



THE FLETCHER SCHOOL
TUFTS UNIVERSITY

Faculty Handbook

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CHAPTER 1 – GOVERNANCE

BY-LAWS OF THE FACULTY OF THE FLETCHER SCHOOL OF LAW AND DIPLOMACY

ACCEPTED BY THE TRUSTEES OF TUFTS UNIVERSITY ON NOVEMBER 1, 2013

ARTICLE I

The Faculty of The Fletcher School of Law and Diplomacy (the “School”) consists of all persons holding tenured and tenure track teaching appointments; all persons with full-time affiliated appointments; and those affiliated faculty with multi-year, half-time or greater appointments. The Dean may also designate other affiliated persons with teaching appointments as members of the Faculty. The President of Tufts University, the Provost, and the Dean of the Fletcher school are members *ex officio* of the Faculty.

ARTICLE II

1. The Executive Faculty consists of all tenured and tenure-track professors at The Fletcher School of Law and Diplomacy. The President of Tufts University, the Provost, and the Dean of the Fletcher School are members *ex officio* of the Executive Faculty.
2. Regular meetings of the Executive Faculty shall be held at the beginning and end of each academic term, and at such other times as the Dean may specify. Special meetings may be called at any time during the academic year by the President or the Dean. The Dean may invite members of the Faculty to attend Executive Faculty meetings, and may invite guests at his discretion.
3. The Executive Faculty regulates and oversees admissions, curriculum, requirements for degrees, grants in aid and scholarship awards, and all other matters referred to it by the Dean. Subgroups of the Executive Faculty designated by the School’s Tenure and Promotion Regulations also make recommendations for tenure and promotion in accordance with such regulations.
4. The Executive Faculty shall make its decisions by consensus, meaning that proposals shall be considered adopted after being stated explicitly and after an explicit call for consensus, if no member of the Executive Faculty objects. However, any member of the Executive Faculty, upon a motion duly seconded, may call for a vote, in which case the Executive Faculty shall decide by voting. Unless otherwise so specified herein or in the School’s tenure and promotion regulations, votes shall be decided by the majority of those voting, by secret ballot, provided that no action may be taken unless a quorum of 50% of the Executive Faculty is present.
5. No proxy ballots will be permitted, except in circumstances in which the grantor is ill or on leave.
6. At the first Executive Faculty meeting of the academic year, time shall be set aside for discussion of important issues, including issues relating to governance, to be placed on the

- agenda for meetings during the academic year. Faculty meetings should be used primarily to discuss substantive strategic and governance issues.
7. Agendas of Executive Faculty meetings will specify whether the agenda item is for consultation or whether it is expected to be subject to an Executive Faculty decision. Barring exigent circumstances, matters for which appropriate information has not been distributed at least one week in advance of a meeting of the Executive Faculty shall be stricken from that meeting's agenda. Supporting material for new programs will require information regarding budgets, marketing plans, curricula, and hiring plans to be distributed in advance.
 8. The Faculty recommends to the Trustees of Tufts College all candidates for degrees at the School.

ARTICLE III

The Executive Faculty shall establish such *ad hoc* committees as it deems necessary. The Dean appoints the members of these committees from the Executive Faculty; the Dean can invite other Faculty members to join ad hoc committees in recognition of their special competencies or contributions to the School.

ARTICLE IV

The Executive Faculty shall have the following standing committees appointed by the Dean:

1. A Committee on Admissions and Scholarships whose function shall be to supervise and approve the admission of students and the granting of all financial aid.
2. An Academic Council whose function shall be to give continuous attention to the broad educational policies of the School, to discuss degree requirements, to approve new courses or changes in courses, to act as a forum for discussion between the administration of the School and the Faculty, to provide advice to the Dean on setting priorities in hiring, budgeting, curriculum, and strategic planning, and to provide advice to the Dean on affiliate faculty appointments in accordance with the policy on Affiliated Faculty Appointments at the Fletcher School. The Academic Council will prepare an annual report to the Dean on faculty hiring priorities, for discussion and approval by the Executive Faculty.

The Academic Council will include the chair of each of the School's Academic Groups. Each Academic Group will select its own chair who will serve for a two-year period, during which time they will also serve on the Academic Council. Initial appointments and replacements will be staggered so as to ensure continuity. At the end of the term of the chair of an Academic Group, the chair may stand for re-election, provided that no person shall serve for more than six consecutive years. In addition, the Academic Council may include up to two additional members of the full-time Faculty selected by the Dean in order to add perspectives that might otherwise be insufficiently represented. The Academic Council will also include the Academic Dean as a voting member, *ex officio*. The other associate deans of the School shall be non-voting *ex officio* members of the Academic Council. The Dean shall be invited to

attend all Academic Council meetings. The Academic Council will elect its own chair. It will meet approximately monthly, and members will report back to faculty constituents at Academic Group meetings, and will report to the Faculty at Faculty meetings. The Academic Council shall make its agendas available to Faculty members and senior staff in advance of its meetings, and shall make its minutes available to Faculty members and senior staff soon after each meeting. The Academic Groups shall initially be: (i) Diplomacy, Foreign Policy, and International Organizations, (ii) Security and Conflict Resolution, (iii) Public and Private Management, (iv) International Economic Relations, and (v) Sustainable Development. The names and number of Academic Groups may be modified by vote of the Executive Faculty. Each member of the Executive Faculty shall choose at least one Academic Group assignment in consultation with the Academic Dean. The Academic Dean may also appoint other Faculty to Academic Groups. Academic Groups are intended to promote interdisciplinary academic policy discussion and input to the Academic Council with respect to curriculum, faculty hiring, and other issues.

3. A Committee on Tenure and Promotion whose members evaluate all tenured and tenure-track faculty members for contract renewal, promotion, or tenure in order to make formal recommendations to the designated subgroup of the Executive Faculty; and provide advice to the Dean on affiliate faculty appointments in accordance with the policy on Affiliated Faculty Appointments at the Fletcher School. Members of the Committee on Tenure and Promotion will serve for four-year terms. The Committee on Tenure and Promotion shall not use proxy votes, and all votes shall be taken at meetings attended by all members, either in person or by electronic communications, except in extraordinary circumstances.

Members of the Faculty may be asked by the Dean to attend standing committee meetings, other than Tenure and Promotion Committee meetings, in a non-voting capacity.

ARTICLE V

In the absence of the President of the University, the Provost shall preside over full and Executive Faculty meetings; and in the absence of both, the Dean of The Fletcher School of Law and Diplomacy or the Dean's designee shall preside.

ARTICLE VI

Amendments to these By-Laws not inconsistent with the By-Laws or regulations of the Trustees of Tufts College may be made by a two-thirds vote of the Executive Faculty of The Fletcher School of Law and Diplomacy at any stated meeting or properly called special meeting.

ARTICLE VII

These By-Laws shall be effective when approved by a two-thirds vote of the Executive Faculty and accepted by the Trustees of Tufts University.

Bylaws of Trustees of Tufts College

Amended by the Board of Trustees on February 11, 2012

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**Amended by the Board of Trustees on February 11, 2012
BYLAWS OF TRUSTEES OF TUFTS COLLEGE**

Article I

THE CORPORATION

1.1 The legal corporate name of the Corporation is TRUSTEES OF TUFTS COLLEGE, under which name the management and execution of its business affairs are conducted. The name TUFTS UNIVERSITY is to be employed when referring to the institution in its entirety and inclusive of its undergraduate, graduate and professional schools and other activities of the institution as a whole.

Article II

THE TRUSTEES

2.1 **AUTHORITY, RESPONSIBILITY AND NUMBER.**

2.1.1.1 AUTHORITY AND RESPONSIBILITY. The Board of Trustees shall have the authority to carry out all lawful functions that are permitted by these Bylaws or by the Restated Articles of Organization. This authority shall include but shall not be limited to the following: (a) periodically review and approve the University's mission and purposes; (b) appoint the President who shall be the University's chief executive officer, and set appropriate conditions of employment, including compensation; (c) establish the conditions of employment of other key institutional officers; (d) support the President and assess his or her performance; (e) review and approve proposed major changes in the University's academic programs and other major enterprises consistent with the University's mission, plans and financial resources; (f) approve institutional policies bearing on faculty appointment, promotion, tenure and dismissal; (g) approve the annual budget and annual tuition/fees; (h) regularly monitor the University's financial condition, and establish policy guidelines affecting all institutional assets including investments and the physical plant; (i) contribute financially to the University's fundraising goals and participate actively in strategies to secure sources of support; (j) approve all earned and honorary degrees; (k) periodically undertake or authorize assessments of the Board's performance.

2.1.1.2 The Board of Trustees may delegate any of its authority or responsibility to any committee established by Article V, subject to the provisions of these Bylaws.

2.1.2 NUMBER. The Board of Trustees shall consist of no fewer than twenty-eight nor more than forty-one members.

2.2 CLASSES. The members of the Board shall be classified as follows:

2.2.1 CHARTER TRUSTEES. Up to thirty (30) in number, to be elected by the Board to serve for terms of five years that expire at the annual meeting of the Board. At any election of Trustees, there may be elected up to the maximum number of Charter Trustees permitted under the foregoing provision.

2.2.2 ALUMNI TRUSTEES. Up to ten (10) in number, to be elected by and from the alumni, to serve for terms of five years, such service to begin with the annual meeting of the Board of Trustees following the election. The term “alumni” as used in this Article II shall be deemed to include (a) each person who has received a degree from the University or from the Eliot-Pearson School or the Boston School of Occupational Therapy prior to the affiliation of said schools with the University and (b) each non degree-holding former student of the University who has pursued an approved course of study in the University for at least one academic year, provided that the prescribed period for completion of said course of study shall have passed.

2.2.3 TRUSTEE EX OFFICIO. The President of the University during such President's term of office shall serve *ex officio* with full voting rights.

2.3 ELECTION OF CHARTER TRUSTEES.

2.3.1 The Charter Trustees shall be elected by majority vote of the members of the Board of Trustees present and voting. Their election need not be by ballot but may be by ballot if requested by three or more Trustees present. If the election is by ballot, it shall be conducted in accordance with the following provisions. On the first ballot each Trustee voting shall enter on the ballot the name of no more than two nominees (or one if only one Charter Trustee of the class is to be elected) for election as Charter Trustees of the particular class and the name of any nominee no more than once on any ballot, and shall submit the ballot to one of the tellers appointed by the Chair. The tellers will tally and report to the Chair the total number of ballots cast and the number of votes cast for each nominee. A nominee receiving votes equal to or exceeding in number a majority of the ballots cast shall be declared elected. If no nominee, or only one nominee is elected, succeeding ballots shall be taken in the same manner as the first, except that voting shall be for only one nominee if the first ballot resulted in the election of one member. On the second and succeeding ballots, the nominee having the smallest number of votes in the next preceding ballot shall be excluded from consideration.

2.3.2 The Board of Trustees may by majority vote designate one or more persons as alternates to a person elected to the office of Charter Trustee, and in the event that the person so elected shall decline to accept his or her election, the first of such alternates in the order designated by the Board who is willing to act in such office shall, upon his or her acceptance thereof, be deemed to be elected to said office. Voting with respect to the designation of such alternates shall be conducted in a manner similar to that provided in section 2.3.1 for the election of Charter Trustees.

2.3.3 Any Charter Trustee who has served a ten- year term or consecutive terms totaling ten or more years shall not be eligible for reelection for a term commencing earlier than a year after the completion of such years of service. This subsection shall not apply in the case of a

Chair or Vice Chairs in office, provided, however, that they shall only be eligible for reelection on a year-to-year basis. There shall be no more than three Vice Chairs in office. This subsection shall not apply in the case of a chair or co-chair of an ongoing major capital campaign in office, provided, however, that they shall only be eligible for reelection on a year-to-year basis.

2.3.4 Any vacancy in the office of Charter Trustee may be filled by vote of the Board at any annual, regular or special meeting of the Board.

2.3.5 Any Charter Trustee whose term extends beyond the date when such Trustee attains the age of seventy-five years will serve only until the annual meeting that coincides in date with or next follows the date of such attainment. The Board of Trustees may, in particular instances upon recommendation of the Committee on Trusteeship and by majority vote, make exceptions to the foregoing age qualification for an elected Charter Trustee or an individual proposed for election as Charter Trustee, provided that (i) such exception may only be made to permit such Charter Trustee or prospective Trustee to serve the entirety of his or her five-year term, and (ii) at no time will there be more than five Trustees over age seventy-five.

2.4 **ELECTION OF ALUMNI TRUSTEES.** Alumni Trustees shall be elected by the alumni, such election to be conducted in accordance with rules and procedures adopted by the Alumni Council as the governing board of the Tufts University Alumni Association, Inc. and approved by the Board. Any vacancy in the office of Alumni Trustee shall be filled for the unexpired term by an election by the alumni conducted as aforesaid, provided, however, that if such vacancy occurs within one year prior to the expiration of the term, it need not be filled prior to such expiration.

2.5 **TRUSTEES EMERITI.**

2.5.1 Any Charter or Alumni Trustee may be elected by the Board as a Trustee Emeritus, subject to the following conditions: (a) not more than six years have elapsed since the expiration of his/her term or resignation; (b) he/she served as a Trustee for at least five years; and (c) he/she is nominated by the Executive Committee.

2.5.2 Each year the Executive Committee will consider those persons who meet the requirements of 2.5.1 (a) and (b). The Executive Committee will nominate those who, in its opinion, provided leadership and service to the University above and beyond that normally expected of a Trustee.

2.5.3 Trustees Emeriti shall be entitled to receive notice of each meeting of the Board and may attend and participate with the Trustees in the meetings of the Board and at public academic occasions, but shall not be members of the Board. They shall not be counted in determining the number of Trustees required to constitute a quorum or in determining the presence of a quorum and they shall not have the privilege of voting at Board meetings. They may serve, if duly elected, on sub-committees of the Board as voting members where status as a Trustee is not required by these Bylaws.

2.6 **RESIGNATIONS.** Any Charter Trustee, Alumni Trustee or Trustee Emeritus may resign from the Board of Trustees by notice in writing to the Secretary.

2.7 **REMOVAL.** The Board, by a two-thirds vote of all its members after giving the Trustee at least thirty days' notice and an opportunity to be heard, shall have the power to remove any Charter or Alumni Trustee who shall be, in the judgment of the Board, disqualified for cause or permanently incapacitated from performing duties as Trustee.

2.8 DISQUALIFICATION OF STAFF. An acceptance of the office of Trustee by any person other than the President of the University shall be deemed a resignation from any paid office or position held on the educational or administrative staff in any of the departments of the University. Acceptance by a Trustee, other than the President, of any office or position on the educational or administrative staff in any of the departments of the University shall be deemed to be a resignation as a Trustee. For the purposes of this Section 2.8, an unpaid member of the clinical faculty of any of the Tufts professional schools may retain such position while serving as a Trustee.

Article III THE OFFICERS OF THE CORPORATION

3.1 THE OFFICERS. The Officers of the Corporation shall be the Chair of the Board of Trustees, up to three Vice Chairs, the President of the University, the Treasurer, the Secretary, the Provost, the Executive Vice President, and other officers, including without limitation those having titles that include the words "President," "Vice President," "Treasurer" or "Secretary," as the Board may from time to time elect or appoint, all of whom shall be elected at the annual meeting of the Trustees and shall hold office for one year or until their successors shall be duly elected and qualified and each of whom shall serve at the will of the Board of Trustees.

3.1.1 VACANCIES. Any vacancy in any such office may be filled by the Executive Committee upon the recommendation of the President, and the person so elected to fill the vacancy shall hold office until the next annual meeting or until his or her successor shall be duly elected and qualified.

3.1.2 NEW POSITIONS. In the intervals between meetings of the Board of Trustees, the Executive Committee may, upon the recommendation of the President, create and fill any position having a title that includes the words "Vice President", "Treasurer", or "Secretary". The person so elected shall hold office until the next annual meeting or until his or her successor shall be duly elected and qualified, and serve at the will of the Board of Trustees.

3.1.3. SIGNATORY AUTHORITY. The President shall have power to sign in the name and on behalf of the Corporation all duly authorized contracts, deeds and other instruments, including acceptances of gifts, bequests and devises to the University. Any such instrument may also be signed in the name and on behalf of the Corporation by the Chair of the Board or any other person designated for that purpose by the Board of Trustees or the Executive Committee.

3.2 THE CHAIR. The Chair of the Board of Trustees shall preside at the meetings of the Board. In the absence or disability of the Chair a Vice Chair shall perform the Chair's duties.

3.3 THE PRESIDENT.

3.3.1 The President of the University shall be both the leader of the educational policy and the chief executive officer of the University; the President shall exercise such leadership and supervision of its administrative officers, teachers, students, agents and employees as will promote the efficiency of each department and of the University as a whole, and the President shall exercise a general superintendence over all of its concerns.

3.3.2 The President shall act as the ordinary medium of communication between the Trustees and the faculties, student body and alumni organizations.

3.3.3 The President shall make an annual report to the Trustees on the general condition of the University.

3.3.4 The President shall be responsible for the management of current operating revenues and expenditures in connection with the educational, purchasing and plant activities of the Corporation, have charge of collection of income, insurance and taxes relating to institutional real estate and be responsible for the preparation of the annual budget and the establishment of an adequate system of budget control.

3.3.5 The President shall preside on public academic occasions; the President shall be President of the several Faculties.

3.3.6 Subject to such regulations, specific or general, as may be adopted from time to time by the Executive Committee, the President shall accept and give receipts for all gifts, devises and bequests to the Corporation, provided, however, that where a gift, devise or bequest is subject to a condition, the President may not bind the Corporation with respect to such condition without the approval of the Board of Trustees or the Executive Committee, unless such condition is (a) that principal shall be retained and only income or capital increment be expended, or (b) that such gift, devise or bequest be held by the University as trustee of a charitable remainder unitrust or annuity trust as defined in the Internal Revenue Code now in force or hereafter amended. Subject to such regulations as aforesaid, the President shall be responsible for all matters of probate and other legal matters in connection with gifts, devises, bequests, trust and annuity contracts and shall have the power to assent to accounts and other matters of probate in which the Corporation has an interest and to take any other action deemed by such President to be necessary to protect the interests of the Corporation in connection therewith.

3.3.7 Subject to the direction of the Executive Committee, the President may delegate any or all of the President's duties and powers to other officers or agents of the Corporation. The President shall perform such other duties and exercise such other powers as may be designated by the Trustees or the Executive Committee, and the President must live on the University premises unless excused by the Board of Trustees.

