE VICE PRESIDENT FOR ADVANCEMENT*

The associate vice president for advancement has responsibility for the annual giving program, development communications and stewardship, research and prospect management. The associate vice president for advancement leads strategic projects for the vice president of advancement, as well as provides division-wide support for financial and strategic planning, resource management, reporting, messaging, volunteer management, human resources and personnel development.

#### *SENIOR DIRECTOR FOR ALUMNI RELATIONS*

The senior director for alumni relations serves as staff liaison to the Alumni Association Board of Directors and its committees, supervises the Office of Alumni Relations, and is liaison to the Office of Communications and Marketing. The senior director for alumni relations reports to the vice president for advancement.

### **I.D.4. Division of Operations**

#### *VICE PRESIDENT FOR OPERATIONS*

The vice president for operations develops, implements, and monitors University policies governing physical facilities, campus safety and security, human resources, and capital construction responsibilities, and develops, implements, monitors, and maintains personnel policies and records. Reporting to the vice president for operations are the following offices and areas: associate vice president for facilities management, associate vice president for information technology services, and chief of university police. The president may designate other duties.

#### *ASSOCIATE VICE PRESIDENT FOR FACILITIES MANAGEMENT*

The associate vice president for facilities management is responsible for the overall management of the physical plant, including all maintenance operations (custodial, building trades, HVAC, central heating plant, central receiving, grounds maintenance and vehicle repair), capital budget process and the management of the utility budget. The associate vice president is also responsible for campus facilities planning and constructing new buildings and rehabilitations including site, civil, architectural, and mechanical development; for equipment requests for new buildings; and for developing requests for conversions within existing buildings. The associate vice president for facilities management serves as the primary liaison with the State University

Construction Fund as well as the Dormitory Authority of the State of New York. The associate vice president reports directly to the vice president for operations.

#### *ASSOCIATE VICE PRESIDENT FOR INFORMATION TECHNOLOGY SERVICES*

The associate vice president for information technology services is responsible for the University's data and voice networks, academic and administrative computing services, classroom technology support, telecommunications, and long-range planning for the use and integration of information technologies on campus. The major areas of concern are service levels, budget, hardware and software procurement, contracts, measurement of resources, external liaison with System Administration, other SUNY campuses, and national networks, and personnel management and development. The associate vice president reports to the vice president for operations with coordinative reporting to the provost.

#### *ASSOCIATE VICE PRESIDENT FOR HUMAN RESOURCES*

Human Resources is responsible for hiring and appointment, classification and compensation, reclassification/promotion, wage and salary administration, payroll and compensation, employee and labor relations for six union and eight bargaining agreements, orientation and benefits management, records (personnel) and maintenance, and performance management. The associate vice president also serves as one of the presidential designees on contract/union matters.

- **Director of Environmental Health and Safety** - Environmental Health and Safety is responsible for promoting and supporting a safe and environmentally conscious campus setting through the delivery of professional consultation, education, training and various other safety compliance programs and initiatives.
- **Director of University Center for Training and Development** - The center's mission is to provide support and facilitate learning, growth and development for the faculty and staff of Binghamton University. The center conducts assessments to identify training needs, creates and facilitates training and development programs, provides resources and materials to enhance career initiatives, and promotes a University culture of shared dedication and success.

The associate vice president reports directly to the vice president for operations.

#### *CHIEF OF UNIVERSITY POLICE*

The director of public safety and chief of university police plans, directs, coordinates, controls, develops policies and procedures for, and staffs all activities of the University Police Division and the Parking Services Division. This includes oversight of parking

operations, public safety, crime prevention, and matters relating to community security programs. The chief of university police reports to the vice president for operations.

### **I.D.5. Division of Research**

#### *VICE PRESIDENT FOR RESEARCH*

The vice president for research establishes divisional goals, spearheads strategic planning, administers divisional directives and builds internal and external partnerships to enhance the quality, productivity and reputation of research and scholarship at Binghamton University.

#### *ASSOCIATE VICE PRESIDENT FOR RESEARCH ADMINISTRATION*

The associate vice president for research administration oversees the operations of research administration at Binghamton University. The associate vice president serves as the financial and budget officer for the Division of Research, with oversight of Research Foundation and state funding, and serves as the Research Foundation for SUNY operations manager. Reporting to the associate vice president includes the assistant vice president for sponsored programs and the directors of Research Foundation human resources and purchasing/accounts payable.

#### *ASSISTANT VICE PRESIDENT FOR GOVERNMENT RELATIONS*

The assistant vice president for government relations represents the interests of Binghamton University by serving as the University's lead advocate to the governor's office, the New York State Legislature, state agencies, and county and municipal governments. This position also channels pertinent information to the University concerning legislation, budgets and opportunities for advancement.

#### *ASSISTANT VICE PRESIDENT FOR SPONSORED PROGRAMS*

The assistant vice president for sponsored programs directly oversees "pre-award" sponsored program activities on the campus and works closely with the associate vice president for research administration on initiatives that impact pre- and post-award research administration. Reporting to the assistant vice president includes the director of grants management and assistant director of sponsored programs.

#### *ASSISTANT VICE PRESIDENT FOR STRATEGIC RESEARCH INITIATIVES*

The assistant vice president for strategic research initiatives is responsible for developing and implementing new interdisciplinary research projects as prioritized by senior administration, has oversight of the organized research centers and is the division's research space representative.

### *EXECUTIVE DIRECTOR FOR ENTREPRENEURSHIP AND INNOVATION PARTNERSHIPS*

The executive director for entrepreneurship and innovation partnerships is responsible for coordinating technology development and entrepreneurship interactions across the campus. This position works together with faculty to protect University-developed intellectual property and provides support for Binghamton's economic development mission.

### *DIRECTOR, FEDERAL RELATIONS*

The director for federal relations is involved in a host of outreach activities, specifically in the areas of economic development, divisional research and government and community relations. Specific duties include advancing federal relations initiatives and making presentations to local and regional community groups while maintaining regular contact and positive relations with appropriate political offices and elected representatives.

### *DIRECTOR, RESEARCH ADVANCEMENT*

The director of research advancement provides communications leadership, expertise, perspective and services to advance an understanding of and appreciation for University research and scholarship.

### *DIRECTOR, LABORATORY ANIMAL RESOURCES*

The director of laboratory animal resources oversees the animal care program. The position assures that facilities, personnel, equipment and services are available to comply with requirements established by federal, state, local agencies, and manages the veterinary services program.

### *DIRECTOR, SMALL BUSINESS DEVELOPMENT CENTER (SBDC)*

The director manages a program to provide entrepreneurs and small business owners in a seven-county region with management and technical assistance to help companies get started, grow and prosper. The SBDC draws not only from the expertise of its staff but also from the resources of the SBDC Central Library, the State University of New York at Binghamton, and various federal, state, & local government agencies. Services are free and strictly confidential.

### *DIRECTOR, TRADE ADJUSTMENT AND ASSISTANCE CENTER (TAAC)*

The director manages a program sponsored by the U. S. Department of Commerce that provides assistance to companies that have been adversely impacted by foreign

competition. This assistance comes in the form of corporate reviews and consultation to level the playing field and improve products, marketing or internal corporate efficiency.

## **I.D.6. Division of Student Affairs**

### *VICE PRESIDENT FOR STUDENT AFFAIRS*

The vice president for student affairs is responsible for various academic support services and student development programs and services. These include the Dean of Students, Educational Opportunity Program, TRIO and Veterans Programs, Discovery, New Student Programs, Campus Recreational Services, Fraternity and Sorority Life, Off Campus Services, Fleishman Center for Career and Professional Development, University Counseling Center, University Health Service, Campus Activities, University Union, Office of Student Conduct, International Student and Scholar Services, Center for Civic Engagement, Transfer Student Initiatives and Services, Services for Students with Disabilities, and Auxiliary Services (dining, transportation and others). In the absence of the president, the executive vice president for academic affairs and provost, and the vice president for administration, the vice president for student affairs acts as the chief administrative officer.

### *ASSISTANT VICE PRESIDENT FOR HEALTH AND WELLNESS*

Reporting to the vice president for student affairs, the assistant vice president oversees the offices of Campus Recreational Services, University Counseling Center and University Health Service.

### *ASSOCIATE VICE PRESIDENT AND DEAN OF STUDENTS*

The associate vice president and dean of students reports to the vice president for student affairs and oversees the Office of Student Conduct, Off Campus Services, University Union, Residential Life, Campus Activities and Fraternity and Sorority Affairs, as well as student leadership development. The associate vice president and dean of students chairs the Students of Concern Committee and is a primary point of contact for students in crisis. The associate vice president and dean of students assists student government and student organizations. The associate vice president and dean of students acts as the chief student affairs officer in the absence of the vice president.

### *ASSISTANT VICE PRESIDENT FOR STUDENT DEVELOPMENT*

The assistant vice president for student development reports to the vice president for student affairs and oversees the offices of the Fleishman Center for Career and Professional Development, Center for Civic Engagement, Services for Students with Disabilities, Executive Director for Student Services (including TRIO Programs, Veterans Services, Orientation and New Student Programs, Discovery and Transfer

Student Initiatives and Services) and Binghamton University Community Schools Coordinator. The assistant vice president for student development is also responsible for collaborative programs with Academic Affairs.

#### *ASSISTANT VICE PRESIDENT FOR STUDENT AFFAIRS ADMINISTRATION*

The assistant vice president reports to the vice president and is responsible for many administrative functions of the Division of Student Affairs, including fiscal planning, technology, space management, personnel matters, Student Affairs assessment, and Auxiliary Services.

#### *DIRECTOR OF THE EDUCATIONAL OPPORTUNITY PROGRAM*

The director is responsible for providing historically, financially and academically disadvantaged students the opportunity to pursue higher education with services such as counseling, tutoring, academic coursework and financial aid. The program is supported by the State University of New York's Office of Opportunity Programs (SUNY OOP).

#### *DIRECTOR OF AUXILIARY SERVICES*

The director is responsible for vendor relations, including food and beverage services, the bookstore, vending operations, washer/dryer operations, banking, refrigerator rental, pouring rights, transportation, parking and childcare. The director also provides financial oversight for the Student Association and Graduate Student Organization.

#### *DIRECTOR OF HEALTH AND COUNSELING SERVICES*

The director is responsible for the overall operations of the Employee Assistance Program, Decker Student Health Services Center and the University Counseling Center, including primary outpatient care to all University students, health education, and individual and group counseling to students with concerns about academics, personal or other matters and helping them overcome difficulties in their emotional or psychological development.

#### *DIRECTOR OF CAMPUS RECREATIONAL SERVICES*

The director is responsible for providing quality programming that enriches the educational experience of students. Campus Recreational Services offers a vast array of activities for individuals and various interest groups on campus, all of which offer opportunities to create a balanced lifestyle through wellness and physical activity. There are five distinct recreational programs: Club Sports, Intramural Sports, Open Recreation, Outdoor Pursuits and Wellness Services.

### *ASSOCIATE DEAN AND DIRECTOR OF RESIDENTIAL LIFE*

The director is responsible for the overall supervision and management of 23 residence halls and two apartment complexes, which house 7,400 residents and are staffed by approximately 295 professional, civil service and paraprofessional employees.

The associate dean and director of residential life also supervises the University Union, including oversight management of the University Union facility and providing space within and outside the University Union for programming by the campus community.

The associate dean and director of residential life also oversees the operation and staffing of the information desks, sound tech and event staff, other University Union-related services and the John Arthur Café.

### *DIRECTOR OF HEALTH PROMOTION AND PREVENTION SERVICES*

The director plays a key role in creating a broad and coordinated plan for health promotion and prevention that supports a healthy learning community. Supervision of key programs in the areas of high risk drinking and other substance abuse; mental health outreach; strength building/resilience training/stress reduction; prevention of power-based violence (including of sexual harassment, sexual assault, domestic/dating violence, and stalking), support of student victims; and oversight of the initiatives driven by the University's Healthy Campus Committee are primary responsibilities.

### *DIRECTOR OF DIVISIONAL PLANNING AND MANAGEMENT*

The director reports to the assistant vice president for student affairs administration and is responsible for many administrative functions of the Division of Student Affairs.

Primary among these responsibilities are human resource management and strategic planning.

### *DIRECTOR OF STUDENT AFFAIRS BUSINESS OPERATIONS*

The director reports to the assistant vice president for student affairs administration and is responsible for many administrative functions of the Division of Student Affairs.

Primary among these responsibilities are budget planning and management, analysis and reporting.

### *DIRECTOR OF STUDENT AFFAIRS ASSESSMENT AND STRATEGIC INITIATIVES*

The director is responsible for coordinating assessment support services for the departments within the Division of Student Affairs by implementing assessment projects, creating surveys and analyzing results, identifying and prioritizing outcomes, and creating data collection systems to determine instructional or service needs and providing and publicizing training related to assessment. The director also assists the vice president with strategic planning.

### *DIRECTOR OF THE FLEISHMAN CENTER FOR CAREER AND PROFESSIONAL DEVELOPMENT*

The director administers a centralized office that serves undergraduate and graduate students in all majors, as well as alumni. The director supervises resources and services that provide assistance with increasing understanding about the skills and competencies needed for career success, exploring careers, pursuing internships and other experiential learning, and gaining professional employment or admission to graduate and professional school. These include programs and workshops, special events, career counseling, on-campus recruiting, the career resource area and hireBING.

### *DIRECTOR OF THE CENTER FOR CIVIC ENGAGEMENT*

The director oversees the Center for Civic Engagement, which promotes and supports student and faculty engagement with the community through cultivation of credit-bearing experiential education opportunities and internships, short- and long-term voluntary service and community-based research initiatives.

### *DIRECTOR OF SERVICES FOR STUDENTS WITH DISABILITIES*

The director is responsible for the overall direction of the office in the fulfillment of its mission. The office provides direct support to students through counseling, advising, consultation, advocacy and the coordination of appropriate university accommodations and works with staff throughout the university to ensure effective disability access and enhance educational opportunities.

### *EXECUTIVE DIRECTOR OF STUDENT SERVICES*

The executive director for student services coordinates all projects relating to the TRIO/Veterans programs, including Upward Bound and Student Support Services, and provides services to veterans who are pursuing an education at the University. The executive director also oversees Orientation, New Student Programs, Discovery and Transfer Student Initiatives and Services.

### *DIRECTOR OF THE OFFICE OF STUDENT CONDUCT*

The director directs all aspects of the campus student conduct system, including advising students of their rights, protection guarantees, and responsibilities as members of the campus community. The director resolves alleged violations of the University's Rules of Student Conduct or refers charges to the appropriate hearing body and trains students and staff who serve on judicial boards.

### *DIRECTOR OF FRATERNITY AND SORORITY LIFE*

The director is responsible for overseeing the day to day operations of the fraternity and sorority community. This consists of providing advising and support to the seven governing councils, their 52 chapters, and over 1500 members.

### *ASSISTANT DEAN AND DIRECTOR OF OFF-CAMPUS PROGRAMS*

The director is responsible for serving the needs of students living off campus and acting as a liaison between the University and wider community, including off-campus housing assistance and free legal clinics. The director also represents the University on several town-gown initiatives.

### *DIRECTOR OF TRANSPORTATION*

The director is responsible for the overall operation and services associated with transportation as it relates to Binghamton University and its partners, i.e. OCT, BCT, Hertz on Demand Car Sharing and the bike share program. The director of transportation is the chair of the University Transportation Committee.

## **I.E. Management Procedures**

<http://www.binghamton.edu/operations/policies/>

## **I.F. Alcohol-free and Drug-free Workplace Policy**

### **I.F.1. Alcohol and Substance Abuse in the Workplace**

<http://www.binghamton.edu/operations/policies/personnel-and-payroll/policy-substance-abuse-workplace.html>

An employee who is also a student must also be aware of the rules regarding student alcohol and substance abuse. These can be found in the Student Handbook online at <http://www.binghamton.edu/student-handbook/>

### **I.F.2. Smoking Policy**

<http://www.binghamton.edu/operations/policies/security-and-safety/tobacco-use-and-smoking-policy.html>

## **I.G. Campus and Workplace Violence Policy**

<http://www.binghamton.edu/human-resources/policies/workplace-violence.html>

## **I.H. Binghamton University Policy Regarding Harassment**

<http://www.binghamton.edu/human-resources/policies/harassment.html>

## **I.I. Domestic Violence and the Workplace Policy**

<http://www.binghamton.edu/human-resources/policies/domestic-violence.html>

## I.J. Information for Faculty and Staff with Disabilities

### I.J.1. Rights and Responsibilities under the Americans with Disabilities Act (ADA)

#### *HISTORICAL CONTEXT*

The Americans with Disabilities Act of 1990 (ADA) and the ADA Amendments Act of 2008 is a wide-ranging civil rights statute that prohibits discrimination against people with disabilities in a variety of sectors, including employment and education. While the passage of the ADA in 1990 lent a particular immediacy to the rights of individuals with disabilities, Binghamton University, as a recipient of federal funds, has been subject to laws prohibiting discrimination against current or potential students and employees with disabilities since the enactment of the Rehabilitation Act of 1972. Despite this relatively long history of compliance with statutes prohibiting discrimination on the basis of disability, it is essential that we continually review institutional policies as well as our own individual practices to ensure that qualified students and employees with disabilities are accorded both their rights under the law and their rightful places within the University.

#### *SOME IMPORTANT DEFINITIONS*

Under the ADA, a person has a disability if he or she has a physical or mental impairment that substantially limits one or more major life activities. The ADA, as amended, also protects individuals who have a record of such an impairment, as well as people who are regarded as having such an impairment. A substantial impairment is one that significantly limits or restricts a major life activity, such as hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning, or working. To be protected by the ADA, however, a current or potential student or employee with a disability must be otherwise "qualified"-i.e., someone who, with or without reasonable job accommodations or reasonable modifications to educational policies or practices, meets the essential requirements of the job or the educational program.

#### *GENERAL REQUIREMENTS UNDER THE AMERICANS WITH DISABILITIES ACT*

(Adapted from Jane E. Jarrow's *Title by Title: The ADA's Impact on Postsecondary Education*, published by the Association on Higher Education and Disability.)

- There may be no exclusion of persons on the basis of disability. It is unlawful to deny admission to or to limit the enrollment of students with disabilities when they are otherwise

qualified. Likewise, it is unlawful to discriminate against a qualified employee or applicant for employment on the basis of disability.

- There may be no discrimination through contract. The University is responsible for ADA compliance even in those services, programs, or activities it contracts out to other entities. Contracts should stipulate that outside lessees, lessors, and vendors must abide by the institution's requirements under the ADA, in addition to any other requirements for which they themselves are responsibilities under the law.
- Persons with disabilities are entitled to participate in the most integrated settings possible. If special problems are established, the individual with a disability may still choose to participate in the general program. Persons with disabilities have the right to refuse accommodation.
- It is unlawful to use eligibility criteria that screen out, directly or indirectly, an individual with a disability or a class of individuals with disabilities unless such criteria can be shown to be necessary to the provision of the activities or services, or essential to the performance of the job. Safety-related criteria may be imposed, but those criteria must be shown to be based on actual risk and not on stereotypes or assumptions about the abilities of people with disabilities.
- Reasonable job accommodations or reasonable modifications to educational policies, practices, or procedures must be made to otherwise qualified employees or students with disabilities, unless such job accommodations would impose an undue financial or operational hardship on the employer, or such modifications to educational programs would fundamentally alter the nature of the activities or services offered.
- It is unlawful to deny equal services, programs, or activities to an individual or entity because that individual or entity has an affiliation with an individual or class of individuals who are known to have a disability. For example, it would be unlawful to deny space on campus for an AIDS support group to meet because of fear of exposure to AIDS/HIV. It would also be unlawful to deny employment to an individual with a chronically ill partner or child because of a perceived potential for missed work or increased insurance costs.
- It is unlawful to attempt to cover or offset costs of complying with the ADA by imposing a surcharge solely on people with disabilities.
- It is unlawful to refuse to serve persons with disabilities, or to serve them differently on the basis of their disabilities, due to insurance coverage or rates. For example, it would be illegal to bar persons with low vision or limited mobility from a science laboratory because it is believed that insurance coverage may be jeopardized, or the costs increased, as a result of the presence of these individuals.

- It is unlawful to retaliate or threaten retaliation against individuals with disabilities for asserting their rights under the ADA.

### *GRIEVANCE PROCEDURE*

If you feel that you have been discriminated against on the basis of disability, a procedure exists for the timely review of your complaint. The "Grievance Procedure for Review of Allegations of Discrimination" is available from the Division of Diversity, Equity and Inclusion, LSG 548.

### *504/ADA COORDINATORS*

Barbara Jean Fairbairn, director of Services for Students with Disabilities, 607-777-2686 (V/TT), and Valerie Hampton, chief diversity officer, 607-777-4775, are Binghamton University's 504/ADA Coordinators. Please contact them if you have questions regarding the ADA or are in need of an ADA accommodation.

### **I.J.2. Disability Parking Policies and Procedures**

<http://www.binghamton.edu/ssd/accessibility/parking.html>

### **I.K. Access to University Records**

The Freedom of Information Law, effective January 1, 1978, (Public Officers, Article 6) provides rights of access to University records, except those that fall within one of the eight categories of deniable records [section 87 (2)]. Written application for examination and copying of accessible records must be made to [foil@binghamton.edu](mailto:foil@binghamton.edu) or to the Records Access Officer, Office of University Counsel, Couper Administration Building, room 614A, Binghamton University, PO Box 6000, Binghamton, NY 13902-6000, during regular business hours or by first class mail or fax (607-777-6453). Appeals of a denial of requested information must be taken within 30 days to the FOIL Appeal Officer, Office of University Counsel, State University Plaza - S315, Albany, New York 12246.

### **I.L. Release of Listings and Labels to Third Parties**

As a general policy and practice, the University neither produces nor releases labels or lists of its students, faculty, staff, administrators, or alumni except for official University purposes. When labels or lists are produced and released, their use must be directly related, in a primary manner, to the stated mission of the University. Once released, mailing labels and lists may not be duplicated or stored by any means. The University has adopted this position to ensure compliance with the laws affecting privacy, to avoid possible participation in illegal discrimination, and to act in a fashion that is in the best educational interests of students and other members of the University community.

Student organizations, for purposes of this policy, are not considered officially related to the University for purposes of obtaining lists or labels. However, the Campus Post Office will continue to provide recognized student organizations with scheduled access to campus mail rooms for purposes of placing information materials in student mailboxes.

## **I.M. Binghamton University Counsel**

Binghamton University employs a regional counsel whose responsibility it is to furnish legal advice to the president and other senior administrators, and to be present to represent the University when its legal interests are involved. Questions involving legal matters that have a direct bearing upon the University should be referred to the appropriate vice president.

## **II. Faculty and Professional Staff Governance**

[II.A. Faculty Bylaws](#)

[II.B. Graduate School Bylaws](#)

[II.C. Professional Employees Council Constitution](#)

[II.D. Professional Employees Council Bylaws](#)

### II.A. Faculty Bylaws

<http://www.binghamton.edu/faculty-senate/>

### II.B. Graduate School Bylaws

<http://www.binghamton.edu/grad-school/resources/policies-procedures/graduate-school-by-laws.html>

### II.C. Professional Employees Council Constitution

<http://www.binghamton.edu/pec/about/constitution.html>

### II.D. Professional Employees Council Bylaws

<http://www.binghamton.edu/pec/about/by-laws.html>

## **III. General Personnel Policies and Procedures**

[III.A. Binghamton University Affirmative Action/Equal Access Policy](#)

[III.B. Professional Responsibility](#)

[III.C. Standards and Codes of Ethics Mandated by NYS Law](#)

[III.D. Conflict of Interest Policy](#)

[III.E. Enrollment in Graduate Degree Programs](#)

[III.F. Liability of University Officers and Employees](#)

[III.G. Extra Service Compensation for Faculty and Professional Employees](#)

[III.H. Safety and Environmental Health](#)

[III.H.1. General Policy](#)

[III.H.2. Responsibilities](#)

[III.H.3. Hazard Communication Standard \(Right to Know\)](#)

[III.H.4. Labeling of Chemical Containers](#)

[III.H.5. Emergency Preparedness](#)

[III.H. Travel](#)

### **III.A. Binghamton University Affirmative Action/Equal Access Policy**

[Binghamton University Affirmative Action Policy](#)

### **III.B. Professional Responsibility**

Faculty and professional staff should note that this Handbook contains a description of professional and academic responsibilities, when taken in conjunction with the University policies found in sections III. General Personnel Policies and Procedures, IV. Faculty Personnel Policies and Procedures, V. Professional Staff Personnel Policies and Procedures, VII. Instructional Policies, and XV. Other Policies, a description of professional and academic responsibilities. New York State law mandates a set of Standards and a Code of Ethics for its employees.

### **III.C. Standards and Codes of Ethics Mandated by NYS Law**

Every officer and employee in State service is bound by the provisions of the State ethics laws, which establish specific standards of conduct, restrict certain business and professional activities – both while in State service and after leaving government – and require financial disclosure of policymakers and other higher level officials. Violators face serious penalties.

Although the underlying principles of the laws are fairly simple – preventing conflicts of interest and encouraging ethical behavior – the law’s specific provisions can be quite technical. Please visit the New York State Joint Commission on Public Ethics (JCOPE) web page located at <http://www.jcope.ny.gov/> for an outline of what is expected of State officers and employees.

### III.D. Conflict of Interest Policy

The federal regulations under which grant and contract funds are made available to the University require that they be administered in such a way as to preclude "conflict of interest" practices in such areas as the purchase of goods and services and employment. In the area of employment, federal auditors review for any evidence that individuals have given preferential treatment to persons related to them in appointment and/or promotion actions. Federal and state EEO and Affirmative Action policies and regulations also prohibit discriminatory practices in hiring.

Binghamton University's conflict of interest policy does not preclude the employment of two or more members of the same family. However, to ensure compliance with federal policy and the New York State Public Officers Law, no employee of the University may recommend or approve any personnel action affecting a relative nor may one relative supervise another. This applies to all forms of employment on the campus, permanent or temporary, regardless of the source of funding (state, Research Foundation for the State University of New York, IFR, agency accounts, etc.).

Where the search and selection process results in a situation in which a University employee must recommend or approve the appointment of a relative, the employee must defer to the next administrative level to make the initial recommendation. In forwarding the personnel action to the next administrative level, the employee should include the vita of the proposed appointee; a statement of the position's requirements and salary, and their relationship to the proposed appointee's qualifications; and a summary of the recruitment and selection process, including the names of the other candidates considered and the basis for their rejection. The review at the next administrative level shall be based on the relationship of the proposed appointee's qualifications to the requirements and salary of the position, the qualifications of other interested candidates, and any other extenuating, job-related circumstances. The review should also involve consultation with the director of human resources and with the Affirmative Action Office, and, for Research Foundation for the State University of New York appointments, the associate vice president for research administration. If the appointment is recommended by the next administrative level, the case will proceed

through the normal channels. If it is not approved, the case will be returned to the employee so that another candidate may be recommended.

[Public Officers Law](#) requires public notice (Contract Reporter) and a sealed competitive bid process for award of any transaction exceeding \$25.00 when a state employee may be the vendor. This process should take about five weeks. State employees wishing to sell to the campus should complete [Form A-1](#) and return it to M. Loveria Felmet, Purchasing Department. More information about the bid process is available online at <https://www.binghamton.edu/purchasing/>.

### III.E. Enrollment in Graduate Degree Programs

To avoid any possible conflict of interest in which an employee, faculty member, professional staff member, or graduate student might exercise a special and undesirable influence on academic decisions directly influencing the individual's own degree program, the following regulation, approved by the Graduate Coordinating Council on May 21, 1974, is currently in effect.

1. Only those with other than the rank of assistant professor, associate professor, or professor (or equivalent status), and those with administrative or professional staff positions below the rank of assistant dean (or its professional staff equivalent) are eligible to be enrolled in a graduate degree program of study within their own department, school, or college. However, any person may be enrolled as a graduate degree student in a Binghamton University department, school, or college other than the one in which the person is employed, provided that there is no conflict of interest or a restriction by the policies stated below.
  - No graduate student in a degree program at Binghamton University shall hold voting faculty status (as defined by the By-Laws of the University and the individual school or college) in a department, division, school, or college within Binghamton University in which the individual is also enrolled as a graduate student.
  - No graduate degree student shall hold or be assigned any administrative post within the SUNY System in which the individual is in a position to:
    1. alter graduate student records (transcripts); or
    2. influence academic and/or financial decisions bearing directly on the department or non-departmentalized school in which the individual is enrolled as a degree program student.
2. Where a full-time employee desires to enter a graduate program, the responsible administrative officer is informed. The student and the official should reach a common understanding concerning the relationship between job responsibilities and the required

academic study. Rarely should an employee be permitted to enroll in more than eight (8) hours of graduate-level courses per semester.

3. Exceptions to this policy may be granted only by vote of the Graduate Council (or equivalent graduate body responsible for overall supervision of graduate work) and by approval of the vice provost and dean of the Graduate School. The Graduate Council is also the agency for interpreting ambiguities and making necessary extensions in the above policy.

### III.F. Liability of University Officers and Employees

Current and former state officers, employees and volunteers in a state-sponsored program, who are sued in their individual capacity in a civil suit in state or federal court for acts or omissions occurring, or alleged in the complaint to have occurred, within the scope of their employment are entitled to request the State provide for their defense under the terms and conditions of NYS Public Officers Law §17 ("Section 17"). To invoke the protections of Section 17, the employee must deliver a copy of any papers with which he or she has been served, as well as a request for representation, to the Attorney General's Office within five days of being served with a copy to the University Counsel's Office. The employee must also cooperate fully with the attorney general and the University Counsel's office in the defense of the matter, the defense of any related action against the State, and in the prosecution of any appeal. If the employee meets the above terms and conditions, in most cases the employee is entitled to defense by the Attorney General's Office, or in the case where the attorney general determines that a conflict of interest exists, by outside counsel paid for by the State. Where an employee is sued in connection with an accident in which he or she was driving a privately owned vehicle on state business, the employee should request defense from the vehicle's liability insurer. Even if the employee is entitled to Section 17 coverage, the State will only act as an excess-insurance carrier in such a situation.

If a monetary judgment is awarded against the employee in state or federal court, or the matter is settled, in most cases, the State will indemnify the employee where the injury resulted from acts or omissions which actually occurred, as opposed to merely alleged in the complaint to have occurred, within the scope of the employee's public employment or duties. In addition, the damage must not have resulted from intentional acts on the part of the employee. Indemnification and payment of a judgment or settlement must be approved by SUNY, the attorney general and the comptroller.

When sued in an individual capacity, all personnel located at state-operated campuses outside New York City and Long Island should send the summons, complaint, or other

process, with the individual defendant's request for representation and defense pursuant to Section 17 to the attorney general at the State Capitol, Albany, New York 12224. Following receipt of this material, the attorney general will determine whether the Law Department will assume the defense of the litigation and will so advise the individual officer or employee. In all cases, a copy of the letter and papers should also be sent to the Office of the University Counsel.

In situations where the summons or notice must be answered immediately, the Office of the University Counsel should be contacted by telephone so that arrangements may be made to have the necessary papers delivered to the nearest regional bureau of the Office of the Attorney General.

Where the legal papers name the State University, the State of New York, or State University officers or employees described by their official title as the party or parties defendant, the summons or summons and complaint should be forwarded to the Office of the University Counsel in the usual manner. Where there may be some doubt as to whether the defendants are named in a corporate or personal capacity, the University counsel's office will be glad to advise by telephone.

### **III.G. Extra Service Compensation for Faculty and Professional Employees**

<http://www.binghamton.edu/operations/policies/personnel-and-payroll/extra-service-compensation.html>

### **III.H. Safety and Environmental Health**

#### **III.H.1. General Policy**

It is the policy of this University to maintain, insofar as it is reasonably within the control of the University to do so, an environment for its faculty, staff, students, and visitors that will neither adversely affect their health and safety nor subject them to avoidable risk of accidental injury. Appropriate health and safety standards promulgated by federal and state agencies are followed whenever feasible in establishing campus regulations and policy. Published standards of nationally recognized professional health and safety groups serve as guidelines in the absence of appropriate statutes and governmental regulations.

#### **III.H.2. Responsibilities**

The president has ultimate responsibility for the campus safety and environmental health program, and delegates to all levels of supervision the responsibility and authority for achieving the established objectives.

