

BORICUA COLLEGE



ADMINISTRATIVE MANUAL

Effective

**ACADEMIC YEAR
2021-2022**

WELCOME TO BORICUA COLLEGE

On behalf of the Board of Trustees, I welcome your employment with the College and hope you will have a long and pleasant association with us. The College's work requires effective teamwork and we look forward to your membership on that team. I trust your desire to join us is evidence of your interest in assisting us to achieve the College's mission.

- As an *institution founded by Puerto Ricans*, Boricua College is dedicated to the principle of the inseparability of culture and education.
 - The College thus offers academic programs that aim to develop in students, personal learning competencies that take into consideration the educational, cultural and economic difficulties experienced by Puerto Ricans and other students underrepresented in higher education.
 - By focusing its learning activities on solutions to problems facing these communities, the College prepares students for effective community leadership.
- As a *liberal arts institution*, Boricua College's educational philosophy maintains that a liberal arts education means mastery of generic, intellectual, affective and psychomotor-behavioral skills necessary for lifelong learning about the environment.
 - That all knowledge about the environment is organized and described through the multiple disciplines of the social sciences, the natural sciences and the humanities.
 - That a liberal arts education is essential for participation in a democratic society.
- As a *non-traditional institution*, Boricua College is dedicated to a humanistic holistic approach to the education of its student, within the context of their culture and contemporary conditions.
 - It offers students the opportunity to design highly individualized and small group learning programs that may be pursued at their own pace to meet their own career goals.
 - Learning activities are not confined within college walls. Instead, they unite in creative ways, the experiences of the world of scholarship and the world of work and student progress is evaluated through multiple measures that reflect the diversity of student learning styles and goals.

This manual is designed to familiarize administrative personnel with college policy and procedures, facilities, services, and benefits available.

A letter of appointment including starting date, salary and a job description will be furnished to the new employee by their supervisor. For any additional orientation to this manual you may direct your questions to the Department of Human Resources and Personnel Services.

Again, welcome to our growing institution.

Sincerely,



Victor G. Alicea, Ph.D.
President

“Disclaimer”

The Administrative Manual (the “manual”) sets forth the employment procedures and policies of Boricua College. None of its procedures and policies can be amended or changed in any way by oral statement. They can only be changed by a written amendment approved by the President. This manual is not intended as an express or implied employment contract between Boricua College and any of its employees. None of the procedures, policies or benefits described in the manual are intended by reason of their publication to confer any rights or privileges upon any employee, or entitle any employee to be or remain employed by Boricua College. The contents of the manual are subject to change at any time for any reason at Boricua College’s sole discretion without notice.

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Chapter 1

INTRODUCING BORICUA COLLEGE

Boricua College is the first four-year bilingual higher education institution in the United States specifically designed to meet the educational needs of Puerto Ricans and other Spanish-speaking people. Located in New York City with its main campus in the historic Audubon Terrace of Manhattan's Upper West Side, one Campus Learning Center in the Williamsburg sections of Brooklyn, and a Bronx Campus, the College enrolls over 800 students in nine academic programs leading to the Associate in Arts degree, Bachelor of Science degrees in the fields of Human Services, Business Administration, and Elementary Education, Bachelor of Arts degrees in Liberal Arts and Sciences and Interamerican Studies, a Master of Arts degree in Latin American and Caribbean Studies, and Master of Science degrees in Human Services and Master in Teaching (TESOL).

A. HISTORY AND AIMS

In the early 1970's, leaders of the Puerto Rican community founded the Puerto Rican Research and Resource Center, Inc. to study the most pressing problems facing the community. In the course of its work, the Center became convinced that an educational crisis lay at the root of many of the problems facing Puerto Ricans in America. It judged that the creation of a college expressly directed to the needs of Puerto Ricans and other Hispanic Americans offered at least the promise of a breakthrough on this vital front.

In 1973, this leadership headed by Blanca Cedeño entrusted Dr. Victor G. Alicea to lead a planning team composed of Agustin Rivera and Maria Morales, later joined by Brenda Velez, Julie Mathis, Gladys Correa, Hector Montes, Clarice Staff and others who together with some prospective students, were to develop and implement the plan of such a College to be located in New York City. It was the belief of the group, embodied in their original plan, that a college serving Puerto Ricans and other Latinos must not only employ a bilingual faculty and staff, but must employ, in all its activities, an educational philosophy and method carefully adapted to the needs of its unique student population that is in keeping with the basic principles of our Latino culture. Such a philosophy, the planners believed, would be humanistic and student-oriented, offering opportunities for individualized instruction and evaluation for students of diverse ages and economic circumstances.

In 1975, Boricua College was provisionally chartered by the New York Board of Regents to offer instruction leading to the Associate in Arts degree, and enrolled a class of 67 men and women. During the following years, the College flourished with the financial and curricular support of such leading institutions as

the National Endowment for the Humanities, the United States Office of Education, the Ford Foundation, Bank Street College of Education, and Pace University.

Recognizing Boricua's early achievement and promise, the Middle States Association of Colleges and Secondary Schools granted the College candidacy status in 1976, and full membership and accreditation in 1980. In 1979, the College was authorized by the New York State Board of Regents to offer courses of instruction leading to the Bachelor of Science degrees in the fields of Human Services, Business Administration, and Elementary Education. In 1981, the College became the first private minority institution ever granted an Absolute Charter in New York State. In 1997 the Charter was amended to authorize the College to offer courses of instruction leading to a Master of Science and Master of Arts degrees.

