COLBY COLLEGE STAFF HANDBOOK
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ABOUT THIS HANDBOOK - PURPOSES AND LIMITATIONS

The personnel policies outlined in this Staff Handbook provide a general guide for administrative and support staff and their supervisors at Colby College and do not establish employment guarantees or contract rights for any or all employees. Colby College intends to offer fair and consistent treatment of its employees and this Handbook provides a framework within which that can be done. Colby, however, reserves the right to unilaterally modify, add to, delete from, or to make exceptions to the policies and procedures stated in this Handbook, without notice, as it deems necessary.

Every attempt has been made to ensure the accuracy of the material herein. The specific procedures relating to compensation, benefits, disciplinary matters, etc. are not part of this Handbook. Supervisors have the responsibility to ensure that employees under their supervision are knowledgeable about Colby policies and procedures affecting their staff. To be certain of the latest description of policies and benefits, employees should contact the Office of Human Resources. In the event of a question about the meaning of any part of this Handbook, Colby’s interpretation will prevail.

Further general information about the College may be obtained in the Catalogue, Colby magazine, and The Annual Report of the President. Several other more specialized publications, many of which are referred to in this Handbook, may also be of interest to staff members.
GENERAL INFORMATION

This section of the Colby College Staff Handbook contains general information about the College, its history, values, programs, and administration.

Specific questions about the contents of the Handbook or other College policies or procedures may be directed to the Office of Human Resources at extension 5500.

Colby History

The College was chartered as the Maine Literary and Theological Institution by the General Court of Massachusetts on February 27, 1813. Two years later, a group of Baptists received a grant of land on the Penobscot River. Subsequently permitted to erect the institution on a site other than the land grant, they chose a tract in Waterville on the west bank of the Kennebec where, in 1818, the Reverend Jeremiah Chaplin began instruction of seven students.

The first legislature of Maine in 1820 granted the institution the right to confer degrees and in 1821 changed the name to Waterville College, with Jeremiah Chaplin as the first president.

When the Civil War threatened to force closing of the College, Gardner Colby, a trustee and prominent merchant of Newton Centre, Massachusetts, made a generous gift, and in 1867 the grateful trustees changed the name to Colby University. In 1899, recognizing that the College had never in fact become a university, the board changed the name to Colby College.

A member of the first class receiving degrees in 1822 was George Dana Boardman, pioneer of a long line of Colby missionaries to foreign lands. A graduate in 1826 was Elijah Parish Lovejoy, who suffered martyrdom for the cause of freedom of the press when his persistent antislavery articles led to his death at the hands of a mob in Alton, Illinois, at the age of 34.

Since its beginning, the College has been nonsectarian. It is the 12th oldest independent liberal arts college in the nation and the fifth oldest in New England. Mary Low matriculated in 1871, making Colby the first of New England’s previously all-male institutions to become coeducational.

After World War I, Colby found its campus confined to 16 crowded acres between the Kennebec River and the tracks of the Maine Central Railroad. On the campus were 10 buildings; six others sprawled into the downtown area. In 1930 the trustees voted that "as soon as feasible" the College must move to a new site. Despite the obstacles of The Great Depression and World War II, Colby was gradually transferred, between 1943 and 1952, to its new site on Mayflower Hill, on land given by the citizens of Waterville.

The growth of Colby since the transfer to Mayflower Hill has been striking. There are now 50 buildings on the 700-acre campus. The faculty, numbering 56 in 1940, reached 186 by 1997 and the endowment has increased to $203 million. Including faculty, but not counting part-time students, Colby employs about 600 people. The expansion of physical facilities, faculty, and endowment has been accompanied by growth in the variety and quality of the curriculum.

Today, Colby’s 1,800 students come from virtually every state and more than two dozen foreign countries. Alumni, numbering more than 21,000, are represented in all 50 states and in some 68 foreign countries. Students may choose from nearly 500 courses in 40 major fields and have wide flexibility in designing independent study programs, electing special majors, and participating in internships and exchange programs. More than half of all Colby students will study abroad at some time during their undergraduate experience.
Colby is committed to the belief that the best preparation for life, and especially for the professions that require specialized study, is a broad acquaintance with human knowledge. A hallmark of the Colby experience is the close relationship between students and faculty, which serves to nurture the excitement that accompanies the discovery of ideas and values.

The Colby Plan is a series of 10 educational precepts that reflect the principal elements of a liberal education and serve as a guide for making reflective course choices, for measuring educational growth, and for planning education beyond college. Students are urged to pursue these objectives not only in their course work but also through educational and cultural events, campus organizations and activities, and service to others both on campus and in the broader community.

To these ends, the Colby academic and residential program is designed to free each student to find and fulfill her or his unique potential. It is hoped that students will become critical and imaginative thinkers who are: welcoming of diversity and compassionate toward others; capable of distinguishing fact from opinion intellectually curious and aesthetically aware; adept at synthesis as well as analysis; broadly educated with depth in some areas; proficient in writing and speaking familiar with one or more scientific disciplines; knowledgeable about America and other cultures; able to create and enjoy opportunities for lifelong learning; willing to assume leadership roles as students and citizens; prepared to respond flexibly to the changing demands of the world of work; useful to society and happy with themselves.

Colby stands for diversity, without which we become parochial; for respect for various lifestyles and beliefs, without which we become mean-spirited; and for the protection of every individual against discrimination. In the classroom and outside, there is freedom to study, to think, to speak, and to learn in an environment that insists upon the free and open exchange of ideas and views.

**Special Programs**

In addition to the College’s undergraduate students, Colby provides a wide variety of programs which bring visitors to the campus through the Office of Special Programs. During the academic year, Special Programs arranges annual conferences, such as the Colby Institute for Leadership, and other non-credit continuing education courses.

Each summer, approximately 5,000 individuals from throughout the nation and other countries visit campus to attend more than 50 courses, conferences, seminars, and institutes in areas of medicine, public and professional services, and for youth programs and sports camps. The major focus of the summer program is continuing medical education (CME), with about 12 CME offerings each year. Public and professional service programs include the Gordon Research Conferences, Great Books, and the Canada/U.S. Math Camp. The College acts as a host site for the American Lung Association’s Trek Across Maine and the Maine Games. Youth camps for soccer, football, field hockey, basketball, baseball, lacrosse, cross country, etc., are available.
Organization of the College

As provided in the charter, Colby’s corporate name is The President and Trustees of Colby College. The Board of Trustees, comprised of the President and not fewer than 24 nor more than 35 other Trustees, meet regularly to govern the College. The full Board generally meets three times per year (Fall, Winter, Spring). There are eight standing Board committees and subcommittees and additional committees may be established by the Chair.

Administrative Structure

For the administrative structure of the College, see the current Colby College Catalogue. The Dean of the College; Vice President of Planning; Carolyn Muzzy Director and Chief Curator of the Colby College Museum of Art; Vice President and Chief of Staff; Provost and Dean of Faculty; Vice President and Dean of Student Advancement; Vice President for College Advancement; Vice President for Enrollment and Communications and Dean of Admissions and Financial Aid; Vice President for Administration and Chief Financial Officer; Vice President, General Counsel, and Secretary of the College; and Vice President and Harold Alfond Director of Athletics serve as an advisory body to the President and meet regularly with the President. This group is known internally as “the Senior Staff.”

David A. Greene
President
Phone: 207-859-4600
david.greene@colby.edu

David A. Greene took office as president of Colby on July 1, 2014. Prior to this appointment President Greene was executive vice president at the University of Chicago. He previously served in leadership roles at Brown University and Smith College.

At the University of Chicago Greene oversaw numerous departments and units and many of the highest priority initiatives of the university. These included the university’s affiliation with the Marine Biological Laboratory at Woods Hole, the establishment of the Becker Friedman Institute for Research in Economics, the development of research and teaching centers in Beijing and New Delhi, the revitalization of community and commercial areas in Chicago, a master plan to support $3.5 billion in facilities and infrastructure improvement and expansion, and capital projects including new residence halls, research buildings, and arts facilities.

Prior to joining the University of Chicago administration, in 2006, Greene was a vice president at Brown, where he was the senior officer responsible for policies and planning that optimized the educational environment for the university’s undergraduate, graduate, and medical students. He also worked with the president to develop the Plan for Academic Enrichment, the university’s long-term plan. He played a similar role at Smith College, where he helped oversee planning efforts that resulted in an ambitious program of facilities and programmatic expansion. Early in his career he held appointments at Hartnell College and Wells College.

Greene’s research interests include social and political movements and their influence on individuals and institutions and the economics of education. He is the author of The Women’s Movement and the Politics of Change at a Women’s College. Greene speaks frequently to international audiences about globalization and education.

Greene received a bachelor’s degree in history from Hamilton College and a master’s degree in human development and psychology as well as master’s and doctoral degrees in education and social policy from Harvard University.
Karlene Burrell-McRae ‘94
Dean of the College
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Dean of the College Karlene Burrell-McRae ‘94 works collaboratively with the president, senior officers, and faculty to provide leadership and promote the vision of a fully integrated student experience, combining the curricular and cocurricular dimensions of student life illuminating the connection between students’ intellectual and personal development. Dean Burrell-McRae leads new and existing initiatives to foster a diverse and inclusive community. Finally, in partnership with faculty, she spearheads Colby’s civic engagement efforts. Most recently she was the associate dean of students and executive director of the Center for Identity + Inclusion, which included the Office of Multicultural Student Affairs, the LGBTQ Student Life Office, and the Office of Student Support Services, which focused on first generation, lower income, and undocumented students’ experiences. Previously, she served as the assistant dean of college and director of Black Cultural Center at Swarthmore College. Prior to Swarthmore, Dean Burrell-McRae spent 18 years at the University of Pennsylvania, where she held numerous positions with increasing responsibility within the Division of University Life, including her role as the inaugural director of Makuu, the university’s Black cultural center. A self-described community builder and collaborator, she earned a doctorate in higher education, a master’s in social work, and a master’s of science in education from the University of Pennsylvania. She is a 1994 alumna of Colby and majored in anthropology.

Brian J. Clark
Vice President of Planning
Phone: 207-859-4615
brian.clark@colby.edu

As vice president of planning, Brian Clark plays a key role in ensuring that Colby fully supports its academic and cocurricular programs, and he leads the College’s outreach to the community, in Waterville and beyond. He came to Colby in 2014 as assistant to the president and director of planning, a senior staff position. In that capacity he worked closely with President Greene, senior leadership, the Board of Trustees, and internal and external stakeholders to organize and support the College’s efforts to develop and implement long-range and strategic planning. His efforts on Colby’s ambitious plan to help revitalize downtown Waterville have helped launch multiple projects on and around Main Street that have attracted attention across Maine and the northeast. Before coming to Colby he spent seven years at the University of Chicago in a variety of roles, finally as associate director for strategy and planning in the university’s Office of the President. A Maine native, Clark earned a bachelor’s degree in government and law and in art history from Lafayette College in Easton, Pa., and a master of public policy and organizational management degree from the Muskie School of Public Service at the University of Southern Maine.
Ruth J. Jackson
Vice President and Chief of Staff
Phone: 207-859-4343
ruth.jackson@colby.edu

As vice president and chief of staff, Ruth Jackson oversees the coordination and implementation of key strategic priorities and special projects across multiple areas of the College. She partners with colleagues across campus to ensure alignment and optimal progress on Colby’s full set of ambitious initiatives. A Maine native and a graduate of Brandeis University and Columbia University’s Graduate School of Journalism, Jackson worked in positions of increasing responsibility in the Office of Communications at Colby from 2004-2019, when she moved from serving as vice president for communications to her current role.

Margaret T. McFadden
Provost and Dean of Faculty
Phone: 207-859-4770
margaret.mcfadden@colby.edu

As Colby’s chief academic officer, Provost and Dean of Faculty and Professor of American Studies Margaret T. McFadden supervises academic departments and programs and oversees curricular development and the faculty appointment and review processes. Chairs of departments, directors of interdisciplinary programs, the Colby Libraries and Athletics, as well as the offices of Off-Campus Study, the Registrar, Institutional Research, the Colby Writing Program, and the Center for Teaching and Learning are responsible to the provost and dean of faculty. McFadden joined the Colby faculty in 1996 and was previously associate provost. Her service to the Colby community includes, most recently, chairing the Distribution Requirements Task Force and serving on major College committees such as the Committee on Mission and Priorities and the Committee on Promotion and Tenure. She also helped lead the establishment of new initiatives, including the Center for the Arts and Humanities, the program in environmental humanities, and the Cinema Studies Program. Her work reflects her long commitment to engaged scholarship and a fully inclusive academic environment, the latter reflected in her service on Colby’s Task Force on Diversity, Inclusion, and Equity. She has won teaching prizes at Colby and at Yale, where she earned her Ph.D. following undergraduate work at Wells College. As a scholar, McFadden has explored the representation of gender, race, class, and sexuality in American popular culture, from the 1930s to the present day. Her most recent book, The L Word, was published in 2014, and she is now at work on a project on gender and comedy in the 1970s.

Jane B. Phillips ’01
Vice President for College Advancement
Phone: 207-859-4302
jane.phillips@colby.edu

Vice President for College Advancement Jane Phillips ’01 oversees development, alumni relations, and the networks that allows Colby to offer students and alumni exceptional opportunities. Phillips joined the advancement staff in 2018 as the associate vice president for advancement after having led the Foundation for Maine’s Community Colleges for several years. Prior to that she worked in development at Yale University, New York University, and the Smithsonian Institution. At Colby she studied art and government, and she later earned a master’s degree in visual arts administration from NYU.
Matthew T. Proto  
Vice President of Enrollment and Communications, Dean of Admissions and Financial Aid  
Phone: 207-859-4802  
matthew.proto@colby.edu

Vice President of Enrollment and Communications, Dean of Admissions and Financial Aid Matthew T. Proto oversees all aspects of enrollment and communications for the College. Prior to joining the Colby community in May 2015 he served as assistant dean of admissions at Stanford University. Proto has benefited from working in multiple admissions roles, having served as director of scholar selection for the Morehead-Cain Scholars program, associate director of admission and college counseling at Choate Rosemary Hall, and assistant director of admission at Yale University. A graduate of Yale University, Proto earned a master of liberal studies degree at Wesleyan University and a doctorate in educational leadership at the University of North Carolina at Chapel Hill.

Douglas C. Terp ’84  
Vice President for Administration and Chief Financial Officer  
Phone: 207-859-4774  
douglas.terp@colby.edu

Vice President for Administration and Chief Financial Officer Douglas C. Terp ’84 is responsible for the administration of the business affairs of the College, including finance, facilities management, and administrative services. He serves as chief financial officer and supervises offices and departments including Dining Services, Financial Planning, Financial Services, Human Resources, Information Technology Services, Investments, Physical Plant, Risk Management, and Security. He has worked at Colby since 1987, and following 11 years as director of personnel he was named vice president in 2005. He chairs the Budget Committee and the Environmental Advisory Group and is a member of the Economics Department. At Colby Terp earned his bachelor’s degree in government in 1984. He earned an M.B.A. at Thomas College in 1995.

Jacqueline Terrassa  
Carolyn Muzzy Director of the Colby College Museum of Art  
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jacqueline.terrassa@colby.edu

Jacqueline Terrassa is the Carolyn Muzzy Director of the Colby College Museum of Art where she is responsible for leading one of the country’s most notable academic museums, setting strategy, raising the museum’s visibility, and expanding its impact for Colby, our local Waterville and regional communities, and audiences who find value in the museum’s content and educational mission. Terrassa works closely with colleagues across the institution as well as with the Museum’s Board of Governors, partners, and community leaders to realize the goals of the museum for mutual benefit. The Colby Museum counts with a distinguished collection, exhibitions, publications and academic, public and community engagement programs, as well as with the Lunder Institute for American Art, an incubator for pathbreaking collaborative research, artistic practice and mentorship in the field. From her role at Colby, she advocates for the value of art and artists in our society and seeks opportunities to expand equitable access to cultural resources, build and enrich communities with the arts as catalyst, and empower people to think critically, produce new knowledge, imagine, and create. Prior to joining the Colby Museum in August 2020, she served as the Woman’s Board Vice President for Learning and Public Engagement at Art Institute of Chicago and held leadership and education positions at The Metropolitan Museum of Art; Museum of Contemporary Art, Chicago; the Smithsonian’s Freer and Sackler Galleries; the University of
Chicago’s Smart Museum of Art; and the Hyde Park Art Center. From 2011 to 2015 she co-directed the Museum Education Division of the National Art Education Association. She has worked on projects with a range of artists and written about artists and approaches to museum-based engagement. Born and raised in Puerto Rico, she received her BFA at Washington University, St. Louis, Missouri, and her MFA at the University of Chicago.

Richard Y. Uchida ‘79
Vice President, General Counsel, and Secretary of the College
Phone: 207-859-4609
richard.uchida@colby.edu

As vice president, general counsel, and secretary of the College, Richard Uchida ‘79 is the principal liaison to the Board of Trustees and promotes, facilitates, and supports governance practices across the College to further its longrange strategic interests. He also serves as the College’s chief legal affairs officer, representing the College on legal and regulatory issues, providing a range of legal and risk management services, and overseeing the College’s work with outside counsel. Prior to Colby, Uchida was a partner in Hinckley, Allen & Snyder, a law firm with offices in Concord, N.H., Boston, Hartford, Albany, New York City, and Providence. He was vice chair of Colby’s Board of Trustees, past chair of the Educational Policy Committee, and vice chair of the Athletics Subcommittee. He earned his law degree from the University of New Hampshire School of Law, formerly Franklin Pierce Law Center, where he was an adjunct professor and a trustee until the merger with UNH. He was a member of Colby’s 2013 presidential search committee.

Michael D. Wisecup
Vice President and Harold Alfond Director of Athletics
Phone: 207-859-4900
michael.wisecup@colby.edu

As vice president and Harold Alfond Director of Athletics, Mike Wisecup oversees Colby athletics and recreational sports. Prior to joining Colby, Wisecup served 20 years in the U.S. Navy as a SEAL officer. Mike is a graduate of the U.S. Naval Academy and earned an M.B.A. from the Indian Institute for Technology and Management in Mumbai, India in 2009.

