

University of Evansville

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Academic Affairs

# Faculty Manual

2022-2023

Revised November 2022

William L. Ridgway College of Arts and Sciences  
College of Education and Health Sciences  
College of Business and Engineering  
Harlaxton College  
Center for Innovation and Change  
Center for Advancement of Learning



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September 1, 2022

Dear Colleagues:

Our 2022-2023 Faculty Manual is available electronically and can be found in the MyUE Portal under Human Resources and the Academic Affairs. The manual describes the organization of the University of Evansville as well as our University policies and procedures and provides information about the benefits of employment at UE.

The Faculty Manual will continue to be updated annually and any permanent changes that go into effect prior or subsequent to the start of any academic year will be discussed with faculty and then posted on our UE portal. Suggestions and/or corrections to the Manual are always welcome. Thanks for all that you do to make the University a special place for our students. I hope you are anticipating a productive and enjoyable year.

Regards,

A handwritten signature in black ink, appearing to read 'Michael Austin', written in a cursive style.

Michael Austin  
Executive Vice President and Provost  
University of Evansville

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# CHAPTER I

## Organization, Administration and Governance

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### INSTITUTIONAL PROFILE

#### Our Past and Purposes

The University of Evansville got its start in 1854 in a little building, which was once a Methodist church in Moores Hill, Indiana. Originally named Moores Hill Male and Female Collegiate Institute, the school became Moores Hill College in 1887, and was only the fifth coeducational college in the United States that was affiliated with the United Methodist Church. It was founded by an affluent business owner, John Collins Moore, with \$3,000 and 12 acres of land. Moore, who possessed the town's only dictionary, strongly believed in education, even though he had little formal schooling.

Following a series of financial setbacks and enrollment declines, the school was relocated to Evansville in 1919, where it was chartered by an act of the Indiana General Assembly and renamed Evansville College. The first college catalog described its overall purpose as follows:

The late war has laid new emphasis upon the type of education that equips young people for definite tasks of practical service. The education for this hour must be training at once cultural and practical. It should be an education somewhat more cultural than that afforded in the average technical school, and somewhat more technical than provided in the ordinary cultural institution.

This goal, to develop practical training programs within the cultural context of the liberal arts and science, led ultimately to the institution's reorganization and an amended charter as the University of Evansville in 1967.

In the spirit of the liberal arts tradition, the University of Evansville seeks to give students a broad, deep understanding of civilization and culture, to aid them in adjusting to life and society, to enrich their personalities, to enable them to think and act intelligently, and to aid them in choosing and preparing for their lifework.

#### MISSION STATEMENT [Endorsed by Faculty Senate: 12/14/2018 Adopted by the Board of Trustees: 5/10/2019]

To empower each student to think critically, act bravely, serve responsibly, and live meaningfully in a changing world.

#### CORE VALUES

##### **Integrity**

We promote academic and personal integrity to establish a culture of trust. Academic integrity begins with all students pledging to abide by our honor code, and extends to faculty, staff and administration adhering to our code of conduct. It culminates in an expectation of professionalism, transparency, and respect in all interactions. Personal integrity includes practicing informed, ethical decision-making, and respecting the ideas, rights, boundaries, and beliefs of others. Each member of our community is accountable and prepared to act as a responsible citizen of the world.

### **Innovation**

We recognize the value of interdisciplinary teamwork, creative problem solving, global immersion, and learning experiences at home and abroad. We recognize the value of learning from failure. We have the freedom, flexibility, and motivation to create experiences that help our students think critically and act bravely. Each member of our community is challenged to discover novel solutions to modern problems and to become a catalyst for progress.

### **Intellectual Curiosity**

We strive to develop lifelong learners. We introduce students to a variety of ideas that sharpen existing interests and awaken latent ones. We challenge students to stretch their minds, while supporting them with strong faculty engagement. Research, experiential learning, and community outreach foster intellectual curiosity while exposure to new ideas and technologies broadens our students' view of the world and what might be possible.

### **Inclusive Community**

We value openness and collaboration and recognize that inclusion leads to personal growth. Our commitment to actively fostering a diverse range of cultures and perspectives reflects the characteristics required to thrive in an increasingly global society. The university demonstrates and benefits from inclusion by welcoming all.

### **Education for the Whole Person**

We cultivate intellectual, moral, social, physical, emotional and spiritual wellness through engagement and discovery. We value the liberal arts, sciences, and professional programs as paths to intellectual and personal growth, and we encourage the integration of knowledge across disciplinary lines. We promote engagement in organizations, programs, and the community as essential to personal development. We equip individuals to examine their world, articulate their values, and develop the character needed to live healthy lives of meaning and purpose.

### **EDUCATIONAL OBJECTIVES** [Adopted by the Faculty Senate: May 3, 2011]

The following educational objectives reflect the mission and character of the University of Evansville as well as nationally recognized best practices for a liberal education that equips students to compete and thrive in an increasingly complex global society. Recognizing that a well-rounded education has important curricular and co-curricular components, the University envisions integrative learning that emphasizes connections within and between general education and the major course of study and that brings together diverse experiences from campus, community, and the larger world.

### **Graduates of the University of Evansville will:**

Acquire broad foundational knowledge of the liberal arts and sciences through the General Education Program Including:

- Appreciation for creativity and artistic expression
- Knowledge of historical and cultural developments
- Insight into human behavior and social relations
- Understanding of the physical and natural world
- Cultivation of an international perspective
- Develop and improve intellectual and practical skills, including:
- Written and oral communication

- Critical and creative thinking
- Quantitative literacy
- Problem-solving and research
- Collaboration and leadership

Understand, develop and demonstrate personal and social responsibility, including:

- International citizenship
- Intercultural competence and appreciation of diversity
- Ethical reasoning and behavior
- Civic engagement, local and global
- Commitment to mental, physical and spiritual well-being
- Commitment to lifelong learning

Gain a depth of knowledge and competency in one or more disciplines of their choice. A University of Evansville education goes well beyond these objectives, which are intended merely to establish the common core of knowledge and skills upon which our students will build as they address contemporary and enduring questions, pursue personal growth, and prepare to engage the world as informed, ethical and productive citizens.

#### ACADEMIC FREEDOM

Each faculty member is entitled to full freedom in research, services and artistic creation, and in the publication, display, or performance of the results subject to the adequate performance of other academic duties. Research for pecuniary return should be based upon an understanding with the authorities of the University and in harmony with provisions set forth in any memoranda of agreement entered into between the University and industries or other agencies.

Each faculty member is entitled to full freedom to discuss her/his subject in the classroom; however, each is responsible for maintenance of appropriate standards of scholarship and teaching ability. It is not the function of a teacher in a democracy to indoctrinate students with biased conclusions on controversial subjects. Faculty are expected to train students to think for themselves and to provide them with access to those materials, which they need if they are to think intelligently. Hence, in giving instruction on controversial matters the teacher is expected to be of a fair and judicial mind and to set forth justly, without suppression or innuendo, the divergent opinions of other investigators.

No teacher may claim as a right the privilege of discussing in the classroom controversial topics outside one's own field of study. The teacher is morally bound not to take advantage of his or her position by introducing provocative discussions of irrelevant subjects. The teacher is a citizen, a member of a learned profession, and a representative of this University. When speaking or writing as a citizen, s/he will be free from institutional censorship or discipline but her/his position in the community does impose obligations. As a person of learning and as an educator, the faculty member should remember that the public may judge the profession and the institution by her/his utterances. Hence, s/he agrees at all times to be accurate, to exercise appropriate restraint, to show respect for the opinions of others and to indicate that s/he is not speaking for the institution.

Efficient operation of any institution requires cooperation among its personnel. Each faculty member agrees, therefore, to abide by the regulations of the University, and to perform to the best of one's ability such reasonable duties as are assigned by authorized University officials.

## Organization, Administration and Governance

This section highlights the structures that initiate and facilitate decision-making at the University of Evansville.

### THE BOARD OF TRUSTEES

Under the terms of the University Charter granted by the Indiana State Legislature, the University of Evansville is controlled by a Board of Trustees of 41 members including two ex officio members: The President of the University and the Bishop of the Indiana Area of the United Methodist Church. Each year, the Alumni Association elects a representative to serve a 3-year term, and the student body elects a representative from the graduating class to serve a 3-year term. The University President and the Bishop of the Indiana Methodist Church identify two members to represent the Indiana Area of the United Methodist Church. In addition, there are a number of Life Trustees, elected trustees who have reached the age 75 years and are eligible to be elected to Life status, and Honorary Trustees.

The Board is organized around a set of Officers, an Executive Committee, and the following standing committees: Academic Affairs, Athletics, Audit, Development, Diversity, Compensation, Enrollment and Marketing, Finance, International Engagement, Institutional Advancement, Investment, and Student Affairs. A Committee on Trustees is also included in the Board structure. The Board of Trustees has the power to elect a President of the University, together with such professors and instructors as are nominated by the President. In conjunction with the faculty and University Senate, the Trustees approve academic degrees, programs and courses of study, set the tuition and fees to be paid by the students, and confirm an appropriate annual operating budget to insure the institution's efficient operation in the fulfillment of its academic purposes. Additionally, the Board has the authority to receive donations and bequests made either generally for the benefit of the University or for purposes in harmony with the objectives of the University.

### EXECUTIVE ADMINISTRATIVE STRUCTURE

**The President** is the chief executive officer, appointed by and accountable to the Board of Trustees, and is charged with the management of the University and all its affairs under the general supervision of the Board. The President's senior advisors are: Exec. Vice President, Academic Affairs and Provost, Vice President for Fiscal Affairs and Administration, Vice President for Development and Alumni Relations, Vice President for Student Affairs, Vice President for Enrollment and Marketing, the Vice President for Talent and Community, and the Athletic Director.

**The Executive Vice President for Academic Affairs and Provost** is the chief academic officer and is responsible to the President for providing leadership and direction in the planning, development, evaluation and administration of the three colleges Arts and Sciences, Education and Health Sciences, and Business and Engineering. In addition, the Vice President oversees the Harlaxton College, University Libraries, and Academic Support Services, which includes the Registrar's Office and the Office of Academic Advising. The EVPAA is assisted by Assistant and Associate Vice Presidents, the Deans of the Colleges, the Executive Director and Dean of Harlaxton College, and the Directors of the other support offices. The Executive Vice President for Academic Affairs, Chairs the VP Operations Group and represents the faculty to the President and, through him, to the Board of Trustees and is an ex officio member of the Faculty Senate.

# THE FACULTY BYLAWS

## **Article I Faculty**

Section 1. **Name.** The name of this organization shall be the University of Evansville Faculty.

Section 2. **Purpose.** The faculty, or its elected representatives acting on behalf of the faculty, shall be the basic legislative body of the University of Evansville except as to matters reserved by charter solely to the President or to the Board of Trustees. The faculty shall concern itself with matters affecting the whole University as distinguished from those affairs of interest only to an academic unit of the University. The faculties of each academic unit shall be encouraged to develop a policy in their proper area which is consistent with general university policy and mission. The responsibility of the University of Evansville faculty is in educational policy rather than administrative decisions.

Section 3. **Authority.** The faculty, acting with the President, shall determine all matters of educational policy with respect to academic programs including degree requirements, honorary degrees, academic standards, and general University development.

In all matters pertaining to academic freedom, tenure, and professional ethics, and to assure academic due process, the University adheres to the AAUP guidelines (AAUP Policy Documents & Reports, Eighth Edition, 1995, Washington, DC: AAUP) which include the following:

“1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments”

“Statement on Procedural Standards in Faculty Dismissal Proceedings” (1958)

“Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments” (1989)

“Recommended Institutional Regulations on Academic Freedom and Tenure” (1982).

Action of the faculty, or a properly constituted faculty body, taken and recorded in accordance with the provisions of these bylaws shall, unless overruled by the President of the University, be deemed an official action for and on behalf of the University of Evansville.

In the event the President disapproves of and vetoes any faculty or Faculty Senate action, notification shall be made in writing to the Secretary of the Faculty within fifteen (15) school days after receiving from said Secretary the report of the action of the faculty which has been vetoed. It shall be the responsibility of the President to inform the faculty of all actions of the Board of Trustees affecting the educational policies of the University.

Section 4. **Membership.** The faculty shall consist of all persons with the rank of:

▪ Full Professor
▪ Associate Professor
▪ Assistant Professor
▪ Instructor
▪ Visiting Full Professor
▪ Visiting Associate Professor
▪ Visiting Assistant Professor
▪ Visiting Instructor
▪ Clinical Associate Professor
▪ Clinical Assistant Professor
▪ Clinical Instructor

The term full-time teaching faculty shall refer to those faculty members who regularly teach at least half-time during the academic year.

The EVPAA shall maintain an updated list of faculty members.

Section 5. **Officers.** The President of the University or a representative appointed by the President shall serve as the presiding officer of the faculty. The President of the University shall appoint a Parliamentarian. The Registrar shall serve as Secretary to the faculty.

An Ombudsperson shall be elected annually by April 1 by the full-time teaching faculty to receive and investigate reported complaints made by faculty members or groups of faculty and to help achieve equitable resolution. The election is to be conducted by the Corresponding Secretary of the Faculty Senate. The actions of the Ombudsperson are not to preclude or complicate access to or relationships between individuals but only to try to assist faculty who require assistance. The Ombudsperson is expected to have easy access to all campus personnel. The individual holding the title of Ombudsperson has the right to run for the office in successive years. No governance position, including faculty senate or standing committee membership, shall be held during the term of office.

Section 6. **Meetings.** The Faculty Senate shall meet monthly or upon call of its Chair. Meetings shall be open to all members of the University community, who may enter the discussions, but only members of the Faculty Senate may offer motions, propose amendments, or vote. A quorum shall consist of a majority of the membership. Lack of a quorum will limit voting but not debate. A senator may not vote at a meeting in absentia. A senator who will be absent for a semester may nominate a substitute for that semester. Senators may not nominate substitutes for individual meetings. The rules of parliamentary procedure shall be those found in Robert's Rules of Order Newly Revised (2000). The agenda of matters requiring faculty action shall be sent to each faculty member at least three school days in advance of the meeting. Faculty Senate and committee recommendations, which require the vote of the faculty, must be contained in their entirety on the agenda.

The faculty may accept, reject, or refer recommendations to the reporting body with suggested amendments. The reporting body may incorporate the amendments in its revised report or explain why it does not wish to amend its report.

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▪ Full Professor
▪ Associate Professor
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Section 6. **Meetings.** The Faculty Senate shall meet monthly or upon call of its Chair. Meetings shall be open to all members of the University community, who may enter the discussions, but only members of the Faculty Senate may offer motions, propose amendments, or vote. A quorum shall consist of a majority of the membership. Lack of a quorum will limit voting but not debate. A senator may not vote at a meeting in absentia. A senator who will be absent for a semester may nominate a substitute for that semester. Senators may not nominate substitutes for individual meetings. The rules of parliamentary procedure shall be those found in Robert's Rules of Order Newly Revised (2000). The agenda of matters requiring faculty action shall be sent to each faculty member at least three school days in advance of the meeting. Faculty Senate and committee recommendations, which require the vote of the faculty, must be contained in their entirety on the agenda.

The faculty may accept, reject, or refer recommendations to the reporting body with suggested amendments. The reporting body may incorporate the amendments in its revised report or explain why it does not wish to amend its report.



Section 7. **Records.** The Secretary of the Faculty shall be responsible for the minutes of the meetings of the faculty. The Recording Secretary shall be responsible for the minutes of Faculty Senate meetings. The minutes of a meeting shall be a summary of the decisions taken at that meeting. Minutes of the faculty meetings and meetings of the Faculty Senate shall be distributed to every member of the faculty and a complete transcription of each meeting for both bodies shall be open to inspection by any member of the faculty. These minutes and transcriptions shall constitute the official records of the faculty and of the Faculty Senate.

Article II. **Faculty Senate**

Section 1. **Authority.** Actions taken by the Faculty Senate shall be considered the actions of the faculty unless (1) the Faculty Senate refers a matter to the faculty for its decision, or (2) a matter acted upon by the Faculty Senate is challenged by the faculty through a petition signed by at least twenty-five members of the full-time teaching faculty or Librarians with faculty rank.

Such petitions must be received by the Chair of the Faculty Senate within fifteen (15) school days after the minutes have been distributed. The Chair of the Faculty Senate shall be responsible for informing the President of the University that such a petition has been received and for maintaining the confidentiality of the petitioners. Upon receipt of such a petition, the president shall conduct a faculty wide vote to validate or invalidate the action of the Faculty Senate on the matter in question.

Section 2. **Membership.** The Faculty Senate shall consist of (1) full-time teaching faculty members and Librarians with faculty rank elected by the Academic Governance Unit they represent based on the number of full-time teaching faculty or Librarians within that unit, (2) the Exec. Vice President, Academic Affairs (ex officio, non-voting), (3) the Registrar (ex officio, non-voting), and (4) the immediate past Chair of the Faculty Senate. If the immediate past Chair of the Faculty Senate has been elected to a three-year term which has not expired, that term may be completed; otherwise, the past Chair shall serve as an ex officio, voting member of the Faculty Senate for one year. The number of Senators from each Academic Governance Unit shall be one for every fifteen (15) full-time teaching faculty or Librarians with faculty rank in that unit (e.g., 1-15 faculty = 1 senator; 16-30 faculty = 2 senators; 31-45 faculty = 3 senators). The Senate Executive Committee shall resolve any questions about the number of Senators which may be elected from an Academic Governance Unit. Senators shall serve staggered three-year terms, except for Senators representing Harlaxton College who shall serve two-year terms as non-voting, ex officio members.

The President and Vice-President of the Student Government Association have the privilege of attending Senate meetings.

**The Academic Governance Units:**

- Accounting & Business Administration
- Arts & Sciences-Fine Arts = including the Music Conservatory and the departments of Art and Theater
- Arts & Sciences-Humanities = including the departments of English & Creative Writing;

Foreign Languages & Cultures; and History, Politics & Social Change

- Arts & Sciences-Social Sciences & Library = including the Library and the departments of Archaeology, Communications, and Psychology & Behavioral Sciences
- Arts & Sciences- Natural Sciences & Math = including the departments of Biology, Chemistry, Physics, and Math
- Engineering & Computer Science
- Graduate Health Sciences = including the programs of Physical Therapy, Physician Assistant Science, and Nurse Anesthesia Practice
- Undergraduate Nursing, Education & Health Sciences
- Harlaxton (non-voting, ex officio)

Two members of the Student Government Association have the privilege of attending Senate meetings, provided that these members be appointed by the President of the Student Government Association and approved by majority consent of the Student Congress.

Senators representing Harlaxton College as non-voting, ex officio members shall be elected from those University of Evansville full-time teaching faculty or Librarians with faculty rank that have taught at Harlaxton College within the three-year period ending on the date of election. Those eligible to vote in this election shall include the permanent full-time teaching faculty and librarian of Harlaxton College, and the University of Evansville full-time teaching faculty or Librarians with faculty rank who are teaching at Harlaxton College at the time of the election.

Section 3. **Officers.** The officers of the Faculty Senate shall be the Chair, Vice- Chair, Corresponding Secretary, and Recording Secretary. The Senate shall elect its own officers except that the Executive Committee shall appoint a Recording Secretary to a three-year term. The Office of Academic Affairs shall compensate the Recording Secretary in a manner agreeable to the Vice President of Academic Affairs, Executive Committee, and Recording Secretary. If agreement on compensation cannot be reached, the Registrar shall serve as Recording Secretary until the dispute is resolved. The Faculty Senate chair will check with the VPAA on the compensation available at the beginning of each new fiscal year.

Section 4. **Meetings.** The Faculty Senate shall meet monthly or upon call of its Chair. Meetings shall be open to all members of the University community, who may enter the discussions, but only members of the Faculty Senate may offer motions, propose amendments, or vote. A quorum shall consist of a majority of the membership. Lack of a quorum will limit voting but not debate. A senator may not vote at a meeting in absentia. A senator who will be absent for a semester may nominate a substitute for that semester. Senators may not nominate substitutes for individual meetings. The rules of parliamentary procedure shall be those found in Robert's Rules of Order Newly Revised (2000).

Section 5. **Executive Committee.** The Executive Committee of the Senate shall serve as the faculty's continuing liaison with the administration.

- a. **Functions.** The Committee shall receive and assign to appropriate standing or Ad hoc

committees all problems or suggestions of faculty members and administrators. The Executive Committee shall function as the group specified in Section 5 c. (1) in the "Recommended Institutional Regulations on Academic Freedom and Tenure" (1995).

The Committee shall appoint Senators to serve as Reporting Senator for all standing committees. It shall prepare an agenda for each Faculty Senate meeting and send it to all faculty members five (5) school days in advance of the meeting.

The Committee shall be responsible for resolving all matters arising in the functioning of this faculty organization not specifically covered by these Bylaws.

The Chair of the Faculty Senate is an *ex officio*, voting member of each of its standing committees.

The Vice-Chair shall have the responsibility for ensuring that all statements approved for inclusion in the *Faculty Manual* and the Undergraduate or the Graduate Bulletins appear there in as clear and readily understandable form as possible. All approved additions and changes shall be included in updates to the Faculty Manual available online to each faculty member in the fall.

The Corresponding Secretary shall receive and maintain minutes and reports from the standing committee in the following manner:

- (1) Place copies of these papers for the current academic year on reserve in the University Library for consultation by faculty. Some reports such as those of the Promotion and Tenure Committee or the Faculty Appeals Committee may have to be edited, but this should be an exception. Materials from preceding years shall be placed in the University Archives.
- (2) Extract items from these reports and minutes which should be brought to the attention of the Faculty Senate and/or faculty for information or action and attach them to the agenda of either the Faculty Senate or faculty meeting. Especially noted should be recommendations or actions subject to review by the Senate and the entire faculty.
- (3) The Corresponding Secretary shall conduct the election for the office of Ombudsperson. The winner must receive a majority (greater than fifty percent) endorsement of the faculty who vote.

The immediate past Chair of the Faculty Senate shall conduct regular and systematic assessment of faculty morale and provide a written report to the Faculty Senate. The immediate past Chair of the Faculty Senate shall also conduct an annual evaluation of University Administration by the Faculty. The activity shall occur in consultation with the President and shall include Departmental Chairs, Academic deans, the Exec. Vice President, Academic Affairs, the President, and any other Administrators deemed necessary. The results of an evaluation shall be given to the individual evaluated and by that individual to the person or persons to whom he or she is directly responsible (in the case of the President, to the Chair of the Board of Trustees). Although the past Chair's report to the Faculty Senate may draw from information gained by the evaluation, the evaluations themselves shall be considered confidential and shall not be made public.

- a. **Membership.** The Executive Committee shall consist of the Chair, Vice-Chair, Corresponding Secretary, and immediate past Chair of the Faculty Senate.
- b. **Meetings.** The Committee shall meet weekly or upon call of the Chair of the Faculty Senate.

Section 6. **Election to Faculty Senate.** Representatives to the Faculty Senate shall be elected by their respective Academic Governance Units by April 1. The junior senator of the unit will conduct elections and report the results to the Corresponding Secretary. Those elected must receive a majority (greater than fifty percent) endorsement of unit faculty who vote. The term of office shall begin after commencement of the year of election.

