

ANA G. MÉNDEZ UNIVERSITY SYSTEM FACULTY MANUAL

AUGUST 1, 2015



Sistema Universitario
Ana G. Méndez

TURABO

UNIVERSIDAD
DEL TURABO
SISTEMA UNIVERSITARIO
ANA G. MÉNDEZ

UMET

UNIVERSIDAD
METROPOLITANA
SISTEMA UNIVERSITARIO
ANA G. MÉNDEZ

UNE

UNIVERSIDAD
DEL ESTE
SISTEMA UNIVERSITARIO
ANA G. MÉNDEZ

AGM Virtual
Universidad Ana G. Méndez - Campus Virtual

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INTRODUCTION

The *Faculty Manual* of Ana G. Méndez University System (AGMUS) is the document that provides the rights and duties applicable to the Faculty. It's objective to contribute to the continuous improvement of the quality of the work and academic processes taking place in the AGMUS institutions.

This edition sets forth the new policies concerning the full-time and part-time faculty, according to *Ana G. Méndez University System Bylaws*. It also presents rules, academic requirements and procedures related to Ana G. Méndez University System recruitment, evaluation and integral development of professors. It includes distinctions and academic awards, legal provisions, among others.

ARTICLE I: ANA G. MÉNDEZ EL UNIVERSITY SYSTEM

Section 1 – History Background

More than six decades ago, in 1949, the distinguished educators Ana G. Méndez Pagán, Florencio Pagán Cruz, and Alfredo Muñiz Souffront joined efforts to find different pedagogical approaches in order to offer new educational opportunities to a student population eager to have a short educational career to train them to obtain immediate employment. The project began with the Puerto Rico High School of Commerce. Next, with the first initiatives for the development of study centers that offered two-year careers (associate degree), it became the Puerto Rico Junior College. The Puerto Rico Junior later evolved into the current Ana G. Méndez University System (AGMUS) integrated by four non-sectarian educational institutions offering important services to the Puerto Rican community, in the United States and internationally.

The first educational organization started in 1949 under the name of Puerto Rico Junior College. In 1992, it became Colegio Universitario del Este (CUE) [University College of the East]; and today, it is Universidad del Este (UNE) [University of the East], founded in Carolina, Puerto Rico, in 2001. The UNE -with its modern structures located at its main campus in Carolina and its University Centers- offers technical professional certificates, associate and bachelor's degrees and graduate studies.¹

In 1972, the Universidad del Turabo (UT) [Turabo University College] was established in Gurabo Puerto Rico becoming the largest private institution of Puerto Rico. It offers technical professional certificates, associate degrees, bachelor's degrees and graduate studies at its main campus and its University Centers. In 2003, it became the first AGMUS institution to offer programs leading to doctoral studies.²

The Universidad Metropolitana (UMET) [Metropolitan University] is another AGMUS entity founded in 1980 in Río Piedras, Puerto Rico. At its main campus in Cupey and its University Centers it offers professional technical certificates, associate degrees, bachelor's degrees and graduate studies. In 2005, it created its first Doctorate degree in Education, unique in Puerto Rico.³

The three institutions, licensed and accredited by higher education evaluating entities in Puerto Rico and the United States, established the School of Professional Studies. This academic unit of the Ana G. Méndez University System is designed to respond educational needs of adult population through the accelerated study program

¹ For additional information about the academic offerings, see the Institutional Catalogs.

² For additional information about the academic offerings, see the Institutional Catalogs.

³ For additional information about the academic offerings, see the Institutional Catalogs.

known as Programa Acelerado de la Escuela de Estudios Profesionales, Programa AHORA [School of Professional Studies, AHORA Program]. In 2003, thanks to the initiative of this program, academic programs for Hispanic communities in the United States were established, where AGMUS currently has several campuses (Branch Campuses).

In the meantime, Ana G. Méndez University-Virtual Campus (AGM-Campus) was created in order to provide higher education accessible to local and international communities. Its mission is to provide distance learning alternatives integrating emerging technologies. It provides bilingual academic preparation to promote the formation of the individual to become an agent of change.

The Ana G. Méndez University Channel is a television station with an educational license affiliated to the Public Broadcasting Service (PBS). This media public outreach and educational tool began broadcasting in 1985. Its mission is to inform, educate, entertain and provide tools that make a positive difference in the lives of Puerto Rican families.

Local programming of the station consists of public policy issues, news, art and culture, gastronomy, the study of science and the environment and history, as well as college sports. Sistema TV is transmitted through channels 40 and 26, in addition to cable services.

Section 2 – Organizational Structure of Ana G. Méndez University System

The Ana G. Méndez University System is governed by a Board of Directors constituted by eighteen (18) members. Its function is to ensure the implementation and development of the educational mission of AGMUS and its main policies, as determined in its incorporation documents and the statutes of the university body. Every year the Board of Directors choose, from among its members, a President, a Vice President and a Committee Chairmen.

AGMUS officials are: President; Executive Vice President, Vice President of Planning and Academic Affairs, Vice President of Human Resources, Vice President of Financial Affairs, Vice President of Marketing and Student Affairs, Vice President of Administrative Affairs, Vice President of National and International Affairs, Vice President and General Manager of Sistema TV, the internal auditor and Chancellors of the institutions AGMUS.

The detailed description of the constitution, powers and procedures of the Board of Directors, as well as the description of the roles and responsibilities of AGMUS officials are explained in the *Ana G. Méndez University System Bylaws*.

Section 3 – Organizational Structure of AGMUS Institutions

A. Chancellors of Institutions

Each AGMUS institution will be chaired by a Chancellor, and Sistema TV will be chaired by a Vice President and General Manager. The Chancellors are the academic and administrative leaders of their campus.

Chancellors are appointed by the President of AGMUS and respond to him. The powers, academic rank, responsibilities and regulatory norms regarding the implementation of Chancellors' functions are determined in the *Institutional Bylaws*.

B. Governing Bodies of Institutions

1. Administrative Council

The Administrative Council is the legislative body of each AGMUS academic institution. It is chaired by the Chancellor and constituted by Vice Chancellors and Deans, including the systemic Schools' deans, and those deans accountable for academic programs of other AGMUS institutions. Also, the following will be part of the Administrative Council: one (1) representative from each School faculty or Deanship on the faculty assembly at the beginning of the academic year (no later than August 31 of each year). Faculty representatives will be elected for staggered terms of two (2) years. Additionally, the following will be part of the Administrative Council: two (2) University Centers Directors selected by the Chancellor and two (2) student's representatives: one will be the President or Vice President of the Student Council; and the other one, shall be appointed by the same student body from among its members.

The Administrative Council shall promulgate norms, policies, rules, regulations and will determine the policy of each AGMUS institution in accordance with AGMUS *Institutional Bylaws*, *AGMUS Corporate Bylaws*, Executive Orders of the AGMUS President and Regulations and Resolutions adopted by the Board of Directors. The decisions of the Administrative Council will be subject to ratification by the President of AGMUS.

Meanwhile, Ana G. Méndez University-Virtual Campus will have an Administrative Council chaired by the Chancellor and integrated by the Vice Chancellors and Deans. The representation of its faculty will include: one (1) professor for each of the main academic areas and two (2) student representatives elected among the active *bona fide* students' body. The election of its members and meetings will take place at the Virtual Room or by videoconference. This council shall have the same nature, functions, duties and general procedures determined in Article III of the *Institutional Bylaws* as applicable.

2. Academic Committee

The Academic Committee will be chaired by the Vice Chancellor and constituted

by the Library Director, one (1) Associate Dean or Department or Program Director for each School or Deanship, including the Systemic Schools, two (2) associate academic directors of the University Centers selected by the Vice Chancellor; two (2) students' representatives and members of the Student Council elected annually by the Student Council Board of Directors; one member of the regular faculty for each School or Deanship elected by the direct vote of the faculty of such School or Deanship; and the amount of faculty members required to have the absolute majority of the faculty. The constitution, organization, functions, responsibilities and procedures of the Academic Committee of each campus will be provided in the *Institutional Statutory*.

Ana G. Méndez University-Virtual Campus will form an Academic Board chaired by the Academic Vice Chancellor and constituted by the Associate Deans of the corresponding academic areas. It will also have a representation of one (1) professor for each main academic area and as many faculty members as required to have the absolute majority of the faculty. It will also include two (2) students' representatives elected among the active *bona fide* students. The election of its members and meetings will be held at the Virtual Room or by videoconference. This Board will have the same nature, functions, responsibilities and general procedures determined in Article VI of the *Institutional Bylaws* as applicable.

3. Commission of Academic and Student Affairs of Puerto Rico Branch Campuses outside of Puerto Rico

Branch Campuses outside of Puerto Rico will establish a Commission of Academic and Student Affairs as a deliberative body on academic policy. This Committee will be chaired by the Chancellor or the officer in charge for the operations of campuses and will be integrated by fourteen (14) members, eight (8) of which shall be faculty members' representatives from the different academic areas and six (6) administrators. The committee's recommendations will be forwarded to the Administrative Council or the corresponding Chancellor for consideration and approval, as applicable.

C. Executives and Administrative Units of the Institutions

AGMUS executives and administrative units are presented below. The description of general responsibilities are detailed in the *Institutional Bylaws*.

1. Vice Chancellor

The Vice Chancellor is appointed by the Chancellor with the consent of the President of AGMUS.

2. Vice Chancellor of Students Affairs

The Vice Chancellor of Student Affairs is appointed by the Chancellor in coordination with the Vice President of Marketing and Student Affairs with the consent of the President of AGMUS.

3. Vice Chancellor of Operations and Physical Plant

The Vice Chancellor of Operations and Physical Plant is appointed by the Chancellor in coordination with the Vice President of Administrative Affairs and with the consent of the President of AGMUS.

4. Vice Chancellor of Administrative Affairs

The Administrative Vice Chancellor is appointed by the Chancellor with the consent of the President of AGMUS.

5. Vice Chancellor of External Resources

The Vice Chancellor of External Resources will be appointed by the Chancellor with the consent of the President of AGMUS.

6. Vice Chancellor of Information Resources

The Vice Chancellor of Information Resources is appointed by the Chancellor with the consent of the President of AGMUS.

7. Dean

The Dean is recommended by the Vice Chancellor and appointed by the Chancellor and could be responsible for academic programs in one or more of the AGMUS institutions.

8. Associate Dean

The Associate Dean is recommended to the Vice Chancellor by the Dean of the respective School and appointed by the Chancellor and could be responsible for academic programs in one or more of AGMUS institutions.

9. University Center Director

The Director of the University Centre is appointed by the Chancellor in coordination with the Executive Vice President of AGMUS and is assigned to both.

10. Academic Department Director

The School or Deanship may consist of as many departments or programs as may be approved by the Administrative Council. Each department or program will have a recommended Department Director recommended by the School Dean, appointed by the Vice Chancellor and subject to Chancellor's approval.

ARTICLE II: DEFINITIONS

The following terms, used in this *Faculty Manual* and in the institutional policy to grant academic rank and promotion, have the meanings described below:

1. Academic year – academic period divided in two semesters and two summer sections: the first semester begins in August, the second semester, in January and extended sections of summer from June to August. Also, it is divided into *Part of Term* according to the nature and modalities of some academic programs.

2. Years of service – years of uninterrupted service as a full-time permanent or multiannual appointment. It will also include the years of service in administrative positions served by faculty members with permanent or multiannual appointment.

3. Promotion in rank – recognition by the university authorities to distinguish outstanding achievements obtained by faculty members in academic, intellectual, professional and in services that go beyond strict contractual obligations.

4. Valuation or assessment – gathering and interpretation of data to improve or transform teaching processes and learning, knowledge, skills and values or students' attitudes.

5. Additional teaching load and extra courses – assignment of additional courses to the regular workload of faculty members.

6. Teaching workload – assignment of duties to faculty in order to fulfill with the teaching-learning role.

7. Total teaching workload – teaching and non-teaching tasks assigned to faculty members to meet their work commitments as educator.

8. Distance Learning Certification – eight (8) week course offered to the faculty by Ana G. Méndez University-Virtual Campus in the long distance learning modality. It covers the basis of long distance education and brings the opportunity to develop advanced skills by a continuous participative and collaborating methodology.

9. Major – set of courses, subjects or educational offerings within an undergraduate program, organized in a way that gives the right to anyone who completes it to receive an official academic recognition of the body providing it as determined by the Puerto Rico Council on Higher Education (CEPR by its Spanish acronym) regulation for licensing higher education institutions in Puerto Rico, 2012 (CEPR).

10. Online course – long distance course entirely offered by means of activities

using the tools of a technology platform based on the web and authorized by AGMUS. Communication between professors and students could be synchronous or asynchronous. These activities replaced the contact hours fixed for the course in its face-to-face modality.

11. Academic due process – procedures specified as part of the employment contract and agreed between the parties when entering into a contractual employment relationship and the disciplinary and administrative procedures provided in this *Faculty Manual*, statutes, regulations and other AGMUS manuals or handbooks

12. Dimensions of evaluation for promotion in rank – different areas of evaluation for promotion in rank that constitute each of the universal categories of work and intellectual productivity of professors in universities: teaching, research, intellectual production and services.

13. Long distance education – study methodology by which the student and the professor are in different physical places. The students will use different support systems than those used by face-to-face students and are in a non-institutional environment most of the time during their academic activities. The teaching-learning process can be asynchronous or synchronous, using information and communications technologies. Learning is highly planned and requires special course preparation, teaching and communication techniques between the student and the teacher (CEPR).

14. Equivalence of master's and doctoral degree – correspondence with the requirements established by masters and doctoral universities in Puerto Rico, as recognized by the Vice Chancellor according to accepted criteria and shared by the academic community and agencies authorized to certify university degrees.

15. Specialty – set of courses, subjects or educational offerings within a graduate program organized in a way that enables those who complete them to receive a formal academic recognition from the institution (CEPR).

