

FACULTY RECRUITMENT PLAN

Amendments

to

THE VIRGINIA PLAN FOR EQUAL OPPORTUNITY
IN STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION

1983

The College
of
William and Mary
in
Virginia


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I. INTRODUCTION

The Plan that follows is submitted in response to various amendments agreed upon by the Commonwealth and the Office for Civil Rights of the U.S. Department of Education as a result of their review of the Virginia Plan for Equal Opportunity in State-Supported Institutions of Higher Education (1978). The Board of Visitors of the College of William and Mary has agreed to participate in the various initiatives described in the amendments to the state's Plan and has authorized the administrative officers of the College to develop a Plan to recruit black faculty. The submission of this document is therefore intended to amend the College's segment of the 1978 Plan.

The Plan is also designed to be responsive to Governor Charles S. Robb's Executive Order Number One (1982) and Administration and Finance Directive 3-82.

The initiatives described in this document are intended to evidence the College's commitment to share in the Commonwealth's determination to improve the 1978 Plan.

II. COMMITMENT TO THE PROGRAMS CONTAINED IN THE AMENDMENTS

On October 30, 1982, the Board of Visitors of the College of William and Mary in Virginia unanimously adopted the following resolution.

EXECUTIVE ORDER NUMBER ONE (82)

On April 28, 1978, the Board of Visitors of the College of William and Mary in Virginia reaffirmed its commitment to equal employment opportunity in the employment of faculty, administrators, and non-academic personnel.

The Board of Visitors of the College of William and Mary believes that the employment policies and procedures of the College are in full compliance with all applicable federal and state employment opportunity statutes and regulations.

The Board of Visitors of the College of William and Mary further supports the principles of equal employment opportunity described in Governor Charles S. Robb's Executive Order Number One (82), issued January 16, 1982.

The Secretary of Administration and Finance of the Commonwealth has issued procedures for the implementation of Executive Order Number One (82) which sets forth the policy expectations for agency performance in carrying out the letter and intent of Executive Order Number One (82).

RESOLVED, That the Board of Visitors of the College of William and Mary in Virginia voluntarily adopts Governor Charles S. Robb's Executive Order Number One (82) as the policy of the College. It continues to be the policy of the College of William and Mary not to discriminate against any employee or applicant for employment on the basis of race, sex, color, national origin, religion, age, or handicap. The administration of the College shall be responsible for the implementation of all procedures associated with Executive Order Number One (82); and,

BE IT FURTHER RESOLVED, That this policy shall be communicated to all members of the College community and the general public.

On February 15, 1983, the Board of Visitors of the College of William and Mary in Virginia unanimously adopted the following resolution.

VIRGINIA PLAN AMENDMENTS (1983)

On April 28, 1978, the Board of Visitors of the College of William and Mary in Virginia agreed that the College of William and Mary would participate in the Virginia Plan For Equal Opportunity in State-Supported Institutions of Higher Education, (1978).

On January 21, 1983, the Secretary of Education of the Commonwealth of Virginia submitted various amendments to the Virginia Plan.

On January 27, 1983, the Office for Civil Rights of the U.S. Department of Education accepted the amendments as evidence of the Commonwealth's commitments to be responsive to Title VI of the Civil Rights Act of 1964, as amended.

The Board of Visitors retains the sole authority and responsibility for the admission and academic performance requirements and employment policies of the College of William and Mary, subject to the limitations of applicable law.

RESOLVED, That the Board of Visitors of the College of William and Mary agrees to participate in the various initiatives, where appropriate, agreed upon by the Commonwealth and the Office for Civil Rights, in the

1983 Amendments to the Virginia Plan for Equal Opportunity in State-Supported Institutions of Higher Education.

RESOLVED FURTHER, That the Board of Visitors hereby authorizes the administration of the College to develop plans which will address the College's efforts to ensure equal educational opportunity through educationally sound and realistic measures in implementing these Amendments.

III. NUMERICAL OBJECTIVES FOR THE APPOINTMENT OF BLACK FACULTY

In support of the 1983 Amendments the following procedures were followed to determine whether numerical objectives for the appointment of additional black faculty were apparent.