If a vacancy occurs in the Faculty Senate, a replacement shall be elected by the appropriate Academic Governance Unit to fill the vacancy.

Section 7. The Senate shall hold an organizational meeting in the spring semester following election of Senators. The purpose of this meeting shall be to elect officers to its Executive Committee for the ensuing academic year.

Section 8. **Faculty Observer.** The Faculty Observer will attend the meetings of the Board of Trustees and committee meetings and plenary sessions of the Board except those committees in which attendance is restricted to committee membership. The Faculty Observer shall be a non-voting attendee of those meetings and will not participate in the executive sessions of any of the standing committees or of the Board. The Faculty Observer will participate in the Board of Trustees' orientation for new members. The Faculty Observer must be a member of the faculty.

By invitation of the President, the Faculty Observer will also attend meetings of the President's Council/Cabinet (or its equivalently named body). The Faculty Observer serves to facilitate communication between the administration and the faculty by reporting discussions in these meetings relevant to faculty to the Faculty Senate.

Annually, the faculty will elect a member of the full-time tenured faculty in an election conducted by the Corresponding Secretary of the Faculty Senate by April 1. The individual holding the title of Faculty Observer has the right to run for the office in successive years. The faculty member should not be a member of Faculty Senate Executive Committee during their term of office.

Section 9. **Faculty Representative.** Faculty Representatives will sit on eight (8) of the standing committees of the Board of Trustees. Those committees are as follows:

- a. Academic Affairs
- b. Athletics
- c. Diversity
- d. Enrollment and Marketing
- e. Institutional Advancement
- f. International Engagement
- g. Investment Committee
- h. Student Affairs

The Faculty Representatives will hold non-voting memberships of those committees and will not participate in the executive sessions of any of the committees of the Board. Each Faculty Representative must be a member of the faculty. Faculty Representatives will participate in the Board of Trustees' orientation for new members. Faculty Representatives will be elected annually through a vote of the full-time faculty, and each must receive a majority vote to be appointed. Faculty Representatives will hold terms of no more than

three years.

Article III.

**Standing Committees**

Section 1.

**Procedures for Standing Committees**

- a. Each Academic Governance Unit shall elect one member (full-time teaching faculty or Librarian with faculty Rank) for each committee. Committee members shall serve staggered three-year terms.
- b. An Academic Governance Unit which has fewer than nine full-time teaching faculty members may elect a full-time teaching faculty person from another Governance Unit to represent them on a standing committee or committees.
- c. The British Studies faculty should be represented on the Fiscal Affairs Committee, the Faculty Professional Affairs Committee, the Curriculum Committee and the General Education subcommittee through the Arts and Science-Humanities Governance unit.
- d. Representatives to standing committees shall be elected by April 15 for the term beginning immediately after Commencement in the year of election.
- e. Whenever a vacancy occurs in a standing committee, a replacement shall be elected by the appropriate Academic Governance Unit to fill the vacancy. The junior senator of the unit will conduct elections and report the results to the Corresponding Secretary. When there is only one candidate for the vacant position, that candidate must be endorsed by a majority (greater than fifty percent) of the submitted ballots in order to be elected. The replacement shall complete the term of the committee member that he or she is replacing.
- f. The Executive Committee of the Faculty Senate shall appoint one Senator to each standing committee who shall serve as the Reporting Senator and who shall be a voting member of the committee. The Reporting Senator shall attend meetings of the standing committee and report on its activities at each meeting of the Faculty Senate. The Senator appointed as Reporting Senator to a standing committee may also be an elected member of that committee. Reporting Senators shall be appointed immediately following the organizational meeting of the Senate in the spring semester.
- g. The Executive Committee of the Faculty Senate may appoint *additional* Senators to standing committees as it deems necessary. Each standing committee shall elect a Committee Chair from among its own membership. The Reporting Senator shall have a vote in the Committee Chair election. Each Committee Chair must be approved by the Senate Executive Committee. The Reporting Senator of each standing committee shall convene its first meeting for the purpose of this election.
- h. Each committee shall elect its Recording Secretary.
- i. All standing committees shall meet monthly or upon call of the Committee Chair. Minutes of each meeting shall be submitted promptly to the Secretary of the

- Faculty and the Corresponding Secretary of the Faculty Senate.
- j. Each committee shall report to the Faculty Senate at least annually and upon request of the Chair of the Senate.
- k. Committee recommendations which would initiate or change University policy shall be reviewed and decided upon by the Faculty Senate.
- l. The Faculty Senate shall be authorized to establish ad hoc committees as needed. Ad hoc committees shall be automatically terminated when they have submitted their final reports.

Section 2.

**Specific Committees**

**Academic Services Committee**

- a. **Functions.** This committee shall develop policy and changes in policy in matters related to instructional support services and facilities involved in delivering direct educational experiences. It shall recommend to the Faculty Senate, staffing patterns and funding for areas that affect instructional support such as the Library, the Bookstore, laboratories operated by academic units, Physical Plant (as it relates to instructional delivery), and the Office of Technology Services. This includes but is not limited to the extent and type of services offered, hours of operation, and allocation of resources. It shall conduct evaluations of instructional support services in order to make recommendations to improve such support and to make recommendations for corrective action, as necessary. It shall also provide students with an opportunity to express their views on matters regarding support services.
- b. **Membership.** The committee shall consist of full-time teaching faculty and Librarian members as specified in Article III, Section 1. A., a Reporting Senator appointed by the Senate Executive Committee, and a Chair elected by the committee from among its own membership. Additional ex officio, non-voting members shall include the Exec. Vice President, Academic Affairs, or his/her designee, and two students appointed by the Student Government Association. A current list of members can be found on the Faculty Senate website, <http://facultysenate.evansville.edu/>

**Undergraduate Admissions and Standards Committee**

- a. **Functions.** The committee shall develop and recommend to the Faculty Senate new policies or changes in policies relative to the undergraduate admission of new and transfer students, probation regulations, standards to qualify students for the Dean's List, degree with honors, and other appropriate recognitions of scholarly achievement, academic advising, grading structures, readmissions, overloads, residence requirements, and other matters pertaining to academic standards.

In addition, it is empowered to make certain exceptions regarding academic matters when the undergraduate student, faculty member, or administrator involved suggest that unusual circumstances may make such exceptions proper. Possible cases include requests of undergraduate students to be admitted when

admissibility to the University is questionable, to remain after being automatically dropped for academic reasons, to return after being dropped, to appeal a course grade, or to graduate without fulfilling residence requirements.

- b. **Membership.** The committee shall consist of full-time teaching faculty as specified in Article III, Section 1. A., a Reporting Senator appointed by the Senate Executive Committee, and a Chair elected by the committee from among its own membership. Additional ex officio, non-voting members shall include the Dean of Admissions, the Director of Academic Advising, the Dean of Students, two students appointed by the student government, the Registrar, who shall serve as secretary, and the Exec. Vice President, Academic Affairs, or his/her designee. A current list of members can be found on the Faculty Senate website, <http://facultysenate.evansville.edu/>

An Interdisciplinary Studies Subcommittee (IDSSC) will be appointed by the Chair of the Faculty Senate in consultation with the Exec. Vice President Academic Affairs. The IDSSC will be a subcommittee of the Undergraduate Admissions and Standards Committee of the Faculty Senate and will include one member from each Academic Governance Unit. An additional ex officio, non-voting member shall be the University Registrar or his/her designee. The Chair of the IDSSC will be appointed by the Chair of the Faculty Senate from the membership of the IDSSC. Members of the IDSSC will serve staggered 3-year terms and may be reappointed. Initial appointments were for the 2005-2006 academic year, and established terms as indicated below.

The IDSSC shall be responsible for administration of the Interdisciplinary Studies major as described in the University Catalog. Changes to the major will be initiated by the IDSSC, and will follow normally established procedures (e.g., submission to the Curriculum Committee).

#### **Faculty Athletics Committee**

- a. **Functions.** The Faculty Athletics Committee's primary function is to provide faculty input to the Athletic Administration in areas that relate to and have an impact on the academic pursuits of the university. The Committee's primary goal is to promote and ensure the best environment for the student athlete. Toward that end, the committee shall be kept informed on, and may initiate and/or recommend to the Athletic Administration, policy relative to intercollegiate athletics in the following areas: (1) compliance with governmental, NCAA, and academic accrediting agency regulations, (2) scheduling, status and level of competition in each sport (including pre-season and post-season contests) and conference affiliations, (3) financial aid, academic eligibility, and athletic awards for student-athletes, (4) the addition or deletion of any varsity sport, (5) long range planning, and (6) personnel changes. Policies and proposed changes in them should be brought to the Faculty Athletics Committee for discussion and advice. Reports of the actions taken by the Faculty Athletics Committee shall be submitted to the Faculty Senate.

- c. **Membership.** The committee shall consist of full-time teaching faculty members as specified in Article III, Section 1.a., a Reporting Senator appointed by the Senate Executive Committee, and a Chair elected by the committee from among its own membership, and the faculty athletics representative appointed by the President. The faculty athletics representative shall be a member of the full-time teaching faculty. At least two of the faculty members shall be women. Additional ex officio, non-voting members shall include the Director of Athletics, the Sr. Associate Director of Athletics/Senior Woman Administrator, one member appointed by the Alumni Association, two members appointed by the Student Government Association, and one member appointed by the Student Athlete Advisory Committee.

A current list of members can be found on the Faculty Senate website, <http://facultysenate.evansville.edu/>

#### **Undergraduate Curriculum Committee**

- a. **Functions.** The committee shall review policy and recommend changes in policy regarding all undergraduate academic programs of the University to the Faculty Senate, including graduation requirements, general education, and changes in departmental offerings.

It shall review routine proposals for changes from departments. It shall evaluate existing curricula and programs and recommend revisions to the Faculty Senate.

It shall evaluate proposed new undergraduate degrees, majors, minors, degrees, and certificates carrying University credit, and recommend new degrees and majors to the Faculty Senate. It shall also consider proposals for deletions of undergraduate degrees, majors, minors, certificates carrying University credit, and courses. If a deletion occurs, the committee will further vote to archive the degree, major, minor, certificate carrying University credit, or course as inactive or obsolete. Inactive is defined as removing the degree, major, or course from the student's view; however, this allows the degree, major, minor, certificate carrying University credit or course to be reactivated in the future and will enable credits to be transferred in. Obsolete is defined as completely removing the degree, major, minor, certificate carrying University credit, or course from the catalog, preventing reactivation in the future, and being ineligible for transfer credit. The committee shall recommend actions on such proposals to the Faculty Senate. (Additions or deletions of degrees and majors must also be approved by the President and the Board of Trustees.)

- b. **Membership.** The committee shall consist of full-time teaching faculty and Librarian members as specified in Article III, Section 1. a., a Reporting Senator appointed by the Senate Executive Committee, and a Chair elected by the committee from among its own membership. Additional ex officio, non-voting, members shall include the Exec. Vice President, Academic Affairs or his/her designee, a representative from the Registrar's Office, the Director of General Education and two students appointed by the student government.

A current list of members can be found on the Faculty Senate website, <http://facultysenate.evansville.edu/>



- c. **General Education Subcommittee:** The Curriculum Committee shall maintain a standing subcommittee named the General Education Subcommittee. This subcommittee shall assess policy and recommend changes in policy regarding the review, assessment, and planning of general education, including the recommendation of courses to be designated as General Education courses. All recommendations shall be submitted to and decided upon by the Curriculum Committee. The subcommittee shall consist of the Chair, who must be a member of the Curriculum Committee, one representative from each academic governance unit, four ex officio, and non-voting members: the Director of First Year Seminar, the Director of General Education, a member of the University Assessment Committee, and a student representative appointed by the Student Government Association. The Curriculum Committee will appoint the Chair of the subcommittee. Committee members shall serve staggered three-year terms. Faculty Senate members will conduct elections within their academic units with existing members eligible for re-election. Elections shall comply with Article 3, section 1.d. A current list of members can be found on the Faculty Senate website, <http://facultysenate.evansville.edu>.
- d. **Writing Subcommittee:** The Curriculum Committee shall maintain a standing subcommittee named the Writing Subcommittee. This subcommittee shall assess policy and recommend changes in policy regarding confirmation of writing proficiency as an element of the requirements for the award of the Baccalaureate degree, promotion of writing across the curriculum, the recommendation of courses to be designated as “writing” courses by the Curriculum Committee, and verification of continued compliance with standards established to earn the designation as a “writing” course. All recommendations shall be submitted to and decided upon by the Curriculum Committee.

The WS shall consist of one faculty member of each Academic Service Unit, elected by the Curriculum Committee to staggered three-year terms. Faculty Senate members will solicit nominations from their academic units and will forward these to the Curriculum Committee. If more than one faculty member from a Service Unit is nominated, candidates must submit a “candidate statement” to the Curriculum Committee. This statement will include the candidate’s reasons for seeking election to the WS, philosophy regarding the concept of writing across the curriculum, and any additional information the candidate deems relevant. These statements will be considered by the members of the Curriculum Committee in electing representatives. The Curriculum Committee will then elect the nine voting members who will serve on the subcommittee, the Chair included. Additional ex officio, non-voting members of the WS will include the Writing Center Director, the Director First Year Seminar, the Director of Assessment, the Exec. Vice President, Academic Affairs, the Director of General Education, a student representative appointed by the Student Government Association, and an additional member designated by the Vice-President for Academic Affairs. A current list of members can be found on the Faculty Senate website, <http://facultysenate.evansville.edu>

### **Faculty Appeals Committee**

- a. **Functions.** The committee shall function as an appeals board for all cases concerning the well-being of faculty members in accordance with the AAUP Guidelines. This committee shall serve as the elected faculty hearing committee as specified in the “Recommended Institutional Regulations on Academic Freedom and Tenure” (1982).
- b. **Membership.** The committee shall consist of full-time teaching faculty and Librarian members as specified in Article III, Section 1. a., a Reporting Senator appointed by the Senate Executive Committee, and a Chair elected by the committee from among its own membership. The representatives shall be elected from the tenured faculty.

A current list of members can be found on the Faculty Senate website, <http://facultysenate.evansville.edu/>

### **Faculty Professional Affairs Committee**

- a. **Functions.** The committee shall be responsible for all matters concerning the professional employment, evaluation, and development of faculty. They shall develop and recommend to the Faculty Senate policies relative to academic rank, workload, standards for terminal credentials, tenure and promotion, sabbatical and other leaves, reappointment, and non-reappointment of faculty.

It shall function as the duly elected faculty committee specified in Section 5 b. in the “Recommended Institutional Regulations on Academic Freedom and Tenure” (1982)—with revisions.

The committee shall also be responsible for the allocation of awards or grants to support or recognize artistic, research, or pedagogical accomplishments and the supervision and development of programs and facilities to support faculty seeking to attain excellence as teachers and scholars.

- b. **Membership.** The committee shall consist of full-time teaching faculty and Librarian members as specified in Article III, Section 1. a., a Reporting Senator appointed by the Senate Executive Committee, and a Chair elected by the committee from among its own membership. Additional ex officio, non-voting members shall include the Exec. Vice President, Academic Affairs, and his/her designee.

A current list of members can be found on the Faculty Senate website, <http://facultysenate.evansville.edu/>

### **Graduate Curriculum and Admissions/Standards Committee**

- a. **Functions.** The committee shall review policy and recommend changes in policy regarding all graduate academic programs of the University to the Faculty Senate, including graduation requirements, changes in departmental offerings, admission of new and transfer students, probation regulations, standards to qualify students for the Dean’s List, degree with honors, and other appropriate recognitions of

scholarly achievement, academic advising, grading structures, readmissions, overloads, residence requirements, and other matters pertaining to academic standards.

In addition, it is empowered to make certain exceptions regarding academic matters when the graduate student, faculty member, or administrator involved suggest that unusual circumstances may make such exceptions proper.

Possible cases include requests of graduate students to be admitted when admissibility to the University is questionable, to remain after being automatically dropped for academic reasons, to return after being dropped, to appeal a course grade, or to graduate without fulfilling residence requirements.

It shall review routine proposals for changes from graduate programs/departments. It shall evaluate existing curricula and programs and recommend revisions to the Faculty Senate.

It shall evaluate proposed new graduate degrees, majors, minors, degrees, and certificates carrying University credit, and recommend new degrees and majors to the Faculty Senate. If a deletion occurs, the committee will further vote to archive the degree, major, minor, certificate carrying University credit, or course as inactive or obsolete. Inactive is defined as removing the degree, major, or course from the student's view; however, this allows the degree, major, minor, certificate carrying University credit or course to be reactivated in the future and will enable credits to be transferred in. Obsolete is defined as completely removing the degree, major, minor, certificate carrying University credit, or course from the catalog, preventing reactivation in the future, and being ineligible for transfer credit.

- b. Membership. The committee shall consist of six full-time teaching faculty, who spend the majority of their teaching in current graduate programs (51% as defined by faculty load), a Reporting Senator appointed by the Senate Executive Committee, and a Chair elected by the committee from among its own members. Additional ex officio, non-voting members include the Executive Vice President for Academic Affairs or their designee, a representative from the Registrar's Office, the Chair of the Curriculum Committee, Deans of Colleges and Schools with graduate programs, and two graduate students.

The faculty senate chair will solicit nominations for committee membership from eligible faculty and appoint those willing to serve to staggered 3-year terms. Initial appointments for the 2022-23 academic year, with established terms as indicated below.

- 2 members – 1 year term (2022 – 2023)
- 2 members – 2 year term (2022 – 2024)
- 2 members – 3 year term (2022 – 2025)

### **Fiscal Affairs Committee**

- a. **Functions.** The committee shall initiate and recommend to the President, on behalf of the Senate, policies regarding fiscal matters. The committee shall be consulted by budget-makers at several stages of the budget-making process and give advice and counsel regarding allocating resources, adjusting faculty compensation, changing benefits, improving facilities, anticipating needs, and ranking priorities for major capital improvements. It shall present to the Faculty Senate periodic reports of its activities and shall seek to keep the faculty informed on expenditures in the areas of instruction, library, financial aid, athletics, administration, maintenance, capital improvements, salaries, fringe benefits, retirement options, and any other areas which may seem appropriate.

The committee shall maintain three standing subcommittees to continually evaluate and effectively develop resource expertise in areas of special institutional concern: (1) the Faculty Salaries Subcommittee, (2) the Retirement and Fringe Benefits Subcommittee, and (3) the Accounting and Budgeting Subcommittee.

- b. **Membership.** The committee shall consist of full-time teaching faculty members as specified in Article III, Section 1. a., the Chair of the Faculty Senate, a Reporting Senator appointed by the Senate Executive Committee, and a Chair elected by the committee from among its own membership. Ex officio, non-voting members shall include the Vice Presidents for Academic Affairs, Development and Alumni Relations, Fiscal Affairs and Administration, Enrollment and Marketing, and Student Affairs/Dean of Students, the Director of Athletics, and the President of the Student Government Association. Additional ex officio, nonvoting Retirement and Fringe Benefits Subcommittee members shall include the Human Resources Officer and an Emeritus faculty member appointed by the Senate Executive Committee. A current list of members can be found on the Faculty Senate website, <http://facultysenate.evansville.edu/>

### **Promotion and Tenure Committee**

- a. **Functions.** The committee shall make recommendations to the President in regard to promotion and tenure of faculty. The committee shall act upon the recommendation of the appropriate department chairs, deans, and promotion and tenure committees of the schools and colleges. It shall also receive written petitions from faculty members who have consulted with their departments and/or deans and who wish to be considered for promotion or tenure.
- b. **Membership.** The committee shall consist of full-time teaching faculty and Librarian members as specified in Article III, Section 1. a., a Reporting Senator appointed by the Senate Executive Committee, a Chair elected by the committee from among its own membership, and the Exec. Vice President, Academic Affairs (ex officio, non-voting) who shall serve as the Secretary for the committee. Recommendations of the committee shall be conveyed to the President by the

Exec. Vice President, Academic Affairs.

The representatives shall be elected from the tenured faculty. No one who is personally under consideration for promotion shall serve on the committee. If a member of the committee is to be considered, he or she shall be replaced by the normal elective process before any deliberations take place. A current list of members can be found on the Faculty Senate website, <http://facultysenate.evansville.edu/>

Article IV.

**Search Committees**

Section 1.

**Authority.** In the event of a vacancy in the office of the President, the Exec. Vice President, Academic Affairs or an academic dean, a search committee shall be elected by the faculty involved to help find and screen candidates for the office in question.

Section 2.

**Membership.** If the vacancy is in the office of the President, the faculty shall be represented by three full-time teaching faculty members or Librarians with faculty rank elected by the Faculty Senate. These individuals shall be available to work with the Board of Trustees.

If the vacancy is in the office of the Executive Vice President, Academic Affairs, the committee shall consist of full-time teaching faculty or Librarians with faculty rank elected from each of the Academic Governance Units, one member from University Administration and a student selected by the Student Congress.

If the vacancy is in the office of one of the academic deans, a search committee of seven members shall be chosen: five shall be elected from and by the faculty of the college in which the vacancy occurs in accordance with the election procedures of that college. The remaining members which shall be non-voting include a student major from that academic unit selected by the Student Congress and a dean from another school or college elected by the faculty members of the Search Committee.

If the vacancy is that of University Librarian, a search committee of seven members shall be chosen: three elected from the library staff, the Chair of the Curriculum Committee, and one student and two full-time teaching faculty elected by the Curriculum Committee from its own membership.

If the vacancy is in the office of the Principal of Harlaxton College, a search committee of nine shall be chosen: five full-time teaching faculty from the Evansville campus who have taught at the Harlaxton campus within the past five years, two members of the Harlaxton faculty, one member of the management team, and a student who has attended Harlaxton selected by the Student Congress. The Executive Committee of the Faculty Senate shall nominate the Faculty member to the Faculty Senate for approval.

Article V.

**Adoption and Amendments**

**Adoption:** The original faculty organization was made effective when approved by a two-thirds vote of the full-time teaching faculty and librarians with faculty rank.

Upon adoption by the faculty, this organization and committee structure was made part of the University of Evansville Faculty and Administrator's Manual.

To affect its first organization, full-time teaching faculty members who were elected to serve on the Faculty Senate and full-time teaching faculty members who were elected to serve on standing committees drew lots to determine who would serve three, two, and one-year terms.

Amendments:

Any member of the full-time teaching faculty or librarian with faculty rank may propose an amendment to the faculty bylaws provided that the proposed amendment has been presented to the faculty in writing not less than ten (10) working days prior to voting. Each proposed amendment to the faculty bylaws shall be put to a faculty-wide vote. A vote shall be considered valid when a quorum of at least fifty percent of the faculty is achieved. For an amendment to be approved, at least two-thirds of the cast votes must support it.