16. Graduate programs studies – studies leading to a degree or official academic recognition of higher level than the bachelor's degree, such as M.S. and Ph.D. (CEPR).

17. Undergraduate programs studies – studies leading to a degree or official academic recognition of higher level than the associate degree until bachelor's degree (CEPR).

18. Evaluation – process of granting a value or merit to an academic criteria according to determined indicators or rubrics.

19. Evidence – any document, report, video or any official documentation submitted that serves to confirm an evaluation criteria,

20. Grade – educational qualification recognized in the academic community as a higher education level; evidence that a person who possess such grade has successfully completed certain formal studies leading to an associate degree, bachelor degree, graduate certificate, master's and Ph.D. (CEPR).

21. Extraordinary merits – those contributions recognized at institutional, national or international level in the field of study of the professor that exceed the criteria rank.

22. Modality of study – refers to the different teaching-learning methodologies that can be used to offer an academic program. These include, but shall not be limited to, distance learning, accelerated studies and independent studies (CEPR).

23. Number of academic courses – amount of courses assigned in the class program with different contents among each other and that requires professor's preparation. The maximum amount of preparations allowed in a full-time program will be four (4) per semester, including extra courses and, for part-time faculty, will be three (3) per semester.

24. Patent – property right granted by the federal government that provides the creator of a patentable invention the right to prevent others from making, using or selling the invention in the United States, its territories or possessions for a period of twenty (20) years.

25. Part of Term – expression used of some academic programs and its modalities. It may consist of 2, 3, 5 or 8 weeks of classes within the organization of the semester consisting of 16 weeks.

26. Academic period – time established for offering courses: semester, trimester, quarter or other periods clearly defined by the institution. It must comply with the unit or credit hours, as determined by the United States Department of Education (FDE).

27. Faculty Work Plan – document indicating the faculty responsibilities: teaching load, research projects, coordination of programs and academic areas, draft of grant application proposals, the new faculty mentoring, program design and the creation of new majors, and other duties authorized by the corresponding School Dean and approved by the immediate supervisor. Accomplishment of the work plan will be used as an essential criterion in the contract renewal process for those faculty members who so stipulate and that is made part of their contract

28. Faculty – group of professors with academic credential and professional experience that facilitates the process of teaching and learning, research and community service.

29. Full-time faculty – faculty members with a minimum work load of forty (40) hours per week distributed as follows: twelve (12) to fifteen (15) hours for direct contact

with his or hers students for teaching; six (6) hours -or as established in the contract- for individual attention of students; twelve (12) to fifteen (15) hours dedicated to preparing courses, development of research or creative work, and exam preparation and grading; four (4) to ten (10) hours dedicated to attend meetings or committees, institutional and community service or any other activity related to university life.

30. Part-time faculty – every professor without academic rank but with an academic load of twelve (12) contact hours or less for attention of students in a semester. He or she will dedicate 30 minutes of office hours weekly for each course taught.

31. Programa AHORA – accelerated modality studies designed for adult population.

32. Faculty course schedule –schedule authorized by the Dean or designated personnel including the time, day and room to offer courses assigned to the faculty member. This will be assigned with at least thirty (30) days before the beginning of the academic period, and it will not change after the first day of class and can only be altered due to institutional need.

33. Work program – document that shows the distribution of hours that faculty members will have in the academic period to fulfill the responsibilities of teaching, services and research or creative work, authorized by the Dean or designated personal.

34. Intellectual property – Means the set of rights acknowledged by law to the author on the works he or she has produced with his intelligence, particularly the right to have his or her paternity acknowledged and respected, as well as that he be allowed to propagate the work, authorizing or denying its reproduction. (Cotto Morales v. Calo Ríos, 140 D.P.R. 604 (1996)).

35. Rubric – document describing the quality levels of certain task, objective, or competence and assigning a numerical rating for the interpretation and evaluation of a criteria.

36. Substitution of Academic load – a substitution is the time that a faculty member will dedicate to work in administrative, research, service or creative work tasks, equivalent to the number of unit hours per courses, the hours dedicated for course preparation and office hours.

37. Recognized university – as determined by the Administrative Council of the institutions and included in the latest edition of Higher Education Directory published by Higher Education Publications, Inc. (Falls Church, Virginia) and The College Handbook, published by The College Entrance Examination Board.

ARTICLE III: ANA G. MÉNDEZ UNIVERSITY SYSTEM FACULTY

Section 1 – Definitions

A. Teaching Personnel

All AGMUS personnel whose main tasks are teaching, researching, service or administration or the supervision of activities of academic nature

B. Faculty

Teaching personnel assigned to an academic unit whose functions are related with the teaching and learning process; creative works and research development; and institutional and community services with the purpose of contributing with the AGMUS Vision and Mission. The faculty is constituted by professors, associate professors, assistant professors, instructors and lecturers.

C. Full-time Faculty

Professor with an academic rank and a workload of forty (40) hours per week. The workload responsibility is distributed as follow:

1. twelve (12) to fifteen (15) hours for teaching
2. six (6) hours, or as specified in contract, for individual attention of students
3. twelve (12) to fifteen (15) hours for preparing courses, research or creative works and exam preparation and grading.
4. four (4) to ten (10) hours for attending meetings and committees, institutional or community service and any other activity related to teaching.

D. Part-time Faculty

Professor without academic ranking but with a weekly workload per semester of twelve (12) or less contact hours with students. The part-time faculty will dedicate weekly, 30 minutes per each three contact hours in the classroom for individual attention of students. Under no circumstance, the part-time faculty member could work in AGMUS for more than 29 hours, including teaching, individual attention of students and participating of meetings.

E. Ana G. Méndez Faculty – Virtual Campus

Under the modality of distance teaching, the teaching personnel will comply with the amount of working hours per week as specified by their full-time or part-time contract.

Section 2 – Types of Appointment of Full-time Faculty

A. Tenure

Appointment with academic rank granted to those professors that were evaluated satisfactorily in academic positions by the Tenure Committee after seven (7) years of institutional service in a probationary position. It has not been granted since 1986. This faculty members are eligible for all benefits offered by AGMUS including vacation during summer.

B. Multiannual Appointment

Appointment with academic rank for a beginning term of ten (10) to twelve (12) months. After approving the evaluation at the end of the first year, the faculty member could be appointed for a term of three (3) years. At the end of those three (years), the professor will be evaluated again and his or her contract could be renewed for subsequent terms of five (5) years after a satisfactory evaluation. This faculty members are eligible for all benefits offered by AGMUS including vacation during summer.

C. Appointment of Research Professor

Multiannual appointment, with academic rank, for a period of ten (10) months. The main roles are: being in charge of, responsible for, or supervise a significant research area of development and innovation. After approving the assessment during the first year, he or she may be appointed for a term of three (3) years. At the end of three (3) years, will be evaluated again and his or her contract may be renewed for subsequent terms of five (5) years after a satisfactory evaluation.

D. Full time Appointment by term

Appointment with academic rank for a period not exceeding ten (10) months. The appointment by term accomplishes all the duties and roles of full-time faculty and the requirements and applicable provisions of this *Faculty Manual*. This appointment does not entail a commitment for renewal.

Section 3 – Types of Appointment of Part-time Faculty

A. Lecturer

Professors without academic rank appointed by a term not exceeding one academic period. His or her work program shall not exceed twelve (12) contact hours during the semester or two courses in partial academic period. Under no circumstance, a part-time lecturer can work in AGMUS more than 29 hours. This includes offering courses, attending students and participating of meetings.

Lecturers are not eligible for the assignment of additional courses or hours than those established in the academic load, except in areas where difficulty recruiting faculty arise. They do not enjoy the benefits of full-time faculty, his or her appointment does not entail a commitment for renewal and must comply with the requirements and applicable provisions of this Manual.

B. Adjunct

Those faculty members who have a part-time contract for a term of ten (10) months in an academic year. This professor does not have academic rank and works twenty-five hours (25) per week. The workload is distributed among teaching or other academic functions; office hours for individual attention of students; course preparation; development of research or creative works; participation in committees and meetings; community or institutional services and other activities related to teaching. Under no circumstances, adjunct appointments may spend more than 29 hours a week working in the AGMUS.

Section 4 – Appointment of Full-time Faculty for Administrative Positions

Full-time faculty with tenure or multiannual appointment holding an administrative position shall retain his status of full-time faculty member and benefits inherent to the position. The rights acquired and the years of service as an administrator will be added to the computation of salary, promotion in rank, seniority and other benefits as faculty member. Vacation benefits shall be observed by the provisions of the *Human Resource Handbook*.

Section 5 – Teaching by Part-time Administrative Officers

The full-time administrator with a part-time contract will comply with the requirements for the appointment of lecturer professors in Schools or academic units. He or she will request permission from his immediate supervisor in order to avoid conflict in his or her work program.

His or her academic load shall not exceed six (6) contact hours per semester. In addition, will learn, respect and observe, at all time, a behavior that complies with statutes, regulations, academic standards, institutional administrative orders and executive orders of the AGMUS. The administrator must attend regularly and on time to the course schedule that was assigned as part-time lecturer.

The administrator appointed as lecturer will perform academic functions within hours in the schedule of the School Department, University Center or academic unit without affecting the work schedule as an administrator.

Section 6 – Faculty with Other Academic or Professional Degrees

A. Professor Emeritus

Title granted by AGMUS institutions to the retired professor who has stand out exceptionally in his chair.

B. Distinguished Professor

Title of highest honor awarded by AGMUS institutions to full-time faculty with tenure or multiannual appointment.

C. Visitant Professor

Title awarded by AGMUS institutions to a professor or visiting researcher from other institutions that collaborate significantly with AGMUS.

The appointment of these professors will be by a letter of designation of the Chancellor.

Section 7 – Recognition of Academic Ranks Conferred by other Universities

AGMUS will validate the rank conferred by other accredited university institutions. The Vice Chancellor will show the Academic Board every request for rank recognition after evaluating the qualifications of the university conferring the rank. To that end, the Vice Chancellor will use as reference the general and specific requirements for the granting of academic rank provided in this *Faculty Manual*. The Academic Board recommendation will be subject to the available financial resources at the moment of the recruitment and according to the Administrative Council.

Section 8 – Fundamental Rights of the Faculty

Ana G. Méndez University System academic institutions guarantee academic freedom and freedom of expression for full-time and part-time faculty as defined in this Manual. AGMUS defines academic freedom as follow:

The manner or way that faculty facilitate the learning without violating the students' constitutional rights and standards and regulations of the institutions and the university community as constituted as a learning community.

Academic freedom cannot affect and undermine the content of the courses. It is delimited on the following premises:

1. Academic freedom lies in the commitment with the truth, its search and free dissemination. Its exercise will be limited only by the rigor, responsibility and honesty preached by the university community.

2. Professors have has the right to investigate, publish and teach their area of specialization.

3. Professors have the right to participate in the formulation, content, objectives, methods, techniques and strategies used in the courses in their area of specialization.

4. Professors have the freedom of design and formulate the content, objectives and methods of the research perform and publications resulting from its authorship.

Freedom of expression and institutional order

Faculty members will be guarantee with freedom of expression inside and outside the institution, as long as the exercise of this freedom does not undermine current institutional order, and statutes and regulations of AGMUS.

Other Faculty Rights

1. Any right acquired by full-time faculty with permanent position or multiannual in other AGMUS dependency will be recognized and endorsed by the agency to which he or she was transferred.

2. Full-time faculty will elect annually their representatives at the Administrative Board, and commissions and committees of the institution.

3. AGMUS is committed with the *American with Disabilities Act (ADA)* and to ensure equal employment opportunities for those persons with disabilities properly qualified. Its work practices are not discriminatory and had been revised for providing real opportunities of employment to persons with disabilities. AGMUS stimulate the faculty and job applicants to note their disabilities in order to bring reasonable accommodation to facilitate their productivity. As provided by law, AGMUS reserves the right to reject accommodation opportunities if these opportunities entail expensive measures or involves a major hardship to the organization.

4. AGMUS will guaranty the due academic process in every disciplinary or administrative procedure provided in this Manual as well as in the *AGMUS Human Resources Handbook* that could affect the rights and duties of full-time and part-time faculty. This due academic process will be understood as part of the employment contract and agreed to between the parties at the moment of establishing the contractual labor relationship.

5. The faculty will comply with policies included in this *Faculty Manual*; the valid institutional policies and those established in the *AGMUS Bylaws and Institutional Bylaws*.

ARTICLE IV: ROLES AND CHARACTERISTICS OF A FACULTY OF EXCELLENCE

AGMUS faculty will be an active body that will produce academic initiatives to meet the needs of society. Every professor must meet with key roles to facilitate and promote learning, discover, and build or create new knowledge associated with their specialization and thus, benefiting the institution and the community.

The following characteristics of excellence will conform the profile of AGMUS faculty.

A. Teaching - learning

Interaction process that will take place between the faculty and students in order to facilitate and promote learning.

1. Specialization in Content

Skills, competencies and knowledge to be used by the faculty to teach in their specialization area. To wit:

- a) Possess professional qualifications, training and experience in the area of specialization.
- b) Master the discipline taught.
- c) Have the highest academic degree in the discipline.
- d) Possess current license and / or certificate of their profession or area of specialization, if applicable.
- e) Be trained in the discipline and teaching-related areas, research or creative works.
- f) Be aware of the changes of the discipline.

2. Strategies and Instructional Delivery

- a) Select appropriate methods and strategies to create an encouraging learning environment.
- b) Effectively communicate the course content, in oral and written.
- c) Effectively manage different information resources and technology to offer the course content.
- d) Integrate the research process as a teaching strategy.

