

## Rules and Regulations

- **Non-Discrimination Policy**
- **Affirmative Action and Equal Opportunity Policy**
- **Sexual Harassment Policy**
- **Sexual Harassment Grievance Procedure**
- **Consensual Relationships**
- **Guidelines Pertaining to Religious Observances**
- **Information Technology Policies and Guidelines**
- **Fraud Investigations Policy**
- **Antitrust Compliance**
- **Additional Compensation for Faculty**
- **General Guidelines for University Deans, Officers, and Administrators Regarding Inquiries from the Press, Outside Attorneys, and Other Outside Parties Regarding Individual Employee (Faculty and Staff) Personnel Matters and Individual Student Matters**

### Non-Discrimination Policy

#### **Memorandum**

To: The Tufts Community  
From: President Jean Mayer  
Date: September 8, 1985  
Subject: Tufts' Non discrimination policy

Tufts University has formulated a University-wide administrative policy of nondiscrimination. The new administrative policy states:

It is the policy of Tufts University that educational and employment decisions made by it should be based on the principle of equal opportunity. The consideration of factors such as sex, race, color, sexual orientation, national or ethnic origin, age, religion, veteran status, or handicap unrelated to a person's ability, qualifications and performance is inconsistent with this policy.

This nondiscrimination statement sets forth principles which have been followed in practice throughout the Tufts community. Tufts previously has adopted extensive University-wide policies prohibiting discrimination in matters affecting students, faculty, and staff.

### **Affirmative Action and Equal Opportunity Policy**

<http://www.tufts.edu/oeo/affirm.htm>

### **Sexual Harassment Policy**

<http://www.tufts.edu/oeo/harass.htm>

### **Sexual Harassment Grievance Procedure**

<http://www.tufts.edu/hr/handbook/sxharass.htm>

### **Consensual Relationships**

<http://www.tufts.edu/oeo/consent.htm>

## **Guidelines Pertaining to Religious Observances**

### **University Guidelines Pertaining to Religious Observances**

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

\*that students be encouraged to observe their appropriate religious holy days.

\*that instructors strive to facilitate this by allowing absence from classes for such purposes, and by trying to insure that no examinations, written reports, oral reports, or other mandatory class assignments are scheduled for or due on such holy days.

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

## **Information Technology Policies and Guidelines**

<http://www.tufts.edu/tccs.html>

## **Fraud Investigations Policy**

### **Fraud Investigations Policy** **(from the Internal Audit Department)**

It is the responsibility of the Internal Audit Department (IAD) to conduct periodic audits and to investigate financial-related fraud at Tufts University. In addition, IAD will investigate cases of theft, embezzlement or misuse of University assets when a violation of internal control policies or procedures has occurred. Where appropriate, such investigations may be coordinated with the University General Counsel and the Department of Public Safety.

If you, as a member of the Tufts Community, are aware of or suspect such fraud, theft, embezzlement or misuse of University assets, we ask that you report the problem to your supervisor and/or one of the following offices:

- \* The Internal Audit Department (X 3227)
- \* The Department of Public Safety (X 3502)
- \* The Office of the General Counsel (X 3337)

Any information that you provide will be handled confidentially.

February 22, 1984

## **Antitrust Compliance**

**Memorandum on Antitrust Compliance**  
**prepared by**  
**Alan D. Rose**  
**Neil P. Motenko**  
**NUTTER, McCLENNAN & FISH**  
**One International Place**  
**Boston, MA 02110-2699**  
**for**  
**TUFTS UNIVERSITY**  
**November 1991**

This memorandum outlines below conduct which the Department of Justice believes is prohibited under the federal antitrust laws and our general guidelines for compliance with these laws. For purposes of this memo we use the term "employees" to mean all trustees, officers, or employees of Tufts University.

In May 1991 the Ivy League institutions entered into a consent decree with the United States Department of Justice. Without admitting participation in any past conduct (other than agreements on need-based aid and participation in Overlap financial aid meetings), and without admitting liability for any past conduct, the Ivy institutions agreed not to engage in nine specified areas of prohibited conduct. We state these below, and urge all University employees to refrain from the following:

- A) agreeing directly or indirectly with any other college or university on all or any part of financial aid, including the grant or self-help, awarded to any student, or on any student's family or parental contribution;
- (B) agreeing directly or indirectly with any other college or university on how family or parental contribution will be calculated;
- (C) agreeing directly or indirectly with any other college or university to apply a similar or common needs analysis formula;
- (D) requesting from, communicating to, or exchanging with any college or university the application of a needs analysis formula to, or how family or parental contribution will be calculated for, a specific financial aid applicant;
- (E) agreeing directly or indirectly with any other college or university whether or not to offer merit aid as either a matter of general application or to any particular student;