<b>Faculty Senate, 2022-2023</b>		
<b>Officers</b>		
Chair	Meg Atwater-Singer Professor, Access Services Librarian	
Vice Chair	Theresa Price Assistant Professor, Nursing	
Past Chair	Noah Gordon Associate Professor, Biology	
Corresponding Secretary	Heather Fenton Associate Professor, Business	
Recording Secretary	Joni Moyer Assistant Professor, Nursing	
Parliamentarian	Vinn Campese Assistant Professor, Psychology	
Ombudsperson	Jeffrey Braun Professor, Physics	
Faculty Observer	Sean Harper Assistant Professor, Physician Assistant Science	
<b>Senators</b>		
<b>Academic Disciplines</b>	<b>Representative</b>	<b>Representative</b>
Arts & Sciences-Fine Arts	Alanna Keenan (2024)	Dennis Malfatti (2025)t
Arts & Sciences - Humanities	Dan Byrne (2023)	Vacant
Arts & Sciences - Social Sciences & Library	Meg Atwater-Singer (2025)	Kevin Gray (2023)
Arts & Sciences-Natural Sciences & Mathematics	Noah Gordon (2023)	Mike Slade (2024)
Undergraduate Nursing, Education, and Health Sciences	Theresa Price (2024)	Erik Brown (2025)
Graduate Health Sciences	Andy Lampkins (2023)	Bethany Huebner (2025)
Accounting & Business Administration	Heather Fenton (2023)	
Engineering & Computer Science	Jessie Lofton (2023)	
Harlaxton	Mary Plikuhn (2024)	

## Faculty Representatives to Board of Trustee Committees

Terms end May 2023

<b>Committee</b>	<b>Faculty Representative</b>
Academic Affairs	Robert Baines
Athletics	James MacLeod
Diversity	Lisa Nikolidakis
Enrollment and Marketing	Kristy Miller
Institutional Advancement	Roslyn Lampkins
International Engagement	Lorena Andueza
Investment	Chris Brockman
Student Affairs	Tamara Wandel

### **Administrative Committees**

The President and Faculty Senate may from time to time establish administrative committees of faculty members to (1) allow for faculty involvement in vital University functions, and (2) assist the administration responsible for such vital functions requiring faculty implementation.

#### **Advisory Committee for Teacher Education**

- a. **Function:** The committee shall give advice and counsel to the School of Education in the development and evaluation of policies and issues related to the preparation of teachers. It will also function as the screening body for entrance into the teacher education program and student teaching.
- b. **Membership:** The committee shall consist of the following: 1) one representative from each UE Arts and Sciences unit, 2) a representative from EXSS, 3) a representative from the library, 4) the Dean of the College of Education and Health Sciences, 5) tenured faculty of the School of Education, and 6) one student from elementary education, secondary education, and special education, respectively. The Chair of the School of Education will serve as the chair of the committee.

#### **Academic Assessment Committee**

- a. **Function:** The committee shall be charged with overall responsibility for general oversight and guidance to ensure the successful implementation of institutional plans for assessing student academic achievement and insure appropriate feedback to students and the



institution. The primary responsibilities of the committee include the following: (1) coordinate the flow of assessment data to and from academic departments and to and from appropriate administrative units; (2) review overall assessment data and make appropriate recommendations, identifying common concerns, needs, challenges and opportunities for improvement to be channeled to the appropriate unit or committee; (3) assist the Director of Assessment with the establishment of assessment calendars and priorities; and (4) request reports and data as needed to assist in the evaluation of the institutional assessment program. Oversight shall include primary responsibility for measuring institutional effectiveness in the area of general education in conjunction with appropriate planning units such as the various First Year Seminar committees.

- b. **Membership:** The committee shall consist of a representative from each of the faculty academic governance units as defined in the faculty bylaws, one student appointed by the President of the Student Government Association, the Director of Institutional Effectiveness, an administrative representative from the Office of Academic Affairs, the Dean of Arts and Sciences, and the Chair of the Writing Subcommittee. The committee shall be chaired by the faculty Director of Assessment.

#### **University Ceremonies Committee**

- a. **Function:** The committee shall be concerned with matters relative to ceremonies where an academic procession is planned, i.e., Freshman Convocation, winter and spring Commencement, and Founders Day.
- b. **Membership:** The committee shall consist of representatives of the academic and administrative aspects of University ceremonies. Six faculty members shall be appointed by the President including the Grand Marshal and one representative from the Music Department. The President shall also appoint representatives from the Student Life Center, Alumni and Parent Relations, University Relations, Physical Plant, Academic Affairs, the Office of the President, Registrar's Office, Safety and Security, and the University Chaplain. The President of the Student Government Association will appoint two senior representatives. The Grand Marshal will co-chair this committee and the President will appoint an administrative co-chair.

#### **Committee on International Programs**

- a. **Function:** The committee shall coordinate international programs and develop plans to promote and enhance the international mission of the University.
- b. **Membership:** The committee shall be appointed by the President and will include the Principal of Harlaxton College, and other appropriate individuals from the administration and faculty. The Principal of Harlaxton College will be an ex officio member of the committee. The Chair of the committee will be appointed by the President.

### **Concert and Lecture Series Advisory Committee**

- a. **Function:** The committee shall be responsible for recommending policy that would ensure the quality of the concert and lecture series and assist appropriate administrators and departments in scheduling concerts and lectures. The committee will recommend budget allocations for the concert and lecture series.
- b. **Membership:** The committee shall be appointed by the President and be composed of six members of the faculty and academic administration and two members selected from the full-time undergraduate student body. The Chair of the committee will be appointed by the President in consultation with the members of the committee.

### **Distance Learning Committee:**

- a. **Function:** The Committee is responsible for creating standards for online courses that regulate course design, course delivery, and assessment. Bringing all campus entities into one task force has assisted in establishing the policies and guidelines for distance education while also increasing communication across the campus as the institution increases capacity of online courses and academic programs and meets the needs of distance learners.
- b. **Membership:** The Committee membership shall be appointed by the EVPAA/Provost at the beginning of each academic year and shall include 1 faculty member from each college, and at least one representative from each of the following offices: Center for Advancement of Learning, Harlaxton, Assessment, Student Support Services, OTS, and the Registrar's Office.

### **Emeriti Committee**

- a. **Function:** The committee shall advise the Exec. Vice President, Academic Affairs relative to the welfare of emeriti and shall arrange for recognition of emeriti faculty by receptions or other appropriate means.
- b. **Membership:** The committee shall consist of three faculty members and two emeriti persons appointed by the Exec. Vice President, Academic Affairs.

### **Honorary Degree Committee**

- a. **Function:** The committee shall serve to request and review Honorary Degree nominations made on the basis of individual service to the University and individual achievement. An Honorary Degree may also be awarded to individuals who exemplify the University's mission. The committee shall forward nominations to the President which presents his recommendation at a meeting of the general faculty for approval.

- b. **Membership:** The committee shall consist of three faculty members appointed by the President and one student recommended by the President of the Student Government Association.

#### **Honors Committee**

- a. **Function:** The committee serves as an advisory body to the Honors Director as well as assisting the Honors Director with the development of the academic program and requirements. In addition, the committee will support activities such as speakers and social events, establish the application criteria for honors students and conduct the selection process in cooperation with the Office of Admissions.
- b. **Membership:** The committee shall consist of six faculty members with at least one representative from each of the colleges/schools. The former Director of the Honors Program and the Director of Scholar Recruitment shall also serve ex officio. The committee shall be chaired by the current Director of the Honors Program. The committee shall be appointed by the Exec. Vice President, Academic Affairs in consultation with the Director and academic deans. Committee members shall serve staggered three-year terms with two members being appointed each year.

#### **Inclusion Committee**

- a. **Statement of Purpose:** The University of Evansville Inclusion Committee (UEIC) provides campus members with resources and educational opportunities to enhance diversity at the University of Evansville. The Inclusion Committee supports and promotes diversity and inclusion within the campus community by fostering an environment of awareness, equality, and respect. The UEIC will be asked to capitalize on the strengths of all individuals, allowing the University of Evansville to grow and become more successful in its endeavors. The UEIC will help to identify functional outcomes aimed at recruiting and retaining diverse persons since the cooperative wisdom gained from people of varying backgrounds and life experiences will help to create a high-quality workplace and learning environment. Building and nurturing a diverse community will enrich the overall student and employee experience at the University of Evansville.
- b. **Function:** The UEIC provides leadership and guidance to the University by encouraging awareness about and discussions of diversity. Specifically, the UEIC will focus on diversity issues about University climate, training and development, recruitment and retention, and campus outreach. The UEIC will also plan and promote diversity activities at the University. Finally, the UEIC will support, if and when appropriate, the work of the Chief Diversity Officer at the University of Evansville. In addition, the University of Evansville Inclusion Committee will establish and prioritize diversity and equity goals for the University.
- c. **Membership:** Committee members are appointed by the President and include the Chief Diversity Officer, who will serve as chair of the UEIC. Members representing the diverse constituencies of the University will be recommended for appointment to the UEIC by the Chief Diversity Officer.

Members will also include two students recommended by the Student Government Association, one member of the Diversity Committee of the Board of Trustees, and at least two community representatives.

**Institutional Review Board (IRB)**

- a. **Function:** The IRB has two primary functions: 1) the review and approval of all research proposals conducted by University of Evansville faculty, staff, or students when human subjects are involved; and 2) investigation of allegations of a failure by any member of the University of Evansville community to adhere to integrity standards in research involving human subjects.
  
- b. **Membership:** The IRB shall be appointed jointly by the Chair of the Faculty Senate and the EVPAA. The IRB composition will be in accord with §46.107 of the Code of Federal Regulations Title 45 Public Welfare, Part 46 Protection of Human Subjects. The IRB will include at least five members of the faculty with representation from scientific and non- scientific fields. An additional member not affiliated with the University of Evansville will be appointed by the President. It is recommended that one member be a physician (MD or DO) appointed by the President.
  
- c. **Guiding Principles:** The IRB will act in accord with §46.107 of the Code of Federal Regulations Title 45 Public Welfare, Part 46 Protection of Human Subjects. (<http://www.hhs.gov/ohrp/policy/ohrpreulations.pdf>)

The IRB shall be sufficiently qualified through the experience and expertise of its members, and the diversity of the members, including consideration of race, gender, and cultural backgrounds and sensitivity to such issues as community attitudes, to promote respect for its advice and counsel in safeguarding the rights and welfare of human subjects. No IRB may have a member participate in the IRB's initial or continuing review of any project in which the member has a conflicting interest, except to provide information requested by the IRB.

In addition, the IRB may, in its discretion, invite individuals with competence in special areas to assist in the review of issues which require expertise beyond or in addition to that available on the IRB. These individuals consult and may not vote with the IRB. Proposals must be approved prior to initiating a research project, and it is strongly recommended that all student projects be submitted early in the semester in which they are to be completed. A sample proposal, as well as a template and an example of an anonymous survey, is available on MyUE Portal and the IRB webpage.

**Institutional Animal Care and Use Committee (IACUC)** (General Guidelines)

The Institutional Animal Care and Use Committee (IACUC) is responsible for the review and approval of all research conducted with animals by staff, faculty, and students at the University of Evansville. This oversight does not include research not involving data collection from animal subjects (e.g.,

literature reviews).

- a. **Function:** The IACUC has three primary functions: 1) review and approval of all research proposals conducted by University of Evansville faculty, staff, or students when non-human animals are involved as subjects (including those covered by the Animal Welfare Act §2131-2156 of Chapter 54, Title 7 of the United States Code and Title 9, Chapter 1, Subchapter A Parts 1-4 of the Animal Welfare Regulations - November 2013); 2) oversight, inspection, and approval of all University of Evansville facilities that house animals used as subjects in research or teaching, and 3) investigation of allegations of a failure by any member of the University of Evansville community to adhere to research integrity standards when non-human animals are involved as subjects. As part of the facilities oversight and in accord with §2.31 of Title 9, Chapter 1, Subchapter A Part 2 of the Animal Welfare Regulations (November 2013), the IACUC shall review and inspect, at least once every six months, the animal facility's program for humane care and use of animals.
  
- b. **Membership:** The IACUC shall be appointed jointly by the Chair of the Faculty Senate and the EVPAA. The IACUC composition will be in accord with §2.31 of Title 9, Chapter 1, Subchapter A Part 2 of the Animal Welfare Regulations (November 2013). The Committee will include at least five members including one member not affiliated with the University of Evansville. Membership must include one research scientist with experience in animal research and one non-scientist. One member must be a Doctor of Veterinary Medicine, who will be appointed by the President.
  
- c. **Guiding Principles:** The IACUC will act in accord with the Animal Welfare Regulations (November 2013) as found in the Code of Federal Regulations ([https://www.aphis.usda.gov/animal\\_welfare/downloads/AnimalCareBlueBook-2013FINAL.pdf](https://www.aphis.usda.gov/animal_welfare/downloads/AnimalCareBlueBook-2013FINAL.pdf)) and all other United States Department of Agriculture policies regarding the care of non-human animals in research. Research proposals may be reviewed by all members of the IACUC ("full-review") or fewer than all members of the IACUC ("expedited review"). A third category is "exempt from review"; the determination of whether a proposal is exempt from review must be made by the IACUC, not the investigator. All proposed research will be submitted to the chair of the IACUC; a single paper copy and an electronic copy are required, but additional copies may be required if the research is not exempt from review. Proposals must be approved prior to initiating a research project, and it is strongly recommended that all student projects be submitted early in the semester in which they are to be completed.

#### **Martin Luther King, Jr. Program Committee**

- a. **Statement of Purpose:** UE's Martin Luther King, Jr. Program Committee exists to organize, coordinate, and plan activities commemorating Dr. Martin Luther King's birthday. This federal holiday is observed on the third Monday in January.

- b. **Function:** The Martin Luther King, Jr. Program Committee shall plan an appropriate celebration during the academic year in commemoration of Martin Luther King, Jr. The Committee will plan one year in advance to obtain suitable speakers and schedule activities. The Mays Martin Luther King Lectureship will annually fund the keynote speaker during the annual Martin Luther King Day celebration.
- c. **Membership:** The Committee shall consist of the Chief Diversity Officer, three faculty appointed by the Faculty Senate; two students, one of whom will be from a historically underrepresented racial population, appointed by the President of the Student Government Association; the Director of Religious Life, the Assistant Vice President for Student Affairs and community representation as deemed by the deed of the gift from the Mays. The chair of the Committee will be the Chief Diversity Officer.

**Student Success Team**

- a. **Function/Purpose:** The Student Success Team (SST) formerly known as the Retention Committee will analyze data (to include but not limited to: retention of both domestic and international students, withdrawals, housing, campus climate, student satisfaction, student persistence, at-risk groups, and so forth) and recommend to Senior Leadership strategies to enhance UE's retention and graduation rates. Recognizing that retention improves as the quality of student learning and student life is enhanced, the SST also will recommend long-range strategies to address the ongoing needs of all students. SST will partner with other campus constituencies (as appropriate) to carry out the action items below.
- b. **SST Action Items:**
  - Analyze and communicate retention data and best practices across campus.
  - Share ideas and initiate conversations on issues contributing to retention, such as campus culture, academic rigor, and expectation, shifting student demographics, etc.
  - Execute initiatives to proactively identify and make outreach to at-risk populations.
  - Participate in national research, conferences, and webinars as appropriate and available.
  - Consistently evaluate institutional policies, practices, and procedures as they pertain to retention of students.

**Membership:** The SST shall be chaired by the Director of Student Retention and consists of both faculty and administrative staff based on need and availability. Other areas will be consulted, as necessary. Committee members shall be appointed by the President in consultation with the Executive Vice President and Provost.

**Undergraduate Research Committee**

- a. **Function:** The committee shall promote undergraduate research to students and faculty maintaining the integrity of the program, charting its

direction, and recommending selected proposals for funding awards.

- b. **Membership:** The committee shall consist of eight faculty members representing the diverse disciplines of the academic community and one student. Members of the committee shall be recommended annually by the Chair of the committee and appointed by the Exec. Vice President, Academic Affairs. The Chair of the committee will be appointed by the Exec. Vice President, Academic Affairs.

## Chapter II

### Faculty Hiring Policies, Evaluation, Promotion and Tenure

### Employment and Workplace Polices

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#### AFFIRMATIVE ACTION STATEMENT

The Affirmative Action Plan at the University of Evansville establishes the procedures, practices, and policies which serve to provide equal opportunity throughout the entire University community. All opportunities are to be made available to qualified individuals on the basis of merit and without discrimination of any kind. The University will not tolerate practices which lead to discrimination against any employee, student, or applicant for employment or admission because of race, color, creed or religion, national origin, age, disability, sex, sexual orientation, or gender identity and expression. The University is totally committed to the letter and spirit of the Civil Rights Act of 1964 as amended, Executive Order 11246 as amended, Revised Order No. 4, The Equal Pay Act of 1963, the Rehabilitation Act of 1973, the Vietnam Era Veterans Rehabilitation Act of 1974, Title IX of the Education Amendment of 1972, the American with Disabilities Act, of 1992, As Amended and the Family and Medical Leave Act of 1993.

Pursuant to the above government regulations and executive orders, it is the objective of the University of Evansville to:

1. Recruit, hire, train, and promote persons in all job titles without regard to including race, color, gender, gender identity and expression, creed or religion, national origin, age, disability, veteran status and all federally protected groups/classes.
2. Base all decisions on employment so as to further the principle of equal employment opportunity.
3. Ensure that all decisions related to promotion are in accord with the principle of equal employment opportunity by imposing only valid requirements for such opportunities.
4. Ensure that all personnel policies and actions related to compensation, benefits, transfers, layoffs, return from lay off, training, education, tuition assistance, and social and recreational programs be administered without regard to including race, color, gender, gender identity and expression, creed or religion, national origin, age, disability, veteran status and all federally protected groups/classes.
5. Base decisions on employment and academic advancement so as to enhance the opportunities of the disabled, except when that disability is in conflict with a bona fide qualification for a particular position.
6. Prevent discrimination in the form of sexual harassment according to the University of Evansville Policy on Harassment.
7. Ensure that University policies, rules, and actions (admission requirements, housing, financial aid, athletic programs, placement services, and all other programs) do not discriminate against students on the basis of including race, color, gender, gender identity and expression, creed or religion, national origin, age, disability, veteran status and all federally protected groups/classes.



## NON-DISCRIMINATION STATEMENT

The University of Evansville expects all members of its community to treat each other with respect and civility. Harassing behaviors directed towards any member of our community will not be tolerated. As part of its commitment to non-discrimination, the University specifically prohibits harassment based on any other characteristics set forth in its nondiscrimination statement as follows: including race, color, gender, gender identity and expression, creed or religion, national origin, age, disability, veteran status and all federally protected groups/classes. Any form of harassment undermines the mission of the University and negatively impacts the University community as a whole.

## HARASSMENT STATEMENT

The University specifically prohibits harassment based on any other characteristics set forth in its nondiscrimination statement including race, color, gender, gender identity and expression, creed or religion, national origin, age, disability, veteran status and all federally protected groups/classes. Harassment based on any of these protected characteristics undermines the mission of the University and negatively impacts the University community as a whole. Prohibited harassment is conduct based on one of these characteristics when such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or of creating an intimidating, hostile, or offensive environment for work or learning. The University will not tolerate retaliatory behavior against any individual(s) who reports harassment.

Behaviors that could be considered harassment based on these characteristics include any patterns of conduct aimed at another because of a protected characteristic that would degrade, distress, or humiliate a reasonable person, such as:

- Physical intimidation, assault, or vandalism.
- Exhibits of pictures or reading materials in print or electronic form containing negative information about a person's protected class.
- Verbal abuse or degrading conversations regarding a person's protected class.
- Name-calling, jokes, or negative comments about a person's protected class. Sexual harassment is a violation of Title IX and is addressed specifically in the Sexual Harassment and Misconduct Policy.

## AAUP POLICIES

The faculty adopted the following AAUP (American Association of University Professors) policies and guidelines on January 11, 1994:

1. "1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments"
2. "Statement on Procedural Standards in Faculty Dismissal Proceedings" (1958)
3. "Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments" (1989)
4. "Recommended Institutional Regulations on Academic Freedom and Tenure" (1995).

They are included in AAUP Policy Documents & Reports (11th Edition, 2015), a copy of which can be found in the collection of the University Libraries.

## AMERICANS WITH DISABILITIES ACT (ADA) OF 1992, As Amended

The University of Evansville complies with the Americans with Disabilities Act, of 1992, As Amended as it relates to job application procedures, hiring, promotions, discharge, compensation, fringe benefits available by virtue of employment, job training and other terms, conditions and privileges of employment. The University recognizes its responsibility to make reasonable accommodations which may include:

- a. making existing facilities used by employees readily accessible to and usable by individuals with disabilities;
- b. job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, modifying employment examinations, training materials or policies;
- c. providing qualified readers or interpreters. The applicant/employee must establish that:
  - tests, hiring criteria or standards disproportionately impact individuals with the same disabilities;
  - the applicant/employee is qualified to perform the position with or without a reasonable accommodation;
  - the applicant/employee has a disability that prevents him or her from meeting the criteria, tests or standards.

## SECTION 504 – Rehabilitation Act of 1973, As Amended

The University of Evansville complies with the requirements contained in Section 504 of the Rehabilitation Act of 1977, as amended including:

- a. No qualified handicapped person shall, on the basis of mental or physical handicap, be subjected to discrimination in employment.
- b. The University shall make all decisions concerning employment in a manner which ensures that discrimination based on handicap does not occur, and shall not limit, segregate, or classify applicants or employees in any way that adversely affects their opportunities or status because of handicap.
- c. Nondiscrimination prohibitions apply to the processing of applications hiring, promotion, award of tenure, right of return from layoff, and rehiring; changes in compensation; job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists; leaves of absence, sick leave, or any other leave; fringe benefits available by virtue of employment, whether or not administered by the institution; financial support for professional meetings, conferences, and other related activities, and selection for leaves of absence to pursue training; employer sponsored activities, including social or recreational programs; and any other term, condition, or privilege of employment.
- d. In offering employment or promotions to handicapped individuals, the University will not reduce the amount of compensation offered because of any disability income, pension or other benefit the applicant or employee receives from another source.

All questions related to the applicant/employee's rights or requests for accommodation under the Americans with Disabilities Act and/or Section 504 of the Rehabilitation Act of 1973, as amended should

be directed to the University's Affirmative Action Officer who will assure that there is compliance with all facets of the act as well as processing any complaints by individuals who feel they have not been treated fairly in accordance with the provisions of this act.

### ACCOMODATIING STUDENTS WITH DISABILITIES

The University of Evansville is strongly committed to providing an accessible and supportive environment for students with disabilities and is committed to treating all individuals in a fair and equitable manner. It is the policy and practice of the University of Evansville to comply with the Americans with Disabilities Act, As Amended and Section 504 of the Rehabilitation Act of 1973. Under these laws, no otherwise qualified individual with a disability will be denied access to or participation in courses, programs, services, or activities at the University of Evansville.