B. MISSION AND GOALS

The Mission and Goals of the College are rooted in three principles of institutional identity:

- As an *institution founded by Puerto Ricans*, Boricua College is dedicated to the principle of the inseparability of culture and education.
 - The College thus offers academic programs that aim to develop in students, personal learning competencies that take into consideration the educational, cultural and economic difficulties experienced by Puerto Ricans and other students underrepresented in higher education.
 - By focusing its learning activities on solutions to problems facing these communities, the College prepares students for effective community leadership.
- As a *liberal arts institution*, Boricua College's educational philosophy maintains that a liberal arts education means mastery of generic, intellectual, affective and psychomotor-behavioral skills necessary for lifelong learning about the environment.
 - That all knowledge about the environment is organized and described through the multiple disciplines of the social sciences, the natural sciences and the humanities.
 - That a liberal arts education is essential for participation in a democratic society.
- As a *non-traditional institution*, Boricua College is dedicated to a humanistic holistic approach to the education of its student, within the context of their culture and contemporary conditions.

- It offers students the opportunity to design highly individualized and small group learning programs that may be pursued at their own pace to meet their own career goals.
- Learning activities are not confined within college walls. Instead, they unite in creative ways, the experiences of the world of scholarship and the world of work and student progress is evaluated through multiple measures that reflect the diversity of student learning styles and goals.

C. AFFILIATIONS

Boricua College is accredited by the Middle States Commission on Higher Education, and is a member of the New York State Commission on Independent Colleges and Universities (CICU), the Association of Governing Boards of Colleges and Universities (AGB), the National Commission on Independent Colleges and Universities (NAICU) and the Hispanic Association of Colleges and Universities (HACU).

D. NON-DISCRIMINATION POLICY

Boricua College has no limitations to admissions or employment based on race, sex, nationality, religion, age, marital status, physical handicap, or geographical origin of the applicant.

E. EQUAL EMPLOYMENT OPPORTUNITY

Boricua College is an equal employment opportunity employer and does not discriminate on the basis of race, religion, color, sex, age, national origin, ancestry, disability, veteran status, or any other status or condition protected by law, except where a bona fide occupational qualification applies.

F. AFFIRMATIVE ACTION

Boricua College maintains an equal employment opportunity and non-discrimination program for all employees and students and employs affirmative action for all protected classes. Boricua College is firmly committed to the recruitment and development of its employees and students regardless of race, religion, color, sex, age, national origin, ancestry, disability or veteran status, or any other status or condition protected by law, except where a bona fide occupational qualification applies

G. REPORTING

If any employee has a suggestion, problem or complaint with regard to equal employment opportunity or affirmative action, he or she is encouraged, to contact the Department of Human Resources and Personnel.

Chapter 2

PROCESS OF EMPLOYMENT

A. RECRUITMENT

When recruiting, the Department of Human Resources and Personnel will employ the following procedure:

- 1. Posting Job Opportunities:** Job vacancies will be posted by the Department of Human Resources and Personnel so that current employees have full opportunity for promotion. Employees interested in applying for a position must first notify their supervisor of their interest and intent, and then they may contact the Department of Human Resources and Personnel.
- 2. Advertisements:** Advertisements describing job opportunities are placed by the Department of Personnel with employment agencies, alumni placement offices, and secretarial and trade schools. Where appropriate, the recruiting services of community employment agencies are enlisted.
- 3. Referrals and Recommendations:** The College encourages its employees to recommend persons who may be interested in working at the College. Applicants are actively recruited based on the policies of non-discrimination, equal employment opportunity and affirmative action.

4. Application and Resumes

All persons interested in employment in an administrative position at Boricua College will complete an Application for Employment which may be obtained at the Department of Human Resources and Personnel. This application may be supplemented by a resume. The applicant must provide the names of at least one prior employment supervisor with written approval for a request for information about their prior work performance. Prior salary history must be included in the application. All application questions are in compliance with applicable federal, state and local fair employment laws.

5. Interviews

A preliminary screening interview will be conducted by the Department of Human Resources and Personnel. If the applicant is applying for a secretarial position, a series of tests will be administered including a test of typing skills, reading, punctuation and spelling. After the preliminary screening interview, and reviewing the administrative personnel needs of the College as determined by the President's Office, possible placements will be explored by the Department of Human Resources and Personnel.

The prospective supervisor will be contacted and copies of all relevant application materials will be forwarded. Pending the supervisor's interest in the candidate, an interview appointment will be made by the Department of Human Resources and Personnel and with the prospective supervisor.

6. Reference Check

Reference and employment history information will be checked by the Department of Human Resources and Personnel prior to any offer of employment. The applicant must give written authorization before reference checks can be made and is responsible for insuring that they are received by the Department on a timely basis.

7. Immigration Reform Act of 1986

Effective November 6, 1986, Boricua College was required to enforce the Immigration Reform and Control Act of 1986. It is the College's responsibility to verify employment eligibility for anyone hired after the effective date. Newly hired employees are required to complete an Employment Eligibility Verification (Form 1-9).

B. OFFER OF EMPLOYMENT

All offers of employment are made by the College based on the recommendation of the Division or Department Head and approval by the College's President. Salary offers will take into consideration the applicant's prior education and employment experience, and will be based on the College's Administrative Compensation Structure. All offers of employment are followed by a letter of appointment including the starting date, salary and job description.

1. Orientation

The Department of Human Resources and Personnel has the responsibility to review the College's policies and procedures and fringe benefit programs with all new full-time employees. Each new employee receives a copy of the Administrative Manual which is then considered part of their job description. Supervisors will provide new employees with an orientation to their specific placement organizational structure and operational culture of the Department and the College, and introduce them to their co-workers.

2. Initial Evaluation Period

All new employees will have an initial evaluation within three months from the date of employment. During this period, the employee has an opportunity to become familiar with their work assignment and its environment, and the supervisor has time to evaluate the employee's aptitude and affective disposition to complete work on time and contribute positively to the Department. During this period, employment may be terminated without notice or prejudice, and the

employee is not entitled to use College grievance procedures. Similarly, during this period an employee may terminate employment without prejudice.

The initial evaluation period may be extended by thirty calendar days if the supervisor feels that additional time is needed to make a better evaluation. The Department of Human Resources and Personnel will request in writing the evaluation at the time due and must be informed in writing of any extension of the initial evaluation period. The new employee is considered on regular status upon satisfactory completion of the initial evaluation period, unless the employment is temporary or under special arrangement.