A. Utilization Analysis - Institutional Faculty

The College of William and Mary and its affiliated agencies (the Virginia Institute of Marine Science and the Virginia Associated Research Campus) has conducted an analysis of the representation of black faculty employed at the College, as of October 31, 1982.

The following methods were used. Each School and the Faculty of Arts and Sciences were requested to review the personnel files of faculty members to determine those faculty who were employed as tenured or tenure-eligible faculty. A separate review of the files of those persons who were employed in a non-tenure eligible capacity was also conducted. The following criteria were used:

1. Only "full-time" faculty who were employed in the Fall of 1982 and Spring of 1983 were counted.
2. Department chairpersons in instructional departments were counted as instructional faculty since they spend a majority of their time in that capacity.
3. The source of funding to support the personnel was to be disregarded (state, federal or local).

4. Faculty who were employed as Visiting Professors for the full academic year (Fall, Spring) were to be counted under the non-tenure eligible category.
5. Adjunct or other part-time faculty were not counted since the Virginia Plan does not cover these types of positions.
6. Administrative faculty who have some teaching responsibilities, some of whom are tenured members of Schools or Departments, were not counted.

B. Utilization Analysis - Administrative Faculty

A separate College-wide analysis was conducted to determine the number and percentage of black administrative faculty employed at the College and its affiliated agencies as of October 31, 1982. The following criteria were utilized:

1. Administrative faculty, regardless of tenure status (eligible, non-eligible) were counted.
2. Persons employed in faculty equivalent (annual contract) positions were counted.

It should be noted that approximately 23% of these positions require both an academic background in a particular field (e.g., Law, Business) as well as general managerial and administrative capabilities.

C. Employment Pattern Analysis

The Office of Equal Opportunity and Affirmative Action Programs reviewed the employment pattern of the College's faculty hiring for the past several years to determine the appropriate degree requisites for instructional faculty positions at the College.

The College of William and Mary confers in course the following degrees, each under the jurisdiction of the Faculty or School indicated:

Faculty of Arts of Science: Bachelor of Arts (A.B.), Bachelor of Science (B.S.), Master of Arts (M.A.), Master of Science (M.S.), Doctor of Philosophy (Ph.D), and the Doctor of Psychology (Psy.D.).

The M.A. is offered in anthropology, biology, chemistry, English, government, history, marine science, mathematics, physics, psychology and sociology; the M.S. in applied science, mathematics and physics; the Ph.D. in history, and physics, and the Doctor of Psychology (Psy.D.) in cooperation with Norfolk State University, Old Dominion University, and the Eastern Virginia Medical School.

School of Business Administration: Bachelor of Business Administration (B.B.A.), and Master of Business Administration (M.B.A.)

School of Education: Master of Arts in Education (M.A.), Master of Education (M.Ed.), and Doctor of Education (Ed.D.). The Certificate of Advanced Study in Education is also conferred.

School of Law: Juris Doctor (J.D.), and Master of Law and Taxation (L. & T.M.).

School of Marine Science: Master of Arts (M.A.), and Doctor of Philosophy (Ph.D.).

In view of the graduate degree offerings of the College, it is appropriate to prefer a terminal degree in all fields for tenure eligible positions. The same is true for non-tenure eligible positions, with the exception of Physical Education. The College must maintain this standard since faculty members provide instruction to undergraduate and graduate students in the areas described above and they also engage in research activities.

In addition, the employment pattern analysis conducted by the Office of Equal Opportunity and Affirmative Action Programs suggests that the College can demonstrate that recently hired faculty either possessed the appropriate terminal degree in their field or completed the terminal degree requirements shortly after arriving at the College. The few exceptions were instances where an individual did not possess a terminal degree but had a substantial amount of previous teaching experience in higher education in addition to a Master of Arts or a Master of Science degree.

D. Availability Data - Instructional Faculty

The recommended data resource, Professional Women and Minorities: A Manpower Data Resource Service (1982), was used to discern the approximate availability of blacks who possessed the requisite degree for tenure-eligible or non-tenure eligible positions, as appropriate.