3.4 **THE PROVOST.** The Provost of the University shall be responsible to the President for the academic administration of the University, and shall have such other duties as the Board of Trustees or the Executive Committee may from time to time designate. Unless otherwise directed by the Board of Trustees or the Executive Committee, the Provost shall, in the absence of or incapacity of the President, or in the event of a vacancy in the office of President, serve as Acting President and exercise the powers and duties of the President.

3.5 **THE EXECUTIVE VICE PRESIDENT.** The Executive Vice President of the University shall be responsible to the President for the administration of University operations, and shall have such other duties as the Board of Trustees or the Executive Committee may from time to time designate.

3.6 VICE PRESIDENTS. Each of the Vice Presidents shall have such titles, powers and duties as the Board of Trustees, or the Executive Committee on the recommendation of the President, shall from time to time determine.

3.7 THE TREASURER.

3.7.1 Subject to the control and supervision of the Executive Vice President, the Treasurer shall be responsible for the custody of the funds of the Corporation, and shall have available such records with respect to the assets of said funds as shall permit prompt and efficient management thereof. The Treasurer shall have the responsibility for the investment of all available uninvested cash and all other non-investment assets of the Corporation and shall make available as required the funds called for in the budget. The Treasurer shall purchase, manage, sell or otherwise dispose of bonds, stocks, notes, real estate and other evidences of property comprising non-investment assets. The Treasurer shall have power to impress the corporate seal on all authorized documents requiring such seal.

3.7.2 The Treasurer shall have the authority, with approval of the Trustees and the Executive Vice President or of the Administration and Finance Committee and the Executive Vice President, to borrow for and on behalf of the Corporation and to sign in the name and on behalf of the Corporation agreements, notes and other instruments in connection therewith.

3.7.3 Persons whose titles include the word Treasurer shall discharge such duties as the Treasurer shall from time to time direct, and in the absence or incapacity of the Treasurer, any of them may discharge, by direction of the Executive Vice President, any or all duties of the Treasurer.

3.8 THE SECRETARY.

3.8.1 The Secretary shall be sworn to the faithful and impartial discharge of the duties of Secretary and shall record in books kept for the purpose all votes and proceedings of the Board of Trustees, the Executive Committee and the standing committees and Subcommittees. The Secretary shall give notice of meetings of the Board, the Executive Committee and the standing committees; the Secretary shall keep and file all documents belonging to the Corporation committed to his or her custody. The Secretary shall have custody of the corporate seal and with it shall impress documents requiring a seal and attest them when necessary and shall perform such other duties as shall from time to time be directed by the President, the Board of Trustees or the Executive Committee.

3.8.2 Assistant Secretaries shall perform such duties as the President, the Executive Committee or the Secretary shall direct and in the absence or disability of the Secretary one of the Assistant Secretaries may, by direction of the President or the Executive Committee, discharge any or all of the duties of the Secretary.

Article IV
MEETINGS OF THE BOARD OF TRUSTEES

4.1 REGULAR MEETINGS. The Board of Trustees shall hold an annual meeting for the election of officers and committees and the transaction of other business in October or November in each year, and two other regular meetings shall be held in each year, one in January or February and one in May or June, each on such day and at such time and place as may from time to time be determined by the Board or, if not so determined, by the President.

4.2 SPECIAL MEETINGS. Special meetings may be held at any time and at any place upon the call of the President, the Chair of the Board, the Executive Committee or upon the written application to the Secretary or to any of the foregoing by at least five Trustees.

4.3 NOTICE OF MEETINGS. A written notice of every meeting of the Board of Trustees shall be given by the Secretary or an Assistant Secretary, or in case of the death, absence, incapacity or refusal of the Secretary and Assistant Secretary by any other officer. The notice shall state the time, place and general purposes of the meeting, and shall be mailed to the address of each Trustee at least seven (7) days before the meeting. No notice of the time, place or purpose of any meeting shall be required if every Trustee who does not attend such meeting signs a written waiver of notice which is filed with the records of the meeting.

4.4 QUORUM. One-third of the Trustees then in office shall constitute a quorum at any meeting of the Board of Trustees, but a smaller number shall have power to adjourn from time to time.

4.5 SPECIAL ACTION. Any action required or permitted to be taken at any meeting of the Board of Trustees may be taken without a meeting if all the Trustees entitled to vote at such a meeting consent to the action in writing and the written consents are filed with the records of the meetings of the Board of Trustees. A fax or email received by the Secretary of the Corporation shall be deemed valid exercise of written consent. Such consents shall be treated for all purposes as a vote at a meeting.

4.6 MEETINGS BY CONFERENCE TELEPHONE. The Trustees or the members of any committee may participate in a meeting of the Trustees or such committee by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time, and participation by such means shall constitute presence in person at a meeting.

Article V
COMMITTEES AND BOARDS OF ADVISORS

5.1 EXECUTIVE COMMITTEE.

5.1.1 There shall be an Executive Committee of not less than six nor more than ten Trustees, including the Chair of the Board of Trustees, the Vice Chairs, the President of the University and such other Trustees as shall be appointed at each annual meeting of the Board of Trustees by the Chair of the Board of Trustees, subject to ratification by vote of the Board of Trustees. The members of the Executive Committee shall serve for one year or until their successors shall be duly appointed. The number of Trustees to be appointed to the Executive Committee shall be fixed by the Board of Trustees at any annual meeting and when so fixed, shall continue until changed at a subsequent annual meeting. A majority of the number of Trustees so fixed as constituting the Executive Committee shall constitute a quorum and the committee shall adopt such rules for the conduct of its business as it shall deem advisable.

5.1.2 In the intervals between meetings of the Board of Trustees, the Executive Committee shall have and exercise the authority of the Board in the management and execution of the affairs of the Corporation in all matters except those with respect to which authority is given in these Bylaws to the Administration and Finance Committee and except those which pursuant to law or Sections 2.2.1, 2.3, 2.7, 5.6.4, 11.1 and 13.1 of these Bylaws require the vote of the Board of Trustees.

5.1.3 The Executive Committee shall have general oversight of the human resources policies of the University. The Executive Committee shall vote on behalf of the University all shares of capital stock owned by the University in subsidiary corporations of the University for the election of such persons as Directors of these corporations as the Executive Committee shall determine after receiving and considering the recommendations of the President of the University with respect thereto.

5.2 STANDING COMMITTEES AND SUBCOMMITTEES. There shall be seven standing committees as follows:

- Administration and Finance Committee
- Committee for University Advancement
- Academic Affairs Committee
- Committee on Trusteeship
- Honorary Degree Committee
- Compensation Committee
- Audit Committee

The Administration and Finance Committee shall have two standing subcommittees:

- Investment Subcommittee
- Buildings and Grounds Subcommittee

5.2.1 Each standing committee and subcommittee shall be chaired by a Trustee, and shall consist of such number of Trustees, no fewer than three, including a Chair of such committee or subcommittee and excluding *ex officio* members, as shall be determined from time to time by the Board of Trustees. Trustees Emeriti and non- Trustees may be elected to any subcommittee as voting members by the Board of Trustees; provided, however, that (i) a majority of the members of each subcommittee shall be current Trustees and (ii) in no event shall a Trustee Emeritus or non-Trustee serve as a member of a subcommittee for more than ten years (excluding any period during which such person serves as a Trustee). The Chair and the members of each standing committee and subcommittee shall be elected at each annual meeting of the Board of Trustees and shall serve for one year or until their successors shall be duly elected and qualified. In addition to the Trustees so elected, the President of the University shall be a member *ex officio* of each standing committee, provided that the President shall not serve as a member of the Audit Committee. With the exception of the President, *ex officio* members of committees shall not have the right to vote and shall not be counted for a quorum.

5.2.2 A majority of the members of any standing committee or subcommittee shall constitute a quorum. Meetings of any standing committee or subcommittee shall be called by the Secretary whenever he or she is requested to do so by the chair or vice chair of the committee or subcommittee, the chair of the Executive Committee or the President of the University, by giving notice of the time and place of meeting to each member of the committee or subcommittee.

5.2.3 Each standing committee may appoint from among its own number a vice chair of such committee and may appoint from time to time one or more subcommittees with such powers within the scope of the powers of such standing committee as are designated in the votes appointing them.

5.2.4 Records of the proceedings of each standing committee and subcommittee shall be kept by the Secretary and such proceedings shall be reported to the Board of Trustees. Each standing committee and subcommittee may adopt rules, procedures or charter for the conduct of its business as it shall deem advisable, provided that no such rules, procedures or charter may conflict with these Bylaws.

5.3 ADMINISTRATION AND FINANCE COMMITTEE

5.3.1. The Administration and Finance Committee shall be responsible for considering and making recommendations to the Board of Trustees on matters pertaining to operating and capital budgets; tuitions, fees, and enrollments; and, upon the recommendation of the President, the appointment of the Executive Vice President. The Committee shall have the authority to approve the construction, renovation and maintenance of buildings and grounds; investment, reinvestment and management of all investment assets of the Corporation; and financing transactions.

5.3.2. BUDGETS. The Administration and Finance Committee shall be responsible for the review and oversight of University operating and capital budgets. The Committee shall annually review and consider the University operating and capital budgets submitted by the President or his designate, and make recommendations to the Board of Trustees.

5.3.3. INVESTMENT AUTHORITY. The Administration and Finance Committee, in accordance with such investment policies and regulations as may be established from time to time by the Board of Trustees and, subject to the general direction of the Board, shall oversee the operations of the Investment Subcommittee, review the Investment Subcommittee's reports on investment results, and review (not less frequently than annually) the University's investment and asset allocation policy. The Committee shall report any investment-related issues to the full Board of Trustees, shall periodically review the University's investment and asset allocation policy with the full Board of Trustees and shall report the performance of the University endowment annually to the Board of Trustees. Purchases, sales, exchanges or other dispositions of bonds, stocks, and other property and investment assets and evidences of investment property and assets may be made or caused to be made by either the Administration and Finance Committee or the Investment Subcommittee.

5.3.3.1. INVESTMENT SUBCOMMITTEE. The Investment Subcommittee shall be responsible for the investment, reinvestment and management of all investment assets of the Corporation, and for the appointment of independent investment advisors or managers authorized to invest and reinvest funds of the Corporation. The Investment Subcommittee shall develop the University's investment and asset allocation policy for approval by the Administration and Finance Committee and the Board of Trustees and shall periodically review all investment results and report such results from time to time to the Administration and Finance Committee. The Chief Investment Officer shall report to the Investment Subcommittee, and to the Executive Vice President for administrative purposes. With review by the Investment Subcommittee, the Chief Investment Officer shall select and appoint or terminate external investment managers and may take all steps necessary to effectuate such transactions, including signing contracts with investment managers and consultants on behalf of the University. The Chief Investment Officer shall also be responsible for managing the relationships with external investment managers and appointing and supervising internal investment staff.

5.3.4. BUILDINGS AND GROUNDS. The Administration and Finance Committee, in accordance with such policies and regulations as may be established from time to time by the Board of Trustees and subject to the general direction of the Board, shall oversee the operations of the Buildings and Grounds Subcommittee, consisting of two or more persons from among its members.

5.3.4.1. BUILDINGS AND GROUNDS SUBCOMMITTEE. The Buildings and Grounds Subcommittee shall be responsible for considering and advising the Administration and Finance Committee with respect to the planning, expansion or development of buildings and grounds and the maintenance of such existing facilities.

5.4 COMMITTEE FOR UNIVERSITY ADVANCEMENT. The Committee for University Advancement shall have the responsibility of considering and advising the Board of Trustees and the Executive Committee on current activities and future planning in the University's fund raising, public relations, federal, state, city and community relations, publications, and alumni relations. It shall report its activities and recommendations to either the Board of Trustees or the Executive Committee. All capital fund raising plans shall be submitted to it for its consideration and advice.

5.5 ACADEMIC AFFAIRS COMMITTEE. The Academic Affairs Committee shall be responsible for considering and making recommendations to the Board of Trustees and the Executive Committee on appointments of Deans of the Schools specified in Section 8.1 and, upon recommendation of the President, the Provost. The Committee shall have authority to approve, on behalf of the Board of Trustees, new degree programs offered by individual Schools, jointly by two or more Schools within the University, and degree programs offered jointly with other institutions. The Committee shall also make academic appointments as provided in Section 9.2 hereof.

5.6 COMMITTEE ON TRUSTEESHIP.

5.6.1 There shall be a Committee on Trusteeship consisting of no fewer than five Trustees, including the Chair of the Board of Trustees. Any Trustee, except the Chair of the Board and the President, who has served on this Committee for three consecutive years, shall not be eligible for reelection to it for one year following the completion of said three consecutive years.

5.6.2 The Committee on Trusteeship shall nominate highly qualified and committed individuals to fill vacancies among the Charter Trustees and shall invite recommendations from the entire University community. The Committee's nominations will be made in a confidential report to the Board of Trustees submitted at least three weeks prior to the date of the meeting at which such Trustees are to be elected. The identity of such nominees shall not be disclosed until and unless authorized by the Board of Trustees.

5.6.3 The Committee on Trusteeship shall have the responsibility for ensuring that a program for the orientation of new Trustees is maintained and implemented. It shall periodically recommend to the Executive Committee initiatives by which the performance of the Board of Trustees shall be enhanced and assessed.

5.6.4 The Committee on Trusteeship shall consider and present to the Board of Trustees nominations for the officers, a chair and other members of the Executive Committee, a chair and other members of each standing committee and subcommittee, to be elected at the annual meeting of the Trustees. All nominations for the officers other than the Chair of the Board of Trustees, any Vice Chairs of the Board, and President shall be made by the Committee on Trusteeship after receiving and considering the recommendations of the President of the University with respect thereto.

5.6.5 The Chair of the Board of Trustees shall present to the Board of Trustees nominations of members of the Committee on Trusteeship.

5.7 HONORARY DEGREE COMMITTEE. The Honorary Degree Committee shall consider and present to the Board of Trustees recommendations of persons deemed worthy of being awarded an Honorary Degree from Tufts University. The Committee will invite nominations from the general Tufts community.

5.8 COMPENSATION COMMITTEE

5.8.1 The Chair of the Board shall serve on the Compensation Committee.

5.8.2 The Compensation Committee shall have the responsibility to ensure, under the direction of the President, the ongoing development and review of a system of job descriptions, job classifications, salary ranges, and performance reviews. The Compensation Committee shall have the responsibility for considering and advising the Board of Trustees on the University's systems and procedures for executive development. In the case of the President, he/she and the Chair of the Board will jointly agree upon his/her goals and objectives, and the Chair will annually review the results with the President, then with the Compensation Committee, and finally with the Board of Trustees.

5.8.3 The Compensation Committee will periodically review the salary of the President and recommend changes to the Board of Trustees. The President will not participate as a member of the Compensation Committee with respect to discussions or votes relating to the President's compensation. The Compensation Committee will also periodically review the salary of employees who hold positions of significant management responsibility and consider changes proposed by the President.

5.9 AUDIT COMMITTEE. The Audit Committee shall be responsible for assisting the Board of Trustees in monitoring the integrity of the financial statements of the University, compliance by the University with legal and regulatory requirements, and the independence and performance of the University's internal and external auditors. The Audit Committee shall have authority to appoint the external auditors and retain special legal, accounting or other consultants to advise the Committee, oversee the Corporation's internal audit procedures, accept and approve the annual audited financial statements of the University, approve the appointment of and oversee the duties of the director of the internal audit and compliance functions, and oversee appropriate matters in connection with independent audits. The Audit Committee shall be responsible for the formulation of policies and procedures for the avoidance of Trustee conflicts of interest, and shall monitor potential conflicts of interest and periodically provide a report to the Board of Trustees, pursuant to Article XII. The Committee shall make regular reports to the Board on matters requiring its attention.

5.10 SPECIAL COMMITTEES. Special Committees may be appointed by the Board of Trustees or the Executive Committee, to serve for specific purposes and with powers and subject to such rules and procedures as designated in the votes appointing them (provided that no such rules or procedures may conflict with these Bylaws). Membership on such special committees shall not necessarily be limited to the Board of Trustees.

5.11 RESIGNATIONS; VACANCIES. Any Trustee may resign from a committee by notice in writing to the Secretary. Any vacancy at any time existing in the offices of chair or member of a committee or subcommittee elected by the Board of Trustees may be filled by the Executive Committee and the person so elected to fill the vacancy shall hold office until the next annual meeting of the Board of Trustees or until such person's successor shall be duly elected and qualified.

5.12 MEETING REPRESENTATIVES. Pursuant to vote of the Board of Trustees, non-voting representatives from the faculty, staff, student body and alumni may be invited to attend and participate in meetings of the Executive Committee and of the standing committees and subcommittees under procedures and regulations adopted from time to time by the Board of Trustees.

5.13 SPECIAL ACTION. Any action required or permitted to be taken at any meeting of a committee or subcommittee may be taken without a meeting if all the members of the committee or subcommittee entitled to vote at such a meeting consent to the action in writing and the written consents are filed with the records of the meetings of the committee or subcommittee. Such consents shall be treated for all purposes as a vote at a meeting.

5.14 BOARDS OF ADVISORS. Boards of Advisors may be appointed for the various schools, departments and programs of the University. Members of any such Boards of Advisors shall be appointed by the Board of Trustees or the Executive Committee, except that a majority of the members of the Board of Advisors to the Cummings School of Veterinary Medicine shall be appointed by Cummings Foundation, Inc. (and such appointees shall not be employees of Tufts University). The Trustee Executive Committee shall accept the minutes of Boards of Advisors meetings. It shall be the duty of each such Board of Advisors to advise, assist and act as an ambassador for the school, department or program to which its appointment relates. Membership on such Boards of Advisors shall not necessarily be limited to members of the Board of Trustees.

Article VI THE UNIVERSITY

6.1 The University shall include the following: School of Arts and Sciences, School of Engineering, School of Medicine, School of Dental Medicine, the Fletcher School of Law and Diplomacy, College of Special Studies, Tisch College of Citizenship and Public Service, Cummings School of Veterinary Medicine, Sackler School of Graduate Biomedical Sciences, and The Gerald J. and Dorothy R. Friedman School of Nutrition Science and Policy. The School of Arts and Sciences shall consist of the College of Liberal Arts, Jackson College for Women, and the Graduate School of Arts and Sciences. The University shall include such other bodies as the Trustees may from time to time create, establish or rearrange.