3. Assessment and Evaluation of Learning

Skills that faculty have to develop and implement strategies for evaluation and assessment of student learning. To wit:

- a) Using different techniques for evaluation and assessment to determine student learning in harmony with the policies and valuation models of AGMUS.
- b) Correct and discuss the results of the assessments within the time determined by current policies in order to obtain feedback from students.
- c) Prepare the valuation report of the course.
- d) Optimize student learning according to the assessment results.
- e) Participate in developing the assessment plan of the School.

4. Instructional Design

Systematic process that analyzes, organizes and presents the content of a course using various educational strategies and materials to enhance learning. This implies:

- a) Align the course content with the graduate profile.
- b) Design course outlines or guides including goals and instructional materials to be used.
- c) Develop assessment strategies to measure the effectiveness of course content, consonant with governing policies.
- d) The instructional design for the Ana G. Méndez University-Virtual Campus is assigned to a staff specialized in online course preparation. The specialist in the field (professor) in coordination with an instructional designer will establish the appropriate content, activities and evaluation and assessment instruments for each learning module.

5. Course Management

Faculty skills to efficiently manage the educational process in the classroom. This includes, but is not limited to, evaluating student works, deliver the results on time and make arrangements to make possible the achievement of the goals and objectives of the course.

B. Research or Creative Work

Activities carried out by faculty members to discover, build or create new knowledge associated with their specialization and the teaching-learning process.

1. Productivity

Development of research or significant creative works in their specialization area and related to the teaching and learning processes.

2. Quality

Demonstrate the quality of their work by been accepted for publication by recognized organizations in print or electronic media.

3. Publication

Diversifying the means to publish or divulge research or creative work done.

4. Application and Integration

Using the results of researches or creative work to develop the students' skills.

C. Service

Non-teaching responsibilities or tasks that faculty will perform, related or not, with their specialization area, aimed to benefit the institution and the external community.

1. Institutional Service

- a) Contribute to non-teaching duties for the benefit of the institution.
- b) Provide a determined quantity of services provided at a certain time.

2. Community Service

- a) Contribute with their knowledge to benefit people, groups, agencies or community entities beyond the university community.
- b) Contribute with tasks or activities of non-teaching service for the benefit of the community and preferably involving the participation of students.
- c) Show that has carried out a variety of activities of community service during the term of his or her contract.

ARTICLE V: DUTIES AND RESPONSIBILITIES OF FULL-TIME FACULTY OF ANA G. MÉNDEZ UNIVERSITY SYSTEM

The full time faculty will comply with the following duties and responsibilities:

A. Rules and Regulations

1. Know, respect and comply with *Ana G. Méndez University System Bylaws*, the provisions of this Manual, the *Human Resources Handbook*, the *Student Handbook*, executive orders and any other regulation, which will be available at all times.

2. Punctually attend to all assigned courses. It will be acknowledged as an absence any personal, natural, accident or health eventuality that fully justifies it. The faculty member will notify in writing the conditions and circumstances of said absence to the School Dean or immediate supervisor. Once back, the faculty member will make up for the contact hours established for the course.

3. Prepare a work plan at the beginning of each semester, which requires the approval by the immediate supervisor. The plan should include: distribution of contact hours, student's office hours; hours set aside for service, research projects, creative projects, and the place where the activities will be performed.

4. Comply will all the provisions contained in his or her appointment contract, as well as the work plan and the provisions of this Manual. In case of breach, the faculty member will be subject disciplinary proceedings, as appropriate.

5. Comply with AGMUS outside employment policy, and will notify the immediate supervisor about any employment of work related activities outside the institution. The supervisor will determine if any conflict exists before authorizing it.

6. At the end of each academic year, submit a written activity report.

7. Ana G. Méndez University-Virtual Campus's faculty must comply with the expectations of on-line teaching, including faculty on-line presence at least three (3) times a week.

B. Work Plan and Course Schedule

1. Faculty' work plan will be approved by the immediate supervisor. The plan will include his or her responsibilities: courses; research projects; coordination of programs and academic areas; draft of external funding proposals; new professors mentoring activities; program design; creation of new majors; and any other functions authorized by the immediate supervisor. The success of the plan will be an essential criteria for contract renewal.

2. The institution reserves the right to modify the faculty work plan according to the institutional priorities and development needs. The modifications may include, but are not limited to the substitution of academic work for other work of interest to the institution. Any change to the work plan requires previous consult with the professor.

3. The course schedule established by the immediate supervisor in consult with the professor will take in consideration the following order:

- a) Specialization within the taught discipline
- b) Academic formation
- c) Seniority in AGMUS
- d) Practical experience within the professional area

4. Upper level courses or courses of greater complexity within a specialization will be assigned to the professor with best academic formation or with the highest academic degree. When specialization and academic formation are equal among professors, seniority will be used for the assignment of courses. The corresponding supervisor will guarantee the equal distribution of sections of the same course among professors in the same discipline. (For professors hired before January 1, 2004, when specialization within the taught discipline is equal among professors, seniority will be used for the assignment of introductory undergraduate courses.

5. The work plan for branch campuses outside Puerto Rico and Ana G. Méndez University-Virtual Campus will be determined according to the rules and procedures established by the regulatory boards of the corresponding jurisdiction.

6. The faculty's course schedule will be determined with no less than thirty (30) days before the beginning of the academic period. The schedule will not be change after the first day of class, and it can only be altered because of institutional needs or under special conditions as discusses and approved by the Dean or appropriate supervisor.

7. Any professor will have a maximum of four (4) preparations per semester, including additional courses. In those cases where, for a valid reason, additional preparations need to be assigned, professor's consent and written authorization by the Vice Chancellor must be obtained.

8. In case the course schedule of a professor only has graduate level courses, the academic workload will not exceed twelve (12) units.

9. Ana G. Méndez University- Virtual Campus' faculty must comply with expectations of on-line teaching, including faculty on-line presence at least three (3) times a week; one synchronized activity; and answer students questions or requests in a period of 24 to 48 hours.

C. Full Time Teaching Load and Service Hours

1. Full-time faculty members work on a weekly schedule of a minimum of forty (40) hours distributed in the following way:

- a) twelve (12) to fifteen (15) hours dedicated to teaching
- b) six (6) hours dedicated to individual attention of students or as determined by contract
- c) twelve (12) to fifteen (15) hours dedicated to preparing courses, academic research or creative work, exam preparation and grading

d) four (4) to ten (10) hours dedicated to meetings, committees' responsibilities, institutional or community service and any other activity related to teaching

2. If coursework is offered in multiple academic periods, the contact hours assigned to teaching will be distributed in those academic periods.

3. Full-time research faculty will prepare a working plan per semester which will indicate the distribution of the forty (40) hours to be dedicated to research, teaching, participation in committees and governing bodies.

4. The working plan must include the titles of the projects and the places where the activities will take place, as determined by contract.

D. Additional Teaching Load or Extra Courses

Full-time faculty members may have additional teaching load and it will be carried out in accordance with the following dispositions:

1. The distribution of extra courses will be made after the work load of the full-time faculty members has been assigned.

2. The distribution of extra courses will be offered first to full-time faculty members of the School or the corresponding academic unit, up to a maximum of twelve (12) contact hours per year (6 contact hours per semester), regardless the number of periods within a semester. Full-time faculty who teach during the summer session will be compensated according to the wage scale established for lecturers and the teaching load will not exceed six (6) hours.

3. In the first cycle, one course will be assigned to each professor interested in additional teaching load. At the end of the cycle, a second course will be assigned to each professor until all available courses are distributed. The School or academic unit will determine the order of assignments. The exceptions to this provision must be in accordance with institutional needs and with the previous authorization of the Vice Chancellor.

4. If the assignment of additional teaching load results in a combination of undergraduate and graduate courses, the graduate courses will become part of the professor's regular teaching load. In such a case, the graduate courses cannot exceed nine (9) units.

5. The amount of additional courses may be less if it is so established by specialized accreditation bodies.

6. After additional teaching load has been distributed among full-time faculty members of the School or academic unit, the still non-assigned courses will be available to full-time faculty members of other Schools or academic units, before hiring part-time faculty. For this course assignment, specialization within the taught discipline, academic formation, seniority to teach such course and practical experience within the professional area will be taken into consideration.

7. Full-time faculty members may request additional courses in other AGMUS institutions subject to the approval of the School Dean or the Director of the academic unit assigned and the compliance of the requirements for course assignment established by this Manual. The professor must inform in writing his or her availability to offer additional courses within at least forty-five (45) calendar days before the beginning of the semester or academic period.

8. Full-time faculty members will notify in writing other Schools Deans his or her availability to offer additional courses. Notification must be made within thirty (30) calendar days before the beginning of the semester or academic period. In the assignment of additional courses, full-time faculty members must comply with the necessities, specific requirements and accreditation requirements of each School or academic unit.

E. Teaching

The learning experiences will take place within an environment of respect, creativity, diversity and harmony. Faculty members will:

1. Participate in the assessment processes of the School and will be responsible of the assessment of his or her courses.
2. Expose the students to learning experiences according to the course syllabus approved by the School or academic unit.
3. Provide students with a digital or print copy of the course outline at the beginning of each academic period.
4. Uphold tolerance, respect for discrepancy, difference of opinions, and acceptance of critique as essential elements in the teaching and learning process.
5. Use the most innovative approaches, methods, strategies and techniques in the teaching and learning process.
6. Demonstrate leadership and creativity in teaching.
7. Keep up-to-date in his or her discipline and procure the attainment of the terminal degree in area of specialization.

F. Research and Creative Work

1. Research represents one of the most important methods for the creation of knowledge, and to contribute ideas and solutions to the social, economic, technologic and environmental needs of Puerto Rico. The faculty will participate in creative projects, studies and research sponsored by AGMUS which seeks to enrich the learning-teaching process.

2. The research faculty will receive a classification of I, II or III, according to the duties and responsibilities determined by contract.

G. Institutional and Academic Work

1. Full-time faculty members will:
 - a) Participate in the process of academic orientation and counseling once organized and established by the University or academic unit. Academic orientation and counseling seeks to offer guidance to students in their academic development and their major. Through this practice, the student is connected with the School or academic unit and with faculty members specialized in the discipline and knowledgeable of the varied academic programs.
 - b) Available to participate in the process of enrollment, when required.
 - c) Help students in the selection and planning of the study program.
 - d) Participate in the drafting of syllabus and courses outlines; curricular revision; and the design and formulation of the content, objectives, methods, techniques and strategies to be adopted for the teaching of the courses in the area of specialization.

H. University Teaching Induction Program

The Vice Chancellor will administer and provide university teaching induction program. The program will include, among others: the history and the administrative structure of the institution, the normative aspects which govern the faculty's teaching and research responsibilities, the teaching and learning processes, student body's characteristics, and learning assessment.

I. Institutional Models in the Evaluation and Assessment of Students and Census

1. The full-time faculty members will implement the grading system according to each institutions academic rules and regulations.
2. In compliance with Title IV of the US Department of Education, as well as any other laws and regulations enacted by the US federal government or AGMUS, conduct a census of the student body.
3. Report the students' grades within the deadlines established by the institution.

J. Return of Assigned Materials and Equipment

The faculty will return any print, audiovisual, or electronic material or equipment loaned by the library or academic unit. At the end of every semester or academic period, the faculty will return any equipment or material assigned for the performance of his or her job related functions.

K. Other Academic Responsibilities

1. The full time faculty will actively participate in the assessment processes and the constant improvement of the quality of the academic programs.
2. Participate in the design and draft of: external funding proposals; proposals for new academic programs; and evaluation and revisions of existing academic programs and courses.
3. Recommend textbooks, manuals, and electronic, audiovisual or laboratory materials, as appropriate.
4. In addition to comply with the university teaching induction program, faculty must participate in at least one professional development activity per year that contributes to the improvement of teaching skills.
5. Attend meetings and workshops of the corresponding academic unit, by teaching area; and any academic meetings, faculty workshops and commencement events sponsored by the institution or the AGMUS. Non-tenure track faculty is not required to attend commencement events.

ARTICLE VI: DUTIES AND RESPONSIBILITIES OF PART-TIME FACULTY OF ANA G. MÉNDEZ UNIVERSITY SYSTEM

Section 1- Duties and Responsibilities of Part-time Lecturers

Part-time lecturers will comply with the following duties and responsibilities:

A. Rules and Regulations

1. Know, respect and comply with Ana G. Méndez University System Bylaws, the provisions of this Manual, the *Human Resources Handbook*, the *Student Handbook*, executive orders and any other regulation, which will be available at all times.
2. Comply with all the terms contained in the contract by which he or she was appointed as lecturer and the provisions of this Manual.
3. Punctually attend to all assigned courses. It will be acknowledged as an absence any personal, natural, accident or health eventuality that fully justifies it. The faculty member will notify in writing the conditions and circumstances of said absence to the School Dean or immediate supervisor. Once back, the faculty member will make up for the contact hours established for the course.
4. Ana G. Méndez-Virtual Campus' part-time faculty must comply with the expectations of on-line teaching, including faculty on-line presence at least three (3) times a week.

B. Teaching

1. Expose the students to learning experiences according to the course syllabus approved by the School or academic unit.
2. Provide students with the course outline at the beginning of each academic period.
3. Submit of the course outline to the School Dean or director of the academic unit.
4. Uphold tolerance, respect for discrepancy, difference of opinions, and acceptance of critique as essential elements in the teaching and learning process.
5. Use the most innovative approaches, methods, strategies and techniques in the teaching and learning process.
6. Keep up-to-date in his or her discipline and procure the attainment of the terminal degree in area of specialization.

C. Research and Creative Work

1. The faculty will participate in creative projects, studies and research sponsored by the academic unit which seeks to enrich the learning-teaching process.
2. Promote student participation in research projects
3. Publish or present research findings or creative work in varied forums.