1. Tenure Eligible Availability Data

Table G-D-8 (p. 31-36) was used to determine the availability of blacks in all of the Schools and Departments which demonstrated a pattern of employing persons with appropriate terminal degrees. The following Schools or instructional areas utilized this data.

The School of Education
The School of Business Administration
The School of Marine Science
The Faculty of Arts and Sciences
The Marshall-Wythe School of Law

It should be noted that no availability data was available for Marine Science. Therefore, the College aggregated the general data for Physical Sciences and Biological Sciences to determine an approximate availability percentage of 1.23% for blacks with doctoral degrees in this area.

2. Non-Tenure Eligible Availability

Table G-D-8 (p. 31-36) of Professional Women and Minorities was used to determine the approximate availability of blacks in

the following areas where the Schools or Department could demonstrate a pattern of employing persons with terminal degrees for these types of positions.

The School of Business Administration
The School of Education
The Marshall-Wythe School of Law

The following Departments in the Faculty of Arts of Sciences:

Physics
English
History
Modern Languages
Theatre and Speech

The College believes that a masters degree is appropriate for its men's and women's non-tenure eligible Physical Education positions. In view of the fact that no exact availability data for this field was available, the College elected to use a general availability figure for blacks who earned masters degrees in education in 1978-79. This data was developed from Table G-D-21 (p. 51) from Professional Women and Minorities.

E. Availability Data - Administrative Faculty

The College elected to use the recommended availability figure of 5.2% for black administrative faculty. This figure was derived from Table G-WF-13 (p. 78) of Professional Women and Minorities. The general figure for managers and administrators was used.

NUMERICAL OBJECTIVES AND TIMEFRAMES
FOR ADDITIONAL BLACK INSTRUCTIONAL FACULTY
TENURE-ELIGIBLE

	<u>1983-84</u>	<u>1984-85</u>	<u>1985-86</u>	<u>Total</u>
School of Education	1		2	3
School of Business Administration		1		1
Marshall-Wythe School of Law			1	1
Faculty of Arts and Sciences		1	1	2
Total				<u>7</u>

NUMERICAL OBJECTIVES AND TIMEFRAMES
FOR ADDITIONAL BLACK INSTRUCTIONAL FACULTY
NON-TENURE ELIGIBLE

	<u>1983-84</u>	<u>1984-85</u>	<u>1985-86</u>	<u>Total</u>
Faculty of Arts and Sciences				
Men's Physical Education			1	1
Women's Physical Education		1		1
Total				<u>2</u>

NUMERICAL OBJECTIVES AND TIMEFRAMES
FOR ADDITIONAL BLACK ADMINISTRATIVE FACULTY/
FACULTY EQUIVALENT STAFF

	<u>1983-84</u>	<u>1984-85</u>	<u>1985-86</u>	<u>Total</u>
Total		1	1	2

IV. CRITERIA FOR EVALUATING PROGRESS TOWARDS THE NUMERICAL OBJECTIVES

1. The Faculty of Arts and Sciences and each School will take measures to recruit blacks for faculty positions, regardless of the establishment of numerical objectives. This effort is consistent with Governor Charles S. Robb's Executive Order No. 1 (82) and Secretary of Administration and Finance Directive 3-82. The Board of Visitors of the College voluntarily adopted Executive Order No. 1 (82) in October, 1982. These efforts will evidence the College's "good faith" intent to implement the Virginia Plan Amendments.
2. Governor Robb's Executive Order does not permit or require the lowering of bona fide job requirements, performance standards, or qualifications to give preference to any faculty member or applicant for a faculty position.
3. The interim numerical objectives being established can only be addressed when employment opportunities become available. These objectives shall not be treated as quotas. The failure to meet an interim or total numerical objective shall not be prima facie evidence that the College has not acted in good faith to meet the numerical objectives.
4. In assessing its annual progress towards the numerical objectives, the College will be given credit for all black faculty appointed to perform services on a full-time basis for at least two academic semesters regardless of when they are hired during the academic year.
5. The College's Office of Equal Opportunity and Affirmative Action Programs will collect data throughout the academic year to measure annual progress.
6. In assessing the annual progress towards the numerical objectives for tenure-eligible positions established in the Faculty of Arts and Sciences, it is understood that any black faculty employed on

a full-time basis for at least two academic semesters in such a capacity will be credited towards the objective of two additional black instructional faculty regardless of whether blacks are underrepresented in individual departments or general areas.