Each department chair and unit head is responsible for the safety and health of all students, faculty, staff, and visitors in that particular area. This includes the obligation and authority to prevent or stop any operations considered to be unsafe. The department chair or unit head may delegate all or part of these responsibilities to a departmental safety coordinator. Ideally, this person will be a faculty member in an academic department or a supervisor or administrative assistant in a staff department. However, such delegation in no way relieves the department chair or unit head of responsibility in matters of departmental safety and health.

It is incumbent upon individuals to provide the constant vigilance necessary to avoid unsafe acts. Each person has an obligation to take all reasonable precautions to prevent personal injury and injuries to fellow employees or students. Employees are expected to learn and to follow the approved standards and procedures applying to any activities, and to consult with the appropriate individual when there are any doubts concerning potential hazards.

The associate director of environmental health and safety (607-777-2211) provides guidance to and services needed by campus personnel to attain the goals and objectives of the campus safety and environmental health program. (See also Management Procedure 807, <http://www.binghamton.edu/operations/policies/security-and-safety/environmental-health-and-safety-policy.html>).

### **III.H.3. Hazard Communication Standard (Right to Know)**

The Hazard Communication Standard (part 29CFR1910.1200 of the Occupational Safety and Health Act [OSHA]) is a performance standard that requires the University to: 1) obtain Safety Data Sheets (SDS) for all chemicals purchased; 2) determine what chemicals in the workplace present a real or potential hazard for exposure for employees; 3) make SDSs readily available to employees at all times; 4) provide to employees all information specified by the Standard; 5) ensure that all chemical containers are properly labeled; 6) train all employees in accordance with the requirements of the Standard; and 7) develop a written Hazard Communication Program. A copy of the program is available for employees to review in the Office of Environmental Health and Safety. (See also Management Procedure 815, <http://www.binghamton.edu/operations/policies/security-and-safety/hazard-communication-standard.html>).

### **III.H.4. Labeling of Chemical Containers**

It is the policy of the University that all containers of chemical products be properly labeled in compliance with the Hazard Communication Standard. Such labels must

contain the identity of the chemical in the container, along with an appropriate warning such as "flammable," "poison," "oxidizer," and the like. Existing labels, if appropriate for the chemical contents, must not be removed or defaced.

### **III.H.5. Emergency Preparedness**

#### *NOTIFICATION*

Dial 911 or (607) 777-2222 to report an emergency. You may also pick up any Blue Light Phone on campus to reach an emergency services dispatcher.

#### *BUILDING EVACUATION*

A building evacuation goes into effect in case of a fire or other emergency that requires all occupants to immediately leave the building to ensure their safety. Familiarize yourself with emergency stairwells, exit routes and the assembly area for your primary location, as well as for all buildings that you frequent. A building evacuation will be signaled by the building fire alarm, including strobe lights and audible alerts. When you receive the notification, leave the building and proceed to the assembly area in the building's evacuation plan. University officials will provide information at each assembly area. You may only re-enter the building when authorized by University officials or emergency responders.

- People with disabilities that prevent them from exiting the building with others should:
- Proceed to the nearest stairwell and wait there to be evacuated by a member of the fire department.
- If possible, ask another person to accompany you to the stairwell. Ask him/her to immediately notify emergency responders of your exact location once he/she has evacuated.
- Once in the stairwell, call the Binghamton University Emergency Dispatch Center at 911 or at (607) 777-2222 and provide the following information:
  - Exact location (floor, stairwell number, etc.)
  - Name
  - Cell phone number
  - Any information needed to assist in evacuation
- If help does not arrive within 5-10 minutes, call the Dispatch Center again.

### *MEDICAL OR SERIOUS INJURY*

In the event of a medical emergency, call the Binghamton University Emergency Dispatch Center at 911 or at (607) 777-2222. Provide as much information about the individual as possible to the dispatcher, including:

- Age (approximate, if unknown)
- Gender
- Illness or injury circumstances (if known)
- Level of consciousness (alert, confused, unresponsive, etc.)
- Interventions performed (e.g. CPR, use of an Automated External Defibrillator (AED), etc.)

Remain with the individual until emergency personnel arrive. Ask a bystander to remain in the lobby or building entrance to direct emergency responders. When EMS personnel arrive, be sure to provide a description of the treatment you have provided to the individual.

### *FIRE*

In all cases of fire, call the Binghamton University Emergency Dispatch Center at 911 or at (607) 777-2222. If you discover a fire, activate the nearest pull station to engage the building's fire alarm system. Immediately exit the building, closing the doors behind you. DO NOT use elevators during an evacuation.

### *SHELTER-IN-PLACE*

Shelter-in-place goes into effect during emergency situations where it is important to minimize exposure to outdoor hazards. These situations may include extreme weather or dangerous air quality due to the release of hazardous materials. If a shelter-in-place order is given, enter the nearest building and move to an interior room away from exterior windows. Once it is safe to resume normal activities, an "All Clear" message will be sent via the B-ALERT system.

### *MENTAL HEALTH EMERGENCY*

A mental health emergency is any situation involving individuals in distress who are unable to appropriately manage themselves. A mental health emergency or psychological crisis may include:

- Suicidal behavior
- An individual threatening harm to him/herself or others
- A psychotic break (sudden loss of contact with reality and/or bizarre behavior)
- An unusual or prolonged reaction to traumatic event(s)

- Any behavior that is unreasonably disturbing to the academic, work or living environment

If you believe someone is experiencing a mental health emergency, call 911 or (607) 777-2222. Never try to handle a situation that is potentially dangerous to you or others.

### *B-ALERT*

Binghamton University's primary emergency notification system, B-ALERT, provides text and email messages. It may be used to notify members of the University community in the event of a campus emergency or closure. Text messages and other communications may be made at any time of the day or night as incidents occur. To register your cell phone in B-ALERT, go to: <https://www.getrave.com/login/binghamton> Additional information can be found at <http://www.binghamton.edu/emergency/> and at <http://www.binghamton.edu/ehs/>.

### *OUTDOOR SIREN*

As part of Binghamton University's emergency notification system, the University utilizes an outdoor warning siren on the Vestal campus. This public-address speaker/siren is designed to warn people who are outdoors only. It is not intended to be heard by people inside buildings on campus.

In the event of an emergency that urgently threatens the safety of people outdoors, the University may sound the siren. The alert tones are very loud and distinct and should be easily heard by anyone who is outdoors on the Vestal campus. The alert tone may or may not be followed by voice instructions. Whether you can understand the voice instructions or not, the default action anytime the siren is sounded is to **take shelter in the nearest building and seek further information.**

The siren may or may not be sounded for law enforcement actions, such as the response to an active shooter. Use of the siren in these situations will be determined by law enforcement officials.

## **III.I. Travel**

<http://www.binghamton.edu/travel/>

# **IV. Faculty Personnel Policies and Procedures**

## IV.A. Personnel Actions

### IV.A.1. Recruitment

### IV.A.2. Verification of Credentials

### IV.A.3. Term Appointment

### IV.A.4. Renewal Terms

### IV.A.5. Evaluation for Renewal, Promotion, Tenure Decisions

### IV.A.6. Changes in Faculty Status - Procedures

### IV.A.7. Notice of Change in Status

### IV.A.8. Tenure

### IV.A.9. Joint Appointments and Courtesy Titles

### IV.A.10. Distinguished Professorships

### IV.A.11. Policy and Procedure for Granting of Emeritus/a Status

### IV.A.12. Departure Interviews

### IV.A.13. Professional Obligation

### IV.A.14. Academic Year Obligation and Semester Obligations

### IV.A.15. Annual Faculty Reports

### IV.A.16. Jury Service

### IV.A.17. Faculty Absence from Campus

### IV.A.18. Attendance Records

### IV.A.19. Faculty Resignations

## IV.B. Leaves

### IV.B.1. Sabbatical Policy

### IV.B.2. Leave of Absence (Title F Leave)

### IV.B.3. Leave Status and Faculty Responsibility

### IV.B.4. Payroll Procedures for September Faculty Returning from Leave and for Mid-Year Faculty Appointments

## IV.C. Teaching

### IV.C.1. Guiding Principles and Practices of Effective Teaching

### IV.C.2. Statement of Goals, Principles and Responsibilities for Undergraduate Education at Binghamton University

### IV.C.3. Teaching Load

### IV.C.4. Class Size

### IV.C.5. Announcements in Class

### IV.C.6. Visiting Speakers in Class

- [IV.C.7. Temporary Reductions in Teaching Assignments](#)
- [IV.C.8. Compensation for Summer and Winter Session Teaching](#)
- [IV.C.9. Faculty Responsibility for Academic Advising](#)
- [IV.C.10. Faculty Responsibility for Assessment](#)
- [IV.C.11. Bookstore Policy](#)
- [IV.D. Extra Service Compensation for Faculty](#)
- [IV.D.1. Compensation for Other Instructional Activities](#)
- [IV.D.2. Compensation for Research Activities](#)
- [IV.E. Professional and Outside Activities](#)
- [IV.E.1. Outside Consulting Work](#)
- [IV.E.2. Consultant and Contractual Services on Grants and Contracts](#)
- [IV.E.3. Payments](#)
- [IV.F. Notification of Appointment or Election to Committees](#)
- [IV.G. Academic Freedom](#)
- [IV.H. Faculty Statement of Professional Standards](#)
- [IV.H.1. General Standards](#)
- [IV.H.2. Policy on Research](#)
- [IV.H.3. Policy on Sexual Harassment and Consensual Relationships](#)
- [IV.H.4. Grievance Procedures](#)
- [IV.H.5. Administrative Guidelines](#)
- [IV.I. Guidelines for Foreign Exchange and Visiting Scholar Programs](#)
- [IV.J. International Visiting Scholars](#)
- [IV.K. Academic Regalia](#)
- [IV.L. Commencement](#)
- [IV.M. Tuition for Members of Faculty Families](#)
- [IV.N. Instruction for Members of Faculty Families](#)
- [IV.O. Faculty Housing](#)

## **IV.A. Personnel Actions**

Current procedures for faculty personnel actions are described in Article VII of the Faculty Bylaws. (See Section II of this Handbook.) The information that follows relating to faculty personnel actions comments upon the Bylaws and describes local practice.

### **IV.A.1. Recruitment**

Recruitment is carried out under the direction of the president, though it is normally initiated within an academic unit. So far as is possible, prospective faculty members are

brought to the campus, where they are interviewed by as many members of the faculty, particularly senior members in the candidate's area and in related area, as is feasible. Article VII. Title E.1.b. of the Faculty Bylaws requires that initial appointments to the rank of associate or full professor, and any appointments with tenure, be submitted to the president by the Initiating Personnel Committee, the chair, and/or the dean or director. In cases of non-concurrence or requests for consultation by any of these parties, the appropriate University Personnel Committee shall review the case and submit a formal report and recommendation to the president.

Article VII. Title E.1.a of the Faculty Bylaws requires that the manner in which each academic subdivision handles appointments below the rank of associate professor, all visiting appointments, and changes from a qualified (non tenure/tenure-track position such as a clinical or research appointment) to an unqualified (tenure/tenure-track) title, shall be specified in its Bylaws. Recommendations from academic subdivisions shall be submitted to the president through the dean or director.

An important part of the recruitment procedure concerns equal employment opportunity for women, minority group members, and disabled individuals. See the various Guidelines in Section III above, and Management Procedure 604 of the University's Management Procedures, which can be found online at <http://www.binghamton.edu/operations/policies/personnel-and-payroll/recruitment-academic-employees.html>.

#### **IV.A.2. Verification of Credentials**

It is the University's policy to verify the academic credentials claimed by a prospective faculty member. This verification occurs at the level of search committee or department prior to extending an offer of employment. In the event the verification does not support the claim, any offer of employment to the individual will be withdrawn, or, when necessary, the individual's appointment at the institution will be terminated.

#### **IV.A.3. Term Appointment**

Except as provided in Article XI, Title D, Section 6 of the Policies of the Board of Trustees, which can be found online at <http://www.suny.edu/about/leadership/board-of-trustees/>, a term appointment is an appointment for a specified period, but not more than three years, which automatically expires at the end of that period unless ended earlier because of resignation, retirement, or termination. An initial tenure-track appointment will ordinarily be for three years. For further information concerning

"Eligibility," "Method of Appointment," "Renewal of Term," and "Notice," refer to Sections 2 through 5 of Title D of Article XI of the Policies.

#### **IV.A.4. Renewal Terms**

The normal pre-tenure appointment pattern will be two three-year terms as assistant professor, with substantive reviews in years 3 and 6, followed by promotion and the award of tenure at the beginning of year 7. The unit's Initiating Personnel Committee will conduct these substantive reviews of the cumulative record of teaching, research, and service in accordance with the Faculty By-Laws.

If the review in year 3 discloses that the candidate is not making and is unlikely to make satisfactory progress, a one-year terminal appointment will be given for year 4, rather than a second three-year appointment. If the review in year 6 leads to a negative decision on tenure, the candidate will receive a one-year terminal appointment for year 7. All notifications of non-renewal must be made in accordance with Article XI, Title D. 5. of the Policies of the Board of Trustees and the UUP Agreement.

If the ongoing review processes of an academic unit indicate that a review schedule other than that outlined above is more appropriate for a particular candidate's circumstances, the unit may make such recommendations accordingly through the dean and the executive vice president for academic affairs and provost.

Under normal circumstances, this sequence allows a junior untenured faculty member two years following initial appointment to establish a research program, to demonstrate teaching ability, and to perform an appropriate amount of University service before a substantive review takes place. It also provides time for direction and mentoring by senior colleagues as the faculty member progresses toward the tenure decision. It is expected that these faculty members will be informally reviewed within their academic units annually, and that they will be kept informed of the results of those reviews.

#### **IV.A.5. Evaluation for Renewal, Promotion, Tenure Decisions**

A tenure decision is of major consequence, representing the commitment of a faculty line for the balance of the candidate's career. Tenure is rarely given below the associate professor level, and all recommendations for tenure are carefully reviewed in the light of "both standards of individual professional competence and the needs and resources of the University." (See Policy Handbook, State University of New York, "Statement on Tenure," December, 1982) The evaluation considers the candidate's professional record in terms of the programmatic needs of the University and arrives at an estimation of the candidate's potential for future accomplishment. Article XII, Titles A and B of the Policies of the Board of Trustees enumerate the qualities sought in a faculty member. They

provide the criteria used at Binghamton in evaluating candidates for promotion and tenure.

*MASTERY OF SUBJECT MATTER--AS DEMONSTRATED BY SUCH THINGS AS ADVANCED DEGREES, LICENSES, HONORS, AWARDS AND REPUTATION IN THE SUBJECT MATTER FIELD.*

It is standard practice to employ peer evaluation in order to support a candidate's reputation in his or her subject area. Therefore, in cases involving tenure and promotion, the administration expects four or more external letters of evaluation, as appropriate to the rank under consideration, from scholars with academic rank equivalent to or higher than that of the candidate, and with recognized competence in the candidate's field of specialization. While the candidate should be asked to identify potential evaluators, the Initiating Personnel Committee must go beyond those writers in seeking evaluations.

*EFFECTIVENESS IN TEACHING--AS DEMONSTRATED BY SUCH THINGS AS JUDGMENT OF COLLEAGUES, DEVELOPMENT OF TEACHING MATERIALS OR NEW COURSES AND STUDENT REACTION, AS DETERMINED FROM SURVEYS, INTERVIEWS AND CLASSROOM OBSERVATION.*

High quality in teaching as well as high quality in research is of fundamental importance to considerations for advancement. While instructional modes vary widely among the disciplines, some representative sources of information are listed below.

1. student opinions of teaching;
2. classroom visitation by other faculty and administrators;
3. syllabi, reading lists, evidence of curricular and pedagogical innovation;
4. information regarding supervision of students and record of student performance;
5. all other evidence amassed by department chairs/program directors that bears on teaching performance, including materials from unit student advisory committees.

*SCHOLARLY ABILITY--AS DEMONSTRATED BY SUCH THINGS AS SUCCESS IN DEVELOPING AND CARRYING OUT SIGNIFICANT RESEARCH WORK IN THE SUBJECT MATTER FIELD, CONTRIBUTION TO THE ARTS, PUBLICATIONS AND REPUTATION AMONG COLLEAGUES.*

Scholarship or other creative contributions are essential for promotion, especially to a position with tenure. For most fields, publication of refereed papers in professional

journals of high repute is a clear sign of scholarly activity. Scholarly books released through recognized publishers, either academic or commercial, are another sign, as are artistic presentations such as juried shows and critically reviewed performances.

*EFFECTIVENESS OF UNIVERSITY SERVICE--AS DEMONSTRATED BY SUCH THINGS AS COLLEGE AND UNIVERSITY PUBLIC SERVICE, COMMITTEE WORK, ADMINISTRATIVE WORK AND WORK WITH STUDENTS OR COMMUNITY IN ADDITION TO FORMAL TEACHER-STUDENT RELATIONSHIPS.*

As the most influential group on campus, faculty have an obligation to participate in the functioning of the campus, and particularly in campus governance. Faculty service may also be directed toward professional organizations and toward the local area, the state, and the nation. Service contributions should reflect the experience and talents of the faculty member, and will often be more apparent as the faculty member becomes more senior.

*CONTINUING GROWTH--AS DEMONSTRATED BY SUCH THINGS AS READING, RESEARCH OR OTHER ACTIVITIES TO KEEP ABREAST OF CURRENT DEVELOPMENTS IN THE ACADEMIC EMPLOYEE'S FIELDS AND BEING ABLE TO HANDLE SUCCESSFULLY INCREASED RESPONSIBILITY.*

In order to pursue new knowledge and present it to students and colleagues, a faculty member must stay current in the field of scholarship. For untenured faculty, evidence should show sustained intellectual growth that reflects progress toward the achievement of tenure. For tenured faculty, evidence of continued mastery of the subject area is expected. The evaluation of a candidate must take into account the contributions the individual may be making to interdisciplinary fields of study. When there is such a scholarly affiliation, evaluators must invite and consider materials submitted by interdisciplinary programs as evidence of the candidate's professional activities within that program.

In the case of an inter-unit joint appointment, evaluators in the personnel berth unit will solicit an advisory report and recommendation from the initiating personnel committee and from the chair or program director of the other unit. The two units must also cooperate in the identification of appropriate outside evaluators and in the solicitation of their opinions.

The University assumes that each faculty member will achieve tenure after the probationary period. Inevitably, however, not every faculty member will fulfill the criteria appropriate for the award of tenure. Moreover, in addition to considering the above

criteria, the administration must also consider institutional priorities and programmatic needs in making personnel decisions.

#### **IV.A.6. Changes in Faculty Status - Procedures**

Procedures for submitting to the president recommendations for reappointment, promotion, tenure, and non-renewal are prescribed and described in Article VII of the Faculty Bylaws, in the UUP Agreement, and in the "Procedures for Personnel Cases," a set of guidelines prepared by the Office of the Executive Vice President for Academic Affairs and Provost in consultation with the All-University Personnel Committee which is available online at <http://www.binghamton.edu/academics/provost/faculty/procedures-personnel-case%2009.02.2015.doc>.

#### **IV.A.7. Notice of Change in Status**

In the event a term appointment is not to be renewed upon expiration, the chief administrative officer or the chief administrative officer's representative will notify the appointee in writing not less than:

1. forty-five calendar days prior to the end of a part-time service term appointment;
2. three months prior to the end of a term expiring at the end of an appointee's first year of uninterrupted service within the University, but not later than March 31 for terms ending in June, July, or August;
3. six months prior to the end of a term expiring after the completion of one, but not more than two, years of an appointee's uninterrupted service within the University, but not later than December 15 for terms ending in June, July, or August;
4. twelve months prior to the expiration of a term after two or more years of uninterrupted service within the University. (See also Management Procedure 616, <http://www.binghamton.edu/operations/policies/personnel-and-payroll/renewal-term-professional-employees.html>.)
5. Employees who intend to leave the employ of the University shall give 30 days notice to the chief administrative officer or the chief administrative officer's representative.

These dates are those mandated by the Policies of the Board of Trustees (Article XI, Title D. 5.) and by the Agreement between the State of New York and UUP. Established policy is to notify faculty as soon as is practicable of salary recommendations and of promotion and tenure decisions.

#### IV.A.8. Tenure

Continuing appointment as professor, associate professor, librarian, or associate librarian may be given an initial appointment or thereafter upon recommendation of the appropriate personnel committee. The Policies of the Board of Trustees specify that reappointment at the end of three consecutive years at these ranks for those holding these titles shall be with tenure. An exception can be made in the case of a faculty member who resigns from a continuing appointment or term appointment at one unit of State University to accept a term appointment on another campus, in which case one additional term appointment of no more than three years may be given by the chancellor upon the recommendation of the president.

Instructors, assistant professors, assistant librarians, and senior assistant librarians must complete seven years of full-time service in a position or positions of academic rank before they can be granted tenure in these ranks according to Article XI of the Policies of the Board of Trustees. Reappointment upon completion of such service must be on a continuing basis. Prior academic service at another accredited institution of higher education may account for up to three years of the total seven. At the time of initial appointment, a faculty member may request such credit, which is granted at the discretion of the president. Such prior academic service credit may be waived, but the waiver option does not apply to faculty transferring from another SUNY unit. If credit is granted, it may be withdrawn, in whole or in part, by written request of the faculty member within six months from the effective date of appointment.

If an instructor, assistant professor, assistant librarian, or senior assistant librarian has three or fewer years of prior academic service, the individual must complete enough years in a position having academic rank to total seven, the last three of which must be consecutive years of service at this campus, before tenure can be granted. If there is no prior academic service then seven years of service here must be completed before tenure can be granted in the ranks listed. As noted above, exception can be made in the case of a faculty member who resigns from a continuing appointment or term appointment at one unit of State University to accept a term appointment on another campus, in which case one additional term appointment of no more than three years may be given.

Tenure becomes effective only by action of the chancellor.

It should be noted that service with the title of lecturer or with a title of academic rank preceded by designations such as "visiting" does not count toward tenure; such titles are defined as "qualified" academic rank, in accordance with Article II of the Policies.

### IV.A.9. Joint Appointments and Courtesy

A **joint appointment** constitutes an appointment to a position that is in more than one academic unit. The appointee has formal and on-going teaching obligations in each unit, and the line and salary of the position are divided among the units. It is the **position** that is jointly assigned.

A **courtesy** title may be granted to an individual who has an appointment to a position that is entirely within one unit, and who has formal and on-going teaching obligations only in that unit. The line and salary of the position are assigned entirely to that one unit. Courtesy titles constitute a recognition of affiliation based upon the individual's interest in another discipline. Individuals holding courtesy titles may, on a voluntary basis, participate in the teaching or research program of the other unit, but the courtesy title does not imply any obligation to do so. Courtesy titles are awarded for renewable terms of up to three years.

### IV.A.10. Distinguished Professorships

Created by the State University Board of Trustees as a prestigious system-level distinction, the Distinguished Faculty Rank (DFR) programs recognize and reward SUNY's finest and most accomplished faculty. The Distinguished Professorship (DP), Distinguished Service Professorship (DSP) and Distinguished Teaching Professorship (DTP) are three of the four designations that constitute this highest system tribute conferred upon SUNY instructional faculty. The other designation is Distinguished Librarian.

Distinguished Faculty Rank programs encourage ongoing commitment to excellence, kindle intellectual vibrancy, elevate the standards of instruction and enrich contributions to public service. They demonstrate the State University's pride and gratitude for the consummate professionalism, the groundbreaking scholarship, the exceptional instruction and the breadth and significance of service contributions of its faculty. Appointment constitutes a promotion to the State University's highest academic rank, and it is conferred solely by the State University Board of Trustees. The expectation is that individuals so appointed will receive additional support, consistent with the resources of the campus.

#### *POLICY FOR NOMINATIONS FOR PROMOTION TO DISTINGUISHED PROFESSOR*

The Executive Vice President for Academic Affairs and Provost shall appoint five faculty members who hold the rank of distinguished professor to serve on the Distinguished Professor Advisory Committee. Of the five initial appointments, two shall be for three years, two for two years, and one for one year. Subsequently, all distinguished professors appointed to replace members whose term have ended will be appointed to

three-year terms. Each year, the committee will select one of its members to serve as chair.

Each September, the Executive Vice President for Academic Affairs and Provost shall distribute to the campus a call for nominations for promotion to the rank of distinguished professor, criteria for promotion, and a timetable for completion of nominations.

Nominations shall consist of the nominee's curriculum vitae and a letter from the person making the nomination explaining how the nominee meets the criteria for promotion to the rank of distinguished professor. The Executive Vice President for Academic Affairs and Provost shall submit the nomination to the Distinguished Professor Advisory Committee for its review. If a majority agrees that the case should move forward, the chair will notify the Executive Vice President for Academic Affairs and Provost, the dean, the department chair, the department's senior personnel committee, and the person making the nomination.

After consultation with the department chair, the department's senior personnel committee, and the person making the nomination, the dean will appoint a special IPC to assemble the promotion dossier. The chair of the Distinguished Professor Nominating Committee, the President's designee, and the Executive Vice President for Academic Affairs and Provost's designee will meet with the chair of the special IPC to provide guidance in assembling the dossier, which will consist of a current curriculum vitae, a substantive report detailing how the candidate meets the criteria for promotion to distinguished professor, eight letters from distinguished external reviewers, and full curriculum vitae for all external reviewers. The completed dossier will be forwarded to the dean for her/his review. The dean will complete a letter evaluating the case and forward it, along with the dossier, to the Distinguished Professor Advisory Committee. After reviewing the dossier, the Distinguished Professor Advisory Committee will forward it to the Provost with a positive recommendation, return it to the special IPC with instructions to address questions and/or concerns it may have about the case, or, if it finds the case lacking in merit, reject the case. If the Distinguished Professor Advisory Committee rejects the case, it shall inform the Provost, who will communicate to the nominee, nominator, dean, and president. A nominee whose candidacy is rejected by the committee shall not be considered for promotion for distinguished professor for at least three years.

In cases in which the Distinguished Professor Advisory Committee makes a positive recommendation, it will forward the dossier and letter evaluating the case to the Executive Vice President for Academic Affairs and Provost for her/his recommendation.

The Executive Vice President for Academic Affairs and Provost will forward the dossier to the President for her/his evaluation and letter. When the President has completed her/his letter, the dossier will be submitted to the SUNY Provost.

### *POLICY FOR NOMINATIONS FOR PROMOTION TO DISTINGUISHED TEACHING PROFESSOR*

A Distinguished Teaching Professor Selection Committee shall be appointed by the chair of the Faculty Senate with the concurrence of the President. Appointments will be made by September 15 for a term of one year. The committee shall consist of the chair of the Faculty Senate, who will serve as chair, three senior faculty members who have considerable knowledge of the campus designated by the Faculty Senate Executive Committee, the undergraduate student representative to the Binghamton University Council, the president of the Graduate Student Organization, and a member designated by the President who will serve ex officio.

Each September, the Executive Vice President for Academic Affairs and Provost shall distribute to the campus a call for nominations for promotion to the rank of distinguished teaching professor, the criteria for promotion, and a timetable for completion of nominations. Nominations shall consist of the nominee's curriculum vitae and a letter from the person making the nomination explaining how the nominee meets the criteria for promotion to the rank of distinguished teaching professor. The Executive Vice President for Academic Affairs and Provost shall submit the nomination to the Distinguished Teaching Professor Selection Committee for its review. If a majority agrees that the case should move forward, the chair will notify the Executive Vice President for Academic Affairs and Provost, the dean, the department chair, the department's senior personnel committee, and person making the nomination.

In consultation with the department chair, the department's senior personnel committee, and the person making the nomination, the dean will appoint a special IPC to assemble the promotion dossier. The chair of the Distinguished Teaching Professor Selection Committee, the President's designee, and the Executive Vice President for Academic Affairs and Provost's designee will meet with the chair of the special IPC to provide guidance in assembling the dossier. The completed dossier will be forwarded to the dean for her/his review. The dean will complete a letter evaluating the case and forward it, along with the dossier, to the Distinguished Teaching Professor Selection Committee. After reviewing the dossier, the Distinguished Teaching Professor Selection Committee will forward it to the Provost with a positive recommendation, return it to the special IPC with instructions to address questions and/or concerns it may have about the case, or, if

it finds the case lacking in merit, reject the case. If the Distinguished Teaching Professor Selection Committee rejects the case, the nominee shall not be considered for promotion to the rank of distinguished teaching professor for at least three years.

In cases in which the Distinguished Teaching Professor Selection Committee makes a positive recommendation, it will forward the dossier and a letter evaluating the case to the Executive Vice President for Academic Affairs and Provost for her/his recommendation.

The Executive Vice President for Academic Affairs and Provost will forward the dossier to the President for her/his evaluation and letter. When the President has completed her/his letter, the dossier will be submitted to the SUNY Provost.

### *POLICY FOR PROMOTIONS TO DISTINGUISHED SERVICE PROFESSOR*

A Distinguished Service Professor Selection Committee shall be appointed by the chair of the Faculty Senate with the concurrence of the President. Appointments will be made by September 15 for a term of one year. The committee shall consist of the chair of the Faculty Senate, who will serve as chair, four senior faculty members who have considerable knowledge of the campus designated by the Faculty Senate Executive Committee, and a member designated by the President who will serve ex officio.

Each September, the Executive Vice President for Academic Affairs and Provost shall distribute to the campus a call for nominations for promotion to the rank of distinguished service professor, the criteria for promotion, and a timetable for completion of nominations. Nominations shall consist of the nominee's curriculum vitae and a letter from the person making the nomination explaining how the nominee meets the criteria for promotion to the rank of distinguished service professor. The Executive Vice President for Academic Affairs and Provost shall submit the nomination to the Distinguished Service Professor Selection Committee for its review. If a majority agrees that the case should move forward, the chair will notify the Executive Vice President for Academic Affairs and Provost, the dean, the department chair, the department's senior personnel committee, and person making the nomination.

In consultation with the department chair, the department's senior personnel committee, and the person making the nomination, the dean will appoint a special IPC to assemble the promotion dossier. The chair of the Distinguished Service Professor Selection Committee, the President's designee, and the Executive Vice President for Academic Affairs and Provost's designee will meet with the chair of the special IPC to provide guidance in assembling the dossier. The completed dossier will be forwarded to the

dean for her/his review. The dean will complete a letter evaluating the case and forward it, along with the dossier, to the Distinguished Service Professor Selection Committee. After reviewing the dossier, the Distinguished Service Professor Selection Committee will forward it to the Provost with a positive recommendation, return it to the special IPC with instructions to address questions and/or concerns it may have about the case, or, if it finds the case lacking in merit, reject the case. If the Distinguished Service Professor Selection Committee rejects the case, the nominee shall not be considered for promotion to the rank of distinguished service professor for at least three years. In cases in which the Distinguished Service Professor Selection Committee makes a positive recommendation, it will forward the dossier and a letter evaluating the case to the Executive Vice President for Academic Affairs and Provost for her/his recommendation.

The Executive Vice President for Academic Affairs and Provost will forward the dossier to the President for her/his evaluation and letter. When the President has completed her/his letter, the dossier will be submitted to the SUNY Provost.

#### Policy for Promotions to Distinguished Librarian

A Distinguished Librarian Selection Committee shall be appointed by the chair of the Faculty Senate with the concurrence of the President. Appointments will be made by September 15 for a term of one year. The committee shall consist of the chair of the Faculty Senate, who will serve as chair, four senior faculty members who have considerable knowledge of the library designated by the Faculty Senate Executive Committee, and a member designated by the President who will serve ex officio. Each September, the Executive Vice President for Academic Affairs and Provost shall distribute to the campus a call for nominations for promotion to the rank of distinguished librarian, the criteria for promotion, and a timetable for completion of nominations. Nominations shall consist of the nominee's curriculum vitae and a letter from the person making the nomination explaining how the nominee meets the criteria for promotion to the rank of distinguished librarian. The Executive Vice President for Academic Affairs and Provost shall submit the nomination to the Distinguished Librarian Selection Committee for its review. If a majority agrees that the case should move forward, the chair will notify the Executive Vice President for Academic Affairs and Provost, the dean, the senior personnel committee, and person making the nomination. In consultation with the senior personnel committee and the person making the nomination, the dean will appoint a special IPC to assemble the promotion dossier. The chair of the Distinguished Librarian Selection Committee, the President's designee, and the Executive Vice President for Academic Affairs and Provost's designee will meet with

the chair of the special IPC to provide guidance in assembling the dossier. The completed dossier will be forwarded to the dean for her/his review. The dean will complete a letter evaluating the case and forward it, along with the dossier, to the Distinguished Librarian Selection Committee.