Committees

There are a number of standing committees at Colby concerned with matters of interest to all constituencies, including students, faculty and staff. These committees are generally linked with one of two anchor committees: Academic Affairs and College Affairs. All have administrators, faculty and student members. The Academic Affairs Committee oversees the curriculum and educational policy. It also addresses any issues relating to the Bookstore as necessary.

The College Affairs Committee oversees the co-curricular program, and formulates and recommends policies concerning student life to appropriate bodies (e.g., to the Faculty and to the Student Government Association) except for the curriculum and academic requirements.

In addition to standing committees, there may be ad hoc and advisory committees established to deal with special issues, or subcommittees designated by existing committees for the same purpose.

Student Government
Colby’s student government is a multi-tiered structure that operates on a campus-wide level—the Student Government Association (SGA) and the Presidents’ Council; within each Commons, the Commons Councils; within each residence hall, the hall councils; and within each class, class officers. For more information, please refer to the Student Government Association Constitution. Students also serve on the Judicial Board, which makes recommendations on most student disciplinary decisions, and on a number of College committees.
MISSION AND PURPOSES

The Colby Plan: Mission and Precepts

Colby is committed to the belief that the best preparation for life, and especially for the professions that require specialized study, is a broad acquaintance with human knowledge. The Colby experience is designed to enable each student to find and fulfill his or her own unique potential. It is hoped that students will become critical and imaginative thinkers who are: welcoming of diversity and compassionate toward others; capable of distinguishing fact from opinion; intellectually curious and aesthetically aware; adept at synthesis as well as analysis; broadly educated with depth in some areas; proficient in writing and speaking; familiar with one or more scientific disciplines; knowledgeable about American and other cultures; able to create and enjoy opportunities for lifelong learning; willing to assume leadership roles as students and citizens; prepared to respond flexibly to the changing demands of the world of work; useful to society and happy with themselves.

Colby stands for diversity, for respect for various lifestyles and beliefs, and for the protection of every individual against discrimination. In the classroom and outside, there is freedom to study, to think, to speak, to work, to learn, and to thrive in an environment that insists upon both civility and the free and open exchange of ideas and views. The behavior of individuals may often affect the rights and well-being of others, therefore all members of the campus community are responsible for fostering an environment in which teaching, learning, and research flourish.

The Colby Plan is a series of 10 educational precepts that reflect the principal elements of a liberal education and serve as a guide for making reflective course choices, for measuring educational growth, and for planning for education beyond college. Students are urged to pursue these objectives not only in their course work but also through educational and cultural events, campus organizations and activities, and service to others. These precepts, which the College believes are at the heart of a liberal arts education, are as follows:

1. to develop one’s capability for critical thinking, to learn to articulate ideas both orally and in writing, to develop a capacity for independent work, and to exercise the imagination through direct, disciplined involvement in the creative process;
2. to become knowledgeable about American culture and the current and historical interrelationships among peoples and nations;
3. to become acquainted with other cultures by learning a foreign language and by living and studying in another country or by closely examining a culture other than one’s own;
4. to learn how people different from oneself have contributed to the richness and diversity of society, how prejudice limits such personal and cultural enrichment, and how each individual can confront intolerance;
5. to understand and reflectsearchingly upon one’s own values and the values of others;
6. to become familiar with the art and literature of a wide range of cultures and historical periods;
7. to explore in some detail one or more scientific disciplines, including experimental methods, and to examine the interconnections between developments in science and technology and the quality of human life;
8. to study the ways in which natural and social phenomena can be portrayed in quantitative terms and to understand the effects and limits of the use of quantitative data in forming policies and making decisions;
9. to study one discipline in depth, to gain an understanding of that discipline’s methodologies and modes of thought, areas of application, and relationship to other areas of knowledge;
10. to explore the relationships between academic work and one’s responsibility to contribute to the world beyond the campus.
**Summary of Colby Values**

**Academic Integrity**
Intellectual integrity is a fundamental value of all academic institutions and is at the heart of the primary teaching, learning, and research activities of the College. Misrepresenting one’s work, using sources without appropriate attribution, and giving or receiving unauthorized aid on assignments and examinations are dishonest acts that violate the core value of intellectual integrity.

**Diversity**
Colby is dedicated to the education of humane, thoughtful, and engaged persons prepared to respond to the challenges of an increasingly diverse and global society and to the issues of justice that arise therein. The College also is committed to fostering a fully inclusive campus community, enriched by persons of different races, gender identities, ethnicities, nationalities, economic backgrounds, ages, abilities, sexual orientations, political beliefs, and spiritual values.

**Campus Sustainability and Resource Conservation**
Colby College is committed to nurturing environmental awareness through its academic program as well as through its activities on campus and beyond. As a local and global environmental citizen, the College adheres to the core values of respect for the environment and sustainable living. Colby seeks to lead by example and fosters morally responsible environmental stewardship. Environmentally safe practices inform and guide campus strategic planning, decision making, and daily operations. We urge community members to recognize personal and institutional responsibilities for reducing impact on the local and global environment. Finally, we recognize that achieving environmental sustainability will be an ongoing challenge that evolves, as we become more aware and educated as a community.

**Non-discrimination**
Colby is a private, coeducational liberal arts college that admits students and makes personnel decisions on the basis of the individual’s qualifications to contribute to Colby’s educational objectives and institutional needs. The principle of not discriminating on the basis of race, color, sex, sexual orientation, gender identity, religion, age, parental or marital status, national or ethnic origin, political beliefs, disability, veteran status, genetic information, pregnancy, childbirth or medical conditions unrelated to job or course of study requirements is consistent with the mission of a liberal arts college and the law. Colby is an affirmative action/equal opportunity employer and operates in accordance with federal and state laws regarding non-discrimination.

Colby prohibits retaliation against anyone who makes a good faith report of conduct in violation of Colby’s discrimination or harassment policies, or against anyone who makes a good faith effort to disclosed perceived wrongdoing. Further, Colby will not tolerate retaliation against any employee who, in good faith, cooperates in the investigation of such conduct.

**Non-harassment**
Harassment based on race, color, sex, sexual orientation, gender identity, religion, age, national or ethnic origin, disability veteran status, or genetic information results in loss of self-esteem for the victim and in the deterioration of the quality of the classroom, social, or workplace environment. Neither the law nor College regulation permits harassment as defined in these policies. Both racial and sexual harassment are illegal under state and federal law. Harassment by one’s peers, by any student, or by any employee of the College will not be tolerated. Possible penalties for those found guilty of harassment include probation, suspension, expulsion, termination of employment, and civil or criminal lawsuits. Those in positions of authority in all sectors of the College community must recognize that there is always an element of power in their relationships with persons having less authority. Faculty members must be aware that they can unexpectedly find themselves responsible for the instruction or evaluation of any student at the College. It is, therefore, the responsibility of the person in authority not to abuse that power. Relationships between consenting adults that would otherwise be acceptable can pose problems when one of the two has any kind of authority over the other. Such relationships should be avoided.
Prohibition of Sexual Misconduct
Members of the Colby community, guests, and visitors have the right to be free from all forms of sexual misconduct. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. Colby maintains a zero-tolerance policy for sexual misconduct, including sexual violence, domestic violence, dating violence, non-consensual sexual intercourse or contact, sexual harassment, sexual assault, sexual exploitation, and stalking.

Residential and Social Life
Because Colby is a residential college, students create a community that is simultaneously intellectual and social. The patterns and programs of social and residential life are administered so as to enhance faculty-student ties beyond the classroom; assure respect for persons and property as well as the individual rights, well-being, and dignity of others; promote understanding among all people; and foster personal growth and the opportunity to make lasting friendships. In the conduct of its social life Colby is committed to several principles. First, while not every social event can or should be open to every student, campus social life as a whole should be open and welcoming to all students. Second, students must retain the right to avoid social engagements when they so choose. To this end, departments, residence halls, teams, clubs, and other groups should strive to ensure that participation in social activities is neither formally nor informally required. Third, personal conduct at social events should be governed by respect for the rights and well-being of others.
WHERE TO GO FOR HELP

The College offers many resources for employees who may find themselves in need of help, job related or personal. These resources are available to all Colby employees and may be used in any order or combination in which the employee finds helpful.

Supervisor and Department Heads
Employees in need of help dealing with a situation in the workplace should feel free to contact their direct supervisor or department head. If an employee does not feel comfortable asking a direct supervisor or department head for help, she/he is encouraged to seek out another supervisor or department head for assistance.

Human Resources
The Office of Human Resources staff is available to speak with employees regarding workplace situations or to answer questions about policies, procedures, etc. You may contact Human Resources at 859-5500.

Senior Staff
Each department of the College falls under the general supervision of a vice president or a dean. All employees are welcome to contact the appropriate dean or vice president for their area or any member of senior staff should they have an issue that they feel needs to be addressed.

President David A. Greene
859-4600 or david.greene@colby.edu

Vice President of Enrollment and Communications,
Dean of Admissions and Financial Aid
Matthew T. Proto
859-4802 or matthew.proto@colby.edu

Dean of the College
Karlene Burrell-McRae
859-4623 or karlene.burrellmcrae@colby.edu

Vice President for Administration
and Chief Financial Officer
Douglas C. Terp
859-4770 or douglas.terp@colby.edu

Vice President of Planning
Brian J. Clark
859-4615 or brian.clark@colby.edu

Carolyn Muzzy Director of the Colby College
Museum of Art
Jacqueline Terrassa
859-5601 or jacqueline.terassa@colby.edu

Vice President and Chief of Staff,
Ruth J. Jackson
859-4343 or ruth.jackson@colby.edu

Vice President, General Counsel, and Secretary of
the College
Richard Y. Uchida
859-4609 or richard.uchida@colby.edu

Provost and Dean of the Faculty,
Margaret T. McFadden
859-4770 or margaret.mcfadden@colby.edu

Vice President and Harold Alfond Director of Athletics
Michael D. Wisecup
859-4900 or michael.wisecup@colby.edu

Vice President for College Advancement,
Jane B. Phillips
859-4302 or jane.phillips@colby.edu

Employee Assistance Program (EAP)
The EAP offers confidential assessment, referral and counseling services for a variety of personal, work, life and emotional concerns. These include, but are not limited to, parenting, elder care, legal, substance abuse, marital, stress, and eating disorder issues. You may contact EAP by phone at 1-800-554-6931.
EMPLOYMENT POLICIES AND PROCEDURES

Statement on Non-Discrimination and Affirmative Action

The Board of Trustees of Colby College has adopted the following statement reaffirming the position of the College with respect to non-discrimination:

Colby is a private, coeducational liberal arts college that admits students and makes personnel decisions on the basis of the individual’s qualifications to contribute to Colby’s educational objectives and institutional needs. The principle of not discriminating on the basis of race, color, sex, sexual orientation, gender identity, religion, age, parental or marital status, national or ethnic origin, political beliefs, disability, veteran status, genetic information, pregnancy, childbirth or medical conditions unrelated to job or course of study requirements is consistent with the mission of a liberal arts college and the law. Colby is an affirmative action/equal opportunity employer and operates in accordance with federal and state laws regarding non-discrimination.

The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects the job rights of individuals who voluntarily or involuntary leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services. For more information, please see the USERRA rights notice maintained in the Office of Human Resources.

Colby prohibits retaliation against anyone who makes a good faith report of conduct in violation of Colby’s discrimination or harassment policies, or against anyone who makes a good faith effort to disclosed perceived wrongdoing. Further, Colby will not tolerate retaliation against any employee who, in good faith, cooperates in the investigation of such conduct.

Recruitment and Employment

Posting Jobs and Staff Recruitment

It is the policy of the College that positions available for application by outside applicants or current staff will be posted on campus by Human Resources. This policy extends to positions funded by outside sources in addition to any College-funded positions.

Exceptions to this policy may occur from time to time, and an open position may be filled without posting or advertising. A department may promote a current employee to another position within the department without posting. The College also reserves the right to reassign employees as needed, for example, because of functional reorganization of a department or in the event of a layoff of staff. Prior to such a placement, Human Resources will discuss the reassignment and the need for it with supervisors and department heads involved as well as with the employee(s) affected.

Recruitment Procedures

Jobs available for application are normally listed in For Your Information (FYI) the employee newsletter, posted on bulletin boards and the College’s web site (www.colby.edu/administration_cs/humanresources/employment). Posted listings include a description of the job duties and overall responsibilities, qualifications sought, and application procedures. Additional copies of the job listings are available from Human Resources.

Available positions may be advertised simultaneously with the campus posting, particularly if the need to fill the position is immediate. According to the scope and responsibility level of the position and overall
qualifications sought, advertisements may be placed in local or regional newspapers. When the scope of the search is fairly broad, as it will be for most administrative staff positions, at least two weeks normally is allowed for the submission of applications.

Staff members are encouraged to apply for transfer and/or promotion opportunities that may be of interest to them and should call Human Resources to discuss their interest or to obtain more information on the available position. Colby does, however, reserve the right to hire outside the College for any position.

Employment Letters and Orientation

Employment offers at Colby are provided in writing and state the type of appointment being offered, position title, starting date of employment, wage or salary payable, eligibility for benefits, and any other terms of employment. Starting pay rates are determined consistent with the College’s wage and salary system. New staff are normally appointed at the hiring rate for the classification. Appointments above the minimum hiring rate may be made depending on relevant work experience.

The President, the Vice President for Academic Affairs, the Vice President for Administration, and the Director of Human Resources are the only administrators authorized to make employment offers on behalf of the College for continuing and temporary positions.

The normal work year for staff is the fiscal year beginning July 1, or the remainder of a fiscal year if the starting date is after July 1. New appointments usually include an initial probationary period and may be contingent upon the verification of certain job required licenses, certification of appropriate immunizations, and successful completion of a postemployment, pre-placement physical examination at the Colby Health Center or a local medical provider selected by the College.

On the first day of an appointment, or as soon thereafter as practical, Human Resources will explain to new staff members the conditions of the appointment as well as Colby’s Human Resources policies and benefits and will inform staff of the online availability of the Staff Handbook. The immediate supervisor will introduce new staff to other members of the department, explain details of the job, and provide information about work hours, breaks, and schedules.

Types of Appointments

Colby employees are appointed in one of three categories: faculty (who are governed by a separate handbook), administrative staff, or support staff. Some members of the administrative staff also hold faculty status, and most “administrators” are exempt from the provisions of the Fair Labor Standards Act. Employees who are subject to the provisions of the Fair Labor Standards Act, primarily support staff, are eligible for overtime pay for hours worked in excess of 40 in one work week. Hours worked include actual hours worked plus College holidays, sick leave, vacation time and floating holidays. All appointments are either continuing or temporary.

Continuing Staff (Full Time and Part Time)

A staff member employed in a continuing position works on a regularly scheduled basis, either full or part time, either 12 months or academic year, and such employment may be continued from year to year according to the needs of the College.

Continuing staff members scheduled for at least one-half time for either an academic or a fiscal year are eligible for participation in the benefit programs insurance programs offered by the College, paid leave privileges, and other staff programs according to the eligibility requirements of each specific program or policy.
Temporary Staff (Term and Casual)

Two categories of temporary employment for support staff have been established: Term and Casual.

1) Term employees are hired for a fiscal year or a portion of a fiscal year, usually with an anticipated separation date established at the time of the temporary employment arrangement. Staff appointed to term employment positions of six months or more and at least half time are classified as temporary with benefits employees. They are eligible for paid vacation, holidays, and insurance benefits, according to the eligibility requirements of each specific program and legally required benefits. If a department anticipates the need for employment beyond the maximum 12 months, continuing employment status approval must be obtained or the term status re-authorized.

2) Casual employees work on an irregular, project, or seasonal basis, with a work schedule based on departmental need. They may be hired for a period up to but not exceeding six months of employment on a project or up to six months for a single department. Employment may be full or part time during this time frame, with an anticipated separation date provided at the time of the temporary employment arrangement. Casual temporary employees are not generally eligible for participation in the benefits program.

Employment Classifications

Two employment classifications have been established for staff positions: Administrative Staff and Support Staff.

Administrative Staff

The administrative staff includes the officers as defined in the Bylaws (the President, Vice President for Academic Affairs, Vice President for Administration, Treasurer, Vice President for College Relations, Vice President for Student Affairs, Secretary of the College and Dean of Admissions and Financial Aid), department heads, and other professional staff. Some administrative staff members hold faculty status (e.g., the officers and the professional library staff). Members of the administrative staff assume the management and supervisory responsibilities for Colby and carry out a variety of specialized and professional tasks.

Support Staff

Support staff are grouped by function as secretarial and clerical, service and trades, other staff, and student employees.

Secretarial and Clerical: Staff members within this employment classification serve in academic and administrative offices and departments. Positions within this category are assigned to pay grades according to the level of skills and responsibility required.

Service and Trades: Staff members within this general employment classification are employed in skilled, maintenance, or general staff positions in the departments of Physical Plant, Dining Services, and Security. Position titles within this classification vary in nature and reflect the work performed by the staff member in the department: first or second cook, cook’s helper, etc., in Dining Services; carpenter, electrician, painter, HVAC mechanic, groundskeeper, custodian, etc., in Physical Plant.

Other Staff: Staff members employed in areas outside the secretarial and clerical classification, or service and trades, are considered to be in this job grouping. Grades in pay are not normally assigned, due to the unusual work performed or singular position for the College.
Student Employees: The College maintains an active oncampus employment program for students. Students are regularly employed in part-time positions throughout the campus in a wide range of duties and responsibilities. Students employed during the academic year are subject to the campus employment policies administered by the Office of Student Financial Services. A number of students are also employed during the summer as temporary staff.

**Probationary Employment Periods**

**Probationary Employment Period: New Employees**

A continuing staff member serves an initial probationary employment period, usually six months, when first employed and is evaluated by his/her supervisor during this period. The purpose of the evaluation is to determine if the staff member successfully performs the work required. While evaluations normally result in recommendations for continued regular employment, extensions of the probationary period or termination may also be the result, at the College’s sole discretion.