7. The College will be credited with the appointment of blacks who are appointed to either the tenure-eligible or non-tenure eligible categories, as appropriate, regardless of the timeframe that interim objectives are depicted.
8. The appointment of Visiting Professors, in general, count towards the numerical objectives established for non-tenure eligible faculty positions. They must be two consecutive semester appointments and considered "full-time". In order to count, they cannot be from one of Virginia's state-supported institutions.

However, if a Visiting Professor subsequently accepts a tenure-eligible position with the College, he/she may then be counted towards the numerical objectives for that category of positions.

9. Faculty who participate in the Commonwealth Faculty Exchange Program do not count towards the institution's numerical objectives for either tenure-eligible or non-tenure-eligible positions. This is appropriate if one institution describes the faculty member as being on leave-without-pay, the other state-supported institution should not count the same person as a "new" appointment.

If, however, an "exchange" professor subsequently accepts a more permanent position with the College and severs his/her relationship with the former institution, the College will count him/her as a new appointment in the appropriate tenure or non-tenure-eligible category.

10. Black faculty who may be appointed as Commonwealth Visiting Professors (1983 Virginia Plan Amendments) will count as non-tenure-eligible hires and count towards those numerical objectives, unless and until a subsequent more permanent contract for a tenure-eligible position is agreed upon.

V. PART-TIME/ADJUNCT FACULTY

Although the 1978 Plan and the 1983 Amendments do not require the College to establish numerical objectives for the appointment of black part-time or adjunct faculty, each Department within the Faculty of Arts and Sciences and each School will make efforts to appoint blacks to positions that may become available. This action evidences the College's good faith intention to support the 1983 Amendments.

In the 1982-83 academic year, the Marshall-Wythe School of Law employed a black professional in an adjunct faculty capacity.

VI. INITIATIVES TO RECRUIT BLACK FACULTY

The College typically conducts national recruitment efforts to fill full-time faculty positions for which appointments would be made for more than one academic semester. The current strategies, described below, are designed to enable the College to recruit blacks to the faculties.

1. Administrative faculty and faculty equivalent positions are customarily advertised in the Chronicle of Higher Education, or newspapers in large metropolitan areas in the mid-Atlantic region or professional journals.

Other publications targeted towards "other race" professionals such as the Affirmative Action Register, the EEO Forum and Black Scholar will be utilized as appropriate.

2. Instructional faculty positions are advertised in professional journals or newsletters associated with a particular field of study, e.g., available positions in the Department of Modern Languages and Literatures are advertised in the Modern Language Association Job List.

3. Faculty members who attend national or regional conferences and conventions engage in informal recruitment activities to develop an interest in possible opportunities which may become available or are available at the College. As an example, several members of the Marshall-Wythe School of Law faculty attend the American Association of Law School convention held in Chicago, Illinois. Potential candidates are identified and well qualified candidates are invited to visit the College. A black candidate was identified at the 1980 convention, visited the College, was offered a permanent position but declined due to the lack of an acceptable medical school educational experience for her spouse. The spouse was offered a residency in New Orleans rather than Richmond.
4. Position announcements similar to the one which appears as Attachment 1 are provided to institutions which grant graduate degrees in appropriate fields. All of the TBI's in the nation which offer the appropriate graduate degrees are provided with these announcements.
5. The Office of Equal Opportunity and Affirmative Action Programs has developed a recruitment resource manual which is used to assist search committees in identifying professional associations for the purpose of conducting a targeted recruitment to attract blacks, other racial minorities and women. Position announcements are then transmitted to those organizations. As an example, the enclosed announcement was provided to members of the American Psychological Association whose names were provided by the Minority Fellowship Program of the APA. In addition, the

announcement was also provided to the American Association of Black Psychologists.

6. In the Fall of 1982, the College established a Black Faculty and Administrative Staff Vita Bank to assist search committees in the identification of potential black candidates for possible opportunities which may become available for the 1983-84 academic year. The College will continue to promote the development of this approach to target its recruitment efforts towards potential black candidates by advertising its existence in the Chronicle of Higher Education and other publications with national circulation, including those that are targeted to black professionals.