After reviewing the dossier, the Distinguished Librarian Selection Committee will forward it to the Provost with a positive recommendation, return it to the special IPC with instructions to address questions and/or concerns it may have about the case, or, if it finds the case lacking in merit, reject the case. If the Distinguished Librarian Selection Committee rejects the case, the nominee shall not be considered for promotion to the rank of distinguished librarian for at least three years.

In cases in which the Distinguished Librarian Selection Committee makes a positive recommendation, it will forward the dossier and a letter evaluating the case to the Executive Vice President for Academic Affairs and Provost for her/his recommendation. The Executive Vice President for Academic Affairs and Provost will forward the dossier to the President for her/his evaluation and letter. When the President has completed her/his letter, the dossier will be submitted to the SUNY Provost.

#### *ADDITIONAL INFORMATION*

Information regarding these programs is available at <http://system.suny.edu/academic-affairs/faculty-staff-awards/>

### **IV.A.11. Policy and Procedure for Granting of Emeritus/a Status**

Article XV. Title D. Privileges After Retirement

- **Emeritus Status.** Members of the University faculty who retire in good standing, in accordance with the provisions of Title B, C, or D of this Article, shall be entitled to append the term "Emeritus" to the title of their academic or administrative post after the time of retirement.
- **Privileges.** Emeritus rank shall carry with it such of the following privileges which, in the judgment of the chief administrative officer, are feasible: use of library and study facilities, use of office and laboratory space, eligibility for research grants, and representation of the University in professional groups. (Policies of the Board of Trustees).

Since the title "emeritus/a" is a privilege accorded to all faculty retiring in good standing, no special action is necessary to assume that designation. However, the form submitted through channels that indicates the faculty member's retirement in good standing should

also show, in the Campus Title section, the emeritus/a title. By this means, the change may be endorsed by all appropriate campus officers.

### *POLICY FOR GRANTING SPECIFIC PRIVILEGES TO FACULTY IN EMERITUS/A STATUS*

Requests for specific privileges, including private office, library, or research space, from an emeritus/a faculty member should be made to the chair of the department from which the faculty member has retired (or in the case of non-departmentalized units, to the dean or director). Requests, including those for space, library carrels, offices, services (e.g., computer use), and research laboratories, should contain specific information about the type of research or other activity for which services are required. In departmentalized units, the department chair is charged with the responsibility of ascertaining the exact extent of those privileges requested, as well as of assessing their availability to emeriti/ae faculty, and of requesting their authorization from the dean. The dean or director will authorize requested privileges only after consultation with the executive vice president for academic affairs and provost and any others as circumstances warrant. The dean or director will, in turn, inform the department chair (or, in non-departmentalized schools, the emeritus/a faculty member directly) which privileges are to be granted and the explanation of why certain requests will not be honored. Any services granted will continue for periods of no longer than two years. Requests for the continued use of services should be initiated at the close of the authorized period of use in a manner similar to the original request. Appeals from negative decisions may be made by the emeritus/a faculty member to the executive vice president for academic affairs and provost, who will consult with the dean/director (and the department chair in departmentalized units) before responding.

### *POLICY REGARDING ROUTINE PRIVILEGES ASSOCIATED WITH EMERITUS/A STATUS*

Routine privileges, with no time limits established, should be specified at the time of retirement when an emeritus/a faculty ID card is issued. These might include certain library borrowing privileges, a University mailing address, and such other privileges deemed appropriate to all emeriti/ae faculty.

### *CEREMONIES APPROPRIATE TO EMERITUS/A FACULTY STATUS*

Upon the retirement of a faculty member and his/her reversion to emeritus/a standing, the department or school will assume responsibility for any special retirement ceremony honoring that individual.

#### **IV.A.12. Departure Interviews**

When the Office of Human Resources receives word that an employee is leaving the University, they issue a document to the employee with a summary of the status of their fringe benefits, retirement account, COBRA benefits, final paycheck, etc. If the employee still wishes to meet in person with a representative from Human Resources, the employee should call (607) 777-2187 to schedule an appointment. The Office of the Executive Vice President for Academic Affairs and Provost will conduct exit interviews with faculty who are leaving the University.

#### **IV.A.13. Professional Obligation**

The usual professional obligation for teaching faculty is for the academic year. The usual professional obligation for library faculty is the calendar year.

#### **IV.A.14. Academic Year Obligation and Semester Obligations**

The academic year obligation covers the dates from approximately the first day of registration in the Fall through the day after Commencement. Faculty receive yearly notification of the exact dates from the executive vice president for academic affairs and provost. During the period of academic year and semester obligations, all members of the faculty except those on Title F leave, sabbatical leave, or leave without pay are expected to be available for such service as may be dictated by their University obligations, departmental assignments, and program responsibilities.

#### **IV.A.15. Annual Faculty Reports**

Each faculty member must file an Annual Faculty Report. Except in the most unusual of circumstances, neither salary adjustments nor leave requests will be countenanced without a complete sequence of Annual Faculty Reports on file in the Provost's Office. Annual Faculty Reports can be submitted online at <http://facultyreporting.binghamton.edu>.

#### **IV.A.16. Jury Service**

Policies covering jury service are defined in the Agreement between the State of New York and UUP. For more information, see <http://www.binghamton.edu/human-resources/leaves/leaves-faculty-professional.html#jury>.

#### **IV.A.17. Faculty Absence from Campus**

Other than absences due to illness, all absences from campus during the academic year that affect University obligations, especially while classes are in session, must be fully and appropriately justified, e.g. important professional and scholarly activities. Extended absences that entail missing two or more consecutive classes require prior approval of the dean/director or designee.

It is expected that classes canceled for any reason will either be rescheduled or compensated for in some other way.

#### **IV.A.18. Attendance Records**

In accordance with the Policies of the Board of Trustees and the Agreement between the State of New York and UUP, faculty are required to maintain monthly attendance records on which they certify their attendance, i.e. their attending to their professional obligations. In addition, they must record any accruals of or charges to sick leave credits.

#### **IV.A.19. Faculty Resignations**

Notice of resignation by faculty members shall be given by May 15. Prior to this deadline, members of the faculty seriously considering accepting a position elsewhere are requested, but not required, to advise their department chairs and deans. The Agreement with UUP requires that faculty who intend to leave the employ of the University must give at least 30 days written notice to the president or the president's designee.

### **IV.B. Leaves**

#### **IV.B.1. Sabbatical Policy**

Sabbatical leaves may be granted for the reasons and under the conditions described in the Policies of the Board of Trustees. Since extra allocations of funds are not available for leaves, they must be covered by regular unit allocations.

In order to be eligible for a sabbatical leave, an academic employee must be tenured and must have completed at least six consecutive years of service within the University. Academic employees who have previously had a sabbatical leave must have completed at least six consecutive years of service with the University from the date of return from their last sabbatical leave. Please refer to the Policies of the Board of Trustees for guidelines in computing consecutive years of service.

According to the Policies of the Board of Trustees, "the objective of such leave is to increase an employee's value to the University and thereby improve and enrich its program. Such leave shall not be regarded as a reward for service nor as a vacation or rest period occurring automatically at stated intervals."

The policies state that "sabbatical leaves shall be granted for planned travel, study, formal education, research, writing or other experience of professional value." In addition, "the chief administrative officer may approve such sabbatical leave as he or she deems appropriate and such leave shall be reported to the chancellor." The policies

also state that each application for sabbatical leave "shall include a statement outlining the program to be followed while on sabbatical leave, indicating any prospective income, stating that the applicant will continue as a member of the professional staff for a minimum of one year upon return and stating that upon return the applicant will submit to the chief administrative officer a detailed report of professional activities and accomplishments while on sabbatical leave."

An application for sabbatical leave, including the rationale for the request and the planned activities, as well as any other supporting materials, must be submitted through channels and received by the executive vice president for academic affairs and provost by the second Monday in January (eight months in advance of a fall semester leave request, and 12 months in advance of a spring semester leave request).

Applicants must have on file their Annual Faculty Reports for each year since any earlier sabbaticals have been submitted. Application forms are available in the various deans' offices.

Faculty should submit the original application to the president through channels. The original is forwarded from the chair to the dean, from the dean to the executive vice president for academic affairs and provost, and from the executive vice president for academic affairs and provost to the president.

To receive administrative approval for a sabbatical leave, faculty members must show substantive results from any earlier sabbaticals and must perform at the level expected of tenured faculty, as demonstrated in the Annual Faculty Report. In addition, provision must have been made to meet the faculty member's teaching obligations during the proposed absence from campus.

The overriding objective of sabbatical leave must be "to increase an employee's value to the University and thereby improve and enrich its program." Faculty members must provide a specific plan of work with their requests. That plan will involve research that will likely lead to publication. In addition, the plan may lead to enhanced teaching competence and to expanded abilities for public service. Sabbatical leave provides a faculty member the chance to look beyond the campus for professional renewal and contacts with colleagues. When possible, faculty should avail themselves of this opportunity for a change of environment.

Should a change occur in the sabbatical work plan or in the expectation of earned income, an addendum to the sabbatical leave request must be made to the president through channels.

Within six months of return from sabbatical leave, an original plus three or four copies (see above) of the report required by the policies must be submitted to the president through channels.

Sick leave credits do not accrue, nor may they be used, during a sabbatical. Credit toward retirement is based upon percentage of full-time status.

Please note that any faculty member who does not return from sabbatical leave for at least one additional year of employment may be expected to remit to the University any salary paid by the University while on leave, or to arrange for a new employer to reimburse the University for such salary.

#### **IV.B.2. Leave of Absence (Title F Leave)**

The University encourages faculty to seek fellowships and similar awards that will enhance their credentials and promote their research and scholarship in the belief that such awards reflect favorably upon the institution and its community.

The president may grant leaves of absence, also known as Title F Leaves, for purposes of professional development or for other purposes consistent with the needs and interests of State University. The president may approve of such leaves at partial salary -- for full salary applications, the final approval must be given by the Chancellor. This is usually done to support faculty who have obtained fellowships; however, the University is under no commitment to provide any faculty member a leave at partial salary or to make up the difference between salary plus fringe benefits and the amount of the fellowship. In short, no faculty member is entitled to the difference between regular compensation and fellowship income as a matter of right. A faculty member applying for a fellowship or similar award should inform the appropriate dean or director before submission of the application. This will allow sufficient time to discuss possible arrangements with the sponsor regarding the transfer of funds to a University account that will allow for no interruption in salary and benefits. The University will make every effort to ensure that no faculty member who receives a fellowship or similar award is disadvantaged financially in accepting it.

Each application should include a detailed statement of the purpose for which the leave is requested, its anticipated duration, and its value to the applicant and the University. Application for leave of absence for Harpur College faculty should be submitted with four (4) copies. The department chair, keeps one and forwards the remaining three, with recommendations, to the dean. This process is repeated with the executive vice president for academic affairs and provost, so that the original arrives on the desk of the president with all endorsements. For units other than Harpur College, an original plus

three (3) copies are submitted to the dean or director, who follows the above procedure for forwarding.

Once a leave has been approved, the same procedure must be followed to make changes.

Sick leave credits do not accrue during a leave of absence. Credit toward retirement is based upon percentage of full-time status.

A request for a leave of absence without pay or with partial pay by a faculty member whose mandated personnel action is scheduled to take place during the period of the anticipated leave may be accompanied by a request for an extension of the current appointment corresponding to the length of the leave. Should the leave request be approved, the extension will also be approved unless circumstances dictate otherwise. (Deans/directors will include the extension of appointment on the transaction form prepared for the leave.)

Any faculty member who does not return from a leave with full or partial pay for at least one additional year of employment may be expected to remit to the University any salary paid by the University while on leave, or to arrange for a new employer to reimburse the University for such salary.

### **IV.B.3. Leave Status and Faculty Responsibility**

Faculty who will be on leave and not in residence, and will thus not be available to students, will be expected to make arrangements with their students and their department chairs (or other appropriate office) to fulfill all professional obligations for any semester of service preceding the leave. Faculty who will be on leave must have submitted grades for their students, and must have made arrangements for the return of papers or other student materials in their keeping. In the event it becomes necessary to contact them, faculty members should provide to the appropriate personnel addresses and telephone numbers where they may be reached while on leave.

Faculty members may be required to make a statement similar to the following on their leave requests: "I have made arrangements for the disposition of all student-related matters still remaining at the time I begin my leave."

### **IV.B.4. Payroll Procedures for September Faculty Returning from Leave and for Mid-Year Faculty Appointments**

Faculty members with September appointments returning from a fall semester leave without salary will be restored to full payroll status in the payroll period that coincides with the resumption of their obligation. They will receive nine regular biweekly checks (January through April) followed by eight (8) checks at half-pay (May through August).

These checks will total 50% of a full academic year's salary. The normal September 1 through August 31 payroll cycle will resume following the eight (8) checks at half-pay. Faculty members whose initial appointments begin in January with the spring semester will be subject to the same payroll schedule described above. Questions should be directed to the Office of Human Resources.

## IV.C. Teaching

### IV.C.1. Guiding Principles and Practices of Effective Teaching

(Revised by Faculty Senate Executive Committee on February 24, 2004)

(Adopted by Faculty Senate on May 4, 2004 for insertion in Handbook for Faculty and Staff)

#### *STATEMENT OF PURPOSE:*

Teaching is part of Binghamton University's core mission, whether it be in the context of undergraduate or graduate education, mentoring, or any of the other myriad ways that faculty interact with students. Our students challenge us as a faculty to foster a rich and diverse learning environment. To this end, the Faculty Senate endorses the following eight guiding principles of teaching and learning and encourages the individual schools and departments to develop complementary sets of principles and practices that better reflect their specific mission.

The faculty member:

#### *PRINCIPLE 1. SETS CLEAR GOALS AND INTELLECTUAL CHALLENGES FOR STUDENT LEARNING*

Examples of effective practices:

- identifies key concepts or ideas in the field and helps students to understand and apply them
- communicates current research and knowledge relevant to course goals
- identifies key steps in achieving learning goals
- actively helps students to accomplish goals and meet challenges as defined in the course outline
- sets high, yet reasonable, expectations of students' learning
- encourages students to think analytically and solve problems

## *PRINCIPLE 2. EMPLOYS TEACHING METHODS AND STRATEGIES THAT ACTIVELY INVOLVE STUDENTS*

Examples of effective practices:

- organizes effective learning experiences to meet intellectual goals and learning outcomes
- shows awareness that learning is a process that transforms and changes learners
- values and encourages student input and feedback
- evaluates and assesses learning in a manner consistent with established goals and learning outcomes
- encourages and assists students in self-directed learning activities

## *PRINCIPLE 3. COMMUNICATES AND INTERACTS EFFECTIVELY WITH STUDENTS*

Examples of effective practices:

- exhibits a strong interest in students
- engenders enthusiasm and interest in subject matter
- attends to classroom dynamics that enhance or inhibit learning
- expresses goals, intended outcomes, and expectations clearly and effectively and discusses these with students
- uses fair and reasonable methods of evaluating learning
- encourages appropriate student-faculty interaction

## *PRINCIPLE 4. ATTENDS TO THE INTELLECTUAL AND SOCIAL GROWTH OF STUDENTS*

Examples of effective practices:

- provides, and discusses with students, explicit criteria for assessing learning
- reviews students' progress in achieving intellectual goals and learning outcomes
- acquires regular and varied feedback on students' accomplishments
- provides advanced learning opportunities for those students who seek them
- helps students to develop social skills such as team work, communication, and leadership

## *PRINCIPLE 5. RESPECTS THE DIVERSE TALENTS AND LEARNING STYLES OF STUDENTS*

Examples of effective practices:

- recognizes and accommodates different learning styles
- employs multiple methods in evaluating students
- balances collaborative and individual student learning to reflect the course aims and outcomes
- demonstrates sensitivity to social and cultural issues
- accommodates students with diverse abilities

### *PRINCIPLE 6. ENCOURAGES LEARNING BEYOND THE CLASSROOM*

Examples of effective practices:

- seeks to make connections with living and learning communities
- applies academic learning in university contexts outside the classroom
- helps students connect their academic learning to the world outside the classroom
- encourages students to be lifelong learners

### *PRINCIPLE 7. REFLECTS ON, MONITORS AND IMPROVES TEACHING PHILOSOPHY AND PRACTICES*

Examples of effective practices:

- improves teaching through self-reflection and periodic peer and student feedback
- regularly revises and updates course content, format and assignments
- regularly revises and updates teaching methods and use of technologies
- enhances teaching by participating in professional development activities

### *PRINCIPLE 8. INTEGRATES TEACHING AND LEARNING WITH RESEARCH, SCHOLARSHIP, AND CREATIVE ACTIVITIES*

Examples of effective practices:

- uses student learning experiences to stimulate research, scholarship and creative activities
- uses research, scholarship and creative activities to enhance teaching and to foster student research
- uses research, scholarship or creative activities to constantly renew and energize student learning
- involves students in faculty research, scholarship and creative activities and gives students appropriate recognition

- collaborates with library faculty to help students develop the skills to locate, evaluate, and use information resources

In accepting these principles the Faculty Senate recognizes that the inventory of effective practices listed above should be dynamic and reflect changes in pedagogy. It therefore authorizes the Faculty Senate Executive Committee to make changes in these lists as the Executive Committee sees appropriate.

*Based on a similar set of principles developed at the University of British Columbia.*

#### **IV.C.2. Statement of Goals, Principles and Responsibilities for Undergraduate Education at Binghamton University**

*(Revised and adopted by Faculty Senate on January 27, 2004 for insertion in the Handbook for Faculty and Staff)*

##### **BACKGROUND**

*(The following paragraph was added by the Faculty Senate on May 4, 2004):*

The State University of New York operates within a framework of federal and state laws, the enacted Policies of the Board of Trustees, and a number of negotiated collective bargaining agreements. Nothing that follows should be construed as superseding these laws, Policies, and agreements. The Board of Trustees has delegated to faculty within the State University of New York the responsibility "for the conduct of the university's instruction, research and service programs." [Article VI, 3] The aim of this document is to guide faculty, staff and administrators in fulfilling their shared responsibilities for providing high quality undergraduate education.

##### **RATIONALE:**

Binghamton University students represent some of the best and brightest in the state. The mission of Binghamton must be to provide the best possible education for all students. This mission of Binghamton University entails both significant scholarship and engaged undergraduate teaching. This mission requires research that advances knowledge through discovery, scholarship, and creative work and using both that knowledge and that process to educate our students. The faculty has a deep and abiding responsibility for the education of our students. The Faculty Senate is responsible for upholding the goals, principles, and standards of the University's academic mission. In times of fiscal constraint and in times of abundance, the University must keep these goals, principles, and standards firmly in mind. To guide the Institution in the making of future decisions, the Faculty Senate endorses the following statement.

## *I. GOALS OF A UNIVERSITY EDUCATION:*

**Liberal Arts Core** - preparation for a life of learning, higher order critical and analytical abilities, to enhance the self-development of students so that they will become informed and effective participants in public affairs and in all of their subsequent educational and professional pursuits, the interpretive ability to apply learned skills to subject matter.

**Acquisition of Skills** - academic skills necessary for rational discourse, written and oral communication for all. Skills are normally supplemented by particular kinds of competence - mathematic, linguistic and the like - as required by individual fields of study.

**Substantive Knowledge** - Major study and professional programs to prepare students for future study, professional development, and careers.

## *II. RESPONSIBILITIES FOR QUALITY EDUCATION AT BINGHAMTON UNIVERSITY:*

**A. Responsibilities of the faculty for these goals:** The faculty as a group bears the primary responsibility and authority for the education of students. The faculty includes the president, the provost, and all faculty members having academic rank (1).

The Faculty will:

1. Determine the curriculum for all academic units.
2. Design curricula that both reflect the standards of their discipline and are responsive to the academic needs of their students.
3. Set and maintain the academic standards required of the students.
4. Have the ultimate responsibility for the academic evaluation of students.
5. Establish guidelines within departments or schools concerning the quantity and quality of adjunct teaching, while establishing the realms within which adjunct teaching is preferred.
6. Formally train, and regularly supervise, and evaluate undergraduate peer instructors.  
Faculty will appoint only undergraduate peer instructors who have strong academic records and who demonstrate an outstanding command of the subject that they will help other students learn.
7. Develop educational programs to align the curriculum with societal needs and evolving knowledge.
8. Engage in scholarship, research and other creative activities to contribute to their fields of study, to deepen their understanding of their field, and to bring the creation of new knowledge to the classroom.

9. Be responsible for communicating the curriculum to the students. Good teaching requires faculty to critically reflect on their pedagogy and utilize peer review, student opinion, and other sources to illuminate and challenge their classroom skills.
10. Oversee the progress of their students and certify the awarding of academic degrees.
11. Participate in academic advising.

**B. Responsibilities of Institution for these goals:** Institutional responsibilities are realized through the cooperative efforts of the faculty and the administration to accomplish the mission of the university. The University, in carrying out its mission as a research university committed to excellence in teaching and in research and creative endeavors, recognizes and values excellence in teaching

The Institution will:

1. Recruit and hire academic rank faculty gifted in teaching and committed to student learning.
2. Supervise and review departmental or school guidelines concerning adjunct teaching.
3. Develop criteria for the role, selection, supervision, and evaluation of undergraduate peer instructors.
4. Provide resources to promote and facilitate undergraduate participation in faculty research.
5. Ensure that students have access to sufficient classes in order to complete their undergraduate degree requirements in a timely manner (usually four years for entering freshmen).
6. Evaluate teaching excellence in the promotion and tenure process and promote teaching excellence through incentives and meaningful rewards.
7. Provide students with the advising that they need to gain their degrees and allocate resources so that faculty have sufficient time to advise and mentor students.
8. Provide resources for faculty development to support teaching in the form of curriculum development grants, workshops on teaching, travel, sabbatical leave, etc.
9. Support research on, and the assessment of, teaching effectiveness.
10. Provide competitive graduate teaching assistant stipends to improve recruitment of excellent graduate students.
11. Support the professional development, supervision and mentoring of undergraduate and graduate teaching assistants to train the next generation of university teachers.
12. Provide the state of the art facilities that the faculty need to support excellence in teaching and learning (classrooms, laboratories, library and computer resources that contain the appropriate technologies to support classroom teaching).

13. Provide appropriate compensation and support to adjunct faculty for the performance of their responsibilities in support of the departmental or school mission.

**C. Responsibilities of the graduate teaching assistants for these goals:** The primary responsibility of all graduate students is to complete their degree in a timely fashion. As part of their career development they should be called upon to take teaching duties. As scholars in training they need the support of the faculty and the institution to meet their responsibilities.

Graduate teaching assistants will:

1. Teach small groups of undergraduates under supervision of faculty. Faculty should provide regular mentoring on teaching skills, general communication skills, and subject matter.
2. Develop teaching skills and qualifications to take on increased responsibilities. The University should provide opportunities for teaching development, including ESL classes, where appropriate, and should reward excellent teaching by TAs.
3. Carry out aspects of teaching specific to small groups with high interaction: stimulate discussion, promote learning by inquiry, and teach oral and written communication skills via individual interaction with students.
4. Become familiar with and use technology appropriate to their teaching role.
5. Give thoughtful feedback and evaluation of students' work, maintaining standards set by supervising faculty.

Faculty will ensure that:

1. Teaching loads should allow time for TAs to do a quality job of teaching while also developing further teaching skills and pursuing their own studies.
2. Teaching assignments should always be within the scope of the TAs current academic and teaching qualifications. TA's should receive more challenging teaching assignments as their own studies progress. It is not always appropriate for graduate students to be teaching in their first year of graduate studies.

### *III. PRINCIPLES FOR QUALITY EDUCATION AT BINGHAMTON UNIVERSITY:*

These principles provide a road map for the faculty to fulfill their responsibilities and for the University to provide the learning environment in which students can meet the goals of a university education.

**A. The academic rank faculty (1) has the responsible for and the authority over the design and delivery of the curriculum.**

1. Faculty should teach the majority of general education classes taken by each student.
2. Faculty should teach all courses in the major unless specific circumstances make an adjunct with specialized knowledge preferable.
3. Faculty should supervise the content and delivery of courses taught by qualified academic rank faculty (2) (lecturers, adjunct faculty, and graduate students) and should take an active role in helping these individuals deliver a quality curriculum.
4. Faculty should afford regular opportunity for students to discuss course material and other curricular issues, and include this in the design and delivery of the curriculum.
5. Faculty should incorporate current research and creative activity in their discipline in curriculum development and delivery. Similarly, classroom discussion and student research should contribute to faculty members' research.
6. Faculty should be innovative in the delivery of curriculum and retain responsibility and control of the curriculum through out the process of delivery.

**B. Class size and organization will be determined by the needs of the students and be appropriate to the knowledge, level, intellectual abilities, and skills being taught.**

1. Large lecture sections (100+) are appropriate only for lower division, introductory courses.
2. The student-teacher relationship is fundamental to education and students should be given the opportunity to take small classes (<25) with faculty at all levels of their education to develop this relationship.
3. Small classes taught by faculty should make up a majority of a student's upper division required major classes.
4. Larger classes should include subsections that meet in smaller groups to emphasize more individualized instruction.
5. Students should be exposed to a variety of pedagogies (lecture based, collaborative learning, etc.) both to serve the interests of different learning styles and to teach them how to adapt to different learning situations.
6. Skills courses that require a high degree of interaction between the instructor and the student, such as composition, oral communication, and foreign language courses, should be no larger than 25 students in size.

**C. The University will actively maintain, support, and develop high quality teaching.**

1. The faculty will develop means for effectively and objectively evaluating teaching.
2. Faculty are urged to seek regular student evaluations of their courses and teaching.
3. The university will institute a clearly articulated reward system for faculty teaching at all levels.
4. Graduate students will be trained as teachers before entering the classroom and be evaluated and mentored by faculty once they are in the classroom.
5. All instructors, including faculty, TAs, and adjuncts (outside of foreign language courses) must be able to effectively communicate in English. The university must establish standards and provide resources to meet this goal.
6. Evaluation of students should be rigorous, fair and clearly explained to the student.

**D. The University experience should be structured to meet the needs of the student and to guide the intellectual development of the student building step by step towards the goals of a university education.**

1. Students need to have authoritative and accessible advising at all stages of their education
2. Students should have the opportunity to enter into a mentor relationship with a faculty member during their education.
3. Students should develop their substantive interests in depth and thus upper-division course work should make up half of the degree.
4. Academic skills must be both explicitly taught and integrated in substantive course work.
5. Major programs should culminate in a capstone course, broadening, deepening and integrating the total experience of the major.
6. Students should be prepared to live in a cosmopolitan world. The University, therefore, should encourage international exchange, study abroad, and languages across the curriculum programs.

**E. A research university provides students with a unique opportunity for learning based in research, scholarship, and creative activities.**

1. Faculty are encouraged to include students in their scholarly and creative endeavors and to seek appropriate grant funding for this purpose.
2. Whenever appropriate, courses at all levels should include research or creative activities.
3. Internship opportunities should be widely available

4. Students should be encouraged and guided on how to present the results of their activities to the academy, their profession, or the public as appropriate
5. Students should be encouraged to take on honors theses and BFA exhibits.

#### **F. A Liberal Education thrives when a sense of community is cultivated.**

1. The University should encourage and facilitate faculty-student interaction outside the classroom.
2. Since knowledge is rarely developed in isolation, all departments and schools are encouraged to invite speakers from other universities and to encourage interdisciplinary cooperation. The University should provide facilities for visiting scholars and conferences hosted on campus.
3. The integration of learning and living environments is valuable to student learning. The Faculty Masters program, student interest housing, and the Discovery program are examples of initiatives that should be encouraged and expanded.
4. The University plays an important role in the community, and should encourage volunteerism, community activism, business development, knowledge transfer, and participation in the arts by students, faculty and staff.
5. We are part of a global community. Therefore the University should encourage, support, and provide resources for international faculty and student exchanges.

*(1) Academic rank faculty are defined in the State University of New York Policies of the Board of Trustees (2001) as those with "titles of professor, associate professor, assistant professor, instructor and assistant instructor", and "members of the professional staff having titles of librarian, associate librarian, senior assistant librarian and assistant librarian".*

*(2) Qualified academic rank faculty, defined in the State University of New York Policies of the Board of Trustees (2001) include those with "titles of lecturer, or titles of academic rank preceded by the designations 'clinical' or 'visiting' or other similar designations".  
(Revised 10/29/03; Revised and adopted by Faculty Senate on January 27, 2004)*

#### **IV.C.3. Teaching Load**

The teaching load is intended to be moderate, and to provide time for fulfilling other obligations such as research, scholarly activity, and professional improvement.

The normal teaching load consists of one of the following:

1. 3 undergraduate courses per semester;

2. 2 graduate courses per semester;
3. 1 undergraduate course and 1 graduate course per semester, with the expectation that there would also be substantial research, professional or service activity, and supervision of dissertations and theses.

It is understood that this definition of normal load may be influenced by other considerations, and that there may be considerable variation among disciplines. Nonetheless, the expectation for research, scholarship, and professional and service activity remains across all disciplines, regardless of any variations in normal load. In view of variations among different instructional areas, however, differences in teaching load are often necessary to meet conditions as they arise.

Each dean and director is responsible for monitoring faculty assignments relating to teaching, research, and service. This responsibility may be delegated to department chairs or division directors as appropriate, with final oversight residing with the dean/director. The Office of the Executive Vice President for Academic Affairs and Provost will regularly review overall faculty utilization on the basis of summary information provided by the Office of Institutional Research and Assessment.

#### **IV.C.4. Class Size**

Undergraduate classes having an enrollment of fewer than ten and graduate classes having an enrollment of fewer than five shall not be offered unless permission has been received for an exception from the dean of the school or a designee. (These limits are applicable to discussion and laboratory sessions of lecture courses, but not to independent study registration.)

Course cancellations resulting from this policy and exceptions, where appropriate, are made on the basis of advance registration information. Where a case can be made that ultimate enrollment will probably meet minimum levels, a decision on canceling may be delayed until the final registration just prior to the beginning of a semester.

#### **IV.C.5. Announcements in Class**

To reduce the use of classroom time for non- instructional purposes, it is University policy to keep announcements to a minimum.

#### **IV.C.6. Visiting Speakers in Class**

Visiting subject specialists in pertinent classroom activities of regularly scheduled courses may be invited by the instructor. If in the instructor's judgment there may be public interest in the class visitor, then the instructor should consult with the department chair, dean, or other appropriate official concerning the handling of publicity.

#### **IV.C.7. Temporary Reductions in Teaching Assignments**

Temporary reductions in normal teaching assignments should be determined at the unit level, as is now the custom. When a faculty member's service commitments are extraordinary (e.g., chairing the All-University Personnel Committee, or the Faculty Senate Executive Committee, or serving as Chair of the Faculty Senate), they should be discussed with the individual dean or department chair. Faculty chairing such key University committees may request a release from other non-teaching departmental or University service obligations.

#### **IV.C.8. Compensation for Summer and Winter Session Teaching**

Faculty members with an academic year obligation (who are not department chairs) may teach for additional compensation during the Summer and Winter Sessions. Faculty members who have twelve-month obligations (including department chairs) may not receive additional compensation for teaching during the Summer and Winter Sessions. The amount of compensation allowed for faculty teaching during the summer is established by the System Administration office in Albany as follows: the maximum amount of compensation for summer and winter instruction is 22.2% of the faculty member's previous year base salary. Summer and Winter Session compensation may not be received in addition to other extra service monies as indicated above. By prior arrangement--and with the approval of their chair (in departmentalized units) and dean--faculty members may arrange to teach during the Summer or Winter Session without compensation in return for release from a course during the following academic year.

#### **IV.C.9. Faculty Responsibility for Academic Advising**

Participation in the academic advising programs of the unit is considered to be a part of the normal duties of each member of the faculty. Dissemination of detailed information concerning the operation of the advising program and the procedure for assignment of specific advising duties is the responsibility of the unit's dean.

#### **IV.C.10. Faculty Responsibility for Assessment**

Participation in assessment, including assessment of General Education and assessment of the unit's graduate and undergraduate programs, is considered to be part of the normal duties of each member of the faculty. Assessment procedures, learning outcomes and detailed information regarding assessment duties are developed by department units with approval by the provost, the Office of Institutional Research and Assessment, and the unit's dean.