3. Transfer Opportunities

Offers of promotion opportunities are presented first to employees. Employees interested in applying for a position must first notify their supervisor, and then may contact the Department of Human Resources and Personnel. In accordance with this policy, supervisors, after clearing their intentions with their supervisor, are encouraged to notify the Department of Human Resources and Personnel of any staff member who they believe should be considered for promotion. Those employees who meet the requirements for a position and have completed at least six months satisfactory employment in their present position will have their application reviewed first.

A supervisor, after receiving the approval of their supervisor, may request that an employee who they supervise be transferred from their Department to a new assignment. The reasons for these requests will be considered based on the reasons for the transfer request and the availability of an appropriate position. A negative evaluation by the supervisor is not an acceptable reason to guarantee the transfers.

If an employee considers that his/her working conditions and/or relationship with the immediate supervisor is detrimental to their job performance, the employee, after making every effort to resolve the matter with the supervisor, and after such effort is properly documented, may request a transfer to another position. Such actions are within the employee's rights and will not be held against the employee nor jeopardize the employee's status. If a transfer is approved, the employee shall be subject to a new three month initial evaluation period. All employee-requested transfers will be made at the discretion of the College pending the availability of an appropriate vacancy and a review of both the employee and supervisor's documentation of events leading to the request.

C. TERMINATION OF EMPLOYMENT

An administrative employee may be terminated at any time, with or without cause, by either the College or by the choice of the employee. Employment may be terminated by:

1. Voluntary Termination

A resignation in writing is submitted by the employee to the supervisor. A non-exempt employee is expected to give at least two weeks notice; an exempt employee is expected to give at least four weeks notice to their Supervisor prior to the employee's final day of employment. After an interview by the Department of Human Resources and Personnel and with clearance from other relevant Departments, a final paycheck will be issued which will include unused vacation pay. Separation pay is not given in the case of voluntary termination.

2. Involuntary Termination

Layoff of an employee may occur should the College deem it necessary to reduce the number of employees. Prior to lay-off, an effort will be made to relocate the employee in an equivalent position within the College. When the layoff is deemed necessary, consideration will be given to, but not limited to, seniority and performance records. An employee who is laid off will receive vacation pay for unused accrued vacation time as well as either two weeks notice or separation pay equal to two week's salary in lieu of notice.

Supervisors will give written notice stating the reasons for the involuntary separation (lay-off). A copy of this letter will be included in the employee's personnel file. An exit interview is conducted by the Department of Human Resources and Personnel upon each termination, whether voluntary or involuntary. The following topics are discussed:

- reasons for termination
- termination date and conversion of benefits
- final pay, including vacation and separation pay, when applicable
- mailing address for annual statement of earnings and taxes withheld
- payment of outstanding salary advances, loans, library fees, other funds owed.
- return of keys, I.D. cards, or library books, other equipment or materials owed

Upon any termination of employment, the terminated employee must surrender any and all property of the College in his or her possession, and also relinquish possession of any office space, keys, apartment or other space which may have been occupied as an incident to such employment.

A failure or refusal to comply with the foregoing may subject the terminated employee to such liabilities or sanctions as the College may lawfully elect to impose.

D. RETIREMENT

Employees may retire at the end of the academic year in which they reach the age of 65. Information on retirement benefits are covered in Section V of this manual.

1. Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA)

Under the federal Consolidated Budget Reconciliation Act of 1985, you/and or your dependents may be allowed to continue your health and/or dental coverage under an employer provided group plan paid by you, if your coverage were to end. The Human Resources and Personnel Department will inform you of your rights under COBRA during employee orientation.

Chapter 3

CLASSIFICATION OF ADMINISTRATIVE PERSONNEL

A. TYPES OF PERSONNEL

An employee of the College is defined as a person who performs services for the College for which a salary or other remuneration is received. There are three administrative employment classifications:

1. **Regular Full-time Employees** work at least 35 hours per week and are eligible for all employee benefit plans described in Chapter 5.
2. **Temporary Full-time and Part-time Employees** are hired for a specific period not to exceed June 30th of each fiscal year. They are paid on an hourly basis and are not eligible for indirect benefits except as prescribed by law.
3. **Students of the College** are employed under special arrangements of the Federal Work Study Program. Students are recommended for FWS by their Faculty Facilitator after approval by the academic supervisor. The Director of Financial Aid Department has the final approval for employment and placement. The Department is responsible for the administrative work of this program. Supervisors of the student will assign the work schedule. Students are paid on an hourly basis and are not eligible for indirect compensation.

B. CLASSIFICATION BY FAIR LABOR STANDARDS ACT

As part of the initial orientation, personnel are advised by the Department of Human Resources and Personnel of their classification and of their status as EXEMPT OR NON-EXEMPT employees.

1. **Exempt Status:** Those employees who are executives and administrators are not covered by the overtime requirements of the Fair Labor Standards Act. Therefore, exempt employees are not entitled to overtime pay or compensatory time off. Exempt employees are: President, Vice Presidents, Deans, Associate Deans, Directors, Assistant Directors, Senior Officers, Officers, Executive and Administrative Assistants or equivalent positions.

2. Non-Exempt Status: Non-exempt work generally consists of clerical, secretarial, manual or technical types of job assignments. It is the College's policy that non-exempt employees who work more than 35 hours and up to 40 hours will be compensated at their regular rate of pay. Non-exempt employees who work over 40 hours per week in any one week (defined as a 7 day period) will be compensated at the rate of time-and-a-half of their regular rate of pay for all time worked over 40 hours for that period. Non-Exempt employees are: Executive Secretaries, Administrative Secretaries, Unit Secretaries and clerks.

A 40-hour week is the determining factor and not an 8-hour day. For example, an employee might work four 10-hour days or two 20-hour days and be eligible only for compensation at their regular rate of pay.

A non-exempt employee who works overtime must have the prior written approval of their supervisor who must receive the approval of the President's Office. Compensatory time-off may be granted in lieu of payment for overtime and will be scheduled by the supervisor.