Article VII THE FACULTIES

7.1 MEMBERSHIP. Each college and school shall be under the immediate charge of its respective Faculty. Each such Faculty shall consist of such persons as shall be designated in the Bylaws of the Faculty of such college or school. There shall also be a Faculty of Arts, Sciences, and Engineering, composed of the Faculties of the School of Arts and Sciences and the School of Engineering; all members of said Faculties shall be voting members of the Faculty of Arts, Sciences, and Engineering. The President of the University shall be the head of each Faculty.

7.2 SECRETARIES OF FACULTIES. The various Faculties shall annually elect their own Secretaries, except that the Secretary of the Faculty of Arts, Sciences, and Engineering shall be the *ex officio* Secretary of several Faculties comprised in the Faculty of Arts, Sciences, and Engineering.

7.3 RESPONSIBILITY. The respective faculties shall, subject to the limitations set forth in the Charter, have the oversight and control of the student body. The Faculties of Arts, Sciences, and Engineering, the College of Special Studies, the Tisch College of Citizenship and Public Service, the School of Medicine, the School of Dental Medicine, the Fletcher School of Law and Diplomacy, the Cummings School of Veterinary Medicine, the Sackler School of Graduate Biomedical Sciences, the Gerald J. and Dorothy R. Friedman School of Nutrition Science and Policy and other colleges and schools heretofore or hereafter established, may accept or reject the application for admission of any student, may impose fines, inflict at their discretion the penalties of admonition, suspension and dismissal, and may use all other appropriate means of discipline. These powers may be exercised in the name and behalf of any of said Faculties by appropriate committees duly appointed and authorized by them, provided, however, that Faculty members always constitute a majority of any such committee.

7.4 BYLAWS. The provision of the bylaws of the respective Faculties concerning their membership, powers, duties and voting rights and the participation of students on their committees shall be subject to the approval of the Board of Trustees.

Article VIII THE DEANS

8.1 The Board of Trustees shall, upon recommendation from the President, appoint a Dean of the School of Arts and Sciences, a Dean of the College of Liberal Arts and Jackson College, a Dean of the School of Engineering, a Dean of the Graduate School of Arts and Sciences, a Dean of the School of Medicine, a Dean of the School of Dental Medicine, a Dean of the Fletcher School of Law and Diplomacy, a Dean of the College of Special Studies, a Dean of the Tisch College of Citizenship and Public Service, a Dean of the Cummings School of Veterinary Medicine, a Dean of the Sackler School of Graduate Biomedical Sciences and a Dean of the Gerald J. and Dorothy R. Friedman School of Nutrition Science and Policy.

8.2 The Dean of the School of Arts and Sciences shall be responsible to the Provost for the oversight of the School of Arts and Sciences, Jackson College and the College of Special Studies. The Dean of the School of Engineering, the Dean of the School of Medicine, the Dean of the School of Dental Medicine, the Dean of the Cummings School of Veterinary Medicine, the Dean of the Sackler School of Graduate Biomedical Sciences, the Dean of the Tisch College of Citizenship and Public Service, and the Dean of the Gerald J. and Dorothy R. Friedman School of Nutrition Science and Policy shall be responsible to the Provost for the oversight of the school of which he or she is Dean. Each such Dean shall make recommendations to the Provost for appointments to the Faculty of each school or college of which he or she is responsible, prepare the business for the meetings of each such Faculty, execute its orders and regulations, preside at its meetings in the absence of the President and the Provost, make an annual report to the President, and shall have such other duties, responsibilities and authority as may be delegated

to such Dean from time to time by the President. The Deans of the School of Arts and Sciences and the School of Engineering shall also prepare the business for the meetings of the Faculty of Arts, Sciences, and Engineering, execute its orders and regulations, and preside at its meetings in the absence of the President and the Provost.

Article IX APPOINTMENTS

9.1 APPOINTMENTS BY BOARD OF TRUSTEES. The Board of Trustees shall appoint the Deans specified in Section 8.1 of these Bylaws.

9.2 APPOINTMENTS BY THE ACADEMIC AFFAIRS COMMITTEE. The Academic Affairs Committee shall consider and make recommendations to the Board of Trustees and the Executive Committee regarding appointments of the Deans specified in Section 8.1 of these Bylaws, and, upon the recommendation of the President, appointment of the Provost. The Academic Affairs Committee shall have the authority to make all appointments involving tenure, full time appointments at the rank of Professor, and appointments of University Professors, the University Chaplain, and the University Archivist. The Committee shall have authority regarding the establishment of endowed professorships and the appointment of individuals as holders of such professorships.

9.3 OTHER APPOINTMENTS. All academic appointments without tenure of the rank of Associate Professor and below shall be made by the President of the University or such other persons as the President may designate. The President of the University shall also make all appointments of Associate and Assistant Provosts, Deans other than those specified in Section 8.1 of these Bylaws, Associate and Assistant Deans, full-time research faculty, emeritus professors, and department chairs and report such appointments to the Academic Affairs Committee.

Article X ACADEMIC DEGREES

10.1 REQUIREMENTS. All degrees shall be conferred by vote of the Board of Trustees. The ordinary degrees shall be conferred after recommendation of the appropriate Faculties, namely, of Arts, Sciences, and Engineering, of the College of Special Studies, of the School of Medicine, of the School of Dental Medicine, of the Fletcher School of Law and Diplomacy, of the Cummings School of Veterinary Medicine, of the Sackler Graduate School of Biomedical Sciences, of the Gerald J. and Dorothy R. Friedman School of Nutrition Science and Policy and of all other colleges and schools heretofore or hereafter established. No candidate of these degrees shall be recommended except after thorough examination, and academic residence at the University of at least one year. The requirement of residence may be waived for candidates for all degrees by vote of the appropriate Faculty and approved by the President of the University. All degrees conferred by the University shall be announced at Commencement.

10.2 HONORARY DEGREES. Honorary degrees may be conferred by a majority vote of the Board of Trustees upon such persons as may be recommended by the Honorary Degree

Committee, or by unanimous vote of the Board of Trustees upon persons nominated by any Trustee.

Article XI INDEMNIFICATION

11.1 TRUSTEES AND OFFICERS. (a) The Corporation shall indemnify to the maximum extent legally permissible, but not to the extent that the status of the Corporation as an organization exempt under Section 501 (c) (3) of the Internal Revenue Code will be affected thereby, any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative and whether external or internal to the Corporation, by reason of the fact that he or she is or was a Trustee or Officer of the Corporation or is or was serving at the request of the Corporation as a trustee, director, officer, employee or other agent for another organization or in a capacity with respect to any employee benefit plan, against expenses (including reasonable attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by him or her in connection with such suit, action or proceeding except with respect to any matter as to which he or she shall have been adjudicated in any proceeding not to have acted in good faith in the reasonable belief that his or her action was in the best interests of the Corporation or, to the extent that such matter relates to service with respect to an employee benefit plan, in the best interests of the participants or beneficiaries of such employee benefit plan. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of *nolo contendere* or its equivalent, shall not, of itself, create a presumption that the person did not act in the reasonable belief that his or her action was in the best interests of the Corporation or, to the extent that such matter relates to service with respect to an employee benefit plan, in the best interests of the participants or beneficiaries of such employee benefit plan.

(b) As to any matter disposed of by a compromise payment by such person, pursuant to a consent decree or otherwise, no indemnification under this Section 11.1 (unless required by law or ordered by a court) shall be made by the Corporation unless authorized in the specific case (i) by the Board of Trustees by a majority vote of a quorum consisting of Trustees who were not parties to such action, suit or proceeding, or (ii) if such a quorum is not obtainable, then by a majority vote of a committee of the Trustees consisting of all of the disinterested Trustees or (iii) if there are not two or more disinterested Trustees in office, then by a majority of the Trustees then in office provided they have obtained a written finding by special independent legal counsel appointed by a majority of the Trustees to the effect that, based upon a reasonable investigation of the facts as described in such opinion, the person to be indemnified appears to have acted in good faith in the reasonable belief that his or her action was in the best interests of the Corporation or, to the extent that such matter relates to service with respect to an employee benefit plan, in the best interests of the participants or beneficiaries of such employee benefit plan.

(c) Notwithstanding anything in this Section 11.1 to the contrary, no indemnification shall be provided for any person with respect to any matter as to which he or she shall have been adjudicated in any proceeding not to have acted in good faith in the reasonable belief that his or her action was in the best interests of the Corporation or, to the extent that such matter relates to

service with respect to an employee benefit plan, in the best interests of the participants or beneficiaries of such employee benefit plan.

(d) Expenses incurred by a Trustee or Officer in defending a civil or criminal action, suit or proceeding shall be paid by the Corporation in advance of the final disposition of such action, suit or proceeding upon receipt of an undertaking by or on behalf of the Trustee or Officer to repay such amount if it shall ultimately be determined that he or she is not entitled to be indemnified by the Corporation as authorized in this Section 11.1. Such undertaking shall be accepted by the Corporation without reference to the financial ability of the person giving the undertaking to make repayment. Any advance under this subsection (d) shall be made promptly, and in any event within ninety (90) days, upon the written request of the person seeking the advance.

(e) The indemnification and advancement of expenses provided by, or granted to, the other subsections of this Section 11.1 shall not be deemed exclusive of or affect any other rights to which any person may be entitled by contract or otherwise under law. Each person who is or becomes a Trustee or Officer shall be deemed to have served or have continued to serve in such capacity and in such other capacity at the request of the Corporation as described in subsection (a) in reliance upon the indemnity provided for in this Section 11.1. All rights to indemnification under this Section 11.1 shall be deemed to be provided by a contract between the Corporation and the person who serves as Trustee or Officer of the Corporation. Any repeal or modification of this Section 11.1 shall not affect any rights or obligations then existing.

(f) To the extent that a Trustee or Officer of the Corporation has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in subsection (a), or in defense of any claim, issue or matter therein, he or she shall be indemnified against expenses (including attorneys' fees) actually and reasonably incurred by him or her in connection therewith.

(g) The indemnification and advancement of expenses provided by, or granted pursuant to, this Section 11.1 shall continue as to a person who has ceased to be a Trustee or Officer and shall inure to the benefit of the heirs, executors and administrators of such a person.

(h) If any term or provision of this Section 11.1 or the application thereof to any person, property or circumstance shall to any extent be invalid or unenforceable, the remainder of this Section 11.1 or the application of such term or provision to the persons, property or circumstances other than those as to which it is invalid or unenforceable shall not be affected thereby, and each term and provision of this Section 11.1 shall be valid and enforced to the fullest extent permitted by law.

11.2 FACULTY MEMBERS AND OTHER EMPLOYEES. Individuals who are members of the Faculties of the several colleges and schools and other employees and agents of the Corporation who are not Trustees or Officers shall be indemnified by the Corporation to the extent from time to time authorized by the Board of Trustees.

Article XII
CONFLICTS OF INTEREST

12.1 In keeping with the University's high ethical standards, Trustees shall exercise care that no detriment to the University results from conflicts between their interests and those of the University. Trustees shall be sensitive to potential conflicts of interest or the appearance of conflicts of interest even if no actual conflicts exist.

12.2 But for the exceptions described below, the University will not enter into any transaction in which a Trustee, or persons or entities closely associated (as hereinafter defined) to that Trustee, have a material financial interest, direct or indirect, or with respect to which a Trustee's independence of judgment might be impaired. Exceptions to this principle are transactions:

- (a) approved by a majority of the Audit Committee. If a majority of the Audit Committee is disqualified from acting or if a majority of the Audit Committee elects to refer the matter to the Executive Committee, then approval by a majority of the Executive Committee shall be required; or
- (b) involving competitive bids or standard rates and terms offered to businesses generally.

As used in this Article XII, the term "closely associated" means:

- (i) A spouse, parent, sibling, child, person living in the household or business associate of the Trustee;
- (ii) Any entity which is directly or indirectly owned or controlled individually or collectively by the Trustee and/or by one or more of the persons described in (i) above. For this purpose, "owned" means holding more than 35 percent of voting membership rights or voting stock in the entity; "controlled" means comprising over 35 percent of the directors, trustees or other members of the governing body of the entity.
- (iii) A law firm, accounting firm or other partnership of which the Trustee or any person described in (i) above is a partner.

12.3 Trustees who believe a potential transaction with the University may involve a conflict must report that transaction and all material facts in writing to the Audit Committee in sufficient time for the Audit Committee to approve or disapprove.

12.4 When a conflict is under consideration pursuant to paragraph 12.2 (a) above, no interested Trustee may be present for the discussion or vote; however, an interested Trustee may be counted in determining the presence of a quorum at a meeting of the Audit Committee or the Board of Trustees. Approval shall be based on a finding that the transaction is fair to the University, that it appears that the University cannot obtain a more advantageous arrangement with reasonable effort, and that the transaction will not constitute an excess benefit under Section 4958 of the Internal Revenue Code.

12.5 Annually, each Trustee will sign a statement provided by the University that he/she has read and understands this policy and agrees to comply with it, and discloses information relating to potential conflicts of interest. The Audit Committee shall review all such statements with a view to minimizing the potential for any detrimental effects from conflicts and excess benefits under Section 4958 of the Internal Revenue Code.

12.6 A report of all conflicts voted on during the preceding year or reported by Trustees shall be forwarded to the Board of Trustees by the Audit Committee with a statement of applicable exceptions for each conflict or of a finding of no conflict.

12.7 Each of the provisions of this Article XII shall apply equally to any Trustee Emeritus or non-Trustee who is a member of any committee or subcommittee of the Board of Trustees.

Article XIII AMENDMENTS OF BYLAWS

13.1 These Bylaws may be amended by a vote of two-thirds of the Trustees present at any meeting of the Board of Trustees, provided that notice of the substance of the intended amendment is given no fewer than thirty (30) days prior to the meeting.

CHAPTER 2 - APPOINTMENTS, TENURE, AND PROMOTIONS

Regulations on Tenure and Promotion of The Fletcher School of Law and Diplomacy Tufts University

Approved by the Executive Faculty on November 18th, 2013.

I. Peer Review

(1) A Tenure and Promotion Committee shall be established to evaluate all full-time tenure-track faculty members for promotion or tenure and in each case to make a formal recommendation and report. The Committee is also seized in cases where tenure is offered to new faculty at the time of hire.

(2) On each decision, the Committee shall provide all faculty members with the opportunity to present their views on the candidate before arriving at its recommendation.

(3) If no such person is already a member of the Committee, or if the candidate so requests, the Committee, in all its deliberations, shall invite a senior faculty member in the area of expertise of the candidate from either the Fletcher School, another School at Tufts, or, if necessary, another university to provide contextual background and expectations of the candidate's field. This person shall not judge the candidate's work or vote. The candidate shall be consulted in the choice of this person.

(4) The recommendation and report of the Tenure and Promotion Committee shall state the majority opinion of the Committee. It shall also reflect the full range of opinion of members of the committee, record the numerical vote, and be signed by all voting members. When committee members cannot agree on a single statement, one or more signed minority statements shall be submitted.

(5) In each case the Committee's recommendation, together with a report, shall be forwarded to the faculty group appropriate to each type of decision:

(a) For tenure decisions, the tenured members of the faculty.

(b) For promotion decisions, members of the executive faculty at the level of the individual's proposed new rank and above.

(6) The Tenure and Promotion Committee shall be composed of members representing the disciplinary/field variety of the School and shall be chaired by the Academic Dean on a non-voting basis. Only tenured faculty are eligible to serve as members of the committee. Appointments to the Committee shall be made annually by the Dean. Terms are staggered and shall run for four years. At the end of their term, one year should elapse

before reappointment to the Committee. The Dean has discretion to make exceptions in appropriate circumstances,

(7) The Committee shall also evaluate appointments and promotions of affiliated faculty as per the Affiliated Faculty Appointments at the Fletcher School regulations.

II. Criteria

(1) In general, three broad criteria shall be applied in evaluating candidates for tenure or promotion: scholarship, teaching, and service. Distinction in research is essential, as well as strong performance in teaching.

(2) Scholarship is interpreted to mean: significant and original contribution(s) to the individual's field of specialty. It shall be judged in accordance with the standards and expectations of the discipline/fields of the candidate. Measures of scholarship are:

- (a) The quality and number of scholarly articles and books. This does not include commentary, policy briefs, consultancy reports, which shall be considered under service (see art. II, (4)).
- (b) Scholarly recognition and impact, including but not limited to scholarly reviews of the candidate's work, citations in scholarly publications, invited talks, research funds raised, manuscript peer review (refereeing) of work by other scholars, membership on journal boards and review committees and academic awards.

The following criteria, while they cannot on their own justify tenure or promotion, will be considered as relevant additional contributions to the candidate's scholarship

- (c) Authorship of textbooks or case books
- (d) Scholarship about teaching & learning
- (e) Measures of policy and practice recognition and impact, including but not limited to references and mentions in policy statements, non-scholarly citations, invitations to serve in significant policy advising capacities and testimonies to relevant bodies,

(3) Teaching is interpreted inter alia to encompass:

- (a) Classroom performance and coursework
 - (i) Student evaluations
 - (ii) Initiative in course development (including development of both existing and new courses).

(iii) Degree of innovation and originality in content and method to advance pedagogy.

(iv) Availability outside classroom for discussion of or consultation on coursework.

(b) Mentoring and supervising research

(i) Supervision of PhD dissertations

(ii) Supervision of Master's capstone projects

(iii) Other mentoring and advising of students

(4) Service at a minimum encompasses active participation in the regular governance opportunities and duties of a faculty member, both within the Fletcher School and Tufts University as a whole. In addition, service can encompass such activities as administration, program development and management, fund raising, and support of student activities within the School and the University. In the wider community, both in the United States and abroad, service can encompass activities in the individual's profession or academic discipline, the private sector (profit or non-profit), and the public sector (national or multilateral).

III. Outside evaluations

(1) For each candidate coming up for tenure or promotion, a minimum of twelve outside evaluators must be selected by the Committee. It is recommended that the Committee obtain a minimum of eight letters from outside evaluators before making a recommendation to the Dean and faculty on a tenure and promotion case. Outside evaluators should be prominent individuals in the candidate's area of expertise or related areas. If the candidate's scholarship is inter-disciplinary, then the evaluators should include scholars who do similar inter-disciplinary work. The list should comprise mainly scholars, but may include some senior individuals with policy and practice backgrounds, especially if the candidate considers such impact to have been an important part of his or her work. The list of evaluators may include some individuals with whom the candidate has worked closely but must include mostly people who are not personally well-acquainted with the candidate ("arm's length"). To the extent possible, the list of outside evaluators should contain some people who are employed outside of the US.