**Probationary Employment Period: Promotions, Lateral Transfers, or Reclassifications**

Staff members who are promoted to a new position within a department or are hired for a promotion opportunity in another department may serve a probationary period of up to six months, depending on the nature of the position.

Staff members whose positions are reclassified (when current duties and responsibilities are upgraded in pay range) may be provided a promotion pay increase but are not required to serve a probationary period following the reclassification.

**Other Probationary Periods**

If at any time after the completion of the initial probationary period, a staff member fails to perform assigned duties satisfactorily; his or her supervisor may recommend a probationary period or immediate termination of employment. Failure to attain adequate standards of performance during that period may result in termination of employment.

Employees placed on probation will be provided written notice of the reasons by the College for probation and the period of time provided to correct the problem. Supervisors must review such action with the Director of Human Resources, the Vice President for Administration, or the President prior to placing an employee on probation.

**Promotions and Transfers**

Continuing employees within a department who possess the necessary qualifications are given first consideration for transfer openings and promotion opportunities. Colby does, however, reserve the right to transfer, reassign, or hire outside the College for any position in its sole discretion.

Promotions will be made on the basis of qualifications, job performance, past employment record, and length of service.

Normally, benefits will remain unchanged with a promotion or transfer; however, if the type of appointment changes, eligibility for benefits may also change.

**Separation from Employment**
Prior to departure, employees are encouraged to remove personal items, including but not limited to, clothing, paperwork, computer files, and email messages. Employees should coordinate with both their supervisor and the Faculty and Staff Support Center to determine which computer files may be removed and the best method for doing so. The College will dispose of any abandoned personal property at its discretion. All College owned property must be returned prior to departure. Removal of Colby property is strictly forbidden.

Employees separated from College employment under this policy will be entitled to pay for any earned and unused vacation leave.

Voluntary Separation

When a staff member has decided to resign or retire from College service, Colby expects reasonable notice of at least two weeks. In the case of retirement, the decision to retire is usually made and carefully planned for a considerably longer period, and therefore, the College expects longer notice. Ample notice is required so that the operations of a department can continue smoothly and so that a replacement can be recruited before the employee leaves.

For both resignation and retirement, employees should notify their supervisor in writing of their intention to leave and should provide a specific date for the last day of work. Copies of this letter of resignation should be provided to the department head and Human Resources by the employee’s supervisor.

Involuntary Separation

If separation from College employment is involuntary, the employee will be provided appropriate notice. Involuntary separation for disciplinary reasons is outlined in the "Standards of Conduct" section. Supervisors must review such action with the Director of Human Resources, the Vice President for Administration, or the President prior to initiating an involuntary separation of employment.

While Colby endeavors to offer steady employment, should separation from employment occur because of lack of work, functional reorganization, or other reasons, the employee will be given as much notice as practicable. The College may, upon application, consider the employee for other suitable, available positions.

Compensation and Payroll Information

Compensation

Wage Plan

The Office of Human Resources is responsible for developing and maintaining a wage plan for staff, and each position is assigned a pay grade in the plan. Beginning with job descriptions and other information that differentiate a particular job from others, the positions are grouped according to like duties and responsibilities. The classifications are used to set pay rates for staff members and to provide career advancement opportunities for Colby employees.

The salary range or rates of pay for each position class or for individual positions are established in consideration of the following factors: type of work, level of responsibility, and appropriate market wage and salary rates.

Upon hiring, promotion, reclassification, or transfer, the employee’s pay rate will be determined by Human Resources, consistent with the College’s wage and salary plan. Transfers within the same job classification will not ordinarily result in a change of pay. Permanent transfers to a lower rated position
when such transfer is made at the employee’s request or because of a disciplinary action will normally result in a loss of pay. Promotion to higher pay grades will normally be accompanied by a pay increase.

Pay Practices

The normal work year for staff is the fiscal year beginning July 1, or the remainder of a fiscal year if the starting date is after July 1. After the approval of the annual budget and prior to the beginning of each fiscal year, staff eligible for continuing employment may be issued re-appointment and/or increase letters.

The College normally provides general wage and salary increases each year, effective July 1 or September 1, the beginning of either the fiscal or the academic year. Merit salary increases, based upon the staff member’s performance of duties and responsibilities, are normally provided subject to Board approval each year.

Staff salaries and wage rates are reviewed each year. Recommendations for reclassification, title changes, promotions, or special wage or salary adjustments are normally requested by supervisors as part of the budget process each fall. Requests are reviewed by Human Resources and, where appropriate, recommendations for changes are reviewed by the Vice President for Administration in consultation with other members of the Senior Staff and the President. Approved changes are normally effective July 1 or September 1, the beginning of either the fiscal or the academic years. Increases normally will be implemented on the first full payroll of each fiscal year or academic year as appropriate.

A temporary increase may be recommended for a staff member who assumes greater duties and responsibilities for an employee who is absent. Such a temporary increase in pay will not be granted unless it is known that the additional responsibilities will be held for one month or more. Such temporary increases are normally not given for administrators. Rather, such special contributions are considered in subsequent merit reviews. Temporary increases require the approval of the Director of Human Resources.

A shift differential in addition to an employee’s regular rate of pay will be paid for certain non-exempt positions. For shifts beginning after 2:30 p.m., the employee shall normally receive an additional $.50 per hour; for shifts beginning after 10:30 p.m., the employee shall normally receive an additional $1.00 per hour.

If a nonexempt employee is called back to the campus for emergency reasons, the College will pay an amount equal to two and one-half times the hourly rate of pay, and the hours worked will be compensated for actual time worked. Callback pay does not apply to hours worked in conjunction with and beyond a regularly scheduled shift. In addition, call-back pay does not apply to overtime work that is scheduled in advance, for whatever period of time, even though the hours worked are not in conjunction with and beyond a regularly scheduled shift.

Payroll Information

Payroll Enrollment

In order to be placed on the payroll, a newly hired staff member must complete W-4 forms for federal and state income tax, provide the College with his or her Social Security number, and supply evidence of citizenship or employment eligibility. If the new employee does not have a Social Security number, the required tax-withholding forms must be accompanied by an application for a number from any Social Security Office. All employees of the College are subject to federal income withholding taxes, Maine withholding taxes, and federal Social Security and Medicare taxes.

Payday
Pay checks for hourly-paid staff are issued every other Thursday and cover hours worked for the previous two weeks. Pay checks for monthly-paid staff are issued on the last working day of each month.

Upon request, net pay may be deposited automatically every payday to as many as three checking or savings accounts at any financial institution of your choice that accepts direct deposit. The financial institution must be within the United States. After the appropriate forms have been submitted to the Payroll Office, there is normally a one-pay period delay in activating the automatic deposits.

If the College has made an error, the error will be corrected immediately upon notification to the Financial Services Office. If the error is on the part of a staff member, such as failing to submit a time card or properly reporting all hours eligible for pay, the College will normally make corrections in the next regularly scheduled payroll.

Time Cards

All hourly-paid staff are required to report hours worked every two weeks on a College time card and each week is measured from Saturday (midnight to the following Saturday midnight). Time cards are due in the Payroll Office by 10 a.m. the Monday following each pay period. The Payroll Office announces the scheduled pay periods and deadlines each year. Cards should be prepared and signed by both the employee and the supervisor. Absences from work for use of paid or unpaid leave must be indicated on the card. Supervisors are responsible for maintaining accurate attendance/leave records for all support staff.

Overtime Pay and Compensatory Time

Colby conforms to all terms of the Fair Labor Standards Act (also known as the Federal Wage and Hour Law), including the payment of minimum wage and overtime pay. These laws and guidelines establish the criteria for determining which positions are salaried or hourly paid. Support staff must be paid for hours worked in excess of 40 during a work week at one-and-one-half times the employee’s regular hourly wage. In certain limited circumstances, time off may be provided within the same work week to hourly paid staff in lieu of overtime pay. Administrative staff are exempt from overtime requirements or pay. It is illegal for private employers like Colby to provide compensatory time.

Payroll Deductions

The College is required by law to withhold certain amounts of pay for federal and state income taxes and for Social Security taxes (including Medicare). Other possible payroll deductions include: 1) retirement plan contributions, 2) dependent health insurance premiums, 3) optional life insurance premiums, 4) flexible spending account contributions, 5) Colby mortgage payment, 6) tax sheltered annuities available through the College’s retirement plan, 7) College annual fund and capital campaign contributions, and 8) College approved charitable contributions.

Tax Indemnification and Gross Up Payments Policy

Colby College’s general policy is to not provide any tax indemnification or gross up payments for compensation or other taxable income. Exceptions to this general policy require the advance approval of the Vice President for Administration and are to be made on a non-discriminatory basis. Exceptions are only valid for a 1 year period. Exceptions beyond 1 year require a formal review and re-approval annually by the Vice President for Administration.

Employee Information Changes
Any change in a staff member’s status that may affect benefits or other obligations should be reported promptly by the appropriate supervisor to Human Resources using a Personal Information Change Form (available on the Office of Human Resources Webpage) or electronic mail. It is a staff member’s obligation to report other changes such as an increase or decrease in the number of dependents, a legal name change, beneficiary designations for life insurance, birth dates of dependents, or address changes.

**General Employment Information**

**Absence or Tardiness**

Employees are responsible for notifying their supervisors prior to the start of each work day if they are unable to report for work as scheduled and expected. Failure to do so will result in loss of pay and possibly disciplinary action. An employee who is frequently absent from work, with or without notification to the supervisor, may be subject to disciplinary action, up to and including termination of employment.

An employee who is absent from work for a period of three days or more without notification to the supervisor will be separated from College employment, and the separation will be considered a voluntary resignation.

**Animals on Campus**

Students are forbidden to keep pets on campus as a safety and health measure. Staff (except those residing on campus) are also prohibited from bringing pets, especially dogs, to the campus. Unleashed dogs violate state law as well as a Waterville city ordinance.

**Communicating with Press, Radio and Television**

The Communications Office and designated administrators are responsible for communications with off-campus news organizations and, as such, are the only staff authorized to represent the College’s positions or policies. Employees should contact their supervisor or the Communications Office for guidance in responding to news media requests.

**Conflict Resolution Procedures**

Colby seeks to provide a congenial working atmosphere that is sensitive to employee needs and concerns. Staff therefore are encouraged to offer suggestions and raise concerns with supervisors. Each issue raised is to be considered on its merits and may or may not result in action by the College. Employees need not fear reprisal, discrimination, criticism, or loss of status for discussing or submitting a concern.

The College has both informal and formal conflict resolution procedures. Frequently, informal consultation can produce a decision or solution quickly and fairly. Formal procedures are more deliberate. Both are intended to provide every employee with the means of being recognized and heard and to alert the College to causes for dissatisfaction.

**Informal**

In general, an employee should first talk directly to the person(s) with whom they have a complaint or disagreement, possibly after consulting a friend or co-worker. Some people may be unaware of their behavior and may well respond to direct communication. Having specific facts at hand, instead of relying on memory, will aid in this informal process. If the direct approach is not satisfactory or if the employee does not feel comfortable approaching the individual directly, the employee may proceed to a more formal approach by contacting their supervisor or other appropriate staff.
Formal Procedures

Employees are encouraged first to discuss their concerns or dissatisfactions with their supervisor. The first contact may, however, be some other person in a line of authority such as a director of a department, the Director of Recruitment and Employment, the Assistant or Associate Director of Human Resources or the Director of Human Resources. Supervisors, deans, and directors are obligated to respond in a timely manner to the employee. Should the issue remain unresolved, the employee should contact the Director of Human Resources for an explanation of Colby’s formal complaint procedure. The formal procedure requires that the complaints be written in order for all parties involved in future hearings to have access to the same information. If not resolved at an early stage, a complaint can eventually reach the President. The President’s decision under this procedure is final and not subject to further review.

Human Resources will assist any employee with questions about how to use the formal or informal complaint resolution procedure. Employees may refer to Complaint Policy and Procedures (p. 45) or contact Human Resources for additional information about these procedures.

Colby has established special procedures to address harassment complaints. Please refer to the Harassment Policies and Complaint Procedures.

Confidential Information

A number of positions at Colby give employees access to personal information about students, parents, alumni, employees, and others. This information may not be shared or discussed with anyone not specifically authorized to receive it. Every employee is responsible for respecting the right to privacy.

Conflict of Interest Policy

Colby’s Trustees have established a Conflict of Interest Policy that states, in part, that "it is the responsibility of the trustees, officers and employees of Colby College to administer the affairs of the College honestly and economically, exercising their best care, skill and judgment for the benefit of the College." The policy requires that all administrative staff, and other staff designated by the President, shall complete a certificate of compliance with the policy every third year and requires disclosure to the President if any conflict of interest, real or potential, should arise during the course of employment.

Controlled Substances/Drugs and Alcohol

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited anywhere on the campus. Under the provisions of the Federal DrugFree Workplace Act, and the Drug-Free Schools and Communities Act, employees must adhere to this policy and, further, are obligated to notify the College of any criminal drug statute conviction for violations occurring in the workplace. A convicted employee will be subject to disciplinary action that could include immediate termination of employment. For details of Colby’s policy on controlled substances, please see the Policy on Illegal Drugs and Alcohol (p. 61).

Alcohol

Colby seeks to educate the entire College community students, faculty and staff in supporting a "campus culture of responsibility," where alcohol will not be central to campus life. The Board of Trustees assigned the following responsibilities to staff in support of this goal:

- To avoid substance abuse and refuse to tolerate substance abuse and abusive behavior in others.
- To understand Colby’s alcohol policy and to be aware of the laws of the State of Maine.
• To be mindful of remarks that might promote an atmosphere of substance abuse.
• To support the goal of providing a civil environment on campus.

To protect and promote the health and safety of students as well as themselves, and to lend assistance to others in need of help because of a problem relating to alcohol.

To ensure, when providing social functions that include alcohol, alternate beverages are available and that alcohol is served only to those age 21 and older. Alcohol, when offered, is provided in moderation. Alcohol abuse and abusive behavior will not be tolerated.

The College has designated individuals to assist students and employees in dealing with substance abuse problems and to address abusive behavior. Staff may consult their supervisor, the Director of Human Resources, College physicians and counselors, or a family physician.

**Employee Code of Conduct**

Colby College is committed to operating lawfully. In addition, we value ethical behavior, individual responsibility, and integrity. All employees are expected to behave responsibly and comply with applicable laws and regulations.

If you encounter or become aware of work-related behavior that is unlawful, you should alert any of the following people: your supervisor or department head, any member of Human Resources, the Controller, an officer of the College, any member of the Audit Subcommittee of the Financial Strategy and Business Affairs Committee of the Board of Trustees. If you are unsure how to make contact, please contact Human Resources or the Office of the President for instructions. You may alert any of these people anonymously.

Retaliation against a staff or faculty member who makes a good faith effort to disclose perceived wrongdoing is prohibited. The College will make every appropriate effort to redress violations of this Code. While “whistle blowing” should not be an outlet for vindictive or malicious charges that have no basis in fact, the College always wants to know if an employee feels she/he is being subjected to illegal treatment; or required to engage in any illegal activity; or is aware of any illegal practice.

**Employer Provided Housing**

The College will provide housing to employees only under specific conditions as follows:

• The housing is furnished for the convenience of Colby College and must be integrally related to the duties of the employee,

• The employee is required to accept such housing as a condition of employment,

• The housing shall be located on the business premises of Colby College, and

• The provision of housing to an employee must be approved by the Board of Trustees, President or Vice President for Administration.

**Employment of Family and Relatives**

The College permits employment of members of the same family. However, in order to ensure objectivity and impartiality in matters of Human Resource administration involving appointments, salaries, retention, leaves of absence, and so on, the employment of immediate family members in a direct reporting relationship is not permitted. Immediate family members are defined as parents, grandparents, children, husbands and wives, domestic partners, brothers and sisters, and corresponding members by marriage or partnership.
Colby College Harassment and Sexual Misconduct Policy and Complaint Procedures

The College is committed to assuring a welcoming, safe, and equitable campus community for all. This policy prohibits harassment and sexual misconduct (including sexual misconduct not covered by Title IX) as outlined below.

Harassment
Harassment based on any protected category, including race, color, age, sex, sexual orientation, gender identity, pregnancy, religion, national or ethnic origin, disability, military status, or genetic information is an affront to the target of such harassment and degrades the classroom, social, or workplace environment; harassment, as defined below, is therefore prohibited.

Harassment includes conduct specifically directed at an individual or a group of individuals and expresses hatred or contempt on the basis of stereotyped group characteristics or because of a person’s identification with a particular group. Harassment also includes any action or speech directed toward members of the protected category that reasonably can be determined to be threatening in content or is spoken in a manner that suggests violence toward such persons is imminent. Harassment is deemed to have occurred when harassing conduct is sufficiently severe, pervasive or persistent that it interferes with or limits a student’s or employee’s ability to participate in or gain the privileges of programs and services of the College.

Because of the uncertainty as of the date of this publication regarding the scope and breadth of gender-based harassment as a matter of federal law, the following section includes a definition and explanation of prohibited gender-based harassment at Colby College. Specifically, such gender-based harassment includes harassment based on a person’s actual or perceived gender, sex, sexual orientation, gender identity or expression, or gender stereotypes which may include acts of aggression, intimidation, or hostility, whether verbal or nonverbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (i) and/or (ii), below, are present.

i) Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person’s employment, academic standing, or participation in any Colby programs and/or activities, or is used as the basis for Colby decisions affecting the individual (often referred to as “quid pro quo” harassment); or

ii) Such conduct creates a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the College’s educational or employment programs and/or activities. Conduct, which can include expression—that is, verbal statements rising to the level of sexual harassment—must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. In evaluating whether a hostile environment exists, Colby will consider the totality of the known circumstances, including, but not necessarily limited to:

1. The frequency, nature, and severity of the conduct;
2. Whether the conduct was physically threatening;
3. The effect of the conduct on the Reporting party’s mental or emotional state;
4. Whether the conduct was directed at more than one person;
5. Whether the conduct arose in the context of other discriminatory conduct;
6. Whether the conduct unreasonably interfered with the Reporting party’s educational or work performance and/or College programs or activities;
7. Whether the conduct unreasonably interfered with the Reporting party’s educational opportunities or performance (including study abroad), university-controlled living environment, work opportunities or performance;
8. Whether the conduct was humiliating; and
9. Whether the conduct implicates concerns related to academic freedom or protected expression.