(F) requesting from, communicating to, or exchanging with any other college or university its plans or projections regarding summer savings requirements or self-help for students receiving financial aid;

(G) requesting from, communicating to, or exchanging with any other college or university, the financial aid awarded or proposed to be awarded to any financial aid applicant except as required by federal law;

(H) requesting from, communicating to, or exchanging with any other college or university any information concerning its plans or projections, including budget assumptions, regarding future student fees or general faculty salary levels; and

I) entering into, directly or indirectly, any contract, agreement, understanding, arrangement, plan, program, combination, or conspiracy with any other college or university or its officers, directors, agents, employees, trustees, or governing board members to fix, establish, raise, stabilize, or maintain student fees or faculty salaries.

It should be understood that "agreements," "understandings," and "arrangements" need not be written or formal in order to violate the law. An agreement need only be a mutual meeting of the minds. The law permits courts to infer the existence of an agreement from the circumstances, and even tacit (not express) understandings can be deemed to be an unlawful agreement. It is therefore important to avoid even the appearance of joint activity or improper conduct on the above matters.

In order to comply with these rules, we suggest the following:

1. In the event you have any questions, please contact the University's General Counsel, Mary Lee Jacobs (381-3337), or the University's outside counsel handling this matter, Alan D. Rose or Neil P. Motenko, at Nutter, McClennan & Fish (439-2000).

2. Many University employees attend meetings and seminars of professional associations and groups. These meetings have educational value, and we do not mean in any way to limit your participation or attendance at them unless a purpose for such an event is to engage in any of the above prohibited conduct. It is important, however, whether at meetings, seminars, by telephone, or otherwise, to avoid discussions of the University's plans, projections or assumptions, particularly with respect to such sensitive areas as tuitions, faculty salaries, costs, budgetary figures, and financial aid formulas or awards. Participants must also avoid any conduct which might be construed as agreeing with any employee of any other institution with respect to any of the prohibited conduct defined above, or with respect to the methods or formulas to be used for making such determinations. Participants must also avoid discussing the Department of Justice's antitrust investigation. Any questions concerning participation or attendance at such seminars or meetings should be addressed to the three attorneys mentioned above.

3. The University's employees should not participate in or supply information to non-public studies or non-public surveys concerning tuitions, faculty salaries, costs, budgetary figures, or financial aid awards, unless specifically approved by the above-named counsel.

4. The University's employees may publicize or provide any information to the media, trade publications, journals, "profile" writers and editors, or any other organizations, so as to make public, or available generally to other institutions, historical information concerning Tufts.

The Ivy League consent decree does not apply to a number of activities. Therefore, we do not suggest any restrictions in the following areas of Tufts' activities:

(i) Employees from Tufts and other institutions may discuss and advocate changes in legislation, regulatory actions, and governmental policy or activity which affect academic institutions, as long as such conduct does not result in agreements or conduct which may fall under the prohibited conduct defined above.

(ii) The University's employees may disclose policies or information to the public in accordance with Tufts' guidelines and procedures, and may communicate policies or information once they have been made public. However, no employee should communicate to any individual at another institution any plans or projections, including budget assumptions, regarding tuition or faculty salaries, prior to their approval by Tufts' Board of Trustees, nor should (s)he discuss with any such individual the other institution's plans or projections prior to final administrative approval at such institution.

(iii) All schools of Tufts University are permitted to adopt and implement a financial aid program based, in whole or in part, on the economic needs of applicants.

(iv) Tufts and other institutions may unilaterally appoint an independent third party to collect and forward information from financial aid applicants concerning their financial resources. The third party may only forward the financial aid information requested by that particular applicant.

(v) The University's employees are free to continue consultation with the College Scholarship Service with respect to the processing and presentation of financial aid data.

(vi) The University may verify a faculty or administrative salary offered by another institution to a prospective or current University employee by asking the prospective or current employee to supply the University with a copy of any writing from the other institution to the employee.

(vii) The University may verify a financial aid award offered by another institution to a financial aid applicant by asking the financial aid applicant to supply the University with a copy of any writing from the other institution to the applicant.

(viii) The University's employees may serve as and perform the normal functions of a trustee or governing board member of another college or university, and may also serve as and perform the normal functions of members of tenure review committees or subcommittees. However, such employees may not disclose any non-public Tufts information, including student fees, faculty salaries, or financial aid, to any other college or university.