#### Rights and Responsibilities of Students with Disabilities:

- A. Federal Laws Impacting Disability Services in Post-Secondary Level Education
  - Section 504 of the Rehabilitation Act of 1973
  - Americans with Disabilities Act (ADA), As Amended
- B. Rights of Students with Disabilities
  - Students have a right to equal access to courses, programs, services, and activities.
  - Students have a right to "Reasonable" accommodation.
  - Students have a right to file a grievance/complaint.
- C. Responsibilities of Students with Disabilities
  - Students must self-identify themselves to the disability services office if they are requesting accommodation.
  - Students must submit documentation of a disability.
  - Diagnostic records are kept confidential, but the student must allow the Disability Services staff member to provide the instructor with a verification letter before expecting accommodations.
  - Students are expected to meet the academic performance standards of the class after an accommodation is provided.
  - Students are expected to follow established institutional procedures.
  - Students must request accommodations each semester in a timely manner by meeting with their Disability Services staff member.
  - Students should discuss the accommodation request with instructors of each class for which the student will use the accommodation.
  - Students need to notify their Disability Services staff member if there are difficulties with the accommodations.
- D. Rights of the University
  - The University will identify and establish core competencies and technical standards.
  - The Disability Services staff member will request and receive current documentation of disability for each student requesting accommodations.
  - The Disability Services staff member will determine reasonable accommodations.
  - The University can deny a request for accommodations when the accommodation would change the fundamental nature of the program and/or pose an undue burden.

#### E. Responsibilities of the University

- The University must publish notice of available services for students with disabilities.
- The University must ensure that courses, programs, services, and activities when viewed in their entirety are accessible to qualified students with disabilities.
- The University must provide appropriate reasonable accommodation.
- The Disability Services staff member will maintain disability records and ensure that all information will be used in accordance with applicable confidentiality.
- The University must provide a grievance procedure.

#### PROCEDURES TO ESTABLISH ELIGIBILITY

Students who wish to request accommodations must establish eligibility by providing appropriate written documentation of the disability to the Disability Services within the Office of Counseling Services, RUC 200. As the designated disability service providers for the University of Evansville, the staff of Disability Services staff members coordinate the provision of appropriate and reasonable academic accommodations and support services for any qualified student with a properly documented disability. Each student should schedule an appointment to meet with a Disability Services staff member (812-488-2663) for an individual consultation.

During the consultation, the counselor and student will discuss the current impact of the disability in the academic setting. After reviewing the student's medical and/or diagnostic records and meeting with the student, and the Disability Services staff member will make recommendations for services or reasonable academic accommodations for the student. The medical records and disability documentation will be maintained in the Office of Counseling Services and used in accordance with applicable confidentiality. Information regarding documentation guidelines and grievance procedures are available upon request.

#### PROCEDURES FOR COMMUNICATING WITH FACULTY

If the student chooses to receive recommended services that require assistance from an instructor or other staff member, a release form signed by the student will allow the Disability Services staff member to inform the necessary staff members about the student's disability. The Disabilities Staff member will be responsible for notifying each professor in writing about the student's approved accommodations as well as offering assistance to implement the accommodations if necessary.

It is the student's responsibility to request the accommodations from individual professors as needed. The student should make an appointment with each professor to discuss the accommodations that are needed for that particular class, and to verify that the professor has received the accommodation letter.

Professors often report that they receive an accommodation letter from the Disability Services, but the student does not follow up by requesting the accommodations. This sometimes happens because a student feels they will not require an accommodation in a particular course due to the manner in which the material is presented, etc. It is the student's responsibility to request the accommodations they want to use.

#### Suggested Language for Class Syllabi

It is the policy and practice of the University of Evansville to make reasonable accommodations for students with properly documented disabilities. Students should contact the Office of Counseling and Health Education at 488-2663 to seek services or accommodations for disabilities. Written notification to faculty from the Office of Counseling and Health Education is required for academic accommodations.

### Procedural Difficulties with Accommodation Requests

The professor is only required to make available the accommodations that are delineated within the accommodation letter issued by Disability Services. If students or faculty have difficulty with specific accommodation needs, the Disability Services staff member should be contacted for assistance. If, as the semester progresses, the student feels additional accommodations are warranted, the student should consult with the Disability Services staff member to discuss other support services or options.

### Disability Advisory Committee

The Disability Advisory Committee reviews atypical requests regarding disability accommodations and makes recommendations regarding requests which involve accommodations related to changes in curriculum or programs. Committee members include the Coordinator of Disability Services, the Director of Counseling Services, and the University Registrar. When appropriate, other individuals relevant to the petition decision may be included in the committee meeting. The committee acts in an advisory capacity and submits written recommendations regarding each request to the Executive Vice President for Academic Affairs. The EVPAA makes final decisions on all requests.

### Grievance Review Process Grievance for Denial of Eligibility

If a student feels they have been unjustly denied eligibility for Disability Services, the student should first discuss the problem with a Disability Services staff member. If the issue is not resolved in a satisfactory manner, the student can complete the Grievance/Denial of Eligibility Petition. This form is available in the Dean of Students office. The written petition must be submitted to the Dean of Students within 15 days of denial of eligibility. The Dean of Students will review the petition and make a decision regarding the request. The Dean of Students will notify students in writing.

### Grievance for Recommended Accommodations or Lack of Compliance with Accommodations

If a student is dissatisfied with the accommodations recommended by a Disability Services staff member or the student feels they are not receiving the recommended accommodations from their instructor, the student is asked to discuss their grievance directly with the Disability Services staff member to try to reach an agreement. If the issue is not resolved in a satisfactory manner, the student can complete the Grievance/Denial of Accommodation Petition. This form is available in the Dean of Students Office. The written petition must be submitted to the Executive Vice President of Academic Affairs (EVPAA) within 15 days of the initial complaint. The EVPAA will review the petition and make a decision regarding the request.

### Grievance Appeals Policy

If a student is not satisfied with the decision made through the Grievance Review Process and believes they have been harassed or discriminated against because of their disability, they may then contact the Institutional Equity and Title IX Coordinator to file a complaint as outlined in the University's Harassment and Discrimination Policy.

### Subsequent Semesters

Students who wish to have academic accommodations must contact the Disability Services at the beginning of each semester to review progress, review the student's schedule and needs for the semester, and secure appropriate releases for notification of professors. The student will be responsible for scheduling the appointment.

### Further Information

For further information, please contact any of the following representatives of the University of Evansville:

- Debbie Brenton, Coordinator of Disability Services at (812) 488-2663.
- Karen Stenstrom, Director of Counseling Services and ADA Coordinator for students, at (812) 488-2663.
- Keith Gehlhausen, Executive Director of Human Resources and Institutional Equity, and ADA Coordinator for faculty and employees of the university at (812) 488-2943.

## ALCOHOL POLICY

All members of the campus community and guests are expected to abide by Indiana State Law and University policies regarding the possession, consumption, use, production or sale of alcohol. The state of Indiana defines the legal drinking age as 21 years of age or older. Individuals who are of legal drinking age may possess and consume alcohol within the provisions prescribed in the University Alcohol Use Guidelines – refer to [www.evansville.edu/alcoholpolicy/](http://www.evansville.edu/alcoholpolicy/).

The University Alcohol Use Guidelines include provisions specific to the types of alcohol allowed on campus, approved locations and requirements for the consumption and distribution of alcohol, protocols for serving and consuming alcohol at university events, and policies for possession and consumption of alcohol within specific university housing units by those of legal age. Students who are of legal age are expected to familiarize themselves with the University Alcohol Use Guidelines for campus possession and consumption. Ignorance is no excuse for violating the University Alcohol Policy. Under no circumstances is it acceptable for an individual or group to violate Indiana State law, disrupt the educational mission of the university, or contribute to behaviors in violation of the student code of conduct.

## GUIDING PRINCIPLES

The University Alcohol Policy encompasses four guiding principles:

1. **Indiana State Law:** The laws governing possession, distribution, consumption, sale and promotion of alcohol of the state of Indiana are recognized and supported by the University of Evansville. The University recognizes its responsibility to provide appropriate education to its students regarding these laws.
2. **Acceptable Behavior:** Behavior that disrupts the educational mission of the university, disrupts the campus community, or endangers the health and safety of members of the campus or its visitors, will not be tolerated. Such behaviors will be dealt with according to the Student Code of Conduct as outlined in the Student Handbook or other appropriate handbook such as the Faculty, Staff, or Administrative Manuals.
3. **Alcohol Education:** The University Alcohol Policy is built upon the core principle of education about the responsible possession and consumption of alcohol. This includes information relative to Indiana State Law and University policies specific to the areas of approved university activities, residence life, and Greek life.
4. **The Responsible Good Neighbor Exemption:** The Responsible Good Neighbor Exemption provides students the opportunity for university disciplinary action to be waived if medical or another emergency assistance for another has been sought. Additional information regarding this exemption is published in the Student Handbook and on the university website. Students present in a residential facility where alcohol is present and the University's Acceptable Use Guidelines are violated are subject to disciplinary action.

While the University cannot control off-campus situations, the University does not sanction student organization sponsored events held off-campus which include alcoholic beverages that are not served by a third-party vendor. At no time can student activity funds be used for the purchase or promotion of alcoholic beverages at a student organization sponsored event. The institution does not prohibit events being held in facilities where alcohol is sold by the facility or business to those of legal age.

University-sponsored events which are held off-campus and involve the distribution and consumption of alcohol must employ a third-party social event vendor. The third-party social event vendor must provide customary limits of general liability for bodily injury or property damage, liquor liability, workers' compensation coverage, and employer's liability. Proof of such insurance shall be provided by a certificate of insurance to the director of administrative services. Additional information regarding the certificate of insurance requirements is available from the director of administrative services and can be found at [www.evansville.edu/alcoholpolicy/](http://www.evansville.edu/alcoholpolicy/)

The laws of the State of Indiana regarding the purchase and possession of alcoholic beverages will be upheld on campus. These laws may be enforced by University staff or local or state authorities.

#### DRUG USE POLICY

The University prohibits the possession, consumption, use or sale of unauthorized prescription drugs or illegal drugs on campus or at any university sponsored events or programs. While the University cannot control off-campus situations, the University does not sanction events held off-campus that include the possession, consumption, use or sale of unauthorized prescription drugs or illegal drugs.

The Anti-Drug Abuse Act of 1988 was signed into law on November 18, 1988, requiring employers who contract with or receive grants from federal agencies to certify that they will meet certain requirements for providing a drug-free workplace. The following statement formalizes University policy regarding the work-related effects of drug use and the unlawful possession of controlled substances on University property.

- Employees are expected and required to report to work on time and in an appropriate mental and physical condition for work. It is our intent and obligation to provide a drug-free, healthful, safe, and secure work environment.
- The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on University property is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.
- The University recognizes drug dependency and drug abuse as illnesses and major health problems. The University also recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such a problem are encouraged to use the University health insurance plans and other resources as appropriate. Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record.
- Employees must, as a condition of employment, abide by the terms of the above policy and report any conviction under a criminal drug statute for violations occurring on University premises or off premises while conducting University business. A report of a conviction must be made within five days after the conviction. This requirement is mandated by the Drug-Free Workplace Act of 1988. Reports should be sent to the Office of Human Resources.
- The University complies with the Drug Free Schools and Communities Act Amendments of 1989

(Public Law 101-226). Each year, students are provided information in writing regarding the University policy concerning drug and alcohol abuse, related legal and disciplinary sanctions, health risks, and information on resources and assistance.

Any questions concerning the above statements will be appropriately directed to the Office of Human Resources or the Office of the Dean of Students. Your cooperation and support of this required policy is appreciated.

## **DRUG AND ALCOHOL ABUSE POLICY AND PREVENTION PROGRAM FOR EMPLOYEES AND STUDENTS**

### **Campus Policy**

The purpose of this policy is to communicate the concern of the University regarding the health and safety of its employees and students, and the intent to comply with the Drug Free Schools and Communities Act Amendment of 1989 (P.L. 101-226) 20 U.S.C. Section 11458. This policy shall apply to all employees (i.e., faculty members, administrators, and staff members) and students of the University of Evansville at all locations. This includes all “direct charge” employees, (i.e., those whose services are directly and explicitly paid for by grant funds) and “indirect charge” employees, (i.e., those members who perform support or overhead functions related to the grant and for which the federal government pays its share of expenses). Any other person who is on the payroll and works in any activity under the grant, even if not paid from grant funds, is also considered to be an employee. The following statement formalizes the University’s policy regarding the effects of drug and alcohol use and the unlawful possession of controlled substances on University property:

The University strictly prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance (as defined in schedule I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and by regulations 21 CFR 1300.00 through 1300.15 and Title 35, and Article 48 of the 1990 Indiana Code) and alcohol on University property or as part of any University activity. Violations of this policy will result in disciplinary action, up to and including expulsion and termination, and may have legal consequences. Employees and students are expected and required to report for work and classes in an appropriate mental and physical condition. Our intent is to provide a drug and alcohol-free, healthful, safe, and secure learning environment.

### **Legal Sanctions**

#### **(1) Alcohol Use**

All members of the campus community and guests are expected to abide by Indiana State Law and university policies regarding the possession, consumption, use, production or sale of alcohol. The state of Indiana defines the legal drinking age as 21 years of age or older. Individuals who are of legal drinking age may possess and consume alcohol within the provisions prescribed in the University Alcohol Use Guidelines – refer to [www.evansville.edu/alcoholpolicy/4](http://www.evansville.edu/alcoholpolicy/4)

Under no circumstances is it acceptable for an individual or group to possess, consume, or distribute alcohol in violation Indiana State law (<http://iga.in.gov/legislative/laws/2016/ic/titles/7.1/>), or the University’s Alcohol .

Use Guidelines, or disrupts the educational mission of the university, or contribute to behaviors in violation of the student code of conduct. At no time can student activity funds be used for the purchase or promotion of alcoholic beverages at a student organization sponsored event. The institution does not



prohibit events being held in facilities where alcohol is sold by the facility or business to those of legal age. The laws of the State of Indiana regarding the purchase and possession of alcoholic beverages will be upheld on campus. These laws may be enforced by University staff or local or state authorities.

## **(2) Drug Use**

The University of Evansville prohibits the possession, consumption, use, or sale of unauthorized prescription drugs, illegal drugs. Unauthorized manufacture, distribution, possession of controlled substances including marijuana, cocaine, and LSD are prohibited by both state and federal law and are punishable by severe penalties. The University does not condone or tolerate such conduct. Employees or students determined to violate the University's policy or state, or federal laws may be referred by University authorities for criminal prosecution.

Article 48 of the 1990 Indiana Criminal Code contains the laws which apply to controlled substances. Employees and students should be aware that most drug offenses are classified as felonies and that conviction of such an offense can have serious consequences, including imprisonment.

### **Disciplinary Action**

Whether or not a criminal charge is brought, employees, and students are also subject to University disciplinary action for illegal manufacture, distribution, use, or possession of any controlled substance or for violating the university's alcohol use guidelines: (1) on University-owned or leased property, or (2) at University-sponsored or supervised functions, or (3) off-campus under certain circumstances involving a direct and substantial connection to the University.

*Any employee or student found in violation of University policy regarding drugs or alcohol is subject to the entire range of actions specified in the employee manuals or the Student Handbook, including but not limited to suspension or expulsion, probation, termination of employment, and/or referral to a prescribed counseling/rehabilitation program at the employee's or student's expense.*

Complete information on the University's disciplinary process may be found in the employee manuals or the Student Handbook.

### **Responsible Good Neighbor Exemption**

If students find themselves in a situation where they believe someone's health and safety is at risk due to excessive alcohol consumption, they should always call for emergency assistance, regardless of concern about the university disciplinary process. Students should call the Office of Safety and Security at ext. 6911 or 812471-6911 or 911 immediately if there is any possibility that professional medical assistance is necessary for the health and safety of another person. The University has made an amnesty provision for students through the Responsible Good Neighbor Exemption. This exemption provides students the opportunity for University disciplinary action to be waived if medical or other emergency assistance for another has been sought. The decision to grant the exemption shall be at the discretion of the dean of students or her appointee and may be contingent upon participation in an educational program focusing on risky behaviors in college. Students should also be aware that the State of Indiana provides similar immunity from some alcohol-related criminal charges under the Indiana Lifeline Law. More information about the Indiana Lifeline Law can be found at [indianalifeline.org/](http://indianalifeline.org/)

***NOTE: The Responsible Good Neighbor Exemption does not apply to any criminal charges that might be incurred as a result of an offense.***

### **Drug and Alcohol Violation Disclosures**

According to the Higher Education Amendments of 1998, nothing in the General Education Provisions Act or the Higher Education Act of 1965 shall be construed to prohibit an institution of higher education from disclosing, to a parent or legal guardian of a student, information regarding any violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance, regardless of whether that information is contained in the student's education records, if

- the student is under the age of 21; and
- the institution determines that the student has committed a disciplinary violation with respect to such use or possession.

### **Suspension of Eligibility for Drug-Related Offenses**

The Higher Education Amendments of 1998 states the following:

In General – A student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title during the period beginning on the date of such conviction and ending after the interval specified below.

If convicted of an offense involving:

The possession of a controlled substance, ineligibility period is

First offense One year

Second offense Two years

Third offense Indefinite

The sale of a controlled substance, ineligibility period is:

First offense Two years

Second offense Indefinite

### **Rehabilitation**

A student whose eligibility has been suspended under paragraph (1) may resume eligibility before the end of the ineligibility period determined under such paragraph if:

- The student satisfactorily completes a drug rehabilitation program that complies with such criteria as the secretary of education shall prescribe in regulations for purposes of this paragraph; and includes two unannounced drug tests; or
- the conviction is reversed, set aside or otherwise rendered nugatory.

Definitions – In this subsection, the term “controlled substance” has the meaning given the term in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).

### **Health Risks**

Many areas of a person's life can be affected by drug or alcohol use and abuse. The negative physical and mental effects of the use of alcohol and other drugs are well documented. Some of the health risks include the following:

Abusers have higher than normal incidents of illness, ranging from lethargy, depression, irritability, malnutrition, high blood pressure, blackouts, deterioration of brain cells, cirrhosis of the liver, heart collapse, damage to major organs, and sexually transmitted diseases including HIV complex (AIDS). The onset of these effects can be immediate. The withdrawal from chemical dependency may also cause serious physical and psychological problems. In addition to the physical risks, drug or alcohol use is often associated with increased social isolation, public embarrassment, date/ acquaintance rape, vandalism, financial problems, and the deterioration of personal relationships and work or school performance. Alcohol use and abuse is also associated with poor academic performance.

**Resources and Assistance**

The University recognizes drug and alcohol dependency and abuse as illnesses and major health problems. The University also recognizes drug and alcohol abuse as a potential health, safety, and security problem. The counselors in the Office of Counseling Services are available for consultation, intervention services, and referral information. Campus resources available for assistance and referral are:

Office of Counseling Services Ridgway University Center	(812) 488-2663
Coordinator of Health Education and Wellness Center Ridgway University Center	(812) 488-1082
Crayton E. and Ellen Mann Health Center Sampson Hall	(812) 488-2033
Office of Safety and Security 1 South Frederick Avenue	(812) 488-2051

**Crisis Lines Available**

Emergency Room, St. Vincent’s Hospital	(812) 485-4000
Emergency Room, Deaconess Hospital	(812) 450-3405
Deaconess Cross Pointe Center	(812) 476-7200
Southwestern Behavioral Healthcare	(812) 423-7791
Albion Fellows Bacon Center	(800) 339-7752
Rape Crisis Line	(812) 424-7273
Domestic Violence Line	(812) 422-5622
Alcoholics Anonymous	(812) 434-4952
AIDS Hotline	(812) 434-4952
Narcotics Anonymous	(877) 642-5831
National Council on Alcoholism Info Line	(800)-NCA-CALL
Indiana Prevention Resource Center	(800) 346-3077

All University of Evansville students and employees are expected to abide by this policy and cooperate with the University in complying with the Drug Free School and Communities Act. Please contact the director of human resources or dean of students for further information or assistance.

## LETHAL WEAPON POLICY

The Office of Safety and Security enforces all federal, state, local statutes and University regulations pertaining to the possession and/or use of firearms, ammunitions, explosive devices, fireworks, or other potentially lethal weapons. All of these items are strictly prohibited on University owned or controlled property regardless of whether a federal or state license to possess the same has been issued to the possessor. Any violations of these statutes and regulations may result in disciplinary action as well as criminal prosecution.”

## NON-SMOKING POLICY

UE Tobacco-Free Policy - The University of Evansville (UE) joins with the Indiana Tobacco Prevention and Cessation Commission in taking action to reduce tobacco use and exposure within the college setting. Research findings show that the use of tobacco products constitutes a significant health hazard. Committed to supporting the health and well-being of the campus community, the University has implemented a campus-wide Tobacco-Free Policy.

- I. Regulations
- II. Implementation and Enforcement
- III. Strategies / Scenarios
- IV. Resources
- V. Definitions Related to this Policy
- VI. Exceptions and Clarifications
- VII. Summary Statement of Policy
- VIII. References

### **I. Regulations**

- a. The use of all tobacco products and electronic smoking devices is prohibited at school sanctioned and/or sponsored activities or functions on campus. The use of these products and devices is also prohibited in all University buildings, residential housing, approved University housing, rental properties, grounds, athletic facilities, parking lots, University-owned or leased vehicles, and privately-owned vehicles on University grounds.
- b. Tobacco use on University property is not permitted for educational or theatrical purposes.
- c. The sale, marketing, and sampling of commercial tobacco products and any and all
- d. electronic nicotine delivery systems, such as e-cigarettes, is prohibited in all University
- e. buildings, facilities, and grounds.
- f. Littering the campus with remains of tobacco products is prohibited. The terms of this policy apply to all persons, including faculty, staff, students, vendors, and visitors.

### **II. Implementation and Enforcement**

- a. During the admissions and orientation processes, all students are to be informed of the UE Tobacco-Free Campus Policy. Information regarding this policy will be available and accessible on the UE Website. Rental agreements and contracts shall include language prohibiting the use of tobacco products.
- b. Signage restricting the use of tobacco and electronic smoking devices shall be posted and maintained at all public entrances and other key areas on campus.
- c. The primary goal of the policy is to achieve voluntary compliance with the tobacco-free campus policy by educating faculty, staff, students, vendors, and visitors about the policy.

- d. The enforcement of the tobacco-free policy is viewed as the shared responsibility of all those in the campus community, tobacco users and non-users alike. It is expected that all parties always treat each other with respect and dignity. It is essential that we support each other and embrace a spirit of having a healthy living, learning, and working environment.
- Members of the campus community who see individuals using tobacco on the UE campus are asked to politely inform these individuals that UE policy prohibits tobacco use anywhere on campus grounds. Communication should be polite, brief, educational, and non-confrontational.
  - Courtesy cards with UE's tobacco-free campus messaging will be available to hand out to anyone observed using tobacco products on the campus. Cards are available in the Office of Human Resources, the Crayton E. and Ellen Mann Health Center, and the Health Education Office on the second floor of Ridgway University Center. A pdf version of this card is available on the Community Approach Page of our Website: [www.evansville.edu/tobaccofree/community.cfm](http://www.evansville.edu/tobaccofree/community.cfm)
  - Community members who do not feel comfortable approaching someone violating the policy should contact the administrator in charge of the nearest building or a security officer. This should also be done in the case of non-compliance.
  - Community members who wish to report abuse of this policy in an online format or in a confidential, anonymous manner can use the Report a Concern Form on the Office of Safety and Security Website: [www.evansville.edu/safety/report.cfm](http://www.evansville.edu/safety/report.cfm)

Voluntary compliance is strongly preferred; however, it should be noted that violation of this policy could result in disciplinary actions. Managers, deans, department heads, and supervisors should inform all employees of this policy, and employees are expected to comply. Blatant and chronic violations are subject to disciplinary protocols applicable to faculty, staff, and students. Violations of this policy by employees are handled through the progressive discipline process.