Harassment in the Classroom
Colby believes that academic freedom is the cornerstone of a college education, and faculty and staff members have wide latitude to conduct classroom sessions in creative and intellectually stimulating ways. A true and valued learning experience may cause discomfort, as students are challenged and exposed to new and perhaps disquieting ways of thinking or living. Nonetheless, students have the right to participate in the classroom without being subjected to harassment (as defined above). It is incumbent on faculty members to balance the demand of rigorous and thoughtprovoking teaching with the expectation that students will not be personally harassed or singled out in the learning process on the basis of group membership. Instructors have the special responsibility to explain to their students, when necessary, the educational purpose of any classroom technique or practice.

**Sexual Misconduct**

The following types of sexual misconduct are prohibited at the College:

- **Sexual Exploitation** is any abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. Sexual Exploitation includes, without limitation, causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over that person; causing the prostitution of another person; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds or images of another person; allowing third parties to observe sexual acts; engaging in voyeurism; distributing intimate or sexual information about another person; and/or knowingly transmitting a sexually transmitted infection, including HIV, to another person.

  *Note*: Colby’s prohibition of Sexual Exploitation is not intended to prohibit the use of legal sexually explicit materials that are reasonably related to Colby’s academic mission. Specifically, this section is not intended to proscribe or inhibit the use of sexually explicit materials, in or out of the classroom, when in the judgment of a reasonable Colby faculty member they arise appropriately to promote genuine discourse, free inquiry, and learning.

- **Intentional Non-Consensual Contact** is any contact, not otherwise defined as “Sexual Assault” in Colby’s’ Title IX Policy, with intimate body parts (genitalia, breasts, anus, groin, buttocks) without the other person’s consent.

- **Jurisdictional Sexual Misconduct** is any conduct that would otherwise qualify as a Title IX violation which occurs outside of the United States or in the United States, but in a non-College education program or activity or on non-College owned, managed or controlled property.

- **Title IX Sexual Misconduct** consists of specific types of sexual misconduct identified as a matter of federal law (Title IX) as constituting sexual harassment and sexual misconduct. Colby’s Title IX Policy prohibits those acts too. For more information, please see the policy.

Any action with the purpose of aiding, facilitating, promoting, or encouraging the commission of any act prohibited by this policy is a violation of this policy.

**Procedures for Reports Against a Student or Involving a Student**

Harassment by a student of another student, a faculty member, a staff member, a volunteer, or a third party (in circumstances directly affecting the College community) is a violation of Colby’s Code of Student Conduct and should be reported to the Office of Student Conduct and Accountability. The Student Disciplinary Procedures set forth in the Colby Student Handbook will apply to the report.
Sexual harassment involving a student that falls under Title IX will follow the College’s Title IX policies and procedures, and should be reported to the Title IX Coordinator.

**Procedures for Reports of Harassment Against a Faculty or Staff Member**

Reports against faculty or staff members should be made to the College’s Director of Recruitment and Employment, Cora Clukey (207-859-5511, 122 Roberts).

Complaints may also be filed with the Maine Human Rights Commission, 207-624-6290, 51 State House Station, Augusta, ME 04333.

**Procedures for Reports of Title IX Harassment Against a Faculty or Staff Member**

Sexual harassment that falls under Title IX involving a faculty or staff member will follow the College’s Title IX policies and procedures, and should be reported to one of the following individuals:

- Title IX Coordinator, Meg Hatch (207-859-4266, Eustis 210A)
- Deputy Title IX Coordinator for Faculty, Carol A. Hurney (207-859-4787, Eustis 203A)
- Deputy Title IX Coordinator for Staff, Cora Clukey (207-859-5511, 122 Roberts)
- Deputy Title Coordinator for Admissions, Meghan Grandolfo (207-859-4813, Lunder House)

Complaints may also be filed with the Maine Human Rights Commission, 207-624-6290, 51 State House Station, Augusta, ME 04333.

**Retaliation Prohibited**

Colby prohibits retaliation against anyone who makes a good faith report of conduct in violation of Colby’s discrimination or harassment policies. Further, Colby will not tolerate retaliation against any employee who, in good faith, cooperates in the investigation of such conduct.

**Inclement Weather**

Because Colby is a residential college with over 90 percent of its students living on campus, it seeks to maintain regular classes and services when many schools and institutions close because of weather conditions. There are times, of course, when weather conditions may cause employees to be concerned about traveling to and from work. Inclement weather such as a blizzard or heavy rain storm may be the cause for late arrival at work or early departure from work, but is not normally considered an acceptable excuse for a full day’s absence. If inclement weather is the cause for tardiness, or early departure, employees should notify their supervisors as soon as possible and should charge time lost to floating holiday or vacation leave (if earned and available) or take the time without pay.

If an “inclement weather day” is called, employees who are released from work that day, or portion thereof, will be paid at the regular rate of pay for those hours. Those employees who are required to work during the “inclement weather day” will receive their regular pay plus extra straight-time pay for all hours worked.

In the event of severe weather, employees should tune into local television or radio stations or contact the College’s emergency message line at 859-5544.

The President, the Vice President for Administration and/or the Director of Human Resources are responsible for declaring an “inclement weather” day. Human Resources is responsible for notification of supervisors and addressing wage questions arising under this provision.
Indemnification

Each employee of the College acting within the scope of his or her employment in good faith and in a manner reasonably believed by such person to be lawful and in the best interest of the College, shall, in accordance with the provisions of Section 714 of Title 13-B of the Maine Revised Statutes as in effect on January 1, 1989, be indemnified against all expenses, including attorneys’ fees, judgments, fines, and amounts paid in settlement, actually and necessarily incurred by such Trustee, officer, employee, or agent in connection with the defense of any action, suit, or proceeding to which he or she has been made a party by reason of being or having been such Trustee, officer, employee, or agent. This indemnification policy shall be for the benefit of the persons described herein while serving in the capacity described, as well as after the termination of such service, with respect to actions taken while serving in such capacity and shall extend to their heirs and to their personal representatives.

The provisions of this policy with respect to employees shall be subject to procedures and conditions established by the corporation. For more information about these procedures, please refer to Indemnification Procedures (p. 57).

Outside Employment

The College discourages a staff member who works a full-time schedule from accepting with another employer a position that may interfere with the employee’s availability or ability to perform the duties of his or her position with the College.

The College is also reluctant to allow continuing full-time staff to work additional hours in temporary positions on the campus on a longterm basis, because the hours beyond 40 must be compensated at time-and-a-half, and because it may interfere with a staff member’s ability and availability to perform the duties of his or her regular position. In no event will a combined appointment exceed 40 hours per week.

While the College does not wish to interject itself unnecessarily or unreasonably into a staff member’s after-work activities, the College does have the right to protect its own interests and reputation and expects staff members to share this concern. In situations when a staff member’s outside activities create serious criticism of the College, and when the reputation of Colby is being jeopardized, action will be taken to officially discourage a staff member from continuing in such activities.

Performance Evaluation

Supervisors normally evaluate individual performance each year and share the results of the evaluation with each staff member. The written evaluations are then made part of each staff member’s personnel file.

The appraisal generally consists of the following components: a review of job descriptions and performance standards, a review of the last year’s goals and accomplishments, a review of personal, professional, and skill development activities, strengths and areas to improve, and overall assessment of performance and goals for the coming year.

Personal Property Located on Campus

The College does not insure or accept responsibility for any employee personal property located on College premises. Such property can usually be covered by the employee’s homeowners or renter’s insurance policy. Employees should consult with their insurance agent(s) for more information.

Personal Services
The College does not provide services for the benefit of employees or their families except for the usual and customary services required to maintain housing provided to employees under the Employer Provided Housing Policy. These services include, but are limited to, landscaping, home repairs, utilities, phone, internet access and similar expenses. Any exceptions to this policy require the approval of the Vice President for Administration.

**Personnel File**

The Office of Human Resources maintains employment files on all staff. These files include employment-related information including applications/resumes, employment references, job descriptions, performance evaluations, benefits enrollment information, wage and salary letters, Personnel Action Forms (PAFs), and supervisory recommendations, reprimands, and/or warning notices. These files are considered confidential. Employees have the right to review materials in their own personnel file and may do so by making arrangements with the Office of Human Resources.

**Re-Employment**

A former staff member who is re-appointed to a continuing staff position shall be considered a new employee as of the date of re-appointment. Credit for prior regular service may be granted, when applicable, in establishing eligibility for employment benefits.

**Smoking Policy**

In the interests of reducing harm from tobacco use and secondhand smoke, providing an environment that encourages persons to be tobacco-free, reducing longterm healthcare costs, and promoting a campus culture of wellness, Colby College has established a tobacco-free policy, effective September, 2013.

For the purposes of this policy, tobacco use will be defined as the possession of any lighted tobacco products, or the use of any type of smokeless tobacco including electronic cigarettes and chewing tobacco. The use of any such products will not be permitted on any College-owned property, including, but not limited to buildings, grounds, parking areas, walkways, recreational and sporting facilities and College-owned or leased vehicles or any other vehicles on Colby-owned property.

This policy will apply to faculty, staff, students, clients, contractors, vendors and visitors, and will be in effect during and after normal campus hours as well as during all College sponsored events.

**Summer Employment for Academic-Year Staff**

The normal work schedule for some staff members is for fewer than 12 months. Academic-year employees who wish to work during the summers should contact Human Resources in the spring. Requests from all departments for special summer assistance are considered as part of the annual budget and approved in April. According to the various departmental work needs, and in the College’s sole discretion, it may be possible to assign summer employment to several regular academic-year staff members. Under Maine law, academic-year staff provided reasonable assurance of continued employment are not eligible for unemployment during breaks or the summer.

**Unauthorized Entry or Occupancy**

Entry by unauthorized persons into closed and/or posted residence halls, any secured space, or any other College building may result in disciplinary action. Student rooms, faculty and administrative offices, and other employee workplaces are private spaces, controlled by the College and the current authorized occupants. Failure of any person to vacate such places upon the request of the occupant(s) or by legitimate College authority is a violation that can lead to disciplinary action, including suspension or
dismissal. Likewise, unauthorized occupation of any College building or the disruption or unauthorized occupation of teaching spaces will not be tolerated and violators will be subject to similar disciplinary action.

**Work Week, Meal Periods and Breaks**

Standard office hours at Colby are 8:00 a.m. to 5:00 p.m. Monday through Friday. For staff members employed in secretarial, clerical, or other staff positions in an administrative or academic office, the standard work week is typically 40 hours, Monday through Friday, with one hour, unpaid, off for lunch. Some offices and some positions will vary from this work schedule. For 35-hour work-week staff, hours worked in excess of 35, but not more than 40 hours, are paid at regular time. Hours in excess of 40 are paid at time-and-a-half.

Dining Services, Physical Plant, and Security have work weeks of 40 hours, with a normal work day of eight hours. Such employees may be required to work nights or weekends on a regularly scheduled basis in support of services offered to the campus by the department. Service and trade employees may also be required to work additional hours for special occasions or in case of emergencies. Time worked in excess of 40 hours is paid at time-and-a-half.

Two paid breaks during the work day, of approximately 15 minutes each, are provided for service and trade employees, to be scheduled by the supervisor. For office and library staff, these breaks are not strictly scheduled. So far as possible, schedules are arranged so that office services are not interrupted for breaks or lunch hours.

**Workplace Safety**

Colby recognizes a basic responsibility to make the safety of students, employees, and visitors a primary concern. This responsibility can only be realized when everyone works continuously to promote safe operating practices among all employees and to maintain equipment and property in safe condition. The College provides training and instruction, corrects hazards, issues safety warnings, and encourages safe practices. At the same time, any safety program relies primarily upon concerned individuals acting wisely and responsibly at all times. The College encourages employees to report to supervisors or the Colby Safety Director any and all unsafe conditions.

The College is committed to the development and maintenance of a successful safety program as an organizational priority. The goal of the Colby safety program is to reduce and, ultimately, to eliminate work-related injuries.

Colby has established hazard identification and safety training programs in compliance with federal and state occupational safety regulations. Employees receive general safety training during orientation and, where appropriate, job-specific training prior to starting work. Colby also provides refresher training programs on a regular basis as required and will provide more frequent training upon request. Employees should contact their supervisor or the Director of Safety for additional information or questions regarding safety procedures, policies, or training.

**Job-Related Injuries and Illnesses**

All work-related injuries and illnesses must be reported to your supervisor and the Office of Human Resources immediately. Supervisors are required to file a completed Supervisor’s First Report of Injury with Human Resources within 24 hours of any work injury or illness, identify the cause of an injury or illness, and take preventive measures to avoid future occurrences.
For work-related and non-work-related injuries or illnesses, the College has established procedures to assist injured employees, coordinate necessary medical care, and provide early return to work opportunities whenever possible. The College reserves the right to request a physical examination, at the expense of the College, to determine whether the health or physical condition of an employee might interfere with job performance or personal safety.

Workstation Evaluations

The Safety Director and other designated staff are available to perform workstation evaluations to ensure work area design meets appropriate ergonomic standards. Staff should contact the Safety Director for more information or to request an evaluation.

Hazard Communication

The Occupational Safety and Health Administration’s (OSHA) hazard communication standard defines certain chemicals/agents/solutions as potential hazards if not used correctly. It stipulates an employer must inform and train all employees who may be exposed to these hazards under normal operating conditions or in foreseeable emergencies.

In practice, this means that all employees who may be exposed to these hazards must be given initial information and training. Thereafter, employees must be informed and trained when these new hazards are introduced into their work area. An employee who is transferred to a new work area must be informed and trained upon assignment. New employees must be informed about hazard communication and trained before starting to work in an area where they may be exposed to these hazards.

The standard states that employees must be informed of: the requirements of the hazard communication standard; any operations in their work area where chemical/agents/solutions are located; the location and availability of the written hazard communication program, the master chemical list, and the Material Safety Data Sheets (MSDS) for the chemical agents or solutions with which they work or to which they may be exposed.

Department directors and supervisors are responsible for both the initial orientation of new employees and for making sure that current employees are aware of and practice proper safety precautions as they relate to hazards in their respective areas.

"Chemicals" include not only hazardous products but also raw materials, intermediate chemicals, by-products, wastes, maintenance supplies, and other chemicals that are in the workplace. These include: copier toner, rubber cement, carpet tile adhesives, paint and wax stripper, insecticides and fungicides that may be sprayed in the workplace or office, fluorescent lamp coatings, bleach, ammonia, caulking materials and sealants, copper and aluminum cleaners, dry cleaning fluids, and pre-molded urethane insulation, to name a few.

Material Safety Data Sheets (MSDS) on all chemicals/agents/solutions are located in the Safety Director’s office or online: the Cornell Chemical Web Site. Department-specific MSDS are located in each department. These Material Safety Data Sheets outline the correct strategy to use when working with or near chemicals/agents/solutions. In addition, the College will conduct periodic education and training sessions related to proper safety procedures. All chemicals/agents/solutions containers must be labeled, tagged, or marked with appropriate hazard warnings. If the container is not marked DO NOT USE IT. Report it to your supervisor immediately.

Hazardous Material Spills
Spills of chemicals, bio-medical waste, blood, or other potentially hazardous materials are best handled by experts. Some situations can be appropriately handled by trained College employees while others require more specialized knowledge. The College has two individuals so trained, as well as membership in the Kennebec Valley Hazardous Materials Emergency Response Team, to meet these situations.

Spills should be reported to the Physical Plant Department during regular business hours (extension 5000) or to Security (extension 5530) if PPD is unavailable. Do NOT attempt to clean up the spill unless you have received appropriate training.

**Benefits for Eligible Staff**

Staff members who hold continuing and term appointments who work one-half time or more per academic or fiscal year are eligible to participate in the medical, life, and disability insurance plans, as well as the Cafeteria Plan and flexible spending accounts.

The benefit information that follows is only a summary of the terms of employee benefits. If there is any inconsistency between this information and any plan, contract, or policy relating to employee benefits, the actual terms of the plan, contract, or policy will govern.

While the College expects to continue to offer the benefit plans described, the College reserves the right to amend or modify the eligibility requirements, or the level of benefits, and to make any other changes, including termination of any plan, contract, or policy, in its benefit plans at any time and for any reason whatsoever.

Where required, plan information is available in Summary Plan Descriptions. (Appendix A)

**Medical Insurance**

The Colby College Health Plan provides basic comprehensive medical coverage with an option for either an HMO managed care plan or an indemnity plan. All employees electing health insurance coverage will be required to make contributions to the cost of coverage and the cost will vary based on the plan selected, the number of individuals covered, and current salary.

Employees may elect dependent coverage and pay the appropriate premiums. Dependent coverage is available, subject to eligibility requirements, to legally recognized married spouses and dependent children. For all employees, these premium payments are made on a pretax basis.

A detailed description of the plan is contained in the summary plan description (Appendix A), and in the insurance information provided at the time of employment and during the annual enrollment period.

**Domestic Partners**

Since Maine law permits same-sex marriage, only legally recognized married partners are eligible for participation in Colby’s insurance plans. Newly added married partners must provide the legal certificate from a jurisdiction that authorizes same- or opposite sex marriages. Benefits will be provided on the same basis as a dependent under the plan, and contributions toward coverage will be made on a pre-tax basis. For more information about coverage for same-sex spouses, please contact Human Resources.

**Life Insurance**
Colby makes available to eligible staff members two kinds of term insurance. The first is basic insurance paid for by the College and the amount of coverage is based on the employee’s attained age as of January 1st of each year as follows:

- Less than 31 - $50,000
- 31 - 35 $45,000
- 36 - 40 $40,000
- 41 - 45 $35,000
- 46 - 50 $30,000
- 51 - 55 $25,000
- 56 - 60 $20,000
- 61 - 65 $15,000
- 66+ $10,000

Supplemental insurance in the amount of $50,000, $100,000, $150,000, $200,000, or $250,000 is available through payroll deduction. Staff are also eligible to purchase a variety of individual life insurance policies directly from Teachers Insurance and Annuity Association (TIAA) as a result of employment at Colby.