(2) The list of evaluators shall include people suggested by the candidate and people added by the members of the Tenure and Promotion Committee. The candidate shall be given an opportunity to comment on the suitability of possible evaluators, which shall be considered by the Committee. Dismissal of possible evaluators is only acceptable for situations where a good-faith case can be made that animus may prevent the possible evaluator from making a fair and objective judgment about the work of a candidate for promotion or tenure.

(3) Outside evaluators shall be asked to evaluate the candidate, to the extent they can, in terms of the three criteria to be applied by the Committee itself—scholarship, teaching, and service—comparing the candidate with others at a comparable stage of professional development in the same general field or discipline and, ideally, in schools that are similar to Fletcher. Evaluators should also be invited to add any other information that they might regard as relevant.

(4) All members of the Committee shall maintain the highest professional standards and impartiality in carrying out their functions. The discussions in the Committee are confidential. Its members shall not share with others details about these discussions or about the particular position of individual members. Members shall only publicly divulge information about the deliberations in the Committee upon request by the Dean or the University administration, or in the context of the appropriate faculty meeting where the Committee recommendation is being reviewed.

IV. Further action on Committee recommendations

(1) Once the Committee's recommendation is forwarded, the designated faculty group shall vote on it. Concurrence with a positive recommendation of the Committee requires a two-thirds majority. The recommendations of both the Committee and the faculty group, together with the Committee report, shall then be forwarded to the Dean. The Dean shall make the final decision within the School, taking into account all relevant information. The Dean will prepare a final report to the Provost, which will include the Tenure and Promotion Committee recommendation and report (including any minority reports that may exist) as well as the vote of the faculty.

(2) At each stage of the process (i.e., after the vote of the T&P Committee, after the vote by the Faculty, and after the decision by the Dean), the candidate shall immediately be informed of the decision taken and shall have an opportunity to provide additional information as seems appropriate. The candidate shall provide such information within one week either of having received the report of the T&P committee (including any minority report that may exist) or of having been notified of the faculty vote or of having received the Dean's final recommendation to the Provost.

(3) In the event of a negative decision by the Dean overriding a positive recommendation by the designated faculty group, the candidate has the right to appeal to the Tenure and Promotion Committee for reconsideration of his or her case. The Committee may, if circumstances appear to warrant, request that the Dean reconsider his/her decision before it is forwarded formally to the appropriate University authorities.

(4) In the event of a positive decision by the Dean overriding a negative recommendation by the designated faculty group, the Dean shall meet with the Tenure and Promotion Committee and the designated faculty group to justify this decision. The Committee and faculty group may, if circumstances appear to warrant, request that the Dean reconsider his/her decision before it is forwarded formally to the appropriate University authorities.

(5) Once a tenure process has begun, it must be completed within a period of eight months from the day the candidate hands the Academic Dean his or her tenure packet.

V. Tenure decisions

(1) Standard contracts for untenured faculty at the Fletcher School are for seven years. New faculty members, if they so request, may receive contracts for shorter durations by receiving credit obtained for teaching or other professional experience elsewhere.

(2) Although appointments without tenure may be made at any rank, tenure may be awarded only at the rank of Associate or Full Professor.

(3) At the end of the second and the fourth years, the untenured tenure-track faculty member shall meet with the Tenure and Promotion Committee for feedback. The faculty member may use his or her annual self-evaluation and any other material he or she may wish to submit to explain goals, achievements, constraints, and plans for the future. The Committee will provide feedback to the faculty member. The purpose is to provide collegial feedback on past trends and future plans. The results of this exchange are not binding on either the Committee or the faculty member. They are intended to guide both in exercising their judgment when it comes to decisions about research, teaching, and service.

(4) Except as specified in para. (7) below, the Tenure and Promotion Committee shall commence and finish the tenure process in the sixth year of an untenured tenure-track faculty member's contract. Early tenure review may be requested by an individual any time after the first year of his/her service. Before the fourth year, early review may be granted at the Dean's discretion. In or after the fourth year, early review is obligatory if requested by the faculty member.

(5) In the event of a positive decision, tenure begins with the start of the next academic year.

(6) In the event of a negative decision, the candidate has the right to continue service in the School for one additional academic year. There shall be no second tenure review.

(7) The timetable for tenure review will not be affected or delayed by sabbatical leave(s) of absence. In case of any other leave(s) of absence, a delay may be negotiated with the Dean at the time leave is granted. The school shall provide reasonable delays for pregnancy, child birth and adoption or prolonged illness in accordance with University policy.

(8) When new faculty is hired with an offer of immediate tenure, the Tenure and Promotion Committee shall employ an expedited procedure to issue a recommendation either supporting this offer or rejecting it. After this decision by the Committee, the process described in section IV above shall be followed. In the event of a negative

recommendation on immediate tenure, appointment without tenure is possible. In such cases, the candidate is subject to the standard timetable for tenure review outlined above.

VI. Promotion decisions

(1) For an Associate Professor with tenure, review for promotion to Full Professor may be requested by the individual at any time. In the first five years of service after tenure is initially awarded, such a request may be granted at the Dean's discretion. After five years of service with tenure, review for possible promotion is obligatory if requested by the individual.

(2) As in the case of tenure decisions, the timetable for promotion may be accelerated by credit obtained for teaching or other professional experience elsewhere. For new members of the faculty, such "credit" must be negotiated with the Dean at the time of initial appointment. For individuals already serving on the faculty when these procedures first become effective, such "credit" may be negotiated with the Dean at any time.

(3) There shall be no promotion from the rank of Assistant to Associate Professor other than as part of a tenure-granting process. The School can, however, hire new untenured faculty at the Associate Professor level.

VII. Application of regulations to existing faculty

(1) All untenured faculty members hired before these regulations were adopted may choose by February 1, 2014 whether to be governed by the new regulations or the old ones. If they elect to be governed by the new regulations, their contracts will be modified in such a way as to adapt the tenure and promotion procedure to their particular circumstances. Arrangements will be made to ensure the candidates have the opportunity to meet with the Tenure and Promotion Committee for feedback, as contemplated in article V (3) above.

Affiliated Faculty Appointments at The Fletcher School

The “affiliated faculty appointments at the Fletcher School” policy enters into force on the date of adoption by the faculty, i.e. March 31, 2010.

Members of the affiliated faculty who currently have contracts with the School will continue to carry their titles until the end of their current contract. Any change in title or contractual terms, if required, will occur at the time of contract renewal.

If there are members of the affiliated faculty whose terms are indeterminate, then review and, if necessary, adjustment, of their titles should occur within one year of adoption of the policy.

I. General remarks on “affiliated faculty”

For the purpose of this document, the term “affiliated faculty” refers to all non-tenure-track faculty at the School.

While the School remains firmly committed to the policy of filling long-term positions with tenure-track/tenured faculty, the breadth of the School’s course offerings and the diversity of its educational programs frequently require the hiring of affiliated faculty. The need for affiliated faculty is no longer limited to temporary exceptional circumstances (filling in for a faculty member on sabbatical, for example), or for narrow niche courses (having a highly specialized course taught by an outside expert, for example). Increasingly, the School faces circumstances where it is necessary to hire faculty who are expected to make important contributions to the Fletcher School on a medium-term affiliated basis. Examples of this include situations where the nature of the underlying funding stream is too uncertain to make tenure track/tenured appointments financially feasible; where highly competent scholars pursue non-traditional academic career paths; or where important professional and pedagogical competencies are possessed by people without traditional professorial profiles. In all these cases, upon careful consideration, the School may wish to hire affiliated faculty not as a second-best but as a first-best option, and possibly on a basis that is more long-term, more collegial, and more advantageous than the traditional model of temporary adjuncts or visiting faculty (although both of these types of positions are likely to continue to exist as well).

As the School is called to broaden its range of appointments, it seeks to maintain a balance between its continued commitment to hiring as many faculty as possible on a tenure track/tenured basis and providing the best possible working conditions for affiliated faculty.

The Fletcher School is committed to supportive working conditions for all faculty, whatever their contractual basis, and regardless of whether they are full-time or part-time, tenure-track or affiliated. This will be achieved by, among others things, making affiliated appointments for multi-year periods wherever possible (i.e. when predictable income flows exist; after an initial test period and subject to the individual’s performance; and after a determination has been made that there is continued need for the individual’s services); by providing affiliated faculty with a faculty allowance to allow them to remain professionally active; by including certain categories of affiliated faculty in the Full Faculty; by inviting, wherever possible and desirable, affiliated faculty in the institutions of governance of the School; and by providing affiliated faculty with benefits when warranted.

Affiliated faculty, if they meet the criteria of the job description, are eligible to apply for openings on the tenure track. If selected for such positions, they "switch" (i.e., receive a new

appointment) to the tenure track. None of the time served at the School on an affiliated appointment will count toward the tenure probationary period, but the individual may request early tenure pursuant to tenure regulations.

II. Categories of Affiliated Faculty

Affiliated faculty includes the following categories:

1. **Adjunct Professors.** Adjunct appointments are for people from outside the University who may or may not hold academic appointments elsewhere. Adjunct appointments can be made at the assistant, associate or full professor rank for instructors hired to teach for a specified term. Adjunct professors may hold full-time administrative positions at Tufts (but not concurrent faculty positions at Tufts).

Adjunct professors are not required to make the type of scholarly contribution expected of tenured or tenure-track faculty.

Adjunct appointments can be part-time or full-time. Most appointments are part-time. Initial part-time appointments shall normally be for one semester or one year, and may be renewed for fixed terms of no more than three years, so long as the needs of the School and the quality of the individual's performance warrant such appointment.

Individuals hired for a full-time adjunct appointment should have academic or professional experience that is sufficiently distinguished to warrant such an appointment. While excellence in teaching is the primary criterion for renewal and promotion, full-time adjunct professors are also expected to be active in research. Appointments of full-time adjunct faculty may be made for up to 5 years and are renewable, although there is no presumption in favor of renewal.

2. **Visiting Professors.** Visiting appointments at the assistant, associate, or full professor rank are appropriate for instructors who are on leave from a full-time academic position to serve at the Fletcher School for a specified period of time. The rank of the individual serving in the visiting capacity should be commensurate with his/her title at the institution from which he/she is on leave. It is expected that the individual will be in residence at the Fletcher School during the period of the appointment. Visiting appointments may be made for terms not to exceed two years.

3. **Lecturers.** Appointments at the lecturer and senior lecturer rank are appropriate for instructors whose primary qualification for hiring is their involvement or experience in practice, whether in government, international organizations, non-governmental organizations, or private sector enterprises and who are hired to teach on a part-time or full-time basis. Lecturer appointments will be made at junior levels, with the title "Lecturer," or at senior levels, with the title "Senior Lecturer." Persons who have not earned the PhD, JD, or comparable terminal degree and who do not qualify for the professor of practice category can only be appointed as lecturers.

Lecturers may be appointed on a full-time or part-time basis. Initial appointments shall normally be for one semester or one year, and may be renewed for fixed terms of no more than three years, so long as the needs of the School and the quality of performance warrant such appointment. There is no presumption in favor of renewal.

4. **Professors of Practice.** Professors of Practice are senior practitioners who have a distinguished record of public or private service. Professors of practice should be able to bring to

the students, on a continuing basis, the benefits of such experience. Professors of practice are not required to make the type of scholarly contribution expected of tenured or tenure-track faculty. Professors of Practice will be appointed for one semester or one year; such appointments are renewable for terms of up to three years, so long as the individual's performance and the needs of the School warrant renewal. There is no presumption in favor of renewal.

5. **Research Professors.** Term appointments at the assistant, associate or full professor rank may be made for faculty hired to do research within the School. The assistant, associate and full professor designations are intended to reflect the same levels of achievement as those designations for tenured and tenure-track faculty, but the prime standard for evaluation will be excellence in research. Research professors will be appointed pursuant to the Tufts University Board of Trustees Policy on Research Faculty Appointments.

Research faculty members are expected to dedicate their full professional commitment to research and affiliated educational activities. Research faculty members may lecture in areas of their specialty, supervise students at various levels in related research projects, and participate in seminars, conferences, and similar activities.

Research faculty appointments require external support. The appointment terminates at any time the full external support terminates or is reduced to a level that is insufficient to provide full compensation and affiliated indirect costs.

6. **Post-Doctoral Fellows.** Postdoctoral Fellows are persons who have earned a terminal degree and who work under the supervision of a faculty advisor pursuant to a grant or fellowship from an institution external to Tufts. Postdoctoral Fellow employment at Tufts is considered temporary and is dependent on continued availability of appropriate funds from the awarding body and satisfactory performance by the Fellow. The Fellow works under the direct supervision of a faculty advisor and is expected to produce work of publishable quality. Post-doctoral fellows will be appointed pursuant to the Tufts University's Postdoctoral Handbook.

III. Procedures for Appointment

All appointments of affiliated faculty shall be made by the Dean. All appointments must comply with University and School rules and procedures, including The Fletcher School of Law And Diplomacy Executive Faculty Statement on Affirmative Action, provided that all affiliated faculty appointments shall comply with the procedures provided for adjunct appointments in that Statement.

The Dean shall solicit advice from the Curriculum Committee before appointments of the Adjunct, Visiting, and Lecturer type. The Curriculum Committee bases its discussion on an analysis of, among other things, the importance of the proposed course(s) to the curriculum; the adequacy of the background of the proposed faculty member including, where possible, the candidate's prior teaching experience; and the quality of the proposed syllabus.

The Dean shall solicit advice from the Tenure and Promotion Committee before appointments of Research Professors and Professors of Practice.

Appointments to postdoctoral fellow positions are subject to the requirements of research and training grants and must be approved by the Academic Dean.

IV. Procedures for Renewal

The terms and conditions of each affiliated faculty member's appointment are included in a written contract. Term appointments of affiliated faculty are subject to renewal as set forth in the individual's contract. The renewal decision is made by the Dean, up to the maximum duration allowed by the position category. The Dean has full discretion in renewal decisions: there is no presumption in favor of renewal.

The Dean shall solicit advice from the Tenure and Promotion Committee before making reappointments of Research Professors, Professor of Practice, and full-time Adjunct Professors.

The appointments of Postdoctoral fellows, Part-time Adjunct Professors, and Lecturers may be renewed upon recommendation by the Academic Dean.

Part-time Adjunct Professors, Lecturers, and Professors of Practice will be judged primarily on the basis of excellence in teaching: their student course evaluation scores should consistently be above the average scores for all courses in their division. Maintaining research productivity is encouraged but is of secondary importance in contract renewal. For full-time Adjunct Professors, in addition, a research agenda and research productivity in line with rank is expected for performance to be evaluated as satisfactory.

Professors of Research and Postdoctoral Fellows will be judged foremost on excellence in research; to the extent that they maintain a role in teaching and mentoring, this criterion will be of secondary importance in contract renewal.

The Tenure & Promotion committee will adapt its standards and procedures to reflect appropriate differences in the character of professional expertise expected of affiliated faculty members and tenure-track faculty members.

V. Procedures for Promotion

Affiliated faculty may request promotion when they are being considered for reappointment. The determination of promotion is made by the Dean. There is no presumption in favor of promotion.

Individuals appointed to Visiting Faculty, Adjunct Professors who have tenured/tenure track academic appointments elsewhere, and Courtesy appointments (see below) will be appointed to the same rank as they have in their institutions of primary employment; consequently, promotion at the Fletcher School will normally follow promotion in their institution of primary employment.

Postdoctoral fellows and Professors of Practice are not eligible for promotion.

The Dean shall solicit advice from the Tenure and Promotion Committee before the promotion of Adjunct Professors who do not have tenured/tenure track academic appointments elsewhere, Lecturers, and Research Professors.

Adjunct Professors and Lecturers will be judged primarily on excellence in teaching: their student course evaluation scores should consistently be above the average scores for all courses in their division. Maintaining research productivity is encouraged but is of secondary importance in promotion.

Professors of Research will foremost be judged on excellence in research; to the extent that they maintain a role in teaching and mentoring, this criterion will be of secondary importance in promotion decisions.

The Tenure and Promotion committee will adapt its standards and procedures to reflect appropriate differences in the character of professional expertise expected of affiliated faculty members and tenure-track faculty members.

VI. Courtesy Appointments

Faculty at other Tufts schools are eligible for courtesy appointments at the Fletcher School if there is evidence of actual or potential collaboration at the highest level (level 1 below) in one of the areas of research, teaching or service, with some cooperation also occurring in at least one other area (levels 2 or 3 below).

A) Research activities

Level 1) co-operation in research projects, grant applications, etc.

Level 2) co-operation within research institutes

Level 3) co-organization of joint seminars and workshops

B) Service and institutional co-operation

Level 1) formal participation in job searches and other major tasks

Level 2) informal participation in job searches and other major tasks

Level 3) participation in other joint committees, etc.

C) Teaching and advising

Level 1) teaching of courses

Level 2) advising (master's theses, doctoral theses, etc.).

Level 3) guest lecturing and other forms of pedagogical cooperation

Their appointment shall be at the same rank and title that they hold in their main appointment.

These appointments are voluntary. They entail no formal obligations (whether teaching or service). They are non-budgetary: they commit the Fletcher School to no expenditures. Individuals with Courtesy appointments are not evaluated by the Fletcher School's faculty for promotion or tenure decisions.

Candidates for courtesy appointments will contact the Dean or the Academic Dean, who will determine whether the above conditions have been met. The existence of tenured/tenure-track faculty sponsors within the Fletcher School is an important indicator of support for such an appointment. If the Dean determines that the individual has met the conditions for a courtesy appointment, the Dean will propose the candidate to the Executive faculty, which shall vote to approve or disapprove the conferring of the title. Appointments may be made for a period of up to 5 years and are renewable (as long as the preconditions for appointment continue to be satisfied, and after a renewal recommendation is made by the faculty).

**Policy on Academic Freedom, Tenure and Retirement
of the Board of Trustees of Tufts University
Revised Policy**

Academic Affairs, February 7, 2014
Board of Trustees, February 8, 2014

I. Academic Freedom and Tenure

Academic freedom is essential to the free search for truth and its free exposition and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental, not only to the advancement of truth but for the protection of the rights of the teacher in teaching and of the student to freedom in learning as well. It carries with it duties correlative with rights.