See Talking Tips for Supervisors on our UE Tobacco-Free Webpages:

[www.evansville.edu/tobaccofree/tips.cfm](http://www.evansville.edu/tobaccofree/tips.cfm) Jurisdiction for handling violations are as follows:

- Faculty – Violations are handled through the appropriate supervisor, Office of Academic Affairs, and/or Office of Human Resources.
- Staff – Violations are handled through the appropriate supervisor, department head, and/or Office of Human Resources.
- Students – Violations are referred to the Office of the Dean of Students. Violations within residential student housing are handled through the Office of Residence Life.
- Vendors and tenants – Violations are handled through the corresponding liaison office.
- Visitors – Violations related to visitors are handled through the sponsoring office or organization.
- Any difficulties can be handled with the assistance of the Office of Safety and Security.

### III. Strategies / Scenarios

The following are suggested scripted messages that community members are encouraged to say when encountering someone using tobacco on campus. This can be used together with handing out a courtesy card.

#### Example Script #1

Situation: You see a person using tobacco products on UE property.

Response: "Hello, my name is, and I am an (employee, student) here at UE. I want to make you aware that we are now a tobacco-free campus. This means that tobacco products are prohibited on our grounds. We would appreciate if you would not use tobacco products while on campus. Thank you for your cooperation."

#### Example Script #2

Question: "Where am I allowed to smoke?"

Response: "If you need to smoke or use tobacco products, you will need to leave the campus grounds. Smoking and other tobacco products are not allowed anywhere on the UE campus. This is a policy meant to promote respect for all members of the campus community and better health for our students and employees."

#### Example Script #3

For Vendors and Visitors: "I'd like to let you know in advance that the UE campus is a tobacco-free environment. The use of tobacco products is not permitted on any property, grounds, or parking areas. Thank you for respecting our policy."

#### Example Script #4

For office staff who are speaking to students and families prior to a UE campus visit: "I'd like to let you know in advance that the UE campus is a tobacco-free environment. The use of tobacco products is not permitted on any property, grounds, or parking areas. Thank you for your understanding." Negative responses or non-compliance should be reported to a building supervisor or the Office of Safety and Security.

### IV. Resources

- a. Office of Counseling & Health Education [www.evansville.edu/counseling/](http://www.evansville.edu/counseling/) Students can obtain information and resources related to tobacco use and cessation resources that are available to the campus community. Students can make appointments for individual coaching and participate in group sessions with a focus on triggers, alternative activities, and education about the process of quitting.
- b. Health Center Students can obtain a packet of information resources and obtain referrals for the Cessation and Nicotine Patch Program from the Vanderburgh County Health Department.
- c. Employee Health Clinic Employees can obtain resource materials. The Tri-State Employee Health Clinic provides smoking cessation resources and support for employees and family members enrolled in our health insurance plans. Information about area resources are also available for those not on one of the University's health plans.

- d. Office of Human Resources Employees can obtain information and resources related to tobacco use and cessation resources that are available to the campus community. Smoking Cessation Wellness Credits are available for participants in our HRA health insurance plan. Visit our tobacco-free resources page or contact the Office of Human Resources at 812-488-2943 for more information.
- e. Indiana Quitline [quitnowindiana.com](http://quitnowindiana.com)  
Quit Now Indiana provides information and educational resources about cigarettes, smokeless tobacco, and secondhand smoke. Access the 1.800.QUIT.NOW line (24/7), talk with a Quit Coach, and sign up for Web Coach® and Text2Quit®.
- f. Vanderburgh County Health Department - Stop Smoking Program  
[www.vanderburghcounty.in.gov/index.aspx?page=1507](http://www.vanderburghcounty.in.gov/index.aspx?page=1507) The health department offers weekly Smoking Cessation classes (daytime and evening), and a Free Nicotine Patch program. These programs are available both on and off campus. Additional Resources can be accessed online on our Tobacco-Free Web Pages [www.evansville.edu/tobaccofree/resources.cfm](http://www.evansville.edu/tobaccofree/resources.cfm)

**V. Definitions Related to this Policy**

- a. Faculty - All UE faculty including those holding adjunct status.
- b. Staff - All UE administration and staff.
- c. Students – All UE students including those classified as undergraduate, graduate, full-time, part-time, bridge, IEC, exchange, and Fulbright.
- d. Vendors – Any personnel who comes onto campus to provide goods and services including speakers, entertainment, dining services, housekeeping, pest management, cable and laundry services, and all other contracted services.
- e. Visitors – Any individuals visiting the campus including prospective students, families, guests of community members, conference attendees, or anyone that participates in an event or activity on campus.
- f. Legal rights – Employers have a legal right to reduce or eliminate smoking and the use of tobacco products on their property. People who smoke do not have the right to violate an Employer’s tobacco-free environment policy.
- g. Smoking – A lighted cigar, cigarette, pipe, or other lighted smoking devices carried by a person including electronic smoking devices and/or electronic nicotine delivery systems, such as “e-cigarette” products.
- h. Tobacco – Tobacco is defined as all tobacco-derived or containing products, including and not limited to, cigarettes (e.g., clove, bidis, flavored cigarettes, kreteks), electronic cigarettes, cigars and cigarillos, hookah smoked products, pipes and oral tobacco (e.g., spit and spit-less smokeless chew, snuff, and dissolvable tobacco products) and nasal tobacco. It also includes any product intended to mimic tobacco products, contain tobacco flavoring or deliver nicotine. This does not include cessation products specifically approved by the U.S. Food and Drug Administration.
- i. Electronic Smoking Device (Also known as an electronic nicotine delivery system)
- j. Any product containing or delivering nicotine, or any other substance intended for human consumption that can be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. The term includes any such device, whether they are manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.
- k. Campus or Grounds – The use of these terms represents any and all properties owned or leased by the University.

**VI. Exceptions and Clarifications**

Tobacco use may be permitted for the following reasons:

For controlled research with prior approval of the Institutional Research Board and the review and recommendation of the Office of Risk and Environmental Management. For religious ceremonial purposes with prior approval of the Office of Religious Life and the review and recommendation of the Office of Risk and Environmental Management. Policies related to Harlaxton College are specific to their circumstances as a campus located in England. Harlaxton policies outline restrictions on smoking indoors and on the grounds.

**VII. Summary Statement of Policy**

In support of the health and wellbeing of the campus community, the use of all tobacco products and electronic smoking devices (e-cigarettes) is prohibited at school sanctioned and/or sponsored activities or functions on campus. The use of these products and devices is also prohibited in all University buildings, residential housing, approved University housing, rental properties, grounds, athletic facilities, parking lots, University-owned or leased vehicles, and privately-owned vehicles on University grounds. For a full description on this policy and available resources, please refer to the University Website.

**VIII. References**

Americans for Nonsmokers' Rights, "Model Policy for a Tobacco-Free College/University. Cleveland State University, "Tobacco Free Policy FAQs", [www.csuohio.edu/tobacco-free/tobacco-free-policy-faqs](http://www.csuohio.edu/tobacco-free/tobacco-free-policy-faqs) University of Michigan Standard Practice Guide 601.04, "Smoking on University Premises." 2011. Tobacco Free Ohio State Policy 7.20, Office of Human Resources.

**CODE OF CONDUCT**

The University's Code of Conduct reinforces to all University Community Members those core values which help to define the reputation and character of the University of Evansville. The Code of Conduct focuses on each of our responsibility to carry out our duties and responsibilities with an emphasis on integrity and ethics in all that we do.

**CAMPUS CONDUCT HOTLINE**

The Campus Conduct Hotline provides an additional medium through which University Community Members can report matters of concern to management. The Hotline is provided by the University's insurance provider, Educational & Institutional Administrators, Inc. (EIIA). All calls are received directly by EIIA, thus allowing for anonymity if the caller desires. A summary of the call is then provided back to the University's Director for Administrative Services and Risk Management further consideration of the report. A brochure further describing the Hotline should be posted in all Departments. The Hotline number is 1-866-943-5787. For further information, contact the University's Director for Administrative Services and Risk Management.

**POLICY ON FACILITIES USE AND GENDER EXPRESSION**

Employees, Students, and guests of the University of Evansville may elect to use the bathrooms and locker rooms that are consistent with their gender identity.



## **FREEDOM OF EXPRESSION POLICY**

The University of Evansville considers freedom of inquiry and discussion essential to a student's educational development. Thus, the University recognizes the value of all students and employees engaging in discussion; exchanging thought and opinion; and speaking, writing, or printing freely on any subject. The University believes this broad principle is a cornerstone of education in a democracy. Further, the University endeavors to develop in all members of the campus community a realization that all citizens not only have the ability, but the responsibility to inform themselves regarding various issues, to formulate views regarding these issues, and to express them in a public forum. However, the University may regulate the time, place, and manner of expression to prevent unreasonable interference with or disturbing of the University's educational, teaching, research, outreach, and business functions and normal or scheduled uses of University property by the campus community, as well as protecting public health, safety, and welfare.

### **For Purposes of this Policy:**

A **demonstration** is defined as: A public expression, meeting, or march in favor or against a topic, matter, decision, or position or expressing views on a local, national, global, or campus issue.

A **display** is defined as: A public showcase of materials or information (information tables, signs, flags, symbols, etc.) raising awareness or expression of a particular view on a specific topic.

The **Campus Community** is defined as currently enrolled students and employees of the University of Evansville.

### **Time, Place, and Manner of Demonstrations and Displays**

The University has designated a single location, the lawn south of Olmsted Administration Hall, also referred to as the Sesquicentennial Oval, as the assembly area for organized meetings, peaceful demonstrations, and displays for members of the Campus Community. The Clifford Circle, pathways leading through the Sesquicentennial Oval, or lawn within 20 feet of the designated area for parked vehicles along the Oval are not part of the designated assembly area. Use of the Sesquicentennial Oval for demonstrations and displays is not permitted during reading study days, finals week, or finals weekend, and may be limited during other times when demonstrations and displays could interfere with reasonable university functions.

No activity in the designated assembly area can disturb or disrupt the university's educational, teaching, research, outreach, or business functions, or the normal or scheduled uses of University property by the Campus Community, or impact the public health, safety or welfare. Such prohibited activities include, but are not limited to, disrupting classes, negatively impacting University business, or interfering with, blocking, or impeding pedestrian and vehicular traffic. The use of loudspeakers, megaphones, or other sound amplification systems of any kind are not permitted. Individuals are expected to use a normal conversation voice as opposed to shouting in the designated assembly area.

The following guidelines also apply to demonstrations and displays and the use of the designated assembly area:

1. All activity in the designated assembly area is limited to scheduling between sun-up and sun-down.
2. All demonstrations and displays must be peaceful and orderly.
3. All displays must be staffed at all times by those coordinating the activity and must be removed at the end of each day.
4. Only members of the Campus Community (students and employees) may organize or lead a

demonstration in the designated assembly area.

5. Campus participants, as well as the content of the displays, must reflect respect and civility at all times.
6. Demonstrations and displays must respect and preserve University property, including returning the space to its original condition and removing all trash, props, etc.
7. No display or demonstration shall be advertised or promoted in such a way as to suggest that it is sponsored or endorsed by the University.
8. No individual may engage in physical abuse including but not limited to sexual assault, sex offenses, and other physical assault; threats of physical abuse or assault; threats of violence; or other conduct that threatens the health, safety or welfare of any person.
9. All activity related to displays and demonstrations shall comply with all University policies. There are no restrictions to control the point of view expressed by those participating in demonstrations or displays other than those imposed by state and national laws and the time, place, and manner guidelines referenced above.

### **Security for Demonstrations and Displays**

Consistent with this policy, the University may respond to situations which may create a hostile environment and/or threaten the health, safety, and welfare of the Campus Community. There are types of certain types of demonstrations and activities which historically have brought unrest to campus environments or the community or may lead unrest to campus environments or the community. To minimize the risk to the Campus Community and maintain an environment that supports the University's educational mission, the University may choose to hire security for the duration of the event.

### **Policy and Procedure on Disruption of University Activities or Threats to Public Health, Safety, or Welfare.**

Any individual or group participating in conduct which, in the reasonable judgment of the president of the University or delegate(s), restrains free expression or freedom of others, threatens public health, safety, or welfare, or disturbs a University operation will be ordered to discontinue such activities and to do so within a reasonable time. The following guidelines also will apply in those circumstances:

- a. If the order of the president of the University or delegate(s) is followed, the University may review the case and make appropriate recommendations consistent with University policies.
- b. If this order is disregarded, the University may take any or all of the following steps as deemed necessary under the particular circumstances: (1) The case of any University student, the student officers of a University Organization, or employee participating in such conduct will be determined through the appropriate University processes for student/employee conduct and institutional equity.
- c. Appropriate legal actions, civil or criminal, including the seeking of a court injunction, may be initiated.
- d. The office of safety and security of the University or appropriate police authority may be called to respond.
- e. Any other remedy that the University deems prudent under the circumstances.

Emergency conditions may not permit the orderly procedures outlined above. In such an event, the University will act as necessary under the circumstances to prevent injury to persons, to uphold the law and preserve order, to protect property, to maintain proper discipline on campus, to prevent expansion of a University incident from becoming a community-wide disturbance, or otherwise act prudently under the circumstances.

## Harassment and Discrimination Policy

*Applies to All Forms of Harassment and Discrimination Outlined in the University's Non-Discrimination Statement, Excluding Conduct Prohibited by The Sexual Harassment and Misconduct Policy for Students, Staff, Faculty and Third Parties*

### **Policy Statement**

The University of Evansville is committed to creating and maintaining an atmosphere where all members of the community – students, faculty, staff, and visitors – are treated with respect and dignity

### **Reason for Policy**

This Policy document informs members of the University community about the University's prohibition against harassment and discrimination. It provides information about resources, reporting options, and prompt and equitable resolution options. The policy reinforces the University's commitment to creating and maintaining an atmosphere of respect and dignity. Consistent with the procedures set forth in this Policy, the University will take steps to eliminate harassment and discrimination and prevent their recurrence and remedy any discriminatory effects for individuals or members of the University community.

### **Who is governed by this Policy?**

All students, employees, alumni, independent contractors, vendors, as well as all visitors and guests of the University of Evansville, who are participating in University programs or activities, or on University owned, affiliated, or operated properties.

### **Policy**

Consistent with the University's Non-discrimination Statement, the University does not discriminate and does not tolerate discrimination against students, faculty, staff, applicants for admission and employment, and visitors, in its education programs, activities, and its employment practices on the basis of race, color, gender, gender identity and expression, sexual orientation, creed or religion, national origin, age, disability, veteran status and all federally protected groups/classes.

Discrimination includes harassment, which includes a wide range of abusive and humiliating verbal or physical behaviors that are directed against a particular person or persons because of one or more of the above protected groups or classes. This includes creating a "hostile environment" where the conduct is sufficiently severe, pervasive, or persistent, which alters the conditions of the person's employment or educational experience at the University. The University will not tolerate any form of harassment of our employees, students, or other persons performing services for our campus by anyone, including any supervisor, co-worker, vendor, student, parent, or alumni of our University.

All employees are responsible to help ensure that we avoid discrimination and harassment. If you feel that you have experienced or witnessed any conduct that is inconsistent with this Policy, you are to notify the Director of Institutional Equity [other possible reporting authorities].

The University forbids retaliation against anyone for reporting harassment or discrimination, assisting in making a discrimination or harassment complaint, cooperating in a discrimination or harassment investigation, or filing an EEOC claim.

The University's policy is to investigate all harassment or discrimination complaints thoroughly and promptly. To the fullest practical extent, the University will keep complaints and the terms of their resolution confidential. If an investigation confirms that a violation of the Policy has occurred, the University will take corrective action, including discipline, up to and including immediate termination of employment or dismissal of a student from the University.

The University has designated an Institutional Equity and Title IX Coordinator to oversee the implementation of this Policy and to ensure compliance with applicable laws, and to work with the Office of Safety and Security on compliance with the Clery Act and other applicable laws. The University's Institutional Equity and Title IX Coordinator is Mrs. Annie Sills:

Ms. Annie Sills  
University of Evansville  
Center for Diversity, Equity, and Inclusion-Ridgway University Center, Room 263  
Olmsted Administration Building, Room 118  
1800 Lincoln Ave.  
Evansville, IN. 47722  
(812) 488-5261  
[cs175@evansville.edu](mailto:cs175@evansville.edu)  
[titleIX@evansville.edu](mailto:titleIX@evansville.edu)

Concerns about the University's application of this policy may be addressed to the University's Institutional Equity and Title IX Coordinator; the United States Department of Education, Clery Act Compliance Division ([clery@ed.gov](mailto:clery@ed.gov)); the United States Department of Education, Office for Civil Rights ([OCR@ed.gov](mailto:OCR@ed.gov) or 800-421-3481); the Equal Employment Opportunity Commission ([info@eeoc.gov](mailto:info@eeoc.gov) or 800-669-4000); and/or (for Harlaxton College) the Office of Independent Adjudicator (<https://www.oiahe.org.uk/contact-us/> or 0118 959 9813).

To request disability accommodations, students should contact the University's Office of Counseling Services at (812) 488-2663 or [counselingservices@evansville.edu](mailto:counselingservices@evansville.edu).

Employees and other members of the University community should contact the Office of Human Resources at (812) 488-2943 or [kg77@evansville.edu](mailto:kg77@evansville.edu).

### **Prevention and Awareness Programs**

The University is committed to the prevention of Prohibited Conduct through regular and ongoing education and awareness programs. Incoming students and new employees receive primary prevention and awareness programming and returning students and current employees receive ongoing training and related programs.

### **Scope and Jurisdiction**

This Policy governs the conduct of faculty, staff, students, alumni, volunteers and other participants in University programs and activities that occur on the campuses of the University of Evansville, the Stone

Center for Health Sciences, and Harlaxton College. It also governs the conduct of third parties, including visitors and third-party contractors and vendors.

In this Policy, the term “Complainant” refers to a person who is reported to have experienced Prohibited Conduct, regardless of whether that person makes a report or seeks disciplinary action. The term “Respondent” refers to a person who is reported to have engaged in Prohibited Conduct.

**This Policy applies to Prohibited Conduct that occurs:**

- on campus or University owned, affiliated, or operated properties;
- in the context of any University-related or sponsored education program or activity, regardless of the location (including, but not limited to, University-sponsored travel, research or internship programs, or University-sponsored athletic events, including NCAA, club and recreational activities);
- through the use of University-owned or provided technology resources; or
- when the conduct has continuing adverse effects or the creation or continuation of a hostile environment on campus. (See the discussion of hostile environment under the section on Prohibited Conduct.)

The University’s Assistant Director of Institutional Equity and Title IX Coordinator will review the circumstances of the reported conduct to determine whether the University has jurisdiction or disciplinary authority over the Respondent or the conduct. In instances where the University does not have disciplinary authority over the Respondent or the conduct is unconnected to a University program or activity, the University will take reasonably available steps to support a Complainant or other community members through Interim Support Measures and provide assistance in identifying external reporting mechanisms.

This Policy addresses discrimination on the basis of race, color, creed or religion, national origin, age, disability, veteran status and all federally protected groups/classes not covered by Title IX as it relates to Prohibited Conduct reportedly committed by a student, employee, third party or student organization. Discrimination or harassment on the basis of sex or gender do not fall under this Policy.

In addition, student, staff and faculty conduct is governed by applicable University policies and by the following:

- University of Evansville Employee Code of Conduct
- University of Evansville Drug and Alcohol Policies
- University of Evansville Student Handbook
- Harlaxton College Student Handbook
- University of Evansville Staff Manual
- University of Evansville Administrator Manual
- University of Evansville Faculty Manual
- University of Evansville Adjunct Faculty Manual
- Harlaxton College Employee Manual, Part 1
- Harlaxton College Employee Manual, Part 2

Where conduct involves the potential violation of both this Policy and another University policy, the University may choose to investigate other potential misconduct under the procedures set forth in this Policy, provided that it does not unduly delay a prompt or equitable resolution of the report. The classification of the Respondent’s primary role (student or employee) will direct the processes that will be

followed for resolution.

This Policy applies to all reports of Prohibited Conduct that are received by the University on or after the effective date of this Policy, regardless of when the Prohibited Conduct occurred. Where the date of the Prohibited Conduct precedes the effective date of this Policy, the definitions of Prohibited Conduct in existence at the time of the alleged incident(s) will be used. The procedures under this Policy, however, will be used to investigate and resolve all reports made on or after the effective date of this Policy, regardless of when the incident(s) occurred.

### **The Role of the Institutional Equity and Title IX Coordinator**

The University's Institutional Equity and Title IX Coordinator oversees the University's centralized response to all reports of Prohibited Conduct to ensure consistent implementation of this Policy and compliance with applicable federal, state and local law. The Institutional Equity and Title IX Coordinator and/or designated staff will:

- Communicate with all members of the University community regarding applicable law and policy and provide information about how individuals may access resources and reporting options.
- Maintain and implement applicable University policies to ensure institutional compliance with applicable law.
- Ensure that all students and employees have access to education and training regarding Prohibited Conduct defined in this Policy.

Respond to any report regarding conduct that may violate this Policy. In this capacity, the Assistant Director of Institutional Equity and Title IX Coordinator shall:

- Direct the provision of any Interim Support and Protective Measures (including oversight of the failure to abide by an interim protective measure).
- Oversee the prompt and equitable investigation and resolution of the report.
- Through Alternative Resolution or Disciplinary Resolution, take appropriate action to eliminate the Prohibited Conduct, prevent its recurrence and remedy its effects.
- Maintain centralized records of all reports, investigations and resolutions.

The Assistant Director of Institutional Equity and Title IX Coordinator maintains broad oversight responsibility but may delegate responsibilities under this Policy to designated administrators or external professionals who will have appropriate training and/or experience. When used in this Policy, the term Institutional Equity and Title IX Coordinator may include an appropriate designee.

### **Prohibited Conduct**

In determining whether reported conduct violates this Policy, the University will consider the totality of the facts and circumstances involved in the incident, including the nature of the reported conduct and the context in which it occurred. Lack of familiarity with University policy is not a defense to a violation of this Policy. Unless specifically noted, intent is not a required element to establish a policy violation.

Prohibited Conduct may include, among other things, telling jokes or making offensive or derogatory remarks about another person's race, ancestry, national origin, age, disability, veteran status or membership in another protected group. Prohibited conduct may occur through:

- Direct oral expression and/or physical gestures or actions;

- Notes, letters and other forms of written communication distributed via U.S. mail, campus mail, or otherwise made visible to the public;
- Phone calls, phone messages, or other forms of electronic verbal communication;
- Email, text messages, instant messaging, social networks, or other means of electronic communication.

**Definitions/Glossary** - The following definitions are University-wide definitions and will be used as a reference for all cases involving harassment and discrimination covered by this Policy:

**Protected Characteristics** – Includes race, color, religion, national origin, age, disability status, genetic information, veterans’ status, ethnic origin, ancestry, marital and parental status, or any other basis protected by applicable federal, state or local laws, but not covered by the University’s Sexual Harassment and Misconduct Policy.