D. Course Schedule

1. Lecturers' course schedule will be assigned by the immediate supervisor after consulting with the lecturer. Specialization, academic formation, and experience within the discipline will be taken in consideration.
2. Comply with the hours assigned in the course schedule.
3. Will be available to perform his or her functions during the time which comprise the School, Department, University centers or academic unit working hours.
4. Ana G. Méndez Virtual-Campus' lecturer must comply with the expectations of on-line teaching, including faculty on-line presence at least three (3) times a week; one synchronized activity; and answer students questions or requests in a period of 24 to 48 hours.

E. Teaching Load

1. The teaching load of par-time faculty members (lectures and adjuncts) will consist of a maximum of twelve (12) contact hours a week per semester, including the courses offered in any AGMUS institutions and any time period during the semester.
2. Under no circumstance part-time faculty members will dedicate more than twenty-nine (29) hours a week working at AGMUS. This includes teaching, student attention and meetings.
3. Lecturers are not eligible for the assignment of courses or additional weekly working hours in addition to the maximum established, except in those areas of difficult recruitment and as determined by institutional needs.
4. Lecturers must notify the immediate supervisor of any previously accepted teaching loads at any AGMUS institutions.

F. Preparations

Lecturers will not have more than three (3) preparations in his or her schedule. In those cases where the assignment of additional preparations is necessary, authorization by the Vice Chancellor, or representative, must be obtained.

G. Contact Hours

In case of absence, the faculty member will notify in writing the conditions and circumstances that justify said absence. Once back and within the next two (2) weeks, the faculty member will make up for the contact hours established by the work schedule.

H. Student and Service Hours

Must offer half hour weekly per course within the established schedule as agreed with the Dean, department or academic unit director. The times will be part of the working schedule of the lecturer.

I. Meetings

Must attend to the part-time faculty and special meetings, meetings of the department or academic unit to which the lecturer is ascribed and to systemic and institutional activities, as required by the institution.

J. Students Evaluation and Attendance

Lecturers will:

1. Implement the grading system according to each institutions academic rules and regulations.
2. Report the students' grades within the deadlines established by the institution.
3. In compliance with institutional and federal laws and regulations, conduct a census of the student body.

K. Return Assigned Materials and Equipment

At the end of the contract, the lecturer will return any equipment or material assigned for the performance of his or her job related functions. Lecturers will return any print, audiovisual, or electronic material or equipment loaned by the library or academic unit.

Section 2 - Duties and Responsibilities of Part-time Adjunct Professors

A. Rules and Regulations

1. Know, respect and comply with *Ana G. Méndez University System Bylaws*, the provisions of this Manual, the *Human Resources Handbook*, the *Student Handbook*, executive orders and any other regulation, which will be available at all times. Comply with all the terms contained in the contract by which he or she was appointed as adjunct professor and the provisions of this Manual.

B. Teaching

1. Expose the students to learning experiences according to the course syllabus approved by the School or academic unit.

2. Provide students with the course outline at the beginning of each academic semester.
3. Submit of the course outline to the Dean of the School or director of the academic unit.
4. Uphold tolerance, respect for discrepancy, difference of opinions, and acceptance of critique as essential elements in the teaching and learning process.
5. Use the most innovative approaches, methods, strategies and techniques in the teaching and learning process.
6. Demonstrate leadership and creativity in teaching.
7. Keep up-to-date in his or her discipline and procure the attainment of the terminal degree in area of specialization.

C. Course Schedule

1. Adjunct professors' course schedule will be assigned by the immediate supervisor. This program must contain the functions related to his or her academic teaching and research load, draft of proposals or consulting in area of specialization or any combination of the above.
2. Comply with the teaching, office and service hours assigned in the working schedule. Will be available to perform his or her functions during the time which comprise the School, Department, University Centers or academic unit working hours.
3. Ana G. Méndez University-Virtual Campus' adjunct professors must comply with expectations of on-line teaching, including faculty on-line presence at least three (3) times a week; one synchronized activity; and answer students questions or requests in a period of 24 to 48 hours.

D. Teaching Load

Adjunct professors work on a weekly schedule of a minimum of twenty-five (25) hours distributed in the following way:

1. Contact hours dedicated to teaching of courses
2. Individual attention of students
3. Preparation of courses, academic research or creative work, exam preparation and grading
4. Participation in committees' responsibilities, institutional or community service and any other activity related to teaching
5. Adjunct professors are not eligible for the assignment of courses or additional weekly working hours in addition to the maximum teaching load or established working schedule.

6. Under no circumstance adjunct professors will dedicate more than twenty-nine (29) hours a week working at AGMUS. This includes teaching, student attention and meetings.

E. Preparations

Adjunct professors will not have more than three (3) preparations in his or her schedule. In those cases where the assignment of additional preparations is necessary, authorization by the Vice Chancellor must be obtained.

F. Contact Hours

Punctually attend to all assigned courses. In case of absence, the adjunct professor will notify in writing the conditions and circumstances that justify said absence. Once back, the professor will make up for the contact hours established by the working schedule.

G. Student and Service Hours

Must comply with the weekly working hours within the established schedule as agreed with the Dean, department or academic unit director. The times will be part of the working schedule of the adjunct professor.

H. Committees, Meetings and other Activities

1. Participate in institutional and inter-institutional committees, as assigned.
2. Must attend to the part-time faculty and special meetings, meetings of the department or academic unit to which the adjunct professor is ascribed and to systemic and institutional activities, as required by the institution.
3. Participate in professional development and personnel activities summoned by the Institution and AGMUS Central Administration.

I. Reports

1. Report the students' grades within the deadlines established by the institution, as well as progress reports of research or consulting projects, or any other task hired for.
2. Evaluate and assess students' learning and will take attendance following institutional guidelines.
3. Implement the grading system according to each institutions academic rules and regulations.
4. Take attendance in compliance with Title IV of the US Department of Education, as well as any other laws and regulations enacted by the US federal government or AGMUS.

J. Students Evaluation and Attendance

1. Implement the grading system according to each institutions academic rules and regulations.
2. Report the students' grades within the deadlines established by the institution.
3. In compliance with institutional and federal laws and regulations, conduct a census of the student body.

K. Return Assigned Materials and Equipment

At the end of the contract, the adjunct professor will return any equipment or material assigned for the performance of his or her job related functions. Adjunct professors will return any print, audiovisual, or electronic material or equipment loaned by the library or academic unit.

ARTICLE VII: ACADEMIC RULES AND PROCEDURES IN ANA G. MÉNDEZ UNIVERSITY SYSTEM

Section 1- Faculty Recruitment

The Ana G. Méndez University System aims to identify, attract and retain a highly skilled, innovative and diverse faculty. Candidates for faculty positions, vacant or newly created, full-time or part-time, will be selected using, among others, the following criteria or combination of them. Faculty recruitment process is governed by existing institutional policies.

A. Academic Preparation for Graduate Level

A doctoral degree from a recognized, licensed or accredited university with a specialization in the area to be taught, must be the principal criteria for the recruitment of faculty, except in those academic areas where this is not possible.

B. Academic Preparation for Undergraduate Level

1. Preferably hold a doctoral degree from a recognized, licensed or accredited university with a specialization in the area to be taught, or
2. Hold a master degree from a recognized, licensed or accredited university with a specialization in the area to be taught, or
3. Hold a master degree from a recognized, licensed or accredited university with a specialization in a related area to be taught and eighteen (18) graduate level units in the area of practice.

C. Academic Preparation for Technical Level

Hold an academic degree higher than the one to be taught, experience and the certifications required by the agencies related to their area of specialization.

D. Comply with AGMUS Faculty Excellence

1. Preferably to have teaching experience at the university level and research in area of specialization.
2. Participate in the creation and implementation of professional development plans. Each faculty member is responsible for keeping up-to-date on new trends, requirements, and developments in their area of specialization.

3. Maintain a continuous intellectual production through publications in professional journals and/or participation in conferences or discussion panels in areas related to their discipline.

4. Strive for high academic standards, towards a culture of service, technology and research-oriented, be innovative and creative. Hold excellent communication skills and be able to establish effective interpersonal relationships towards a collaborative environment.

5. All recruitments must comply with the regulations established by the Immigration and Customs Enforcement and the Department of Homeland Security. This includes the homologation of academic degrees obtained abroad. Every person appointed must complete the I-9 Form, employment eligibility document, and must submit the evidence required in that form the first day of work or before.

E. Faculty Recruitment Committee

1. AGMUS institutions will have a faculty recruitment policy. Each academic unit shall appoint a committee, which main function is to identify and recommend the best qualified and suitable candidate for a faculty position, in accordance with the current policy.

2. Each recruitment committee will develop at least three activities, followed and valued by experts in various academic disciplines, as the methods to be used when evaluating candidates for part-time faculty positions. These may include: an interview, essay writing and presentation of a mini interactive class in the area of specialization.

3. For part-time faculty, subsequent to the initial evaluation process, a certification must be issued evidencing that the applicant complies with the hiring requirements established by AGMUS.

F. University Teaching Induction Program

The Vice Chancellor will administer and provide the Induction Program. The program will include, among others: the history and the administrative structures of the institution, the normative aspects which govern the faculty's teaching and research responsibilities, the teaching and learning processes, student body's characteristics, and learning assessment.

G. Part-Time Faculty Certified Applicant Pool

1. Part-time faculty applicants who obtain the certification for a faculty position in the AGMUS will be part of the Certified Applicant Pool. Each Dean shall keep a permanent file of suitable applicants to be part-time faculty members. The file will only

include applicants recommended by the Committee for Faculty Recruitment and certified by the Vice Chancellor of the academic unit. In all cases, the certified applicant for a part-time faculty position, must comply with any other special or additional requirement establish by the corresponding academic unit.

2. The pool will constitute the Registry of Eligible Part-Time Faculty Applicants for each academic unit and only those applicants who comply with all requirements for certification will be included. An applicant who does not submit academic credentials from a recognized, licensed or accredited university, as defined by this Manual, shall not be included in the Registry.

3. The Vice Chancellor may only submit to the Office of Human Resources contracts of certified part-time faculty applicants. This certification is indispensable for the Office of Human Resources to process such contracts.

H. General Hiring Procedures

1. Documentation

Faculty is responsible for submitting official academic credentials and evidence of professional experiences to be included in their file.

2. Appointment

The Dean will appoint part-time faculty. In the University Centers, appointments shall be made by the director or representative after being certified by the Dean of the corresponding school. For full-time faculty appointments, the Dean will recommend the candidate to the Vice Chancellor who will present for approval to the Academic Board. After being approved by the Academic Board, the Vice Chancellor shall recommend the appointment of full-time faculty to the Chancellor.

I. Recruitment Sources

The search for candidates is made in a continuous and systematic manner throughout the year through different sources. It will depend upon the classification of faculty position, the discipline of studies and the school which recruits. The main sources of recruitment shall be as follows:

1. Part-time faculty applicants pool – AGMUS Webpage
2. Faculty applicants pool by discipline
3. Referrals by associates and faculty members
4. Specialized Professional Associations

5. Advertising / Social Networks

I. General Provisions

1. In addition to participating in the University Teaching Induction Program, part-time faculty must obtain an annual certification of professional development in areas or programs that contribute to the improvement of their performance as professors.

2. Faculty hired to teach online courses at any AGMUS institution, the professor must obtain a Distance Learning Certification offered by the Ana G. Méndez University-Virtual Campus, or any other certification recognized by the institution.

3. The Dean is responsible to the Vice Chancellor for the creation, implementation and evaluation of the recruitment plan and the professional development of the faculty.

4. The faculty recruitment process will start when there is a need to identify a candidate for a vacant or newly created position.

5. Full-time faculty positions must be approved by the Control of Positions Committee, in accordance with existing procedures and policy.

6. The Chancellor of each institution will announce the amount of positions available for the recruitment of adjunct faculty.

Section 2 – Faculty Evaluation and Review

A. Evaluation and Review Process

The evaluation is an objective process that includes continuous and systematic collection of information about faculty's execution of its contractual responsibilities. The information generated through this process serves both faculty professional and personal development and for administrative decision-making.

Participation in AGMUS evaluation process is mandatory for non-tenured full-time faculty (multiannual and term) and for part-time faculty (Lecturers and Adjuncts). Tenured full-time faculty may participate in the evaluation process, voluntarily, as set out later. Other provisions relating to faculty evaluation process contingent on the classification of the appointment, are set out in the *Faculty Manual*.

B. Types of Evaluation

1. Formative Evaluation: This evaluation has as the primary purpose of collect data on faculty performance in order to identify strengths and areas to be improved; to create a plan for continuous professional development; and to support professors in the effort for the achievement of educational quality. Self-assessment will be used for this evaluation and it will be part of the annual Working Plan. The professor will prepare this formative evaluation halfway through the period of his or her contract.

2. Summative Evaluation: The purpose of this evaluation is to identify the most competent faculty in order to be retained and recognized his or her work for promotion and make changes to contracts. Full-time faculty members may be evaluated with the following: "Students Evaluation Forms", "Dean Evaluation Form" or "Dean Evaluation Form for Research Faculty ", "Faculty Self-Assessment Form" and "Peer Evaluation Form".

C. Classification of Evaluation Processes

1. Tenured Faculty Evaluations

- a) Tenured faculty may voluntarily undergo evaluation to obtain data for rank promotion and the award of benefits to their overall development. For these ends, all evaluation forms will be used.
- b) Every rank promotion and any award of benefits for integral development are always subject to the availability of resources, and will be granted and notified at the beginning of each academic year.

2. Multiannual Faculty Evaluations

Multiannual appointed faculty will be evaluated with the following: "Students Evaluation Forms", "Dean Evaluation Form" or "Dean Evaluation Form for Research Faculty" and "Faculty Self-Assessment Form". In the event that the results of the summative evaluation of the teaching-learning aspect yields a level of performance of 2.00 - 2.99 (minimum performance), the Peer Assessment Form will be administered.