Employees are covered by a travel/accident policy in the amount of $150,000, paid for by Colby, when traveling on College business only. For more information on the terms and amount of coverage, contact Human Resources. For information about the Colby group plan, see the Group Life Insurance Plan SPD (Appendix A).

**Dependent Life Insurance**

Employees may elect group term life insurance for legally recognized married spouses and dependent children. Coverage for a spouse is available in $10,000 increments up to a maximum of $50,000. Dependent child(ren) coverage is available in $2,000 increments up to a maximum of $10,000. Dependent life insurance premiums are paid through payroll deduction. For information about rates and application procedures, contact Human Resources.

**Disability Insurance**

The College provides, at no cost to the employee, total disability insurance, which provides a "monthly income benefit" during a total, long-term disability, with benefits continuing during such a disability, normally until age 65. The monthly income benefit, including any payable from Social Security, or Workers' Compensation, is equal to 60 percent of the monthly salary (to a maximum of $7,500 per month) after completion of a six-month elimination or waiting period. For information on paid leave benefits during the six-month waiting period, employees should consult information outlined in "Sick Leave" and "Leave of Absence" sections.

In addition to monthly income benefits, contributions continue to be made to retirement annuity contracts under the disability plan, normally to age 65. For more information, see Long Term Disability Insurance Plan SPD (Appendix A).

**Employee Assistance Program**

The Employee Assistance Program (EAP) is a confidential consulting service offering a range of assessment, information, referral, and counseling services for a variety of personal concerns. It is designed to assist employees and household members deal with issues such as emotional distress, marital difficulties, financial problems, legal questions, and child- and elder-care challenges, among
others. The EAP also offers a 30-minute legal consult service. For more information, refer to the EAP brochure or contact Human Resources.

Flexible Spending Accounts

Flexible Spending Accounts (FSAs) provide employees the opportunity to make pre-tax contributions to an account in their name, from which reimbursements are made for dependent care expenses and eligible medical expenses (such as co-payments, deductibles, dental and eye care expenses). FSAs require an irrevocable election for each plan year and contributions to FSAs are not subject to taxes. Claims against the year’s election can be incurred and paid through February 28 of the following year. For more information, contact Human Resources or see the Medical Reimbursement Plan SPD (Appendix A).

Retirement Plan

All staff are subject to mandatory participation in the Colby College Retirement Plan after completing a two-year waiting period. Under the Plan, the College and employees make contributions to individually owned retirement annuities issued by Teachers Insurance and Annuity Association/College Retirement Equities Fund (TIAACREF).

The Plan provides for an eight percent College contribution on regular earnings up to $84,900 and ten percent on earnings over that, up to the maximum contribution limit as defined by the IRS. The employee contribution of two percent of regular earnings is mandatory and, as a condition of employment, must be made on a salary reduction basis.

All contributions are vested immediately. TIAACREF provides various investment options, cash payout at retirement or separation, survivor benefits, and a variety of retirement income options. Brochures that explain the provisions of this program are available at Human Resources.

Additional retirement benefits may be available to support staff employees who began employment prior to July 1, 1992.

In addition to the retirement plan, Colby employees may contribute to tax-deferred or supplemental retirement annuities by making arrangements with Human Resources. More information on retirement plan options and provisions can be obtained by contacting Human Resources or see the Retirement Plan SPD (Appendix A).

Social Security

Colby participates in the federal Social Security and Medicare programs. Each employee and Colby contribute equally to the cost of Social Security and Medicare benefits. (Presently, the rate is 7.65 percent of wages up to the Social Security wage base and 1.45 percent of wages above the wage base) An employee's contribution is deducted from each pay check. Those deductions and the amount contributed by Colby are deposited to the employee's account with the federal government in accordance with federal regulations.

Mortgage Loans

Staff members on full-time continuing appointments moving to accept employment at the College may apply for a mortgage program benefit. The program may provide a reduced interest rate for a home mortgage secured within two years of employment. The interest rate, based on current market rates, varies with the amount of the down payment.
For further information about the mortgage program, please contact Human Resources.

**Unemployment Insurance**

All employees are covered under the Employment Security Law (unemployment insurance) and are entitled, under the conditions of the law in Maine, to its benefits. Unemployment benefits are paid entirely by the College.

**Workers’ Compensation Insurance**

All employees are covered under the State of Maine Workers’ Compensation Act and are entitled, under the conditions of the law in Maine, to its benefits. This insurance is paid entirely by the College and provides weekly income, after completion of a seven-day waiting period, and medical benefits.

Under Workers’ Compensation, benefits are payable only for injuries and illnesses that arise out of and in the course of employment. Injuries and illnesses not directly related to job duties are generally not covered by Workers’ Compensation.

Colby has established procedures to ensure prompt medical treatment of work-related injuries and illnesses, to provide immediate return to work opportunities for employees, and to comply with reporting requirements. A delay in reporting may make the employee ineligible for Workers’ Compensation benefits.

Employees may use accrued sick leave, vacation, or personal leave during the initial waiting period for Workers’ Compensation income benefits. In the event that an employee receives sick leave payments for an injury or illness that is deemed compensable under the Workers’ Compensation Act and subsequently receives benefits under the Workers’ Compensation Act, such benefits shall be reduced by the amount of sick leave payments received by the employee on account of that injury or illness. The employee shall reimburse the College an amount equal to sick leave payments received by the employee on account of that illness or injury.

**Employee Tuition Waiver and Reimbursement**

Continuing fulltime employees, upon completion of their initial six-month probationary period, are eligible to participate in a tuition waiver and reimbursement program. For courses at Colby, an eligible employee may audit or enroll for credit in one course at the College each semester without payment of tuition. To enroll, the normal admissions requirements must be met and permission of the instructor obtained. For more information, go to [http://www.colby.edu/administration_cs/humanresources/benefits/](http://www.colby.edu/administration_cs/humanresources/benefits/) and follow the link to the Colby College Statement on Non-Traditional Students at Colby in the Tuition section.

Classes taken during work hours must be approved by the immediate supervisor and the department head prior to enrollment. The time must be made up during the same work week.

Eligible employees may also enroll in one or two courses for academic credit in courses for which a certificate of completion is granted by an accredited college, university, or vocational technical school. When the course has been completed satisfactorily (grade C or better), a tuition refund may be obtained, up to a maximum of six credits per semester for no more than 12 credits per calendar year. Reimbursement is limited to tuition; activity charges, travel, books, and other fees are generally not eligible for reimbursement. Maximum per credit hour reimbursement rates are determined annually by the Director of Human Resources. When courses are required by Colby, the tuition and fees will be paid in full.
Requests for reimbursement forms may be obtained at the Office of Human Resources or online at http://www.colby.edu/administration_cs/humanresources/forms/index.cfm. Requests for reimbursements shall be subject to the approval of the appropriate vice president or dean and the Human Resources officer.

Reimbursement of employee tuition expenses may be subject to income and payroll taxes, based on the nature of the employee’s position and the type of course taken. Employees should consult with Human Resources at the time of enrollment to determine the likely tax treatment of reimbursement payments.

Training Seminars, Workshops and Conferences

Colby encourages professional staff development and provides budgets in offices and departments to cover all or part of the cost of attendance at the meetings of professional associations and intensive, short-term workshops on topics relevant to specific job requirements at Colby. In some cases, employees may be asked to attend intensive training programs lasting several weeks. Such training costs will be fully paid by the College.

College Tuition Subsidy for Dependent Children

Fiscal and academic year continuing, fulltime employees are eligible for dependent tuition subsidy benefits. For staff appointed after July 1, 1985, there is an initial six-year waiting period before benefits can be used. The amount of the benefit shall be 38.1 percent of Colby’s comprehensive fee if the child attends Colby, or if the child attends another institution, the amount of the tuition at the other institution or 38.1 percent of Colby’s comprehensive fee, whichever is less. Different eligibility and benefit conditions apply to employees who began employment prior to September 1974 and July 1985.

The benefit amount is related to the length of service of the employee; for each year of the child’s tuition payment, there must be one year of full-time, paid service. Years of service may be accumulated and may be concurrent with the child’s year of tuition benefit, and partial years – as long as they are part of the full-time, paid service – may be applied pro rata.

Certain qualifying criteria have to be met before dependent tuition subsidy can be obtained: 1) the educational institution attended must be an accredited degree-granting institution; 2) tuition benefits will be granted for not more than eight semesters to any one dependent. Only full-time, academic year or fiscal year appointments will qualify an employee for coverage under this policy.

For the purposes of determining benefits, only tuition charges are eligible for the subsidy; attendance deposits, room and board, and other fees are not eligible. Eligible dependents include natural or adopted son or daughter, stepson, or stepdaughter. For additional information about eligibility requirements or to request benefit payments, contact Human Resources.

Colby Courses for Spouses and Children

Legally recognized married spouses and dependent children of continuing employees may enroll at Colby in courses for credit without payment of tuition on a space-available basis. Application for admission must be submitted to and approved by the Office of Admissions. Spouses are eligible to enroll as either matriculating or non-matriculating students and are not limited as to the number of courses taken for credit. Dependent children may enroll as non-matriculating students up to a maximum of four courses for credit (no more than two courses in any semester) without payment of tuition. Eligible dependent children are those who are currently in high school, currently enrolled as undergraduates in a college or university, or undergraduates on leave from a college or university. Regularly enrolled Colby students will have priority in any class in which registration is limited. Spouses and dependent children may audit any course with permission of the instructor. The standards for admission, and standards and requirements for graduation,
will be the same as those applied to all students. For more information, go to
http://www.colby.edu/administration_cs/humanresources/benefits/ and follow the link to the Colby College Statement on Non-Traditional Students at Colby in the Tuition section.

Retirement

Employees may of course retire at any time they choose, but most people will need to consider post-retirement income and the continuation of certain fringe benefits. Currently, the normal retirement age at Colby is age 65 with at least ten years of service and early retirement is age 60 with at least ten years of service. While Social Security benefits may begin at age 62, the monthly income begun at age 62 is less than at age 65.

Employees participating in the Colby College Retirement Plan may begin annuity income upon retirement from Colby, but the monthly income will be lower when the staff member is younger and proportionately higher when the employee retires at age 65 or older.

In addition to the benefits provided by the annuity program, employees participating in the Non-Academic Retirement Program prior to July 1, 1993, may retire as early as 60 years of age with reduced benefits.

Participation in the College’s post-retirement medical plan is currently available to employees who have attained the age of 60, completed at least ten years of continuous service after the age of 40, were employed in the full year prior to retirement, and received or began receiving retirement income from a College retirement plan. Contributions by the College toward the cost of retiree health coverage vary on the basis of employment and retirement. For employees retiring on or before August 31, 2003, the College presently pays the premium for the retired employee. For staff hired before September 1, 2002 and retiring after August 31, 2003, the College will pay 90 percent of the individual premium. For staff hired after August 31, 2002, the retired staff member will pay the premium for individual coverage. Dependent coverage, if desired, is paid by the retired employee. All other insurance-related benefits cease upon retirement from the College.

An employee eligible for normal or early retirement from the College may convert one half of his or her accrued sick leave to annual leave, up to a maximum of 65 days, to be taken immediately preceding retirement.

In addition to retirement income and health insurance benefits, employees retiring from the College with ten or more years of service and who have attained at least age 60 retain identification card privileges, may retain electronic-mail accounts, receive certain publications, and are extended invitations to special campus events.

An employee retiring from a continuing administrative or support staff appointment at age 60 with at least ten years of service will receive a Colby chair or similar item as a retirement gift.

Paid Leave

Holidays

Benefit eligible continuing and temporary staff members are eligible for paid holidays that fall within their term of appointment. While the College reserves the right to determine the schedule each year, the following holidays are generally recognized as paid holidays at Colby.

Holiday Schedule
• Memorial Day
• Juneteenth
• Independence Day
• Labor Day
• Thanksgiving and the day following
• Winter Break days (to allow for a break between Christmas and New Year’s)
• Two floating holidays

Students are frequently on campus for Labor Day, and sometimes Memorial Day, requiring that some offices and departments remain open to ensure delivery of essential services. In addition, some offices require staffing during Winter Break. If a staff member is required to work during a designated holiday, compensatory time off or premium pay may be granted. Any deferred Winter Break days must be taken before the end of the fiscal year and may not be accrued.

The paid holidays will be announced each year. In addition, upon successful completion of the six month probationary period, two floating holidays are provided each fiscal year for employees receiving Colby benefits, to be scheduled in advance with supervisory approval. Floating holidays are paid in accordance with standard holiday policies and cannot be accrued.

If an office is to be closed during all or part of any student vacation period, beyond the holidays listed above, employees must charge any additional time off to earned and credited vacation time or take the time without pay. Those who do not wish to take vacation or time off should contact Human Resources for alternate temporary work, if available.

Religious holidays may be observed when scheduled in advance with the supervisor. Such time off is chargeable to accumulated vacation time or may be taken as personal leave or leave without pay, unless other arrangements are made with the supervisor.

If a holiday occurs while an employee is on vacation or sick leave, holiday pay will be received at straight time for the holiday, and this day will not be charged as a day of vacation or sick leave.

If a holiday falls on a normal day off for employees who work nonstandard schedules, equivalent time off is taken on another day during the same pay period, or holiday pay may be granted.

**Vacation**

Vacation time is a benefit designed to provide leisure time for employees to be away from regular job duties. Except for unforeseen emergencies, vacation time should be scheduled at least two weeks in advance or as far in advance as possible. Time off for vacation is subject to supervisory approval.

**Eligibility**

Continuing and term-appointed staff members, employed at least one-half time for an academic or fiscal year, are eligible for paid vacation.

Staff members employed in Dining Services earn vacation as outlined below and must schedule vacation days with their dining hall manager to take into consideration the needs of Dining Services and other departments during such times as the dining halls may be closed.

Vacation leave for continuing support staff will be earned and credited according to the following schedule:
• at the rate of five-sixth work day per month (10 days of vacation per year) during the first four years of employment.
• at the rate of one-and-onequarter work days per month (15 days of vacation per year) after four years of continuous employment.
• at the rate of one-and-two-thirds workdays per month (20 days of vacation per year) after nine years of continuous employment.
• at the rate of two work days per month (24 days of vacation per year) after 20 years of continuous employment, effective March 1, 1993.

Vacation leave for administrative staff is earned and credited at the rate of 2 days per month.

Effective September 1, 1989, continuing employees whose working term is fewer than 12 months are eligible for vacation with pay in amounts proportional to the amounts earned by staff with 12-month appointments. Continuing part-time employees working on a basis of at least one-half time per week, and whose working term is nine months, are entitled to vacation in a ratio equivalent to their percentage of full-time employment. Vacation days must be taken within the nine-month academic year, usually during periods when classes are not in session, unless a specific exception is approved in writing and in advance for extraordinary reasons by the Director of Human Resources or the Associate Vice President for Administration.

Vacation credits may be accumulated to a maximum of one-and-one-half times the amount earned each year.

All earned unused vacation time up to the maximum accumulation shall be paid to the employee or his or her beneficiary in the event of termination, retirement, or death.

The supervisor, or a person designated in each department, shall maintain a record of vacation earned and vacation taken by day or fraction of day for each employee eligible for vacation. Attendance forms are available on-line on the Human Resources web site.

**Sick Leave**

Paid sick leave may be used for illness, injury, and pregnancy-related causes, and with prior approval it may be used for medical and dental appointments in emergencies or when it is not possible to have the appointment after duty hours.

Earned sick leave may also be used when an employee is exposed to a contagious disease at home and the treating physician submits a written recommendation that the employee’s presence at work would constitute a health hazard to fellow employees and students.

When the illness of an immediate family member living in the home forces an employee to stay at home, the time off will be counted as sick leave to a maximum of five days in each fiscal year. These days may not be accumulated and used in subsequent years.

**Eligibility**

Continuing and term-appointed staff employed at least one-half time for an academic or fiscal year become eligible for paid sick leave benefits.

Continuing staff shall be credited with one work day of sick leave for each completed month of service, cumulative to a maximum of 130 days.
Continuing part-time employees employed one-half time or more are entitled to sick leave in a ratio equivalent to their percentage of fulltime employment.

Sick Leave, Vacations, and Holidays

Sick leave may not be used for vacation or for time off other than illness. However, while on vacation, days on which the employee is confined to a hospital or a residence because of major illness or injury may be charged to sick leave. A certificate from the treating physician is required in such cases. When an official College holiday occurs during a period of sick leave, the day off is not chargeable to sick leave.

Use of the Benefit, Reporting, and Approvals

An employee unable to report for work shall notify his or her supervisor as soon as possible prior to normal reporting time on the first day of absence, as well as on each successive day of a short-term absence of less than three days. The supervisor must be kept informed during a long-term illness as well. If notification is not made in accordance with this policy, such absence may be charged to accumulated vacation or leave without pay at the supervisor’s discretion.

A supervisor may refuse to authorize payment of salary for periods of time off for sick leave without satisfactory medical verification. A supervisor may require a physician’s statement if a sick leave is claimed for a period of three continuous days or for other circumstances.

Sick leave may be used for the initial seven working days of each work-connected disability. Any sick leave payments for illness or injury covered by the Workers’ Compensation Act shall be reduced by or be reimbursable up to the amount of any compensation received under the provisions of the Act.

Employees leaving Colby except by retirement are not entitled to pay for unused sick leave accrued nor do they receive equal time off with pay. However, an employee eligible for normal or early retirement from the College may convert one half of his or her accrued sick leave, up to 65 days, to annual leave to be taken immediately preceding retirement.

Abuse of sick leave privileges may be cause for disciplinary action including suspension or dismissal.

Colby reserves the right to request medical verification to determine an employee’s capability to return to work.

Supervisors are responsible for keeping necessary records of sick leave credited and used for each support staff member. Attendance forms are available on-line at the Human Resources web page.