**Discrimination Based on Protected Characteristics** - Discrimination based on Protected Characteristics involves treating someone (an applicant, student, or employee) unfavorably because he/she is of a certain protected or because of personal characteristics associated with a protected class (e.g., hair texture, skin color, or certain facial features).

**Harassment Based on Protected Characteristics** - Harassment based on Protected Characteristics is a form of prohibited discrimination. Harassment often takes the form of verbal statements regarding an individual’s Protected Characteristics, such as epithets, derogatory comments or slurs, profanity, gestures, innuendo, jokes, or forms of address. Harassment can also take the form of other adverse conduct motivated by a person’s Protected Characteristics, such as teasing or tricks, physical abuse or bullying.

**Intent vs. Impact** - It is the impact of the behavior, not the intent of the person who exhibited the behavior, that determines whether or not Prohibited Conduct has occurred. According to the law, actual intent is irrelevant. Courts have found a hostile environment exists if the victim believes the environment to be abusive and a reasonable person would find it to be an abusive environment.

**Race, Color, National Origin, or Ethnicity Harassment** is any verbal or physical conduct that is directed at an individual because of his or her race, color, national origin or ethnicity, and that is sufficiently severe or pervasive so as to have the effect of creating an intimidating, hostile, or offensive work or educational environment, which unreasonably interferes with work or educational performance, or negatively affects an individual's employment or educational opportunities. Such harassment is prohibited.

**Disability Harassment\*** is any verbal or physical conduct or a pattern of a lack of reasonable accommodation that is directed at an individual because of his or her mental or physical impairment, and that is sufficiently severe or pervasive so as to have the effect of creating an intimidating, hostile, or offensive work or educational environment which unreasonably interferes with work or educational performance, or negatively affects an individual's employment or educational opportunities. Such harassment is prohibited.

\* If a student is dissatisfied with the accommodations recommended by a Disability Services staff member, they are not receiving the recommended accommodations from their instructor, or they feel they have been unjustly denied eligibility for Disability Services, the student should first follow the [Disability Services Grievance Procedure](#).

**Religious Harassment** is any verbal or physical conduct that is directed at an individual because of his or

her religion and/or religious beliefs pertaining to religion and that is sufficiently severe or pervasive as to have the effect of creating an intimidating, hostile, or offensive work or educational environment, which unreasonably interferes with work or educational performance, or negatively affects an individual's employment or educational opportunities. Such harassment is prohibited.

**Veteran Status Harassment** is any verbal or physical conduct that is directed at an individual because of his or her status as a person who serves or has served in the Armed Forces, Reserve, National Guard, or other uniformed Services, and that is sufficiently severe or pervasive as to have the effect of creating an intimidating, hostile, or offensive work or educational environment, which unreasonably interferes with work or educational performance, or negatively affects an individual's employment or educational opportunities. Such harassment is prohibited.

**Retaliation** includes words or acts, as described below, committed against an individual or group of individuals involved in a protected activity. Protected activity includes making a good faith report under this Policy; filing an external complaint; or opposing in a reasonable manner and consistent with University policy an action reasonably believed to constitute a violation of this Policy. Retaliation may also include words or acts committed against an individual or group of individuals because they have participated in proceedings under this Policy. Retaliation can take many forms, including, but not limited to, adverse action or violence, threats and intimidation that would discourage a reasonable person (under similar circumstances and with similar identities to the targeted individual or group) from engaging in protected activity.

**Complicity** is any deliberate act or failure to act that knowingly or intentionally aids, attempts or assists the commission of a specific act of Prohibited Conduct by another person.

**Violation of University Directive** is the failure to abide by the terms of an Interim Protective Measure or comply with a requirement of this Policy.

### **Understanding Privacy and Confidentiality**

The University encourages all individuals who believe they have experienced or witnessed Prohibited Conduct to share information with the Institutional Equity and Title IX Coordinator to a Responsible Employee (defined below), who will make a referral to the Institutional Equity and Title IX Coordinator. The Institutional Equity and Title IX Coordinator will provide the Complainant with information about resolution options and supports and resources. The Institutional Equity and Title IX Coordinator will also consult with the Complainant to determine whether and how the University should respond.

If a Complainant or witness does not wish to report to the University but wishes to seek support or information in a confidential setting, they should seek such support from one of the Confidential Resources listed below.

The following information about Privacy and Confidentiality is intended to differentiate these two terms as they are used in the Title IX process.

**Privacy** refers to the discretion that will be exercised by the University, including the Office Institutional Equity and Title IX, in the course of any investigation or disciplinary processes under this Policy. Information related to a report of Prohibited Conduct will be handled discreetly and shared with a limited circle of University employees or designees who need to know in order to assist in the assessment, investigation and resolution of the report and related issues. Individuals in the Center for Diversity, Equity and Inclusion, along with Investigators, Disciplinary Authority members, and External Reviews will receive



training in how to safeguard private information. The University will make reasonable efforts to investigate and address reports of Prohibited Conduct under this Policy, and information may be disclosed to participants in an investigation as necessary to facilitate the thoroughness and integrity of the investigation. In all such proceedings, the University will maintain the privacy of the parties to the extent reasonably possible. The privacy of student education records will be protected in accordance with the university's Policy on the Access to Student Records in accordance with the Family Educational Rights and Privacy Act (FERPA). Access to an employee's personnel records is also governed by University policy and by applicable local laws.

**Confidentiality** refers to the statutory protections provided to individuals who disclose information in legally protected or privileged relationships, including professional mental health counselors, medical professionals, and ordained clergy (see Confidential Resources below). These Confidential Resources must maintain the confidentiality of communications disclosed within the scope of the provision of professional services. When an individual shares information with a Confidential Resource (on campus or in the community) as a confidential communication in the course of a protected relationship, the Confidential Resource cannot disclose the information (including information about whether an individual has received services) to any third party without the individual's written permission or unless permitted or required consistent with ethical or legal obligations. Similarly, medical and counseling records cannot be released without the individual's written permission or unless permitted or required consistent with ethical or legal obligations.

Confidential Resources submit non-personally identifying information about Clery-reportable crimes to the Office of Safety and Security for purposes of the anonymous statistical reporting under the Clery Act.

### **Reporting Responsibility of University Employees**

It is important to understand the different responsibilities of University employees. Some employees are designated as **Confidential Resources**, meaning that they will maintain the Confidentiality of information shared with them, as described above. All other employees are designated as Responsible Employees, meaning that they are required to promptly share all information about Prohibited Conduct with the University's Title IX Coordinator.

**Confidential Resources** include any University employee or independent contractor who has the ability to maintain the confidentiality of communications under applicable law or by designation. Confidential Resources include medical, clinical, and mental-health professionals, and clergy when acting in that professional role in the provision of services; and any employee providing administrative, operational and/or related support for such providers in their performance of such services. Confidential Resources will not disclose information about Prohibited Conduct without the individual's written permission or as set forth in the Confidentiality section above. When individuals who otherwise are Confidential Resources receive information outside of the provision of services, the Confidential Resource is required to share that information with the Assistant Director of Institutional Equity and Title IX Coordinator. For example, a licensed counselor who receives a disclosure in the context of speaking at a prevention program would be required to share the information with the Assistant Director of Institutional Equity and Title IX Coordinator.

The following are on-campus Confidential Resources:

**Office of Counseling Services**

Room 200, Ridgway University Center

(812) 488-2663

[counselingservices@evansville.edu](mailto:counselingservices@evansville.edu) <https://www.evansville.edu/counseling/>

The Office of Counseling Services is staffed by professional, licensed counselors and is available to all students. The office is open from 8:00 am to 4:30 pm Monday through Friday. Appointments can be made by calling (812) 488-2663. Emergency counseling services are available after hours by calling the Office of Safety and Security at (812) 488-2051 and asking for the counselor on call.

**University Chaplains**

Neu Chapel

(812) 488-2235

[religiouslife@evansville.edu](mailto:religiouslife@evansville.edu) <https://www.evansville.edu/religiouslife/>

The Office of Religious Life is staffed with licensed and ordained clergy in the United Methodist Church who provide pastoral care and counseling resources to the University of Evansville. Chaplains are best available by appointment or can be reached after hours by contacting the Office of Safety and Security at (812) 488-2051.

**Crayton E. and Ellen Mann Health Center**

Sampson Hall

(812) 488-2033

[healthcenter@evansville.edu](mailto:healthcenter@evansville.edu) <https://www.evansville.edu/offices/healthcenter/>

The Health Center is staffed and operated by Tri-State Community Clinics, LLC (TSCC) and is available to all full-time students, as well as employees who are enrolled on UE health insurance. The University of Evansville Health Center is staffed by Nurse Practitioners, Registered Nurses and medical assistants who are under the supervision of R. Chad Perkins, MD, Chief Medical Officer of TSCC. The Health Center is open from 8:00 am to 5:00 pm Monday through Friday during the fall and semesters, with reduced hours in the summer.

While these Confidential Resources will ordinarily be able to maintain the confidentiality of the information shared with them in the course of their duties, there are certain limited circumstances where they may be required by law to share information. Those circumstances include:

- If they believe there is imminent danger of self-harm, or harm to others.
- If there is reason to believe that child, elder, or dependent abuse has occurred.
- If the individual express threats of violence towards another person.
- If federal law enforcement officials request your information under the United States Patriot Act.
- Under court order, subpoena or as otherwise required by law.

Employees may obtain confidential counseling from the University's Employee Assistance Program, which can be accessed by contacting 1-888-293-6948.

**Responsible Employees** are required to promptly report any information they learn about suspected Prohibited Conduct or potential violations of this Policy. All university employees, except for those that are designated as Confidential Resources, are considered Responsible Employees.

Responsible Employees must report all known information, including the identities of the parties, the date, time and location and any details about the reported incident to the Institutional Equity and Title IX Coordinator. The Institutional Equity and Title IX Coordinator may share reports with other University employees to ensure a coordinated institutional response. Responsible Employees may provide support and assistance to a Complainant, witness or Respondent; but they cannot promise Confidentiality or withhold information about Prohibited Conduct. Failure by a Responsible Employee to report suspected Prohibited Conduct in a timely manner may subject them to appropriate discipline, including removal from a position or termination of employment.

Responsible Employees are not required to report information disclosed at public awareness events (e.g., “Take Back the Night,” candlelight vigils, protests, “survivor speak-outs” or other public forums in which students may disclose prohibited conduct (collectively, public awareness events). The University may provide information about this Policy and available University and community resources and support at public awareness events. When individuals who are designated as Responsible Employees also serve, at times, a dual role as Confidential Resources, the individuals should not report information that they receive while providing services as Confidential Resources (except as set forth in the Confidentiality section above). In addition, a Complainant may choose not to make a report in their own case, even if the Complainant would otherwise have reporting obligations as a Responsible Employee.

### **Clery Act Reporting**

Pursuant to the Clery Act, the University includes statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about individuals involved in an incident. The Clery Act also requires the University to issue timely warnings to the University community about certain crimes that have been reported and may continue to pose a serious or continuing threat to campus safety. Consistent with the Clery Act, the University withholds the names and other personally identifying information of complainants when issuing timely warnings to the University community.

### **Campus and Community Resources**

A Complainant or witness has many options, including seeking counseling or assistance from a Confidential Resource, making a report under this Policy, and/or making a report to law enforcement. The University encourages prompt reporting of Prohibited Conduct to the Institutional Equity and Title IX Coordinator and law enforcement. The University also recognizes that deciding among these options can be difficult and is an intensely personal decision. Complainants and witnesses are encouraged to seek assistance from a Confidential Resource and to explore all potential reporting and support options.

### **Emergency Resources and Law Enforcement**

Emergency medical assistance and campus Safety and Security assistance are available 24/7 both on and off campus. Individuals are encouraged to contact law enforcement and seek medical treatment as soon as possible following an incident that may pose a threat to safety or physical well-being or following a potential criminal offense.

**To report Prohibited Conduct that is imminent, in progress, or threatened, call:**

**University of Evansville:** The University's Office of Safety and Security at (812) 488-2051 or the Evansville Police Department at (812) 436-7896 or 911.

**Stone Center for Health Sciences:** IU Police Department/G4S Security at (812) 855-2425 or (812) 855-2421 or the Evansville Police Department at (812) 436-7896 or 911.

**Harlaxton College:** Lincolnshire Police at 101 or 999.

Regardless of whether a report is filed with local law enforcement, individuals should preserve all evidence that could be relevant to any criminal charges that may be brought or that might be needed to obtain a protection order.

**University of Evansville and Stone Center for Health Sciences:** Medical Treatment and Preservation of Evidence.

Deaconess Hospital

<https://www.deaconess.com/Services/Emergency-Care>

Hours: 24/7

(812) 450-3405

St. Vincent's Hospital

<https://www.stvincent.org/Locations/Hospitals/Evansville>

Hours: 24/7

(812) 485-4491

Harlaxton College:

Grantham Hospital

<https://www.nhs.uk/Services/hospitals/Services/Service/DefaultView.aspx?id=345138>

Hours: Daily from 8:00am - 6:30pm

Manthorpe Rd, Grantham

NG31 8DG

01476 565232

Peterborough City Hospital

<https://www.nwangliaft.nhs.uk/a-z-of-services/e/emergency-and-out-of-hours-care/>

Hours: 24/7

Edith Cavell Campus

Bretton Gate, Peterborough

PE3 9GZ

01733 6780

## **Campus Resources**

Members of the University community may obtain information about resources relating to Prohibited Conduct from:

- Annie Sills, Assistant Director for Institutional Equity and Title IX Coordinator  
(812) 488-5261, [cs175@evansville.edu](mailto:cs175@evansville.edu)
- Dr. Rachel Carpenter, Vice President of Student Affairs/Dean of Students  
(812) 488-2500, [dc26@evansville.edu](mailto:dc26@evansville.edu)
- Keith Gehlhausen, Executive Director of Human Resources and Institutional Equity  
(812) 488-2943, [kg77@evansville.edu](mailto:kg77@evansville.edu)
- Dr. Rob Shelby, Vice President for Talent and Community  
(812) 488-2949, [rs262@evansville.edu](mailto:rs262@evansville.edu)

The Assistant Director for Institutional Equity and Title IX Coordinator will provide Complainants with written notice about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services, as well as options and available assistance for changing academic, living, transportation and working situations, if requested, if reasonably available and regardless of whether reports are made to law enforcement. These supports are described in greater detail in the section on Interim Measures.

## **Reporting Options**

The University encourages all individuals to report Prohibited Conduct or a potential violation of this Policy to the Institutional Equity and Title IX Coordinator, the Office of Safety and Security, and/or to local law enforcement. A Complainant has the right to report, or decline to report, potential criminal conduct to law enforcement. Upon request, the University will assist a Complainant in contacting law enforcement at any time. Under limited circumstances (posing a threat to health or safety of any individual or to comply with applicable law), the University may independently notify law enforcement.

An individual may make a report to the University, to law enforcement, to neither, or to both. Campus discrimination processes and law enforcement investigations operate independently of one another, although the Institutional Equity and Title IX Coordinator may coordinate information with law enforcement as part of the Initial Assessment. Anyone can make a report as follows:

### **I. Make a report to the Assistant Director of Institutional Equity and Title IX Coordinator in person, by telephone, by email, or online at:**

#### **Ms. Annie Sills**

Assistant Director of Institutional Equity and Title IX Coordinator  
University of Evansville  
Center for Diversity, Equity, and Inclusion, Ridgway University Center, Room 236 Olmsted  
Administration Hall, Room 118  
1800 Lincoln Ave.  
Evansville, IN. 47722  
(812) 488-5261  
(812) 455-7606  
[cs175@evansville.edu](mailto:cs175@evansville.edu)  
[titleIX@evansville.edu](mailto:titleIX@evansville.edu)

**II. Make a report to local Law Enforcement**

A Complainant has the right to report, or decline to report, to law enforcement at any time. The University’s investigation and adjudication processes are distinct from the criminal justice/law enforcement process. The University will assist a Complainant in contacting law enforcement, or the Complainant may contact law enforcement directly.

University of Evansville and Stone Center for Health Sciences:

**Evansville Police Department at 812-436-7896 or 911.**

Harlaxton College:

**Lincolnshire Police at 101 or 999.**

**III. Make an Anonymous Report**

A Complainant is not required to reveal their identity in order to report an incident; however, an anonymous report may limit the ability to respond with an investigation or disciplinary action. An incident can be anonymously reported to University administration at:

University of Evansville Office of Safety and Security Report A Concern Form  
Campus Conduct Hotline

Although providing anonymous information may limit the ability of the University to investigate or impose discipline, it can help the University maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location, group or Respondent; and alert the campus community to potential dangers when appropriate.

A Complainant or witness also has the ability to make an anonymous report to local law enforcement by contacting:

UE and Stone Center for Health Sciences

**WE TIP Crime Hotline**

1-800-78-CRIME

1-800-782-7463

<https://wetip.com/>

Harlaxton College

**Crimestoppers**

0800 555111

<https://crimestoppers-uk.org/>

The University will assist a Complainant in contacting WE TIP/Crimestoppers or the Complainant may contact WE TIP/Crimestoppers directly.

An individual may pursue some or all of these steps at the same time (e.g., one may simultaneously pursue a discrimination report and a criminal complaint). When initiating any of the above options, an individual does not need to know whether they wish to request any particular course of action nor how to label what happened. As part of a report to the Institutional Equity and Title IX Coordinator, an individual can also request Interim Measures and support.

### **Timeframe for Reporting**

Complainants and witnesses are encouraged to report Prohibited Conduct as soon as possible in order to maximize the University's ability to respond promptly and effectively. The University does not, however, limit the timeframe for reporting. Depending on the relationship of the Respondent to the University, the University may not have the authority to impose disciplinary action. Where the University does not have disciplinary authority, the University will still seek to meet any federal obligations by evaluating the reported conduct, providing reasonably available Interim Support Measures, assisting the Complainant in identifying external reporting options, and taking reasonably available steps to end the Prohibited Conduct, prevent its recurrence, and address its effects.

### **Amnesty**

The University encourages reporting and seeks to remove barriers to reporting by providing amnesty for Complainants and witnesses who report Prohibited Conduct for potential conduct violations occurring at or near the time of the incident. In general, the University will not pursue disciplinary action against a student who makes a good faith report to the University as a Complainant or witness to Prohibited Conduct for personal consumption of alcohol or other drugs (underage or illegal) which would otherwise be a violation of the University's Drug and Alcohol Policies, provided the misconduct did not endanger the health or safety of others. The University may initiate an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or drug use.

### **Requests for Anonymity**

Once a report has been shared with the Institutional Equity and Title IX Coordinator, a Complainant may request that their identity not be shared with the Respondent (request for anonymity), that no investigation occur, or that no disciplinary action be pursued. The University will carefully balance this request in the context of the University's commitment to provide a safe and non-discriminatory environment for all University community members. The University will take all reasonable efforts to investigate and respond to the report consistent with a Complainant's request, but in order to pursue disciplinary action or impose Interim Protective Measures against a Respondent, the Respondent must be provided with sufficient notice of the reported conduct. In some circumstances, the Institutional Equity and Title IX Coordinator may arrange for limited preliminary fact-finding by an Investigator to gain a better understanding of the context of the report or take other appropriate steps, including consulting with appropriate administrators. For more information, see the section on **Balancing Complainant Autonomy with University Responsibility to Investigate**.

### **Interim Measures**

Upon receipt of a report of Prohibited Conduct, the University will provide reasonable and appropriate Interim Measures designed to preserve access to educational opportunities; address safety concerns of the Complainant, the Respondent or broader University community; maintain the integrity of the investigative and/or resolution process; and deter retaliation. These actions may be **supportive** (measures designed to provide support and maintain continued access to educational opportunities) or **protective** (involving a restrictive action against a Respondent).

**Interim Support Measures** are available to the Complainant regardless of whether the Complainant pursues an investigation or seeks a disciplinary resolution. **Interim Support Measures** are also available to Respondents. In contrast, **Interim Protective Measures** are only available when the University initiates an investigation as part of a disciplinary resolution. **Interim Protective Measures** may be imposed when the University has an articulable factual foundation that would support the taking of a restrictive measure prior to the conclusion of the investigation.

**Interim Support Measures may include:**

- Facilitating access to counseling and medical services.
- Assistance in arranging rescheduling of exams and assignments and extensions of deadlines.
- Academic support.
- Assistance in requesting long-term academic accommodations through the Office of Counseling Services if the individual qualifies as an individual with a disability.
- Change in class schedule, including the ability to transfer course sections or withdraw from a course.
- Allow either a Complainant or a Respondent to drop a class in which both parties are enrolled in the same section.
- Voluntary changes in the Complainant's or Respondent's University work schedule or job assignment.
- Change in campus housing.
- Escort and other safety planning steps.
- Mutual "no contact order," an administrative remedy designed to curtail contact and communications between two or more individuals.
- Voluntary leave of absence.
- Referral to resources to assist in obtaining a protective order.
- Referral to resources to assist with any financial aid, visa or immigration concerns.
- Any other remedial measure that does not interfere with either party's access to education can be used to achieve the goals of this Policy.

**Interim Protective Measures may include:**

- Imposition of a "no contact order" prohibiting certain individuals from having contact or communications with other individuals.
- Change in the Respondent's class schedule.
- Change in the Respondent's University work schedule or job assignment.
- Change in the Respondent's campus housing.
- Exclusion from all or part of University housing.
- Exclusion from specified activities or areas of campus.
- Prohibition from participating in student activities or representing the University in any capacity such as playing on an official team; serving in student government; performing in an official band, ensemble, or production; participating in a recognized student organization; participating in Greek life activities; or participating in academic honor ceremonies.
- Interim suspension
- Any other protective measure that can be used to achieve the goals of this Policy.

The availability of supportive and protective measures will be determined by the specific circumstances of each report and interim measures will be tailored to avoid depriving all parties of their education. The University will consider a number of factors in determining which measures to take, including the needs of the student or employee seeking supportive and/or protective measures; the severity or pervasiveness of the alleged conduct; any continuing effects on the parties; whether the Complainant and the Respondent share the same residence hall, academic course(s), or job location(s); and whether court proceedings have been used to protect any parties (e.g., protective orders). The University will work in good faith to implement the requirements of judicially issued protective orders and similar orders, to the extent that doing so is within its authority. The determination of whether to impose the Interim Protective



Measure of interim suspension of a student may be made by the Institutional Equity and Title IX Coordinator in consultation with other University employees as necessary. A Respondent may be suspended on an interim basis when there is evidence that the continued presence of the student on the campus poses a substantial and immediate threat to themselves or to others or to the stability and continuance of normal University functions. The University may also impose a period of leave or separation for an employee. The decision to impose interim suspension or separation may be made at any point in the process. The University will provide reasonable supportive and protective measures to third parties as appropriate and available, taking into account the role of the third party and the nature of any contractual relationship with the University. The Institutional Equity and Title IX Coordinator is responsible for ensuring the implementation of Interim Measures and coordinating the University's response with the appropriate offices on campus. The Institutional Equity and Title IX Coordinator has the discretion to impose and/or modify any Interim Measure based on all available information and is available to meet with a Complainant or Respondent to address any concerns about the provision of Interim Measures. The University will maintain the privacy of any supportive and protective measures provided under this Policy to the extent practicable and will promptly address any violation of an Interim Protective Measure.