Chapter 4

EMPLOYEE ASSIGNMENTS AND COMPENSATION

A. WORK ASSIGNMENTS

Every employee will be assigned to a specific and regular work assignment. However, illness, absence, vacation or other circumstances may make it necessary at times to transfer an employee to other than his/her regular tasks. The employee is expected to cooperate with these temporary work assignments.

1. Work Week

The usual workweek consists of five days, generally, Monday through Friday 10:00 to 6:00. Each day consists of an eight hour schedule including one hour for lunch. Work schedules may vary by Departments and will depend on the services that are provided by the Department. Department Directors may alter the regular work schedules as needed to provide efficient and effective administrative services. These changes however must be approved by the C.E.O. The Department of Human Resources and Personnel is to be advised of any permanent changes to the work schedule.

2. Absences and Lateness

All employees are required to sign in every day when arriving or leaving their work station. They must also inform their supervisor of any absence or lateness. This notification to the supervisor must be given within one hour after the regular starting time. The reasons for the absences or lateness are to be discussed with the supervisor. If the reason for absence or lateness is to be excused, the reason should be communicated to the Human Resources and Personnel Department in writing by the supervisor.

3. Rest Period

Employees may leave their work locations for brief periods for personal reasons after consultation with their supervisor. If their position does not permit their freedom of movement, rest periods will be scheduled by supervisors to allow for proper coverage.

4. Attendance Records

Each staff member will sign a daily attendance sheet prepared by the Department of Human Resources and Personnel. The employee must sign in at the exact time that he/she arrives and departs from the College for lunch time and departure for the day.

When, in the course of the work it becomes necessary for the employee to leave the premises, the employee is to notify the supervisor at the time of departure and upon the return. If the employee has a work assignment to be in the field for the day, this comment must be noted on the daily attendance sheet. If the employee must work in two campuses on the same day, he/she will sign in and out at locations, indicating at the first campus the intended destination and indicating in the second one the time of arrival and departure for the day.

If an employee must leave the premises for personal reasons, he/she must have the supervisor's prior approval.

5. Compensatory Time

All full-time clerical and environmental technicians – non-exempt employees, are eligible to accrue compensatory time, that is, time worked in excess of forty hours in any single week. In order for the employee to get credit for compensatory time, the following procedures must be followed:

- a. All compensatory time is to be requested by the supervisor and approved by the C.E.O. at least 2 weeks before it is to be accrued;
- b. All compensatory time must be recorded on the Daily Attendance Sheet and initialed by the supervisor;
- c. Compensatory time will be recorded in quarter hour periods;
- d. On June 30th which is the end of the fiscal year, all compensatory time not previously taken will be canceled.

6. Overtime Compensation

When earned by non-exempt employees, compensatory time will be taken in accordance with criteria established by the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division and Fair Labor Standards Act and the College's Administrative Policies. Non-exempt employees are eligible to be paid for overtime as described elsewhere in this manual. Compensatory time-off may be granted in lieu of payment for overtime and will be scheduled by the supervisor at their discretion.

7. Scheduled Holiday Assignment

When an exempt employee works a holiday, these hours must be reported as worked. These work assignments are not to be off-set against a "day off", and that day off reported as a day worked in some future period. At the discretion of the supervisor, another day may be scheduled to be taken off.

8. Personnel Attendance Audit Reports

During the month of April of each year, all employees and their supervisors will receive a copy of the Personnel Attendance Audit Reports. These reports will be prepared by the Department of Human Resources and Personnel for all administrative employees. Based on the daily sign-in sheets, the report will indicate accrued vacation time, and for non-exempt employees, the report will include the amount of compensatory time accrued by the end of March. If the Human Resources and Personnel Department at any time notes a growing pattern of absences or lateness, it will bring this to the attention of the supervisor of the employee and request an explanation.

B. EMPLOYEE COMPENSATION

1. Payroll Schedules

Administrative employees will receive their payroll checks every other Friday (26 times a year). The payroll checks are distributed to supervisors at noon on payroll Fridays, who will distribute them directly to each employee.

If an employee has any question about their paycheck, the question is to be addressed to the Department of Human Resources and Personnel. The Department of Human Resources and Personnel will provide an answer to the employee questions on a timely fashion.

2. Payroll Records

The stub of the employee's payroll check indicates the total or gross pay for the payroll period. This amount times 26 will be the annual salary rate for each employee. The stub further itemizes all deductions that have been made to the paycheck. The College is required by law to withhold federal, state and city taxes. As of January 1984, the College was required to participate in the Social Security Program. Thus, an employee will note a deduction for the FICA; this is the necessary deduction for the social security. The College is further required to match this amount and submit the total amount to the federal government. Other mandatory deductions may include garnishees. Further deductions may be made at the request of the employee: salary advances, loans, tuition payments, special insurance programs or others. This type of deduction can be made with the written consent of the employee.

3. Garnishees and Wage Assignments

Garnishees are court orders that require the College to withhold ten percent of an employee's gross pay. These amounts are deducted and sent to the Courts to satisfy a debt that the Court has judged that an employee has incurred. The College has no wish to become involved in an employee's personal affairs. However, if the College receives such an order, we have no alternative but to comply with the Court's order.

C. ACCRUED BENEFITS

1. Sick Days

Regular full-time employees accrue sick days for a total of ten sick days per year. The sick days are accrued on the basis of five-sixths of one day per month of employment. Sick leave may be taken only in the case of sickness, disability, or exposure to a contagious disease requiring, the protection of others.

In order to receive pay while on sick leave, an employee is required to notify first their supervisor and the Department of Human Resources and Personnel within one hour after the employee's normal starting time. An employee who is out sick for two (2) or more consecutive days must furnish medical proof from a physician to their supervisor and the Department of Human Resources and Personnel in order to receive regular pay. In case of prolonged illness during which time the employee's sick leave has been exhausted, the employee will be placed on disability. Application for these benefits are to be made by the employee with the assistance of the Department of Human Resources and Personnel. The employee may be placed on a leave of absence without pay at the recommendation of the supervisor and approval by the President.