- a) **First Contract Year:** Multiannual appointed faculty evaluations has two stages: formative and summative. The formative evaluation, in the first year, will take place during the first six months of the contract. The summative evaluation will take place at the end of the first year of the contract. If the summative evaluation is passed, the institutional needs are satisfied, and it is recommended by the Chancellor, the professor's contract may be renewed for three (3) years. In case the institution decides not to renew the contract, the professor must be notified on or before May 31 of the contracted year.

In the event that the results of the summative evaluation of the teaching-learning aspect yields a level of performance of 2.00 - 2.99 (minimum performance), a conditional contract for one year will be granted and the Peer Assessment Form will be administered at the end of said year. If the peer evaluation is passed, the institutional needs are satisfied, and it is recommended by the Chancellor, the professor's contract may be renewed for another two (2) years.

- b) **3 Year Contract:** Faculty hired on a three year contract will be evaluated using the formative evaluation after a year and a half; and the summative evaluation will be made during the last year of the three year contract. If the summative evaluation is passed, the institutional needs are satisfied, and it is recommended by the Chancellor, the professor's contract may be renewed for five (5) years, without expectation of tenure or future renewal.

In the event that the results of the summative evaluation of the teaching-learning aspect yields a level of performance of 2.00 - 2.99 (minimum performance), a conditional contract for one year will be granted and the Peer Assessment Form will be administered at the end of said year. If the peer evaluation is passed, the institutional needs are satisfied, and it is recommended by the Chancellor, the professor's contract may be renewed for another four (4) years.

- c) **5 Year Contract:** Faculty hired on a five (5) year contract will be evaluated using the formative evaluation after a two and a half years; and the summative evaluation will be made during the last year of the five year contract. If the summative evaluation is passed, the institutional needs are satisfied, and it is recommended by the Chancellor, the professor's contract may be renewed for the time determined by the institution. Hereinafter the process will continue, repeating the evaluative process, without expectation of tenure or renewal.

In the event that the results of the summative evaluation of the teaching-learning aspect yields a level of performance lower than 3.00, a conditional contract for one year will be granted and the Peer Assessment Form will be administered at the end of said year. If the peer evaluation is passed, the institutional needs are satisfied, and it is recommended by the Chancellor, the professor's contract may be renewed for another four (4) years.

3. Term-Appointed Faculty Evaluations

- a) Term-Appointed faculty will be evaluated annually, during the term of their appointments with the following: "Students Evaluation Forms", "Dean Evaluation Form" and "Faculty Self-Assessment Form". In the event that the results of the summative evaluation of the teaching-learning aspect yields a level of performance lower than 3.00, the Peer Assessment Form will be administered.
- b) Term-Appointed faculty evaluations has two stages: formative and summative. The formative evaluation will take place during the first six months of the contract. The summative evaluation will take place at the end of the first year of the contract. If the summative evaluation is passed, the institutional needs are satisfied, and it is recommended by the Chancellor, the professor's contract may be renewed. In case the institution decides not to renew the contract, the professor must be notified on or before April 30 of the contracted year.
- c) In the event that the results of the summative evaluation of the teaching-learning aspect yields a level of performance lower than 3.00, a conditional contract for a term of no less than five (5) months will be granted and the Peer Assessment Form will be administered at the end of said term. If the peer evaluation is passed, the institutional needs are satisfied, and it is recommended by the Chancellor, the professor's contract may be renewed for another term.
- d) Any award of benefits for integral development is always subject to the availability of resources, and will be granted and notified at the beginning of each academic year.

4. Lecturers and Adjunct Professors Evaluations:

- a) Part-time lecturer and adjunct faculty will be evaluated during the term of their contracts.
- b) For the evaluation of lecturer and adjunct professors the following will be used: "Students Evaluation Forms". If needed, the Dean may require the administration of another evaluation form.
- c) If the evaluation is passed, the institutional needs are satisfied, and economic resources are available, a new contract may be offered, without expectation of tenure or future renewal.
- d) The data obtained during the evaluation process will be used to determine the renewal of the contract.

5. Full-Time Faculty in Administrative Positions Evaluations:

The evaluation of full-time faculty in administrative positions will be postponed and suspended until teaching duties are reinstated. The Chancellor will notify in writing the provisions for contract renewal. This shall not apply for rank promotion, for which the evaluation forms established for the evaluation of the faculty. Vested rights and years of service as an administrator will be used for salary computation, rank promotion, seniority and other benefits as a professor. Vacation leave's benefits will be governed by the *Human Resources Handbook* provisions.

Tenured faculty or Multiannual appointment faculty holding administrative positions in any of AGMUS institutions or at AGMUS Central Administration, may be evaluated, if the following criteria are met:

- a) Must be teaching at least one course per semester during the year the evaluation is performed. In case of evaluation for promotion, must offer two (2) courses (6 units) per semester. The courses cannot be *Ad-honorem* nor independent study.
- b) The evaluation shall be based in the faculty performance as a professor. If the evaluated professor is a Dean, the Vice Chancellor shall perform the professor's duties during the evaluation. If the evaluated professor is a Vice Chancellor, the Chancellor shall perform the professor's duties during the evaluation.

6. Faculty Evaluation for Rank Promotion:

Faculty's rank promotion will be evaluated with the following: "Students Evaluation Forms", "Faculty Self-Assessment Form" and "Peer Assessment Form".

Evaluation for rank promotion is essentially an academic process in which merit criteria will be applied uniformly and impartially. It includes the collection of information about the candidate, his or her merits, value, organization and performance in the teaching-learning process, to decide if the candidate is deserving of promotion.

Participation in the evaluation process for rank promotion will be voluntary for tenured or multiannual appointment full-time faculty. The criteria to be considered for granting promotion are: teaching and learning, research or creative work, and service.

D. Certification and Eligibility

1. During the first forty-five (45) calendar days of the academic year, the Vice Chancellor will request the certification of the full-time faculty members to be evaluated to the Vice President of Human Resources. The Vice President of Human Resources shall have fifteen (15) calendar days to certify the official data regarding years of service, the term of the contract, and any other requested information.

2. Full-time faculty on leave cannot be evaluated until reintegrated to their teaching duties. The candidates for evaluation cannot participate in the Academic Board's Faculty Affairs Commission.

E. Discussion of Evaluation Criteria

The School Dean or immediate supervisor will discuss the evaluation criteria with the professor to be evaluated at the time of hiring and at the beginning of the academic year in which the evaluation will be performed. It is the faculty's responsibility to know the evaluation criteria.

F. Faculty Evaluation Procedures

The summative evaluation of the faculty will be performed under the following procedure:

1. Planning the process:

- a) At the beginning of each academic year the Deans of each of the Schools will submit for the approval of the Vice Chancellor, the composition of the Scrutiny Committee of the School and its president. The Committee shall be constituted by at least two faculty representatives.
- b) The Assistant or Associate Vice Chancellor of Evaluations or a person appointed by the Vice Chancellor, shall create and oversee the calendar for the summative evaluation processes. In addition, will provide guidance and the institutional guidelines to the Scrutiny Committee of each school.
- c) The Scrutiny Committee of each school will organize, coordinate, oversee and administer the evaluation forms to ensure the objectivity of the procedures at all times.
- d) Professors shall receive copy of all evaluations forms to be used. The Committee is responsible for providing these documents and any other information necessary for the evaluation process.

2. Evaluation:

- a) Each school's Scrutiny Committee will guide and confirm with the professor to be evaluated the dates the students' evaluation will be administered and deadline to submit the Self-Assessment Form.
- b) Each school's Scrutiny Committee will confirm with the appropriate Dean the deadline for the administration of the "Dean Evaluation Form".

- c) If necessary, the Dean may convene a Peers Committee to visit the classroom visits and corroborate the information and evidence submitted by the professor. The composition and the number of members of that Committee shall be subject to the availability of the resources of each schools. For the visit, the Classroom Observation Guide provided by the Faculty Evaluation System shall be used.
- d) Students' Evaluation:
 - i. At least the last three (3) courses or sections during the hiring period will be evaluated.
 - ii. Students enrolled in the identified sections, will be requested to complete the "Students Evaluation Form", before the partial withdrawal deadline.
- e) Peer Evaluation of a professor subject to a conditional contract:
 - i. The "Peer Evaluation Form" will be administered during the second semester of the conditional contracted year to those professors whose summative evaluation of the teaching-learning aspect yields a level of performance lower than 3.00.
 - ii. The following forms will be administered during the conditional contracted year: "Students Evaluation Form", "Dean Evaluation Form" and "Peer Evaluation Form".

3. Collection and analysis of the results

- a) Each school's Scrutiny Committee is responsible for the collection and analysis of the results in accordance to the weights established by the institution.
- b) Each school's Scrutiny Committee will use the forms established by this system to report the results and will submit evidence of the process to the Assistant or Associate Vice Chancellor of Evaluations or a person appointed by the Vice Chancellor.
- c) The Assistant or Associate Vice Chancellor of Evaluations or a person appointed by the Vice Chancellor will be the custodian of the evaluations' results and will make sure they are logged in the professor's file.
- d) In the event that the results of the summative evaluation of the teaching-learning aspect yields a level of performance lower than 3.00, the Peer Assessment Form will be administered during the second semester of the conditional contracted year.

The process is as follows: The Vice Chancellor shall inform in writing to the Dean of the school, who in turn will create a Peers Committee for each professor that so requires. This Committee shall consist of three (3) members. A professor chosen by the evaluated professor, a specialist teaching methodology, and a specialist in the discipline.

- e) In the event that the results of the summative evaluation of professors whose main responsibility is research yields a level of performance lower than 3.00, the renewal of the contract will be conditioned by the terms established on it.

4. Discussion and disclosure of the results

- a) Once the process of gathering of information is finished, each School's Scrutiny Committee will submit a report to office of the Assistant or Associate Vice Chancellor of Evaluations or a person appointed by the Vice Chancellor, who will be the custodian of it.
- b) Each School's Scrutiny Committee shall convene when call by its Chair. The discussions of the Committee will be held in private sessions and are confidential. Only Committee's members and persons summoned by it shall be present at the meetings.
- c) In the first meeting, the Committee's Chair shall appoint, among its members, a secretary, who will have the following functions: (a) verify and certify members attendance to the meetings, (b) draf the minutes of the meetings and submit them for the Committee's approval at the following meeting, (c) custody all the documents gathered by the Committee or under its consideration, as decide by the Committee, (d) in the presence of the Committee, count the votes and certify the results, (e) any other responsibility assigned by the Committee or its Chair.
- d) All agreements and the minutes of the Committee shall be signed by its Chair and Secretary. Simple majority of its members is needed for all agreements. Secretary will record all dissenting and explanatory votes in the minutes, as well as the agreements.
- e) Assistant or Associate Vice Chancellor of Evaluations or a person appointed by the Vice Chancellor shall summoned the evaluated professor and inform the results.
- f) Assistant or Associate Vice Chancellor of Evaluations or a person appointed by the Vice Chancellor shall submit annually the evaluation

reports to the Chair of the Academic Board's Faculty Affairs Commission.

- g) The Faculty Affairs Commission will deliver the results of the evaluations to the Academic Board, previously certified by the Assistant or Associate Vice Chancellor of Evaluations or a person appointed by the Vice Chancellor.
- h) The Academic Board shall analyzed and ratified the results and will notify to the Chancellor its recommendations
- i) The Chancellor shall analyzed the recommendations of the Academic Board's Faculty Affairs Commission, and if needed will request additional information from human resources, Deans, Directors, among others.
- j) The Chancellor will informed in writing the contractual decision, and if necessary, will include formative recommendations.

Section 3 –Academic Rank and Promotion for Tenured or Multiannual Contract Full-time Faculty

Conferring rank promotion responds to the tradition and practice of recognizing and distinguishing professors for their academic, intellectual, professional and service performances that surpass the ordinary and contracted. The evaluation comprises the compilation of multi-contextual information about the candidates, their merits and value. The organization and analysis of the information gathered aids in the decision of whether the candidate deserves a rank promotion.

When conferring rank promotion, the Institution exercises discretionary and academic authority in recognizing the efforts and achievements of faculty members, stimulate their constant professional development and therefore aids in the improvement, growth and institutional prestige. A system of academic rank based on merit criteria identifies the following:

1. Evaluations are formative and summative
2. Comprehensive evaluations derives from data obtained from diverse criteria and from sources previously identified and validated for use.
3. Evaluation for rank promotion is an essentially academic process for which merit criteria is uniformly and impartially applied.
4. Evaluation for rank promotion is a voluntary and competitive process.

5. Evaluation for rank promotion recognizes the rights to challenge and appeal as fundamental.

AGMUS also commits to:

1. Guarantee the real participation of the candidate in the evaluation process for rank promotion.

2. Guarantee the compilation of multi-contextual information about the candidates, their merits and value.

3. Facilitate the evaluation process at every level.

4. Comply with all institutional and systemic statutory, regulatory and procedural provisions that governs the evaluation process.

As a result to its pledge regarding rank promotion, AGMUS:

1. Enacts an institutional Academic Rank and Promotion Policy in accordance to its bylaws.

2. Establishes a system of evaluation for rank promotion which provides for the participation the concerned parties. The results of the evaluation process are submitted to the Academic Board who recommends the promotion to the Administrative Council.

3. Designs and validates tools consistent with the spirit, the institutional policy and its procedures for conferring academic rank and promotion.

4. Establishes a scale system and standardized cut-off points.

5. Provides a system for challenging or appealing the evaluation process or its results and ensures that at any stage the candidate may use such rights. It also assures that a claim by one professor will not halt the process for other candidates.

6. Acts according to evaluation standards that are consistent with the mission of the institution, and pronounce them in practice, not rhetorically.

Similarly it commits to:

1. Guide to the candidates before, during and after the evaluation process for rank promotion, offer assistance, if necessary, and protect the rights of the candidates in their goals.