All individuals are encouraged to report to the Institutional Equity and Title IX Coordinator any concerns about the failure of another to abide by any restrictions imposed through an Interim Protective Measure. In the event of an immediate health or safety concern, individuals should law enforcement or the Office of Safety and Security immediately. The University will take action to enforce a previously implemented measure, which may include additional interim restrictions and/or disciplinary penalties for failing to abide by a University-imposed Interim Protective Measure.

### **Overview of Resolution Processes**

The University is committed to providing a prompt, thorough, equitable, and impartial resolution of all reported violations of this Policy. The University uses two processes to resolve reports of Prohibited Conduct under this Policy:

- **Alternative Resolution:** an informal framework that includes informal or restorative options for resolving reports that typically do not involve disciplinary action against a Respondent.
- **Disciplinary Resolution:** formal procedures that involve an investigation, adjudication and, if appropriate, the imposition of sanctions.

The Institutional Equity and Title IX Coordinator will determine the appropriate resolution process after making an initial assessment of the reported information, consulting with the Complainant, considering campus safety, and evaluating the University's obligation to maintain an environment free from harassment and discrimination. Where a Complainant requests a Disciplinary Resolution and the available information raises the elements of Prohibited Conduct, the Institutional Equity and Title IX Coordinator will initiate an investigation.

### **Time Frame for Resolution**

The University will seek to complete the appropriate resolution process as promptly as possible, consistent with the need to conduct sensitive and informed fact-gathering to ensure an equitable resolution. The Policy designates reasonably prompt timeframes for the major stages of the investigation and resolution process (typically set forth in business days), but the University may extend any timeframe in this Policy for good cause. An extension may be required for good cause to ensure the integrity and thoroughness of the investigation; to comply with a request by law enforcement; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in

the University calendar, University finals periods, the complexity of the investigation, the volume of information, number of witnesses, length of the written record, and/or the severity and extent of the alleged misconduct. While requests for delays by the parties may be considered, the University cannot unduly or unreasonably delay the prompt resolution of a report under this Policy. Reasonable requests for delays by the parties may serve to extend the time period for resolution of the report. The Institutional Equity and Title IX Coordinator, in consultation with the Investigators, has the authority to determine whether an extension is required or warranted by the circumstances. The University will notify the parties in writing of any extension of the timeframes for good cause, the reason for the extension and the length of the extension. Although cooperation with law enforcement may require the University to suspend the fact-finding portion of an institutional equity investigation temporarily, the University will promptly resume its investigation as soon as it is notified by the law enforcement agency that the agency has completed the evidence gathering process. The University will not, however, wait for the conclusion of a criminal proceeding to begin or conclude its own investigation and, if needed, will take immediate steps to provide appropriate Interim Support Measures. Investigations will proceed according to the timeframes in this Policy to the extent possible during the summer and at other times when classes at the University are not in session. The Institutional Equity and Title IX Coordinator will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation.

Timeframes for all phases of the disciplinary process, including the investigation, any related disciplinary proceedings and any related review of the finding, apply equally to both the Complainant and the Respondent.

#### **Advisor of Choice**

Throughout Alternative or Disciplinary Resolution, each party has the right to consult with an advisor of their choosing. The advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation or whose role in the process does not otherwise create a conflict of interest. On-campus Confidential Resources (Counseling Services staff, Chaplains, and Health Center staff) cannot serve as an advisor. The parties may be accompanied by their respective advisor at any meeting or proceeding related to the resolution of a report under this Policy. While the advisor may provide support and advice to the parties at any meeting and/or proceeding, they may not speak on behalf of the parties or otherwise participate in, or in any manner delay, disrupt or interfere with meetings and/or proceedings. The University will not unduly delay the scheduling of meetings or proceedings based on an advisor's unavailability. An advisor may be asked to meet with a University administrator in advance of any proceedings to understand the expectations of the role, privacy considerations and appropriate decorum.

#### **Obligation to Provide Truthful Information**

All University community members are expected to provide truthful information in any proceeding under this Policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of Prohibited Conduct is prohibited and subject to disciplinary sanctions, in accordance with the Students' Rights and Responsibilities section of the University of Evansville Student Handbook, Student Code of Conduct section of the Harlaxton College Student Handbook, the University of Evansville Employee Code of Conduct, and other applicable University policies and procedures. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

### **Intake and Initial Assessment**

Upon receipt of a report of Prohibited Conduct, the Institutional Equity and Title IX Coordinator will take immediate and appropriate steps to investigate or otherwise determine what happened and work to resolve the matter promptly and equitably. The first step in this process is called an Initial Assessment.

As part of the Initial Assessment, the Institutional Equity and Title IX Coordinator will gather information about the reported conduct and respond to any immediate health or safety concerns raised by the report. The Institutional Equity and Title IX Coordinator will assess the Complainant's safety and well-being, offer the University's immediate support and assistance, and assess the nature and circumstances of the report to determine whether the reported conduct raises a potential policy violation, whether the reported conduct is within the scope of this Policy, and the appropriate manner of resolution under this Policy. The Institutional Equity and Title IX Coordinator may consult with other University administrators as part of the initial assessment.

As part of the initial assessment, the Institutional Equity and Title IX Coordinator will typically:

- assess the nature and circumstances of the report, including whether it provides the names and/or any other information that identifies the Complainant, the Respondent, any witness and/or any other individual with knowledge of the reported incident;
- address immediate physical safety and emotional well-being;
- notify the Complainant of their right to contact (or decline to contact) law enforcement or seek a civil protection order;
- notify the Complainant of the right to seek medical treatment;
- notify the Complainant of the importance of preservation of evidence;
- refer the report to the Office of Safety and Security to enter the report into the University's daily crime log if required by the Clery Act;
- with the Office of Safety and Security, assess the reported conduct and discern the need for a timely warning under the Clery Act;
- provide the Complainant with written information about on and off campus resources;
- notify the Complainant of the range of Interim Measures available, including the right to reasonable Interim Support Measures regardless of whether they choose to participate in a University or law enforcement investigation;
- notify the Complainant of the range of Interim Protective Measures available if the University pursues an investigation;
- provide the Complainant with an explanation of the procedural options, including Disciplinary Resolution and Alternative Resolution;
- notify the Complainant of the right to be accompanied at any meeting by an advisor of choice;
- assess the available information for any pattern of conduct by Respondent;
- discuss the Complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., confidentiality concerns); and
- explain the University's policy prohibiting retaliation and how to report acts of retaliation.

When the Institutional Equity and Title IX Coordinator decides to initiate an investigation, impose Interim Protective Measures, or take any other action that impacts a Respondent, the Institutional Equity and Title IX Coordinator will also ensure that Respondent is notified and receives written information on available resources and options, consistent with the list outlined above.

The initial assessment will be conducted promptly and the time frame for the initial assessment will be tailored to the context and circumstances. The University will seek to complete the initial assessment within 10 business days, but recognizes that there may be circumstances in which the initial assessment takes longer based on the availability of the Complainant or other necessary information, a Complainant's request to maintain privacy or not seek disciplinary action, or other factors outside of the University's control. The University understands that a Complainant may engage in delayed decision-making, which may impact the timing of the conclusion of the initial assessment.

### **Balancing Complainant Autonomy with University Responsibility to Investigate**

In order to protect the safety of the campus community, the Institutional Equity and Title IX Coordinator may need to proceed with an investigation even if a Complainant specifically requests that the matter not be pursued. The Institutional Equity and Title IX Coordinator may also initiate an investigation of potential violations of this Policy even absent a formal report or identified Complainant or Respondent and even if a report has been withdrawn. In such a circumstance, the Institutional Equity and Title IX Coordinator will take into account the Complainant's articulated concerns, the safety of the campus community, fairness to all individuals involved, and the University's legal obligations.

A Complainant may request that their name or other personally identifiable information not be shared with a Respondent, that no investigation be pursued, or that no disciplinary action be taken. In these instances, before taking any further investigative steps, the Institutional Equity and Title IX Coordinator will discuss any concerns with the Complainant and seek to address and remedy barriers to reporting based upon concerns about retaliation or questions about procedural options and potential outcomes.

The Institutional Equity and Title IX Coordinator will balance the Complainant's request against the following factors in reaching a determination on whether the request can be honored:

- the totality of the known circumstances;
- the nature and scope of the alleged conduct, including whether the reported behavior involves the use of a weapon;
- the respective ages and roles of the Complainant and Respondent;
- the risk posed to any individual or to the campus community by not proceeding, including the risk of additional violence;
- whether there have been other reports of other prohibited conduct or other misconduct by the Respondent;
- whether the report reveals a pattern of misconduct related to Prohibited Conduct (e.g., illicit use of drugs or alcohol) at a given location or by a particular group;
- the Complainant's interest in the University not pursuing an investigation or disciplinary action and the impact of such actions on the Complainant;
- whether the University possesses other means to obtain relevant evidence;
- fairness considerations for both the Complainant and the Respondent;
- the University's obligation to provide a safe and non-discriminatory environment; and
- any other available and relevant information.

The Institutional Equity and Title IX Coordinator will consider what steps may be possible or appropriate when a Respondent is unknown or the Complainant requests anonymity and what other measures or remedies might be considered to address any effects of the reported behavior on the campus community. The Institutional Equity and Title IX Coordinator will make a determination regarding the appropriate manner of resolution under the policy. The University will seek resolution consistent with the Complainant's request, if it is reasonably possible to do so, based upon the facts and circumstances, while also protecting the health and safety of the parties and the University community.

Where the Institutional Equity and Title IX Coordinator determines that a Complainant's request(s) can be honored, the University may nevertheless take other appropriate steps to eliminate the reported conduct, prevent its recurrence and remedy its effects on the Complainant and the University community. Those steps may include offering appropriate support measures to the Complainant, providing targeted training and prevention programs, and/or providing or imposing other remedies.

The Institutional Equity and Title IX Coordinator may also re-open a report under this Policy if any new or additional information becomes available, and/or if the Complainant later decides that they would like a Disciplinary Resolution to occur.

In those instances, when the Institutional Equity and Title IX Coordinator determines that the University must proceed with an investigation despite the Complainant's request that it not occur, the Institutional Equity and Title IX Coordinator will notify the Complainant that the University intends to initiate an investigation. The Complainant is not required to participate in the investigation or in any of the actions taken by the University.

The University's ability to investigate and respond fully to a report may be limited if the Complainant requests anonymity or declines to participate in an investigation. The University will, however, pursue other steps to limit the effects of the reported conduct and prevent its recurrence. In all cases, the final decision on whether, how and to what extent the University will conduct an investigation and whether other Interim Support or Protective Measures will be taken in connection with a report of Prohibited Conduct will be made in a manner consistent with this Policy.

At the conclusion of the initial assessment, the University will proceed with one of the following options:

- (1) Proceed with Alternative Resolution. This will always require the consent of the Complainant. The consent of the Respondent is also required when the form of resolution involves the Respondent.
- (2) Proceed with an investigation under the Disciplinary Resolution process. This will occur when a Complainant requests an investigation, where the Institutional Equity and Title IX Coordinator determines to proceed with an investigation even when a Complainant requests that no investigation be pursued, or where Alternative Resolution is not appropriate or available.
- (3) If outside the scope of this Policy, refer the matter to another appropriate office or department for resolution under the relevant policy.

### **Alternative Resolution**

Alternative Resolution is a voluntary and remedies-based resolution. In some forms of Alternative Resolution, the remedies imposed will focus on supporting the Complainant with no participation or involvement by the Respondent. In other forms of Alternative Resolution, the Respondent may agree to participate. Depending on the form of Alternative Resolution used, it may be possible for a Complainant to maintain anonymity.

### **Potential Remedies**

Any form of Alternative Resolution and any combination of interventions and remedies may be utilized. Where an initial assessment concludes that Alternative Resolution may be appropriate, the University will take prompt action through the imposition of individual and community remedies designed to maintain access to the educational, extracurricular, and employment activities at the University and to remedy the impacts of conduct on members of the University community. Examples of Interim Support Measures are included in the **Interim Measures** section of the policy.

Other potential remedies include targeted or broad-based educational programming or training, supported direct conversation or interaction with the Respondent, and/or indirect action by the Institutional Equity and Title IX Coordinator. In some circumstances, Alternative Resolution may involve disciplinary action against a Respondent. Disciplinary action will only be imposed against a Respondent where there is a sufficient factual foundation and both the Complainant, and the Respondent have agreed to forego the additional procedures set forth in this Policy and accept an agreed upon sanction. The University will not compel a Complainant to engage in mediation, to confront the Respondent directly, or to participate in any particular form of Alternative Resolution. The decision to pursue Alternative Resolution will be made when the University has sufficient information about the nature and scope of the conduct, which may occur at any time.

### **Participation in Alternative Resolution**

Participation in Alternative Resolution is voluntary, and either party can request to end Alternative Resolution at any time. If an agreement acceptable to the University, the Complainant, and the Respondent is reached through Alternative Resolution, the terms of the agreement are implemented, and the matter is deemed resolved and closed. If an agreement is not reached, and the Institutional Equity and Title IX Coordinator determines that further action is necessary, or if a Respondent fails to comply with the terms of the Alternative Resolution, the matter may be referred for an investigation and Disciplinary Resolution.

Where the Complainant or the Respondent withdraws from Alternative Resolution or Alternative Resolution is otherwise terminated for any reason, any statements or disclosures made by the parties during the course of the Alternative Resolution may be considered in a subsequent investigation and Disciplinary Resolution.

### **Record Keeping**

The Institutional Equity and Title IX Coordinator will maintain records of all reports and conduct referred for Alternative Resolution, which will typically be complete within 60 business days of the initial report.

### **Disciplinary Resolution: Investigation**

The University will conduct a prompt and equitable investigation to gather information relevant to the determination of whether there is sufficient information, by a preponderance of the evidence, to determine that a policy violation occurred. The investigation will be impartial and will be conducted by trained individuals who have no actual bias or conflict of interest.

During the investigation and disciplinary proceedings, both the Complainant and Respondent have equitable opportunities, including the opportunity to receive a written notice of investigation; to participate in the investigation; to review and present information and evidence; to be accompanied by an advisor of their choice to any meeting; to timely and equal access to information that will be used in disciplinary proceedings; to timely notice of meetings at which their presence will be requested or required; to simultaneous written notice of the outcome, sanction and rationale; and to appeal the outcome.

The Investigator, not the parties, is responsible for gathering relevant evidence. The Complainant and Respondent will be asked to identify witnesses and provide other relevant information, such as documents, communications and other evidence, if available. The parties are encouraged to provide all relevant information as promptly as possible to facilitate prompt resolution and are encouraged to preserve relevant evidence. In the event that a party declines to voluntarily provide material information, the University's ability to conduct a prompt, thorough and equitable investigation may be impacted.

### **Initiating an Investigation**

When the decision is made to initiate an investigation, the University will designate two Investigators to conduct a prompt, thorough, fair and impartial investigation. The Investigators may be a University employee and/or an experienced external investigator. Any Investigator used by the University will receive annual training on issues related to this Policy, how to conduct an investigation that is fair and impartial, provide parties with notice and a meaningful opportunity to be heard, and protect the safety of all participants while promoting accountability. The Investigators will be impartial and free from conflict of interest or actual bias for or against the Complainant or Respondent. If either party believes an assigned Investigator has a conflict of interest or bias, they may notify the Institutional Equity and Title IX Coordinator, who will determine if a different Investigator should be appointed.

### **Notice of Investigation**

The Institutional Equity and Title IX Coordinator will notify the Complainant and the Respondent, in writing (typically via e-mail to each party's University e-mail address) of the following information: (1) the names of the Complainant and the Respondent; (2) the date, time (if known), location, and a brief summary of the nature of the reported conduct; (3) the reported policy violation(s); (4) the name of the Investigators; (5) information about the parties' participation options in the process; (6) the prohibition against retaliation; (7) the importance of preserving any potentially relevant evidence in any format; (8) how to challenge participation by the Investigators on the basis of a conflict of interest or actual bias; (9) access to Counseling Services for students and/or Employee Assistance Program for employees; and (10) a copy of this Policy. If the investigation reveals the existence of additional or different potential violations of this Policy, the Investigators will issue a supplemental notice of investigation.

### **Consolidation of Investigation**

The Institutional Equity and Title IX Coordinator has the discretion to consolidate multiple reports into a single investigation if evidence relevant to one incident is relevant to the others. Consolidation might involve multiple Complainants and a single Respondent, one Complainant and multiple Respondents, or conduct that is temporally or logically connected.

### **Investigative Steps**

During an investigation, the Investigators will seek to meet separately with the Complainant, Respondent and relevant witnesses. Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, the parties or related matters. Witnesses may not participate solely to speak about an individual's character. Where witnesses are interviewed as part of the investigation, the name of the witness and the information gathered in the interviews will be included in the written investigation report, which the parties will have the opportunity to review at the conclusion of the investigation. The Investigators will also gather other relevant information or evidence, including documents, photographs, communications between the parties, medical records (subject to the consent of the applicable person), and other electronic records as appropriate.

### **Social Media and Personal Communications**

The Investigators may also consider information publicly available from online sources that comes to the attention of Investigators. The University does not actively monitor online sources, however, and as with all potentially relevant information, the Complainant, Respondent or witness should bring online information to the attention of the Investigators if they believe it is relevant. The Investigators may also consider communications involving or relating to one or both parties that either party brings to the attention of the Investigators or that is provided by the parties in response to a request by the Investigators. The Investigators may also seek review of information available on University devices or servers, consistent with the University's technology policies.

### **Other Evidence: Site Visits and Experts**

The Investigators may visit relevant sites or locations and record observations through written, photographic or other means. In some cases, the Investigators may consult with relevant experts when deemed appropriate and necessary by the University. The University will not consider polygraph results.

### **Medical and Counseling Records**

In general, a person's medical and counseling records are confidential and not accessible to the Investigators unless the person voluntarily chooses to share those records with the Investigator. In those instances, the relevant information from the records must be shared with the other party.

### **Prior or Subsequent Conduct**

Prior or subsequent conduct may be considered in determining pattern, knowledge, intent or motive. For example, evidence of an articulable pattern of Prohibited Conduct by the Respondent, either before or after the incident in question, regardless of whether there has been a prior finding of a policy violation, may be deemed relevant to the determination of responsibility for the Prohibited Conduct under investigation. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar prohibited conduct. The Investigators will determine the relevance of this



information, which may involve additional investigative steps, and both parties will be informed if evidence of prior or subsequent conduct is deemed relevant.

### **Relevance**

The Investigators will review all information identified or provided by the parties and will determine the appropriateness, relevance and probative value of the information developed or received during the investigation. In general, the Investigators will not consider statements of personal opinion or statements as to any party's general reputation for any character trait. All information considered relevant by the Investigators will be provided to the parties for their review and comment, as described in this Policy.

### **Expectations of the Parties**

The University expects all members of the University community to cooperate fully with the investigation and disciplinary procedures. It is understood that there may be circumstances in which a Complainant or Respondent wish to limit their participation, and the University will respect the choice of the Complainant or Respondent as to how to engage in proceedings under this Policy. The University may, however, move forward with an investigation and disciplinary action without the participation of a party or parties.

If a Complainant or Respondent chooses not to answer any or all questions in an investigation for any reason, the University will continue its process; and the University will issue any discipline or sanctions as appropriate. The University will not draw any adverse inference solely from a Complainant's or Respondent's decision not to participate in the investigation or any form of resolution under this Policy; however, the Complainant or Respondent should be aware that declining to participate in the investigation may impact the timing and outcome of the case.

### **Effect of Withdrawal**

At any time, the University may place an administrative hold on the Respondent's University transcript or defer or withhold the award of the Respondent's degree. Even if a Respondent withdraws from the University, the Institutional Equity and Title IX Coordinator may proceed with further action as necessary to eliminate, prevent or address any impacts of the reported conduct.

### **Safeguarding the Privacy of Complainants and Respondents**

Individuals involved in investigations or disciplinary proceedings under this Policy are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid the appearance of retaliation. While discretion regarding the process is important, Complainants and Respondents are not restricted from discussing and sharing information with others who may support or assist them during the process. All parties, however, are encouraged to maintain the privacy of Family Educational Rights and Privacy Act (FERPA)-protected and/or sensitive information gathered or learned in the process.

### **Timing of Investigation**

The Investigators will provide periodic updates to the parties about the status of the investigation, with a goal to complete the fact-gathering portion of the investigation within approximately 50 business days.

### **Coordination with Law Enforcement**

If there is a concurrent criminal investigation, the University will seek to work in a collaborative manner in order to respect the integrity of external investigations and University investigations. This may include contacting the law enforcement agency that is conducting any investigation to inform that agency that a University investigation is also in progress, attempting to ascertain the status of the criminal investigation,

and seeking to determine the extent to which any evidence collected by law enforcement may be available to the University in its investigation.

### **Review of Preliminary Investigative Report**

At the conclusion of the fact-gathering portion of the investigation, the Investigators will provide the Institutional Equity and Title IX Coordinator with a preliminary investigative report that includes all facts gathered thus far in the investigation. The Institutional Equity and Title IX Coordinator will then provide the Complainant and the Respondent equal and timely access to preliminary investigative report for their review. After reviewing the preliminary investigative report, each party will have five business days to: (1) provide written comment or feedback, (2) submit additional information, (3) identify additional witnesses, and/or (4) request the collection of other information by the Investigators. The Investigators will determine the appropriateness of additional investigative steps and the relevance of additional information. If either party provides a written response or makes a request for additional investigation, the written response and any additional information gathered by the Investigators will be shared with the other party and incorporated as appropriate in the final investigative report. Any information gathered through additional investigation steps will be shared with both parties, and, as appropriate, each will have the opportunity for further response. Typically, each party will have three business days to review any additional substantive information.

As necessary, the Investigators will designate reasonably prompt timeframes to ensure a timely completion of the process while also providing an adequate opportunity for both parties to respond thoroughly to the information gathered during the investigation. In the absence of good cause, information that could have been learned that is not provided to the Investigator upon review of the preliminary investigative report will not be considered in the determination of responsibility for a violation of the Policy.

### **Final Investigative Report**

Upon the conclusion of the preliminary investigative report review by the Complainant and Respondent (including any additional investigative steps requested by the parties or identified by the Investigators, normally within five business days after receipt and consideration of additional comments, questions and/or information from the parties), the Investigators will provide the Institutional Equity and Title IX Coordinator with a final investigative report, who will then simultaneously share with the Complainant, Respondent, and appropriate Disciplinary Authority in writing (typically via e-mail to each party's University e-mail address).

### **Disciplinary Resolution: Finding of Responsibility and Sanction**

The University's disciplinary resolution process is designed to identify and implement a tailored and individual response intended to eliminate Prohibited Conduct, prevent its recurrence and remedy its effects, while supporting the University's educational mission, legal obligations and commitment to federal laws. Sanctions or interventions may also serve to promote safety and/or deter other individuals from similar future behavior. Other remedies may include corrective action that is intended to be non-punitive, such as targeted or broad-based educational programming or training.