It must be understood that sick leave is a benefit which is accumulated on a monthly basis. Sick leave cannot be borrowed from future accruals of sick days. To lessen any undue hardship, the College allows staff members to use up the annual accrued vacation to make up days lost in excess of the accrued sick leave. If the employee does not elect to use his annual accrued vacation, the days taken in excess of sick leave will be deducted from his/her pay. If the non-exempt employee has accumulated compensatory time, he/she will be allowed to use this time in the event of an extended illness.

Sick leave is not cumulative from one fiscal year to the next.

If an employee is absent due to a job-related illness or accident, the Department of Human Resources and Personnel should be contacted regarding a claim for Workmen's Compensation.

An employee does not accrue sick leave during an approved leave of absence.

2. Holidays

Regular full time employees are entitled to twelve holidays as listed below:

New Year's Day	Independence Day
Three Kings Day	Labor Day
Martin Luther King Birthday	Columbus Day
Lincoln/Washington Birthday	Veterans Day
Good Friday	Thanksgiving Day
Memorial Day	Christmas Day

Non-exempt full-time employees who are requested to work on College Holidays are entitled to compensatory time at a rate of two times the regular hourly rate. If a part-time employee is required to work on a Holiday, he/she will receive pay at regular rate of pay if the holiday falls on their regular scheduled working day. Hourly employees will be compensated at their regular rate of pay if they are required to work on a College Holiday.

3. Vacation Time

The length of an employee's vacation depends on the job title held by the employee.

<u>Job Title</u>	<u>Length of Vacation</u>
Officers, Clerk Typists, Unit Secretaries, Technicians	10 days
Assistant Directors, Senior Officers* Executive Secretaries Administrative Secretaries	15 days
Department Directors	20 days
Executive Employees	30 days

Note: *Special Program Directors are classified as Senior Officers.

Vacation days are earned each fiscal year, July 1 to June 30. If less than one year of service is completed, 5/6's of one vacation day is earned for each month of service. In computing monthly service for vacation purposes those whose service began on the 1st to the 15th of the month are credited with a full month, those after the 15th are credited with ½ the monthly amount.

Vacation days for administrative personnel are normally scheduled on consecutive days during the months of June and July so that the month of August can be used to prepare for the Fall academic cycle that begins in September. A change in this schedule must be previously approved.

Taking the full vacation period earned at the time cited above is a requirement of the College in order to ensure every employee is fully rested to carry out their yearly responsibilities.

The College expects vacation days to be scheduled and used through June 30 of the following year after they are earned.

Vacation days may not be accumulated beyond the above period without special written request of the employee's supervisor and approval of the President's Office.

If an employee's vacation is interrupted by serious illness, injury, or death in the immediate family, the employee may request conversion of time from vacation to sick leave or "leave for death in family benefit."

All vacation schedules must be approved by the employee's supervisor prior to the planning of vacation. The supervisor has the responsibility to ensure that the work of the College is not interrupted, and that the rights of others in the Department are protected. The President's Office and Department of Human Resources and Personnel must be informed of the vacation schedule at least two weeks prior to the start of an employee's vacation. Vacation payroll checks are distributed according to the regular disbursement dates. If an employee's vacation includes a payday Friday, the employee may request that paycheck at the beginning of the vacation period and this request must be received in the Department of Human Resources and Personnel two weeks prior to the scheduled vacation.

All administrative personnel are expected to be at the College during the month of August. This request may be waived at the request of the supervisor, and approval of the President's Office.

D. MEDICAL LEAVE

1. Family and Medical Leave Act of 1993 (FMLA)

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

2. Reasons for Taking Leave

Unpaid leave must be granted for any of the following reasons:

- a. To care for the employee's child after birth, or placement after adoption or foster care;
- b. To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- c. For a serious health condition that makes the employee unable to perform the job.

3. Advance Notice and Medical Certification

The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if requirements are not met.

- a. The employee must provide 30 days advance notice when a leave is "foreseeable."

- b. The College may require medical certification to support a request for a leave because of a serious health condition, and may require second or third opinions (at the employee's expense) and a fitness for duty report to return to work.

4. Job Benefits and Protection

- a. For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan."
- b. Upon return from FMLA leave, employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
- c. The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.
- d. The College is fully committed to apply the FMLA regulations, however, it reserves the right to expect that the employee not use the FMLA regulations as an excuse for not carrying out his/her work responsibilities appropriately.

5. Maternity Leave

An employee who has completed one year's full-time service shall be eligible for unpaid maternity leave. Active employment may continue during the pregnancy at the employee's discretion. However, the College reserves the right to obtain a statement from a physician attesting to the employee's ability to carry out normal duties. The leave may begin at the discretion of the employee unless the College, for reasons of health or safety, requires an earlier starting date. Such leave shall not exceed twelve months in duration. No employee shall be discharged for reason of pregnancy nor the direct medical result thereof while on maternity leave.

A position vacated by an employee on maternity leave will not be filled on a permanent basis. Each employee upon return to active status shall be re-employed in the same position or in a position of equivalent grade and salary. The employee must inform their supervisor in writing at least four weeks prior to departure and must state the expected date of departure from and return to active service status. Employees going on Maternity Leave are eligible for Disability benefits for a six or eight week period based on the severity of delivery. Please consult with Department of Human Resources and Personnel when Maternity Leave is requested.

6. Jury Duty and/or Subpoena to appear in Court

A full-time employee, called for jury duty or who has received a subpoena requiring appearance in court, will receive regular pay (less any monies received for jury duty or court appearance) for such absences provided that:

- a. the employee's supervisor is shown jury duty notice or subpoenas as soon as it is received; and

- b. the employee obtains from the clerk of the court a certification of the time spent on jury duty or a court case, and gives such certification to the Department of Human Resources and Personnel.