2. Take into consideration the candidate's self-assessment, the certifications and the evaluation made by the Committee, composed of candidate's peers of the highest

rank.

3. Demand absolute confidentiality in the use and handling of the candidate's information.

4. Assure that the Dean or immediate supervisor of the candidate submits the compliance contractual duties certification to the Evaluation Committee.

On the other hand, the professor who voluntarily participates in the evaluation process for rank promotion acknowledges that:

1. The process is competitive.

2. Has the preparation and academic credentials that qualifies him or her to hold the position.

3. Master the area of expertise or specialization.

4. As an academic, engages in multiple duties and responsibilities: teaching, assessment, research, publication, professional development and recognition, and institutional and community service.

5. Devote his or her talents to each of his or her duties and responsibilities. In this endeavor, the institution, the colleagues and the candidate recognize that his or her capabilities, skills and interests are aligned with his or her duties or responsibilities.

6. Demonstrate to deserve the requested rank promotion.

7. Acknowledges that promotion distinguishes a candidate's outstanding academic and professional performance.

A. Statutory Basis

The faculty will consist of instructors, assistant professors, associate professors and professors appointed in accordance with the statutes and regulations adopted by the Board of Directors. Rank promotions and professional development will always be subject to the availability of resources, which will be granted and notified at the beginning of each academic year.

B. Criteria

The conferment and acquisition of ranks is based on, although not exclusively, in strictly academic criteria, subject always to availability and budgetary resources. These should measure the academic development of the faculty as well as their individual

contribution to the improvement of the University's academic environment and society in general.

The following will be considered in the conferment of rank promotion:

1. Teaching-Learning

Interactive process that should take place between the professor and the students with the purpose of enabling and promoting learning.

2. Research and creative work

Activities carried out by the faculty that discovers, builds or creates new knowledge associated with their specialization and with their teaching and learning processes.

3. Service

Teaching or non-teaching duties and responsibilities that faculty members perform in order to contribute or benefit, with their knowledge or specialization, the Institution and persons, groups or entities in the community.

C. General Requirements

A professor seeking any academic rank must meet the following general requirements:

1. Fulfill contractual obligations as well as those inherent to the position.
2. Comply with AGMUS statutes, regulations, policies and norms.
3. Show ability, interest and efficiency in the advancement of the learning and teaching process.
4. Participate in activities that promote the development of the institution, with particular emphasis on academic, cultural areas, when requested or by his or her own.
5. Possess renowned proficiency in the academic area of specialization.
6. Participate and contribute in professional organizations related to the academic area of specialization as well as in the community.

D. Specific Requirements

A professor seeking any academic rank must meet the following specific requirements:

1. Instructor

As a minimum, hold a master's degree from a recognized university in the academic area to be taught or other comparable academic degree. Otherwise, a master's degree in a related academic area and eighteen (18) units or more in graduate courses in the discipline to be taught.

2. Assistant Professors

As a minimum, hold a master's degree from a recognized university in the academic area to be taught or equivalent. Otherwise, a master's degree in a related academic area and eighteen (18) units or more in graduate courses in the discipline to be taught. Also, had served as an instructor in any AGMUS institution for a period of four (4) accumulated years, teaching or researching. Professors that hold a doctoral degree, will be hired in this rank.

3. Associate Professors

Hold a master's degree from a recognized university in the academic area to be taught or equivalent. Otherwise, a master's degree in a related academic area and eighteen (18) units or more in graduate courses in the discipline to be taught. Had served as an assistant professor in any AGMUS institution for a period of three (3) accumulated years, teaching or researching. Have published research or creative work.

4. Professor

Hold a doctoral degree or its equivalent from a recognized university in the academic area to be taught or equivalent. Also, had served as an associate professor in any AGMUS institution for a period of five (5) accumulated years, teaching or researching. For extraordinary achievements, chancellors may recommend faculty without a doctoral degree for this rank.

E. Procedures for Academic Rank Promotion

1. The Vice Chancellor will appoint the Institutional Academic Rank Conferment Committee and its chair. This Committee shall be constituted by a faculty representative with the rank from each of the schools of the institution. The term of the appointment is two (2) academic years.

- a. The Institutional Academic Rank Conferment Committee will organize, coordinate, oversee and administer the instruments for rank promotion hereby established.
- b. The Institutional Academic Rank Conferment Committee will guarantee the objectivity of the proceedings.

2. The Assistant or Associate Vice Chancellor of Evaluations or a person appointed by the Vice Chancellor will oversee the calendar for rank promotion proceedings. It will also provide guidance and the institutional directives to the Institutional Academic Rank Conferment Committee and its chair.

3. The Institutional Academic Rank Conferment Committee will confirm with the professor to be evaluated the deadlines for the submission of all required documentation.

4. The Institutional Academic Rank Conferment Committee will confirm with the appropriate Dean the deadline for the administration of the "Dean Evaluation Form".

5. The Institutional Academic Rank Conferment Committee will make sure that the evaluation forms are administered and submitted within the established deadlines.

6. The Institutional Academic Rank Conferment Committee will be responsible for tabulating the forms and questionnaires and for reporting the results.

7. The Institutional Academic Rank Conferment Committee shall submit annually the report of the results obtained for each proceeding to the Academic Board's Faculty Affairs Commission.

8. The Faculty Affairs Commission will deliver the results of the evaluation to the Academic Board, previously certified by the Assistant or Associate Vice Chancellor of Evaluations or a person appointed by the Vice Chancellor.

9. The Academic Board shall analyze and ratify the results of the evaluation for rank promotion before notifying its recommendations to the Administrative Council.

10. The Administrative Council shall analyze and ratify the recommendations of the Academic Board.

11. The Chancellor, accepting the recommendations of the Administrative Council will notify the decision to the professor, and the appeal procedures.

F. Exceptions

1. No professor will be evaluated for promotion nor will be promoted while on leave.
2. No professor will be eligible for rank promotion while being evaluated for contract renewal.

3. The Chancellor may confer an academic rank to a professor for extraordinary merits.

4. For the computation of the number of years required for the next eligible rank, the Chancellor may honor the years of service of a professor at another recognized institution. In these cases, the candidate must comply with the general and specific requirements for rank and go through the ordinary proceedings for rank promotion established in this Manual.

Section 4 – Faculty Professional Development Plan

A. Faculty Professional Development Policy

The AGMUS acknowledges the value of the faculty, the vital role that it performs, their commitment to the emerging model of learning for life and the continuous improvement of the quality of teaching. In addition, it acknowledges that the effectiveness of the institutions is directly related to the commitment of its human resources to continuously improve their performance, with the necessary vitality and agility.

In response to its commitment to the faculty's professional development, AGMUS adopts this institutional policy in accordance with its bylaws and promotes and establishes the following:

1. The faculty's professional development and the identification of its needs is a continuous and systematic activity.
2. The planning, implementation and assessment of institutional programs directed towards the faculty's professional development is made to achieve the greatest effectiveness of the institution.
3. Institutional faculty development programs will address both the needs and professional interests of the faculty and the particular needs of each institution.
4. Each academic unit shall create and implement its faculty professional development plan.
5. Individual plans for the faculty professional development will be based in the individual needs of the professor and the needs of the institution.
6. The institution will provide the resources for the implementation of the plan for faculty professional development.

B. Scope of the Faculty Professional Development Policy

The faculty professional development is aimed at the continuous and systematic

improvement of full-time and part-time faculty, subject to budgetary resources.

C. The Institutions

In the establishment of a faculty professional development plan, each academic unit acknowledges the following:

1. The professional development of the faculty is a continuous and systematic learning process.
2. The professional development of the faculty is linked to the needs of the institution and the faculty.
3. The institutional development undertakes the following values: respect for human beings, trust, equity, and openness to ideas, collaboration and participation of all its members.

Similarly, the institution commits to:

1. Promote the establishment of formal procedures to continuously identify the professional needs of the faculty.
2. Provide opportunities to the faculty for their continuous and systematic learning in accordance with their needs, learning styles and stages of professional development.
3. Promote the development of a collaborative learning environment that supports the continuous improvement of educational practices.
4. Support the creation of institutional programs directed towards the training, formation.
5. Plan, develop, establish and assess institutional and individual activities for the development of the faculty.
6. Support the creation, establishment and assessment of the individual plan for faculty professional development.
7. Promote the establishment of a specialized unit for faculty development to provide direct services to the faculty.
8. Promote the search for internal and external funding for the strengthening of professional development programs, projects and activities.

D. Faculty

The faculty commits to:

1. Maintain a commitment for professional and personal development and a systematic and continuous learning.
2. Acknowledge that the professional development process encompasses their role as educators and adult learners.
3. Collaborate in the creation and implementation of personal and professional development plan, in accordance with the corresponding Dean.
4. Participate in faculty's induction processes.
5. Participate in peer-mentoring processes.

Section 5 – Leaves of Absence

Tenured and multiannual appointed full-time faculty may be granted leaves of absences in accordance with eligibility requirements, application procedures for each license and obligations undertaken in advance to its concession. Leaves granted by law: disease; vacation; maternity, military duty; death of an immediate family member; jury duty; summons to court; municipal legislature and athletic events.

The *Human Resources Handbook* will be the primary source for information on available leaves of absences, and their general and specific requirements and procedures

A. Sick Leaves

Permanent full-time faculty will accrue at the rate of one and a half (1.5) sick days per each month of 115 work hours or more. Except in cases of *force majeure*, faculty must notify his or her supervisor at the beginning of the regular work schedule and no later than the day of the absence about the illness and absence.

In case of any illness extends for more than two (2) days, the faculty must provide a medical certification evidencing the illness. The certificate must indicate the date in which the professor may return back to work in order to enjoy the license provided for in this section. A supervisor may, at any time, request a medical certificate for any type of unexpected absence.

Sick leaves are only available for absences caused by a medical condition, an incapacity that renders the professor unable to exercise his or her duties, or because a contagious disease that requires absence for the protection his or her health and that of others. This leave is only intended to protect faculty's income in case of illness and for no other reason or cause. The leave may be used to attend medical appointments, in which case the professor shall notify the dates in advance to the supervisor.

The family-medical leave applies concurrently with the paid sick leave in the event of a serious health condition that prevents the faculty to exercise his or her duties.

B. Vacations Leave

Full time faculty accrues 1.83 days per each month of 115 work hours or more. Faculty who worked less than one hundred fifteen (115) hours in any month will not accrue vacation leave for that period. Accrued vacation pay will be determined and due as to the date of termination of the contract. Vacations Leave benefit is governed by the Institutional Policy.

C. Maternity Leave

Every pregnant faculty member is covered by Law No. 3 of March 13, 1942, as amended, better known as *Ley de Madres Obreras*. This law provides a rest period of four (4) weeks prior to the approximate delivery date and four (4) weeks after the delivery, with payment of the regular salary.

The AGMUS does not discriminate against any faculty seeking a maternity leave. Request for this leave will be evaluated according to the rules set forth in this Manual on sick leave, and as establish by State law. This law also covers faculty who have suffered a miscarriage.

The faculty member must notify of the pregnancy to the supervisor and the Vice President of Human Resources as soon the pregnancy is known to her. The faculty member must submit to the Vice President of Human Resources a medical certificate indicating the probable delivery date. This certificate must be submitted prior to the eighth month of pregnancy.

The faculty the option to remain in the job, with the medical consent, up to one (1) week prior to the approximate delivery date. The faculty may return to the job, with the medical consent, two (2) weeks after delivery. Although the maternity leave can be extended to eight (8) full weeks, it must never be less than three (3) weeks.

The absences that occur during pregnancy, other than the eight (8) weeks period, will be applied to the sick leave, accrued family-medical leave or under SINOT [Non-work Related Disabilities Insurance], according to the definition that applies in each particular case.

If a postpartum complication prevents the return to work and the eight (8) weeks of maternity leave has already run out, the faculty may use a maximum of twelve (12) additional unpaid weeks, as certified by a doctor, under the benefits provided by SINOT. SINOT benefits run concurrent with the medico-familiar twelve (12) weeks unpaid leave.

D. Family-Medical Leave

The Family and Medical Leave Act (FMLA) provides tenured and multiannual appointed full-time faculty and unpaid leave that allows them to take a leave up to twelve (12) weeks to take care of their medical conditions and those of their family. It may include: the birth of a child; an adoption; serve as a foster home; caring for a child, spouse or parents with critical health conditions. A critical health condition is defined as a disease or physical or mental impairment that requires the care of the patient in a hospital, health center or health care in their own home.

The 2008 National Defense Authorization Act, amended the FMLA to provide eligible employees, the following two important leave of absence benefits related to military service:

1. Eligible faculty is able to take up to 12 workweeks of FMLA leave when the faculty's spouse, children or parent is on active duty or call-to-active-duty status for one or more qualifying exigencies.

2. Eligible faculty is able to take up to 26 workweeks of FMLA leave in a specifically designated 12-month FMLA leave year in order to care for a covered service member with a serious illness or injury, where the employee is the spouse, son, daughter, parent or "next of kin" of the covered service member.

Eligible faculty may request the aforementioned leave, when hired by AGMUS for at least twelve (12) months and during that period had worked a minimum of 1,250 hours. The year within which an eligible faculty is entitled to the twelve (12) weeks of leave will be calculated taking as a reference date the first time that the professor uses this benefit.

Faculty requesting this leave must notify the supervisor and the Vice President of Human Resources thirty (30) days in advance, if foreseeable, and submit a medical certification prior to the beginning of the leave evidencing its need. If the leave is requested for caring for a family member, the certificate must also indicate that the presence of the faculty is necessary to carry out the care or medical treatment of the family member.

If the reason is not foreseeable, the faculty must notify the supervisor and the Vice President of Human Resources as soon as possible, in addition to submit the medical certification as soon as possible.