(ix) The University's employees may continue to participate and disclose information as part of the normal accreditation process. However, any individual participating in the accreditation process may

not disclose any non-public information, including student fees, faculty salaries, or financial aid, to any other college or university.

(x) Restrictions concerning the sharing of financial aid information do not apply as to a particular student where Tufts is jointly providing education or financial aid for that student with another college or university.

## **Supplement No. 1 to Memorandum on Antitrust Compliance**

### **Guidelines for Conduct of Surveys**

Frequently Tufts University employees wish to conduct or are asked to participate in surveys of institutions on various issues. The following guidelines apply to surveys.

1. Under no circumstances may a Tufts employee request from, communicate to, or exchange with any other college or university any information concerning Tufts' or the other institution's plans or projections, including budget assumptions, regarding financial aid, future student fees or general faculty salary levels.
2. Tufts employees may engage in surveys seeking historical information. In this context, "historical" means that the party from whom information is sought has made its decision on the matter, and the decision is not subject to change in accordance with the institution's ordinary rules. As an example, Tufts' employees may seek information from other institutions, or may provide information to other institutions, regarding current faculty salaries, because the decisions as to those salaries have already been made and are not ordinarily subject to change during the current academic year. As another example, Tufts employees may seek information from other institutions regarding personnel benefits and policies which are currently in place at such other institutions. In all instances, however, Tufts employees must avoid entering into any agreements or understandings, directly or indirectly, expressly or tacitly, with any institutions on any of these subjects.
3. It is preferable that surveys be conducted in writing. When it is not practicable to do so, however, or if follow-up information or interpretations are needed, Tufts University employees may engage in oral surveys. Before doing so a Tufts University employee who wishes to conduct an oral survey of other institutions should prepare and keep a written list of all questions which he or she wishes to ask, and should confine the conversation to those questions and answers, covering historical information only. The employee should also state at the outset of such a conversation that he or she is not seeking any information regarding plans or projections. By keeping a written record of the conversation Tufts University will be in a position to state what the conversation concerned, if a question later arises concerning the conversation.
4. We refer readers of this supplement to the Memorandum on Antitrust Compliance for rules concerning the publicizing of information.
5. If you have any questions concerning this supplement to the Memorandum on Antitrust Compliance please direct them to General Counsel Mary Lee Jacobs (627-3337), or to Alan D. Rose (439-2261) or Neil P. Motenk (439-2216) at Nutter, McClennan & Fish in Boston.

## **Conflict of Interest Policy**

**Approved Audit Committee - 26 October 1983**

**Approved Executive Committee - 15 November 1983**

Longstanding University policy prohibits its employees and agents from occupying positions or becoming involved in situations which place that person in a conflict of interest with Tufts. If an individual believes that he or she may have a conflict of interest, the individual shall promptly and fully disclose the possible conflict in writing to the president, Provost, Vice President for Health Sciences, or Executive Vice President, and shall refrain from participating in any way in the matter to which the possible conflict relates until and unless the person to whom the situation was disclosed has either determined that no conflict exists or has authorized participation. That decision shall be written and shall be made promptly.

For the purposes of this statement, an individual is considered to have a possible conflict of interest when the individual, or any of his or her family or associates, either (i) has an existing or potential financial or other interest which impairs or might appear to impair the individual's independence of judgment in the discharge of responsibilities to the University, or (ii) may receive a material, financial or other benefit from knowledge of information confidential to the University. The "family" of an individual includes his or her spouse, parents, siblings, children, and persons living in his or her same household. An "associate" of an individual includes any person, trust, organization or enterprise of, in or with which the individual or any member of his or her family (i) is a director, officer, employee, member, partner or trustee, or (ii) has an ownership interest of more than five (5%), or (iii) has any other material association.

This policy statement is to be interpreted and applied in a manner that will best serve the interests of the University.

### **Additional Compensation for Faculty**

## **CHAPTER 9 COMPENSATION POLICIES AND BENEFITS**

### **SUPPLEMENTAL SALARY COMPENSATION FOR FULL-TIME FACULTY**

Supplemental Salary DURING the Academic Year (Policy effective starting in 94-95)

Full-time Arts and Sciences faculty and full-time administrators may be permitted to earn additional income between September 1 and May 31 for teaching at Tufts' under the special and limited circumstances listed below. All of these criteria must be met in advance of any program implementation or grant application.