#### **IV.C.11. Bookstore Policy**

The Campus Bookstore is contractually obligated to have in stock all required, recommended, and suggested books for all courses and to make them available to students. Students may reasonably expect the Campus Bookstore to have their course books in stock. Accordingly, faculty must place book orders with the Campus Bookstore, the campus's primary provider of books and supplies. The best way to submit information is through the online resource found through the bookstore website, Faculty Enlight, which also serves as a tool to research new materials. Faculty are, of course, free to call or e-mail their orders directly to the bookstore. The Campus Bookstore posts the textbook information for each class on its website. This allows the University to be in compliance with the federal and state Higher Education Opportunity Act (HEOA). The University is required to provide students with accurate course material information, including ISBN and retail pricing, at the soonest possible date so students may see all costs associated with a course at the time of registration. This is accomplished through the partnership with the Campus Bookstore.

#### **IV.D. Extra Service Compensation for Faculty**

This information is available in the University's policies and procedures and can be accessed by going to <http://www.binghamton.edu/operations/policies/personnel-and-payroll/extra-service-compensation.html>.

Faculty who are performing certain duties that are in addition to their normal obligations may be paid for such services via the extra service mechanism. These extra services may include credit or non-credit instruction. While the exact requirements for eligibility for extra service compensation vary according to the particular situation, under no circumstances may the total remuneration exceed 20 percent of base salary during the academic year, or 1/9 of base salary per month during the summer.

Faculty members receiving stipends for administrative duties such as chairing a department are not eligible for extra service compensation for credit or non-credit instructional activities during the terms of their professional obligations.

Any administrative stipend paid to a faculty member for program administrative responsibilities is considered to be part of the potential extra service that may be earned. Any additional extra service will normally be approved during the academic year only if the faculty member is carrying a full teaching load. For purposes of calculating the total accrued extra service, one third of the program director's stipend will be attributed to each semester and the summer period (one half to each semester in cases where service is for the academic year only and no summer activity is required).

Faculty members may not be paid for giving lectures or other performances on campus outside of regular courses during the academic year, except as part of approved non-credit course instruction with payment made from non-state funds.

#### **IV.D.1. Compensation for Other Instructional Activities**

##### *CREDIT COURSES*

All credit courses taught in a faculty member's school or program are considered part of the faculty member's teaching obligation. Extra compensation during the academic year for credit instruction offered in a faculty member's own unit may be approved by the dean and the Provost only when such instruction is financed through the Income Fund-Reimbursable process or other non-state funding.

With the approvals of the appropriate deans and the provost, faculty members may teach credit courses in other schools at Binghamton during the academic year for extra compensation. Such teaching should be strictly limited and must not detract from the primary obligations of faculty to the home school. Only those faculty members who are teaching at least two regularly scheduled, four-credit courses per semester (not counting independent studies or courses that fail to meet the University's minimum enrollment standards of ten students in an undergraduate course and five in a graduate course), with a total student enrollment equal to at least the average taught by faculty in their units, will normally be considered eligible to undertake credit instruction in other schools for extra compensation during the academic year.

Except in rare instances, faculty members may not teach courses at other colleges or universities for extra compensation during the academic year. Approval of the dean/director and the Provost is required for exceptions to this policy. Approval of the President is required for teaching at another SUNY unit. See section [IV.D. Extra Service Compensation for Faculty](#).

##### *NON-CREDIT INSTRUCTION*

Faculty members may, with the prior approval of the unit's dean/director, teach non-credit courses for extra compensation during the academic year under certain conditions. The teaching of non-credit courses must not detract from the primary obligations of faculty to the University. Only those faculty members who are teaching at least two regularly scheduled four-credit courses per semester (not counting independent studies or courses that fail to meet the University's minimum enrollment standards of ten students in an undergraduate course and five in a graduate course), with a total student enrollment equal to at least the average taught by faculty in their units, will normally be considered eligible to undertake non-credit instruction for extra

compensation during the academic year. See section [X.K. Non-Credit Instructional Activities and Administrative Requirements](#).

#### **IV.D.2. Compensation for Research and Sponsored Project Activities**

Faculty members are expected to conduct research and scholarly activity as part of their academic roles and responsibilities. When such activity is supported during the academic year from external sponsored grants or contracts, it is usually the case that the effort devoted to that project is part of that faculty's expected obligation. Normally, faculty members may not receive extra service compensation for sponsored project activities during the academic year. In exceptional cases, when research efforts are demonstrably beyond the normal campus expectation for instruction, research, and service, and the sponsor has approved extra service compensation, a request for special approval of extra service compensation must be submitted to the Provost through the appropriate unit dean/director. Faculty members may receive additional compensation for research during the summer from external grants and contracts. The normal compensation for such research effort will be at a rate of 1/9 of the current year's base salary per month for full-time research, up to the maximum period of time available during the summer period exclusive of the academic year obligation for faculty, provided such compensation does not exceed limitations imposed by the sponsoring agency. Faculty may combine support from multiple sponsors provided the resulting appointments are not in conflict with the policies of any of the individual sponsors. Neither annual leave nor consulting privileges may be used during periods for which summer salary is being received from external sponsored grants or contracts. Questions and requests for further information should be referred to the Office of Sponsored Programs or Sponsored Funds Administration.

#### **IV.E. Professional and Outside Activities**

Faculty members who belong to professional associations and societies or who are invited to serve on scholarly or advisory bodies related to their academic work should participate actively, consistent with their responsibilities and obligations to the University. An activity is considered to be scholarly or professional if: (1) it involves research or scholarship through which the individual may make contributions to knowledge; (2) it gives the individual experience and knowledge of value to teaching or research; and (3) it is appropriate public service.

Provisions in the Public Officers Law

([http://www.jcope.ny.gov/about/laws\\_regulations.html](http://www.jcope.ny.gov/about/laws_regulations.html)) may bear upon outside activities

by faculty members, who are advised to consult on possible conflicts of interest with the appropriate administrative offices.

Faculty members who desire to engage in extensive part-time employment that cannot be considered scholarly or professional must obtain written approval from the appropriate dean before undertaking such employment.

#### **IV.E.1. Outside Consulting Work**

Consultation by faculty members with outside organizations can be a source of valuable professional experience as well as being, in some cases, a source of additional income. The University permits such consultation, subject to the conditions in this policy statement. For those on full-time service to the University, the guiding principle is that University duties are the primary obligation of the faculty member, while consultation is a personal activity.

Although obligations of faculty members are multi-faceted and often cannot be precisely delimited in numbers of hours, there is considerable pressure on universities and faculty members to provide a reasonable accounting of the professional activities of full-time faculty. Because of the complexity of these obligations and the difficulty in reporting faculty activities, it has generally been accepted that universities place limits as a matter of policy on the amounts of time and effort full-time faculty members may devote to outside consulting. The intent of this policy is to provide faculty members with maximum flexibility to exercise their consulting privilege within established limits.

During semesters of full-time service to the University, consulting work for an outside organization is limited to the equivalent of one day per week. Time spent on such consulting must be in addition to, rather than a part of, the normal full-time effort expected of faculty members for University work. In accordance with this policy, a faculty member with a less-than-full-time appointment should prorate outside and University obligations appropriately. If there is any possibility of interference with primary obligations, the faculty member should not engage in the consulting work, or should request a leave of absence or partial reduction in salary.

Faculty members must receive prior approval from their deans through their department or program chairs before undertaking outside consulting activity for compensation.

When such activity, in the judgment of a dean, may cause interference with the time needed to perform University duties, the dean will not give approval.

Full-time faculty members who expect to consult for more than one day in any given week must receive prior approval from their department or program chairs and deans and from the executive vice president for academic affairs and provost. A reasonable

amount of "averaging" over the semesters of the academic year is ordinarily acceptable, although particular circumstances such as teaching loads or the terms of support under external grants or contracts will need to be taken into account. Averaging of consulting time from semesters of less-than-full-time service to semesters of full-time service is not permitted.

The nature of the consulting work should in no way detract from the prestige of the University or from the professional stature of the faculty member. Consulting obligations undertaken should conform to this objective.

The facilities and services of the University shall not be used in connection with compensated outside work. In cases where a faculty member wishes to use the facilities and services of the University in connection with outside consulting activities or with contract research projects not processed through the Research Foundation for the State University of New York, appropriate arrangements to compensate the University must be made in advance with the senior vice provost and chief financial officer and the vice president for operations.

To avoid conflicts between the primary obligations of a faculty member to the University and the terms of consulting or other agreements with a third party, the following (or similar) clause must be included in any such agreements: In the event the terms and conditions of this agreement are in conflict with the terms and conditions of employment with the State University of New York at Binghamton, or with those of grants and contracts administered by the Research Foundation for the State University of New York for which I perform service, the latter shall prevail.

Faculty should also note that such outside activity may be required to be reported to the New York State Joint Commission on Public Ethics.

#### **IV.E.2. Consultant and Contractual Services on Grants and Contracts**

When necessary to accomplish the goals of externally funded grants and contracts, the Research Foundation for the State University of New York or the University will contract for limited services from outside consultants and independent contractors. The following guidelines and procedures have been established to assist the principal investigator/project director, the department chair, and the dean in determining the need for, selection of, and payment for such services.

Generally, to undertake such service arrangements, the University or Research Foundation for the State University of New York satisfies itself that the following factors are present. However, no single factor is necessarily controlling. A contractor:

1. is subject to the control of the University only as to the results to be accomplished by the work and not as to the means and methods of accomplishment;
2. is not subject to discipline or discharge under University personnel policies;
3. does not have a continuing relationship with the University;
4. is not an employee of any New York state agency or SUNY institution or the Research Foundation for SUNY;
5. is paid a fee or contracted amount for services;
6. has an opportunity to realize a profit or loss in the usual business sense; and
7. follows an independent profession, trade, or business, and offers services to the public. Examples of independent contractors include one-time professional lecturers; short-term professional consultants; physicians and lawyers; information technology services, art, web or graphic services, engineering services, or construction of specialized equipment; and other persons or firms in business for themselves to offer services to the public.

The following represent the minimum standards for documentation in support of the use of consultants on grants and contracts:

1. evidence that the services of the consultant are needed and the need cannot be met by direct salaries provided under the grant or contract;
2. evidence that a selection process has been used to secure the most qualified individual available, considering the nature and extent of the services required; and
3. evidence that the fee is appropriate considering the qualifications of the consultant, charges normally made, and the nature of the services to be provided.

Under current SUNY and Research Foundation for the State University of New York policies, SUNY employees who are consultants cannot consult on campus even if such consultation is across departmental lines and in addition to regular duties. "Consulting" generally includes any activity that is not clearly encompassed under the headings of research, credit teaching, or non- credit teaching. Also, the words "on campus" must be defined rather more strictly than may be the case for funds derived from other- than- Research Foundation for the State University of New York grants or contracts. Adherence to existing policy means, in effect, that actual physical location of the activity is irrelevant; if SUNY is paying compensation through the Research Foundation for the State University of New York for the activity to a University employee, the activity effectively takes place "on campus." Exceptions to these restrictions are exceedingly rare, and require approval not only by the Research Foundation for the State University

of New York operations manager, vice president for research and/or vice president for operations, but also by SUNY System Administration. For all intents and purposes, full-time faculty or other University employees should not expect payments from Research Foundation for the State University of New York grants or contracts for consulting work. Earlier financial limitations to faculty consultation at other SUNY units no longer apply. Those faculty involved in such consultation should consult with the campus Human Resources Office and the associate vice president for research administration and operations manager for further information. Finally, extra service payments for credit and non-credit instructional activities by full-time faculty and other University employees from Research Foundation for the State University of New York grants or contracts must be discussed with the Office of the Executive Vice President for Academic Affairs and Provost and the campus Research Foundation for the State University of New York.

### **IV.E.3. Payments**

All payments for such services authorized under these policies and procedures are made directly to the individual, firm, or research institution providing the services and not to a third party, except in the case of joint employment with other state agencies, in which case the parent agency will be the payee. The fees for services generally separate transportation and subsistence, which are reimbursed on the basis of actual costs.

#### *PRIOR APPROVAL*

Commitments made without required prior approvals and authorized signatures are not University contracts, and the individual making such arrangements is personally responsible for any charges that may result therefrom. The restrictions in these policies established by Binghamton University apply only to activities for which funds are disbursed through State University, the Research Foundation for the State University of New York, and the Binghamton University Foundation. The intent of this policy is not to restrict opportunity but rather to ensure the highest levels of scholarly and professional service.

### **IV.F. Notification of Appointment of Election to Committees**

The secretary of the Faculty Senate notifies faculty members of their election to Faculty Senate committees. Appointees to other ad hoc committees are notified of their appointments by the president or other appropriate officer.

## IV.G. Academic Freedom

"It is the policy of the University to maintain and encourage full freedom, within the law, of inquiry, teaching and research. In the exercise of this freedom faculty members may, without limitation, discuss their own subject in the classroom; they may not, however, claim as their right the privilege of discussing in their classroom controversial matter which has no relation to their subject. The principle of academic freedom shall be accompanied by a corresponding principle of responsibility. In their role as citizens, employees have the same freedoms as other citizens. However, in their extramural utterances employees have an obligation to indicate that they are not institutional spokespersons." (Title I, Policies of the Board of Trustees, 1994)

"The principle of academic freedom is designed to protect the faculty member's freedom to teach and to conduct research. It also protects the student's freedom to learn." ("Guidelines for Policy in Academic Freedom, 16," from A Handbook for Developing Higher Education Personnel Policies, College and University Personnel Association, 1988)

## IV.H. Faculty Statement of Professional Standards

Believing that membership in the academic profession carries special responsibilities, we the faculty of the State University of New York at Binghamton adopt the following standards to guide our conduct as teachers and scholars and colleagues, as members of our institution, and as citizens of our community.

### IV.H.1. General Standards

#### *ARTICLE I.*

Faculty, 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 they devote their energies to developing and improving their scholarly competencies. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although they may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

#### *ARTICLE II.*

As teachers, faculty encourage the free pursuit of learning in their students. They hold before them the best scholarly standards of their disciplines. They demonstrate respect for the student as an individual, and adhere to their proper roles as intellectual guides

and counselors. They make every reasonable effort to foster honest academic conduct. They respect the confidential aspects of the relationship between professor and students. They avoid any exploitation of students for private advantage and acknowledge significant assistance from them. They encourage free discussion, inquiry, and expression. They evaluate and award credit to students solely on the basis of academic performance, not on opinions or conduct in matters unrelated to academic standards. They protect their students' academic freedom.

### *ARTICLE III.*

As colleagues, faculty have obligations that derive from common membership in the community of scholars. They respect and defend the free inquiry of their associates. In the exchange of criticism and ideas they show due respect for the opinions of others. They acknowledge their academic debts and strive to be objective in their professional judgment of their colleagues. They accept their share of faculty responsibilities for the governance of their institutions.

### *ARTICLE IV.*

As members of a diverse academic body, faculty do not discriminate on any basis unrelated to academic performance. They seek always to strike a balance between the need to show sensitivity to the feelings of others and the right of free opinion, speech, and inquiry. They maintain their views without heedlessly offending students and colleagues.

### *ARTICLE V.*

As members of their institution, faculty seek above all to be effective teachers and scholars. They observe the stated regulations of the institution, including faculty by-laws, unless such regulations contravene the fundamental principles of academic freedom. They maintain their right to criticize and seek revision of such regulations. They determine the amount and character of the work they perform outside the institution with due regard to their paramount responsibilities within it. When considering the interruption or termination of service, they recognize the effect of their decisions on the programs of the institution and give due notice of their intentions.

### *ARTICLE VI.*

As members of their community, faculty have the rights and obligations of any citizens. They measure the urgency of these obligations in the light of their responsibilities to their subjects, to their students, to their professions, and to their institutions. When they speak or act as private persons, they avoid creating the impression that they speak or act for their colleges or universities. As citizens engaged in a profession that depends

upon freedom for its health and integrity, faculty have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

### **IV.H.2. Policy on Research**

The faculty recognizes its particular responsibility in the conduct of research. We subscribe to the policy adopted by the Graduate Council with respect to the specification of misconduct in research as fabrication, falsification and plagiarism, deception or other practices which seriously deviate from those that are commonly accepted within the scholarly community for proposing, conducting and reporting research and creative scholarly activity (Policy on Responsible Conduct of Research, 1989, Committee on Organized and Sponsored Research).

Faculty responsibility for the recommendation of sanctions in cases where an inquiry produces solid evidence of misconduct does not exhaust the faculty role in maintaining a responsible professionalism with regard to research and writing. A search for truth cannot justify the exploitation of students or junior collaborators by taking undeserved credit or denying it to others. Collegiality and the sharing of information rather than competitive secrecy should be the ideal of scholarship.

Special rules of conduct must be observed in research that uses human or animal subjects, and this faculty subscribes to the procedures for careful monitoring of such research as are spelled out in University regulations.

### **IV.H.3. Policy on Sexual Harassment and Consensual Relationships**

The faculty recognizes that respect for the dignity and worth of individual students, faculty, staff, and the academic community as a whole is essential to the mission of our University. Sexual harassment subverts this mission, is unlawful, and cannot be tolerated.

Harassment on the basis of sex is a violation of Section 703 of Title VII of the Civil Rights Act of 1964. Although these guidelines apply specifically to sexual harassment in the workplace, they apply to students as well under Title IX of the 1972 Education Amendments. According to guidelines issued by the Equal Employment Opportunity Commission in 1980, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
2. Submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or

3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. The University regards any form of sexual harassment as a violation of the standards of conduct required of all persons associated with the institution. Accordingly, those inflicting such behavior on others are subject to the full range of internal institutional disciplinary actions.

Because faculty make critical decisions about a student's advancement, inappropriate faculty-student interactions assume exceptional significance. No non-academic or personal ties should be allowed to interfere with the academic integrity of the teacher-student relation. With respect to sexual relations in particular, what might appear to be consensual, even to the parties involved, may not in fact be so. Any instance of sexual relations between a faculty member and any student, undergraduate or graduate, when the faculty member is in a direct supervisory role with that student, shall normally be deemed unprofessional conduct.

*(Ratified by Faculty Senate, May 1990; accepted as University policy, August, 1993)*

#### **IV.H.4. Grievance Procedures**

The Agreement between the State of New York and the UUP provides a four-step grievance procedure for the resolution of disputes "concerning the interpretation, application, or claimed violation of a specific term or provision" of the Agreement. Faculty who have questions about the grievance process should discuss them with their supervisors and with the president of the local chapter of United University Professional Negotiating Unit (UUP).

#### *DISCIPLINE*

The Agreement between the State of New York and UUP is designed to "provide a prompt, equitable and efficient procedure for the imposition of discipline for just cause." It delineates the authority of the campus president or designee to impose discipline, and the procedures by which an employee can appeal a notice of discipline.

#### **IV.H.5. Administrative Guidelines**

Faculty Cases Potentially Subject to Handling Under UUP Contract Article 19: Discipline

#### *PREAMBLE*

These administrative guidelines provide information to administrators about regular procedures for review and decision-making in allegations of instances that may constitute just cause for discipline (including violations of standards of professional conduct) and may be considered under Article 19 of the UUP contract with the State of New York. Although the emphasis remains on resolution at the lowest possible level,

departmental and school procedures should be examined periodically for consistency with University-wide procedures.

These procedures govern the period before a final determination to take disciplinary action has been made. The intent is to allow for consultation whenever possible within the constraints imposed by the contract, to provide opportunity for the subject of the complaint to respond before a decision is reached to impose discipline, if possible, and to protect all the parties to the complaint.

### *I. RELATIONSHIP OF PRE-DISCIPLINARY CONSULTATION TO DISCIPLINARY DUE PROCESS UNDER THE CONTRACT*

A. Article 19 of the contract with United University Professions governs all discipline of covered employees at the State University of New York at Binghamton. Discipline is the sole responsibility of the president, notwithstanding any decision of the administration to meet informally with the employee and/or seek advice from faculty governance before the point of deciding to serve the employee with a disciplinary notice.

B. Article 19 does not restrain the president from seeking advice from others before instituting discipline. Such recommendations as may be given to the president through administrative channels or governance mechanisms are not and cannot be binding, according to the contract.

C. In cases where the behavior is such that the administration judges it to be necessary to act immediately to protect individuals or to protect the institution, the president may exercise presidential prerogative under the contract to take appropriate summary action such as suspension, transfer, or issuance of immediate disciplinary notice.

### *II. BASIS AND ORIGINATION OF COMPLAINTS*

Complaints that may lead to discipline may be based on (but may not be limited to) conduct that violates professional standards, the institution's code of ethics, Faculty By-Laws, or other University policies and procedures.

Complaints may come from various sources, either internal or external, or may arise through administrative discovery in the course of routine review of documents or participation in an event. Anonymous complaints cannot serve as the basis for review. Complaints must be formally submitted in writing. Complaints may come initially to the president or his/her designee and may originate in any unit of the University. In cases where such complaints originate in administrative offices other than the Office of the President, the complaint shall be forwarded to the president through channels if the party initially receiving the complaint views the matter as serious and meritorious of further review beyond the level at which the complaint was initially received. In all such

cases, the president shall be informed immediately of the complaint. In accord with the contractual responsibility for discipline, the president also reserves the right to take up consideration of a matter on which the Faculty Senate has completed its actions.

### *III. CONFIDENTIAL NOTIFICATION TO GOVERNANCE UNIT AND CONSULTATION*

The president (or designee) shall alert the chair of the Faculty Senate, the chair of the Faculty Senate Executive Committee, and the chair of the Professional Standards Committee to the situation, without reference to specific individuals or incidents, by means of a formal and confidential letter of notification as follows:

This is a confidential notification that the administration is initiating a review as provided by the administrative guidelines of allegations of just cause for discipline that may include violations of professional standards of conduct.

Such notification is for the purpose of alerting the Faculty Senate that a serious matter is pending review. Following such notification, a personal and confidential consultation should take place between the president, the Faculty Senate chairs, and the chair of the Professional Standards Committee in which the particular incident should be discussed. In performing these duties, once notification has been made to the Faculty Senate, the president shall within 30 days refer the complaint to the designated fact-finder to make full inquiry as to the facts and merits of the complaint, with the understanding that so far as possible, this step shall be conducted under full confidentiality to protect the employee, the complainant (if any), and any persons who may be contacted for information.

The president has 30 days to determine if the nature of the complaint deserves fact-finding.

### *IV. FACT-FINDING*

If the president determines that the nature of the case deserves fact-finding, the president will appoint a senior administrator in Academic Affairs to serve as the fact-finder. It is expected that the fact-finder will inform the subject of the fact-finding about the allegations and that the fact-finding process is commencing.

The fact-finder is expected to gather sufficient information to make a confidential report and recommendation to the president or his/her designee. Under normal circumstances the fact-finding will be concluded no later than 120 days after initiation of the complaint. Extensions must be approved by the president. In these matters, the fact-finder may not conduct a hearing since this would constitute hearing without the due process assured by the issuance of a notice of discipline.

The president reserves the right to disagree with the report and recommendation of the fact-finder and will: 1) consult with the Faculty Senate chairs and the chair of the Professional Standards Committee before issuing a notice of discipline; and 2) inform the subject of fact-finding of the decision with respect to issuing a notice of discipline.

#### *V. ADDITIONAL CONSULTATION*

The president (or designee) may consult further regarding the alleged misconduct in any or all of the following ways: a) with the office directly involved (such as the department), b) with the employee, c) with the Professional Standards Committee of the Faculty Senate, and/or d) with such others as the president deems appropriate. It is understood that any such consultation, even when resulting in an appropriate action within the unit involved in the consultation, is advisory to the president and does not preclude disciplinary action under the contract.

#### *VI. DISCIPLINARY NOTICE*

If, based on the original complaint, fact-finding, and consultation, the president concludes that discipline is the appropriate response, then a notice of discipline shall be issued to the employee.

#### *VII. CONFIDENTIALITY*

Notices of Discipline will not be released by the University or made public or made available to the constituency by anyone other than the employee disciplined. In addition, if a disciplined employee makes public a notice that contains information that is confidential to another person according to the University bylaws or personnel procedures, that employee shall be held responsible. Administrative policy is to refuse comment on such matters unless the employee has made a prior disclosure.

#### *VIII. FACULTY SENATE*

The matters outlined in these guidelines relate to complaints or evidence which may lead to the imposition of disciplinary penalties against an employee under procedures controlled by the Agreement between UUP and the State of New York. They are not intended to influence or affect any action by the Faculty Senate in connection with matters between that body and its constituent members not warranting the imposition of disciplinary penalties.

The Faculty Senate has a responsibility to alert the president about complaints concerning any instance that may constitute just cause for discipline.

## IV.I. Guidelines for Foreign Exchange and Visiting Scholar Programs

All efforts to establish faculty and/or student exchange programs with institutions abroad should be initiated through the Office of International Affairs, which provides general coordination for all such programs. All efforts to establish visiting scholar programs, involving faculty and/or students from institutions abroad as well as Binghamton University faculty and students, should be initiated through the Office of International Affairs, which will act as general coordinator. No such programs will go into effect until they have received approval through the presidential level and, when appropriate, endorsement by the Office of International Programs in Albany.

Heads of academic units in which exchange programs are based will make their recommendations for faculty participation in those programs to the executive vice provost for international initiatives and chief global officer, who will gather all appropriate documentation and will solicit the endorsement of the appropriate dean. That endorsement is to be submitted to the executive vice provost, and Office of Human Resources procedures are to be followed to affect the release of the faculty member for participation in the exchange. The dean's endorsement and all other appropriate materials will be submitted by the executive vice provost to the Office of the Executive Vice President for Academic Affairs and Provost. Formal appointment of Binghamton University faculty to participate in exchange programs will be made by the president on the recommendation of the executive vice president for academic affairs and provost. Academic units involved in the administration of faculty exchange, student exchange, and visiting scholar programs should keep the executive vice provost for international initiatives and chief global officer informed of all important developments affecting the status of those programs.

## IV.J. International Visiting Scholars

The University offers international visiting faculty and scholars many opportunities for study and collaboration, and often extends them invitations to work at the campus for varying lengths of time as visiting faculty or scholars. However, such invitations may be made only after having received the department chair's and unit dean's approval. No University office charged with expediting visits by foreign nationals for academic purposes will take any action without all appropriate approvals. Forms for requesting J-1 visa documents for visiting faculty and scholars may be obtained from the Office of

International Student and Scholar Services. Any questions regarding a planned visit by an international scholar should be referred to ISSS.

The University will extend tax treaty benefits to those individuals who may be able to claim exemption from or a reduced rate of withholding on certain types of income (employment compensation, scholarship, fellowship or grant payments). The Human Resources Office will be the point of contact and an international tax treaty specialist will be responsible for all questions regarding potential eligibility for tax treaty benefits.

### **IV.K. Academic Regalia**

Academic regalia shall be worn on such occasions as the president may direct. Members of the faculty must wear academic dress at Commencement ceremonies. Academic regalia may be obtained by faculty members through the Campus Bookstore. See section [IV.L. Commencement](#).

### **IV.L. Commencement**

Commencement ceremonies held in the fall and spring are major annual events that celebrate the academic identity and nature of Binghamton University. Faculty should make every effort to attend these ceremonies. All academic units will be represented, with faculty attending on a rotating basis as determined by the dean. Professional employees are invited to attend Commencement. See also section [IV.K. Academic Regalia](#).

### **IV.M. Tuition for Members of Faculty Families**

Spouses or children of faculty members or other University employees who attend courses at Binghamton University, whether for credit or not-for-credit, must pay the regular tuition fees.

### **IV.N. Instruction for Members of Faculty Families**

It is inappropriate for a student to engage in independent study for credit or to take a course for credit from a spouse or other close relative without the prior approval of the department chair and/or the dean of the school.

### **IV.O. Faculty Housing**

No University housing is available for faculty members.

# **V. Professional Staff Policies and Procedures**

## V.A. Verification of Credentials

## V.B. Appointments

### V.B.1. Term Appointment

### V.B.2. Five-Year Term Appointment

### V.B.3. Appointment to Titles Listed in Appendix A

### V.B.4. Appointment to Titles Listed in Appendix B

### V.B.5. Appointment to Titles Listed in Appendix C - Fundraising

### V.B.6. Renewal of Term

### V.B.7. Permanent Appointment

### V.B.8. Service Credits Applicable to Permanent Appointment

### V.B.9. Change in Professional Title (Probationary Appointments)

### V.B.10. Basic Annual Salary Protected

## V.C. Evaluation and Promotion

### V.C.1. Evaluation System

### V.C.2. Promotion

### V.C.3. Notice of Change in Status

## V.D. Leave of Absence

## V.E. Professional Obligation

## V.F. Attendance Records

## V.G. Resignation

## V.H. Departure Interviews

## V.I. Grievance Procedure

## V.J. Discipline

## V.K. Jury Service

## V.L. Extra Service Compensation (See Also Extra Service Compensation by Faculty and Professional Employees in Section VI of the Faculty-Staff Handbook)

## **V.A. Verification of Credentials**

It is the University's policy to verify the academic credentials claimed by a prospective professional staff member. This verification is accomplished at the search committee or departmental level, and no invitations for interview should be issued unless the verification has occurred. Should the verification not support the claim, any offer of employment to the individual will be withdrawn, or, when necessary, the individual's appointment at the institution will be terminated.

## V.B. Appointments

### V.B.1. Term Appointment

Except as provided in Article XI. Title D. Section 6. of the Policies, a term appointment is an appointment for a specified period of not more than three years that automatically expires at the end of that period unless ended earlier because of resignation, retirement, or termination. For further information concerning Eligibility, Method of Appointment, Renewal of Term, and Notice, refer to Sections 2 through 5 of Title D of Article XI. See also Management Procedures 602

(<http://www.binghamton.edu/operations/policies/personnel-and-payroll/recruitment-appointment.html>) and 616 (<http://www.binghamton.edu/operations/policies/personnel-and-payroll/renewal-term-professional-employees.html>).

### V.B.2. Five-Year Term Appointment

Article XI. Title D. Section 6. provides for five- year term appointments and for renewals of employees in professional titles listed in Appendix A of that Article. This type of appointment is subject to the same procedures for method of appointment, renewal, and notice of non-renewal of term appointments as found in Title D. Sections 2 through 5. A person whose initial appointment is to a title contained in Appendix A must be granted term appointments for the first three years of employment before being eligible for a five-year appointment.

### V.B.3. Appointment to Titles Listed in Appendix A

A professional employee serving in a permanent appointment who is appointed to a title listed in Article XI, Appendix A of the Policies of the Board of Trustees is granted a five-year term appointment in the new title and relinquishes the permanent appointment in the former title. If the employee is subsequently appointed to the same position held prior to the five-year term appointment, the employee resumes the permanent appointment in the former title; otherwise, a term appointment is given. If the employee is serving a term appointment in which a permanent appointment may be granted, and is appointed to a title listed in Article XI, Appendix A, the employee is granted a five-year term appointment and relinquishes the term appointment in the former title. If the employee is subsequently appointed to a title in which permanent appointment may be granted, a new term appointment is given in that title.

#### *INITIAL APPOINTMENT TO TITLES IN APPENDIX A*

In the event that the employee is appointed initially to a title listed in Article XI. Appendix A, and is then subsequently appointed to a title in which permanent status may be

given, a term appointment is given only in the new title. The employee does not retain the term appointment in the former title.

#### **V.B.4. Appointment to Titles Listed in Appendix B**

Appendix B titles were created during bargaining with UUP for the 1999-2003 Agreement. These titles are used for term appointments within the athletics area only and are from 1-5 years in duration. The rules and procedures for utilizing titles within this series are outlined in the Policies of the Board of Trustees, Article XI. The Office of Human Resources should be consulted prior to considering the use of these titles as per university classification procedures.

#### **V.B.5. Appointment to Titles Listed in Appendix C–Fundraising**

Appendix C titles were adopted by the Board of Trustees in 2004. Employees in Appendix C titles cannot gain permanency.

Full-time college year and calendar year employees in the titles in Appendix C of this Article, shall, for the first four years of employment in any of the titles in Appendix C of this Article, be provided a minimum term appointment of one year up to a maximum term appointment of three years. Following the fourth year of employment, employees in titles in Appendix C of this Article shall receive a term appointment of three years. Term Appointments for employees in titles in Appendix C of this Article shall be subject to the same procedures for methods of appointment and renewal of term appointments in accordance with this Article except as modified herein. Except in cases of discipline or retrenchment, in the event the university elects to terminate a term appointment before the expiration of the term, the university shall compensate the individual for the time remaining on the term appointment.