Ana G. Méndez University System may:

1. Require second and third medical opinions on any condition that it understand should be reassessed. If case of conflict of opinions, the third opinion will be final to determine if the leave is or not authorized.

2. Require a medical recertification when the leaves exceeds thirty (30) days,

except when the leave is for taking care of a newborn child, an adopted child or foster child in custody. It may also require a medical certification evidencing that the faculty is able to perform his or her duties and return to work. This leave may be taken intermittently or on a reduced schedule if evidenced by medical certification.

3. Offer group health insurance benefits as long as the faculty member pays its part of the premium, if any, in accordance with the Federal regulations.

Once the faculty member returns from family-medical leave he or she will be reinstated to the rank held before the leave. AGMUS may require the faculty to use vacation or sick leave before taking the family-medical leave. If after using these, the faculty still needs to be absent for reasons that qualify for this license, he or she may use the balance of up to twelve (12) weeks of leave without pay under this benefit. Any leave time taken under a disability license such as the one provided by SINOT, Workers Compensation, Social Insurance for Motor Vehicle Operators, and Working Mothers ACT will run concurrent with twelve (12) weeks per year which the family-medical leave provides.

The faculty should report to work at the end date of the leave. If at the end of the family-medical leave the faculty has not returned to work, AGMUS will infer that the faculty has abandoned his or her work.

E. Military duty leave

Faculty active in any of the branches of the United States Armed Forces, are entitled to leave without pay for military service for the time that his or her unit is activated or in order to attend the weekend or summer training and any other call to serve actively with a unit. Under this last category, AGMUS will guarantee the reintegration of the faculty member once the military activity has ended.

The request for military duty leave must be notified to the Vice President of Human Resources ten (10) workdays in advance after official orders have been received. This requirement does not apply in cases of emergency or when the official orders were not sent or received by time the leave starts.

F. Immediate family member death leave

Leave of absence is provided to take care of the death of a family member when it occur during a working day, provided that:

1. The deceased is the spouse, child, mother, father, sibling, and grandchild. Up to a maximum of three (3) days of leave are granted if the death occurs on a working day.

2. When the deceased is a grandparent, uncle or aunt, son-in-law or daughter-in-law, father-in-law or mother-in-law, up to a maximum of two (2) days of leave are

granted if the death occurs on a working day.

3. The time taken under this leave is considered as worked days and will not affect the accrued vacation leave. The faculty member must submit evidence of the death of the family member.

G. Jury duty leave

AGMUS acknowledges the social duty to serve as jury when the State so requires. A jury duty leave will be granted when the faculty member is officially summoned to appear before any court of justice, a prosecutor, an administrative agency or a state or federal government agency.

This leave will be with pay for the time in which service is rendered. Faculty must submit an official certification of attendance issued by the state or federal court to be compensated under this benefit.

In addition, after the summons is received, faculty member must immediately submit it to the Vice President of Human Resources, so arrangements could be made for the days the faculty member will be absent.

The faculty member will receive the regular pay up to a maximum of fifteen (15) days a year when is called to serve as a juror. If the process expands for more than fifteen (15) days, payment will not be received. However, the faculty member may use accrued vacation days if desired.

The professor must report back to work during those days or hours in which service as a juror is not required. Once the jury duty is completed, the professor must report back to work the next workable day.

AGMUS will continue to provide health insurance, and the faculty will continue to accrue vacation days, sick leave and holidays while performing as a juror.

H. Witness in a criminal procedure leave

AGMUS acknowledges the social duty to appear as a witness when the State so requires. A faculty member judicially summoned to appear as witness will receive pay for the days he or she is absent. If summoned by other entity or agency payment will not be provided. However, the faculty member may use accrued vacation days if desired.

The court official summons must be submitted to the Vice President of Human Resources as soon as possible, so arrangements can be made. The faculty member is authorized to be absent during the days for which was summoned.

This leave does not apply to faculty members summoned to appear as a defendant

or as interested or affected party. Nevertheless, the faculty member may use accrued vacation days if desired.

I. Municipal legislature leave

El faculty with a multiannual appointment which serves as a municipal legislator is entitled to a leave without pay to a maximum of ten days per year to attend municipal legislature sessions, meetings and site visits that take place as part of the performance of his or her municipal legislator duties.

J. Athletic events leave

Athletic events leave shall be granted to multiannual appointed faculty. This leave is without pay, but the professor may use vacation days. To qualify for this leave, the faculty member must submit certified evidence from the relevant agency ten (10) days prior to the leave and it must specify its duration.

Athletes includes: competitors, judges, referees, delegates, or any other person certified as such by the Puerto Rico's Olympic Committee. Also, any person with a disability (physical, psychological or sensory) certified as an athlete by the Secretary of Sports and Recreation, upon prior certification of the local sports authority that is recognized by the sport's international governing organization.

The events for which a faculty member may request this leave are:

1. Olympic Games
2. Pan-American Games
3. Central-American Games
4. World or Regional Championships
5. Special Olympics

Under the Athletic events leave the faculty member will not accrue sick or vacation days. The professor will not receive other benefits such as life insurance, SINOT or retirement plans, among others. Health plan benefits require the contribution of the Professor as provided by Federal regulation.

The Vice President of Human Resources will provide additional information and guidance about the benefits, rights and obligations regarding this leave.

K. Study or Research Leave

AGMUS offers permanent or multiannual appointed full-time faculty the opportunity of academic development through leaves. This leave is available for faculty exchange programs, study, research and sabbaticals.

1. Definition

Leave that the Institution grants to full-time faculty to pursue studies in his or her specialization area, or to lead a pure or applied research project that contributes to the development of knowledge in the field of the arts, sciences, technology and trade.

2. Eligibility and criteria

To be eligible, faculty members must have a permanent or multiannual appointment and have two (2) years of uninterrupted service in the institution and demonstrate interest in conducting studies in their teaching area; studies in courses or programs that the institution wants to implement; pure or applied research in their teaching area.

3. Types of Leave

a) Leave with pay for study or research

Faculty members who are granted leave with pay, will receive their regular wages and benefits. During the period of time covered by the leave with pay, the professor cannot offer additional courses to the regular academic load established in their contract or appointment.

b) Leave without pay for study, research or artistic creation

Faculty members who are granted this leave will not receive their regular wages, but may receive health insurance benefits. This leave will not adversely affect the rights related to salary increases, years accrued for promotion, years of service, or any other benefits granted during the leave.

4. Economic Assistance

In addition to this leave, economic assistance may be authorized when requirements are met. The economic aid to be granted shall be determined in accordance with the needs demonstrated by each applicant and in harmony with the criteria which originate the request. The aid may include the cost of the following: payment of enrollment fees; travel expenses (limited to one (1) round-trip travel to Puerto Rico per year); room and board fees calculated in accordance with the cost of accommodations at the campus where studies will take place; books; materials; equipment and other necessary costs.

L. Proceedings

1. The faculty member will submit the leave application to the Dean of the corresponding school along with a written statement setting forth the reasons for the petition. The petition shall be submitted at least four months before the date on which the leave would be effective.

2. The application for study leave shall include information on degree; major; University where studies will be pursued; evidence of the application for admission; time it will take to finish the degree; benefits for the Institution; relationship of the academic degree with the discipline taught or that would be taught. If the license is to carry out a research project or a work of artistic creation, its purpose and benefit must be clearly stated.

3. The Dean will evaluate the request and will submit it with recommendations to the Vice Chancellor, who will evaluate the request and the Dean's recommendations.

4. Upon agreeing with the petition, the Vice Chancellor will request to the Vice President of Human Resources to certify the eligibility of the applicant.

5. The Vice Chancellor will evaluate and analyze the petition and will submit recommendation to the Chancellor, which will approve or deny the leave, with or without pay.

M. Notification

The faculty member will begin to enjoy the study leave on the date indicated in the official notification issued by the Vice President of Human Resources, once the letter of acceptance from the University where the studies will be held is submitted.

Should the faculty member begin the leave without official notification and abandons his duties, it will be assumed he or she abandoned his position and may be subject to the corresponding disciplinary actions.

N. Duration of Paid or Unpaid Leave

1. Study Leave

A maximum of three (3) years will be granted for doctoral studies. A faculty member that has started doctoral studies and has units approved, may be granted a study leave to complete the degree's requirements which shall not exceed three (3) years.

2. Research or artistic creation leave

The maximum duration for a leave for research or artistic creation shall be fixed

depending on the nature and scope of the work to be carried out, up to a maximum of three (3) years. The applicant must submit a detailed work plan for the requested period of leave.

O. Research or Studies Leave Agreement

1. Faculty members who are granted with a study, research, or artistic creation leave must sign a contract agreement in a format provided by AGMUS. The applicant must inform in written to the Dean or the department or unit director, as applicable. Also, in order to update his or her personnel file, the professor shall notify the Vice Chancellor and the Vice Presidency of Human Resources of every change in the authorized study program.

2. Faculty members agree to submit copy of grades and evaluations obtained at the end of each academic period to the School Dean, the department or unit director to which the faculty member is ascribed, the corresponding Vice Chancellor, and the Human Resources Vice Presidency. The breach of this requirement could be a reason for the termination of the study leave granted and, in such situation, must comply with the reimbursement provisions provided in this Manual.

3. Once the academic degree is finished, the faculty member will submit an official transcript and copy of the diploma to the Vice Presidency of Human Resources, the Dean, the department or unit director, as applicable, and the corresponding Vice Chancellor.

4. The chancellor or authorized representative could request to the corresponding University Center reports regarding the study program, grades, behavior, attendance, or any other information the chancellor may deem convenient of those faculty members granted with a study leave and economic aid.

P. Extension of Study, Research or Artistic Creation Leave

Faculty members with a study, research or creative work leave, that need an extension, must request the extension to the Dean or the department or unit director, as applicable. The request must be submitted within no less than four (4) month prior to the termination of the agreed period and shall include the reasons justifying the extension. The same established criteria for approval of the initial application for leave will be used. If the extension is approved by the chancellor, it will be formalized through an official notification to the concerned faculty member, with a copy to the Dean, and the department or academic unit director, as applicable. A new contract regarding the new authorized period will be prepared in the format provided by the AGMUS. These documents will be made part of the faculty member's leave file.

Q. Breach of Contract

The study, research or creative work leave granted to a faculty member will be cancelled in case of a breach of the obligation entered into by the faculty member and he or she must reimburse the total amount granted within six (6) month after the interruption or termination date of the studies or research or the termination of services in the event that the agreed working period with the institution is not completed.

Under special circumstances that the AGMUS President deems acceptable, a payment plan could be agreed for a period greater than six (6) months. The collection shall be served by any judicial or extrajudicial procedure selected by AGMUS once the obligation to reimburse is declared overdue.

The institution shall determine, case by case, the degree of responsibility of the professor that interrupts his or her studies before the conferring of the academic degree, or the interruption of his or her research or artistic creation without achieving the established goals. In the event that, for reasons beyond the professor's control, the institution revokes the leave, the professor will not have the financial responsibility to reimburse.

R. Sabbatical Leave

In the best academic university tradition, the Sabbatical Leave is a privilege that is granted to provide the faculty members the opportunity to carry out projects of pure or applied research in any discipline, or for literary, social, scientific humanist, artistic, business or sports creation. It is also awarded to complete any requirement leading to doctoral or post-doctoral studies.

1. Eligibility

Faculty members with permanent or multiannual appointments that have fulfilled the obligations of their appointments or contract with AGMUS and who have served the institution for seven (7) consecutive years or more at the moment of the request for leave will be eligible for the sabbatical leave. Administrative work completed by professors with academic rank will be considered for granting the sabbatical leave.

2. Compensation

The sabbatical leave only includes the payment of the regular salary with the benefits corresponding to the faculty member, according to the current salary pay scale for faculty members. The time that faculty is granted with a sabbatical leave will be added to the computation for promotion in rank, increase of salary and years of service. A faculty member enjoying a sabbatical leave cannot offer courses nor accept additional professional responsibilities than those established in the leave, either in the institution or outside of it.

3. Duration

Sabbatical leave will be granted for a maximum of one (1) academic year.

S. Amount of Leaves Granted in an Academic Year

The institution will announce the amount of approved sabbatical leaves that will be granted per year within the first thirty (30) days of the beginning of the academic year prior to the date of granting the leave and according to the available budget.

1. Obligations

Once the sabbatical leave period is finished, the faculty member must render services to the institution for an amount of time equal to the leave. . The faculty member shall reimburse the institution the costs proportional to the time for which services are not rendered.

2. Procedures

- a) The faculty member will submit to the Dean or immediate supervisor an application with a proposal specifying the purpose of the petition of the leave and the activity or activities to be performed. The applicant will specify how such activities will benefit him or her and the institution. The petition shall be submitted during the first sixty (60) days of the academic year before the date on which the leave would be effective.
- b) During the next (15) school days, the Dean or the department or unit director will submit the petitions received to the Vice Chancellor along with recommendations and will list the benefits that sabbatical leave proposals submitted by the professors will have for the institution.
- c) The candidate's contributions to the institution, his or her experience in successfully fulfilling the purposes of the proposal and the benefits that the candidates and the institution will receive will be taken into consideration in the event that the leave is granted. The priority will be established with the support of the documents submitted, the needs and benefits that the institution will receive if the sabbatical leave is granted.
- d) The Vice Chancellor will submit all the petitions to the corresponding Academic Board and will identify the financial resources available for the granting of the sabbatical leave. The Academic Board will consider the petitions in the ordinary meeting of December and will recommend to the corresponding chancellors, in order of priority, those candidates that should be granted with the sabbatical leave.