Tenure is a means to a certain ends, especially:

- (1) Freedom of teaching and research and of extramural activities, and
- (2) A sufficient degree of economic security to make the profession attractive to men and women of ability.

II. Academic Freedom

- (a) The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his/her other academic duties; but no regular activity for pecuniary return shall be engaged in without the approval of the university.
- (b) The teacher is entitled to freedom in the classroom in discussing his/her subject, but should be careful not to introduce into his/her teaching controversial matter which has no relation to the subject.
- (c) The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he/she speaks or writes as a citizen, he/she should be free from institutional censorship or discipline, but the teacher's special position in the community imposes special obligations. As a person of learning and an educational officer, he/she should remember that the public may judge the profession and the institution by his/her utterance. Hence,

he/she should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he/she is not an institutional spokesman.

III. Academic Tenure

- (a) Initial appointments of faculty members in schools in which tenure appointments may be given are ordinarily made for successive terms in a probationary period. At the end of such probationary period a full-time faculty member will, subject to the provisions of paragraph (d) of this section III, be granted an appointment with permanent or continuous tenure, unless he/she is notified in writing to the contrary prior to the beginning of the last year of the probationary period. Thereafter the services of the faculty member will be terminated only for adequate cause, or under extraordinary circumstances because of bona fide financial exigencies or program discontinuance or resignation or retirement.
- (b) The probationary period is hereby defined as seven (7) years of full-time service for the Faculties of Liberal Arts and Jackson, and Engineering, the Friedman School of Nutrition and Policy, and the Fletcher School of Law and Diplomacy provided, however, that it may be extended for a period not exceeding three years for a faculty member who at the time of employment did not have his/her Ph.D. or its equivalent, if the university and the faculty member agree in writing at the time of employment to such an extension; and the Friedman School of Nutrition Science and Policy. For the Dental School and the Basic Science Departments (i.e., Developmental, Molecular and Chemical Biology, Integrative Physiology and Pathobiology, Molecular Biology and Microbiology, and Neuroscience), of the School of Medicine, the probationary period is hereby defined as ten years of full-time service. In all schools in which tenure appointments may be given, except the Fletcher School of Law and Diplomacy, there may be credited as a part of such probationary period full-time service as a faculty member in all other institutions of higher education not exceeding three years in the aggregate unless the university and the faculty member agree in writing at the time of employment that a longer period of such service will be so credited.
- (c) Permanent or continuous tenure may be awarded by the university prior to the expiration of the probationary period.

- (d) In order to be eligible for permanent or continuous tenure a faculty member must:
- (i) Be serving the university full-time as a faculty member.

In the School of Medicine, this is interpreted to mean strict full-time faculty members whose major professional commitment is to the Basic Science Departments of the School of Medicine and, where appropriate, to an affiliated institution, whose locus of professional activity is at the school or affiliated institution and whose salary is guaranteed by the school.
 - (ii) Have the unmodified rank of professor, associate professor, assistant professor, or instructor (except that of assistant professors and instructors in the Basic Science Departments of the School of Medicine, and assistant professors and instructors in the School of Dental Medicine shall not be eligible.) A faculty member whose title includes the words “of the Practice” will not be considered to have an unmodified rank.
 - (iii) Have a full-time appointment on the faculty of any of the following:
 - (1) Liberal Arts and Jackson, and Engineering.
 - (2) Fletcher School of Law and Diplomacy.
 - (3) The Basic Science Departments (i.e., Developmental, Molecular and Chemical Biology, Integrative Physiology and Pathobiology, Molecular Biology and Microbiology, and Neuroscience), of the School of Medicine.
 - (4) School of Dental Medicine, unless the university and the faculty member of that School agree in writing that he/she is not eligible for permanent or continuous tenure.
 - (5) Friedman School of Nutrition Science and Policy.
- (e) During the probationary period a faculty member shall not be denied the academic freedom that all members of the faculty have.

- (f) In the case of a termination for a cause of appointment with permanent or continuous tenure, or a dismissal for cause prior to expiration of a term appointment, the faculty member concerned will be entitled to a hearing upon request. In such event, the faculty member shall be informed in writing before the hearing of the charges against him/her and shall have the opportunity to be heard in his/her own defense by all bodies that pass judgment upon the case. He/she will be permitted to have with him/her an advisor of his/her own choosing who may act as counsel. There shall be a full stenographic record of the hearing available to both the university and faculty member unless both the university and the faculty member waive the requirement. In the hearing of charges of incompetence, the testimony should include that of teachers and other scholars, either from his/her own or from other institutions. A faculty member having an appointment with permanent or continuous tenure who is dismissed for reasons not involving moral turpitude shall receive his/her salary for one year from the date of notification of dismissal whether or not he/she is continued in his/her duties at the institution.

IV. Nonreappointments Not Involving Tenure

- (a) In all cases not involving Tenure where a full-time faculty member is not to be reappointed following one year or more of service, the university shall give written notice to the faculty member that he/she is not to be reappointed as follows:
- (i) not later than March 1 of the first academic year of service in the university if the appointment terminates at the end of that year or, if the initial one-year appointment terminates during the academic year, not later than three months prior to the date of its termination.
 - (ii) not later than December 15 of the second academic year of service in the university if the appointment terminates at the end of that year or, if an initial two-year appointment terminates during an academic year, not later than six months prior to the date of its termination; or
 - (iii) not later than twelve months prior to the date of termination of an appointment if the appointment

terminates subsequent to the completion of more than two years of service in the university.

- (b) Continuous term appointments for clinical faculty may be made in the Cummings School of Veterinary Medicine for periods of up to three years for Associate Professors and up to five years for Professors. Continuous term appointments are automatically extended each year for a period of one year. If a decision is made not to extend the appointment, the university shall give written notice to the faculty member that the term is not to be extended further not later than two years before the expiration of the term in the case of three year appointments and not later than four years before the expiration of the term in the case of five year appointments.
- (c) The provisions of this policy with respect to non-reappointment will apply to research faculty members, except that in each research faculty members' appointment letter, it will be specified that the individual is expected to obtain his or her full compensation and associated indirect costs through external grant or contract support. The appointment terminates at any time the full external support terminates or is reduced to a level which is insufficient to provide full compensation and associated indirect costs.

V. Academic Year

The academic year of the Faculty of Arts, Sciences, and Engineering, the College of Special Studies, the School of Dental Medicine, and the Friedman School of Nutrition Science and Policy is from September first through August thirty first. The academic year for the School of Medicine, the Fletcher School of Law and Diplomacy, and the Cummings School of Veterinary Medicine is from July first through June thirtieth.

VI. Emeritus Status

A faculty member who has retired may be considered for emeritus status upon recommendation of the respective dean, concurrence by the provost and president, and with approval by the Board of Trustees.

Tufts University Activities and Opportunities for Emeriti Professors

Tufts University wishes to make certain that we participate, insofar as it is within our means and resources, in the life of our faculty during their retirement. While constraints of space and resources may limit us in more fully responding to the needs of our emeriti faculty, we are committed to trying. Please feel free to send suggestions to the Office of the Provost, Ballou Hall.

COMMUNICATIONS

The Office of the Provost is attempting to maintain a mailing list of emeriti and to supply labels, upon request. We need the help of departments/schools and emeriti to keep these lists up to date.

Retired faculty will be put on mailing lists for University publications such as the CRITERION and TUFTS JOURNAL. The faculty member must submit the proper address to the Office of Communication, Sweet Hall, with their request.

DEPARTMENTAL SERVICES

Departments are urged to maintain an active list of their retired faculty and to make certain that all appropriate departmental events are part of mailings to emeriti faculty (unless they ask for their names to be deleted from the mailing list). They should be invited to departmental colloquia, lectures, and professional and social functions.

FACULTY MEETINGS

Retired faculty may be invited to attend faculty meetings, without vote, of the appropriate school or college. They may request agenda mailings from the Secretary of the appropriate Faculty.

FITNESS CENTER

There is a new Fitness Center in Cousens Gym. If emeriti would like to request admission to use the Center, they should get in contact with Rocky Carzo at 627-3232.

LIBRARY PRIVILEGES

Retired faculty members should maintain their Tufts ID cards to have access to the Tufts Library Systems as well as for other events and activities on campus. At Wessell Library, when faculty retire, they are deleted automatically from the computer file. As a result, if they want to retain library privileges, they need to go to Wessell Library and explicitly register. Retired faculty may request carrel space in the Arts & Sciences Library on the Medford campus to be assigned when available.

MENTORING AND TEACHING

At times, there are opportunities for emeriti to teach part-time in their departments. There may be mentoring and teaching possibilities through the Experimental College as well. Please contact the Director, Robyn Gittleman, if you are interested.

PARKING

Emeriti faculty on the Medford campus may request a parking card without charge from the Office of the Provost, to use when parking on the Medford campus. The Grafton faculty may apply to Security on the Grafton campus for a sticker and the fee will be waived. The Boston Security Office does not issue Tufts stickers to faculty and therefore this arrangement may not extend to the Boston campus.

CHAPTER 3 - LEAVES

Policy Regarding Sabbatical Leave and Leave of Absence – (Fletcher)

ACADEMIC LEAVES OF ABSENCE

This policy is intended to supplement and implement the Tufts University "Definition of Policies Concerning Sabbatic Leave and Leave of Absence of Members of the Faculties of Tufts University," a copy of which is appended. Although leave policy differs in regard to sabbaticals and unpaid leaves, certain principles are common to both:

Leave is a privilege which may be granted upon proper application; it is not a guaranteed right.

The applicant must demonstrate a valid reason or need for the leave.

It must be determined that the granting of a leave request is consistent with the best interests of the School. The best interests of the School will be evaluated by reference to the teaching, research and service needs of the School. In particular, arrangements for appropriate substitute instructors will be considered, and faculty requesting leave are expected to assist in making such arrangements.

No financial remuneration or release time will be awarded in lieu of any kind of leave granted but not taken.

Faculty awarded a sabbatical or a leave without pay may or may not remain in residence. If in residence, however, they are not obligated to teach, hold office hours, advise students, participate in the activities of School or of University committees, or carry out any of the duties associated with their regular academic appointments. Depending on availability, faculty may continue to have office space and access to research facilities, including libraries.

SABBATIC LEAVES

A sabbatical is granted to members of a faculty as a recognition of notable service through teaching and scholarly contributions and as an aid and inspiration to further achievements. Sabbaticals are intended to provide teachers with opportunities for scholarly development and contacts which will contribute to their professional effectiveness and to the value of their later service to Tufts University. A sabbatical may not be used for the purpose of recreation.

Eligibility and Opportunity

Sabbaticals are granted only on the approval of the Dean. The candidate for leave shall normally have served with professorial rank at Tufts for at least six years, but nothing herein contained shall limit the right of the Dean to enter into a special agreement concerning the time of the first sabbatical of a member of the faculty brought from another institution or organization. The opportunity for taking sabbatical at regular intervals is not absolutely guaranteed by Tufts University and will be granted only when the condition of the School and of the University in general is such that the professor's absence will not seriously impair the interests of the School.

A faculty member who accepts a sabbatical is expected to return to the School. A sabbatical will not ordinarily be granted unless the applicant would, at the expiration of such leave, be eligible for continued service on a faculty of Tufts University for at least one year before retirement.

In certain cases, the Dean may count a full year of leave without pay as part of the consecutive years of service which are a prerequisite to a sabbatical. An applicant for leave without pay must include, on the leave application, a request that the time be so counted.

Periods of Leave and Compensation During Leave

A sabbatical may involve absence for an academic year at half-salary or for a semester at full salary. A member of the faculty on sabbatical is not to receive compensation for service in another institution or organization. This shall not be so construed, however, as to preclude either fellowships or other grants-in-aid for advanced study.

Application for Leave

A completed application form for sabbatical should be sent to the Dean via the Academic Dean. The applicant must have a well-considered plan for spending the leave in a manner clearly calculated to contribute to the best interests of the School. A detailed written statement of this plan, together with clear indications of its professional advantages, and a current curriculum vitae shall accompany the application. Application forms must be received in the Dean's office by December 1 preceding the academic year in which the sabbatical is desired. The letter from the Dean to the applicant approving the sabbatical represents a commitment both of the university and the faculty member. Therefore, no changes may be made in the plans for the leave without the written agreement of both parties.

Required Report

Upon returning to the University after sabbatical, the faculty member shall write a detailed report of activities during the leave and shall send the report to the Academic Dean for transmittal to the Dean, the Provost, the President, and the Trustees.

Junior Faculty Research Leaves

Research leaves for junior, tenure-track faculty members provide an opportunity to devote oneself full-time to scholarship in preparation for the tenure review.

Eligibility and Opportunity

All tenure-track faculty members are eligible to apply for a junior faculty research leave. However, such leave is not guaranteed, but is granted only when the conditions of the department and of the university are such that in the dean's judgment, the faculty member's absence will not seriously impair the interests of the university.

A junior faculty research leave may be taken during one semester with full pay in the third or fourth year of the probationary period. In some cases, with the approval of the department chair and the dean, the leave may be taken during the fifth year of the probationary period. Taking a junior faculty research leave does not stop the

tenure clock or lengthen the probationary period. Faculty members who take a junior faculty research leave are expected to remain at The Fletcher School in a full-time teaching capacity for at least one year following the leave.

A member of the faculty on a junior faculty research leave may not receive salary compensation from another institution or organization. This does not preclude short-term funding sources such as fellowships that support various research expenses or honoraria and travel expenses for invited lectures or seminars.

Application for Junior Faculty Research Leave

A completed application should be sent to the academic dean. The applicant must show a well-considered, suitable plan for research activity designed to contribute to the best interests of the faculty member and the university. A detailed written statement of this plan indicating its professional advantages, as well as a current curriculum vitae, must accompany the application.

Applications are due in the dean's office by December 1 of the year preceding the academic year in which the first semester of the proposed leave is to occur.

Required Report

Within three months of returning to the university after a junior faculty research leave, the faculty member must submit a report of activities during the leave to the academic dean. This report should provide sufficient detail in support of how well the proposed goals were met.

UNPAID ACADEMIC LEAVES OF ABSENCE

Unpaid academic leaves are subject to approval by the Dean upon recommendation of the Academic Dean. Unpaid academic leaves of absence are distinct from unpaid personal leaves of absence. Unpaid academic leaves are usually not granted for a consecutive period of more than one academic year. In certain cases, the Dean may recommend that such a period of leave be counted as part of the consecutive years of service which are prerequisite to sabbatical. An applicant for leave without pay must include on the leave application a request that the time be so counted.

The letter from the Dean to the applicant approving the leave without pay represents a commitment both by the University and the faculty member. Therefore, no changes may be made in the plans for the leave without the written consent of both parties.

Leave During Probationary Period

A full year of unpaid leave will count as part of the probationary period leading to review for tenure, unless otherwise negotiated at the time that the leave is requested.

If leave without pay is requested for the year in which the individual would be scheduled to be reviewed for the award of tenure, normally that year must count as part of the probationary period, and the individual will be reviewed during the leave of absence.

If an individual requests leave without pay during his or her terminal year at Tufts, the granting of the leave will not extend the appointment beyond the year for which the appointment was originally made; that is, the year of leave will constitute the individual's terminal year.

Benefits

For faculty on unpaid academic leave, health, dental, and long-term disability coverage remain unchanged; life insurance and retirement, however, are proportional to one's actual salary during the period of leave. (For faculty on unpaid personal leave, life insurance and long-term disability coverage cease for the period of the leave. Health and dental coverage continue, but the faculty member pays the full cost of these benefits. If personal leave continues beyond two years, all benefits cease.) Specific questions should be addressed to the Benefits Office.

Nonacademic Leaves of Absence

General Information

A nonacademic leave of absence is required when faculty members will be absent from work for more than two weeks for the purposes of taking parental leave, family illness leave, medical leave, military leave, jury duty, and/or personal leave.

This chapter contains basic information about nonacademic leaves, including a leave eligibility chart, definitions of terms, procedures for applying for and returning from a leave.

Because of the complexity of nonacademic leave policies, faculty members who are considering requesting a leave are strongly encouraged to:

1. Go to the [Leave Eligibility Chart](#) and review your eligibility based on your faculty status.
2. Refer to the section on [Definitions of Terms](#) for more information.
3. Familiarize yourself with other information in this chapter.
4. Get in touch with the appropriate contact listed below and/or your faculty dean to discuss your individual situation and how the nonacademic leave policies would apply to you.

A nonacademic leave of absence may be granted for a number of reasons. Nonacademic leaves include parental leave, family illness leave, medical leave, military leave, jury duty, and/or personal leave. Policies for these leaves are complex, and vary according to:

- Length of employment at Tufts
- Employment status – full-time benefits-eligible, part-time benefits-eligible, part-time nonbenefits-eligible
- Tenure status – tenure-track/tenured or nontenure-track
- Paid or unpaid leave
- Length of leave

The following eligibility chart provides basic information about the different types of nonacademic leaves for which faculty members may be eligible. To use the chart, a faculty member should find the row that matches his/her faculty status, and then find the column for the

type of leave under consideration. For definitions of terms used in the chart and expanded information, please go to the section on [Definitions of Terms](#).

Please see [Leave Eligibility Chart](#) for details. (To print this PDF, please note that this document requires legal size paper, 8 1/2" x 14")

Applying for a Leave

The standard process for a faculty member requesting a foreseeable leave of absence follows. In an emergency, please immediately contact the faculty dean or the appropriate school contact listed below.

1. Complete a Nonacademic Leave Request Form, which can be found at <http://ase.tufts.edu/faculty/resources/documents/leaveAppNonacademic.pdf> or obtain one from one of the Fletcher School administrative office, and submit the completed form to the Fletcher School's Academic Dean.

Once the leave request form has been received, follow-up information will be sent to the faculty member. It is the responsibility of the faculty member to provide any required documentation in support of the leave request.

Once approved, the faculty member will receive a letter confirming the leave and its terms, including: length of leave, pay, benefits, job protection, and steps to be taken at the end of a leave.

Returning from a Leave

If returning from medical leave, a faculty member will be required to provide a Fitness for Duty Form (medical certification) confirming his/her ability to return to work.

If it is determined that the faculty member is unable to return to work, he/she may be eligible for Long Term Disability (LTD) if certain requirements are met and the LTD benefit was elected prior to going on leave. For more information about LTD, please visit the HR Benefits website, <http://hr.tufts.edu/benefits/long-term-disability-plan/>, or contact the Human Resources Benefits Office at 617.627.3270.