#### **APPENDIX C to Article XI - Fundraising Titles**

- Director of Fundraising
- Associate Director of Fundraising

#### **V.B.6. Renewal of Term**

Except as provided in Article XI of the Policies, term appointments may be renewed by the president for successive periods of not more than three years each. Written notice that a term appointment is not to be renewed upon expiration is given to the appointee by the president or a representative as soon as possible and not less than:

- forty-five calendar days prior to the end of a part-time service term appointment;

- three months prior to the end of a term expiring at the end of an appointee's first year of service within the University;
- six months prior to the end of a term when the employee has more than one year but not more than two years of service within the university;
- twelve months prior to the expiration of an appointment after two or more years of service within the University.

### **V.B.7. Permanent Appointment**

Article XI. Title C. of the Policies provides for an eligible professional employee's permanent appointment to a professional title with the approval of the Chancellor. Such an appointment continues until the employee resigns, changes to a different title, retires, or is terminated under certain circumstances. Permanent appointments cannot be made to those titles designated Management/Confidential or which are included in Appendix A, Appendix B or Appendix C of Article XI. (See also Management Procedure 615, <http://www.binghamton.edu/operations/policies/personnel-and-payroll/permanent-appointment-professional-employees.html>.)

#### *ELIGIBILITY FOR PERMANENT APPOINTMENT*

To be eligible for permanent appointment, the professional employee must have completed seven (7) consecutive years of full-time service, the last two years of which must have been in the title to which permanent appointment is to be given.

### **V.B.8. Service Credits Applicable to Permanent Appointment**

At the request of the professional employee and at the discretion of the Chancellor or a designee, credit for some prior service within the University may be granted in determining eligibility for permanent appointment under these provisions. (For further information, refer to Article XI of the Policies)

### **V.B.9. Change in Professional Title (Probationary Appointments)**

A professional employee holding a term or permanent appointment who accepts appointment to a different professional title must be given a probationary appointment for a period of one year in the different title. An employee who holds a term appointment in the former title and who completes the probationary period in the new title is then given a new term appointment in the new title and does not retain a term appointment in the previous title. The new term appointment cannot be for a lesser period than the unexpired time in the former appointment.

An employee serving a probationary term and holding a term appointment in a different title who returns to the former position must be granted a new term appointment in that

title. Until the eligibility requirements specified in Article XI. Title C. Section 4. of the Policies are met, the employee is not eligible for a permanent appointment.

An employee holding a permanent appointment who completes a probationary term in a different title is granted a permanent appointment to the new title only, and relinquishes the permanent appointment in the former title. An employee serving a probationary term and holding a permanent appointment in a different title who returns to the former title resumes the permanent appointment in that title.

If an employee's professional title is one to which permanent appointment may be made, and if that title is changed to a different title to which permanent appointment may also be made, then a probationary appointment must be given in that title. A temporary appointment may be made to a position that has been vacated by a professional employee who is serving a probationary appointment as described above. At any time during the probationary period, the President may require the employee to return to the former professional title. A probationary period may be terminated at any time. For further information concerning service credit during the probationary term, refer to Article XI. Title C. Sections 5(2)(a) and 5(2)(b) of the Policies.

### **V.B.10. Basic Annual Salary Protected**

Upon returning to the former professional title, the employee receives the former basic annual salary and, in addition, any improvements that would have been earned had the employee remained in that title.

## **V.C. Evaluation and Promotion**

Article XII. Title C. of the Policies provides for an evaluation and promotion procedure for professional employees in the Professional Services Negotiating Unit. The appropriate appendix to the UUP Agreement serves as the basic template for this campus's policy (see also Management Procedure 607, <http://www.binghamton.edu/operations/policies/personnel-and-payroll/evaluation-professional-employees.html>).

### **V.C.1. Evaluation System**

Professional employees are evaluated and promoted pursuant to the provisions of Article XII, Title C. of the Policies of the Board of Trustees and to provisions of the UUP Agreement. Copies of these documents, as well as details about the University's operating procedures, are available from the Office of Human Resources.

## V.C.2. Promotion

Promotion is defined as a permanent and significant increase in duties, accompanied by a change in title, grade, and salary.

### *PROMOTION TO A VACANT POSITION AT THE SAME OR DIFFERENT CAMPUS*

The University announces all position vacancies for which it has received notification and provides salary ranges, minimum qualifications, and brief descriptions of the positions. These announcements specify information required from applicants, and designate time limits by which the campus must receive the applications. All applicants who file within the specified time limits are considered for the positions for which they applied.

If the campus elects to conduct personal interviews, it may select from among all applicants those for whom personal interviews will be arranged. The remaining applicants who are not selected for personal interviews are so advised, and are not given further consideration for promotion to that particular position.

Prior to promoting or appointing the successful applicant, the campus notifies all remaining unsuccessful applicants that they have not been selected. The campus decision is final, provided that all promotions and appointments are in accordance with the Policies of the Board of Trustees.

If, in the opinion of the President, an emergency exists that requires that the vacancy be filled immediately, an employee may be offered the position on an interim basis. If the vacancy is filled on a permanent basis by another person, then the temporary incumbent returns to the position held previously, without loss of benefits.

## V.C.3. Notice of Change in Status

Established policy is to notify professional staff of salary recommendations and of promotion and tenure decisions as soon as is practicable.

## V.D. Leave of Absence

The president may grant leaves of absence without pay for purposes of professional development or for other purposes consistent with the needs and interests of State University.

Application for leave of absence for Academic Affairs professional employees should be submitted to their department chair. The department chair keeps a copy and forwards the original to the dean. This process is repeated by the dean and by the executive vice president for academic affairs and provost, so that the original arrives on the desk of the president with all endorsements.

Professional employees in other divisions of the University submit requests for leaves of absence to their supervisors. The requests and all necessary endorsements reach the president through the appropriate vice president.

Once a leave has been approved, the same procedure must be followed to make changes.

Vacation leave and sick leave do not accrue during a leave of absence.

Any employee who does not return from leave at full or partial salary for at least one additional year of employment may be expected to remit to the University any salary paid by the University during the leave, or to arrange for a new employer to reimburse the University for such salary.

## V.E. Professional Obligation

The usual professional employee obligation is for the calendar year.

## V.F. Attendance Records

In accordance with the Agreement between the State of New York and UUP, professional staff employees are required to maintain monthly attendance records on which they certify their presence and record any absences. In addition, they must record any accruals of or charges to vacation or sick leave credits. These forms are submitted and processed electronically to their supervisor. Supervisors review and approve the attendance records of their professional staff employees on a monthly basis electronically. An electronic copy is forwarded to the Office of Human Resources.

## V.G. Resignation

Employees who intend to leave the employ of the University shall give 30 days' notice to the president or designee. In the event an employee fails to provide the full 30 days notice, it shall be within the discretion of the president or designee to withhold from such employee's final check an amount equal to the employee's daily rate of pay for each day less than the required 30 days. Such action shall not constitute discipline.

## V.H. Departure Interviews

When the Office of Human Resources receives word that an employee is leaving the University, they issue a document to the employee with a summary of the status of their fringe benefits, retirement account, COBRA benefits, final paycheck, etc. If the employee still wishes to meet in person with a representative from Human Resources, the employee should call (607) 777-2187 to schedule an appointment.

## V.I. Grievance Procedure

The Agreement between the State of New York and UUP provides for a four- step grievance procedure for the resolution of disputes "concerning the interpretation, application, or claimed violation of a specific term or provision" of the Agreement. Professional employees who have questions about the grievance process should discuss them with their supervisors and with the president of the local chapter of the United University Professions (UUP).

## V.J. Discipline

The Agreement between the State of New York and UUP is designed to "provide a prompt, equitable, and efficient procedure for the imposition of discipline for just cause." It delineates the authority of the campus president or a designee to impose discipline, and the procedures by which an employee can appeal a notice of discipline.

## V.K. Jury Service

Policies covering jury service are defined in the Agreement between the State of New York and UUP.

## V.L. Extra Service Compensation (See Also Extra Service Compensation by Faculty and Professional Employees in Section VI of the Faculty-Staff Handbook)

Please refer to the University's extra service compensation policy, Management Procedure 624, which can be accessed at <http://www.binghamton.edu/operations/policies/personnel-and-payroll/extra-service-compensation.html>.

## **VI. Research Policies and Procedures**

[VI.A. Policy on Responsible Conduct of Research](#)

[VI.B. Research Involving Human Subjects](#)

[VI.C. Non-Research Activities Involving Human Subjects](#)

[VI.D. Research Involving Recombinant DNA Molecules](#)

[VI.E. Use of Vertebrate Animals in Research or Teaching](#)

[VI.F. Use of Controlled Substances](#)

[VI.G. Patent and Inventions Policy](#)

[VI.H. Safety and Environmental Health](#)

### **VI.A. Policy on Responsible Conduct of Research**

<http://www.binghamton.edu/research/compliance/documents/Responsible%20Conduct%20of%20Research.pdf>

### **VI.B. Research Involving Human Subjects**

<http://research.binghamton.edu/Compliance/humansubjects/>

The University is responsible for safeguarding the rights and welfare of human subjects involved in any research activity sponsored by or conducted at Binghamton University.

This includes human subjects research by faculty, staff and students (graduates and undergraduates), whether funded or not. To provide for adequate discharge of this responsibility, the Human Subjects Research Review Committee, acting on behalf of the institution, must review and approve all applications for projects proposing to involve human subjects before the research can begin.

The University's policies and procedures regarding the use of human subjects in research are constantly being modified to ensure that the latest federal guidelines are implemented. Major changes will be announced through the Division of Research website, the researchers listserv, and Dateline.

### **VI.C. Non-Research Activities Involving Human Subjects**

Students conducting classroom assignments which will be gathering information about people through interventions or interactions with those individuals and/or classroom assignments which will be gathering private identifiable information about people may require HSRRC review and approval. Please contact the Human Subjects Office in the Division of Research, which will make a determination whether the activity is human subjects research as defined by federal regulations or request additional information in

order to make this determination. You will receive a Notice of Determination of Human Subject Research via email.

It is the faculty member's responsibility to ensure that any activity that is "research" involving "human subjects," as defined by University policy and procedures, is submitted to the HSRRC for review and that approval is received before the project starts. Federal regulations can be confusing, and rather than risk conducting research without HSRRC approval and being out-of-compliance, it is strongly suggested that you contact the Human Subjects Office in the Division of Research for assistance in determining if your activity involves human subjects research.

## VI.D. Research Involving Recombinant DNA Molecules

<http://research.binghamton.edu/compliance/Biosafety.php>

In accordance with federal regulations, Binghamton University is responsible for overseeing research involving the use of recombinant DNA molecules in order to ensure compliance. The Institutional Biosafety Committee, acting on behalf of the University, implements these regulations. The committee is responsible for reviewing and approving all applications for projects involving recombinant DNA technology in order to guarantee the highest levels of scientific integrity and community safety. The campus regulations apply to all faculty, staff, students, and users of University facilities. A copy of "Campus Guidelines for Recombinant DNA Research" may be obtained from the Division of Research.

All genetic research must be reviewed by the full Human Subjects Research Review Committee. This requirement ensures compliance with all federal, state and local regulations pertaining to the ethical conduct of research involving human genetic information.

## VI.E. Use of Vertebrate Animals in Research or Teaching

Please contact Laboratory Animal Resources at 607-777-6199 for more information.

In accordance with federal and state regulations, all research or instructional use of live vertebrate animals, regardless of source of funding or location of animals (laboratory or field), conducted by University faculty, staff, and students, must be reviewed and approved by the Institutional Animal Care and Use Committee (IACUC). For more information visit <http://www.binghamton.edu/research/compliance/lar/index.html>.

## VI.F. Use of Controlled Substances

State and federal law, as well as University policies, mandate that any requisition for, possession of, or use on the campus of controlled substances (narcotic and non-narcotic drugs) must conform to specific regulations. Information concerning these policies and procedures, as well as copies of the regulations, are available from the controlled substances officer, 607-777-4905, in the Division of Research.

## VI.G. Patent and Inventions Policy

SUNY Patents and Inventions Policy:

[http://www.binghamton.edu/research/innovation/documents/SUNY Patents and Inventions Policy.pdf](http://www.binghamton.edu/research/innovation/documents/SUNY_Patents_and_Inventions_Policy.pdf)

Copyright Policy: [http://www.suny.edu/sunypp/documents.cfm?doc\\_id=88](http://www.suny.edu/sunypp/documents.cfm?doc_id=88)

Computer Software Policy: [http://www.suny.edu/sunypp/documents.cfm?doc\\_id=408](http://www.suny.edu/sunypp/documents.cfm?doc_id=408)

**Acceptance of the SUNY Patents and Inventions Policy and other relevant policies is a condition of employment for state and Research Foundation for the State University of New York employees.**

All potentially patentable inventions made by faculty members, employees, students, and others using University facilities at any of the state-operated institutions of the State University belong to the State University. In the case of sponsored research, the Research Foundation for the State University of New York reserves ownership of all inventions using SUNY facilities. In some instances, federal laws and regulations may apply instead. A discovery made by an individual wholly on personal time and without the use of University facilities belongs to the individual, even though it falls within the field of competence relating to the individual's University position.

Generally, University staff members retain all rights to copyright the published written works they produce. However, in cases where persons are employed or directed specifically to produce written works subject to copyright, the University has the right to publish such work without copyright, or to copyright it in its own name. In the case of sponsored programs, the sponsor may have copyright title or joint title to materials developed.

Rights to computer programs and software developed by faculty and staff shall follow the University's Computer Software Policy.

Relevant policies, procedures and forms for disclosure of patentable inventions are available at the Office of Entrepreneurship and Innovation Partnerships (<http://research.binghamton.edu/Innovation/>). Questions concerning issues related to intellectual property should be directed to that office.

## VI.H. Safety and Environmental Health

See the [Management Procedures](#) and the [Safety and Environmental Health section of this Handbook](#).

# **VII. Instructional Policies**

## VII.A. General Information and Policies

### VII.A.1. Class Meetings

### VII.A.2. Classrooms

### VII.A.3. Distance Learning Courses

### VII.A.4. Release of Student Information

### VII.A.5. Records Retention

### VII.A.6. Services to Students

### VII.A.7. Office Hours

### VII.A.8. Syllabus Statements on Credit Hours, Course Objectives and Learning Outcomes

### VII.A.9. Use of Community Resources for Teaching

### VII.A.10. Student Evaluation of Teaching

### VII.A.11. Academic Accommodations for Students with Disabilities

### VII.A.12. Web and Media Accessibility Policy

### VII.A.13. General Information About Student Activities

### VII.A.14. Orientation Programs

### VII.A.15. Advising Student Organizations

### VII.A.16. Sexual Harassment

### VII.A.17. Tutoring for Pay

### VII.A.18. Academic Honesty Policy

### VII.A.19. Student Photographs

### VII.A.20. Eight Keys to Veterans' Success

## VII.B. Student Attendance Policies

### VII.B.1. Religious Holidays - Education Law

### VII.B.2. Student Attendance

### VII.B.3. Absences by Students from Classes for Participation in Official University

## Events

## VII.C. Grading

### VII.C.1. Student Evaluation

### VII.C.2. Grading System

### VII.C.3. Transferring Courses and Credit Within Binghamton University

### VII.C.4. Examinations and Papers

### VII.C.5. Final Examinations

### VII.C.6. Submission of Grades

[VII.C.7. Posting Grades](#)

[VII.C.8. NSF and Incomplete Grades](#)

[VII.C.9. Missing Grades](#)

[VII.C.10. Changing Grades](#)

[VII.C.11. Formal Complaints Concerning Grades](#)

## VII.A. General Information and Policies

### VII.A.1. Class Meetings

Academic departments enter their course offerings online in Banner each semester according to a schedule established by the Office of Course Building and Academic Space Management (CBASM). Refer to the Quick Links section of the CBASM website (<http://www.binghamton.edu/cbasml/>) for this schedule. For any class with an expected enrollment over 79, the department must notify the Office of Course Building and Academic Space Management to ensure that a classroom will be available at the time the department plans to offer the class. The due date for this information is listed on the above-mentioned schedule.

Academic departments are expected to schedule class meetings at standard times (see below). No more than 45 percent of a department's sections each semester should be offered during the Tuesday/Thursday daytime meeting times and no more than 65 percent of their sections should be offered during of the prime times of the day, 9:40 a.m. - 4:30 p.m. on Monday/Wednesday/Friday and 10:05 a.m. - 4:15 p.m. on Tuesday/Thursday.

The standard meeting times are as follows (prime times are in bold):

M-W-F Classes (60 minutes per day)

8:30 a.m. - 9:30 a.m.

**9:40 a.m. - 10:40 a.m.**

**10:50 a.m. - 11:50 a.m.**

**12:00 p.m. - 1:00 p.m.**

**1:10 p.m. - 2:10 p.m.**

**2:20 p.m. - 3:20 p.m.**

**3:30 p.m. - 4:30 p.m.**

4:40 p.m. - 5:40 p.m.

5:50 p.m. - 6:50 p.m.

7:00 p.m. - 8:00 p.m.

8:10 p.m. - 9:10 p.m.

9:20 p.m. - 10:20 p.m.

M-W or W-F Classes (85 minutes per day)

8:05 a.m. - 9:30 a.m.

5:50 p.m. - 7:15 p.m.

7:25 p.m. - 8:50 p.m.

9:00 p.m. - 10:25 p.m.

T-R Classes (85 minutes per day)

8:30 a.m. - 9:55 a.m.

**10:05 a.m. - 11:30 a.m.**

**11:40 a.m. - 1:05 p.m.**

**1:15 p.m. - 2:40 p.m.**

**2:50 p.m. - 4:15 p.m.**

4:25 p.m. - 5:50 p.m.

6:00 p.m. - 7:25 p.m.

7:35 p.m. - 9:00 p.m.

9:10 p.m. - 10:35 p.m.

M-T-W-R-F 3 hours per day

6:00 p.m. - 9:00 p.m.

6:30 p.m. - 9:30 p.m.

7:00 p.m. - 10:00 p.m.

The standard meeting patterns shown above must be honored for courses meeting in prime time. In cases where courses must be offered at non-standard times during prime time, approvals from the department chair and dean's office are required. The course will be given second-level priority in room scheduling (scheduled after courses adhering to standard meeting patterns) based on room availability.

Courses meeting for three hours during prime time hours requiring a general purpose classroom will be scheduled at the University Downtown Center, after CCPA courses have been scheduled there. The following standard meeting periods will apply:

M-T-W-R-F Class Days - *University Downtown Center only*

8:15 a.m. – 11:15 a.m.

1:40 p.m. – 4:40 p.m.

5:50 p.m. – 8:50 p.m.

Courses meeting two days per week for 85 minutes each day have the option of being scheduled at the University Downtown Center following the standard meeting periods of:

MW or WF or TR

9:25 a.m. - 10:50 a.m.

11:00 a.m. - 12:25 p.m.

### **VII.A.2. Classrooms**

The Office of Course Building and Academic Space Management (CBASM) assigns meeting places for classes that use general-purpose classrooms. Academic departments do the assignment of classroom space that is not general-purpose (e.g. laboratory classrooms, seminar rooms, recital halls, etc.) To optimize the use of general-purpose classroom space, the Office of Course Building and Academic Space Management tries to closely match the capacity of the rooms to the class enrollments. During the period when departments are entering their course offerings in Banner, departments must notify the Office of Course Building and Academic Space Management of any courses with expected enrollment over 79 to ensure that classrooms are available. In addition, instructors who have special needs because of disabilities or who need specific classroom technology may make room requests online using the Instructor Classroom Request Form found on the Quick Links section of the CBASM website (<http://www.binghamton.edu/cbasml/>). Specially requested classroom assignments made in advance of regular classroom scheduling will remain provided the course enrollment makes optimum use of seating capacity.

For classroom scheduling purposes, courses with a meeting time of "TBA" (to be announced), courses which run for less than the full semester, and courses with non-standard meeting times, will, by necessity, be given a low priority.

The Office of Course Building and Academic Space Management also schedules classroom space for academic-related events (review sessions, exams, lectures, etc.). Requests can be made online using the Academic Event Reservation Form found on the Quick Links section of the CBASM website (<http://www.binghamton.edu/cbasml/>).

### **VII.A.3. Distance Learning Courses**

Distance learning courses are indicated in the schedule of classes on BU Brain with an Instructional Method of Online Asynchronous (OA), Online Synchronous (OS), Online Combined (OC), or Online Hybrid (OH). Online Asynchronous courses are those in which the instruction is recorded/stored and then accessed by the students at another time. Online Synchronous courses are those in which students are at locations remote from the instructor and viewing the instruction as it occurs. Online Combined courses are those in which there is a combination of asynchronous and synchronous instruction that occurs over the length of the course. Online Hybrid courses are those in which

there is both in-person and online (asynchronous and/or synchronous) instruction that occurs over the length of the course.

#### **VII.A.4. Release of Student Information**

The Family Educational Rights and Privacy Act of 1974 (FERPA)--commonly known as the Buckley Amendment--provides for students' access to their education records and assures them of the confidentiality of those records. That act places strictures on the information about a student that may be released without a signed and dated consent from that student. Faculty and staff should consult with the Student Records Office regarding any such requests for student information. More information regarding FERPA is available at <https://www.binghamton.edu/registrar/services/ferpa.html>.

#### **VII.A.5. Records Retention**

It is University policy that the Office of Student Records will maintain a student file (scanned/digitized images) and computerized academic record for a student for six years from the date of last attendance. The scanned/digitized file contains high school transcripts, transfer transcripts, academic petitions, degree certification information, and academic action information. After the six-year period, the scanned/digitized file may be purged. The Office of Student Records maintains original grade submissions from faculty permanently.

#### **VII.A.6. Services to Students**

Faculty and staff should refer a student to any of the University's specialized services as necessary or appropriate. Academic advising offices in each school provide general information about academic programs to undergraduate students. University Tutoring Services (UTS) and other tutoring initiatives offer free peer tutoring in a wide range of subject areas. University Health Services concerns itself with students who have medical or health problems. The University Counseling Center attends to students who show evidence of emotional or psychological programs. Students in need of financial assistance or guidance on the various options to help finance their Binghamton education can contact the Financial Aid Office, located in the Admission Center, Room 112. Financial aid counselors are available, no appointment necessary, Monday through Friday, 10 a.m. to 4 p.m. (11 a.m. to 3 p.m. during summer and winter breaks). The Fleishman Center for Career and Professional Development provides programming, information and counseling regarding career opportunities and graduate programs, including the coordination of the on-campus interviewing program. The mission of the Services for Students with Disabilities office is to facilitate the educational and personal development of Binghamton University students with disabilities and enhance the

architectural and attitudinal accessibility of the campus environment. The Dean of Students Office encompasses the Student of Concern Committee, Off Campus Services, Campus Activities, Fraternity and Sorority Life, the Office of Student Conduct, and Parent Relations, as well as serving as a general referral and assistance office for any student in any division. Other offices providing services to students include the Student Records Office, Auxiliary Services, TRIO/Veteran's Programs, International Student and Scholar Services, Residential Life, Educational Opportunity Program, Campus Recreational Services, and the Discovery Program.

### **VII.A.7. Office Hours**

All faculty are expected to maintain a regular schedule of office hours for consultation with students. The number of hours and the particular schedule are determined by the faculty member, but with the condition that they are sufficient and convenient enough to assure accessibility to students.

### **VII.A.8. Syllabus Statements on Credit Hours, Course Objectives and Learning Outcomes**

Faculty should state clearly in writing at the beginning of each semester the instructional objectives of each course they teach. If the course fulfills a requirement in the University's General Education curriculum, the appropriate learning outcomes for the General Education designation should also be included in the syllabus.

To help students understand the typical demands of an academic course and to meet accreditation requirements, all syllabi should include an appropriate statement to explain Binghamton University's course standards to students. For a four credit course that follows the typical Fall/Spring meet pattern, this means that each week students are expected to do at least 9.5 hours of course-related work outside of class in addition to the three scheduled lecture/discussion hours. For further information and sample syllabus statements (including samples that correspond to other terms, other credit levels and other delivery modes), please

see <http://www.binghamton.edu/academics/provost/documents/syllabus-credit-hours-0314.pdf>.

### **VII.A.9. Use of Community Resources for Teaching**

Faculty who assign projects to students that may involve contacts with private, voluntary, or governmental agencies are expected first to establish with the administration of the given agency the feasibility and acceptability of the contacts.

### **VII.A.10. Student Evaluation of Teaching**

The Office of Institutional Research and Assessment administers a Student Opinion of Teaching (SOOT) questionnaire for courses upon request from instructors. SOOTs are only one of many possible approaches to student evaluation of teaching, and are themselves voluntary. However, the executive vice president for academic affairs and provost does require evidence of student input on the quality of a faculty member's teaching over time when that faculty member is being considered for promotion and/or tenure.

### **VII.A.11. Academic Accommodations for Students with Disabilities**

[http://www.binghamton.edu/ssd/faculty\\_info/index.html](http://www.binghamton.edu/ssd/faculty_info/index.html)

### **VII.A.12. Web and Media Accessibility Policy**

State and federal laws including the Americans with Disabilities Act, Sections 504 of the Rehabilitation Act, and New York State Technology Policy 99-3, require Binghamton University web-based content to meet specified accessibility standards established by the Worldwide Web Consortium (W3C). These standards apply to web pages and content developed by or for a college, department, program, or unit of the University, including faculty websites used for instructional purposes.

Binghamton University is committed to ensuring accessibility of its websites, web content, web applications and all related media. University websites that provide information about the University to external audiences or that provide information for employees or students must be accessible as defined by the W3C standards as amended from time to time.

Websites that contain information used in instruction must be accessible to all students in the class. This includes information posted on Blackboard and Internet/intranet web pages. All students should have the opportunity to join class related experiences including interactive electronic experiences such as chat rooms. Accessibility must be considered when purchasing and licensing software, videos and related media.

Each person posting a University or instructional website, as well as information on Blackboard, is responsible for ensuring that it is designed to be accessible.

Departments within divisions have responsibility to monitor continued accessibility compliance of their web pages. The Media Access Committee will develop and disseminate guidelines for meeting applicable web accessibility standards and update those guidelines as necessary. Web accessibility problems related to a specific student's disability-related needs should be directed to the Services for Students with Disabilities Office.

Concerns with the University website should be addressed to the web director at [web@binghamton.edu](mailto:web@binghamton.edu). Other concerns should be addressed to the campus department or individual maintaining the website in question.

### **VII.A.13. General Information About Student Activities**

Faculty and staff may obtain information concerning student organizations from the Office of Campus Activities (<http://activities.binghamton.edu>). For information concerning Student Affairs, contact the Office of the Dean of Students.

### **VII.A.14. Orientation Programs**

Several orientation sessions for new undergraduate students are scheduled during the summer months. Both freshmen and transfer students are offered the opportunity to attend one of these sessions in order for them to receive academic advising, register for classes, and become familiar with the many services of the University. In addition, an orientation session is offered for both freshmen and transfer students prior to the start of the academic year in August. An orientation program is also offered for students admitted for the spring semester. Orientation of new graduate students is carried out by the Office of the Graduate School and by the constituent schools and departments of the Graduate School. Faculty are called upon to participate in various phases of these programs. The Office of International Student and Scholar Services provides an orientation program for new international students prior to the start of the fall and spring semesters.

### **VII.A.15. Advising Student Organizations**

Students may ask members of the faculty to be advisers to approved student groups. Faculty members should discuss proposed advisory responsibilities with department chairs (or deans/directors when appropriate) before accepting any invitations. Faculty are invited to discuss matters relating to their advising functions with the Dean of Students Office.

As an adviser, the faculty member is responsible for informing the organization of University policy and of the policies of the Board of Trustees of the State University.

### **VII.A.16. Sexual Harassment**

It is the policy of the University that students be secure from any sexual harassment by faculty, staff, and administrators. (Refer to the Faculty Statement of Professional Standards in Section IV.)

### **VII.A.17. Tutoring for Pay**

Tutoring of University students for pay by University faculty is prohibited.

### VII.A.18. Academic Honesty

See the "Academic Policies and Procedures - All Students" section of the [University Bulletin](#).

### VII.A.19. Student Photographs

Electronic versions of student photographs (which are collected for use on the Binghamton University ID Card) will be included with a student's electronic record in Banner and the Binghamton Portal. Faculty members will have access to student photographs as an additional safeguard in verifying a student's identity for class rosters, testing and academic advising purposes. Faculty are not to use the student photographs for any purpose outside of those described. While faculty will have access to student photographs in Banner and the Binghamton Portal, students will not have access to their own or any other student's photograph in Banner. University police will require the use of photographs in managing access and verifying the identity of students.

### VII.A.20. Eight Keys to Veterans' Success

Binghamton University recognizes the significant value that student veterans bring to our campus and believe that it is important that we ensure that veterans receive the best possible educational experience. We are committed to implementing, and sharing, promising practices as outlined in the "Eight Keys to Veterans' Success."

- Create a culture of trust and connectedness across the campus community to promote well-being and success for veterans.
- Ensure consistent and sustained support from campus leadership.
- Implement an early alert system to ensure all veterans receive academic, career, and financial advice before challenges become overwhelming.
- Coordinate and centralize campus efforts for all veterans, together with the creation of a designated space for them (even if limited in size).
- Collaborate with local communities and organizations, including government agencies, to align and coordinate various services for veterans.
- Utilize a uniform set of data tools to collect and track information on veterans, including demographics, retention, and degree completion.
- Provide comprehensive professional development for faculty and staff on issues and challenges unique to veterans.
- Develop systems that ensure sustainability of effective practices for veterans.

## VII.B. Student Attendance Policies

### VII.B.1. Religious Holidays - Education Law

Section 224- a. Students unable because of religious beliefs to attend classes on certain days. (as amended by Laws of 1992, chapter 278)

1. No person shall be expelled from or be refused admission as a student to an institution of higher education for the reason that he or she is unable, because of his or her religious beliefs, to register or attend classes or to participate in any examination, study or work requirements on a particular day or days.
2. Any student in an institution of higher education who is unable, because of his or her religious beliefs, to attend classes on a particular day or days shall, because of such absence on the particular day or days, be excused from any examination or any study or work requirements.
3. It shall be the responsibility of the faculty and of the administrative officials of each institution of higher education to make available to each student who is absent from school, because of his or her religious beliefs, an equivalent opportunity to register for classes or make up any examination, study or work requirements which he or she may have missed because of such absence on any particular day or days. No fees of any kind shall be charged by the institution for making available to the said student such equivalent opportunity.
4. If registration, classes, examinations, study or work requirements are held on Friday after four o'clock post meridian or on Saturday, similar or makeup classes, examinations, study or work requirements or opportunity to register shall be made available on other days, where it is possible and practicable to do so. No special fees shall be charged to the student for these classes, examinations, study or work requirements or registration held on other days.
5. In effectuating the provisions of this section, it shall be the duty of the faculty and of the administrative officials of each institution of higher education to exercise the fullest measure of good faith. No adverse or prejudicial effects shall result to any student because of his or her availing himself or herself of the provisions of this section.
6. Any student who is aggrieved by the alleged failure of any faculty or administrative officials to comply in good faith with the provisions of this section shall be entitled to maintain an action or proceeding in the supreme court of the county in which such institution of higher education is located for the enforcement of his or her rights under this section.

## VII.B.2. Student Attendance

### *REPORTING ABSENCES*

“Students are expected to attend all scheduled classes, laboratories and discussions. Instructors may establish their own attendance criteria for a course. They may establish both the number of unexcused absences permitted to receive credit for the course and the number of such absences after which the final grade may be adjusted downward. In such cases it is expected that the instructor stipulate such requirements in the syllabus and that the syllabus be made available to students at or near the beginning of classes. In the absence of such statements, instructors have the right to deny a student the privilege of taking the final examination or of receiving credit for the course, or may prescribe other academic penalties if the student misses more than 25 percent of the total class sessions. Excessive tardiness may count as absence.” (Binghamton University Bulletin)

Faculty noting an excessive number of absences by a student are urged to report this fact to Academic Advising or the appropriate dean's office so that the student's whereabouts and circumstances may be ascertained.

Faculty should be sure to note the provisions of the Education Law relating to student attendance and religious holidays appearing in the entry immediately preceding.