The annual supplemental income from any one source or combination of sources may not exceed one day a week, or, in the aggregate, 20% of one's time, averaged over the academic

year. (Supplemental salary is above base compensation and is not benefit-eligible.) The following conditions must apply.

The program must be targeted for non-traditional clientele (eg., Gordon Institute, Continuing Education programs) or an activity sponsored by another school at Tufts (e.g., Fletcher, Medical School, Veterinary School, Nufton School. The source of funding must be from Arts and Sciences specially generated fees and grants intended for instructional purposes (not from the normal tuition stream) or from funds from another Tufts school.

Supplemental income for additional teaching at Tufts must be approved in advance by the department chair and college dean (Liberal Arts/Jackson and Engineering) or, if the course is sponsored by the College of Special Studies, by the Director of Professional Studies and Summer Programs. The teaching may be in many formats: lectures, modules, full courses.

The teaching must be in addition to normal full-time teaching responsibilities.

If supplemental teaching is the sole source of supplemental income, it must not exceed the equivalent of one course (normally 32 clock-hours) per term or two courses (64 clock-hours) per year.

The following applies to ALL additional activities.

The activity must not interfere with regular academic programs of the department and with commitments, work, and time expectations connected with an annual salary at Tufts.

### **Supplemental Salary Compensation Through Summer School**

Summer School salaries for regular Tufts Arts and Sciences faculty are computed using the appropriate salary base for the preceding academic year as follows.

For each course taught, the contracted salary is 10% of the faculty member's academic salary.

A course with laboratory, such as in physics, chemistry or biology, and in which the instructor of the course is also responsible for conducting the laboratory, is considered the equivalent of 13.3% courses for salary purposes;

This is in addition to the 33.3% that faculty may earn during the summer (which includes both research and teaching commitments).

If teaching through the College of Special Studies, faculty should not assume that they will be paid 10% of their annual salary for each of the two allowed courses. In most cases, the salary stipend will be much lower.

Faculty may teach a maximum of two courses per summer.

All courses are taught on a contingency basis: faculty receive 75% of the tuition income charged for their course up to the negotiated rate of compensation.

For some courses with insufficient enrollments, pooling may apply. Pooling refers to the transfer-ring of some tuition income from a high enrollment course to a low enrollment course for the purpose of providing some unrealized faculty salary.

Faculty may teach a course listed in the Summer School catalog with four or fewer students on a per student basis.

#### Supplemental Salary Compensation from Research Grants or Contracts

Each year, in the interval between the end of spring term and the start of the fall semester, many full-time faculty who have governmental or foundation research grants are reimbursed for their time. The policy in the Faculty of Arts and Sciences is that the salary of such faculty member during this period may not exceed a maximum of three-ninths of the faculty members regular contractual salary.

#### Tufts Honoraria and Other Additional Compensation

Honoraria may be paid by Tufts University to members of the three Medford faculties during the academic year for individual lectures or incidental services at Tufts (such as serving on a selection or review committee) rendered as a part of an externally funded contractual program. Such costs must be fully covered by funding sources outside the University regular budget. This policy does not provide authorization to pay faculty members to teach full courses, however funded, beyond their normal teaching load.

Payments will be authorized through preparation of Personnel Action Forms (PAFS) containing the requisite justification and approval by the appropriate officials (department chair, fiscal officer, dean, provost).

#### POLICY FOR VISITING SUMMER SCHOOL FACULTY

Salaries for such visiting faculty are arranged through the appropriate department chair and the Director of Summer School, based on a pre-established salary range. The course enrollment policy identified above also applies to courses taught by visiting faculty.

Letters of agreement formalizing salary arrangements between all Summer School faculty and Tufts Summer School are written by the Director of Summer School; signed salary acceptances must be returned by the visiting faculty.

#### **SALARY CONTINUATION AND BENEFITS AFTER DEATH OF A FACULTY MEMBER**

Upon the death of a full time faculty member, the University will continue to pay the deceased faculty member's salary for the remainder of that academic year. The salary is payable to a

beneficiary or to his or her estate. Applications for this benefit should be directed to the Office of the Vice President. Any child of a full-time faculty member who is receiving tuition assistance at the time of the death of the faculty member will continue to receive tuition assistance until the child's specific academic program is completed.

### **FRINGE BENEFITS**

The Benefits Office in the Human Resources Department provides full details to faculty on the following benefits: BasicLife Insurance, Optional Life Insurance, Long- Term Disability Insurance, Medical Insurance, Dental Insurance, Basic Retirement Benefits, Supplemental Retirement Annuity/Fidelity Custodial Accounts, and Flexible Spending Accounts. Each plan above is governed by specific policies and contract provisions. All benefit policies of the University are subject to change and may be amended.