The Vita Bank is operated by the Office of Equal Opportunity and Affirmative Action Programs.

7. Members of the College community will continue to assist blacks who are selected for appointment to faculty positions in locating housing opportunities and other relocation transition tasks, including assisting the spouse, if applicable, with identifying employment opportunities.

VII. FACULTY APPOINTMENT PROCESS

The following faculty recruitment and appointment procedures are described in the College's Faculty Handbook (1982).

Non-Discrimination and Affirmative Action

It is College policy to recruit, appoint, promote, and retain faculty members without regard to race, color, religion, sex, age, national origin, or political affiliation, and qualified handicapped individuals may be reasonably accommodated. The College has adopted an Affirmative Action Plan, promulgated by Executive Order of the Governor of Virginia, whereby the institution will continue to expand

its efforts to attract applicants from all segments of the population, and to preclude any form of exclusion or discrimination in employment practices regarding women, minorities or qualified handicapped individuals.

Prohibited Employment Relationships

State law and College policy prohibit employment of a person in any position paying more than \$10,000 annually in which there is a direct supervisory relationship with any close relative or member of the person's household. This rule is not intended to prohibit or discourage appointment of relatives or close household members to the College faculty or staff, in any circumstance in which no supervisory authority is exercised or implied by one person over the other.

Recruiting and Appointments

All appointments to the Faculties of the College are made by the Board of Visitors upon the recommendation of the President. The terms of appointment are specified in a letter from the President or the Provost and Vice President for Academic Affairs to the faculty member. This letter constitutes the faculty member's contract with the College.

Faculty appointments for the Summer Session and the Evening College are made in separate letters of contract.

The Recruitment Process. In consultation with the Dean, the appropriate chairmen and/or committee shall identify candidates, taking care to ensure that all relevant Affirmative Action and Equal Opportunity guidelines are met in the search and identification process.

Complete dossiers are gathered for all candidates in serious consideration. Recommendations received orally are summarized in writing by the recipient and made part of the circularized dossier.

After discussion with, and on the recommendation of the department chairmen and/or committees, the Dean, within the limits of the travel budget, invites one or more candidates for campus interview. Such interviews are scheduled only after the candidate's dossier is complete and made available to all involved in the

decision to recommend the candidate to the Provost and Vice President for Academic Affairs and the President.

Following interviews with final candidates, the Dean determines with appropriate chairmen and/or committees the agreed-upon first choice, and informs that individual in writing of the intention to recommend him or her for appointment to the Academic Vice President and President, and through the President to the appropriate committee of the Board of Visitors.

This letter from the Dean to the candidate must include:

1. A clear statement that appointment is made only by the Board of Visitors, and that the Dean's present statement of intention is therefore recommendatory to the President and the Board.
2. The date of the next meeting of the Board committee, and indication that a contract letter will be sent to the individual by the Academic Vice President or President immediately after that meeting, provided that the candidate responds favorably and in time to be placed upon the agenda, and of course assuming that the Board committee accepts the recommendation.
3. Reference to the Faculty Handbook, which shall have been given to the candidate prior to the conveyance of the Dean's letter of intention, and to the detailed statements contained therein regarding College policies and procedures.
4. Appropriate details of rank, salary, term, and tenure considerations that will be presented to the Board. In the case of a recommendation for a visiting, restricted or part-time appointment, it is to be clearly indicated that no future or other commitment by the College is intended or implied.

The Appointment Process. When an individual has stated that he/she would accept an appointment, the Dean conveys to the Provost and Vice President for Academic Affairs or President the complete dossier, including copies of all pertinent correspondence with or about the candidate. The dossier is returned to the Dean after determination is made to recommend the candidate to the Board.

The Provost and Vice President for Academic Affairs recommends candidates to the President for recommendation to the Board, and prepares for the committee of the Board the appropriate resolutions for candidates to be presented for approval.