### *INSTRUCTIONAL SUPPORT RESOURCES*

The Center for Learning and Teaching (CLT) brings an awareness of effective teaching approaches and appropriate educational technology to faculty and others who teach at the University. Faculty are encouraged to meet with Instructional Designers at the CLT as they can provide consulting and instructional support that can assist in making your instructional work more satisfying and effective for both you and your students. Please visit <https://www.binghamton.edu/clt/instructional-design-services/> for more information.

### *STUDENT AND CLASSROOM DISCIPLINE*

Minor infractions of conduct are ordinarily handled at the time by the instructor. Any disciplinary problems should be reported immediately to the Office of Student Conduct. Instructors who discover cases of theft, vandalism, or other serious offenses by students should report them to the Office of Student Conduct. In any instance wherein an instructor would like to report inappropriate behavior or difficulty confronting a student, the dean of students can offer consultation as needed. The Students of Concern Committee, via the dean of students, will also help the instructor develop a plan of action for the more difficult classroom situations. For specific guidance and a list of resources, please see <http://www.binghamton.edu/dean-of->

[students/faculty.html](#) and <http://www.binghamton.edu/counseling/faculty/faculty-guide.html>.

Any instructor may exclude from attendance any student who, in the instructor's judgment, has seriously impaired the class's ability to achieve the objectives of the course. The student may appeal the instructor's action to the department or school using the established grievance procedure. If the student is not satisfied with the ruling or recommendation emerging from the grievance hearings, an appeal may be brought to the appropriate dean.

### **VII.B.3. Absences by Students from Classes for Participation in Official University Events**

Students at Binghamton University have the opportunity to participate in many kinds of activities beyond the classroom, including intercollegiate athletics, that either contribute to the quality of their undergraduate experience or promote their postgraduate careers. At times, students' participation in competitions requires them to be absent from regularly scheduled classes. Students are responsible for all work missed. At the same time, faculty members are expected to accommodate students' participation in such activities. If this is a University-sanctioned activity, the sponsoring organization has a similar responsibility to accommodate students' needs to meet their class obligations. Each student is responsible for notifying the appropriate instructor(s) of a potential absence at the beginning of the term for events already scheduled, and not less than a week before those scheduled once a term begins. Faculty should be flexible in providing opportunities for students to make up tests and other work missed.

## **VII.C. Grading**

### **VII.C.1. Student Evaluation**

Members of the academic staff must state clearly in writing the methods to be employed and the weighted value of each criterion used in determining a final course grade. They must inform students of any differential expectations and criteria, such as those between graduate and undergraduate students in the same class. If the course has been structured differently for students selecting a given grading option (e.g. Pass/Fail), the difference in structure must be clearly explained.

Grades should reflect levels of student achievements on learning outcomes and standards presented to students at the beginning of a course in a syllabus. Students should receive timely, formative feedback as soon as possible during a course so they

can gauge their progress and have an opportunity to improve their performance before receiving a final grade.

### **VII.C.2. Grading System**

The grading system used by each academic unit is stated in detail in the appropriate sections of the Bulletin. For overall information on the grading system used for undergraduate or graduate students, please see the [University Bulletin](#).

### **VII.C.3. Transferring Courses and Credit Within Binghamton University**

For the purposes of the procedures following, the term "schools" refers to Harpur College, the Decker School of Nursing, the School of Management, the Graduate School of Education, the College of Community and Public Affairs, the Watson School, and the Graduate School. As defined by the Graduate School Bylaws, the Graduate School consists of the graduate components of all schools within Binghamton University.

1. The specific grading system used in any school at Binghamton University shall be the responsibility of the governing body charged with supervising the academic program of the school. If a school elects to use a grading system such as Pass/Fail, Satisfactory/Unsatisfactory, or some similar alternative, the performance level equivalent to Pass, Satisfactory, etc., shall be that level of achievement required for a degree from that school. However, any school that permits only a limited number of courses to be taken on a Pass/Fail or similar basis may specify that the performance level for Pass, etc. can be lower than the overall level of achievement required for a degree from that school.
2. A certain degree of "cross-fertilization" among Binghamton's schools and free use of elective courses within them is to be encouraged. However, a school may set a limit to the number of courses from any other school that its students may take for credit toward its degree. A school may also impose restrictions with respect to the taking for credit of courses in other schools that are essentially duplicative of courses offered in the home school. The home school should ensure that other schools are informed when restrictions of the latter kind are imposed. If an individual student, a group of students, a faculty member, a department, or a school feels that a particular school is being overly restrictive in this regard, an appeal may be made to the Educational Policies and Priorities Committee of the Faculty Senate.
3. Students from any school who register in courses offered by another school will be graded in accordance with the policies of the school that offers the course and not by the policies of the school in which the student is enrolled. However, in instances where the grading

systems of the two schools are not consonant, course instructors may consider petitions received from students by the deadline date for adding new courses to have their course performance evaluated in a manner consistent with the grading policies established by the school in which they are enrolled.

4. If a school accepts a course taken in another school for credit toward its degree, it must also accept and record the grade assigned by the course instructor. The term "grade" indicates whatever acceptable symbol was submitted by the instructor as an evaluation of performance. However, if the grading system of the home school permits a Pass/Fail, Satisfactory/ Unsatisfactory, or some similar alternative, the school may allow its students to direct the registrar at the time of registration to convert the grade earned in a course accepted from another school to the appropriate P/F, S/U, etc. formula. This conversion procedure shall apply only to the Official Transcript (external); the Institutional Record (internal) and the Grade Report shall record the grade as assigned by the course instructor.
5. Questions relating to a student's academic standing or rate of progress shall be resolved according to the policies of the home school. As a matter of general policy a school may choose to accept courses from other schools for credit toward its degree only at certain specified levels of performance (e.g., with earned grades of C or better). Moreover, a school may use whatever data are obtainable from other schools (e.g., final course registration lists in addition to or in lieu of grades) in determining rate of progress and academic standing for its own students.
6. A school may refuse to award credit for certain courses taken in another school if these are the kinds of courses for which credit would not be transferred from extramural institutions. It is the responsibility of the student to obtain approval as required by the policies of the home school before taking courses in another school. Schools will publicize their practices in this regard as clearly as possible.

#### **VII.C.4. Examinations and Papers**

Examinations, papers, and other projects should be graded within a reasonable time and should be returned or made available to students who wish to review them. It is also expected that comments and corrections will be explained to students who seek explanations. To allow a means of evaluating the work of students who ask that a grade be reviewed, instructor's grade records, test scores, syllabi, and all other records pertaining to the course should be kept for two years, and graded work not returned to students should be kept for one year after course completion, in accordance with the SUNY specific record retention policy

<http://www.binghamton.edu/operations/policies/business-affairs/record-retention-guidelines.html>).

### **VII.C.5. Final Examinations**

It is the University's policy that all faculty members administer their final or end-of-course examinations during the official Examination Period, at the time scheduled by the Office of Course Building and Academic Space Management. Faculty who wish to administer final or end-of-course examinations outside the official Examination Period must have permission of the deans of their schools. Except examinations for labs, students shall not be required to take examinations or turn in take-home finals during the week preceding the official Final Examination Period. If there is no comprehensive final examination but rather a series of examinations or quizzes, the last examination, test or quiz must take place on the assigned day during final examination week. Students should not have to take three or more final examinations in one 24-hour period. In cases in which a student has more than two examinations scheduled during a 24-hour period, faculty are urged to arrange a time for a make-up exam. In cases where a conflict arises, the faculty member teaching the largest course will be expected to arrange a make-up examination because s/he has the greatest probability of offering another make-up for other valid reasons.

### **VII.C.6. Submission of Grades**

Submitting grades on time prevents delays students will experience related to transcript requests, conferral of degrees, eligibility for financial aid, degree verifications by employers and mailing of diplomas.

Faculty must turn in all grades by the date they are due according to University policy. All full-length fall and spring semester final grades must be submitted electronically via BU Brain no later than five business days after the end of the examination period. All Winter Session and Summer Session final grades must be submitted electronically via the BU Brian no later than three business days after the end of the examination period. The Student Records Office processes course grades on a rolling basis and releases them to students following this process.

Faculty who miss the deadline or need to change grades after they are processed and viewable by students in BU BRAIN must go to their departments or Student Records, located in Student Wing, Room 119, to obtain a change of grade form. A change of grade form must be submitted in person by the faculty or a department staff member directly to Student Records or via campus mail.

When the instructor of record is not available to assign grades in a reasonable time frame, the department chair will assign another qualified and discipline-specific faculty member to do so.

Should a student wish to know a grade for any reason before official notification, and the faculty member has had a reasonable time to calculate that grade, the faculty member is expected to supply it. For purposes of demonstration of accomplishment to an outside agency, the faculty member's note on appropriate departmental stationery may be authenticated in the Student Records Office with the University Seal. (See also Faculty Responsibilities and Leave Status in Section IV.)

### VII.C.7. Posting Grades

Information about students, including but not limited to social security numbers, birth dates, class schedules, grades, and grade point averages are protected by the federal Family and Educational Rights and Privacy Act (FERPA) of 1974 and its amendments. More information regarding FERPA is available at <https://www.binghamton.edu/registrar/services/ferpa.html>. Employees of the University, therefore, must not release student information to any outside parties and must not post grade information on walls, doors, web sites, or any other public place. There is to be no oral or written release of personally identifiable information from any student's education record without signed and dated consent of the student, except to:

- authorized University personnel defined by the person responsible for the file as having a reasonable need to know;
- state and federal education authorities to whom information must be made available by statute and/or for the audit of federal programs;
- SUNY System Administration;
- organizations and educational agencies involved in testing, administering financial aid or improving instruction, provided the information is presented anonymously;
- accrediting agencies;
- appropriate persons to comply with a court-ordered subpoena, in which case an attempt is made to notify the student in advance;
- appropriate persons in the case of emergency;
- University counsel.

Student can check their official final course grades via the [BU Brain](#). In addition, the Blackboard course management system offers a way for instructors to post preliminary unofficial final grades for student viewing in a secure environment.

Faculty are expected to remain available for personal consultation with candidates for graduation for three working days after grades have been posted. Faculty members should leave in department, division, or deans' offices contact information where they may be reached by students.

### **VII.C.8. NSF and Incomplete Grades**

#### *NSF GRADE*

Students who have registered for but did not attend without completing the formal withdrawal process must be assigned a grade of NSF (Did Not Attend). The grade will appear as an F on the student's transcript, but this enables the University to distinguish between students who stopped participating in courses and those who did participate. Faculty are urged to report early on students not in attendance to Academic Advising or the appropriate dean's office so that the student's whereabouts and circumstances may be ascertained.

#### *UNDERGRADUATE*

A notation of Incomplete, rather than a grade, may be reported by the instructor when a student has not been able to complete a course for what, in the instructor's judgment, is a compelling reason. The submission of an Incomplete means that a student has made a substantial commitment to the course, but some remainder of the work must still be accomplished before an evaluation may be made.

Students must determine with the instructor what work is necessary for completion of the course and when the work must be submitted.

Ordinarily all Incomplete notations must be replaced with grades by the end of the next semester, whether or not the student is in college. Incomplete notations change to an F grade at the end of the next semester unless an official extension has been filed with the Student Records Office. It is the student's responsibility to initiate a request for an extension, having reached agreement with the instructor for an alternate completion date. The appropriate form, Request for Extension of Incomplete Grade in an Undergraduate Course, may be obtained from the academic advising office of the college or school in which the student is enrolled.

#### *GRADUATE*

An instructor may assign an Incomplete (I) when a student has done most of the coursework and satisfactorily but, due to unforeseen circumstances, has not completed the coursework. The Incomplete is not for the purpose of converting a failing grade, or unsatisfactory work, to a passing grade. The student must request the Incomplete option from the instructor, but it is the instructor's decision as to whether or not it is

appropriate. Graduate students who are given a grade of I are given six months from the last day of classes to make up the incomplete work. This is the maximum allowed. However, the instructor and student should have a written contract that indicates the timeline and requirements for completion. The instructor may set a deadline sooner than the University maximum, reflecting the instructor's availability to extend his or her commitment beyond the course, but the instructor may not extend the University period of six months. It is expected that, upon submission of the remaining work, faculty will take no longer than one month to file a final letter grade for the course. Students must, therefore, submit the remaining work at least one month before the agreed-upon deadline or the University six-month deadline, whichever comes first. Unless the student completes the coursework and the instructor submits a final letter grade within six months, a grade of I changes to a grade of Withdrawn (W). Once an I has changed to a W, the student has no further opportunity to complete the course, and the course will appear on the final transcript as Withdrawn.

Under exceptional circumstances only, the six-month grace period for Incomplete grades may be extended for another six months. Requests for extensions of Incomplete grades require the approval of the course instructor and the dean of the Graduate School or designee. Requests must be made at least one month before the six-month deadline.

The Incomplete policy has specific implications for students receiving tuition scholarships and other kinds of financial aid and for international students holding visas, as indicated below.

- **Tuition Scholarships:** When a student receives a tuition scholarship, the University pays tuition for the courses taken by that student. In a case in which an I converts to a W, the University has paid for tuition for a course that was not completed. Furthermore, when the student drops below the required number of registered courses, the student has violated the conditions outlined in the Terms and Conditions of the Tuition Scholarship (which is signed by the student). Students receiving tuition scholarships should be aware that the University will seek repayment of tuition that was paid for Incomplete courses that turn into Withdrawn.
- **Financial Aid:** See the Graduate Academic Progress Charts in the Bulletin/Catalog for information on the required number of completed credits per graduate level per semester.
- **International Students:** Student visas require that students be registered as full time, so Withdrawn courses usually signal registration that fell below full-time status.

All courses taken by graduate students are subject to the above policy. Incomplete and missing grades must be resolved before students may receive a graduate degree. Some departments and programs may have more restrictive policies regarding Incomplete grades, and students should make it a point to learn about their department's rules and expectations.

### VII.C.9. Missing Grades

University policy requires submission of all final grades; however, should students require additional time to complete their work a grade of "Incomplete" (I) must be used. Under no circumstances should a grade be left blank as an alternative to assigning an Incomplete.

In cases where the student never attended class, faculty and instructors must use the "No Show F" (NSF) grade (see VII.C.8. for more information on these two grades). Doing so will avoid jeopardizing or delaying a student's financial aid, GPA calculation, degree conferral and/or mailing of diplomas.

Students who **stopped attending** should be assigned a grade based on what they earned out of the total for the course. This grade should take into account all work assigned, not just the portion of the class they attended. Under no circumstances should a grade be left blank.

### VII.C.10. Changing Grades

No change may be made in a grade unless one of the following situations occurs: (1) cheating is discovered; or (2) the instructor testifies that a mechanical error has been made; or (3) where applicable, the instructor may change a grade to Incomplete if satisfactory evidence shows that events beyond control prevented the submission of a student's required work. Normally, grade changes for the Fall semester should be completed by the end of the second week of classes in the Spring semester, and changes for the Spring semester should be completed by four weeks after Commencement. Additionally, there is an absolute limit of 18 months from the end of the semester during which the course was taken to make changes in grades in Harpur College courses.

For more information on how academic honesty violations may affect a student's grade, please see the [University Bulletin](#) section on "Academic Policies and Procedures - All Students."

### VII.C.11. Formal Complaints Concerning Grades

If a student has a complaint about a grade or other academic grievance, the first step is to talk to the instructor involved. If the matter is not settled satisfactorily, the student should contact the department chair or division director about the complaint and submit the complaint through the formal grievance procedure established by the department. The department decision may, if the student still feels aggrieved, be appealed to the appropriate dean.

## **VIII. Information Technology Services**

VIII.A. General Information

VIII.B. Computing Policies

VIII.A. General Information

<http://www.binghamton.edu/its/about/index.html>

VIII.B. Computing Policies

<http://binghamton.edu/its/policies/policies.html>

# IX. Libraries

## IX.A. General Information

## IX.B. Food, Drink and Noise Policy

### IX.A. General Information

Binghamton University Libraries are the center of the University's intellectual community, providing a welcoming environment for the creation and management of knowledge through innovative thinking, open inquiry, and collaborative partnerships. The Libraries' website, <http://www.binghamton.edu/libraries>, is a gateway to a wide variety of online books, magazines, journals, encyclopedias, databases and a wide assortment of other digital collections that may be accessed from anywhere on or off campus. The Libraries offer a wide range of services, including research consultation and assistance in person and electronically, scholarly communication services, digital preservation, extensive borrowing privileges, course reserves, interlibrary loan and document delivery, a laptop lending program, customized instruction sessions and Library news and updates through a number of [blogs](#) (online weblogs) - as well as Facebook, Twitter, and YouTube. We are a leader within SUNY, offering faceted, relevance-ranked, categorized, visualized and self-tagged search capabilities. Together these and other services enable Binghamton University Libraries to provide faculty access to first-rate collections and research services in support of the teaching and research mission of the University.

The University Libraries include:

- The Glenn G. Bartle Library, which contains collections in the social sciences, humanities, mathematical and computer sciences, and government documents. The Fine Arts Collection is located in the Bartle Library, and focuses on works relating to art, music, theater and cinema. Special Collections, which contains the internationally recognized Max Reinhardt Archives and Library, as well as the Edwin A. Link Archives, is also housed in Bartle Library. The University Archives, housed in Special Collections, holds materials relating to Binghamton University, including publications, photographs, building plans, and records of University organizations and departments. The Bartle Library Information Commons, located on the first floor of Bartle Library and second floor mezzanine, has over 220 computer workstations with access to online research material, productivity software and scanning equipment.

- The Science Library, a separate building conveniently located near the Science buildings, contains materials in the fields of science, engineering, nursing and psychology, and houses the University map collection. The Science Library Information Commons, located on the main floor of the Science Library, has 50 computer workstations with access to online research material and productivity software.
- The University Downtown Center Library and Information Commons supports the College of Community and Public Affairs which includes the department of social work, the department of human development, the department of student affairs administration, and the masters in public administration program. The UDC Library and Information Commons offers a full range of library services including circulation, course reserves, interlibrary loan, and reference assistance. The UDC Library, located on the main floor of the UDC, houses a local collection of books, current periodicals and government documents. Materials from the Libraries on the main campus, including the Bartle and Science Libraries and the Library Annex@Conklin are available for delivery to the UDC Library and Information Commons. The facility has 36 computer workstations with access to online research material, productivity software, scanning equipment, and student quota printing.
- The Library Annex, located in Conklin, NY, was established in 1999 to house important older but lesser-used materials in the Libraries' collections. The Library Annex currently houses over 500,000 volumes in a high-density, climate-controlled environment. Materials may be paged and delivered to Bartle, UDC or Science libraries or used in the Reading Room on-site at the Library Annex. Electronic delivery is available for journal articles and book chapters. For more information about using materials housed in the Annex, see the Libraries' website.

Our Libraries hold more than 2.4 million volumes, including print volumes, government documents, and electronic books, all searchable via the Libraries' online catalog. The collections also include over 93,414 electronic and print scholarly journals, 234 databases and more than 1.8 million titles on microfilm, 2,737 CD-ROMs, 118,975 sound recordings, 3,632 videos and DVDs, and 121,032 maps.

### **Subject Librarians**

[http://libraryguides.binghamton.edu/subject\\_librarians](http://libraryguides.binghamton.edu/subject_librarians)

Subject librarians provide a range of specialized services to faculty and students by focusing on a particular area or discipline. They:

- serve as liaisons between the Libraries and one or more of the University's academic departments, programs, or schools;

- provide general reference service and specialized research consultation;
- initiate the selection and acquisition of materials for the collections;and
- provide subject-specific instruction in the use of library and online information resources.

## Research Assistance

Librarians provide individualized assistance in locating materials on a topic or using the many online resources provided by the Libraries for your research and teaching needs. In-person, telephone, e-mail, chat, text, and Skype research assistance are offered. E-mail inquiries are usually answered within 24 hours, except on weekends and holidays.

## Instruction Services

Librarians collaborate with faculty, instructors, and graduate teaching assistants (TAs) in support of the teaching mission of the University. Our instructional services include:

- Course-specific and general library sessions customized to meet the course goals and student needs. Most sessions are offered in the Bartle Library computer instruction lab, which allows hands-on active learning;
- Personal research consultations for individuals or small groups of students, faculty or staff.
- Customized online tutorials and websites that can be used via Blackboard or independently.

## Borrowing Privileges

Faculty and professional staff may borrow materials for a one-year loan period with a current BU ID card. Bound journals may be circulated for two weeks; current periodicals are due at 5 p.m. on the day borrowed. All books may be recalled immediately if needed for course reserves or if requested by another patron. Faculty and staff are responsible for replacement fees for lost books according to the following schedule:

### *LOST BOOKS*

Lost book charges are assessed when a borrower declares a book lost, on books overdue for more than one year, and in response to borrower inquiries.

Unresolved obligations will be referred to the Office of the Vice President for Administration.

## Electronic and Physical Reserves

The purpose of Binghamton University's Course Reserves department is to aid instructors in delivering course-related materials to students. These materials are added to the Reserves collection at the request of Binghamton University instructors. The Reserves collection consists of both physical and electronic items: "electronic reserves"

refers to items that are uploaded to Blackboard by Reserves staff, and "physical reserves" refers to items that are circulated out of the Newcomb Reading Room and the University Downtown Center. Each item in the physical Reserves collection may be checked out for one the following loan periods (dependent upon the requesting instructor's preference): **2 hour**, **3 hour**, or **Next Day**.

Materials are circulated in accordance with the fair use provisions of the United States Copyright Act of 1976. The principle of "fair use" is established in 17 USC Section 107. According to this principle, the reproduction of copyrighted works for certain limited, educational purposes does not constitute copyright infringement.

The following guidelines have been established to ensure the efficient processing of reserve requests and to assure conformity with the fair use provisions of the copyright law: <http://binghamton.edu/libraries/services/eres/reserve-submissions.html>.

### Interlibrary Loan

Interlibrary loan expands the range of research materials available for scholarship and instruction. Materials not owned by the University Libraries may be obtained from other state, national or international libraries. Binghamton faculty, staff and students can submit requests via ILLiad software, accessed from our library home page (<http://www.binghamton.edu/libraries/>), using their university generated PODS username and password. We are members of several groups and library consortia, which help to facilitate resource sharing among its partners: SUNY, SCRLC (a regional group which includes Cornell); OCLC Research Libraries Group Partnership, where membership includes on-site access privileges across member institutions; the Center for Research Libraries (CRL), which provides quick turnaround of materials and extended loan periods, and the Information Delivery Services Project (IDS) providing rapid access to materials across New York State. We will notify you, via e-mail, when items arrive. Articles/chapters can be accessed electronically and books/microfilm (returnable items) can be picked up at the Bartle, Science or UDC libraries' Reader Services Desk during library hours.

Requests are processed within the guidelines of the American Library Association Interlibrary Loan Code and US copyright legislation.

### Special Collections

Special Collections consists of rare books, manuscripts and archives; sound recordings; and the University Archives. Notable among the rare books are collections (chiefly literature and history) donated by prominent Binghamton attorneys Archibald Howard and George Hinman; the Allen Rogg Collection which focuses on the history of cinema;

the Herbert Reichner Collection, which focuses on the history of printing and publishing; the William J. Haggerty Collection of French Colonial History; the personal libraries of Austrian actor and theatre director/producer Max Reinhardt; Vera Beaudin Saeedpour Kurdish Library and Museum Collection containing books, journals, and newspapers in Kurdish as well as artifacts, photographs and clothing; William Klenz, a well-known composer and former professor of music in Harpur College; Professor John H. Hagan, a former professor emeritus of English at Binghamton University; and Edwin A. Link, Jr., the father of flight simulation. Titles of interest to scholars include a Latin edition of the *Nuremburg Chronicle* (1493) and a first edition of Walt Whitman's *Leaves of Grass* (1855b).

Special Collections' manuscripts and archives contain a diverse selection of materials which span several centuries and continents and include photographs, correspondence, theater prompt book and scene designs that document the life and career of Max Reinhardt; photographs, family and business correspondence, and records from Edwin A. Link and the various Link enterprises; 17 distinct Civil War collections; and papers of prominent local individuals and families including the Rose Family, David Bernstein and Lamont Montgomery Bowers, the former personal secretary to John D. Rockefeller. The Frances R. Conole Archive of Recorded Sound was donated by a former member of the library staff, Philip Conole, who developed his collection to document the history of recorded performance, especially opera.

The University Archives include campus publications; photographs; records from administrative and academic offices; books written, edited or translated by faculty; and recordings and videos of campus events.

Much of the materials in Special Collections can be located in the Libraries' online catalog , and finding aids for a number of the collections are available on the Special Collections web page. For more information,

see <http://www.binghamton.edu/libraries/special-collections/index.html>.

## **Preservation**

Binghamton University Libraries' Preservation Department restores, preserves and, through environmental monitoring, protects all collections to ensure their continued access for future generations of students and scholars. State-of-the art preservation techniques are employed in accordance with nationally recognized standards for the preservation and conservation of library and archival materials.

## Memberships and Affiliations

The Binghamton University Libraries maintain a variety of memberships that extend access to research materials and services.

Membership in the **Center for Research Libraries** (CRL) provides access to the Center's extensive collection that complements and supplements the collections of the major research libraries of North America. Materials owned by the Center are available by placing orders through Interlibrary Loan. For more information about CRL's collections, visit <http://www.crl.edu/>.

Membership in the **OCLC Shares Program** provides Binghamton University faculty on-site access to other RLG libraries upon presentation of your valid BU faculty ID. Exact privileges may vary from library to library. We recommend calling the destination library before you visit. For more information, visit <http://www.oclc.org/research/activities/shares.html>.

Membership in the **Inter-university Consortia for Political and Social Research** (ICPSR) provides Binghamton faculty, staff, and students with access to a vast archive of social science data for research and instruction. ICPSR also offers training in quantitative methods to facilitate effective data use.

See <http://www.icpsr.umich.edu/index.html>.

The Libraries participate in the **SUNY Open Access Program**. Upon presentation of a valid State University ID card from one's home campus, a reader is entitled to the same use of the collection, and the same services and facilities, as the library offers its own community, including borrowing privileges.

**SUNYConnect** is a joint initiative of the SUNY Office of Library & Information Services and the libraries of the 64 SUNY campuses to create a virtual library for the State University of New York. It is the largest public university library system. In addition to providing access to shared database resources, SUNYConnect offers a combined catalog (<http://search.sunyconnect.suny.edu>) for all SUNY libraries. SUNYConnect increases the purchasing power and influence of all SUNY libraries.

The Libraries maintains a variety of additional memberships and participates in library consortia for purchasing materials. Current consortial memberships include the Westchester Academic Library Directors Organization (Waldo) (<http://www.waldolib.org/>), Northeast Research Libraries Consortium (NERL) (<http://www.library.yale.edu/NERLpublic/>), South Central Regional Library Council (SCRLC) (<http://scrlc.org/>), and other SUNY libraries. Current memberships include the Coalition for Networked Information (CNI) (<http://www.cni.org/>), Portico

(<http://www.portico.org/>) and The Scholarly Publishing and Academic Resources Coalition (SPARC) (<http://www.arl.org/sparc/>), the IDS Project (<http://www.idsproject.org/index.aspx>), and the Council on Library and Information Resources (CLIR) (<http://www.clir.org/>). The Libraries are also selective depositories for U.S. Federal and New York State government publications.

## IX.B. Food, Drink and Noise Policy

Library policies are intended to ensure an atmosphere that is conducive to academic work. The food and drink policy is to aid in the preservation of library materials and electronic equipment and to ensure a comfortable environment for research and collaboration. For more information about library policies, please see <http://www.binghamton.edu/libraries/about/policies.html>.

# **X. Campus Resources and Facilities**

[X.A. Changes in the Use of University Space and Space Request Process](#)

[X.B. University Properties and Services](#)

[X.B.1. General](#)

[X.B.2. Use of Facilities After Closing Hours](#)

[X.B.3. Use of Facilities by Outside Groups](#)

[X.B.4. Anderson Center](#)

[X.B.5. Scheduling Activities](#)

[X.C. Secretarial Services](#)

[X.D. University Telephone Equipment and Services](#)

[X.E. Campus Mail Services](#)

[X.F. Discriminatory and Gender-Based Language](#)

[X.G. Use of Health Center](#)

[X.H. Use of Recreational Services](#)

[X.I. Motor Vehicle Registration and Parking](#)

[X.J. Lost and Found Property](#)

[X.K. Non-Credit Instructional Activities and Administrative Requirements](#)

[X.L. Educational Communications](#)

[X.M. Questionnaires and Surveys](#)

[X.N. Visiting Speakers](#)

[X.O. Guidelines for Sponsoring Campus Events](#)

[X.P. Guidelines for Sponsoring Campus Events Requiring Extraordinary Security](#)

[X.R. Child Protection Policy](#)

## **X.A. Changes in the Use of University Space and Space Request Process**

Unit directors have responsibility for managing space assigned to their department. If additional space is needed and cannot be accommodated within a unit's existing space allocation, a space request form must be submitted to the respective vice president, or to the respective dean, in the case of academic departments. The dean or vice president can reallocate space within their division to accommodate the request. (All changes in space function or occupants must be reported to Physical Facilities within 14 days of the change.)

The Space Management Council (SMC), which is comprised of the five vice presidents, the senior vice provost/chief financial officer, the director of athletics, and the associate

vice president for facilities management, and a Faculty Senate representative, reserves the right to reallocate space, as needed, to align with University priorities. When the University relocates all or a portion of a unit into new space, the space vacated by the unit becomes part of the University's pool for reassignment.

The SMC reserves the right to allocate space for a specific time period. Such space is considered part of the University's pool of space, not the division's space allocation. If the unit occupying the space desires to extend the allocation, the space request process must be followed.

The vehicle for requesting space is the Space Request Form. Forms are available for two distinct space requests: **Academic** (instructional/research/organized research centers/administrative units reporting to the Provost) and **Non-Academic** (administrative). An analysis of all existing assigned space must also be provided by the requesting unit detailing room function, room occupant(s), occupant type (FT, PT, perm, temporary) and precise, daily utilization factors.

- **Academic and Research Space Requests** - The department chair/director or principal investigator completes a Space Request form (<http://www.binghamton.edu/cbasn/documents/space-request-form.pdf>), provides analysis of existing space use, obtains necessary signatures, and forwards to their dean or AVP, as appropriate. If space is available from within the dean's or AVP's space allocation, space assignments can be made at the discretion of the dean or AVP. If space is not available and the dean or AVP supports the request for space, the dean or AVP, or representative thereof, in conjunction with the director of the Office of Course Building and Academic Space Management, develops a space proposal that is forwarded by the dean or AVP to the Provost for consideration by the SMC.
- **Non-Academic Space Requests** – The director completes a Space Request form (<http://www.binghamton.edu/cbasn/documents/space-request-form.pdf>), provides analysis of existing space use, obtains the necessary signatures and forwards to their AVP as appropriate. The AVP shall review the request and if approved, forward the request to the Physical Facilities director of design. If the request is determined to be in accordance with University mission, Physical Facilities will confirm the analysis of space need and develop a recommendation which will be forwarded to the SMC for a decision.

SMC decisions will be relayed to the affected department by the appropriate VP or designee. Once space recommendations are approved, the director, dean or designee is responsible for submitting a service request for any work needed by Physical

Facilities. Approval of space changes does not constitute an approval of funding for any work that must be accomplished. Funding must be obtained separately.

Space use changes within space currently assigned to a department may be made by the controlling department as needed, but must be reported to the director of design in Physical Facilities for the Campus Physical Space Inventory (PSI) to be updated.

## **X.B. University Properties and Services**

### **X.B.1. General**

University letterheads, forms, other stationery, stamps, mailing services, computer services, and duplicating services are charged to schools, departments, or programs. These services are not to be used for personal purposes or in connection with private, professional activities conducted for profit. Similarly, the services of clerical, stenographic, technical, and other personnel of the University may not be used for personal purposes during regular working hours. It is appropriate, however, with the permission of the dean or department chair, to use such stationery and services in connection with the work of professional societies and public service organizations. It is also permissible to use stenographic services for certain scholarly manuscripts (excluding dissertations) when stenographic help is available.

University facilities may not be used for private instruction.

Movable equipment may not be sold, loaned, or taken from the place where originally assigned for use without the approval of the property control officer. No equipment should be discarded, loaned, taken from the campus, or transferred to another division or area without notification to and prior approval of the property control officer by means of Property Removal Authorization Form A. (Also refer to Management Procedure 401, <http://www.binghamton.edu/operations/policies/facilities-and-property/property-control-state-buildings.html>). This form is available online at <https://www.binghamton.edu/property-control/form-a.html>.