Parental Leave

Administrative and support staff with two (2) or more consecutive years of service on a continuing, appointment of halftime (17 ½ hours per week) or more are eligible for paid leave of up to four (4) weeks for the birth or adoption of a child. Eligible staff with less than two years of service will be granted leave prorated based on their length of service at a rate of one week of paid leave for every 6 consecutive months of completed service. Each staff member is eligible for one parental leave per event. Parental leave is available to each employee no more than two (2) times during her or his employment with the College.

Parental leave will count towards the 12 weeks of leave allowed under the Family Medical Leave Act and may be used in conjunction with accrued vacation and/or floating holidays and, when appropriate, accrued sick leave. Parental leave must be taken immediately prior to or following the birth, adoption or placement for adoption of a child. Adopted children must be under the age of 18 at the time of adoption. If both
parents are staff employees and eligible for leave, leaves may be taken concurrently or consecutively. Employees must contact Human Resources to arrange their leave and are encouraged to do so as far in advance as possible.

Other Paid Leaves

Reduced Appointments: Long-Service Employees

Continuing full and part-time employees with five or more years of service in that status may arrange to reduce their appointment at proportional salary for periods up to two years. Subject to managerial approval and departmental scheduling requirements, these arrangements may be made at any time during the year. Accruals of paid-time off (vacation and sick leave) will be earned at a ratio equivalent to the percentage of full-time employment.

Insurance and retirement benefits will continue during a reduced time appointment, and benefits based on salary will be reduced to reflect actual wages paid. Eligible fiscal-year appointees selecting this option will be paid over a 12-month period at the appropriately reduced rate. Proposals are reviewed by the Director of Human Resources and final decisions are subject to approval by the appropriate Dean, Vice President or the President.

Reduced Appointment Leaves will be granted with the understanding and mutual agreement that the employees who select this option will subsequently resume their regular appointment at the specified termination date of the leave.

Family and Civic Responsibilities

Staff members on continuing appointments are also eligible for certain paid leaves for special family and civic responsibilities.

Supervisors may grant up to three days paid leave to employees for funeral/bereavement in the immediate family and/or household. Immediate family or household member is defined as spouse, domestic partner, parents or stepparents, brothers and sisters, children, grandparents, grandchildren, corresponding in-laws or another person in the household with whom the employee has a significant relationship. The actual number of paid days to be granted is determined by the Director of Human Resources and is dependent upon the closeness of the relationship, distance to be traveled, or other circumstances involved. If a supervisor feels more time away from work is needed, the matter should be discussed with the Director of Human Resources.

While on jury duty, eligible staff members shall be granted leave with pay to perform this civic duty. Any employee absent for jury duty shall be paid by the College the difference between his or her regular straight-time rate of pay for the period of jury service and the payment received for jury service. A leave for jury duty will be granted upon presentation of official orders from the appropriate court. An employee is expected to work at his/her regularly assigned duties when not actually serving the duties of a juror.

Leave of Absence Without Pay

General

Whenever possible, advance notice of an employee’s intent to apply for unpaid leaves, including family leave, is required to provide sufficient time for consideration of the request and to make arrangements to cover the employee’s responsibilities. Leave of absence proposals are made through the appropriate department head, and approved by the Director of Human Resources and, where necessary, the appropriate Dean, Vice President or the President. When granting requests for unpaid leaves, Colby
provides written confirmation of the terms associated with the leave, including eligibility for benefits continuation and provisions for reinstatement.

If a staff member does not return to work at the conclusion of an approved leave of absence, employment shall be terminated.

**Family Leave**

Colby provides unpaid family leave under the federal Family Medical Leave Act. When certain significant life changing family events occur related to pregnancy, birth, assumption of legal guardianship, adoption of a child and/or serious illness in the immediate family (including legally recognized married spouses and IRS defined dependents), eligible employees may take an unpaid leave of up to twelve weeks in a calendar year. College contributions towards the cost of health and disability insurance coverage will be continued during the first twelve weeks of unpaid family leave.

Family leave proposals are made through the appropriate department head, subject to the approval of the Director of Human Resources. Proposals should include a physician’s certificate or other appropriate documentation attesting to the qualifying event or the serious and disabling nature of the illness or injury of a family member.

Employees retain a qualified right to reinstatement to their former or similar position during the twelve-week leave, provided a position is available and the employee is able to perform the essential functions of the job, with or without reasonable accommodation. Employees reinstated under this policy resume eligibility for employment benefits suspended at the beginning of the leave.

This policy is intended to integrate with existing policies that provide paid-time off and leaves without pay for employees.

**Workers’ Compensation Leave**

Employees unable to work as the result of a work-related illness or injury are eligible for an unpaid leave of absence. Health and disability insurance will be paid by the College for the first twelve weeks of a Workers’ Compensation Leave in a oneyear period. All other employment benefits are suspended during a Workers’ Compensation Leave.

Employees retain a qualified right to reinstatement upon request to their former or similar position during the first three years of a Workers’ Compensation Leave, provided a position is available and the employee is able to perform the essential functions of the job, with or without reasonable accommodation. Employment rights are terminated at the end of three years. Employees reinstated under this policy resume eligibility for employment benefits suspended at the beginning of the leave.

**Other Unpaid Leaves of Absence**

Other short- and longterm leaves of absence without pay may also be granted for professional development and public service.

Short-term leaves without pay (up to two weeks) may be authorized by supervisors after one year of continuous service. Leave without pay beyond two weeks and up to three months must be recommended by department heads to the Director of Human Resources.
Extended leaves of absence without pay in excess of three months and up to one year may be granted to staff members upon the recommendation of department heads to the Director of Human Resources, with final approval by the President or Administrative Vice President.

**Unpaid Leave and Benefits**

Many employee benefits are affected during a leave without pay. Sick leave, vacation time, and holidays are not accrued during this period. College contributions towards the cost of health and disability insurance are continued for the first twelve weeks of unpaid family leave and Workers’ Compensation Leave. Some insurance coverage may be continued during an unpaid leave by arranging with Human Resources for payment of premiums during the extent of the leave. Except as otherwise noted, insurance benefits lapse during unpaid leaves and are reinstated upon return, subject to the terms of the insurance policy, plan or contract. Periods of unpaid leave are not counted toward service requirements under College policies or plans, except where required by law.

**Disciplinary Procedures and Standards of Conduct**

Unsatisfactory job performance or violations of College rules and regulations can result in disciplinary action. This may include suspension without pay or termination of employment, depending on the seriousness of the problem or the breach of rules and the employee’s overall performance record.

Supervisors are expected to deal with such situations in both a timely and fair fashion. In cases of unsatisfactory job performance after the initial probationary period, when correction can be reasonably expected, or in less serious violations of College rules, continuing and term-appointed temporary staff employees will be informed of the nature of the problem and will be provided a reasonable period of time to correct the situation. However, if the employee fails to show expected improvement within a reasonable time frame, the staff member may be suspended without pay or separated from College employment. Casual and seasonal employees may be subject to immediate termination of employment.

Serious breaches of rules, or gross negligence in the performance of work, will result in immediate suspension without pay or dismissal from employment, depending on the severity of the offense. If the College determines, in its sole discretion, that discipline and/or probation is not in the best interests of the College, the staff member may be separated from College employment immediately.

Colby has established informal and formal complaint resolution procedures. Employees may refer to the conflict resolution procedures (p. 52) section of the handbook or contact Human Resources for additional information about these procedures.

**Warnings, Probation, Suspension and Dismissal**

The following procedures are recommended for use by supervisors when dealing with unsatisfactory job performance or violations of College or departmental rules of a less serious nature. The warnings are designed to ensure that an employee is kept informed of situations that may result in termination of employment.

**Oral Warning**

The supervisor should inform the employee of the nature of the unsatisfactory performance and in a discussion with the employee indicate the improvement expected. The supervisor should make a written notation of the discussion for his or her own records to document that the oral warning was given.

**Written Warning**
If the unsatisfactory performance continues or recurs, the supervisor may again discuss the problem with the employee, and the employee may be given a written warning, stating the nature of the unsatisfactory performance, the improvement expected, and the time frame in which the improvement should occur. The employee should sign the letter indicating that he or she has received a copy, and a copy of the letter will be sent to Human Resources.

The employee will normally be allowed a reasonable period of time to correct the problem, which will be specified in the written warning. If the problem is one that can be easily corrected, such as repeated tardiness or lengthy coffee breaks, the improvement may be expected immediately.

Probation

If the problem is more complex, a longer period is appropriate, normally not to exceed six months, consistent with the department’s needs. Failure to attain adequate standards of performance during that period may result in suspension without pay or immediate termination of employment. Notwithstanding any period given for correction, dismissal may result during the period for serious breaches of College rules or gross negligence in the performance of work during that period.

Employees placed on probation will be provided written notice by the College of the reasons for probation and the period of time provided to correct the problem(s). Supervisors must review such action with the Director of Human Resources, the Vice President for Administration, or the President prior to placing an employee on probation.

Suspension, Discharge, or Involuntary Termination

If the expected improvement is not achieved by the date specified or if the problem recurs, the employee may be suspended without pay or separated from College employment, depending on the severity of the problem(s). In the case of a suspension without pay, a recurrence of the problem upon return to work will result in immediate separation from College employment.

The employee will be provided with written notice of the action taken by the College. Supervisors must review such action with the Director of Human Resources, the Administrative Vice President, or the President prior to suspension or separation of employment.

Standards of Conduct

The College is committed to a healthy and productive workplace atmosphere for all employees. The rules of conduct outlined in this section define the College’s expectations of ethical staffmember behavior. Violations of these standards of conduct are a matter of serious consequence, and disciplinary action will result that may include suspension without pay or immediate dismissal from employment.

The following is not considered to be a complete list of all offenses warranting disciplinary action and/or discharge from employment and should be viewed as examples of what the College considers to be serious breaches of acceptable conduct. Infraction of any of the College’s rules and regulations contained in other sections of the Staff Handbook as well as this section in particular shall be grounds for disciplinary action, ranging from verbal warning to immediate discharge, depending upon the staff member’s overall record and the seriousness of the offense.

Unethical or Illegal Conduct

- Intentional and malicious injury or humiliation of fellow employees, including overt discriminatory behavior, and/or gross discourtesy to students, faculty, staff, or guests of the College.
- Sexual harassment, sexual assault, or sexual violence.
• Breach of confidence when confidential matters are an essential part of the staff member’s position.
• Intentionally supplying false or misleading information on College records, including employment applications, preplacement medical exams, or personal data sheets, time cards, fringe benefit forms, or other information needed by the College. Alteration or falsification of College records (for example, student grades, time cards, department inventories, financial reports, etc.) are considered serious breaches of the College’s standards of conduct.
• Assaulting, threatening, intimidating, harassing, or coercing coworkers, students, or others at any time for any reason.
• Immoral, indecent, or illegal conduct on College property.
• Destruction or defacing of College property or the private property of any member of the College community.
• Theft, misuse, or misappropriation of College property or the private property of coworkers, students, faculty, or staff.
• Accepting significant gifts, gratuities, or favors from firms, organizations (their employees or agents), or other individuals who provide goods and services to the College. Taking advantage of the office or department in which one works to request or receive favored treatment or special privileges and services is also prohibited.

Misuse of Authorized Leave Privileges

• Using an authorized leave granted for a specific purpose (for example, illness or disability) for any purpose other than that for which it was granted. This shall include using such a leave to engage in other employment or activity or for other personal reasons without the specific review and consent of the College.
• Failing to report for work at the end of an authorized leave of absence, or an absence of more than three days duration, without notice to the supervisor or department head.
• Unacceptable job performance
• Gross negligence in the performance of work, and/or persistently careless or dilatory workmanship.
• Insubordination, uncooperative or disruptive work behavior, or refusal to perform assigned work.
• Gross misuse of time on the job. This shall include doing personal or non-College work rather than assigned work by the College; leaving work before the end of an assigned shift, without permission of the supervisor; or repeated misuse of break or meal period times.

Unacceptable Conduct Regarding Safety

• Reporting to work or working under the influence of alcohol or narcotics.
• Willful disregard for College or departmental safety regulations on the use of protective gear in the course of work or a work assignment.
• Transportation or possession of weapons, firearms, fireworks, or other explosives on College property.
• Gross negligence in the performance of duty, thereby endangering the health and safety of other members of the College community.

Off-Duty Conduct

The College may also discipline, suspend, or discharge an employee arrested, charged, or convicted for an off-duty drug or alcohol offense or off-duty violation of criminal law. Pending the outcome of a case, the College may suspend the employee without pay or may, in appropriate circumstances, discharge an employee.
The examples outlined of unacceptable conduct are presented as illustrations, and the College reserves the right to dismiss, suspend, or take other appropriate action, including termination of employment, for other reasons. The College has and reserves the right to discipline, suspend, or discharge an individual or take any other appropriate action that it believes necessary to protect the College community or to protect the College’s standing in the surrounding community.
COLLEGE POLICIES AND PROCEDURES

The information provided in these documents addresses specific policies and associated procedures. Every attempt has been made to ensure the accuracy of the material contained in these policies and procedures. The College reserves the right to unilaterally modify, add to, delete from, or to make exceptions to the policies and procedures stated in these policies, without notice, as it deems necessary. To be certain of the most up to date policies and procedures, employees should contact the Office of Human Resources. In the event of a question about the meaning of the policies or procedures, Colby’s interpretation will prevail.

Code of Ethics for Information Technology at Colby College

Information technology facilities (computer hardware, software, networks, data and other information, etc.) are made available at Colby as shared resources intended to support and facilitate the teaching, research, and administrative functions of the College. Students, faculty, staff, and authorized guests are encouraged to use these resources to their maximum benefit in these functions. Experimentation, exploration, and learning are promoted within common sense and legal constraints.

Network and system administrators are expected to treat the contents of electronic files and network communications as private and confidential. Any inspection of electronic files, and any action based upon such inspection, will be governed by all applicable U.S. and Maine laws and by College policies.

The same standards and principles of intellectual and academic freedom, as well as rights to privacy, developed for college libraries are applied to electronic material.

The same standards of intellectual and academic freedom developed for faculty and student publication in traditional media apply to publication in electronic media. Examples of these electronic materials and publishing media include, but are not limited to, electronic mail, mailing lists (Listserv), Usenet News, and World Wide Web pages.

Usefulness of the facilities depends upon the integrity of its users. These facilities may not be used in any manner prohibited by law or disallowed by licenses, contracts, or College regulations. Individuals are accountable for their own actions and all activity involving the accounts for which they have responsibility. College policies and state and federal law make certain kinds of activities involving information technology either abuse, civil offenses, or criminal offenses. Students, faculty, and staff should be aware that criminal prosecution may occur if the law is violated. Examples of misuse include, but are not limited to, the following:

- Use of information technology resources without permission;
- Informing anyone of the password to your personal, nontransferable account [Never tell anyone your password! If you do so, you are in violation of this code. If someone else uses your account, they are in violation of this code. If access by another person to files protected by your account password is needed, consult with the ITS staff for approaches that do not compromise password security.];
- Access and attempts to access files, disks, or network communications other than one’s own without appropriate permission;
- Interference with any information technology system or another’s use of any system, including consuming gratuitously large amounts of resources (storage space, processor time, network capacity, etc.) or by deliberately causing the failure of a system resource (overwhelming mail, deliberately crashing a computer system, corrupting a disk drive on a shared computer, etc.);
- Use of any College resource as a staging ground to crack (hack, break into) any other system without permission;
- Sending threatening messages or other material intended to harass;
• Theft, including the illegal duplication of copyrighted material, or the propagation, use, or possession of illegally copied software or data;
• Damaging files, networks, software, or equipment;
• Misrepresenting one’s identity (forgery), plagiarism, and violations of copyright, patent, or trade secret laws;
• Deliberate creation, distribution, or use of any software (viruses, worms, letter bombs, etc.) designed to maliciously destroy data and/or disrupt services.

Colby prohibits the use of its facilities for the purpose of private financial gain not relevant to the mission of the College. Examples of such use include making commercial contracts and providing services for pay, such as the preparation of papers or income tax forms. Any service provided over any part of Colby’s network that involves private financial gain may be prohibited. In instances where some private financial gain other than compensation by Colby is expected, permission must be granted in advance by the College.

Violations of this Code of Ethics for Information Technology at Colby College are handled through standard disciplinary processes as outlined in the Student Handbook and applicable faculty and staff handbooks. Information Technology Services (ITS) may take immediate action to protect information security, system integrity, and operational continuity, pending disciplinary decisions and review of ITS’ actions by the appropriate disciplinary authority.

This Code of Ethics also applies to Colby’s offcampus programs but participants should be aware that different laws and contractual requirements, as well as special policies, may be in force at those locations.

Accounts are available to the spouses, partners, and minor children of employees, primarily to avoid their needing to use an employee’s account. Each account has the same unrestricted, unfiltered access to Internet resources that student and faculty accounts have. Accounts established for minor children are the responsibility of the employee and it is expected that the employee will monitor use of the account. Consequently, the employee and/or spouse/partner may choose to maintain control of the password. This is an approved exception to the prohibition on anyone but the account holder knowing the password.

Students, faculty, and staff, as constituents of the academic community, should be free, individually and collectively, to express their views on this code of ethics. The campus Information Technology Committee should review at least annually this code, soliciting all views, and recommending changes as necessary.

Approved by the Information Technology Committee on May 5, 2009

**Conflict Resolution Procedures**

Colby seeks to provide a congenial working atmosphere and intends to offer fair and consistent treatment of its employees. College policies and the Staff Handbook provide a framework within which that can be done. In any large organization with more than 600 employees, however, misunderstandings and problems inevitably develop.

As an educational institution, Colby encourages all individuals to attempt first to resolve problems directly with those involved. While most situations are resolved through these informal means, the College has established formal procedures for those times when informal procedures have not led to a satisfactory resolution.

Any staff employee may present any matter of personal concern or dissatisfaction to the College regarding his/her employment and have it considered on its merits. The purpose of a complaint is to seek a satisfactory resolution of the situation, when possible. Colby’s policy prohibits retaliation of any kind.
against an employee who presents a complaint and staff should feel free to report such complaints without fear of reprisal.