After approval of the recommended appointments by the Board committee, the Provost and Vice President for Academic Affairs, on behalf of the President and the Board of Visitors, sends to successful candidates the appropriate contract form, confirming the appointment, and the details of rank, salary, term, etc., as stated in the Dean's earlier letter. A mutually binding obligation is understood upon the return of the contract form, duly signed by the appointee.

Consultation in Case of Conflict of Judgment. Within the College's administrative processes, there are possibilities for conflict of judgment on a candidate's merits at four points in the appointment process as outlined above: a departmental committee might disagree with the chairman; the committee and/or the chairman might disagree with the dean; the dean with the Vice President; and the Vice President with the President. In such a circumstance, where the disagreement develops to the point where the administrative officer indicates he or she will not recommend the candidate to the next higher officer, it is understood that the compelling reasons given for the disagreement will be made known to all those already involved in formal judgment on the candidate, and a full discussion of the candidate's suitability for the vacancy will be held in an attempt to resolve the difficulty.

Such a discussion will include all those involved in the recommendation to the point where the difficulty arose, and will be called on the initiative of the administrative officer who refuses, without further discussion, to endorse the received recommendations. (Thus, in a case where the Vice President questions a recommendation from the dean, he would call a meeting which would include the dean, the department chairman, and if appropriate, the department or school committee involved in such matters.) Except in extraordinary circumstances, and only with the approval of the President, the candidate would not personally be involved in such discussions.

If agreement is not reached out of such a discussion, the substance of the difficulty is to be reported to the next higher administrative or governing office (in the hypothetical case above, to the President) where the final decision is made as to whether to recommend the candidate further.

Announcement of Appointment. Public announcement of appointment may be made by the College immediately following receipt of the contract, signed by the appointee, and following approval by the Board of Visitors.

VIII. FACULTY RESEARCH AND DEVELOPMENT OPPORTUNITIES

The following information is excerpted from the Faculty Handbook, (1982):

RESEARCH GRANTS

Scholarly research and writing are important to the full professional development of faculty members. A lively interest in research is likely to make any faculty member a better teacher of his or her academic field. Presentation of the results of worthwhile research to colleagues in the broader community of scholars in the nation and abroad, in whatever form is most appropriate to the discipline, not only enhances the individual's professional reputation, but brings significant creditable notice to the College.

Faculty research at William and Mary is encouraged through three programs administered by the Faculty Research Committee: (1) the program of semester research assignments; (2) the summer research program; and (3) the program of minor research grants. At present, most of the available funds for these programs are derived from recoveries from grants and contracts, which usage the Commonwealth of Virginia has specifically approved. The summer research program is funded entirely from this source. Support for semester research assignments also comes largely from overhead recoveries, but is augmented by private funds of the College. The program of minor research grants has been maintained entirely from private funds.

For each program administered by the Faculty Research Committee, there is a complete statement of Policy and Principles which can be obtained from the Office of the Vice President for Academic Affairs,

and which is updated periodically by the Committee. Interested faculty are urged to obtain the latest statement, as changes in the program are made from time to time. Applications for each type of grant must be made on forms provided by the Committee (also available from the Office of the Provost and Vice President for Academic Affairs) and the specific deadlines for receipt of applications are announced publicly each year. Usually the deadline for summer grants is in the latter half of October, for semester assignments near the middle of November, and for minor research grants at the end of September and the end of January.

LEAVES OF ABSENCE

The College recognizes that further study, research at other locations, and travel are necessary to maintain the effectiveness of the faculty. Limitations of funds do not make possible a full sabbatical system. However, several faculty research assignments are available each year. Every effort is made to grant upon request leaves of absence without compensation.

Under a provision of the state personnel system, the College may, in certain circumstances, grant a faculty member a leave of absence with partial salary to permit him or her to continue work for an advanced degree. If the College budget permits, he or she may receive a portion of salary, and registration, laboratory, and tuition fees for work toward a degree if that degree is essential to the maintenance of established standards of the College. Under this plan, no program of resident study which requires more than twelve months in the aggregate for completion may be initiated without prior justification to and approval by the state Director of Personnel and Training. Full information about this plan is available in the College Personnel Office.

A black member of the faculty is currently on educational leave with partial pay to complete requirements for a terminal degree. The College is also providing funds for tuition and fees.