If a faculty member can only return to work in a reduced capacity, he/she may be eligible for an Americans with Disabilities Act (ADA) job accommodation. For more information about your right to job accommodation, please contact the [Office of Equal Opportunity](#) at 617.627.3298.

In some cases, a faculty member returning from other types of nonacademic leave may be required to provide a Fitness for Duty Form (medical certification) confirming his/her ability to return to work in his/her previous capacity.

If a faculty member is medically released to return to work and fails either to return to work or to provide a timely and acceptable explanation, the faculty member's conduct will be treated as a voluntary resignation. If the faculty member decides not to return to Tufts following an authorized leave, the university will end the leave and employment will terminate.

Definitions of Terms

This section contains definitions of terms and expanded information about the following:

Definitions of Terms
Adjustment of Faculty Duties
Benefits Eligible
Current Employment Status
Definition of Family Member
Faculty Rank
Family and Medical Leave Act (FMLA)
Family Illness Leave
Job Protection
Jury Duty
Length of Service
Long Term Disability (LTD)
Massachusetts Parental Leave Act
Medical Leave
Military Leave Under USERRA
Other Employment While on Nonacademic Leave
Paid Sick Time
Parental Leave
Personal Leave
Primary Caregiver Status
Renewal of Leave Eligibility
Renewal of Sick Bank
Rolling Calendar Year
Serious Health Condition
Teaching Relief
Tenure Review Deferral
Tenure Status
Vacation

Adjustment of Faculty Duties for Nontenure-Track Faculty. Depending on the beginning and end dates of a parental, family illness, or medical leave, a nontenure-track (full-time and part-time benefits eligible) faculty member's duties may be adjusted to accommodate curricular and departmental needs during the semester(s) in which the leave occurs. This adjustment of duties is not a leave, and would take place before or after the dates of the leave. The department chair and academic dean must approve the timing and scope of the faculty member's adjusted duties – if possible, before leave is taken.

Benefits Eligible. Depending on his/her employment status, a faculty member may be eligible for [benefit plans](#) described on the Tufts Human Resources website.

Current Employment Status. Current employment status, as referenced in the [Leave Eligibility Chart](#), is a faculty member's status *at the time leave is to begin*:

- Full-time benefits eligible
- Part-time benefits eligible
- Part-time nonbenefits eligible

Definition of Family Member.

University Definitions:

- “Relative” (under Family Sick Days): “A spouse, qualified same-sex domestic partner, parent, child, sibling, grandparent, or grandchild of the employee or of the employee’s spouse. Relatives also include “step” relationships such as stepchild and stepparent and in-law relationships, such as brother/sister-in-law, and mother/father-in-law.” ([Tufts University Employee Handbook](#), page 40)
- “Elderly Relative” (under Small Necessities Leave Act): “An individual at least sixty years of age who is related by blood or marriage to the employee. This policy will also cover the same-sex “domestic partner” of an employee who has submitted the required affidavit for same-sex domestic partners.” ([Tufts University Employee Handbook](#), page 51)

FMLA definition:

- “Spouse, son or daughter, or parent.”

Faculty Rank. The university recognizes the professorial ranks of: professor, associate professor, and assistant professor. These professorial ranks may be modified by the use of words such as "research," "emeritus" or "emerita", "visiting," "practice," and/or "adjunct." All such modified professorial appointments and all appointments to lecturer and senior lecturer are nontenure-track.

Family and Medical Leave Act (FMLA). The Family and Medical Leave Act (FMLA) is a federal requirement the university must abide by. The FMLA requires covered employers to provide up to twelve weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or child birth;
- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee’s job.
- To address certain qualifying exigencies related to covered active duty in the Armed Forces, including the National Guard or Reserves (“Qualified Exigency Leave”), or up to twenty-six (26) weeks to care for a covered service member with a serious injury or illness (“Military Caregiver Leave”).

Faculty Eligibility for FMLA

- To be eligible for FMLA leave, a faculty member must have worked for the university for at least twelve months, and for at least 1250 hours in the year preceding a requested leave, and must have worked at a worksite within seventy-five miles of a Tufts worksite that employs at least fifty employees.
- A faculty member meets the FMLA eligibility requirement of having worked at least 1250 hours over the previous 12 months, if he/she has worked at least half time for two consecutive semesters during the twelve months preceding a requested leave.

For more information about the Family and Medical Leave Act (FMLA) refer to Family and Medical Leave Act (FMLA) in the [Tufts University Employee Handbook](#). Family Illness Leave. Leave taken due to the serious health condition of the faculty member's qualified family member.

When possible, the faculty member will be expected to work with the academic dean to develop a plan for covering his/her teaching and service responsibilities for the duration of the family illness leave. All leave coverage plans must be approved by the academic dean. See also

[Teaching Relief](#) and [Adjustment of Faculty Duties](#).

Job Protection. Job protection allows a faculty member to be reinstated to his/her job at the conclusion of an approved nonacademic leave of absence. Job protection is available only for eligible leaves that have been approved by the appropriate dean's office. The university cannot guarantee job protection for faculty whose leave of absence extends beyond the job protection period or the end of their contract.

Upon returning to work, and during the applicable job protection period, the faculty member typically will be reinstated to the position he/she held just prior to the leave of absence. If the faculty member returns to work after the applicable job protection period, and the faculty member's previous position is no longer available, Tufts may offer the faculty member a similar position for which he/she is qualified, if any such positions are available. If there are no such positions available, the faculty member may be discharged from employment, and benefits will end as they would for any faculty member ending employment with the university.

Jury Duty. Leave taken pursuant to a lawful jury summons. As soon as a faculty member is made aware of the date he/she will be required to serve, the department chair must be notified. A leave application will be required if jury duty will interfere with the faculty member's ability to perform his/her duties.

The university grants paid leave for the purposes of jury duty for all full-time and part-time faculty members. The university will pay the difference between the faculty member's regular university pay and jury duty pay for as long as the faculty member is required to serve. The university will continue to pay a faculty member's salary for the entire period served. Therefore, the faculty member must endorse to the Human Resources Service Center the weekly checks received from the court. If the amount paid by the court exceeds the faculty member's regular earnings (as in the case of some part-time faculty members), the faculty member has the option to retain the greater amount. If the greater amount is the jury duty pay, then the faculty member must be put on unpaid leave and will be responsible for paying for his/her own taxes and benefit deductions. For more information, please contact the Human Resources Service Center at 617.627.3075.

Length of Service. The length of time a faculty member has been continuously employed with the university. "One Year" equals twelve calendar months.

Long Term Disability (LTD). This program, administered by Prudential Insurance Company of America, provides financial protection in an amount equal to 40% or 60% of your basic monthly

earnings to a maximum monthly benefit of \$10,000. Because LTD premiums are paid by employees with post tax dollars, LTD benefits are tax-free. In order to be eligible for LTD coverage, a faculty member must be eligible for benefits and must have elected to participate in the university's Long Term Disability Plan (LTD) prior to the start date of a leave. If the employee chooses LTD at any time other than as a New Hire, the employee must complete an Evidence of Insurability Form and be approved for coverage by Prudential. This benefit has a pre-existing condition limitation that will apply during an employee's first year on the plan or when coverage is increased.

If LTD benefits are applied for and approved, benefits begin after 180 days of continuous disability. For qualified disabilities that begin prior to age sixty, LTD benefits are payable to your normal social security retirement age. For qualified disabilities beginning after age sixty, LTD benefits are pro-rated to age seventy with a minimum duration of twelve months. Enhanced benefits include a conversion provision and a critical illness benefit. When LTD ends, if an employee does not return to active employment, he/she is terminated from the university, but may be eligible for retiree health benefits at that time. Details regarding LTD benefits are available on the Tufts University HR Benefits website at: <http://hr.tufts.edu/benefits/long-term-disability-plan/>.

Massachusetts Parental Leave Act . The Massachusetts Parental Leave Act expands and replaces the former Massachusetts Maternity Leave Act (MMLA), as of April 7, 2015. For men and women who are employed full-time, the Massachusetts Parental Leave Act provides for eight weeks of unpaid, job-protected leave for the purpose of giving birth or adopting a child. For more details about the provisions of this law, consult one of the nonacademic leave contacts, or see the [Parental Leave Act](#) on the official website of the Massachusetts Commission Against Discrimination.

Medical Leave. Leave taken due to a serious health condition that renders the faculty member unable to perform his/her job. If a faculty member is absent for two weeks or less because of a health condition that renders him/her unable to perform his/her job, an application for medical leave would not be required. Beginning with the third consecutive week of absence, the faculty member must apply for medical leave. If the medical leave is approved, the effective date of the medical leave will then be retroactive to the first day of absence from the university. When possible, the faculty member will be expected to work with the department chair to develop a plan for covering his/her teaching and service responsibilities for the duration of the medical leave. All leave coverage plans must be approved by the academic dean. See also: [Teaching Relief](#) and [Adjustment of Faculty Duties](#).

Military Leave Under USERRA. For information about military leave, refer to "Military Leave Under USERRA," page 49 of the [Tufts University Employee Handbook](#).

Other Employment While on Nonacademic Leave. A faculty member on a nonacademic leave of absence may not work at another job on either a full-time or part-time basis.

Paid Sick Time. An employment benefit in the form of paid time off to be used due to a faculty member's temporary inability to perform duties because of sickness or disability. Paid sick time may also be applied toward other types of qualifying and approved leaves, such as parental leave, family illness leave, and Qualified Exigency Leave or Military Caregiver Leave. A

benefits-eligible faculty member has up to six months of paid sick time, which is replenished based upon a rolling calendar year, i.e., one year from time used.

Tufts provides forty (40) hours per fiscal year (July 1 through June 30) of paid sick time for all faculty members previously ineligible for paid sick time/medical leave. The forty (40) hours of paid sick time is awarded in a lump sum amount on July 1 of the fiscal year.

Parental Leave. Leave taken by a faculty member for the purposes of giving birth; preparing for or participating in the birth, adoption, or foster care of his/her child; and/or caring for his/her newborn or newly adopted or foster child.

Paid Parental Leave: Twelve weeks of paid parental leave (assuming sufficient available paid sick leave). Parents are not required to declare primary caregiver status in order for the leave to be paid. Parental leave must be taken in one uninterrupted block from the time of birth, adoption, or placement of the child with the faculty member, in order for the leave to be paid. A parent with less than two weeks of available paid sick time may take a paid leave of up to two consecutive weeks from the time of birth, adoption, or placement of a child with the faculty member for the purposes outlined above.

Unpaid Parental Leave: Unpaid parental leave may be taken by a faculty member who is a parent, and who has completed three consecutive months of full-time employment. Unpaid parental leave of eight or twelve weeks (depending on the faculty member's length of university service) must be taken in its entirety within twelve months of the arrival of the child. Note that unpaid parental leave may be taken instead of, *but not in addition to*, a twelve-week paid parental leave.

If both parents are employed by the university: The two parents are allowed to take combined parental leaves totaling eight or twelve leave weeks, depending on the parents' length of university service and benefits eligibility.

Personal Leave. Upon application by a faculty member and at the discretion of the school, an unpaid personal leave may be granted for reasons of compelling personal circumstance that make it impossible or difficult for a faculty member to be at work. Requests for personal leave will be considered subject to the needs of the department and on a case-by-case basis. Personal leave must be approved in advance by the department chair and the academic dean. Personal leave normally does not exceed six months. During the period of a personal leave, the university does not contribute to the cost of any benefits. If a faculty member wishes to retain coverage, he/she must pay the full cost of the benefits. A faculty member should consult the Tufts Human Resources Benefits Office at 617.627.3270 to discuss benefits coverage and costs.

Primary Caregiver Status. As of July 1, 2015, a faculty member is no longer required to declare primary caregiver status in order to take a paid parental leave.

Renewal of Leave Eligibility. Please see [Rolling Calendar Year](#).

Renewal of Sick Bank: Benefits eligible faculty members have up to six months of paid sick time available to them. Available paid sick time may be used toward approved parental, family illness, or medical leaves. Renewal of one's six-month sick bank begins one year from the first day paid sick time was used for a leave, under the rolling calendar year method. The accrual is done on the first of the month, and aggregates any sick time taken during that month in the

previous year. Please see [Rolling Calendar Year](#). Nonbenefits eligible faculty members have up to forty (40) hours of paid sick time available to them per fiscal year.

Rolling Calendar Year: The rolling calendar year method is used by the university to determine renewal for FMLA leave eligibility and renewal of sick bank days for benefits eligible faculty members. A “rolling” twelve-month period measures backward from the first day an employee uses any leave or sick bank days. The total amount of FMLA leave time the faculty member has used during the previous twelve months is subtracted from the employee’s twelve-week FMLA leave allotment to determine available FMLA leave. The total amount of sick time the faculty member has used during the previous twelve months is subtracted from the employee’s six-month sick bank allotment to determine available paid sick time.

Serious Health Condition. A serious health condition includes an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the faculty member from performing the functions of his/her job, or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy or a chronic medical condition. Other conditions may also meet the definition of continuing treatment.

A serious health condition is certified by the completion of the Certification of Health Care Provider form (DOL forms WH-380-E or WH-380-F).

Teaching Relief. The intent of teaching relief is to adjust for time a tenure-track/tenured faculty member loses toward his/her research and scholarship because of a nonacademic leave. Teaching relief is not a leave and takes place before or after the nonacademic leave. Depending on the timing of the leave, up to one semester of teaching relief is available *to tenure-track/tenured faculty members only*. Teaching relief is automatic for parental leaves of twelve weeks (eight weeks in the first year of employment), and for family illness and medical leaves of twelve weeks or longer. In the case of a parental leave that lasts less than twelve weeks (eight weeks in the first year of employment) or a family illness or medical leave that lasts less than twelve weeks, teaching relief must be requested and may be approved at the discretion of the academic dean.

Teaching relief provides relief from regular teaching duties, which may include: course instruction, lab instruction, and advising. During the period of teaching relief, the faculty member is expected to continue his/her scholarship and service responsibilities. The department chair and academic dean must approve the timing and scope of the teaching relief, and the faculty member’s nonteaching-related responsibilities – if possible, before leave is taken. *Guidelines for determining during which semester teaching relief will occur:*

As a general rule, teaching relief takes place for the balance of the semester during which the parental, family illness, or medical leave occurs – either before or after the leave, depending on the timing.

- In cases where leave spans two semesters, teaching relief occurs during the semester in which the faculty member will be absent most while on leave.
- If the majority of a leave takes place during the summer months of June, July, and August, teaching relief occurs during either the fall or spring semester of the following academic year, or may be divided between the fall and spring semesters of the following academic year..

Tenure Review Deferral: Below are the policies on tenure review deferral (i.e., stopping the tenure clock):

Policy on Automatic Tenure Review Deferral for Parental Leave:

Tenure review for tenure-track faculty members will be automatically deferred for one year due to the birth, adoption, or placement of a child, if the faculty member takes a paid parental leave. Faculty members are not required to declare themselves to be the primary caregiver in order to take a paid parental leave. In order to implement this automatic deferral, a faculty member must take a [parental leave](#), and must submit the [Nonacademic Leave Request Form](#), within three months of the birth, adoption, or placement of the child. If the leave is to take place in the academic year preceding the tenure review, faculty members must submit the application for parental leave by May 1 of that year. Faculty members will receive up to two automatic tenure deferrals for parental leaves, and may request additional deferrals, to be granted at the discretion of the dean. A faculty member may opt out of this year of tenure review deferral, or may simply later decide to come up early for tenure review.

Policy on Automatic Tenure Review Deferral for Family Illness Leave and Medical Leave:

Tenure review for tenure-track faculty members will be automatically deferred for one year due to either a [family illness leave](#) of twelve weeks or longer, or a [medical leave](#) of twelve weeks or longer. If the leave is to take place in the academic year preceding the tenure review, faculty members must submit the application for family illness or medical leave by May 1 of that year. Faculty members will receive up to two automatic tenure deferrals for family illness and/or medical leaves, and may request additional deferrals, to be granted at the discretion of the dean. Faculty members may also request tenure review deferrals for family illness/medical leaves of less than twelve weeks, to be granted at the discretion of the dean. A faculty member may opt out of this year of tenure review deferral, or may simply later decide to come up early for tenure review.

Tenure Status: The different tenure statuses are:

- Tenured
- Tenure-track
- Nontenure-track

Vacation. Faculty members on academic year contracts are not eligible for, or compensated for, vacation time.

Definition Of Policies Concerning Sabbatic Leave and Leave of Absence of Members of The Faculties (Tufts University)

Adopted by the Board of Trustees, April 16, 1959

Amended by the Board of Trustees, April 27, 1968

Further amended by the Board of Trustees, March 6, 1971

Further amended by the Board of Trustees, May 19, 2001

Effective May 19, 2001

PREAMBLE

Sabbatic leave is granted to members of a faculty as a recognition of notable service through teaching and scholarly contributions and as an aid and inspiration to further achievements. Sabbatic leave is intended to provide professors with opportunities for scholarly development and contacts which shall contribute to their professional effectiveness and to the value of their future service to Tufts University. It is assumed that a faculty member who accepts leave intends to return to the university.

A. Eligibility and Opportunity for Sabbatic Leave

Sabbatic leave is granted only to those of professorial rank (assistant professor, associate professor, professor) and in consideration of the nature and period of service with such rank at Tufts University. The candidate for leave shall have served with professorial rank at Tufts for at least six years, but nothing herein contained shall limit the right of the president or his/her designee to enter into a special agreement concerning the time of the first sabbatic leave of a member of the faculty brought from another institution or organization. The opportunity for taking sabbatic leave at regular intervals is not absolutely guaranteed by Tufts University and will be granted only when the condition of the department involved and of the university in general is such that the professor's absence will not seriously impair the interests of the university. It is understood that consideration will be given to the special conditions in small departments, even though additional expense to the university may be involved. Sabbatic leave cannot ordinarily be granted unless the applicant would, at the expiration of such leave, be eligible for continued service on a faculty of Tufts University for at least one year before retirement.