**General Guidelines for University Deans, Officers, and Administrators Regarding Inquiries from the Press, Outside Attorneys, and Other Outside Parties Regarding Individual Employee (Faculty and Staff) Personnel Matters and Individual Student Matters**

**Memorandum**

TO: Deans and Vice Presidents

FROM: Mary Lee Jacobs

DATE: September 25, 1989

SUBJECT: General Guidelines for University Deans, Officers, and Administrators Regarding Inquiries from the Press, Outside Attorneys, and Other Outside Parties Regarding Individual Employee (Faculty and Staff) Personnel Matters and Individual Student Matters

In an effort to remind University administrators of the sensitivity of individual employment and student information, I distribute these guidelines on an annual basis. I recommend that you circulate these guidelines to appropriate staff within your school/division who are the likely recipients of outside inquiries regarding Tufts' faculty/staff/students. These guidelines were first developed in 1985 in connection with federal and state laws protecting the privacy of employment and student record information.

Overview

The following guidelines are provided to assist you in handling inquiries from various outside parties regarding Tufts' employees and students. The purpose of the guidelines is to protect the sensitivity and confidential nature of individual employee and student information in that it is the University's view that such information is generally not a subject for public debate or comment by University administrators.

1. Inquiries from the Press

When inquiries from the press are made regarding individual employees or students, it is recommended that the reporter be advised that:

It is the general practice of the University not to discuss or comment upon individual employee or student matters.

This practice should be followed except in rare circumstances, such as instances where it is necessary to correct inaccuracies. In such cases, where additional comments may be necessary, the caller should be referred to the University Director of Communications.

Please notify the Director of Communications immediately after making such a referral.

Deans and Vice Presidents September 25, 1989

Guidelines Regarding Inquiries from Press, etc. Page 2

## 2. Inquiries from Outside Attorneys

In responding to oral or written inquiries from outside attorneys regarding individual employee or, student matters, the attorney should be advised of the University's general practice of not discussing or commenting upon individual personnel matters.

The attorney should be referred to the General Counsel and any written communications from outside attorneys should be referred to the General Counsel.

### Inquiries from Outside Parties (Non-Press and Non-Attorneys) Regarding Individual Employee or Student Claims or Disputes with the University

From time to time, inquiries are made by Tufts' students, alumni, parents, community groups, and others regarding individual employee or student claims or disputes with the University, such inquiries should be referred to:

- a. The Provost in matters involving faculty.
- b. The Vice President Human Resources in matters involving staff.
- c. The Dean of Students of the applicable school in matters involving students or former students.

As a matter of general practice, the individual receiving the call or inquiry should not comment upon or discuss the claim or dispute, but simply refer the matter on to the individuals designated above.

MLJ/ms

cc: Sol Gittleman

Steven Manos

Marianne Rusk

Rosemarie Van Camp

Deans and Vice Presidents September 25, 1989

Guidelines Regarding Inquiries from Press, etc. Page 2

2. Inquiries from Outside Attorneys

In responding to oral or written inquiries from outside attorneys regarding individual employee or, student matters, the attorney should be advised of the University's general practice of not discussing or commenting upon individual personnel matters.

The attorney should be referred to the General Counsel and any written communications from outside attorneys should be referred to the General Counsel.

Inquiries from Outside Parties (Non-Press and Non-Attorneys) Regarding Individual Employee or Student Claims or Disputes with the University

From time to time, inquiries are made by Tufts' students, alumni, parents, community groups, and others regarding individual employee or student claims or disputes with the University, such inquiries should be referred to:

- a. The Provost in matters involving faculty.
- b. The Vice President Human Resources in matters involving staff.
- c. The Dean of Students of the applicable school in matters involving students or former students.

As a matter of general practice, the individual receiving the call or inquiry should not comment upon or discuss the claim or dispute, but simply refer the matter on to the individuals designated above.

MLJ/ms

cc: Sol Gittleman Steven Manos

Marianne Rusk Rosemarie Van

Camp

For questions, please contact the Office of Faculty Affairs:

Email: [med-ofa@tufts.edu](mailto:med-ofa@tufts.edu)

Phone: 617-636-6631

Fax: 617-636-6879

Mailing Address: 136 Harrison Ave., Boston, MA 02111

Please note that the Office of Faculty Affairs is physically located in Posner Hall 4th Floor, 200 Harrison Ave, Boston, MA 02111.