All complaints will be investigated and written complaints will be answered in writing. Complaints should be presented promptly, because complaints might be difficult to substantiate long after an incident has occurred. Time standards are established to encourage timely discussion, investigation, and deliberation at each step. Staff and supervisors are encouraged to consult with the Office of Human Resources about conflict resolution procedures.

**Formal Procedures**

**Supervisor**

The first step calls for a discussion of the complaint with the immediate supervisor within 10 calendar days of the date the employee first knew or had reason to know of the event(s) or decision(s) on which the complaint is based. If the problem is not resolved on the basis of the answer provided by the supervisor, the employee should next discuss the complaint with his/her department head.

**Department Head**

If the complaint is not resolved on the basis of the answer provided by the supervisor, the employee may discuss the complaint with the department head within 14 calendar days of receipt of the supervisor’s decision. The department head will generally discuss the complaint with the appropriate parties and shall provide a written response within 14 calendar days of receipt of the complaint. The department head’s written response will address all issues raised by the employee in their complaint.

**Human Resources**

Times provided herein are mandatory. They may be adjusted only if the College representative(s) responsible for the discussion or the answer is absent from the campus or by mutual written consent of the party requesting the review and the appropriate College official.

Any complaint not referred to the next step of the complaint procedure shall be deemed settled on the basis of the last answer given. Any complaint not answered within the specified time limits shall be deemed to have been denied at the end of such time limit and the complaint may be referred to the next step. Steps within the complaint procedure may be modified by the College, in its sole discretion, where the origin of the complaint, the operational unit involved or the content and scope of the complaint make discussion with the College representative at a higher step in the procedure or reducing the number of steps appropriate.

If the complaint directly involves the Office of Human Resources, the complainant may request that an administrative officer of the College monitor and participate in all phases of the review. If the complaint directly involves the Vice President for Administration, the President shall appoint an administrative officer of the College to serve as point person.

The Director of Human Resources shall keep an official record of the progress of a complaint.

**Electronic Mail Policy and Procedures - Principles, Policies, User Responsibilities, and Information Technology Services (ITS) Operational Procedures**

(1) Electronic mail is an important medium for communication, both on the Colby campus and with those elsewhere on the worldwide network. Use of this medium by students, faculty, and staff is encouraged for
scholarly, work related, and personal communication within the constraints of ethical standards and other policies, procedures, and job responsibilities that are in place at Colby.

(2) Electronic mail is private and owned by the sender and each recipient account holder. The use of each account is the personal responsibility of the account holder. The contents of electronic mail will not be monitored, censored, or otherwise examined except with specific authorization and direction by the appropriate Dean or Vice President or as part of the required system administration as described below.

(3) Court order or law enforcement investigation may require the examination and release of any document, including electronic files such as email. When a person affiliated in any way with the College is involved, ITS will act only under the specific instructions of a member of the Senior Staff to ensure that individual rights, including rights to privacy and due process, are maintained.

(4) Colby staff members may, under certain conditions, have email files accessed by others when it is related to departmental functions.

A special condition exists for a staff employee who receives mail associated with his/her job responsibilities and where, in their absence, the supervisor or others in the department need to have access to the mail. ITS must continue to maintain the privacy of mail but, on authorization from the department head, may locate and copy specific messages; no person outside ITS may review the entire contents of an account’s system mailbox without authorization of an appropriate Dean or Vice President.

(5) Mail moved by the account holder outside the mail systems becomes personal files covered by other policies and procedures. Note that mail downloaded to files using Eudora or other application on a personal computer or saved to files on a minicomputer is covered by other policies and procedures. Those files on a personal computer are outside the system management of ITS. Maintenance of email privacy is controlled, at least to a great extent, by permitted access to the personal computer, which is the responsibility of the individual.

(6) ITS administers the campus electronic mail system in a manner consistent with the system’s importance for campus communication and the need for privacy of email messages. In the process of administering the electronic mail system, certain members of the ITS staff may have access to the contents of certain email messages. The ITS staff members will exercise their ability to access the contents of email under the strict limitations of the system administration requirements (a "need to know" basis). Furthermore, information about the contents of email obtained by members of the staff as they administer the email system must not be communicated to other members of the ITS staff unless required to administer and support the system, and may not be communicated to anyone outside ITS without the approval of the appropriate Dean or Vice President (with the exception noted in (4) above).

(7) The electronic mail system operates in a best effort manner to deliver messages as specified by the sender, protecting the privacy of the contents. Although highly reliable and secure, delivery to on-campus email addresses is not guaranteed, there can be no assurance that the person holding the recipient account actually examines a particular message, nor can confidentiality be absolutely guaranteed. In all these respects, electronic mail is no different from campus mail. ITS can provide advice on how to use additional procedures and software with the system when higher levels of security and confirmed delivery are required.

(8) There are no assurances about the handling of email received from or sent to addresses outside Colby. Organizations managing email systems elsewhere on the network may or may not have similar policies to those described here. Many are known to consider email the property of the organization, subject to examination. Be aware of this possibility when you correspond with those elsewhere on the network. While ITS may be able to provide some advice, Colby has no direct influence on the handling of email anywhere outside the local network.
(9) Some information about personal mail use is not confidential because of the way computer systems operate. Depending on how a person uses email, the following information can be seen by other people:

- The fact that a person is running a mail application.
- The account to which mail is being addressed (true only on a UNIX system such as a HP computer and only under certain circumstances).
- The size of the account’s mailbox (mail waiting to be read).
- The date and time mail was last read.

(10) The administrators of Colby’s email facility may, within certain limits, block mail (including external, unsolicited, bulk email “spam”). The annoying, potentially resource intensive, and sometimes offensive nature of unsolicited bulk email being sent by commercial or quasicommercial organizations may require Colby’s email administrators to block receipt of mail from some locations on the Internet. This blocking action is permitted if justified and where such blocking minimizes the likelihood that legitimate email to Colby account holders will be blocked as well. Email administrators are not permitted to use the content of the message or of the subject line in the mail heading to block or divert delivery of any message, except to block email containing computer viruses or similar destructive content.

(11) The account holder must maintain password security. Electronic mail addressed to an account is delivered to a mailbox file that can be accessed through a variety of computer programs (e.g., HP mail, Eudora) under account password control. The account holder is responsible for maintaining strict confidentiality of that password, as described in the general statement on computer ethics and responsibilities.

(12) The account holder is expected to manage all mail delivered to that account. It is the responsibility of the account holder to manage her/his email by suitably disposing of mail in the account’s mailbox (deleting messages, transferring messages to a personal computer’s storage such as with Eudora, or saving messages to files in the account’s home directory on the minicomputer system). Managing email also requires account holders to suitably control the automatic delivery of messages from such services as mailing lists (e.g., Listserv and Comserve).

(13) Electronic storage for mailboxes is limited and the ITS staff must ensure that sufficient space is available for the ongoing delivery of new messages. ITS will establish a maximum permissible mailbox size. When this size is exceeded, the entire mailbox contents may be moved to a new file in the account’s home directory on the minicomputer, where it will be accessible by the account holder. An email message notifying the account holder that this action has been taken will immediately be sent, thereby placing in the vacant or nearly vacant mailbox information about where other mail has been placed.

(14) Email messages will be deleted from the server 30 days after being read by the recipient. It is possible for account holders to leave their email on the server even after it has been read or otherwise downloaded, for example to Eudora on a personal computer. Email that accumulates in this manner creates both storage problems and processing delays. Any message that has been read or downloaded to a personal computer will be eligible for deletion 30 days later. No archive of this email will be created. Unread, nondownloaded email will not be deleted.

(15) The accumulation of a large volume of mail in an account’s mailbox may require ITS to take management action. A large volume of unread mail being received by an account can cause network and mail performance problems, in addition to storage problems, with no benefit to anyone. In cases where, over a period of a week or longer, an account is receiving a large volume of mail and the account holder is not moving it out of the mailbox, ITS will implement stages of response to safeguard the account holder’s mail, protect performance of the email system, and help the account holder gain control over the amount of mail being received. These are the response stages:
(a) Whenever the mailbox is moved to a file in the account’s home directory, an informational message sent by ITS will offer assistance and advice on how to manage the inflow of mail. It will alert the account holder to the need for him/her to take action in managing the account.
(b) ITS will contact the person by phone or conventional mail to alert them to the problem and request that immediate action be taken, offering advice on how to proceed.
(c) ITS will request permission from the appropriate Dean or Vice President to inactivate the account.

(16) Extraordinary action may be required under specific constraints. Certain circumstances may require ITS to take extraordinary action in administering the email system. This might be caused by such things as system malfunction or malicious actions by an individual. ITS must take steps to

(a) protect the privacy of mail,
(b) protect the functionality of the electronic mail system,
(c) protect account holders from disruption of their use of the electronic mail system.

Extraordinary action taken by ITS to limit an individual’s access to the system or to inspect and/or alter the contents of a mailbox is subject to review by the appropriate Dean or Vice President.

(17) This policy should be reviewed annually or more often as needed.

Approved by the Information Technology Committee on May 5, 2009

**Indemnification Procedures**

The indemnification policy, contained in the College Bylaws, Article X, states:

Each employee of the College acting within the scope of his or her employment in good faith and in a manner reasonably believed by such person to be lawful and in the best interest of the College, shall, in accordance with the provisions of Section 714 of Title 13-B of the Maine Revised Statutes as in effect on January 1, 1989, be indemnified against all expenses, including attorneys’ fees, judgments, fines and amounts paid in settlement, actually and necessarily incurred by such Trustee, officer, employee or agent in connection with the defense of any action, suit or proceeding to which he or she has been made a party by reason of being or having been such Trustee, officer, employee or agent. This indemnification policy shall be for the benefit of the persons described herein while serving the capacity described, as well as after the termination of such service, with respect to actions taken while serving in such capacity and shall extend to their heirs and to their personal representatives.

The provisions of that Bylaw are subject to the following procedures:

1. In order to apply for protection and benefits under the indemnification policy, an employee or agent (hereinafter collectively referred to as “employee”) shall: (a) as soon as the employee becomes aware of a substantial possibility of an action for which he or she may seek defense and/or indemnification, notify the Administrative Vice President or, if a faculty member, the Dean of Faculty, in writing; (b) not discuss the subject of the action with anyone other than those authorized by the President, Administrative Vice President or Dean of Faculty; (c) provide to the College, and only to the College, all pertinent information, including detailed information about the act or failure to act that is the subject of the action; and (d) sign an agreement promising to reimburse the College for any expenses incurred on behalf of the employee if it should ultimately be determined by the Board of Trustees that the employee is not entitled to indemnification.

2. In order for an employee to be eligible for defense and/or indemnification the employee must apply to the College prior to incurring the expenses to be reimbursed or otherwise acting in connection with an
action. Application after incurring expenses to be reimbursed or otherwise acting in connection with the
action may be grounds for denial of the application if such has prejudiced the employee's case or
increased the cost of defense in any way.

3. The President of the College shall determine whether the action appears to be covered by the
indemnification policies and procedure and, if so, shall either select an attorney to represent the employee
or agree to the reimbursement or reasonable legal expenses incurred by the employee. An adverse
determination by the President may be appealed to the Executive Committee of the Board of Trustees. The
decision of the Executive Committee of the Board of Trustees shall be final, ultimately determinative, and
not subject to judicial or other review.

4. An employee shall not be entitled to reimbursement for legal defense expenses or for any judgments,
finances, or amounts paid in settlement of any action, suit, or proceedings if the acts or omissions alleged
constitute willful misconduct, gross negligence, or recklessness.

5. An employee shall cooperate fully in the defense of the action. Any unreasonable failure to provide full
information or to cooperate in the defense of the action shall be reason for denial of defense and/or
indemnification expenses.

6. Determination of any action, suit, or proceeding by judgment, order, or conviction adverse to an
employee, or by settlement or plea of nolo contendere or its equivalent, shall not of itself create a
presumption that the employee did not act in good faith in the reasonable belief that his or her action was
in the best interest of the College (or, with respect to any criminal action or proceeding, that the person
had reasonable cause to believe that his or her conduct was unlawful). In the case of such adverse
determination, the Trustees of the College, by majority vote of a quorum consisting of Trustees who were
not a party to such action, suit, or proceeding shall, in accordance with Subsection 3 of Section 714 of
Title 13-B of the Maine Revised Statutes, authorize the reimbursement of the employee for legal expenses
and any related judgments, fines, or settlements if a majority of the Trustees believe that the employee
acted within the scope of his or her employment, in good faith, and in a manner reasonably believed to be
lawful and in the best interest of the College, and that the action or omission did not involve willful
misconduct, gross negligence, or recklessness. In the case of an employee with regard to whose
indemnification the Trustees are deliberating, the employee shall be given the opportunity to present his or
her position to the Board orally and/or in writing through one, several, or all of the following: the employee,
an attorney or other personal representative of the employee, or a member of his or her profession (if any)
undertaking to clarify for the Trustees, from the viewpoint of the profession, the elements relevant to the
Trustees' consideration of whether the employee's actions are indemnifiable. The decision of the Board of
Trustees in this regard, as well as in regard to any dispute concerning the interpretation or application of
any of the provisions of this Article, shall be final, ultimately determinative, and not subject to judicial or
other review.

7. "Scope of employment" for the purpose of Article X of the Bylaws may include uncompensated service
to the College (such as student or outside referee evaluations of teaching or scholarship of Colby faculty
or Colby programs) and includes employee participation in and/or direction of such off-campus student
activities as field trips, data gathering, COOT trips, group trips in the United States and abroad, and the
operation of foreign center programs. However, "scope of employment" does not normally include writing
for publication, publishing, offcampus professional activities (other than those specified above),
consulting or business activities. Nevertheless, the College may, in its sole discretion and on a case-by-
case basis, following the procedures set forth in paragraphs 1. and 3. above, decide whether and to what
extent to extend protection for such activities. The College will normally not extend such protection if the
activities involved compensation for those activities by a person or entity other than the College,
compensation that exceeds reasonable expenses.

8. The protection of this policy shall extend only to actions in which the employee is a defendant or
proposed defendant, and shall not extend to actions that an employee affirmatively initiates or proposes
to initiate against any other persons or entities or to defense and/or indemnification of an employee in any proceeding within the College.

9. The protection of this policy shall not extend to actions or omissions while an employee is on an unpaid leave of absence from the College, although exceptions may be made at the College’s sole discretion where an employee on leave is engaged in activities that are an extension of his or her College activities.

10. The protection of this policy shall not extend to medical or other professional liability with respect to which employees are protected under any professional liability insurance program.

11. The employee shall notify the College at the time he or she applies for protection and benefits under this policy of any personal or other insurance coverage that may be available to provide defense and/or indemnification. The College may require the employee to exhaust any available benefits under such insurance before providing benefits under this policy.

12. The employee shall also notify the College at the time he or she applies for protection and benefits under this policy if any other entity may be obligated or able to defend and/or indemnify the employee because of the connection the employee had with such entity related to the allegations that have given rise to the action. The College may require the employee to exhaust any available benefits from such entity (or its insurers) before providing benefits under this policy.

13. If requested by the College, the employee shall produce proof of any such alternative sources of protection described in paragraphs 11. and 12., or lack thereof.

14. If the employee wishes to file a counterclaim, he or she shall follow the procedures set forth herein, and if approved, any net judgment in favor of the employee shall first be paid to the College as reimbursement for indemnification payments made, until repaid in full, the remainder to the employee. If not approved, all costs and recoveries in connection with the counterclaim shall be that of the employee.

15. The College’s indemnification policy and procedures shall not limit any right of indemnification existing independently thereof.

**Conflict of Interest Policy Statement**

For Trustees, Officers, and Employees (Adopted Originally by Trustees April 15, 1978)

It is the responsibility of the trustees, officers and employees of Colby College to administer the affairs of the College honestly and economically, exercising their best care, skills and judgment for the benefit of the College.

I. Therefore, it is the policy of the Board and the College that:

A. The trustees, officers and employees of Colby College shall exercise the utmost good faith in all transactions touching upon their duties to the College and its property. In their dealings with and on behalf of the College, they shall be held to a strict rule of honest and fair dealings between themselves and the College. They shall not use their positions or knowledge gained there from in such a way that a conflict might arise between the interest of the College and that of the individual.

B. All acts of such persons shall be for the best interest of the College.

C. Such persons shall not accept any gifts, favors, or hospitality that might influence their decisions or actions affecting the College.

D. Although it is recognized that a degree of the duality of interest may exist from time to time, such duality shall not be permitted to influence adversely the decision making process of the College. To this end, in the event any person subject to this policy shall be called upon to consider a transaction involving
1) the College and such individual or a member of his or her immediate family, or 2) the College and an organization with which such individual is "affiliated," that individual shall make a full disclosure of all facts concerning his or her interest or involvement in such transaction and/or such organization before that transaction is consummated. Such individual shall also refrain from participation in the College’s consideration of the proposed transaction.

II. The following persons shall complete and sign a certificate of compliance in which they disclose all their relationships and business affiliations that reasonably could give rise to a conflict of interest involving the College:
A. Trustees (including the President) shall complete a certificate annually; and
B. College officers, all other administrative staff members and faculty members having administrative responsibilities (including department heads) shall complete a certificate every third year. In addition, each trustee, college officer, administrative staff member or faculty member having administrative responsibility shall notify the appropriate official (specified in the final paragraph of this document) immediately if any such conflict, real or potential, should arise while said person is affiliated with the College.

III. The President may also require disclosure from time to time from any other employee or faculty members when, in the opinion of the President, and by virtue of such persons’ respective duties and responsibilities, the College should receive a continuing disclosure of such outside relationships and business affiliations.

For purposes of this policy, the individual is affiliated with an organization if he or she or a member of his or her immediate family (i.e. his or her spouse, and their parents, children, brothers and sisters).
A. is an officer, director, trustee, partner, employee or agent of such organization; or
B. is either the actual or beneficial owner of more than one percent (1%) of the voting stock or control interest of such organization; or
C. has any other direct or indirect dealings with such organization from which he or she knowingly is materially benefited. For purposes of this subparagraph, it shall be presumed that a person is "materially benefited" if he or she received directly or indirectly cash or other property (exclusive of dividends and interest) in excess of $250 in any year in the aggregate.