B. Periods of Leave; Compensation During Leave

Sabbatic leave may be granted for a period not to exceed one year, during which period the professor shall receive one-half of his/her regular salary; or it may involve absence for one-half year with full salary. It is understood that a member of the faculty on sabbatic leave is not to receive compensation for services in another institution or organization without prior approval of the Provost. This shall not be so construed, however, as to preclude either fellowships or other grants for advanced study, or such occasional teaching, consulting, or other professional activities as may form an integral part of a program for advanced study. Approval of a plan for a faculty member to receive compensation from another organization during a sabbatic leave will be contingent upon the ability of the University to work out an agreement with the faculty

member and the sponsoring organization that the Provost, in his/her sole discretion, believes adequately protects the University's interests in intellectual property.

C. Time and Requirements of Application for Leave

Completed application form (obtained from the Provost's Office) for leave should be addressed to the President of Tufts University via the chairman of the department concerned, the deans and the provost. The applicant must have a well-considered plan for spending the leave in a manner that will clearly contribute to the best interests of the university. A detailed written statement of this plan, together with clear indications of its professional advantages, shall accompany the application. Application forms should be received in the Provost's Office by January 1 preceding the academic year in which sabbatic leave is desired.

D. Leave of Absence

Leave of absence, without pay, may be granted at any time, for not more than one academic year. In certain cases the president and trustees may count such a period of leave as part of the consecutive years of service which are a prerequisite to sabbatic leave.

E. Required Report

Upon returning to the university after sabbatic leave, the professor is required to write a detailed report of activities during leave and shall transmit the same to the president and school dean in a form suitable for distribution to the trustees. The report is due no later than three months following return from leave.

Sabbatical Leave Form - **Due before January 1** preceding the academic year in which sabbatic leave is desired.

[Download the Application for Sabbatic Leave \(pdf\)](#)

[Download the Application for Leave of Absence \(pdf\)](#)

CHAPTER 4 – TEACHING (Fletcher)

Code of Academic Integrity ("Honor Code")

A. GENERAL

The Fletcher School of Law and Diplomacy has a Code of Academic Integrity. The purpose of the Code is to inform students, faculty and staff of the standards of integrity regarding scholarship and collegial use of resources. Since violations of the Code are violations of both academic and social standards expected of members of the Fletcher Community, violations can be grounds for revoking course credit and the degree or honors of which it formed a part and removing a person from that Community.

Enforcement of the Code is in the hands of each member of the Fletcher Community. Every member of the Fletcher Community is expected to conform to the Code.

The primary means of enforcement is self-discipline. But there are times when self-discipline may fail. At those times, any member of the Fletcher Community who becomes aware of a violation of the Code has a responsibility to the community to take action. If a direct discussion with the violator would not fully remedy or clarify the situation, some other person must be informed. Normally, that person in the case of the violation of the Code's Library section would be a staff member of the library or the Director of the Library; in the case of an Examination or Written Work violation, the instructor setting the examination or grading the written work. Specific procedures regarding violations Academic Integrity are covered below in section E.

Academic integrity cannot be codified in every aspect. But some statement of how the general principles apply to specific situations can be useful to illustrate the scope and normal operation of those principles. The possibility that some particular situation is not expressly covered in the following three sections does not excuse violation of the principles.

B. WRITTEN WORK

Attributions

1. *General Rule:* All written work submitted for credit towards a Fletcher course or degree must be the work of the person named as submitting the paper for credit. But it is acknowledged that scholarly thought and even reportage frequently requires the collaborative efforts of several people. The following are the principal guidelines regarding attributions:

a. Written contributions to the written work, whether or not quoted directly, should be attributed. The attributions should be in the form of footnotes or endnotes prescribed by format regulations. General background reading need not be attributed unless requested by the person responsible for grading the written work or relied on so heavily that an uninformed reader might attribute to the writer ideas that the writer is repeating from other sources.

b. The sources of all factual data contained in written work must be identified. Factual data stemming from an oral interview should be attributed to the interview, identifying the person interviewed, dates and places. Factual data stemming from personal observation should be similarly identified.

c. Oral contributions that are functionally equivalent to written contributions, such as dictated passages, interpretations of notes and speeches or other oral presentations not yet published, must be identified in the same way as written contributions or interviews.

2. *Exceptions:* The Fletcher School does not give academic credit for classified research. However, in some cases, important data might be so sensitive that to reveal its source even indirectly will jeopardize a career or a life. Data classified by a government or proprietary data might also fall within this category. Such situations must be discussed with the faculty members responsible for evaluating the work and arrangements made to maintain scholarly standards while safeguarding sources. In some cases, arrangements will also have to be made with the Director of the Library to safeguard sensitive work deposited there.

Dual Submissions

All written work submitted for scholarly evaluation as part of the degree requirements at The Fletcher School should be original work not submitted for scholarly evaluation at another institution or to more than one instructor at The Fletcher School unless specifically authorized beforehand by the Fletcher instructors involved. Transfer credit for work done elsewhere is given in appropriate cases by petition to the Committee on Student Academic Programs.

C. EXAMINATIONS

With respect to in-class and take-home examinations, students shall not seek or receive assistance of any kind from any sources not permitted by the examiner. Nor may students offer or allow to another person any assistance in an examination not expressly authorized by the examiner.

During class examinations, there must be no unauthorized communication of any sort or unnecessary noise or other distractions.

In principle, all students are bound by identical time limits for examinations. However, there might be cases in which extensions of the time limit might seem appropriate for particular students or to take account of particular circumstances. Students asking for an extension of the assigned time limit should bring their particular cases or the pertinent circumstances to the attention of the person setting the examination a reasonable time before the examination. Discretion whether to allow extra time, and if so, how much extra time and under what conditions, belongs solely to the person setting the examination.

Students taking examinations either in-class or take-home, may use only those materials which have been authorized by the evaluator. Even when the use of library materials is authorized by

the evaluator, students may not use any library materials for purposes of an examination when that use will result in other students not having equivalent access to them.

D. LIBRARY

The materials in the Ginn Library are for the use of the entire Fletcher community. It is a violation of the Code to remove library materials without charging them out, to hold borrowed materials past the return date, to secrete library materials in book lockers or sections of the stacks not corresponding with the call numbers assigned to the materials, defacing library materials, or any other actions which could give one user of the library a significant advantage over other users.

E. PROCEDURES REGARDING VIOLATIONS OF CODE OF ACADEMIC INTEGRITY

These are the procedures that will be applied in the case of any alleged violation of the Code of Academic Integrity of The Fletcher School of Law and Diplomacy.

1. *Self-Enforcement.* Members of the Fletcher Community who identify a possible violation of the Honor Code have a responsibility to bring the relevant facts to the attention of the instructor for the course involved, if any, or the Academic Dean or the Dean of Students. However, the mere failure so to report (if it does not amount to aiding and abetting the violation) shall not be considered a violation of the Honor Code. In order to avoid the possible adverse effects of rumors that have not been substantiated, it is advisable not to discuss the possible violation with persons not involved with enforcement procedures.
2. *Confidentiality of Charges and Disposition.* Throughout the process described here, other than as necessary or appropriate to give effect to the Honor Code or the procedures described here, or as otherwise necessary or appropriate in order to comply with University policy or law, the participants in the process described here shall keep the identity of the respondent confidential, except where the respondent effectively waives this confidentiality.
3. *Accusations and Anonymity.* Students or others (except instructors) who merely submit documentary evidence, or other information that stands by itself in terms of its authenticity and meaning, may choose to remain anonymous. They should indicate this desire when they deliver the evidence to the relevant instructor, or to the Academic Dean or Dean of Students, and the remainder of the process will use reasonable efforts to maintain the anonymity of these students or others. On the other hand, students or others who provide information regarding alleged Honor Code violations in the form of their own observations cannot remain anonymous, as the person accused should be afforded the opportunity to confront adverse witnesses. Where the Academic Dean or the Dean of Students receives information that he or she considers non-frivolous regarding an alleged Honor Code violation, the matter shall be referred either to the instructor involved or to the Honor Code Committee referred to below for action under sections 4 or 5 below.
4. *Evaluation of Facts and Imposition of Penalties by Instructor.*

- a. In cases where either (i) the instructor has first-hand knowledge of the Honor Code violation (*e.g.*, plagiarism, or if the instructor is proctoring an examination in which the instructor observes cheating), or (ii) the facts are not disputed, the instructor is authorized to impose penalties relating to the student's grade in the course, up to failure. The instructor may only do so after providing the respondent with notice and an opportunity to respond to the allegations. The instructor shall report the violation and his or her action, describing the opportunity provided to the student to respond to the allegations, to the Academic Dean, the Dean of Students and the Registrar, who, subject to section 6 below, will maintain a record of these matters separate from the student's official transcript.
- b. If conditions (i) or (ii) for application of paragraph (a) are not met, the instructor or the Academic Dean may request the Honor Code Committee to, and it then shall, engage in the procedure described in section 5 below.
- c. In addition, if the instructor or the Academic Dean feels that graver penalties than those described in paragraph (a) may be merited, because of the severity of the alleged violation or because the violation would not be the first found to have been committed by the student involved, either of them may request the Honor Code Committee to, and it then shall, engage in the procedure described in section 5 below.
- d. Finally, in cases where the instructor imposes penalties pursuant to paragraph (a) above, the student, if he or she believes that the imposition of penalties was an incorrect application of the Honor Code, may request the Honor Code Committee to, and it then shall, engage in the procedure described in section 5 below. The School's normal grievance procedure will not apply to these cases.

5. *Evaluation of Facts and Recommendation of Penalties by the Honor Code Committee.* At the beginning of each academic year, the Dean shall appoint an Honor Code Committee comprised of five people drawn from the faculty and staff of the School, and two people drawn from the student body of the School. When a matter is referred to the Honor Code Committee, it shall evaluate the facts and make a recommendation as to an appropriate penalty, if any, pursuant to the following procedures. The Honor Code Committee may, with the consent of the Dean, appoint a subcommittee of members of the Honor Code Committee, or other members of the Fletcher Community, to discharge its responsibilities under this section. If such a subcommittee is formed, it shall serve in all respects in place of the Honor Code Committee under these procedures, in respect of matters assigned to it.

- a. *Notice to Respondent.* Once it has determined to evaluate a matter, the Honor Code Committee shall request the Dean of Students to, and the Dean of Students then shall, notify the respondent, describing the allegations. Along with the notice, the respondent shall be given a copy of these procedures and such other materials as the Honor Code Committee shall deem appropriate.
- b. *Procedure.* The Honor Code Committee will be in charge of its procedure, and may adopt such procedural rules as are consistent with efficiency and fair process in the

context of these procedures. The Honor Code Committee will be required to hold a hearing, at which it will provide the respondent an opportunity to be heard, and may examine the respondent, other witnesses and evidence, all as it deems appropriate. The Honor Code Committee will be in charge of what evidence it considers, and shall consider the relative credibility of evidence as it assesses the facts.

c. *Attendance at Hearings.* Hearings shall be attended only by the Honor Code Committee, the respondent, an advocate, if any, as described in paragraph (e) below, and any witnesses and, at the discretion of the Honor Code Committee, University counsel. Witnesses other than the respondent shall attend only while they give their evidence. However, if the respondent requests, Fletcher School students and faculty may be admitted to the hearing, in such numbers and to such extent as the Honor Code Committee determines is consistent with the maintenance of a suitable atmosphere.

d. *Recording of Hearings.* At the Honor Code Committee's discretion, hearings may be recorded on audio tape by the School. The person in charge of preparing the audio tape may attend the hearings as necessary to do so. The School will retain custody and control over these tapes in such manner as it determines, and shall make transcripts if and as it deems appropriate. The School will make the audio tape or copies thereof available to the respondent for review, within a reasonable time after receipt of a request. Defects in the recordings will not invalidate the proceedings, unless the Honor Code Committee so determines.

e. *Advocates.* Students responding to allegations may decide to seek the assistance of an advocate. An advocate may be a professional attorney or may be a friend, parent or faculty member. The Fletcher School process does not make the use of an advocate necessary, and the School does not provide attorneys for any students involved in Honor Code proceedings. After notice by the respondent to the School, advocates are permitted to attend any hearings before the Honor Code Committee, subject to the following limitations.

i. The advocate may attend any hearing and consult with the respondent throughout the process and hearing, but may not participate directly in the hearing, except to give the respondent's closing statement if the respondent so chooses.

ii. The respondent must notify the Dean of Students at least 48 hours before any scheduled hearing if the respondent will have an advocate at that hearing. This notice shall include the identity and relevant affiliation of the advocate.

f. *University Counsel.* The School may use attorneys as it deems appropriate.

g. *Report of Honor Code Committee.* The Honor Code Committee shall determine whether it finds that a clear preponderance of the evidence indicates that the respondent has violated the Honor Code in connection with the subject matter referenced in the notice described in paragraph (a).

- i. An affirmative determination (of culpability) shall be made by an affirmative vote of at least two-thirds of the members of the Honor Code Committee in attendance.
- ii. If the Honor Code Committee makes such an affirmative determination, it shall also make a recommendation as to the imposition of penalties. Possible penalties include those described in section 6(c) below. In severe cases, the sanction recommended may be suspension or expulsion.

The Honor Code Committee shall submit a written report including its determination and recommendation to the Dean.

6. Action by Dean.

- a. The Dean may review any of the facts or analysis that he or she deems relevant to the decision to impose penalties, or may ask the Honor Code Committee to do so.
- b. The Dean shall provide the respondent an opportunity to make a written or oral presentation to the Dean, under such conditions as the Dean shall determine. There will be no further appeal once the Dean makes a determination to impose a penalty, although the Dean may, at his or her discretion, reopen proceedings and modify or remove penalties on the basis of new evidence.
- c. The penalties that may be imposed in relation to a finding of a violation of the Honor Code include, but are not limited to, the following:
 - i. Report the facts to the instructor of the relevant course and request that the instructor assign (or reassign) an appropriate grade in accordance with the facts as found by the Honor Code Committee. This will normally accompany other penalties listed below, or may be imposed alone.
 - ii. Reprimand without notation on the respondent's official transcript.
 - iii. Censure with notation on the respondent's official transcript.
 - iv. Suspension with notation on the respondent's official transcript.
 - v. Expulsion with notation on the respondent's official transcript.

7. Publication. In cases in which an Honor Code violation has been found and a penalty imposed by the Dean, a brief summary of the charge, of the Honor Code Committee's report, and of any penalty imposed shall be made available for the information of the Fletcher Community. This publication shall not identify the student.

Policy on Capricious Grading

Approved by the Faculty on February 24, 2010

Prohibition Against Capricious Grading

Section 1. Capricious grading is prohibited.

DEFINITION

Section 2. Capricious grading consists of the arbitrary and capricious assignment of a grade to a student

- (a) for reasons other than the student's performance in the course;
- (b) through resort to more exacting or demanding standards than were applied to other students in the course; or
- (c) by a substantial departure from the instructor's previously announced standards for the course.

FILING OF A STUDENT COMPLAINT

Section 3. (a) A student who believes that his or her grade in a course constitutes capricious grading under section 2 of this Policy shall so notify the course instructor not later than 14 week days after the day on which the grade was posted, or after the first class has met in the semester following the semester in which the course was taken, whichever is later.

(b) The student and the instructor shall confer promptly to seek a mutually acceptable resolution.

(c)(1) If no such resolution can be achieved, the student may file a preliminary complaint with the Academic Dean not later than 14 week days after the day on which notification occurred under subsection (a) of this section, or after the first class has met in the semester following the semester in which the course was taken, whichever is later.

(2) Such preliminary complaint shall include a written statement specifying the factual basis for the preliminary complaint and presenting any available supporting evidence.

ACTION BY THE ACADEMIC DEAN

Section 4. (a) The Academic Dean shall review the preliminary complaint in question and shall dismiss the preliminary complaint if

(1) the preliminary complaint does not allege actions which could constitute capricious grading as defined in section 2;

(2) the preliminary complaint was not filed within the period of time required under section 3(c)(1);

(3) the student has not conferred with the instructor required under section 3(b); or

(4) the student has filed the same, or substantially the same, preliminary complaint under another formal grievance procedure.

(b)(1) In the event the preliminary complaint is not dismissed under subsection (a) of this section, the Academic Dean shall seek to resolve the dispute informally.

(2) In so doing, the Academic Dean shall not seek to determine the validity of the preliminary complaint or to determine whether capricious grading occurred, but shall act as a good-faith mediator in attempting to facilitate a mutually acceptable resolution between student and instructor.

(c)(1) In the event the Academic Dean is unable to facilitate such a resolution, he shall determine whether substantial evidence exists to support the preliminary complaint.

(2) In the event the Academic Dean determines that no such evidence exists, he shall dismiss the preliminary complaint.

(3) In the event the Academic Dean determines that such evidence does exist, he shall refer the preliminary complaint to the Committee on Academic Integrity.

(d)(1) Not later than 10 week days following such referral, the student shall file with the Academic Dean a written complaint specifying in full the basis for the allegation of capricious grading and presenting any available supporting evidence.

(2) The Academic Dean shall immediately transmit the complaint and any accompanying materials to the instructor.

(3) The instructor shall transmit an answer to the complaint to the Academic Dean not later than 10 weekdays following receipt of such complaint.

(4) Not later than 20 week days following the date on which the instructor's answer is transmitted under paragraph (3) of this subsection, the Academic Dean shall transmit to the Committee on Academic Integrity, the student, and the instructor

(A) a copy of the complaint, answer, and any accompanying materials;

(B) a statement summarizing actions taken by the Academic Dean under subsection (b) of this section.

ACTION BY THE COMMITTEE ON ACADEMIC INTEGRITY

Section 5. (a)(1) The Committee on Academic Integrity shall determine whether a complaint filed under section 4(d)(1) of this Policy is supported by clear and convincing evidence.

(2) If the Committee determines in the negative, it shall dismiss the complaint.

(3) If the Committee determines in the affirmative, the Committee shall order an appropriate remedy, which

(A) may include the awarding of a new grade in the course but only in the event of exceptional circumstances involving gross negligence or intentional disregard of the prohibition in section 1 of this Policy; and

(B) may not constitute a reprimand or other disciplinary action against either the instructor or the student.

(4) The Registrar shall immediately record any new grade awarded by the Committee under clause (A) of paragraph (3) of this subsection upon notification in writing by the Chair of the Committee that such new grade has been awarded.

(b) The Committee shall exercise due regard for the discretion accorded each instructor to evaluate student performance in accordance with principles of academic freedom, and, accordingly, shall not consider whether the grade in question was awarded incorrectly or erroneously.