- e) The chancellors will review the recommendations of the Academic Board and will issue an opinion of endorsement or rejection. The chancellors will notify the decision to the Board and the corresponding applicants on the first meeting of the Academic Board during the second semester. The chancellor's decision will be final and unappealable

3. Reports

The faculty member granted with a sabbatical leave will submit a progress report to the Vice Chancellor at the end of the first semester or at the first half of the sabbatical leave period through the School Dean or immediate supervisor. During the sixty days (60) from the sabbatical termination date, the faculty member will submit a final report of the work performed with the official documentation evidencing the work. The Vice Chancellor will submit the report to the professors of the corresponding Academic Board.

T. Leave without Pay for a Maximum of Two Years

A leave without pay for purposes not established, such as public service or employment in other institutions may be granted for a maximum term of two (2) years, subject to the corresponding approval. If the grant of this leave is for public service purposes, the term will not exceed four (4) years and will be subject to the recommendation of the chancellor of the concerned institution. The chancellor could make exceptions for the granting of this leave.

Full-time faculty members with tenure or multi-year appointment that have fulfilled the obligations of their appointment or contract with AGMUS will be eligible for the leave without pay for other purposes.

Section 6 – Revocation of Tenure, Multiannual or Term Contract

A. Disciplinary Sanction

Is the disciplinary measure or action that AGMUS can take if a faculty member incurs in faults to the institutional norms or other type behavior detailed in this Manual or the *Human Resources Handbook*. The disciplinary sanction to be applied in each case will depend on its particular circumstances and can include verbal or written reprimand, employment suspension without pay, termination of employment, termination of contract or tenure and any other corresponding action in consonance with the circumstances.

Disciplinary sanctions shall not be imposed on a faculty member without having conducted an investigation that provides the faculty member the opportunity to offers his or her version and information relevant to the investigation. All investigations will be conducted by a committee appointed by the Vice Chancellor to that effect following the provisions of Article V, Section 8 of the *Institutional Bylaws*.

Tenure appointment or multiannual contract of a full-time faculty member could be revoked for the reasons which are considered serious as listed below:

1. Manifest incompetence

- a) Noncompliance with the academic duty or stipulated in its employment contract.
- b) Recurring violations of the statutes, regulations and rules of the institution. Conviction of a felony or misdemeanor that involves moral depravity.
- d) Compromise or link the name of the institution in partisan political acts or in acts or activities that constitute discrimination as provided in the Constitution of Puerto Rico and the United States.
- e) Accept a full-time job in another institution or public or private agency except on a leave granted by the institution.
- f) Accept part-time work that undermines his or her work in the institution.
- g) Abuse of benefits and leaves granted by the institution.
- h) Work abandonment, as specified in the contract or in applicable regulations.

B. Revocation

The revocation of the contract or tenure of a professor should be initiated by recommendation of the Dean or corresponding supervisor. A committee appointed by the Vice Chancellor will evaluate the recommendation. The committee will be integrated by five (5) members, three (3) of which will be faculty's representatives before the governing bodies of the institution.

The evaluation process of the committee will include a hearing with the professor. The committee, through the Vice Chancellor, will send its recommendation to the chancellor, who will make the final decision. The president will be notified of the Chancellor's decision within fifteen (15) calendar days following the decision.

In cases where the revocation is as a result of violations of AGMUS policies with particular procedures, the processes will be governed by those procedures and not by the *Faculty Manual*. In that case, these procedures will be carried out taking into consideration the applicable laws, regulations and case law.

Section 7 – Resignation

The procedure for resignation of professors will be established in the *Employee Handbook of Ana G. Méndez University System* or in the professor's contract with AGMUS.

Section 8 – Special Procedure for Dismissal

A professor may be dismissed by the Chancellor in extraordinary circumstances and according to the evidence showing a clear breach of its obligations.

ARTÍCULO VIII: ACADEMIC AWARDS AND RECOGNITIONS

Distinctions and academic awards are subject to the provisions established for these purposes in the *Distinctions and Academic Awards Manual* established by the institutions (access to these documents is recommended).

Articles IX and X can be excluded if at the beginning of this document are mentioned the registrar and *Students Handbook*.

ARTICLE IX: LEGAL MATTERS

Section 1 – Sexual Harassment Policy

Any member of the Ana G. Méndez University System must report any incident observed or witnessed, that could be interpreted as discrimination or sexual harassment. The Vice Presidency of Human Resources or its representative will proceed with a prompt investigation of the incident. The complainant must be available to participate in the investigation process.

As far as practicable, the Vice Presidency of Human Resources will promptly investigate and resolve, all allegations of sexual harassment. If cause is found against the accused person, AGMUS will take disciplinary actions that could lead to the revocation of the contract or permanent appointment, expulsion for students and termination of visiting privileges or business to third parties. The contract revocation process is carried out under the special procedure provided in Article X of this Manual.

In the event that during the process of investigation a complaint of sexual harassment or discrimination is found to be without grounds or malicious the same disciplinary actions above mentioned can be taken against the person making the allegation

A. Procedure for Filing Complaints of Sexual Harassment

1. The Vice Presidency of Human Resources will promptly and confidentially evaluate all complaints related to sexual harassment by any member of AGMUS, job applicant or third parties, as defined above.
2. Any person that believes that has been a victim of sexual harassment at his or her employment must file a complaint, preferably in writing, to his or her supervisor, Dean or director of his or hers assigned unit who will in turn refer the matter to the Human Resources representative assigned in the institution no later than (5) business days.
3. The authorized Human Resources representative will interview the complainant in order to obtain the details of the situation and will document it. The alleged harasser and any other person with knowledge of the allegations will also be interviewed.
4. The investigator or the investigating committee will issue a findings report and recommendations to the Vice President of Human Resources, who will determine the appropriate corrective action in accordance with the applicable policies and procedures. The Vice President of Human Resources or his or hers representative shall notify the outcome of the investigation to the involved parties. (Refer to the current *Sexual Harassment Policy* for more details).

Section 2 – Recruitment Policy

The purpose of this policy is to establish the procedures governing the recruitment of human resources in the AGMUS. The strategic vision is to identify and attract the most qualified candidates. AGMUS will promote the necessary affirmative action to ensure compliance with our policy of equal employment opportunity not to discriminate against the applicant or associate because of: age; race; color; sex; sexual orientation; gender identity; social or national origin; social condition; political affiliation; political or religious beliefs; been victim or be perceived as a victim of domestic violence, sexual assault or stalking;

a service member, or ex-service member, serving or that have served in the United States Armed Forces or for holding a veteran status; physical or mental impairment, and any other category protected by law.

AGMUS has Affirmative Action Programs, which promote and guarantee a fair and equal treatment to all job applicants or eligible employees to be promoted within employment, without distinction of any kind, providing equal employment opportunities with this policy. (Refer to the current *Recruitment Policy*).

Section 3 – Policy to Hear Complaints

The policy to hear complaints is established in order to provide a mechanism for associates and professors of the AGMUS to present any matter that, in his or hers understanding, is affecting his or hers employment conditions, work environment or employment rights. (Refer to current *Policy to Hear Complaints*).

Section 4 –Policy for an Alcohol, Tobacco, and Controlled Substances-Free Community

Aware of the adverse and harmful effects that drugs, alcohol and cigarettes in our society, and in accordance with the guidelines of the *Drug-Free Schools and Universities Federal Mandate Regulations* adopted at 34 CFR 33580, the AGMUS has implemented the *Policy on the Use and Abuse of Drugs, Alcohol and Cigarette*.

It is totally prohibited the sale, use, consumption, manufacturing and possession of alcohol and illicit drugs in activities within the premises or properties AGMUS or in any academic or officially sponsored activity off campus.

In order to comply with the commitment to maintain an environment free of alcohol, tobacco, and controlled substances, Ana G. Méndez University System:

1. Prohibits attending the premises of AGMUS under the influence of alcohol or drugs.

2. May take disciplinary action against professors who use, manufactured, distribute or possess controlled substances and violate the rules related to the use or possession of alcohol or drugs at work.

3. The use, possession or distribution of drugs is grounds for immediate revocation of tenure or contract under the extraordinary procedure; as stated in this *Faculty Manual*.

Section 5 – Copyright and Intellectual Property Policy

With the purpose of fulfill the institutional mission, professors, associates, students and other members of the Ana G. Méndez University System, bring new discoveries, creations and other types of works transmitted through different media. Similarly, they use works generated by other authors and creators.

AGMUS wants to promote and regulate the development of these creations, inventions and works. It recognizes the importance of establishing rules regarding intellectual property rights of the works created by its employees, contractors or students. To this end, every faculty member should consult and comply with the *Policy on the Use and Reproduction of Material Protected by Copyright* in relation to intellectual property aspects.

Section 6 – Patent Policy

A patent is a property right granted by the federal government to the creator of an invention. The purpose is to prevent others from making, using or selling the invention in the United States, its territories or possessions for a period of twenty (20) years.

Any dispute related to this issue shall follow the procedures established in the current *Patent Policy*.

ARTICLE X: DISCIPLINARY PROCEEDINGS

The failure to fulfill with the provisions of this *Faculty Manual* will be subject to disciplinary procedures as are established and regulated by the AGMUS. In addition, it will be subject to disciplinary procedures when incurred one or more of the following:

1. Incite or participate in activities that disturb the institutional order or interfere with the accomplishment of AGMUS mission, goals and objectives. Institutional order means the normal course of teaching or administrative, social, cultural and sporting activities in which the institution participate or sponsor.
2. Provide false information, partially or totally, or omit information known, it will have not led to the recruitment, award or extension of the contract, license, promotion or academic rank.
3. Breaching the contractual provisions governing the relationship between the faculty and AGMUS.
4. Breaching the contractual provisions governing the relationship between the faculty and AGMUS.
5. Reporting to work or being under the influence of intoxicating beverages, drugs, controlled substances or other products that may adversely affect the performance of their duties while on work hours.
6. Sexually harassing other employees, students, visitors or people with whom [the faculty member] has had cyber or personal contact for work reasons.
7. Been convicted of a felony or misdemeanor involving moral depravity.
8. Incur in plagiarism or lack of academic integrity.

Section 1 – Procedures for Matters Resulting in Reprimand or Censure

The following procedures and formalities will be observed in all proceedings initiated due to the breach of the contractual obligations or for committing the acts or omissions set forth in this Manual and other AGMUS regulations and standards that could result in a reprimand or disapproval of a faculty member.

1. Each matter that results in a disciplinary proceeding against a faculty member shall be notified in writing to the faculty member, with sufficient information to allow the faculty member to reasonably ascertain the cause of the procedure

2. The document in which the cause is set forth will be signed by the corresponding Dean, the director of the department or academic unit, vice chancellors or chancellors, depending on the nature, severity or recurrence of the subject matter or the level of supervision that apply.

3. The document shall inform the professor the following: the right to object, reply or provide a written explanation on the allegation; request a hearing before the officer issuing the notification in a period of ten (10) calendar days after the notification, and before the application of any penalty; and offer documentary evidence and witnesses during the scheduled hearing in support the professor's position.

4. The outcome of the hearing, be it set by set by the officer or requested by the faculty member, the defense documents and the summary of the statements of the people interviewed regarding the complaint shall be entered in writing and will be made part of the professor's record.

5. As far as practicable, it is intended to resolve the matter at this first level of the hearing.

6. If the matter is not satisfactorily resolved at the hearing between the official and the concerning professor, it will be submitted for consideration of an official of higher rank or hierarchy within fifteen (15) calendar days. The officer will hold a second hearing to evaluate the file on the matter at hand, will hear the parties in dispute and will endeavor to resolve the issue raised.

7. If the parties do not agree with the recommendation of the second official, a report shall be issued to the respective chancellor or president of AGMUS who will take a final determination, in writing, and will be made part of the faculty member's records.

Section 2 – Procedures for Matters Involving Employment Suspension or Revocation of Contract

In cases where the involved faculty member were exposed to penalties of suspension of employment, contract revocation, suspension or termination of a permanent position, the procedure stated in this Manual in Article VII, Section 6, *Revocation of Tenure, Multiannual or Term Contract* shall be observed.

Other Provisions

When dismissal is the result of violations to AGMUS special policies, with particular procedures, the process shall be governed by such policies and not by those provided in this Manual, as stated in current Article V, Section 8 of the *Statutes of the Institutions*.

All faculty members must comply with the policies in this Manual, and institutional

policies in effect, as set forth in the Statutes of the Ana G. Mendez University System and the Statute of the institutions.

ARTICLE XI: OTHER PROVISIONS

Professors are governed by the rules contained in the *Ana G. Méndez University System Human Resource Handbook* of applicable to professors and complemented in this *Faculty Manual*.

In regards to Ana G. Méndez University-Virtual Campus, part of the processes described in this Manual will be made virtually in order to comply with the nature of their mode of distance education.

For branches outside of Puerto Rico, the processes described in this Manual are performed in accordance with the laws and regulations of the corresponding jurisdiction.

Knowledge and compliance with norms and academic procedures contained in the *Faculty Manual* does not exempt the faculty of the knowledge and compliance with other academic and administrative policies adopted by AGMUS.

ARTICLE XII: AMENDMENTS AND REVISIONS TO THE FACULTY MANUAL

Section 1 - Amendments

This Manual can be amended by executive orders issued by the President of the Ana G. Méndez University System.

Section 2 – Revision of the Faculty Manual

The Vice President of Planning and Academic Affairs, along with the Vice Chancellors of the institutions, will assess the need for reviewing the *Faculty Manual* every five (5) years. The revision of this document will be participatory, in which the academic community of each AGMUS institutions will have the opportunity to express themselves and submit the necessary recommendations.

ARTÍCULO XIII: EFECTIVENESS

Section 1 – Derogation

From its effective date, this *Faculty Manual* repeals all previous Manuals and other political and institutional regulations that are in clear contradiction with the provisions herein.

In cases where the laws and regulations of other jurisdictions (United States) conflict with the provisions of this Manual, the laws and regulations of that jurisdiction will apply.

Section 2 – Effective Date

This Manual shall be effective on August 1, 2015 and will be in force from said date.