### **X.B.2. Use of Facilities After Closing Hours**

All unauthorized persons must leave University buildings at the time they are closed. A University pass must be obtained from and signed by the faculty or staff member in charge of an office, classroom, or laboratory, and by the building administrator for authorization to be in these areas after they are locked. A person in a locked area must, upon the request of a police officer or security services assistant, show both written permission to be in the building and a valid University ID. Failure to do so will result in the person being escorted from the premises.

Forcible entry into any building or facility is prohibited. Propping open exterior or interior doors that allow access to a locked facility is also prohibited.

Failure to observe these rules may lead to University disciplinary action and/or arrest.

(Also refer to Management Procedure

830, <http://www.binghamton.edu/operations/policies/security-and-safety/building-security-academic-facilities.html>).

### **X.B.3. Use of Facilities by Outside Groups**

Conference and Event Services is the clearing house for event planning and facilities scheduling at Binghamton University. Outside organizations that are nonprofit and holding programs of an educational nature must make reservations through Conference & Event Services. A SUNY Revocable Permit and a Certificate of Insurance is required. To check availability, contact Julie Guditis at 607-777-6200.

<http://www.binghamton.edu/conference-and-event-services/>

The Anderson Center maintains an active community and student rental program that includes its three theaters: Osterhout Concert Theater, Chamber Hall and Watters Theater. In addition, it supports the academic mission of both the music and theatre departments. To check availability, contact Annette Burnett at 607-777-6802.

<http://www.binghamton.edu/anderson-center/>

The Events Center, which is the premier multi-purpose facility of its kind in the state, and the West Gymnasium are home to Binghamton University's NCAA Division I athletic programs. Demand for use of these spaces is high, but when facility schedules permit, outside organizations may rent spaces within these buildings. To check availability, contact Mike Cherry at 607-777-2832. <http://www.binghamton.edu/events-center/>

### **X.B.4. Anderson Center**

The Anderson Center for the Arts is a University office serving the campus arts departments and the broader communities of the University and the Southern Tier. The staff of the center schedules and operates the physical facilities of the Anderson Center, and, with the arts departments, presents arts programming for the University and the community. The role of the center ranges from assisting users by providing services such as house, technical, and box office services to full promotion and presentation of a concert program booked by the center.

The performance spaces of the University - the Osterhout Concert Theater, the Chamber Hall, and Watters Theater - are primarily intended for performances by artists contracted by the Anderson Center, for rental activities, and for the performance activities of the departments of music and theatre. Use by other departments, schools,

organizations, and student groups, other than those specified above, is subject to availability and is scheduled at the discretion of the director of the center in consultation with the appropriate groups. Offices wishing to schedule use of performance spaces should contact the center as early as possible during the academic year preceding the scheduled event. Use of the Concert Theater and Chamber Hall for regularly scheduled classes is not permitted.

Appropriate fees will be assessed for use of the facilities according to a fee schedule available from the Anderson Center for the Arts office. Use of performance spaces implies the contracting of appropriate Center for the Arts staff (e.g., technical, box office, house operations), as well as any necessary additional staff as determined by the director. Those desiring further information about timetables, scheduling criteria, and fees should inquire at the Center for the Arts office.

### **X.B.5. Scheduling Activities**

Please see the following contact information for scheduling activities:

- **General Purpose Classrooms:** Lisa Gould ([classrooms@binghamton.edu](mailto:classrooms@binghamton.edu)). Schedules general purpose classrooms for academic classes and academic/course related events such as extra class time, dissertation defenses, exams, admissions events, academic related programs, or academic department-sponsored speakers and events. Use the Academic Event Reservation Request Form found on the Quick Links section of the Course Building and Academic Space Management (CBASM) website (<http://www.binghamton.edu/cbasm/>) to reserve general purpose classrooms for these types of events.
- **Anderson Center:** Annette Burnett ([aburnet@binghamton.edu](mailto:aburnet@binghamton.edu)). Schedules the Anderson Center (Osterhout Concert Theater, Chamber Hall and Anderson Center Reception Room), Watters Theater and Fine Art grand corridor.
- **Center of Excellence Symposium Hall:** Katelynn Hrywnak ([khrywnak@binghamton.edu](mailto:khrywnak@binghamton.edu))
- **Computer PODs:** Denise Hawkins ([dhawkins@binghamton.edu](mailto:dhawkins@binghamton.edu)).
- **Conference and Event Services:** Julie Guditis ([jguditis@binghamton.edu](mailto:jguditis@binghamton.edu)). Serves as the clearing house for off-campus groups planning events and renting facilities at Binghamton University, as well as scheduling the Memorial Garden.
- **East Gym and Fields:** Cindy Cowden ([cowden@binghamton.edu](mailto:cowden@binghamton.edu)).
- **Events Center:** Mike Cherry ([mjcherry@binghamton.edu](mailto:mjcherry@binghamton.edu)).
- **ITC Biotechnology Building Conference Rooms:** Monice DeGennaro ([mdegenna@binghamton.edu](mailto:mdegenna@binghamton.edu))

- **ITC Engineering and Science Building Rotunda and Multi-Purpose Rooms:** David Berman ([dberman@binghamton.edu](mailto:dberman@binghamton.edu))
- **University Downtown Center Atrium:** Bobbie Brundege ([rbrundeg@binghamton.edu](mailto:rbrundeg@binghamton.edu)).
- **University Union:** Orrin Kenyon. (For more information, see <http://r25union.binghamton.edu>.) Schedules primarily for student groups; schedules all space in the University Union and classroom space for student group meetings and events.
- **West Gym and Fields:** Mike Cherry ([mcherry@binghamton.edu](mailto:mcherry@binghamton.edu)).

## X.C. Secretarial Services

The Chancellor has issued guidelines concerning faculty use of secretaries based on an agreement by a committee representing CSEA and the University. For more information, see Management Procedure 622, <http://www.binghamton.edu/operations/policies/personnel-and-payroll/faculty-utilization-secretarial-services.html>.

## X.D. University Telephone Equipment and Services

<http://www.binghamton.edu/operations/policies/facilities-and-property/university-telephone-equipment.html>

## X.E. Campus Mail Services

<http://www.binghamton.edu/operations/policies/institutional-services/campus-mail-services.html>

## X.F. Discriminatory and Gender-Based Language

It is the University's policy (as it is of the State of New York and of the State University) to use nondiscriminatory language and to eliminate unnecessary or irrelevant gender-based distinctions in official publications. The Office of Communications and Marketing will implement this policy in all publications it produces. All offices preparing publications and documents for direct reproduction or printing are expected to comply with this policy. Additionally, faculty and staff should ensure that any documents they produce as employees of this institution are free of discriminatory and gender-based language. Further information is available from the Office of the Executive Vice President for Academic Affairs and Provost and from the Division of Diversity, Equity and Inclusion.

## X.G. Use of Health Center

Faculty and staff members on duty may receive emergency treatment/first aid at the Decker Student Health Services Center. Faculty and staff are expected to consult their own physicians for medical advice and medication.

## X.H. Use of Recreational Services

The Department of Campus Recreational Services offers a multifaceted program that is designed to encourage positive lifestyle choices and promote lifelong learning through both wellness and physical activity for Binghamton University students, faculty and staff. More information on program offerings, the registration process, and faculty and staff fees is available by calling 607-777-PLAY(7529) or online at <http://play.binghamton.edu>.

The newly renovated Recreation Center at the East Gym opened in January 2012. The building houses a 10,000 square foot fitness center, FitSpace, swimming pool, basketball, volleyball and badminton courts, three multipurpose rooms, a Wellness Suite, an Outdoor Pursuits rental center and locker rooms. Faculty and staff have access to check in to the Recreation Center on Mondays-Fridays until 12:30 p.m. for morning and lunchtime open recreation activities. All other access requires membership.

Open Recreation programming provides unstructured activities and drop-in hours for basketball, volleyball, badminton, swimming, disc golf, tennis, walking/jogging, racquetball and squash. These activities are designed to meet the overall needs and interests of the university community for informal recreation. Schedules vary and are posted online.

Fitness and Wellness offers a variety of programming for the University community. FitSpace has 65 cardio machines, over 70 strength training stations and area for stretching and functional training. Group Fitness offers members up to 100 different classes a week, including yoga, Zumba, spinning, and kickboxing. The new Wellness Services Suite provides clientele with the opportunity to work one-on-one with a personal trainer or relax and get a massage. Wellness classes foster mind and body wellness through seminars, activities and workshops which cover a diverse range of topics.

Intramural Sports programming offers competitive and recreational athletic activities within a variety of individual and team sports. Individual sports include tennis, racquetball, billiards and table tennis. Team sports include flag football, basketball, volleyball, indoor & outdoor soccer, softball, dodgeball, kickball, bowling and arena flag

football. In fall 2015, a 130,000-square-foot lighted turf complex will open and expand opportunities for the more than 6,000 students who take part in intramural and club sports annually.

Outdoor Pursuits programming provides wellness-based outdoor adventure programs that highlight environmental awareness and personal challenge in a dynamic and positive setting. Outdoor Pursuits leads non-credit recreational trips and programs in a variety of activities including hiking, backpacking, bicycling, cross-country skiing, winter camping, tree climbing, snowshoeing, canoeing, and kayaking. Outdoor Pursuits also offers a new challenge course that provides groups and individuals with a high-impact opportunity to learn about risk-taking, leadership, personal perceived limits and performance under pressure, as well as to give and receive support from others.

## X.I. Motor Vehicle Registration and Parking (Revised 6/2004)

Vehicles that are parked on campus must be registered with the Parking Services Office and must display a registration decal and/or parking permit. There is a nominal fee for the registration decal, which is not a parking fee. The decal must be displayed as directed. In addition to the registration fee, there is a parking fee for vehicles parked on campus, which is levied consistent with applicable bargaining agreements and in accordance with guidelines established by the Chancellor or designee.

Certain areas of parking are restricted; these areas are designed by signs. Parking on lawn areas is not permitted anywhere on campus. Requests for special parking arrangements should be addressed to the Parking Services Office. In addition to regular campus parking, two paid parking lots and numerous metered areas are available for use.

Tickets are issued and fines assessed for failure to register vehicles for campus parking, for parking in unauthorized places, and for other violations of Campus Motor Vehicle Regulations.

State law provides for deducting parking and traffic fines from the salaries of University employees. Chapter 148 of the Laws of 1972, adopted by the New York State Legislature, enacted Section 362 of the Education Law authorizing the Trustees of State University to promulgate parking regulations, including the assessment of fines for violations thereof. This legislation permits the deduction of such unpaid fines from the salary or wages of an employee of the University. Parking privileges may be revoked for non-payment of outstanding fines. Regulations (8NYCRR, Part 560) of the Trustees enable the College Council of each State-operated institution to develop parking regulations subject to Trustees' approval. The Council of Binghamton University has

adopted parking regulations, including the assessment of fines for violation thereof and the deduction of such unpaid fines from the salary of the offending employee. These regulations have been approved by the Trustees of State University.

Additional details regarding the use of motor vehicles on campus are presented in a folder, "Motor Vehicle Regulations," available from the Parking Services Office. More information is available at <http://www.binghamton.edu/parking-services/>.

## X.J. Lost and Found Property

New York State University Police has primary responsibility for lost and found property, and has implemented a detailed procedure regarding it. The finder of lost property of \$10 or more in value, and all cash, eyeglasses, wallets and purses, checkbooks, and items with an identifiable owner, is required to return the property to the owner or to report such findings and deposit such property in University Police (AD-G35). (Also refer to Management Procedure 816, <http://www.binghamton.edu/operations/policies/security-and-safety/lost-and-found-property.html>).

## X.K. Non-Credit Instructional Activities and Administrative Requirements

Non-credit continuing education offerings of the University embrace a wide variety of programs, resources, and services. Offerings designated as non-credit instructional activities include any formally organized and scheduled course, workshop, seminar, conference, institute, short course, or personal development program involving instruction.

The registration of enrollees in non-credit instructional activities is required for reporting purposes. Student records must be maintained by the sponsoring unit.

Non-credit instructional programs may be co-sponsored by a community organization if a school, college, or administrative unit of the University also serves as a sponsor.

Lectures, artist series, theater productions, mass media programs, and other activities that normally do not involve active discussions or analysis on the part of the audience are generally reported as cultural and educational programs. The approval procedures applicable to non-credit instructional activities normally do not apply to these activities unless they are part of a formally organized non-credit instructional activity.

## X.L. Educational Communications

The Educational Communications Center (<http://www.binghamton.edu/ecc/>) provides instructional support through the design, installation and maintenance of instructional

technologies in the classrooms and across campus. Additionally, the center exists to provide loanable AV equipment like cameras, projectors, and laptops; the production and distribution of general instructional aids, appropriate training on devices, and basic instructional design for leveraging related equipment. The center also provides facilities, equipment and personnel in the creation and distribution of Distance Learning/Rich Media materials for online consumption.

## X.M. Questionnaires and Surveys

Questionnaires and surveys concerning information and statistics about the University must be channeled through the Office of Institutional Research and Assessment (OIRA), which will ensure that the appropriate offices respond and will undertake review of the questionnaires as necessary. Since many of these questionnaires must be forwarded to the central staff in Albany for official submission by the State University, accuracy is essential. The purpose of this procedure is to avoid both inconsistencies in general University statistics and conflicting statements from different units within the total University. OIRA also provides assistance in designing and administering surveys to University students, faculty and staff for a variety of planning and assessment purposes.

OIRA produces official statistics about the university (student headcounts, majors, faculty, credit hours, retention/graduation rates, etc.) on its website, <http://www.binghamton.edu/oira/>. Official data are accessed by clicking the "BU Data (On-Campus Only)" menu selection. If you do not find the data you need, you can log a data request by clicking the "Data Request Form" menu option on OIRA's home page. OIRA also produces ad-hoc analyses and reports addressing a variety of issues related to University planning and effectiveness.

## X.N. Visiting Speakers

<http://www.binghamton.edu/human-resources/international/honoraria-payments.html>

## X.O. Guidelines for Sponsoring Campus Events

### *PROCEDURES*

Requests for non-credit use of any University facility by a non-University organization or a University organization sponsoring a conference must be made to either the Conference and Event Services Office or appropriate endorsing department administrative office, e.g. sports camps to Athletics, onstage performing arts to

Anderson Center, etc. All other requests (i.e. student groups) for non-credit use of University facilities must be made to the University Union Office.

### *SCHEDULING OF EVENTS*

In order to insure appropriate scheduling of facilities and the observance of regulations concerning use and financial responsibility requirements, all requests for non-credit use of University facilities must be made in writing to the Conference and Event Services Office, endorsing department or the University Union Office based on the following schedule:

1. Meetings, information tables, etc. - At least four (4) weeks prior, but no sooner than six (6) weeks prior to the event.
2. Conferences (not involving dormitory facilities), tournaments, seminars, athletic events, workshops, etc. - At least eight (8) weeks prior, but no sooner than six (6) months prior to the event.
3. Annual University conferences or conferences involving dormitory facilities - At least three (3) months prior, but no sooner than twelve (12) months prior to the event.

All requests for reservations more than twelve (12) months prior to the event shall be subject to approval by the Campus Events Coordinating Committee. Requests for use of facilities made after the minimum deadlines may be accepted by the University if workload allows.

### *PRIORITY OF SCHEDULING*

1. Official University use of all facilities shall have first priority.
2. Requests for use of facilities for official purposes by Binghamton University affiliated groups, SUNY Central administration and New York State government agencies will be given approval over other non-University organizations.
3. Once a commitment for facility usage has been made to a non-University organization, the organization will not be cancelled or displaced other than as provided for in the paragraph on cancellation (see below).

### *APPLICATION*

Requests should be made on forms or in other approved correspondence provided by the Conference and Event Services Office, University Union Office or endorsing department and should contain all necessary information including but not limited to:

1. name and function of the group;
2. name of individual responsible for the event;
3. purpose of the meeting;
4. preferred meeting date;
5. University facilities (rooms, spaces, parking, etc.), food service, electronic media equipment, personnel required and other special needs;
6. budget and sources of funds;
7. number of attendees;
8. liability statement, including certificate of insurance with declarations page naming the State of New York, State University of New York and Binghamton University as additional insured.

### *ELIGIBILITY*

1. All requests will be reviewed by the Conference and Event Services Office or University Union Office for conformity with State University regulations and Binghamton University policy, including the following conditions:
  - Eligibility of the group;
  - Consistency of the purposes of the event with the general objectives of the University;
  - Filing and executing the necessary documents.
2. Both the reserving organization and the purpose of the proposed event will be subject to approval by the Conference and Event Services Office or University Union Office as being compatible with these guidelines. When a clear determination of eligibility cannot be made by the Conference and Event Services Office, the request will be forwarded to the Campus Events Coordinating Committee for a final determination.

### *NOTIFICATION*

Reserving organizations and facility managers will be notified by the endorsing department of the determination of eligibility and available dates. Scheduling and detailed service request arrangements will be the responsibility of the endorsing department.

### *CANCELLATION*

Binghamton University reserves the right to cancel any prior facility use authorization for extraordinary circumstances such as, but not limited to, those involving consideration of public health, welfare and safety. In addition, any individual or group of individuals who fail to comply with the University regulations, any special regulation which may apply to a particular facility or these guidelines may suffer cancellation of the facility use

authorization and also may be denied any subsequent authorization. A fully executed revocable permit must be in effect prior to the event.

### *PUBLICITY*

All information and promotional materials prepared by a reserving organization in conjunction with an event scheduled on the campus must state who the sponsoring group is and must not in any way imply sponsorship by Binghamton University unless specifically approved by the University. Prior approval of the material may be required by the University. Public advertisements for non-University organization activities shall be subject to approval by the conference coordinator as the University president's designee.

### *SPONSORSHIP*

1. Faculty or staff requests - The proposed use of space by faculty or staff for non-credit use will be subject to endorsement by the appropriate academic department chair, administrative office or other officially recognized University unit. The endorsing department is responsible for all damages, losses, or unrecovered expenses incurred during or as a result of the activity.
2. Student or student group requests - The proposed use of space by students and student groups will be subject to endorsement by an organization recognized by the student government and must meet criteria established by the University Union Office and this policy.
3. Non-university groups
  - The proposed use of space by non-University groups will be subject to endorsement by the campus conference officer.
  - Commitments regarding use of Binghamton University facilities may be made only by the Conference and Event Services Office and only after consideration of a formal application.
  - Individuals with room or building responsibility responding to personal or telephone inquiries concerning the type of facilities and/or services available should not convey any impression that a commitment of facilities or services has been or will be made. The individual or organization should be referred to the Conference and Event Services Office to complete a formal application for use of facilities.

## *INDEMNIFICATION*

It shall be understood and agreed to by a requesting individual or organization that said individual or organization shall be solely responsible for compliance with all applicable laws, rules, orders, regulations, codes, and requirements of federal, state and local governments. In addition, the individual or organization shall indemnify and hold harmless the State University of New York, the State of New York, and Binghamton University from and against any damage, fine, judgment, expense or charge suffered, imposed, assessed or incurred for any violation or occasion by any act, neglect, or omission of the organization, its servants, employees, or agents.

In the event of any damage or injury to the equipment or facilities provided by the University under these guidelines caused by the negligence or improper conduct of the individual or organization, its agents or employees, the individual or organization shall cause the said damage or injury to be repaired or remedied as speedily as possible at its own cost and expense. Notwithstanding the above, if any loss is the result of negligence on the part of the University, the individual or organization shall be released of its responsibility for replacement of lost or damaged equipment or facilities.

## *FINANCIAL ARRANGEMENTS*

1. Billing - The endorsing department will be responsible for billing appropriate users for utilization of University facilities.
2. Food service - All required food service will be provided by the Binghamton University Dining Services. The organization requesting food service shall be financially liable for the number of meals and food requested, and shall guarantee to have guests appear for food service promptly as scheduled. A guaranteed number of guests may be required for each meal. Additional costs incurred by the University Dining Service due to failure to meet these arrangements shall be paid by the reserving organization.
3. Deposits - For non-University groups, a deposit will be required at the time the reservation is confirmed by the Conference and Event Services Office. Normally, conferences or events for which billing of \$500 or more is anticipated must have a deposit equal to 5 percent of projected billings on file with the Conference and Event Services Office 60 days prior to the event. This deposit will be held intact by the Conference and Event Services Office until the conclusion of the event and assessment of charges. Should there be any damages not covered by appropriate insurance, if applicable, the cost of such damages will be deducted from this deposit, or billed to the group if damages exceed the 5 percent deposit. Should the event be cancelled, through no fault of the contracting party, the deposit will be refunded

less any expenses incurred by the University. However, should the contracting party default on the scheduled event, then the deposit will be retained by the University. Any exceptions to this policy will be subject to approval by the Campus Events Coordinating Committee.

4. Insurance - Non-University organizations must carry adequate insurance covering their interests as well as naming the State University of New York, New York State, and Binghamton University as an "additional named insured" for the dates University facilities are to be used, and with limits as determined by SUNY policy.
5. Reporting Requirements - If admission is charged or donations are solicited by an organization for an event held at Binghamton University and proceeds are not received and disbursed by an authorized University fiscal and disbursing agent, a financial report showing gross income, itemized expenses, and proposed use of net income may be required by the Conference and Event Services Office.

More information is available at <http://www.binghamton.edu/operations/policies/facilities-and-property/guidelines-campus-facilities.html>.

## X.P. Guidelines for Sponsoring Campus Events Requiring Extraordinary Security

From time to time campus organizations sponsor events that generate a great deal of controversy within the community. These situations often require special attention, not only from the sponsor, but from the University, since these programs may create an environment that may threaten the safety of those attending and/or involved.

A set of guidelines has been established for the handling of this type of event. A copy of these guidelines is available from Campus Activities, located in U UW 205. It is also available online at <http://www.binghamton.edu/campus-activities/docs/Extra-Ordinary%20Security%20FINAL.pdf>. A copy of these guidelines will be given to the sponsoring group well in advance of the event.

## X.R. Child Protection Policy

<http://www.binghamton.edu/rmac/child-protection/index.html>

# **XI. Communications and Government Relations**

## XI.A. Official Announcements

## XI.B. Institutional Public Statements and News Releases

## XI.C. Political Activities and Assessments

## XI.D. Campus Visits by Candidates for Political Office

## XI.E. Press Conferences

## XI.F. Guidelines on the Naming of Buildings, Grounds, and Schools

## XI.G. Publications

## XI.H. Banners and Signs

### **XI.A. Official Announcements**

*Inside* is an online newspaper published by the Office of Communications and Marketing. It carries official announcements and other items of interest to the campus community. Copy submissions may be made on an ongoing basis and will be published as appropriate and timely. The Office of Communications and Marketing also distributes *Dateline*, a daily electronic news service including calendar of events, to faculty and staff; and *B-line*, a similar communication, to students during the academic year, when classes are in session.

### **XI.B. Institutional Public Statements and News Releases**

Any public statement emanating from the University carries with it the possibility of benefit or damage to colleagues and to the institution. Therefore, all official public statements or news releases should be issued through the Office of Communications and Marketing.

### **XI.C. Political Activities and Assessments**

While employees are not discouraged from participating in the political process, there must be a clear separation between their political activities and the proper discharge of their duties as state employees. No employee is to conduct political activities on paid state time. State equipment, vehicles, and office space are to be used only for official business. The laws of the State of New York (Penal Law, Paragraph 774) specifically forbid the solicitation and contribution of political assessments by state officers and employees in any state office or building. No employee while participating in the political process is to explicitly aver or in any way imply that his/her views represent Binghamton University or any subdivision thereof.

### **XI.D. Campus Visits by Candidates for Political Office**

Candidates for public office are welcome at Binghamton University. As visitors to the University or guests of an academic department or student group, candidates may tour the campus, deliver speeches, and brief the student and external press. If candidates are not sponsored by an academic department or student group, arrangements for the visit must be coordinated by the Conference and Event Services Office. If requested, the Office of Communications and Marketing will inform the campus and the media of the appearance of a candidate sponsored by a campus organization in the same manner that a visit by any other notable speaker is publicized.

While employees are encouraged to participate in the political process, there must be a clear separation between their private political activities and their public role as faculty and staff of the University. There can be neither the endorsement nor the appearance of an endorsement of a candidate or use of state or Foundation funds by the University as a whole or by its administration, faculty, or staff for political campaign purposes. (See Political Activities and Assessments above)

Candidates and/or their sponsoring organizations must comply with campus policies requiring that any extraordinary expenses (security, room set-up and clean-up, and the like) be reimbursed to the University. Consistent with the University's "Guidelines for Hosting Campus Events Requiring Extraordinary Security Arrangements," (q.v.) the sponsoring organization is responsible for providing the appropriate administrative officers with a complete itinerary of the speaker's visit and discussing with University Police any necessary security precautions. Solicitation of campaign contributions is prohibited.

According to the Trustees' "Policy on the Use of University Facilities by Non-Commercial Organizations," partisan political organizations may be permitted the use of University facilities subject to the above guidelines and to these specific conditions: "that the proposed meeting give promise of contributing to the educational purposes of the University; [and] that the University sees a reasonable possibility of making the facilities available for other viewpoints to be presented."

Candidates who are seeking the votes of individuals on campus may campaign in all public areas, including all streets, walkways, and parking lots. Candidates may also meet potential supporters in the main lobby of the University Union. Candidates are asked to refrain from disturbing students, faculty, and staff in the Library, in classrooms, in offices, and in their private living quarters in residence halls. The Office of Communications and Marketing will not participate in arranging publicity or making media contacts for an event sponsored by a partisan political organization.

For more information, see <http://www.binghamton.edu/operations/policies/facilities-and-property/campus-visits-politicak.html>.

## XI.E. Press Conferences

Some University visitors or announcements may be of special interest to the press. The general purpose of a press conference is to efficiently coordinate press coverage. A press conference for noteworthy and interesting visitors or announcements will also generate favorable exposure for the University within the region.

When there is reason to believe that press interest exists or will develop, the University member responsible for the item should consult with Communications and Marketing about arranging a press conference or a series of press interviews. Anyone involved should be contacted in advance by the University member responsible, should be informed that the University is considering a press conference and should be given an opportunity to indicate any preference regarding such an arrangement. If there are objections, no press interviews will be scheduled.

## XI.F. Guidelines on the Naming of Buildings, Grounds and Schools

In giving an official name to Binghamton University's buildings, grounds, or to identifiable portions of buildings and outdoor campus areas, and in giving an additional name to a school of the University, the following criteria will be used.

1. The name should advance the reputation as well as increase the understanding of and public support for the University and its programs.
2. The name should honor an individual or group of individuals, an organization, a geographic area or a political subdivision that has a definable and significant connection with Binghamton University's history, academic programs, research projects, public services or development priorities.
3. The name should not confuse the public about the location or function of the designated building, area or school, but rather should enhance a visitor's ability to identify, locate, and use it.
4. An additional name for a school shall incorporate a functionally related name (e.g., The Bartle School of Library Science). The name will be proposed by the president to the Binghamton University Council according to the procedure established by the University and in conformance with the guidelines established by the Board of Trustees of the State University of New York.

The president's proposal to the Council will be accompanied by:

1. a statement that clearly demonstrates that the proposed name, be it of a person, group of persons, an organization, a geographic area or political subdivision, has a significant relationship to the University and its development priorities;
2. the recommendation of the president, which, in giving an additional name to a school or unit of the University, shall be made after consultation with the faculty and staff of the unit involved. In accordance with SUNY Board of Trustees policy (Policy Handbook, section 070), the Binghamton University Council shall forward its recommendation on the naming of buildings or grounds or on the additional name to be given to a school or other unit of the campus for consideration by the Chancellor of the State University, and for submission to the Trustees of the State University for appropriate action if necessary.

## XI.G. Publications

<http://www.binghamton.edu/operations/policies/institutional-services/guidelines-graphic-standards.html>

## XI.H. Banners and Signs

<http://www.binghamton.edu/operations/policies/facilities-and-property/banners-signs.html>

## **XII. General Fundraising**

### XII.A. Role of the Binghamton University Foundation

### XII.B. Coordination of Request for Proposals to Approach External Constituencies for Fundraising

### XII.C. Fundraising Policies and Procedures

### XII.D. On-Campus Solicitations and/or Not-For-Profit Organizations

## **XII.A. Role of the Binghamton University Foundation**

The Foundation of the State University of New York at Binghamton is the official fundraising organization of the institution and exists to encourage greater private support of the University. It is a not-for-profit corporation whose sole beneficiary is Binghamton University. Contributions to it are tax deductible as allowed by law. Gifts from individuals (alumni, faculty, staff, parents, students, community members, etc.), foundations and corporations — defined as the University's constituents — are solicited and used to finance University programs for which other funds may not be available. The Foundation manages and allocates gift funds, and is also a repository for gifts of tangible property, such as works of art and books.

The Foundation accepts both unrestricted and restricted gifts. Unrestricted gifts are used where the needs of the University are the greatest — for student aid, scholarships, academic awards, graduate fellowships, faculty recruitment, undergraduate research, admissions programs, and alumni and Foundation programs. Restricted gifts are used as the donor stipulates; the only control the Foundation exercises over restricted gifts is whether they further the goals of the University and whether they can be administered in accordance with good business practices. The Foundation recognizes individuals or corporations, as required by the donor(s), so long as requests for such recognition are considered reasonable. Gifts "in memory of" or "in honor of" are also accepted, with appropriate recognition.

## **XII.B. Coordination of Request for Proposals to Approach External Constituencies for Fundraising**

### **1. Policy**

It is the policy of Binghamton University that no solicitation of funds or property shall be made by anyone or any agency of the institution, other than through the two campus organizations designated for these purposes: the Binghamton University Foundation or the Research Foundation for the State University of New York.

## 2. Research and Sponsored Programs

All applications for external support of research and other sponsored programs are to be endorsed by the associate vice president for research administration or a designee of the Research Foundation for the State University of New York, using the approved University procedures. Generally a sponsored program results from a sponsor solicitation, is directed at specific objectives in a stated area of scholarship for a given term, and requires deliverables, including financial and technical reports. When any project includes the need for hiring staff, specifies considerable reporting requirements (technical or financial), or where the sponsor retains the right to review how the effort is undertaken, it should be administered by the Research Foundation for the State University of New York.

## 3. Charitable Foundations and Corporations

The vice president will be the first point of contact for faculty and staff interested in approaching corporations and foundations, unless the proposed project is specifically geared toward individual faculty research or is in response to a broadly advertised request for proposals to individual faculty members. If the project is one of a contractual nature involving faculty research and commitments of University facilities and personnel, it will be referred to the associate vice provost for research. Applications that will go to public funding sources such as NEH and NEA which have a private fundraising component, such as the challenge grant programs at these agencies, should also be directed to the vice president. If the project is for an unrestricted institutional grant or is of a "gift" nature not requiring a deliverable product, it will be referred to the vice president.

## 4. Other Constituents

All applications, solicitations or requests for donations which are intended for consideration by alumni, parents, faculty and staff, businesses, corporations, foundations or friends of the University must be cleared by the vice president for advancement.

Any dean, department chair, director, faculty or staff member who wishes to undertake any type of solicitation, fundraising program or request for support in the name of the University from alumni, students, business, industry, government, foundation or friends, or who seeks to establish a fundraising program, including "Associates," "Friends" or similar groups, must follow the Binghamton University Foundation guidelines established for this purpose.