All disclosures required to be made under this Policy by any person other that the College President, Vice Presidents and Trustees shall be directed in writing to the President. Disclosure of the President, Vice Presidents and Trustees shall be directed in writing to the Chairman of the Board. All known violations, disputes and other issues arising out of the application of this Policy to all officers and employees (exclusive of the President, Vice Presidents and Trustees) shall be referred to the President for appropriate action.

**Fraud Reporting and Inquiries**

The College’s auditors, Mayer Hoffman McCann P.C., are required by professional standards to inquire of College personnel about their knowledge of fraud risk at the College. These are normal procedures and are a response, by the auditing profession, to the accounting irregularities experienced in the public sector over the past few years. These are standard inquiries that will be asked during all college audits. This is not something unique to Colby. The auditors will utilize sampling techniques to select areas for inquiry thus, not all areas will be visited. If you have any questions or concerns about these procedures, you may contact the controller at x4127. If you or any of your staff are aware of situations involving possible fraud, please report it to an appropriate College official know immediately.

**Policies on Alcohol and Illegal Drugs**

**Drug-Free Workplace Act**
In November of 1988, the United States Congress enacted the Anti-Drug Abuse Act which contains a section called the "Drug-Free Workplace Act of 1988". This section requires organizations receiving federal grants and contracts to insure that their workplaces are free from illegal use, possession, manufacture or distribution of controlled substances.

The law requires employers who receive federal funds to:

- Notify employees that drug abuse is prohibited in the workplace,
- Establish a drug-free awareness program,
- Require each employee to notify the College of any criminal conviction for violations occurring in the workplace, and impose sanctions or remedial actions for convicted employees.

This law also requires individuals who receive federal funds to certify to the contracting or granting agency that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in conducting any activity under the grant. This requirement also applies to students who are recipients of Pell Grants. By signing the certification required for eligibility under the Pell Grant Program, a student is agreeing not to engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance during the period covered by his or her Pell Grant at all times. A Pell Grant recipient convicted of a criminal drug offense must report the conviction, in writing, within ten calendar days of the conviction to the Director, Grants and Contracts Service, U.S. Department of Education.

Any employee convicted of any workplace-related criminal drug violation must notify the appropriate College official within five calendar days after conviction. Faculty should contact the Dean of Faculty and staff should contact the Director of Human Resources. Failure to report a conviction may be grounds for termination of employment.

Violations of the Drug-Free Workplace Act may result in:

- Disciplinary action, up to and including termination of employment
- Suspension of payments under the grant
- Suspension or termination of the grant
- Suspension or debarment of the grantee

**Drug-Free Schools and Communities Act**

The Drug-Free Schools and Communities Act Amendments of 1989 require Colby to certify that it has adopted and implemented a program to prevent the illicit use of drugs and the abuse of alcohol by its students and employees. This program must include the annual distribution of the following to each student and employee:

- standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of drugs and alcohol by students and employees on an institution’s property or as any part of the institution’s activities;
- a description of the applicable legal sanctions under local, state, and federal law for unlawful possession, use, or distribution of illicit drugs or alcohol;
- a description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- a description of any drug and alcohol counseling, treatment, or rehabilitation program that are available to students and employees; and
- a clear statement that the institution will impose sanctions on students and employees (consistent with local, State, and Federal law) and a description of these sanctions, up to and
including expulsion or termination of employment and referral for prosecution for violation of the standards of conduct.

The Act requires Colby to review program effectiveness on a periodic basis.

**Policy on Alcohol and Illegal Drugs**

**Alcohol**

The use, possession and sale of alcohol on campus and at College functions must comply with state and local laws and ordinances and Colby's Alcohol Policy. Violations of the laws and policies will result in disciplinary action up to and including suspension, termination of employment and referral for prosecution.

**Illegal Drugs**

The possession, use, manufacture or distribution of illegal drugs is prohibited at any time on College property and as part of any Colby activities. "Illegal drugs" does not mean the use of drugs under a valid prescription. Employees and students found to use, possess, manufacture or distribute illegal drugs are liable to Colby disciplinary action up to and including suspension, termination of employment and referral for prosecution.

**Substance Abuse Policy**

Students, faculty, and staff are responsible individuals and thus expected to obey the law and take personal responsibility for their conduct. Colby recognizes that substance abuse is a complex problem that is not easily resolved solely by personal effort and may require professional assistance and/or treatment. Accordingly, the College has designated a number of individuals to assist students, faculty, and staff who seek referral for assistance with a substance abuse problem. Students, faculty, and staff with substance abuse problems are encouraged to take advantage of available diagnostic, referral, counseling, and prevention services. However, those seeking assistance will not be granted special privileges or exemptions from standard human resources practices applicable to job performance requirements and from standard academic and student conduct requirements. Colby will not excuse acts of misconduct committed by students, faculty, and staff whose judgment is impaired due to substance abuse.

**Disciplinary Sanctions**

Students, faculty and staff who violate Colby policy will be subject to disciplinary action by the College. The severity of the imposed sanctions will be appropriate to the violation. Violations of Colby policies concerning illegal drugs and alcohol will result in the imposition of one or more of the following sanctions in accordance with established College policies insuring due process:

- Participation in a rehabilitation program
- Restitution
- Probation
- Suspension
- Official Censure or Reprimand
- Termination of employment
- Referral for prosecution
- Other actions the College deems appropriate

**What Does the Law Say about Alcohol?**
Furnishing Liquor to a Minor or a Visibly Intoxicated Person

Maine law makes it a crime for any person to knowingly give liquor to a minor or a visibly intoxicated person or to allow any minor under that person's control or in any place under that person's control to consume liquor. Violation of this law can result in a minimum fine of $500 and up to six months in jail.

Illegal Sale of Liquor

It is a crime to sell liquor without having a liquor license issued by the Maine Bureau of Alcoholic Beverages. Violation of this law can result in fines of $500 plus 30 days in jail for the first offense. Subsequent offenses are punished by greater fines and jail time.

Illegal Possession with Intent to Sell

Any person who possesses liquor with the intent to sell it is in violation of Maine liquor laws and subject to a fine of between $100 and $500, and possible incarceration from two to six months.

Seizure and Forfeiture of Vehicle

Any vehicle used to transfer liquor intended for illegal sale may be impounded at the time of the violation or seized following the violation.

Special Liquor Laws Relating to Minors

Illegal Possession of Liquor

Any minor (a person under the age of 21 years) who is found to be in possession or control of alcohol is guilty of a civil infraction and shall be subject to a fine of:

- 1st offense, $200 to $400
- 2nd offense, $300 to $600
- 3rd and subsequent offenses, $600

Teen Drinking Laws

An individual under the age of 21 years shall have his/her license suspended for one year if he/she operates a motor vehicle with a blood alcohol concentration of .00. Maine has a zero tolerance law regarding operating under the influence by minors. Refusal to submit to a chemical test will result in a one year suspension of a driver's license. One can of beer, one glass of wine or one ounce of distilled spirits can result in a blood alcohol level of .02 or more.

Illegal Transportation

No minor shall transport alcohol in a motor vehicle except in the scope of his/her employment or with the parent's knowledge or consent. The penalty is a 30-day driver's license suspension. A reinstatement fee will be charged to get a license reinstated. Points will be assessed against the offender's license. A fine of $500 may be imposed.

Operating Under the Influence
Maine law prohibits drinking while operating a motor vehicle. Any person who violates this law commits a civil violation for which a maximum fine of $500 may be imposed.

Maine motor vehicle law makes it a crime for any person to operate a motor vehicle in Maine under the influence of alcohol or drugs or with an excessive blood alcohol level. Penalties for operating under the influence are as follows:

1st Conviction: If your blood alcohol content is .08 to .14 percent:

- A fine of at least $500, and
- Loss of license for at least 90 days.
- Refusal to be tested results in a loss of license for 180 days.

If your blood alcohol content is .15 percent or more, or you are traveling 30 m.p.h. or more over the speed limit, or you attempt to elude an officer of the law, or you refuse to submit to a blood test:

- A fine of at least $500
- At least 48 hours in jail, and
- Loss of license for at least 90 days
- Penalties for second and subsequent convictions include greater fines and mandatory jail time.

Vehicle Seizure or Forfeiture

A person operating under the influence while under suspension for a previous OUI or refusal, is subject to vehicle seizure and forfeiture.

Maine Liquor Liability Act

The Maine Liquor Liability Act serves to prevent alcohol related injuries, deaths and other damages among Maine’s population. This law makes one liable civilly for the negligent or reckless service of alcohol to a minor or to a person who is visibly intoxicated. Monetary damages may be awarded for the negligent or reckless serving of alcohol, which causes property damage, bodily injury or death.

State Drug Offenses

Maine law prohibits the knowing, intentional and unauthorized possession, furnishing (distributing or giving away) and trafficking (selling) of scheduled drugs. Scheduled drugs include, for example, cocaine, marijuana, lysergic acid diethylamide (LSD), heroin, and steroids.

Definitions

To furnish drugs is to give the drugs to another, dispense it, administer, or transfer it to another regardless of profit.

Trafficking is to sell, barter, trade, exchange or furnish an illegal drug for consideration.

Aggravated Trafficking in an illegal drug can be "aggravated" if the crime of "trafficking" is committed with facts that include the following "aggravating factors":

- Trafficking while within 1,000 feet of an elementary or secondary school, regardless of whether the sale took place in a private home or whether the school was in session.
- Trafficking while on a school bus
- The trafficking involves a minor (under 18 years of age)
- Trafficking in 112 grams (approximately 4 ounces) or more of cocaine
- The trafficking involves a firearm

Aggravated trafficking is a crime one class more serious than trafficking and consequently carries longer terms of imprisonment and greater fines.

**Federal Drug Offenses**

The criminal offenses most commonly charged under the Federal Controlled Substances Act are the knowing, intentional, and unauthorized manufacture, distribution, or dispensing of any controlled substance or the possession of any controlled substance with the intent to manufacture, distribute or dispense. Federal law also prohibits the knowing, intentional, and unauthorized creation, distribution, dispensing, or possession with intent to distribute or dispense a "counterfeit substance".

Simple possession without necessarily an intent to distribute is also forbidden by federal law and carries a penalty of imprisonment. Furthermore, "attempts" and/or conspiracies to distribute or possess with intent to distribute controlled substances are crimes under federal law.

Federal law prohibits certain specific drug crimes which carry greater penalties, including:

- The distribution of narcotics to persons under 21 years of age
- The distribution or manufacturing of narcotics near schools and colleges
- The employment of juveniles under the age of 18 in drug trafficking operations
- The distribution of controlled substances to pregnant women

**Penalties**

The penalties for violating federal narcotic statutes vary considerably. The penalties may be more harsh based on two principal factors; specifically:

The type of drug involved (heroin, cocaine, marijuana, LSD, etc.)

The quantity of the drug involved

With the exception of simple possession charges which result in up to one year imprisonment, maximum penalties for narcotic violations range from 20 years to life in prison. Certain violations carry mandatory minimum prison sentences of either five years or ten years. For example, the possession with intent to distribute one kilogram or more of a substance containing a detectable amount of heroin carries a term of imprisonment of a 10 year minimum and up to life imprisonment. The possession with intent to distribute 500 grams or more of a mixture or a substance containing a detectable amount of cocaine carries a sentence of not less than five years and not more than 40 years.

Harsher penalties will be imposed if a firearm is used in the commission of a drug offense. If a drug offense results in death or serious bodily injury to an individual who uses the drug involved, the penalties are also more harsh. Questions sometimes arise as to what amount of narcotics found in the possession of a person is considered to be for personal use as opposed to the more serious offense of possession with intent to distribute. You should be aware that federal law, as a general rule, considers anything more than a dosage unit with regard to any particular drug as being sufficient from which to infer an intent to distribute. In other words, the greater the quantity possessed by the individual, the more likely it is that an individual possessed such quantity with an intent to distribute.
Health Risks Associated with Alcohol and Drug Abuse

Alcohol abuse and drug use problems have become a national health concern. Alcohol is a chemical. So are drugs. Any chemical is potentially harmful to someone. Some of the health risks associated with alcohol and drugs are listed on the pages that follow. For additional information about health risks associated with substance abuse, a listing of currently available resources is provided at the end of this pamphlet.

Alcohol

- Slowing down of brain function, judgment, alertness, coordination and reflexes
- Attitude and/or behavioral changes such as uncharacteristic hostility or increased risk taking (such as reckless driving)
- When taken with other drugs alcohol can intensify the drug’s effects, alter the desired effect, cause nausea, sweating, severe headaches, and convulsions
- Addiction or chemical dependency
- Memory blackouts
- Uncharacteristic family, school, work, or legal problems
- Physical problems such as cirrhosis of the liver
- Birth defects and mental retardation in user’s children

Cocaine

- Destroy nasal tissues
- Kidney damage
- Stroke
- Diseases of the lungs, heart and blood vessels
- Cardiac arrhythmias, convulsions, seizures, suppression of respiration, sudden death
- Intense anger, restlessness, paranoia, fear
- Hear and/or see imaginary things
- Malnutrition

Heroin

- Loss of appetite
- Addiction with severe withdrawal symptoms
- Drowsiness, clouding of mental processes, apathy, slowing of reflexes and physical activity
- Infection, hepatitis, or AIDS
- Death from overdose

LSD

- Experience frightening hallucinations
- More serious problems are triggered in a person who has a history of mental or emotional instability
- Distortions of reality such as feeling that the unusual and sometimes frightening effects of the drug will last forever
- Tolerance with repeated use means that increased amounts are needed to bring about the same effects
- Recurrence of effects (flashbacks) days or weeks later even without further use of LSD
- Death may result from suicide, accidents
Marijuana

- Elevated blood pressure, coughing, dryness of the mouth and throat, decrease in body temperature, sudden appetite, swollen red eyes
- Panic reaction, paranoia
- Distortions of time, reality, and perception, often impairing short-term memory
- Possible addiction
- Dysfunctions related to thinking, learning, and recall
- Impairment of ability to drive and do other things that require physical and intellectual capabilities
- Irritates lungs, aggravates asthma, bronchitis, and emphysema
- Listlessness, tiredness, inattention, carelessness about personal grooming, withdrawal, and apathy
- Chronic lung disease and lung cancer

Steroids

- Liver disease
- Cancer
- Growth problems
- Testicular atrophy
- Bone fusions
- Acne
- Psychological problems
- Rage and uncontrolled anger
- AIDS
- Breast reduction or enlargement
- Failure of secondary sex characteristics
- Sexual dysfunctions, sterility (reversible), impotence
- Fetal damage

Help

Assistance is available on campus at the Garrison-Foster Health Center. The College has designated individuals to assist students and employees in dealing with a substance abuse problem. You may also choose to raise your concerns with supervisors, hall staff, College physicians and counselors, or your personal physician.

Students call:
Katherine Barlow
Coordinator of Alcohol and Drug Programs
Health Center
Ext. 4460

Faculty call:
Margaret McFadden
Provost and Dean of Faculty
Eustis 305A
Ext. 4772

Staff call:
Cora Clukey
Director of Recruitment and Employment
Some financial assistance for off-campus treatment programs is available under the health insurance plans provided to students and employees.

Additional information may be obtained by contacting the following:

- 1-800-499-0027 Substance Abuse Information and Resource Center to receive information on treatment services
- 1-800-452-6457 Maine Bureau of Drug Enforcement Marijuana Hotline to confidentially and anonymously report information about the illegal trafficking of drugs
- 1-800-COCRAINE Cocaine Hotline

**Statement on AIDS**

**Background**

Acquired Immune Deficiency Syndrome (AIDS) is an infectious disease caused by the human immunodeficiency virus (HIV). Persons afflicted with AIDS suffer a severe loss of natural immunity against disease, leaving them vulnerable to opportunistic diseases, which are generally not a threat to other people. Individuals who are infected by the virus may develop AIDS or some lesser manifestation of infection (such as AIDS-related complex) or remain asymptomatic. Colby College recognizes that, currently, the prevention of infection is the only defense against the AIDS epidemic and sees community education as its primary strategy in preventing the spread of HIV.

The HIV virus is not transmitted from infected person to uninfected person through casual contact but can be transmitted through the exchange of semen, blood, and other body fluids during intimate sexual contact. Transmission also occurs by sharing HIV-contaminated needles, or, much less frequently, through blood or blood products. The virus can be passed from infected mothers to their newborn.

Because of the fragile nature of the virus and the limited routes of transmission, current knowledge indicates that students and employees with AIDS or a positive HIV antibody test do not ordinarily pose a health risk to other students or employees in an academic setting. The United States Public Health Service, the Centers for Disease Control, and the American College Health Association have indicated that there is no risk created by living in the same house as an infected person; attending classes and sharing study facilities and libraries with an infected person; eating food handled by an infected person; being coughed or sneezed upon by an infected person; casual kissing; or swimming in a pool with an infected person.

These facts, derived from the best epidemiological data currently available, are the basis for the following policy statement.

**Policy**

Individuals diagnosed as having AIDS and individuals who have a positive HIV antibody test are allowed to attend work or school at Colby College. The College will not tolerate discrimination against any student, faculty member, or staff member infected with HIV who is performing his/her regular student or job-related activities. Consideration of the existence of HIV infection will not be part of any admissions decision for those students applying to Colby College or of the employment decision for those seeking position at the College.
Members of the Colby College community who are infected with HIV have rights as members of this community. Such persons also have a responsibility to the community and are expected to act in accordance with known medical advice to prevent the spread of infection to others. Individuals infected with HIV are strongly urged to seek expert clinical care from a physician. The Colby College Health Services will make every effort to protect the privacy of individuals infected with HIV and the confidentiality of that diagnosis. Any recommendations regarding AIDS or HIV infection will be based on guidelines from the United States Public Health Service, the Centers for Disease Control, and the American College Health Association.