If released from jury duty or court appearance during the course of the day, the employee must report to work. The employee will receive regular pay during the court appearance as described above. Upon being paid by the court, the employee will either endorse the check or write a personal check or obtain a money order payable to the College for the amount received.

7. Military Leave

An employee called to military service under the Selective Service Act (P.L. 756-80) will be granted leave without pay for an indefinite period of time. The employee must report to the College on the first working day after his release from the Armed Forces in order to be entitled to his/her original position.

8. Necessary Absences

A member of the National Guard or Reserves who is required to take a two week annual training program may turn in his check for this service, and receive his normal paycheck. These days off are not charged to vacation time.

9. Voting Time

On Election Day, two hours will be made available to employees who otherwise would be unable to vote, due to personal or family responsibilities which would preclude their reaching the polls in order to vote.

E. OTHER COMPENSATIONS

1. Administrative Leave

Administrative employees are those full-time employees designated by the job titles of Senior Officers, Directors, Assistant Director, Vice Presidents, President and others holding supervisory responsibilities. It is understood that administrative personnel will work the time necessary to accomplish their assigned tasks. However, the President may grant, at his discretion, time off which is termed "administrative leave." During this leave, an employee is entitled to full pay.

2. Death in the Family

Full time employees may take up to three days paid leave in the event of a death in their immediate family (spouse, parents, grandparents, in-laws, child, sibling). Should additional time be required, the employee may use accrued vacation time or request an unpaid leave of absence. The request must be approved in writing by the supervisor and the President and submitted to the Department of Human Resources and Personnel.

3. External Emergencies

During emergencies such as power failures, transportation breakdowns, strikes or snowstorms, the College's offices will remain open unless a public announcement to the contrary is made through the radio stations. At these times, all employees are expected to make every effort to arrive at work on time. While they will not be penalized for late arrival, absences will be charged against accrued vacation days.

4. Leave of Absence for Personal Reasons

A regular full-time employee who has completed twelve months of service may be granted a leave of absence without pay for personal reasons. Such a leave, not to exceed six months, is granted only in cases not covered by another College policy and requires the written approval of the supervisor as well as the President.

Reasons for granting such leaves include but are not limited to illness in the family, education, or other compelling personal needs. The College reserves the right to verify the reasons for the requested leave. A position vacated by an employee on leave will not be filled on a permanent basis. Upon return to active status, the employee shall be re-employed in the same position or in a position of equivalent grade and salary.

Chapter 5

EMPLOYEE BENEFITS

The Benefit Program is intended to provide protection for employees, a measure of security for their families, and compensation in their retirement years. The Department of Human Resources and Personnel meets individually with new employees and periodically with groups of personnel to explain each of the benefit programs. Information and literature regarding benefits may be obtained from the Department of Human Resources and Personnel.

A. MEDICAL, VISION, SURGICAL, AND HOSPITAL BENEFITS

In an effort to improve the employee health benefit program, coverage is provided by a Health Maintenance Organization, EMPIRE Blue Cross-Blue Shield. The details of this program are contained in the benefit package provided by the carrier and available in the Department of Human Resources and Personnel. Eligible employees must complete an enrollment application for coverage to be in effect. Applications are available in the Department of Human Resources and Personnel.

B. DENTAL CARE

Employees are covered for dental care by The Guardian. The details of this coverage as provided by the respective insurance carrier and is available in the Department of Human Resources and Personnel. Eligible employees must complete an application form to secure their benefits. These applications are available in the Department of Human Resources and Personnel.

C. LIFE INSURANCE

Eligible employees are covered by The Guardian with a life insurance policy equal to their annual salary up to a specified limit as per the insurance carrier. Applications must be completed by the employee and returned to the Department of Human Resources and Personnel. The details of this benefit are contained in the package provided by the insurance carrier and are available from the Department of Human Resources and Personnel.

D. RETIREMENT PLANS

1. Social Security

Effective January 1, 1984, the College began participating in the Social Security Program. Employee and employer both contribute to Social Security in

equal amounts through payroll deductions each pay period. The percentage of contribution is determined by federal law.

2. TIAA-CREF

After one year of employment, regular full-time employees are eligible to submit an application to participate in the TIAA-CREF Program. An employee who comes to the College already participating in TIAA-CREF is exempt from this requirement. The College contributes a periodically designated amount of the employee's annual salary to the Plan. Applications and other detailed information are available from the Department of Human Resources and Personnel.

3. AXA - Equitable Momentum

The College has instituted a second retirement plan for its employees called AXA – Equitable Momentum. The College contributes a Board designated amount of the employee's annual salary to the plan on a monthly basis. Applications for this plan will be made available to the employees upon becoming eligible.

E. OTHER EMPLOYEE COVERAGE

1. Unemployment Insurance

If your employment with the College is terminated for any reason, you should contact your local State Unemployment Office to determine if you are eligible for unemployment compensation. The College pays the entire cost of the unemployment insurance. The College will make every effort to ensure that all claims are promptly and fairly treated.

2. Worker's Compensation

All employees are insured under Worker's Compensation. This coverage compensates the employee (or employee's estate) for disability or death resulting from an accident arising out of and in the course of the work for the College. It provides limited and temporary financial assistance to help you or your family over the emergency.

You are expected to report to the Department of Human Resources and Personnel any accident that you might suffer on the job. If you are unable to do so, your supervisor or someone who knows the details should complete the form.

3. Disability Benefits

All regular employees are covered by disability insurance. Details are provided by the Department of Human Resources and Personnel.

F. OTHER EMPLOYEE BENEFITS

1. Tuition Benefits

Administrative employees who are students of Boricua College and who wish to be considered for a tuition waiver will be expected to apply for all financial aid grant assistance for which they are eligible. This procedure does not include any loan applications. If there is a remaining tuition balance, the College will waive up to 50% of the tuition charges. To receive this benefit, a person must be employed at the College at least one year and must maintain Good Academic Standing. Interested employees/students must provide the Department of Human Resources and Personnel with a written request for this benefit. The Department of Human Resources and Personnel will certify the employee's eligibility based on their employment status and after approval by the employee's supervisor, will submit this notice to the Bursar in lieu of partial payment of tuition.