PROCEDURE BEFORE THE COMMITTEE ON ACADEMIC INTEGRITY

Section 6. (a)(1) The Committee shall, prior to considering any complaint on the merits

(A) determine not later than 20 week days after the date on which materials were transmitted under section 4(d)(4) of this Policy whether it may exercise jurisdiction to do so; and

(B) invite the student, instructor, and Academic Dean to present arguments in this regard in a form and manner that the Committee deems appropriate.

(2) To the extent feasible, the Chair of the Committee shall ensure that the identities of the student and instructor remain confidential unless and until the Committee finds that it may exercise jurisdiction under paragraph (1) of this subsection.

(b) If the Committee finds that it may exercise jurisdiction under subsection (a) of this section, it shall convene to consider the complaint on the merits not later than 10 week days thereafter.

(c)(1) The student and instructor may attend any meeting of the Committee that the Committee designates as directed at the finding of facts.

(2) In any such meeting, the student and instructor

(A) may present any evidence relevant to the manner in which the grade was assigned, including testimony by other persons;

(B) shall have an opportunity to question or refute any evidence presented; and

(C) may each be accompanied a person of his or her choice to assist in presenting evidence or advocating on his or her behalf.

(3) The Committee shall determine the admissibility of evidence and shall adopt rules of procedure.

(d)(1) The Committee shall make no decision in the absence of a quorum.

(2) A quorum shall consist of a majority of members of the Committee.

(e) All meetings of the Committee shall be closed to the public, and, except as authorized herein, no member of the Committee may disclose publicly any information, written or oral, that is learned, transmitted, or received in the course of the Committee's consideration of a complaint under this Policy.

(f) The Committee shall transmit its decision in writing to the student, the instructor, and the Academic Dean.

(g) The Committee shall proceed as expeditiously as possible.

Capstone Project Description

CAPSTONE PROJECT

All Fletcher students must complete a capstone project during their final year. The capstone project must evidence scholarly and/or professional analysis informed by the sustained and appropriate application of analytical methodologies. The capstone project is a significant analytical piece of work: it represents work of a higher standard than what is normally expected of a term paper and provides an opportunity for students to draw on their methodological, analytical, and substantive learning in a comprehensive written study.

The detailed requirements for any capstone project are determined by the supervising faculty member and can take a wide range of forms, including but not limited to a traditional academic research thesis, a policy paper (whether for a government, an NGO or an international organization, whether for a real client or not), an operational plan (in development, in business, in public diplomacy, etc.), a case study, a business plan. Note that students who intend to apply to the PhD program must choose a traditional academic research thesis for the capstone project.

While all capstone projects are alike in that they must build on significant analytical work and consist of a written final product, the specific form the final product can take may differ widely. Students and faculty may choose these different forms in pursuit of their different pedagogical aims, specific career goals, etc. Students are encouraged to make clear arrangements with supervising faculty early on about what the mutual expectations are of the capstone project.

Students are encouraged to use Fletcher seminars and courses as incubators for their capstone projects although it is not necessary. The Fletcher School has designated a number of courses explicitly as incubator courses: these courses provide opportunities and support for the development of capstone projects. This could be because such courses devote specific attention to appropriate research and analytical methods; because they teach students the methodological and substantive skills required for the elaboration of proposals or projects; because students produce significant and high quality professional work for clients, whether alone or in groups; and, frequently, because these courses provide students with opportunities to discuss and compare their capstone project plans with each other. Ideally, incubator courses will be taken in a student's third semester, although the second or fourth semesters are possibilities as well. Students in our one-year degrees can enroll in such course in either semester.

Note that incubator courses are open to both students who wish to take these courses as part of their preparation for the capstone project and students who do not (i.e., who will write a different capstone project). In the large majority of incubator courses, the final product of the course itself will be the same for both groups of students. Those students who wish to turn that product into their capstone project will need to take an additional step, specified by the instructor.

Students can also, with the permission of the instructor, prepare their capstone project in the context of a course that has not been designated as an “incubator.” In that case, they will usually build off a final paper or product they wrote for that course and develop it further into a capstone project. Students are also able to prepare their capstone projects in connection with independent study courses. Independent study courses should involve periodic meetings between the student and the instructor throughout the term, as well as supervised readings, methodological preparation, and organization of the capstone project. The School permits group independent studies, in which students work together in the framework of faculty projects, again with the explicit permission of the supervising instructor.

Only in extraordinary circumstances will a student be permitted to prepare their capstone project outside the context of a course or independent study. This will require approval by CSAP.

The capstone project is one of the cornerstones of the Fletcher education. After decades of requiring a traditional academic thesis, The Fletcher School decided, in the summer of 2012, to broaden the range of options, in order to respond to the breadth of students’ professional and intellectual needs. However, it must be clear that, while the range of final products has become wider, the importance of high-quality analysis, informed by solid methodology and in-depth knowledge of an area, remains unchanged. The capstone project provides a unique opportunity to work long and hard—longer than one can usually do in professional life, and with more intellectual freedom and rigor—on an issue of interest to our students. This is a great opportunity, and students are encouraged to start thinking about it and talking to faculty about their capstone project as soon as they can. A list of incubator courses for capstone projects is available from the registrar’s office.

New Course Submission Information

New Course Information for Submission to Curriculum Committee

Information Required in Proposals of New or Significantly Modified Courses to the Curriculum Committee

1. Name of proposing instructor(s).
2. Divisional assignment(s) of proposed course.
3. Proposed course title (and number, if available).
4. Proposed field designation(s) of proposed course.
5. Proposed catalog description for proposed course, including statements regarding required pre-requisites and recommended sequences.
6. Attach either a descriptive outline of the proposed course or a proposed course syllabus.
7. List of other courses offered that cover related or overlapping-topics.
8. Description of the instructor's background in subject matter of proposed course. For proposed adjunct instructors, provide a resume.
9. Justification of the course in terms of the school's mission and curricular needs.
10. What course(s) will be dropped, or offered less often, in order to offer this course? How does this affect other course offerings?
11. These field designations should be discussed with appropriate faculty members responsible for other courses in the field.

CHAPTER 5 - RESEARCH

Tufts Research Policies are managed through:

Office of Research Administration
136 Harrison Ave.
Boston, MA
(617)636-6550

Go to the website for the most up-to-date information.

<http://viceprovost.tufts.edu/researchadmin/find-funding/ora-funding-opportunities-elist/>

Helpful links:

- Funding Opportunities at Tufts University
<https://elist.tufts.edu/wws/info/medfordcampusfundingopportunities>
- Intellectual Property:
<http://viceprovost.tufts.edu/research-policies/intellectual-property/>
- Policy of Misconduct in Scientific Research and Scholarship
<http://viceprovost.tufts.edu/research-policies/misconduct-in-research-and-scholarship/>
- Policy of Conflicts of Interest in Research Sponsored by the US Public Health
<http://viceprovost.tufts.edu/research-policies/conflict-of-commitment/>
- Conflict of Commitment Policy
<http://viceprovost.tufts.edu/research-policies/conflict-of-commitment/>

Forms

- Financial Interest Disclosure Form
http://viceprovost.tufts.edu/researchadmin/files/financial_interest_disclosure_Tufts.doc
- Internal Sponsored Coordination Form
<http://viceprovost.tufts.edu/researchadmin/write-and-submit-proposal/detailed-proposal-process/internal-sponsored-coordination-form/>

CHAPTER 6 –SERVICE

Faculty Responsibility Guidelines

The principal professional commitment of faculty members of The Fletcher School is to the process of education. This is not incompatible with such other professional activities as scholarly research and publication, consulting, guest lecturing at other institutions, public speaking, Congressional testimonies, or serving in professional and community organizations; indeed, such activities are important insofar as they extend faculty members' professional competence, enrich their teaching, enhance their role in student placement, or contribute to the advancement of the profession. But it is essential that faculty members not allow outside activities to interfere with their primary responsibility, which is to their students. The following guidelines are intended to aid faculty in the fulfillment of this responsibility.

These guidelines apply to all faculty members whether full-time or part-time, and pertain to the duration of the academic year. They are general in nature, since it is recognized that, in view of differing individual circumstances, it would be neither feasible nor desirable to attempt to establish precise and detailed time, instructional, or other requirements. Nonetheless, the guidelines are expected to have force in determining how faculty members arrange their professional activities.

1. Faculty members have a basic obligation to teach. This means, first of all, that they should always be adequately prepared for class sessions and should present course material in a coherent and articulate manner.
2. Second, it means that all ancillary course materials should be of the highest quality and should be prepared well in advance of need. It is of particular importance that such materials be reviewed regularly and revised where appropriate to maintain timeliness and relevance.
3. Third, faculty members, to the extent possible, should avoid disrupting the educational process by canceling or rescheduling class sessions. It is recognized that some cancellations or rescheduling may be unavoidable, but these should be kept to a minimum.
4. Faculty members should also normally eschew utilizing substitute instructors, whether students or guest lecturers, for presentation of essential course material. It is recognized that student presentations or guest lectures can play an important role in the educational process, but only as complements to, not substitutes for, the faculty's own instruction. Faculty members are obligated to exercise quality control over student presentations or guest lectures, and should normally be present on such occasions.
5. The obligations to teach also extends to the grading of term papers and examinations. Students have the right to receive more than merely a grade or a sentence or two of commentary. Faculty members should endeavor to provide students with detailed evaluation of all written work, either orally or in the form of written comments. In addition to detailed evaluation of student work, the Faculty of The Fletcher School of Law and Diplomacy has the responsibility to maintain both consistency and the highest standards when grading student performance.

6. Finally, as a general rule, faculty members should be available to students for a reasonable period each week of the academic year. A sufficient number of regular office hours should be scheduled, preferably over two or three days in the case of full-time faculty members, to assure students in each respective course adequate and prompt opportunity to consult on course work, theses, and the like. In addition, other arrangements for consultation should be available to students who cannot be accommodated during regular office hours.

CHAPTER 7 - FLETCHER IT

IT @ Fletcher

Go to: <http://www.library.tufts.edu/ginn/technology.shtml> for the most up-to-date information.

CHAPTER 8 - OTHER UNIVERSITY RULES AND REGULATIONS AND POLICIES

For the most up-to-date rules and regulations and policies follow the following links:

Sexual Harassment Policy

<http://oeo.tufts.edu/policies-and-procedures/sexual-harassment-policy/>

Sexual Harassment Grievance Procedures

<http://oeo.tufts.edu/policies-and-procedures/grievance-procedure/>

Consensual Relationships Policy

<http://oeo.tufts.edu/policies-and-procedures/tufts-policy-on-consensual-relationships/>

Working with One Another Policy

<http://finance.tufts.edu/working-with-one-another/>

Ethical Use of Information Resources

<https://it.tufts.edu/ispol>

Fraud Investigations Policy

<http://finance.tufts.edu/fraud-investigations/>

Business Conduct Policy

<http://finance.tufts.edu/business-conduct-policy/>

International Travel

<http://finance.tufts.edu/risk-ins/international-travel/>

Expense Account and Reimbursement Policies

<http://finance.tufts.edu/>

University Guidelines Pertaining To Religious Observances

In constructing the academic calendar, religious holy days will not be the sole factor in determining days on which classes will be held or suspended. However, it is recommended:

- that students be encouraged to observe their appropriate religious holy days.
- that instructors strive to facilitate this by allowing absence from classes for such purposes, and by trying to insure that no examinations, written reports, oral reports, or other mandatory class assignments are scheduled for or due on such holy days.

- that instructors provide ample opportunities for such students to make up work missed on such occasions without penalty.

Violence Free University Policy Statement

Tufts University is committed to maintaining an environment where individuals are safe to learn, work and live. In support of this commitment, Tufts will not tolerate violence or threats of violence anywhere on its campuses or in connection with university-sponsored programs. The university has established threat assessment and management teams to evaluate and address violence and threats of violence made towards members of the Tufts University community.

Tufts University Threat Assessment and Management (TTAM) Program

Tragic events across the country in recent years have highlighted the dangers posed by violence on college and university campuses. On October 7th, 2013, Tufts University President Anthony Monaco wrote to the university community about important, proactive efforts to ensure the continued safety and well-being of students, faculty, staff, and visitors. In support of the President's Violence Free University policy statement, Tufts has established the Tufts Threat Assessment and Management (TTAM) program to identify, evaluate and address potentially threatening situations affecting members of the Tufts community. Recognizing and reporting early signs of a potentially dangerous situation are crucial to preventing violence and enhance the university's ability to provide assistance to community members who may be in distress.

We encourage all members of the university community to use this additional safety resource to learn how to recognize potential threats and the multiple ways to safely and if you so choose, to confidentially, report concerns.

To find out more, please go to the Tufts Threat Assessment and Management Website (<http://ttam.tufts.edu>).

CHAPTER 9 - BENEFITS

Faculty and Staff Policies

For the most up-to-date information about **Faculty and Staff Policies** please follow the link [FacultyHandbook-12042015.docx](http://www.tufts.edu/home/faculty_staff/policies/FacultyHandbook-12042015.docx)http://www.tufts.edu/home/faculty_staff/policies/

Benefits

For the most up-to-date information about **Benefits** please follows the links:

- Tufts Human Resources: <http://hr.tufts.edu/>
- Benefits: http://hr.tufts.edu/wp-content/uploads/BEN_SPD_ActiveEmp.pdf
- HR Forms: <http://hr.tufts.edu/forms/>

CHAPTER 10 - IRB - INSTITUTIONAL REVIEW BOARD (IRB)

Instructions for Fletcher Faculty, PhDs, and Masters Students

As of October 1, 2008 all Fletcher Faculty and all Fletcher students (except PhDs) will submit their applications for exemption (or full review) from IRB to Lara Sloboda, IRB Administrator at Tufts (SBER@tufts.edu). Please go to <http://www.tufts.edu/central/research/IRB/main.html> for more information on your need for going through the IRB process, forms (click on “forms”) and deadlines.

If you are applying for exemption you only have to:

- Fill out the IRB Protocol Cover Sheet and the Protocol Application for Exempt Status
 - Both Forms can be found here:
<http://www.tufts.edu/central/research/IRB/Forms.html>
- Complete the CITI Educational Program at
<http://www.tufts.edu/central/research/IRB/citi.html>

PhD Students

Fletcher PhDs will continue to submit their IRB applications for exemption to Jenifer Burckett-Picker, Director of the PhD Program. Applications for review can be submitted electronically to Jenifer.Burckett-Picker@tufts.edu.

Please see [Fletcher Instructions for Securing Approval of Human Subjects Research and Sample Application](#) below.

Instructions for Securing Approval of Human Subjects Research Members of the Fletcher community who are dealing with Human Subjects data or who are observing or interviewing human subjects for a thesis, dissertation or other research agenda may need approval from the University’s Institutional Review board (IRB). IRB exemption may be secured via Fletcher’s IRB representative in the manner described below. IRB approval and/or review is not optional if humans are the subject of research. Failure to comply with U.S. government regulations could result in the loss of federal funding to the University and potential problems in publication for investigators.

1. Please read these instructions to see if your research is classified as Human Subjects Research (HSR). According to federal guidelines,

A Human Subject is “an individual about whom an investigator ...conducting research obtains

- (a) data through intervention or interaction with the individual, or
- (b) identifiable private information.”

Research is defined as “A systematic investigation designed to develop or contribute to

Generalizable knowledge.”(If you are not sure your study is HSR, see faculty advisor.)

2. If the above definitions do not apply, then your work is not HSR and no further action is required on your part. (PhDs send JBP paragraph requesting “exclusion”.)
3. If you are conducting HSR, but think you are eligible for an exemption under the categories in “Exemptions from IRB Review”, complete the Fletcher Human Subjects Review Exemption Form noting the exemption number which applies to you, and attach a research description and oral consent script, and CITI –SBER Education Module completion form. If your request for exemption is approved you will be notified by via email; no further action on your part is required.
4. If any one of your answers to questions #2---4 of the HSR Exemption Form is “yes,” or your request for exemption is not approved, you must complete the Tufts IRB Protocol Application (6 pages) and IRB Cover Sheet (2pgs) Forms (asking for either “expedited”(one IRB member reviews it) or “full”(full IRB Board reviews it) and complete the required CITI Education Module (SBER choice) at: <http://www.tufts.edu/central/research/IRB/Forms.html>

Please go to Fletcher Intranet–Students---IRB website for IRB forms and sample cases.

Exemptions from IRB Review

If you believe that you might qualify for an exemption from HSR, you must request the exemption. The Code of Federal Regulations sets out the following situations where research may be exempted from regular IRB review:

1. Research conducted in established or commonly accepted educational settings, involving normal educational practices. An example of this would be a comparison of the effectiveness of two generally accepted instructional strategies.
2. Research involving the use of educational tests, survey procedures, interview procedures, or observation of public behavior UNLESS the information is recorded in a manner in which the subject can be identified AND disclosure would place the subject at risk of criminal or civil liability or be damaging to financial standing, employability, or reputation. This does not apply where the subjects are children except where it involves passive observation or public behavior.
3. Research involving the use of educational tests, survey procedures, interview procedures or observation of public behavior where subjects are elected or appointed officials or candidates for public office.
4. Research involving the collection or study of EXISTING data, documents, records, or specimens if the sources are publicly available or the information is recorded by the investigator in such a manner that subjects cannot be identified directly or through identifiers or codes. (Note: Even brief use of identifier or code disqualifies the exemption.)

5. Research and demonstration programs designed to study, evaluate, or examine Federal public benefit or service programs.

6. Taste and food quality evaluation and consumer acceptance studies involving wholesome foods without additives or with additives or chemicals For PhD students IRB exemption established "safe" levels. For further information on exemption, refer to:

<http://www.hhs.gov/ohrp/> and <http://www.nsf.gov/bfa/dias/policy/hsfaqs.jsp#e>

[Download the Fletcher Ph.D. Student Human Subjects Review Exemption Form \(pdf\)](#)

Deadlines for PhD submission of IRB applications to Jenifer Burckett-Picker

Submit by this date Receive approval to start research by this date

August 30	September 15
September 30	October 15
October 30	November 15
November 30	December 15
December 30	January 15
January 30	February 15
February 28	March 20
March 30	April 20
April 30	May 20
May 15*	June 10

* Please note that there is no Fletcher review from early June to late August and so plan your summer research application so that the completed form is received by Jenifer by this date. Also note that according to Tufts IRB regulations you must receive approval before you start your research. If you miss the May 15th deadline for Fletcher review for summer research, you will need to deal directly with the Tufts IRB at <http://www.tufts.edu/central/research/IRB/main.htm>.