## XII.C. Fundraising Policies and Procedures

1. Any request to undertake a fundraising program or solicitation of contributions from University constituents as defined above must be fully endorsed by means of a Special Fundraising Campaign Approval Form. An individual initiating a request from an academic department is responsible for securing the endorsement of the appropriate dean before submitting the request to the foundation for review by the vice president. Alumni networks (as defined by the Alumni Association's criteria for an alumni network), student groups and non-academic departments must secure the endorsement of the vice president. The vice president for advancement, in consultation with the president, provides final approval for all fundraising requests. Included in this category are the following:
  - Special fundraising efforts appealing to the University's constituents on behalf of scholarships, memorial funds, honorary funds, fellowships, aid programs, professorships, etc.;
  - Establishment of an "Associates" or "Friends" program, designed to solicit financial support;
  - Plans to raise funds for research project support, conferences, equipment, special symposia, etc.;
  - Plans to add or reassign faculty or staff members, or to retain outside professional counsel, to conduct fundraising activities in the University's name.
2. It is the policy of this institution that no solicitation of funds (other than grants or contracts administered through the Research Foundation for the State University of New York) or property shall be made by anyone for the benefit of the University, or any agency thereof, without the prior approval of the vice president for advancement, acting for the president.
3. All funds raised are to remain with the foundation for the sole benefit of the University.
4. No outside organizations may use foundation or University constituent lists for the purpose of fundraising.
5. Groups or units which have approval to conduct fundraising campaigns must be willing to assist the foundation in identifying the specific segments of the general constituent groups they wish to solicit. The foundation will generally not approve requests to solicit entire foundation or University constituent groups as previously defined.
6. No solicitation of either the Binghamton University Foundation or Alumni Association boards is to occur without the prior approval of the vice president for advancement.
7. Information provided by the foundation or Office of Alumni Relations to internal or external requestors (e.g., foundation or Alumni Association boards of directors lists; prospect cards

for campaigns; lists of alumni, foundation or Binghamton University Forum leaders or members) are to be used only for official foundation or Alumni Association business on behalf of Binghamton University. This information can be utilized for individual communication of a personal nature between members of the foundation or Alumni Association. However, use of these materials for any other purpose, including but not limited to reproducing and storing a retrieval system by any means (electronic, mechanical or photocopying) or using the addresses or other information for any private, fundraising, commercial or political mailing, is strictly prohibited and constitutes misappropriation of corporate property.

8. The Binghamton University Foundation and the Alumni Association do not engage in solicitations of support for political, religious or social action causes or campaigns.
9. All gifts must be made payable to the Binghamton University Foundation, which holds and manages the funds for the purpose designated by the donor(s). The foundation has the right to refuse gifts which are deemed to be inconsistent with the University's mission and/or best interests.
10. Special fundraising campaigns or other fully endorsed fundraising projects or programs should be coordinated through the Division of Advancement six months to one year in advance. Major fundraising campaigns (i.e., for anniversaries and other milestones) should be coordinated through the Division of Advancement one year in advance. Memorial campaigns will be conducted as needed.
11. The Division of Advancement will work with appropriate units in coordinating all aspects of fundraising initiatives, including the preparation of direct mail appeals, gift processing and acknowledgment. This will ensure that all fundraising initiatives meet professional fundraising standards, accounting and IRS guidelines.

## XII.D. On-Campus Solicitations and/or Not-For-Profit Organizations

Generally, University policy prohibits the use of state resources, i.e. state and University stationery, time, personnel, distribution lists or address labels, etc., to assist external and/or not-for-profit organizations in fundraising. The only exception to this is the annual State Employees Federated Appeal (SEFA).

Some organizations may distribute information and solicit support as long as they adhere to the following policy guidelines:

1. the soliciting organization must be not-for-profit;

2. the use of state resources and personnel is not permitted, with the single exception noted above;
3. after appropriate arrangements have been made in the Office of the Director of the University Union, on campus solicitations may take place only in public areas of the University Union and also require co-sponsorship by a recognized student organization;
4. information materials on the organization's purpose may be made available at the time of solicitation, and an announcement of the not-for-profit organization's presence and purpose may be made in Inside;
5. individuals soliciting should carry identification showing their association with the not-for-profit organization;
6. solicitations may not take place in any campus areas other than the University Union.

The Office of the Associate Vice President for Business Affairs monitors adherence to this policy, and will provide further information to those interested. For more information on the Binghamton University Foundation policies, go to <http://www.binghamton.edu/operations/policies/binghamton-university-foundation/gift-binghamton-university-inc.html>. For more information on commercial solicitations on campus, go to <http://www.binghamton.edu/operations/policies/business-affairs/business-commercial-activities-on-campus.html>.

## **XIII. Copyright and Fair Use Policy**

### XIII.A. Copyright Policy, Information and Forms

#### XIII.A.1. Binghamton University Copyright Policy

#### XIII.A.2. Binghamton University Copyright Agreement Form

#### XIII.A.3. Binghamton University Royalty Distribution Plan

#### XIII.A.4. Copyright Basics

#### XIII.A.5. Copyright Registration Forms

#### XIII.A.6. US Copyright Office

### XIII.B. Fair Use Policy and Information

#### XIII.B.1. Fair Use Policy (from Copyright Law)

#### XIII.B.2. Fair Use Analysis

#### XIII.B.3. Binghamton University Libraries Course Reserves Guidelines

#### XIII.B.4. Fair Use and E-Reserves (from Association of Research Libraries)

#### XIII.B.5. Fair Use Guidelines for Educational Multimedia

### XII.C. Computer and Multimedia Copyright Policy and Information

#### XIII.C.1. Binghamton University Computer and Network Usage Policy (Acceptable Use)

#### XIII.C.2. TEACH Act of 2002

#### XIII.C.3. Guidelines for Off-Air Recording of Broadcast Programming

#### XIII.C.4. The Digital Millennium Copyright Act of 1998

## **XIII.A. Copyright Policy, Information and Forms**

### **XIII.A.1. Binghamton University Copyright Policy**

The Copyright policy of the State University of New York states:

"Generally the members of the staff of the University shall retain all rights to copyright and publish written works produced by them. However, in cases where persons are employed or directed within the scope of their employment to produce specific work subject to copyright the University shall have the right to publish such work without copyright or to copyright it in its own name. The copyright will also be subject to any contractual arrangements by the University for work in the course of which the writing was done. Staff members will be expected not to allow the privilege to write and retain the right to their work to interfere with their University duties. In those cases where an author desires the help of University facilities, arrangements should be made through the administrative staff of his [her] institution in advance with respect to the assistance which may be appropriately given and the equity of the University in the finished work."

*Updated August 2004*

The following sections describe guidelines Binghamton University will use to implement the SUNY policy. A guide for distribution of royalties is also provided for those cases where material is copyrighted in the name of SUNY or the Research Foundation for the State University of New York.

*1. COPYRIGHTABLE WORK PRODUCED BY FACULTY AND STAFF WITHOUT THE USE OF UNIVERSITY SERVICES OR FACILITIES AND FREE FROM ANY AGREEMENTS ADMINISTERED THROUGH THE UNIVERSITY.*

This first instance includes the writing of scholarly books, publications, music, plays, computer software, and all other works held to be copyrightable under the Federal Copyright Act. "The use of University services or facilities" means that the University has provided support specifically to produce the copyrightable work or the services of employees other than the author.

Copyright title in such cases belongs to the person creating the material. The individual may personally receive royalties generated from the licensing or sale of this material. The faculty member's only obligation to the University is to report licensing or sale of such work in the annual faculty report.

All such works shall be marked:

Copyright (year work completed)(Legal Name) or © (year work completed)(Legal Name)  
For example: © 1996 Jane Doe (The symbol for copyright is preferred.)

*2. COPYRIGHTABLE WORK PRODUCED AS PART OF AN INDIVIDUAL'S ASSIGNED RESPONSIBILITY AS SUNY EMPLOYEE OR WITH UNIVERSITY SUPPORT.*

Where a faculty or staff member is specifically directed to create specified copyrightable work, the materials are deemed a "work for hire" and the copyright title will be in the name of the State University of New York.

Also included in this category is work produced using University facilities or services to complete or to market the work. Distribution of royalties will be made according to the same schedule utilized for patent derived royalties, unless negotiated in a separate agreement before the completion of the work. The vice president for research may approve release of copyright to the author for research and outreach purposes. All such works shall be marked:

© (Date) State University of New York at Binghamton

### *3. COPYRIGHTABLE INSTRUCTIONAL MATERIALS PRODUCED BY AN INDIVIDUAL USING UNIVERSITY FACILITIES OR EQUIPMENT.*

Copyrightable instructional materials (e.g., syllabi, lecture notes, presentation graphics, learning activities, and assessment materials) produced by an individual at their own discretion in support of teaching activities, and not directed as a work for hire as outlined in 2 above, are normally considered the intellectual property of the individual. The faculty member is expected to acknowledge any University contributors to the work. Educational use of the material(s) by Binghamton University class participants will be considered fair use of materials. The individual(s) may personally receive royalties generated from the licensing or sale of this material to parties outside of Binghamton University. The faculty member's only other obligation to the University is to report licensing or sale of such work in the annual faculty report.

All such works shall be marked the same as in 1 above.

*Questions or concerns regarding sections XII.A.1-3 should be addressed to the Office of the Executive Vice President for Academic Affairs and Provost at 607-777-2141.*

### *4. COPYRIGHTABLE WORK PRODUCED AS A REQUIREMENT OF A GRANT OR CONTRACT ADMINISTERED BY THE RESEARCH FOUNDATION FOR THE STATE UNIVERSITY OF NEW YORK.*

Copyright title in such work is in the name of the Research Foundation for State University of New York. Royalties earned through the licensing or sale of these materials will be distributed based on applicable sponsor policy, as well as University and Research Foundation for the State University of New York policies. When the University receives royalties, distribution will be made according to the attached schedule.

A contract or grant agreement may specify conditions for ownership of copyrightable works including royalty distribution. Agreement clauses may include stipulations that royalties be shared with the sponsor for a specified term and up to a specified amount.

All such works shall be marked:

© (Date) The Research Foundation for State University of New York at Binghamton

*5. COPYRIGHTABLE WORKS PRODUCED USING GRANT OR CONTRACT FUNDS, RESEARCH FOUNDATION FOR THE STATE UNIVERSITY OF NEW YORK SUPPORT OR RESEARCH FOUNDATION FOR THE STATE UNIVERSITY OF NEW YORK OR SUNY FACILITIES.*

Copyright title is in the name of the Research Foundation for the State University of New York. Royalties earned from licensing or sale of the work are distributed following the attached schedule. If the Research Foundation for the State University of New York decides not to market the work, the author may request copyright title and market it in his or her own name. All such requests must be made to the vice president for research.

All such works shall be marked:

© (Date) The Research Foundation for State University of New York at Binghamton.

*6. COPYRIGHTABLE WORKS DERIVATIVE OF GRANT OR CONTRACT ACTIVITY BUT WHERE PRODUCTION OF SUCH WORK IS NOT SUPPORTED BY THE GRANT AND NOT PRODUCED USING RESEARCH FOUNDATION FOR THE STATE UNIVERSITY OF NEW YORK OR SUNY FACILITIES OR SUPPORT.*

Copyright title in such cases belongs to the person creating the material. The individual may personally receive royalties generated from the licensing or sale of this material. The faculty member's only obligation to the University is to report licensing or sale of such work in the annual faculty report.

All such works shall be marked the same as in 1 above.

### **XIII.A.2. Binghamton University Copyright Agreement Form**

[Copyright Agreement Form \(PDF\)](#)

### **XIII.A.3. Binghamton University Royalty Distribution Plan**

The State University of New York patent policy[1] provides for sharing between the inventor and the University of gross royalty income from licensing of inventions. The patent policy requires 40 percent of the gross royalty must be provided to the inventor as personal income. The remaining net royalties are returned to the campus president for distribution. This statement provides for distribution of this local campus allocation. It is in the interest of Binghamton University to provide a share of royalty funds with those most closely associated with their generation as an incentive to disclosing potentially patentable inventions. Royalty funds provided to University units are to be used in accordance with University policies and procedures to enhance research development and inventive activities.

The allocation of the first \$100,000 per year of royalties will be as follows:

- **40%** to the inventor pursuant to SUNY patent policy.
- **25%** to support the inventor's department. For the Graduate School of Education, the College of Community and Public Affairs, Decker School of Nursing and the School of Management, the department allotment goes to the dean. For non-academic units, the allotment will go to the appropriate vice president. If a faculty member is associated with an organized research center, half of this allotment shall go that center.
- **20%** to the vice president for research to support research and scholarly activities.
- **15%** to the division of research to cover technology transfer activities and general overhead (includes RF central expenses).

The allocation of the excess over \$100,000 per year of royalties will be as follows:

- **40%** to the inventor pursuant to SUNY patent policy.
- **25%** to the president to enhance the research mission of the University.
- **25%** to the vice president for research to enhance the research mission of the University.
- **10%** to the division of research to cover technology transfer activities and general overhead (includes RF central expenses)

If more than one inventor or more than one department are recipients, the amounts will apply to the combined shares of all recipients. Distribution among them will be determined by prior agreement as delineated in the invention disclosure or as equal shares.

An annual report of expenditures accompanying a narrative summary of accomplishments will be submitted by the chair, director and/or dean to the vice president for research as a condition for continued allocation. The annual report is due June 1 on the attached form. An annual report of expenditures and summary of accomplishments will be submitted to the president of the University.

*1 Title 8, Section 335.28 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Article XI, Title J, Section 1 of the Policies of the Board of Trustees)*

#### **XIII.A.4. Copyright Basics**

<http://www.copyright.gov/circs/circ01.pdf>

#### **XIII.A.5. Copyright Registration Forms**

<http://www.copyright.gov/forms/>

### **XIII.A.6. US Copyright Office**

<http://www.copyright.gov/>

#### *SUMMARY OF CIVIL AND CRIMINAL PENALTIES FOR VIOLATION OF FEDERAL COPYRIGHT LAWS*

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

For more information, please see the website of the U.S. Copyright Office at [www.copyright.gov](http://www.copyright.gov), especially their FAQs at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).

### **XIII.B. Fair Use Policy and Information**

#### **XIII.B.1. Fair Use Policy (from Copyright Law)**

Copyright protects the particular way an author has expressed himself but does not extend to the ideas, systems, or factual information conveyed in the work.

One of the rights accorded to the owner of copyright is the right to reproduce or to authorize reproduction of a work. This right is subject to specific limitations found in sections 107 through 118 of the copyright law of the United States ([title 17, U.S. Code](#)).

One important limitation is the doctrine of "fair use." Fair use doctrine has developed through a substantial number of court decisions over the years and is codified in [section 107](#) of the copyright law.

Section 107 lists various purposes where reproduction of a particular work may fall outside copyright limitations. Section 107 lists four factors to help determine if a particular use is fair:

- the purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes;
- the nature of the copyrighted work;
- amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- the effect of the use upon the potential market for or value of the copyrighted work.

The distinction between "fair use" and infringement may be unclear and not easily defined. There is no specific amount of material (number of words, lines, or notes) that may safely be taken without permission. Acknowledging the source of the copyrighted material does not substitute for obtaining permission.

Examples of activities that courts have determined as fair use are: "quotation of excerpts in a review or criticism for purposes of illustration or comment; quotation of short passages in a scholarly or technical work, for illustration or clarification of the author's observations; use in a parody of some of the content of the work parodied; summary of an address or article, with brief quotations, in a news report; reproduction by a library of a portion of a work to replace part of a damaged copy; reproduction by a teacher or student of a small part of a work to illustrate a lesson; reproduction of a work in legislative or judicial proceedings or reports; incidental and fortuitous reproduction, in a newsreel or broadcast, of a work located in the scene of an event being reported." (1961 Report of the Register of Copyrights on the General Revision of the U.S.

Copyright Law)

When in doubt, the safest option is always to identify the copyright owner and obtain their permission to use the work. The Copyright Office cannot give this permission. When it is impracticable to obtain permission, use of copyrighted material should be avoided unless the doctrine of "fair use" would clearly apply to the situation. The Copyright Office can neither determine if a certain use may be considered "fair" nor advise on possible copyright violations. If there is any doubt, it is advisable to consult an attorney.

### **XIII.B.2. Fair Use and Copyright Tools**

[Fair Use Analysis](#) (Table content with permission of Purdue University Copyright Office)

[Fair Use Evaluator](#) (Office for Information Technology Policy, American Library Association)

[Public Domain Slider](#) (Office for Information Technology Policy, American Library Association)

### **XIII.B.3. Binghamton University Libraries Course Reserves Guidelines**

<http://www.binghamton.edu/libraries/services/eres/reserve-copyright.html>

### **XIII.B.4. Fair Use and E-Reserves (from Association of Research Libraries)**

[Association of Research Libraries](#)

### **XIII.B.5. Fair Use Guidelines for Educational Multimedia**

<http://copyright.lib.utexas.edu/ccmcguid.html> (University of Texas- Austin Copyright Crash Course - Fair Use Guidelines for Educational Multimedia)

## **XIII.C. Computer and Multimedia Copyright Policy and Information**

### **XIII.C.1. Binghamton University Computer and Network Usage Policy (Acceptable Use)**

<http://binghamton.edu/its/policies/acceptable-use.html>

### **XIII.C.2. TEACH Act of 2002**

The TEACH act (17 USC 110(2)) is an exception to copyright law which allows online course instructors a wider set of rights to perform, display and make copies of works for online courses. It is designed to make these rights closer to those existing for face-to-face teaching exceptions, covered in Section 110(1) in the copyright law.

- The TEACH Act and some Frequently Asked Questions: <http://www.ala.org/ala/issuesadvocacy/copyright/teachact/faq.cfm> (American Library Association)
- The TEACH Act: New Roles, Rules and Responsibilities for Academic Institutions: <http://www.copyright.com/media/pdfs/CR-Teach-Act.pdf> (Copyright Clearance Center)
- Copyright Metro: Interactive Guide to Using Copyrighted Media in your courses: <http://www.baruch.cuny.edu/tutorials/copyright/> (Baruch College, CUNY)

### **XIII.C.3. Guidelines for Off-Air Recording of Broadcast Programming**

<http://copyright.musiclibraryassoc.org/Resources/Off-AirRecording> (Music Library Association - Guidelines for Off-Air Recordings of Broadcast Programming for Educational Purposes)

### **XIII.C.4. The Digital Millennium Copyright Act of 1998**

<http://www.copyright.gov/legislation/dmca.pdf> (U.S. Copyright Office)

[http://w2.eff.org/IP/DMCA/hr2281\\_dmca\\_law\\_19981020\\_pl105-304.html](http://w2.eff.org/IP/DMCA/hr2281_dmca_law_19981020_pl105-304.html) (Electronic Frontier Foundation)

## **XIV. Fringe Benefits**

[XIV.A. General Information](#)

[XIV.B. Retirement Plans](#)

[XIV.C. Long Term Disability Insurance Plan](#)

[XIV.D. Worker's Compensation](#)

[XIV.E. Life, Accident, Sickness Insurance](#)

[XIV.F. Health Insurance](#)

[XIV.F.1. The Empire Plan](#)

[XIV.F.2. HMO Blue, MVP, and CDPHP](#)

[XIV.G. Vision and Dental Insurance](#)

[XIV.H. Death Benefits](#)

[XIV.I. Sick Leave](#)

[XIV.J. Vacation Leave](#)

[XIV.K. Tuition Assistance](#)

[XIV.L. Employee Assistance Program](#)

[XIV.M. Tax-Deferred Annuities](#)

[XIV.N. New York State Employees' Federal Credit Union](#)

### **XIV.A. General Information**

The University's Office of Human Resources is available to provide specific information to your benefits questions. General benefits information is also available at <http://www.binghamton.edu/human-resources/employee-benefits/index.html>.

### **XIV.B. Retirement Plans**

Full-time faculty/professional staff and part-time staff members who have term appointments or are designated management/confidential are eligible to elect one of the three retirement programs:

- New York State Teachers' Retirement System (TRS)
- New York State Employees' Retirement System (ERS)
- The Optional Retirement Program (ORP) established by law, under which the State University Board of Trustees has designated the Teachers Insurance and Annuity Association and College Retirement Equities Fund (TIAA-CREF) as the insurers. Contracts are issued to and become the property of the electing employee. Payments are made in accordance with the contracts, and the State is not liable for the payment of benefits provided under such contracts.

In addition, there are four Alternate Funding Vehicles approved under the ORP to which you may direct and or transfer your retirement accumulations during your employment. These are VOYA, VALIC, Fidelity, and Metropolitan Life.

If you are a full-time employee, you must elect to participate in one of these programs within 30 days of the effective date of your appointment. If you do not make a timely decision, you will then be required to join TRS.

Part-time employees are not required to join a retirement system and may join at any time. However, a part-time employee who has elected a retirement program may not later cancel that enrollment.

Once you become a participant in one of these programs, either through election or by failure to make a timely election, you will not be able to change from one to another during employment by the University. However, if you become eligible for the ORP at a later date, you will be permitted to change to the ORP at that time.

### **XIV.C. Long Term Disability Insurance**

Full-time faculty/professional staff, and part-time faculty/professional staff who are eligible for health insurance, are eligible to participate in the University's Long Term Disability Insurance Plan. There is a one-year waiting period unless the new employee had prior coverage at their previous employer and that coverage ended no more than three months prior to the start of their covered employment with the University.

Benefits begin after six months of continuous total disability. Total disability means the employee is completely unable to perform the material and substantial duties of any occupation for which they are suited by education, training and experience.

### **XIV.D. Worker's Compensation**

Members of the faculty and professional staff are covered under the provisions of the New York State Workers' Compensation Law and are eligible to receive compensation for medical care, disability, or death from injury arising out of and in the course of the performance of their duties, regardless of fault in cause of the injury.

A staff member who is injured in the performance of duties should notify their supervisor immediately. An accident report must be filed with Human Resources and Employee Health and Safety offices. Employees who have serious cases should call the Accident Reporting System 888-800-0029 FREE to facilitate their claims.

### **XIV.E. Life, Accident, Sickness Insurance**

Certain kinds of insurance at special rates are available for professional staff members who join an employee organization. In some instances, premiums may be deducted from salary.

## **XIV.F. Health Insurance**

Four health insurance plans are available to all eligible employees, after an initial 42 day waiting period for members of UUP and an initial 56 day waiting period for employees who are Management/Confidential (M/C). To avoid processing delays, application for health insurance should be completed promptly.

### **XIV.F.1. The Empire Plan**

The Empire Plan provides coverage for hospitalization through Empire Blue Cross & Blue Shield and combined medical/surgical and major medical coverage through United HealthCare. This plan pays benefits through participating providers, and requires a small co-payment. Major medical coverage available through non-participating providers is subject to an annual deductible.

### **XIV.F.2. HMO Blue, MVP, and CDPHP**

Each of these is a Health Maintenance Organization offering, through a network of HMO providers, paid hospitalization and preventive/medical/surgical services, subject to a small co-payment. Care is provided through a network of HMO providers.

## **XIV.G. Vision and Dental Insurance**

These are provided by the UUP Benefit Trust Fund State for faculty and professional staff. New York State provides Management/Confidential employees these benefits. Detailed information about insurance plans is available from Human Resources and from the State of New York Department of Civil Service - Employee Benefits Online at <http://www.cs.ny.gov/>.

## **XIV.H. Death Benefits**

Generally, the retirement system selected determines death benefits. However, New York State Law provides a survivor's benefit regardless of which system is chosen.

## **XIV.I. Sick Leave**

Sick leave credits may be used for any mental or physical impairment of health, including such an impairment proximately resulting from pregnancy, which disables an employee from the full and proper performance of duty. Employees who are on leave without pay and faculty who are on sabbatical leave do not accrue and cannot charge against sick leave.

Please follow this link for additional information on accrual rates for faculty: <http://www.binghamton.edu/human-resources/time-attendance/tas-site/10month-faculty-instructions-1.html>

Please follow the appropriate link below for additional information on accrual rates for UUP Professional:

- For biweekly or annual appointments: <http://www.binghamton.edu/human-resources/time-attendance/tas-site/professional-mc-12month-faculty-instructions-1.html>
- For hourly appointments: <http://www.binghamton.edu/human-resources/time-attendance/tas-site/uup-hourly-professional-instructions.html>

Please follow this link for additional information on accrual rates for M/C: <http://www.binghamton.edu/human-resources/time-attendance/tas-site/professional-mc-12month-faculty-instructions-1.html>

## XIV.J. Vacation Leave

Professional employees hired before July 1, 1982 who serve on a full-time basis accrue vacation leave credits at a rate of 1- 3/4 days per month or major fraction thereof during the period of their professional obligation. Professional employees hired after July 1, 1982 should consult Human Resources regarding vacation leave.

Part-time employees accrue vacation leave credits based on their compensation and should contact the Human Resources for assistance in determining their rate of accrual. Professional employees represented by UUP may not accumulate vacation leave in excess of 40 days. Professional employees who are on leave without pay are not eligible to accrue or to charge vacation leave credits. For further information on sick leave and vacation leave, refer to Article 23 of the Agreement between the State of New York and UUP.

Please follow this link for additional information on accrual rates for faculty: <http://www.binghamton.edu/human-resources/time-attendance/tas-site/10month-faculty-instructions-1.html>

Please follow the appropriate link below for additional information on accrual rates for UUP Professional:

- For biweekly or annual appointments: <http://www.binghamton.edu/human-resources/time-attendance/tas-site/professional-mc-12month-faculty-instructions-1.html>
- For hourly appointments: <http://www.binghamton.edu/human-resources/time-attendance/tas-site/uup-hourly-professional-instructions.html>

Please follow this link for additional information on accrual rates for M/C: <http://www.binghamton.edu/human-resources/time-attendance/tas-site/professional-mc-12month-faculty-instructions-1.html>

## XIV.K. Tuition Assistance

Professional employees and faculty members are eligible for tuition assistance. Limitations in budgetary allocations require that we define our local policy along those guidelines that establish the most equitable distribution of support within those limitations. Thus, overall reductions in the amount of assistance approved may be required both to honor requests in the most judicious manner and to operate within the budget. Refer to Management Procedure 609, <http://www.binghamton.edu/operations/policies/personnel-and-payroll/financial-support-development.html>, for details.

## XIV.L. Employee Assistance Program

The Employee Assistance Program (EAP) is a voluntary, confidential assessment and referral service for employees and their family members who identify work-related and personal problems as adversely affecting quality of life and peace of mind. EAP coordinators provide access to appropriate professional and community resources, assisting in the resolution of problems/concerns. The EAP Office is located in LSG 673 and can be reached by phone at 607-777-6655.

## XIV.M. Tax-Deferred Annuities

Faculty and professional staff members may have a portion of their salaries withheld prior to taxation and invested in an annuity. Such amounts and the interest and dividends credited to them are not subject to income tax until they are received in the form of benefits, generally when the participant is retired and in a lower tax bracket.

## XIV.N. New York State Employees' Federal Credit Union

Membership in the New York State Employees' Federal Credit Union is available to all faculty and professional staff members. Deposits may be made to members' accounts by payroll deductions. Direct deposit is secure, and funds are guaranteed to be deposited by 9 a.m. on payday. Faculty and professional staff have the option to direct deposit in up to eight different accounts, provided they are either a checking or savings account in the depositor's name. All accounts must be recognized by the Automated Clearinghouse (ACH) to be eligible for direct deposit.

Faculty and professional staff interested in direct deposit may follow this link to the NYS direct deposit authorization form: <http://www.osc.state.ny.us/payroll/files/ac2772.pdf>

## **XV. Other Policies**

[XV.A. Agreements, Memoranda of Understanding, Federal and State Laws](#)

[XV.B. Management Procedures](#)

[XV.C. Annual Security Report](#)

[XV.D. Maintenance of Public Order](#)

### **XV.A. Agreements, Memoranda of Understanding, Federal and State Laws**

Binghamton University is subject to a variety of negotiated Agreements and "Memoranda of Understanding," as well as federal and New York State laws, rules, and regulations, including but not limited to:

- Fair Labor Standards Act
- Family Medical Leave Act
- Americans with Disabilities Act
- Omnibus Transportation Employee Testing Act of 1991
- Immigration Reform and Control Act
- Consolidated Omnibus Budget Reconciliation Act
- NYS Civil Service Law, Rules, and Regulations
- NYS Finance Law
- NYS Education Law
- Official Compilation of Codes, Rules, and Regulations of the State of New York, which include the Policies of the Board of Trustees
- Agreements and "Memoranda of Understanding" negotiated by the State of New York and the State University of New York with the various bargaining agents representing SUNY employees
- Federal Age Discrimination in Employment Act
- Civil Rights Act of 1964
- NYS Executive Law
- NYS Military Law
- NYS Workers Compensation Law
- NYS Public Officers Law
- Drug-Free Schools and Communities Act
- Occupational Safety and Health Act.

Full texts of many of these may be found in the Human Resources Office and the Library. Some may also be on file in various unit offices.

## XV.B. Management Procedures

The campus Management Procedures, issued by the Office of the Vice President for Operations, contains descriptions of procedures that address a wide range of general University activities, as well as many of the specific personnel procedures found in the preceding sections. Assistance with or questions regarding these procedures should be directed to the vice president for administrative affairs. Management Procedures are available online at <http://www.binghamton.edu/operations/policies> for reference in the offices of vice presidents, deans and directors, department chairs, and in administrative offices.

## XV.C. Annual Security Report

<http://asr.binghamton.edu>

## XV.D. Maintenance of Public Order

<http://www.binghamton.edu/student-handbook/other-university-policies/maintenance-of-public-order.html>

## **XVI. Associated Organizations**

[XVI.A. The Foundation of the State University of New York at Binghamton, Inc.](#)

[XVI.B. The Research Foundation for the State University of New York at Binghamton](#)

[XVI.C. The Alumni Association of the State University of New York at Binghamton, Inc.](#)

[XVI.D. United University Professions, Inc. \(UUP\)](#)

[XVI.E. University Women](#)

### **XVI.A. The Foundation of the State University of New York at Binghamton, Inc.**

1. The Foundation of the State University of New York at Binghamton, Inc. (dba Binghamton University Foundation), is a not-for-profit membership corporation chartered in 1957 under the laws of the State of New York. It is charged with the solicitation and acceptance of gifts to the University in support of the educational programs of the University.
2. The foundation is responsible for soliciting funds for the University from faculty and staff, alumni, parents, corporations, foundations, and other friends of the University. Any faculty or staff member wishing to approach private sources for support of a project or program within the University must work through the foundation, following established procedures, before making any outside solicitation approaches.
3. Gifts may be in the form of cash, securities, land, works of art, and the like; the foundation may accept any gift consistent with the educational policies of the University. Donations to the foundation are tax deductible, as allowed by law, and their use may be designated. Such restricted gifts may be specified for use as scholarships, the purchase of art works or library resources, or the support of specific programs. Unrestricted gifts, which may be expended by the foundation on the basis of need and program merit and for student scholarship assistance, are especially welcome.
4. In addition, the foundation administers bookkeeping services for the Student Association, the Graduate Student Organization, the Alumni Association, and the foundation's other affiliated entities. It also oversees emergency and collateral loan funds for students and Guaranteed Student Loans and agency accounts for all campus departments. (See also section [XII. Fundraising.](#))

## XVI.B. The Research Foundation for the State University of New York at Binghamton

The Research Foundation for the State University of New York is a private, nonprofit educational corporation that administers externally funded contracts and grants for and on behalf of the State University of New York. Since its establishment in 1951, the Research Foundation for the State University of New York has facilitated research, education, and public service at 31 state-operated SUNY locations. The Research Foundation for the State University of New York carries out its responsibilities pursuant to a 1977 agreement with the University. At Binghamton University, the Research Foundation for the State University of New York administers approximately \$40 million of externally sponsored contracts and grants.

## XVI.C. The Alumni Association of the State University of New York at Binghamton

The mission of the Binghamton University Alumni Association is to reach, serve and engage all Binghamton alumni – a global network of more than 117,000 people. The Association connects alumni to the University and to each other, provides valued service and supports the University's mission of teaching, research, and service. It does so by encouraging collaboration and inclusiveness, continuing the tradition of excellence and building pride. The Alumni Association wants all Binghamton graduates from every year to be informed about the University, involved in the life of the University, displaying their Binghamton pride in a visible way, and investing in the University's future.

## XVI.D. United University Professions, Inc. (UUP)

United University Professions (UUP) is the union representing nearly 35,000 academic and professional faculty on 29 State University of New York campuses, Central Administration, and Empire State College. UUP represents SUNY faculty and professional staff in negotiations with the State over terms and conditions of employment. UUP works to protect faculty and professional staff's interests by achieving improvements in salary, fringe benefits, working conditions and retirement programs; providing funding for professional growth and development through leaves, awards, conferences and other grant programs; obtaining state resources for the State University through effective legislative and political action; and seeking to enhance and preserve the quality of the University. UUP is also a source for information on labor

unions, state work force, bargaining issues, higher education reform, college faculty concerns and a variety of higher education topics.

## XVI.E. University Women

The purpose of University Women is to raise funds for scholarships for students and to coordinate a program of activities and projects which will be beneficial to the University community while promoting sociability among its members. Membership is open to women on the faculty and staff of Binghamton University or wives/significant others of faculty and staff. For more information, please contact Beth Kilmarx at [bkilmarx@binghamton.edu](mailto:bkilmarx@binghamton.edu).