Employees who are enrolled as full-time students may be approved by their supervisor for release time up to three hours per week scheduled so as not to interfere with regular work requirements. Vacation time may be organized to coincide with educational schedules with the written approval of the supervisor.

2. Library Privileges

Employees may make full use of the Boricua College Library following the procedures as prescribed by the Department of Learning Resources. You will need your College Identification Card to obtain library privileges.

Chapter 6

GENERAL PROCEDURES

A. EMPLOYEE RELATIONS

1. Employee Orientation Meetings

The Department of Human Resources and Personnel sponsors group orientation meetings throughout the year to explain personnel policies, to review procedures, and to discuss other areas of interest.

2. Work Performance Review

The continuing progress of the College depends on the growing strength and overall development of each employee. Employees will be given supervision and guidance on a regular basis by their immediate supervisor as well as an annual written evaluation that will determine promotion, layoffs, or termination. An evaluation may include but is not limited to an assessment of an employee's: (1) knowledge of their job; (2) quality of their work; (3) quantity of their work; (4) initiative; (5) adaptability; (6) dependability; (7) cooperation; (8) attendance; (9) punctuality; (10) areas of improvement; (11) other factors deemed important, including but not limited to, a pattern of intellectual and affective growth and commitment to the College's mission.

3. Employee Discipline

It is expected that all employees conduct themselves according to generally accepted rules of conduct. When informing an employee of actions or work performance that do not meet normal standards, a supervisor is expected to provide counsel, verbally warn the employee, and if necessary, provide formal written warning to the employee. Termination of employment may occur if the situation continues.

4. Sexual Harassment

a. Policy

Boricua College is firmly committed to providing an environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications deemed to constitute sexual harassment, as defined and otherwise prohibited by federal, state and local laws. Boricua College condemns all forms of sexual harassment, and such sexual harassment will be grounds for immediate discipline up to, and including termination of employment.

b. Definition of Sexual Harassment

The Equal Employment Opportunity Commission issues guidelines interpreting the Civil Rights Act of 1964 (popularly known as Title 7) prohibition against sexual harassment. Moreover, the New York State Division of Human Rights and The New York City Human Rights Commission have similarly issued guidelines interpreting state and local laws prohibiting sexual harassment. Copies of these are available at the Human Resources and Personnel office.

The College provides counseling and other support services to anyone who has experienced sexual harassment through a senior administrator appointed by the President and the Department of Human Resources and Personnel.

c. Administrative Responsibility

It is the responsibility of all administrative personnel, at all levels, including those serving in temporary positions, to enforce the sexual harassment policy. Administrative personnel who fail to strictly and promptly enforce this policy may also be subject to discipline up to, and including, termination of employment.

d. Procedure for Initiating Complaints

The following procedure shall apply in initiating a complaint for any violation of this policy:

- (1). Any employee who is aggrieved by any form of sexual harassment, should directly inform the offending person that the conduct is offensive and must stop.
- (2). The employee should report the offensive behavior in writing to their supervisor. If direct communication with him or her is unsuccessful, and the supervisor has been informed the aggrieved person shall notify the Director of Human Resources and Personnel in writing. Complaints forms are available in the Personnel Office.
- (3). All complaints of sexual harassment shall be investigated promptly and thoroughly by the Director of Human Resources and Personnel, who will then inform the administrators who have been appointed by the President to investigate such actions of harassment.
- (4). The senior administrator appointed and the Director of Human Resources and Personnel will submit the report of the investigation to the Chief Executive Officer, the President, who will designate a committee to review all the facts and make a recommendation for appropriate remedial action if warranted which may include, but is not limited to, demotion, suspension or termination of employment.

5. Religious Accommodation

Boricua College will not discriminate against an employee's or student's religious beliefs. Where a workplace religious accommodation is sought, the employee and or student must inform the college in writing. Boricua College will use its best efforts to accommodate the employee or student's religious needs, without undue hardship created for the College and/or its employees, and that the accommodation does not affect the safety and health of others.

6. Access to Personnel Records

It is the policy of the College to permit all employees to review the contents of their Personnel File. However, the contents of this file remain the exclusive and confidential property of the College. Any employee wishing to review their Personnel File may do so in the Department of Human Resources and Personnel. Copies of materials contained in the Personnel File will be issued upon written request from the employee.

Department supervisors may request to review the application and resume of any employee who they supervise. This review will take place in the Department of Human Resources and Personnel.

Boricua College will make reasonable efforts to keep personnel records in confidence, and not disclose to any third party, or use for the benefit of any party other than the College except when required by law or authorized in writing by the employee. **These procedures apply equally to records of information about students.**

7. Access to College Premises

Only College personnel, students, and persons authorized by the College are entitled to admission to and use of College facilities. Security personnel may require identification of persons entering the premises. All guests must be accompanied by a member of the College community. An unaccompanied guest, unless on official business, will not be permitted in the College building.

The protection of College property as well as personal belongings is the responsibility of every employee. Procedures are taken to guard against the loss of property but personal belongings should be secured in a safe place. College property may not be removed from its designated area without authorization. If an employee finds that College or personal belongings are missing, they should report this matter to their supervisor and to the security unit of the Department of Environmental Services.

Employees may not remove College property from its assigned location without authorization; unauthorized removal of property creates confusion and could cause misunderstanding of your motives and lead to dismissal.

All lost and found inquiries should be directed to the Department of Environmental Services at the respective campuses.

8. Health Conditions

It is the policy of the College that the maintenance of safe and healthy conditions in all offices is the responsibility of the Department of Environmental Services. However, all employees are urged to cooperate in avoiding unsafe and unhealthy conditions in their respective offices.

B. OFFICE PROCEDURES

1. Personal Appearance

While at workplace, Boricua College acknowledges the employee's right to dress as he or she chooses unless the employees dress and grooming has an adverse effect on Boricua College's business or any employee's health and safety. Boricua College requests that all employees dress in accordance with their position as a professional and at all times be neatly attired.

2. Use of Telephones

It is the policy of the College that the telephones may be used for limited personal use in cases of emergency. Please advise your family and friends not to call except in an emergency.

In the event that it becomes necessary to place a long distance telephone call, the employee must obtain permission from their supervisor. This request must be in writing, stating the employee's willingness to pay for all charges. The telephone call will be placed through the receptionist upon presentation of written authorization. This authorization will be forwarded to the Department of Finance and considered to be authorization to deduct the amount of the call from the employee's pay check. The receptionist has the responsibility to maintain a record of all personal long distance calls.

3. Letters, Memoranda & Other Forms

Official College stationery will be used only by authorized personnel in the regular course of official communications. Unauthorized use of College stationery is not permitted. All official inter-office correspondence will use the memoranda form provided by the College.

4. Procedures for Emergencies

Fire exits are properly indicated and are never to be locked. All exit doors will remain unlocked during the daily operation of the College and locked at the end of the day. The Director of the Department of Environmental Services at each campus is responsible for insuring that fire drills occur on a regular basis. In case of fire or other emergencies necessitating evacuation of the premises, the closest stairway is to be used for exiting unless otherwise instructed by authorized personnel.

5. Travel Benefits

Advance approval for travel by taxi must be given by the President's office or senior administrator designed for that purpose. Reimbursement for local travel will be made through Departmental petty cash funds. The following criteria will be used: if the use of mass transportation is impractical because of destination, the size or weight of package, or departure from work after 10 p.m., petty cash may be approved for use of a taxi.

6. Travel Benefits Outside of College and Use of Personal Auto

Certain employees require out-of-town travel. Staff members are required to obtain receipts for travel expenses whenever possible. Receipts are to be attached to the Claim for Travel Reimbursement form available at the Finance Department. The College will reimburse employees for approved out-of-town travel costs as follows:

- a. **Bus/Rail/Air:** Actual cost not to exceed tourist accommodations. The use of first-class accommodations is prohibited unless this mode of transportation is the only expeditious method available to reach or return from destination.
- b. **Local Transportation:** To or from point of departure on common carrier. To or from hotel and places of duty.
- c. **Private Automobile:** If use of automobile is approved, reimbursement will be made at the rate of thirty five cents (36¢) per mile, plus toll and parking.
- d. **Subsistence:** Subsistence (meals) will be reimbursed at a rate of fifty five dollars (\$55.00) per day.

Chapter 7

ORGANIZATIONAL STRUCTURE AND ADMINISTRATIVE RANKS

As in most educational institutions, Boricua College has centralized its governing power in a self-perpetuating Board of Trustees. Formal delegation of power has been vested in the President as Chief Executive and Academic Officer of Boricua College. He shares his administrative responsibilities with Vice Presidents and other senior administrators shown in the Organizational Charts. Boricua College has additional organizational structures with advisory responsibility to the President with regard to academic and administrative policy.

1. **Executive Council:** Members of the President's Executive Council include the Vice Presidents and others designated by the President who serve as advisors on institution-wide policy.
2. **Academic Senate:** All professorial-ranked faculty may be members of the Academic Senate according to specific criteria and the chairperson of the Senate is a senior Faculty member elected by the members. The Academic Senate is advisory to the President on all academic policies.
3. **Academic Management Team:** Advisory to the President, the Team is composed of Academic Vice Presidents, Deans and department Chairpersons. The Team, meets bi-weekly, and has responsibility for the implementation of instructional policies and programs.
4. **Administrative Management Team:** Advisory to the President, the Team is a coalition type structure with a membership of Vice Presidents and administrative Directors of Departments. The Administrative Management Team meets bi-weekly and has responsibility for the implementation of administrative policies and programs.
5. **Administrative Ranks**
 - a. **Executive Officer:** A manager of a broad region of the College's operations (Division) and a key participant in the central leadership of the institution.
 - b. **Director:** A "master" category for supervisory personnel who carry responsibilities for the direction of an entire administrative area (Department) within the College's organizational structure.

- c. **Senior Officer:** A "journeyman" rank for administrative personnel carrying important judgmental and supervisory responsibilities with only periodic guidance from supervisor.
- d. **Officer:** A training rank for administrative personnel carrying responsibilities greater than those of clerical administrative personnel.

Chapter 8

FACULTY

Promotion criteria at Boricua College include five key elements: credentials, experience, scholarship, teaching, and service - the last three of which can be grouped under the general heading of "Performance". As applied in practice, these five criteria, together with differing contract terms, serve to define the four primary faculty ranks:

A. RANKS

- **Instructor** - an "apprentice" rank;
 - **Assistant Professor** - "journeyman" rank;
 - **Associate Professor** - a "master" rank; and
 - **Professor** - a "distinguished achievement" rank.
- A fifth rank, **Lecturer**, not part of the regular faculty structure or tenure track, will be employed for short-term non-renewable appointments.

Note: The term Preceptor may be used for someone carrying special academic and/or instructional activities but is not expected to enter the faculty ranking system.

All other details about faculty assignments, responsibilities and benefits will be found in the Faculty Manual which is part of the contractual agreement with each faculty member.

B. ADMINISTRATORS WITH FACULTY RANK

From time to time it may be necessary to appoint a faculty member to an administrative position. Unless the faculty member has been dismissed from the administrative position for cause and by due process, the aforementioned faculty member may at the discretion of the President be re-appointed to the faculty with the original rank. The salary level will then be re-negotiated to the appropriate base level related to the rank, level taking into account the individual's time at the College and the needs of the institution. Notwithstanding the above, the new faculty salary level will be below the salary level of the administrative position held prior to re-appointment to the faculty.

All administrators with faculty rank must engage in instructional academic research activities and/or instructional activities, in order to maintain their faculty rank no less than once every three years. The assignment must be approved by the President.