### **Disciplinary Authority**

The Disciplinary Authority refers to the Student Equity/Title IX Misconduct Hearing Board or the Employee Equity/Title IX Misconduct Hearing Board, which are designated to review the final investigative report and determine if a preponderance of evidence exists to warrant the imposition of appropriate sanction(s) and/or remedies. The Disciplinary Authority may consist of University employees and/or an experienced

external adjudicator(s). Any Disciplinary Authority used by the University will receive annual training on issues related to harassment and discrimination of the protected classes outlined in this policy, and on how to adjudicate in a manner that is fair and impartial, will provide the parties a meaningful opportunity to be heard, and will protect the safety of all participants while promoting accountability. The Disciplinary Authority will be impartial and free from actual bias or conflict of interest. If either party believes a member of the Disciplinary Authority has a conflict of interest or bias, they may notify the Institutional Equity and Title IX Coordinator, who will determine if a designee should be appointed.

The Institutional Equity and Title IX Coordinator is administratively responsible for coordinating all aspects of the disciplinary process. For cases involving Student-Respondents, the Institutional Equity and Title IX Coordinator may utilize the Office of the Dean of Students for administrative assistance in coordinating the disciplinary process. For cases involving Employee-Respondents, Institutional Equity and Title IX Coordinator may utilize the Office of Human Resources for administrative assistance in coordinating the disciplinary process.

The Disciplinary Authority over the Respondent is as follows:

- For student Respondents, the Disciplinary Authority is the Student Equity/Title IX Misconduct Hearing Board. This hearing board is comprised of faculty and administrators, who are appointed by the President to serve as a pool of members for the Student Equity/Title IX Misconduct Hearing Board. From the pool of members, the Equity/Title IX Coordinator will select a total of three individuals from this pool to serve on the hearing board. \*
- For employee Respondents, the Disciplinary Authority is the Employee Equity/Title IX Misconduct Hearing Board, which consists of the Vice President of Fiscal Affairs and Administration, Vice President of Student Affairs/Dean of Students, and Executive Vice President of Academic Affairs/Provost or their designee(s).\* If the Complainant or Respondent reports to one of the Disciplinary Authority members, the Disciplinary Authority member is a party to the complaint, or if a Disciplinary Authority member is unable to serve, the Institutional Equity and Title IX Coordinator will appoint a designee from a pool of trained senior administrators.
- For tenured and tenure track faculty Respondents who may be subject to termination or suspension, the Disciplinary Authority is outlined below in the Adjudication and Appeal Process for Tenured and Tenure Track Faculty section.
- For a Respondent who is both a student and employee, the Disciplinary Authority is the Student Equity/Title IX Misconduct Hearing Board if the Respondent's primary status is an enrolled student. The Disciplinary Authority is the Employee Equity/Title IX Misconduct Hearing Board if the Respondent's primary status is an employee who is enrolled as a student as a benefit of their own employment. Where there is a question about the predominant role of the Respondent, the Institutional Equity and Title IX Coordinator will consult with the Dean of Students and the Executive Director of Human Resources and Institutional Equity to determine the most appropriate Disciplinary Authority. Further, a Respondent may be subject to any of the sanctions applicable to students and employees.
- \*The Equity/Title IX Coordinator will appoint one of these individuals to be the Presiding Board Member for the hearing.

The Executive Director of Human Resources and Institutional Equity, or their designee, will serve as an advisor to the Disciplinary Authority. In all instances, the Disciplinary Authority may consult with the Executive Director of Human Resources and Institutional Equity to ensure that the sanction(s) and/or

remedies satisfy the University's obligation to eliminate the Prohibited Conduct, prevent its recurrence and address its effects.

### **Impact or Mitigation Statements**

In the time frame directed by the Institutional Equity and Title IX Coordinator, the Complainant and Respondent may submit a written impact or mitigation statement for consideration by the Disciplinary Authority. The decision whether to provide an impact or mitigation statement is completely voluntary.

An impact statement is written information from the Complainant regarding how the Prohibited Conduct has affected them and the Complainant's views on an appropriate sanction. Impact statements may include description of: emotional impacts caused by the Prohibited Conduct; negative social or educational consequences arising from the Prohibited Conduct; medical or psychological consequences sustained as a result of the Prohibited Conduct; the Complainant's view on the Prohibited Conduct; or the Complainant's view on the appropriate sanction.

A mitigation statement is written information from the Respondent regarding any potential mitigating factors. Mitigation statements may include a description of: the Respondent's previous good character; worthy social or academic contributions and public service; whether the Respondent accepted responsibility for the Prohibited Conduct; cooperation with the investigation; the Respondent's mental or physical health; the Respondent's view on an appropriate sanction; and the likely effect of the sanctions on Respondent.

The Institutional Equity and Title IX Coordinator will review all information submitted in an impact statement or mitigation statement for relevance and appropriateness and may determine that some or all of the information submitted will not be provided to the Disciplinary Authority. Both parties will receive a copy of the impact or mitigation statement provided to the Disciplinary Authority.

### **Adjudication and Appeal Process for Tenured and Tenure Track Faculty**

The Employee Equity/Title IX Misconduct Hearing Board will review the final investigative report for tenured and tenure track faculty Respondents prior to a disciplinary authority hearing to assess whether the reported conduct could result in the termination or suspension of the faculty member. If the Employee Equity/Title IX Misconduct Hearing Board determines termination or suspension could be an appropriate sanction if the tenured and tenure track faculty Respondent is found responsible, the adjudication and appeal of the case will be handled in accordance with the University's Tenure/Tenure Track Faculty Suspension and Termination Policy.

If the Employee Equity/Title IX Misconduct Hearing Board determines that termination or suspension may not be an appropriate sanction for reported conduct of a tenured and tenure track faculty Respondent, the Disciplinary Authority will be the Employee Equity/Title IX Misconduct Hearing Board and the faculty member will be subject to the adjudication and appeal policies outlined below. However, if at any time during the disciplinary authority hearing, the Employee Equity/Title IX Misconduct Hearing Board determines termination or suspension could be an appropriate sanction, the adjudication and appeal of the case will be handled in accordance with the University's Tenure/Tenure Track Faculty Suspension and Termination Policy.

For faculty members who are not tenured or tenure track, the Disciplinary Authority will be the Employee Equity/Title IX Misconduct Hearing Board and the faculty member will be subject to the adjudication and appeal policies outlined below, regardless of the sanctions that may be imposed.

### **Disciplinary Authority Hearing**

1. The Investigators should be prepared to attend the hearing to answer questions posed by either party or by the Disciplinary Authority or to provide additional information as requested.
2. Both the Complainant and the Respondent will be invited to be present for the entire hearing. Although the University will not compel either party to attend or participate, a party's decision not to attend or not to participate may impact the outcome as the Disciplinary Authority's determination will necessarily be based upon the available information.
3. When requested, the University will make arrangements to keep the parties separated during the hearing. For example, the University may use a physical barrier so that the parties cannot see one another, or the University may use phone or video conferencing to allow the parties to participate from separate rooms.
4. Each party may submit a list of witnesses to be called at the hearing at least 48 hours before the hearing starts. If a witness was not interviewed by the Investigators, the party must identify the information expected to be gleaned from that witness at the hearing. The Institutional Equity and Title IX Coordinator will arrange for witnesses to be present and will inform each party of the witnesses requested by the other party. The Institutional Equity and Title IX Coordinator has discretion to decline to call witnesses if they are being offered solely for an improper purpose, such as reputation/character. The Complainant and Respondent will each have the opportunity to prepare questions to be asked of the other party and of each witness. The Presiding Officer will collect the prepared questions during the hearing and will ask the questions to the parties and/or witnesses. The Presiding Officer, in consultation with the Executive Director of Human Resources and Institutional Equity, or their designee, will have discretion to rephrase or decline to ask questions that are inappropriate, such as questions about prior sexual history, character/reputation, or other acts not relevant to the alleged conduct.

### **The order of a hearing will be as follows:**

1. The Complainant will be invited to deliver an opening statement.
2. The Respondent will be invited to deliver an opening statement.
3. The Complainant will be made available for questioning.
  - A. The Respondent may submit questions to be asked of the Complainant through the Presiding Officer.
  - B. The Disciplinary Authority may ask questions of the Complainant.
4. The Respondent will be made available for questioning.
  - A. The Complainant may submit questions to be asked of the Respondent through the Presiding Officer.
  - B. The Disciplinary Authority may ask questions of the Respondent.
5. Witnesses will be called individually for questioning.
  - A. The Complainant may submit questions to be asked through the Presiding Officer.
  - B. The Respondent may submit questions to be asked through the Presiding Officer.
  - C. The Disciplinary Authority may ask questions of each witness.
6. The Investigator(s) will be made available for questioning. Questions will be limited to the facts of the case. Investigators may not offer recommendations on a finding of responsibility or sanctions.
  - A. The Complainant may submit questions to be asked through the Presiding Officer.
  - B. The Respondent may submit questions to be asked through the Presiding Officer.
  - C. The Disciplinary Authority may ask questions of the Investigator(s).
7. The Complainant may make a closing statement, including an impact statement and a description of the desired outcome from the hearing.

8. The Respondent may make a closing statement, including a mitigation statement and a description of the desired outcome from the hearing.
9. The parties will leave the hearing in such a way to avoid contact with each other.

### **Determination and Possible Sanctions**

At the conclusion of the hearing, the Disciplinary Authority will evaluate the investigative report and the record of the hearing to determine, by majority vote, a finding of responsibility (based on a preponderance of the evidence) and, if found responsible, sanctions for the Respondent. If a Respondent is found responsible, only then will the Disciplinary Authority be given access to the Respondent's discipline/criminal history.

### **In determining the appropriate sanction(s) and/or remedies, the Disciplinary Authority will consider a number of factors, including:**

- the nature of the conduct at issue;
- the impact of the conduct on the Complainant;
- the impact or implications of the conduct on the University community;
- prior misconduct by the Respondent, including the Respondent's relevant prior discipline history, both at the University or elsewhere, and any criminal convictions, if such information is available and known;
- any expression of remorse or acceptance of responsibility by the Respondent;
- maintenance of a safe and respectful environment conducive to learning;
- protection of the University community;
- the necessity of any specific action in order to eliminate the Prohibited Conduct, prevent its recurrence and remedy its effects on the Complainant or other University community members; and,
- any mitigating, aggravating or compelling circumstances in order to reach a just and appropriate resolution in each case.

The Disciplinary Authority may also consider restorative outcomes that, taking into account the safety of the University community as a whole, allow a Respondent to develop insight about their responsibility for the behavior, learn about the impact of the behavior on the Complainant and the community, and identify how to prevent or change the behavior. Sanctions may be issued individually, or a combination of sanctions may be imposed. Sanctions will typically be imposed immediately, although the Institutional Equity and Title IX Coordinator in consultation with the Dean of Students (if a student) or Executive Director of Human Resources and Institutional Equity (if an employee) has the discretion to stay imposition of some or all sanctions pending an Appeal.

### **Sanctions and Corrective Action for Student Respondents**

Sanctions and corrective actions for student Respondents include, but are not limited to, censure, disciplinary probation, restitution, eviction from residence, suspension, expulsion, restriction from employment at the University, educational program attendance, educational project, professional assessment, removal from specific courses, activities or organizations, No Contact Order, transcript notation and/or notification to other institutions, withholding or delaying the conferral of a degree, prohibitions against participation in academic honor ceremonies, such as graduation, training, guidance, other reasonable sanctions and corrective actions, and measures to protect health and safety.

Student-employees who are reported to have engaged in Prohibited Conduct in their employment capacity may be subject to sanctions both in connection with their employment and in connection with their student status, as appropriate under applicable processes. If a student is employed through a financial aid package, such as work study, any modification to the employment will not result in a decrease in student aid funds.

### **Sanctions and Corrective Action for Employee Respondents**

Sanctions and corrective actions for employee Respondents include, but are not limited to, verbal or written warning, disciplinary probation, suspension, termination of employment, training, guidance, adjustment of supervisory or evaluative responsibilities, other reasonable sanctions and corrective actions, and measures to protect health and safety. Sanctions of a faculty member may be subject to procedures outlined in the Faculty Manual. Those Procedures will be implemented in a manner consistent with the requirements of relevant laws and the Clery Act.

### **Written Notice of Outcome**

The Complainant and Respondent will receive simultaneous written notification of the outcome (typically via e-mail to each party's University e-mail address) from the Institutional Equity and Title IX Coordinator or designee, including:

1. the Disciplinary Authority's finding, by a preponderance of the evidence, as to whether or not a Policy violation occurred;
2. the Disciplinary Authority's rationale for the finding;
3. if there was a finding of responsibility, the sanctions imposed on the Respondent that directly relate to the Complainant;
4. the Disciplinary Authority's rationale for the sanction;
5. information regarding the appeal process.

The Institutional Equity and Title IX Coordinator will also document individual remedies provided to the Complainant and other steps the University took or will take to eliminate a hostile environment, if one is found to exist. That documentation may be provided to the Complainant and/or Respondent as appropriate.

### **Appeals**

The Complainant or Respondent\* may appeal the outcome by submitting a written appeal within five business days of the date of the Notice of Outcome by contacting the Institutional Equity and Title IX Coordinator in writing via e-mail. The appeal will be conducted in an impartial manner and equivalent procedural rights will be provided to both parties throughout the process.

If the Employee Equity/Title IX Misconduct Hearing Board determines termination or suspension could be an appropriate sanction if the tenured and tenure track faculty Respondent is found responsible, the adjudication and appeal of the case will be handled in accordance with the University's Tenure/Tenure Track Faculty Suspension and Termination Policy.

### **External Reviewer**

The appeal's review for students and all employees that are not subject to the University's Tenure/Tenure Track Faculty Suspension and Termination Policy will be conducted by an External Reviewer. The External Reviewer will be a neutral party outside of the university, most often an attorney with significant legal experience, training and knowledge regarding sexual and gender-based harassment and interpersonal

violence. The External Reviewer will receive annual training regarding the University's policies and procedures and other relevant issues.

The University will maintain a pool of External Reviewers selected through an inclusive committee process under the direction of the Institutional Equity and Title IX Coordinator. The External Reviewers will serve for a limited term, unless reappointed by the selection committee. Any individual selected as an External Reviewer must be free from actual bias or conflict of interest.

### **The appeal process for faculty is outlined below**

#### **Grounds for Appeal**

A Complainant or Respondent may appeal on one or more of the following grounds:

- A material deviation from the procedures that affected the outcome of the case.
- There is new and relevant information that was unavailable, with reasonable diligence and effort, at the time of the investigation that could materially affect the investigation findings.
- The sanction(s) was clearly inappropriate and/or disproportionate to the Prohibited Conduct for which the Respondent was found responsible.

#### **Process for Review**

The appeal shall consist of a plain, concise and complete written statement outlining the basis for appeal and all relevant information to substantiate the claim. Dissatisfaction with the outcome is not sufficient grounds for appeal. The appeal will be narrowly tailored to the stated appeal grounds.

Each party will be given the opportunity to review and respond in writing to the other party's appeal. Any response by a party to the other party's appeal must be submitted within three business days. All appeal documents from each party will be considered together in one review process.

The External Reviewer will review the matter based on the issues identified in the appeal(s) materials. The External Reviewer has the authority to determine the appropriateness of evidence, including whether certain evidence should be considered, and the strength and weight that evidence will be given. The External Reviewer will consider the final investigative report, any written submissions by the parties, and any impact or mitigation statements. The External Reviewer may request additional information as necessary.

Appeals are not intended to be a reevaluation of the facts gathered, nor may the External Reviewer substitute their judgment for that of the Investigators or Disciplinary Authority merely because they disagree with the outcome. The finding and sanction are presumed to have been decided reasonably and appropriately, and the External Reviewer should give deference to the underlying outcome unless there is clear error based on the stated appeal grounds.

The External Reviewer may conclude that there is no error and therefore determine that the outcome be affirmed. In the alternative, the External Reviewer may identify error based on one of the stated appeals grounds. If so, the External Reviewer may modify the finding or may refer the matter back to the Institutional Equity and Title IX Coordinator, Investigators, or Disciplinary Authority with instructions or recommendations for additional actions. The External Reviewer does not have the authority to modify sanction(s) in cases where the External Reviewer upholds a finding that the policy has been violated. However, the External Reviewer may recommend that the sanction(s) be reconsidered if, based on the record, the External Reviewer reasonably believes that the sanctions(s) may be inappropriate and/or



disproportionate to the Prohibited Conduct for which the Respondent was found responsible. In such instances, the External Reviewer may refer the matter to the following with recommendations for consideration\*:

- For student Respondents, the Vice President of Student Affairs/Dean of Students or their designee
- For employee Respondents, the Vice President for the area to whom they report or their designee
- For employee Respondents that report to the President, the President, or their designee
- If the Respondent is the President, the Chair of the Board of Trustees, or their designee

The above individuals cannot serve in this role if they previously served as a member of the hearing board for that case, or if they are a party to the complainant.

The External Reviewer will strive to complete the appeal review within 10 business days of receipt of all documents. Both parties will be provided with written notice of the outcome of the appeal. The determination by the External Reviewer is final, except in cases where the External Reviewer refers the matter of appropriate sanction(s), as stated above. In such cases, the individuals identified above make the final determination with respect to sanction(s).

**Policy Origination Date: August 1, 2019 This Policy supersedes the following policies: Policy Prohibiting Administrators, Faculty Members, Staff Members, and Students from Engaging in Sexual and Other Unlawful Harassment.**

## Title IX and other Sexual Harassment and Misconduct Policy

*Applies to the Title IX Definition of Sexual Harassment and All Other Forms of Sexual Harassment, Sexual Violence, Intimate Partner Violence and Stalking for Students, Staff, Faculty and Third Parties.*

### **I. Preamble**

#### **A. Reason for Policy**

The University of Evansville (the “University”) is committed to fostering an atmosphere free from harassment and creating an inclusive campus for all members of the University community regardless of their sex, sexual orientation, or gender identity. Sexual and Gender-Based Harassment and interpersonal violence are destructive to such a climate and will not be tolerated in the University community. The Title IX and other Sexual Harassment and Misconduct Policy (the “Policy”) informs members of the University community about the University’s prohibition against Title IX Sexual Harassment, which includes Sexual Assault, Dating Violence, Domestic Violence, and Stalking, as well as other forms of Sexual and Gender-Based Harassment (including conduct defined under Title VII) of the Civil Rights Act of 1964), Sexual Exploitation and Retaliation (collectively, “Prohibited Conduct”). It provides information about resources, reporting options, and prompt and equitable resolution options. The Policy reinforces the University’s commitment to: (1) preventing and responding to Prohibited Conduct in a manner consistent with applicable federal, state and local law; (2) cultivating a climate where all individuals are well-informed and comfortable in reporting Prohibited Conduct; and (3) identifying the standards by which potential violations of this Policy will be evaluated. As outlined in this Policy, the University will take steps to eliminate sexual and gender-based harassment and violence, prevent their recurrence, and remedy any discriminatory effects for members of the University community.

#### **B. Policy Statement**

Consistent with the University’s Non-discrimination Statement, the University does not discriminate against any person in any of its education or employment programs and activities on any basis prohibited by federal law or other applicable law, including on the basis of sex or gender, and it does not tolerate discrimination or harassment on the basis of sex or gender. This Policy has been drafted to comply with the applicable legal requirements of Title IX of the Education Amendments of 1972 (“Title IX”) and its implementing regulations, including the final Title IX regulations issued by the U.S. Department of Education’s Office for Civil Rights in May 2020, which prohibit discrimination on the basis of sex in all of the University’s education programs and activities. The requirement not to discriminate on the basis of sex in the educational program or activity extends to admission and employment. This Policy is also drafted to comply with requirements from Title VII of the Civil Rights Act of 1964, which prohibits discrimination on the basis of sex in employment; the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”), as amended by relevant provisions of the Violence Against Women Reauthorization Act of 2013 (“VAWA”), which governs certain aspects of the University’s response to sexual assault, dating violence, domestic violence and stalking; and other applicable federal and Indiana state laws.

This Policy encourages prompt reporting of Prohibited Conduct; identifies persons to whom Prohibited Conduct may be reported; prohibits retaliation against persons who bring reports under this Policy; assures privacy to the extent possible consistent with the need to address and resolve Prohibited Conduct appropriately and foster a safe learning, living and working

environment; assures all members of the University community that each report of Prohibited Conduct will receive a prompt, equitable, impartial and thorough investigation and/or resolution; and provides for appropriate disciplinary or other corrective action.

A person who is determined at the conclusion of an investigation to have committed Prohibited Conduct in violation of this Policy may be subject to disciplinary action, up to and including expulsion or termination. In some circumstances, the University reserves the right to remove a student from the University's education program or activity or place an employee on administrative leave prior to the conclusion of the Formal Resolution Process. Some forms of Prohibited Conduct may also violate federal, state and/or local law, and criminal prosecution may occur independently of any disciplinary action imposed by the University. The University's ultimate goal is to prevent Prohibited Conduct through prevention and education. It is the responsibility of every member of the University community to foster an environment free of Prohibited Conduct. However, if Prohibited Conduct occurs, the University will respond firmly, fairly and in a timely manner, using both informal and formal procedures designed to eliminate the conduct, prevent its recurrence, and remedy any adverse effects of the conduct on individuals, members of the campus community, or University-related programs or activities. All members of the University community are encouraged to take reasonable and prudent actions to prevent or stop an act of Prohibited Conduct. Taking action may include direct intervention when safe to do so, enlisting the assistance of friends, contacting law enforcement or seeking assistance from a person in authority. Retaliation against community members who make good faith reports of Prohibited Conduct or who participate in an investigation under this Policy is prohibited. Nothing in this Policy shall be deemed to revoke any right a faculty member may have to file a grievance outlined in the Faculty Manual. Grievance procedures will be implemented in a manner consistent with the requirements of Title IX and the Clery Act.

## **II. Scope and Jurisdiction**

This Policy governs the conduct of faculty, staff, students, alumni, volunteers and other participants in University programs and activities that occur on the campuses of the University of Evansville, the Stone Family Center for Health Sciences, and Harlaxton College. It also governs the conduct of third parties, including visitors and third-party contractors and vendors.

In this Policy, the individual reported to have experienced Prohibited Conduct is referred to as the Complainant. The individual who is reported to have committed Prohibited Conduct is referred to as the Respondent.

This Policy applies to acts of Prohibited Conduct that occurs both in the United States and in the University's education program or activity. The term "education program or activity" includes all of the University's operations, including the Stone Family Center for Health Sciences, and Harlaxton College, and other locations, events, or circumstances over which the University exercises substantial control over both the Respondent and the context in which the conduct occurs; and any building owned or controlled by a student organization that is officially recognized by the University. The University's education program or activity can include on-campus, off-campus, or online conduct, and applies to employment and admissions. Examples include University-sponsored, University-funded or otherwise University-supported study off campus, research, internship, mentorship, summer session, conferences, meetings, social events, or other affiliated programs or premises.

The Policy also applies to Prohibited Conduct that occurs outside of the United States, but in connection with the University's education program or activities, such as University-sponsored, University-funded or otherwise University-supported study abroad programs.

Under certain circumstances, the Policy may also apply to instances in which the conduct occurred outside of the education program or activity, but where the University otherwise regulates the conduct, the conduct has or could have a continuing impact within the University's education program or activity, or the conduct may have the effect of posing a serious threat to the University community. If the Respondent is not an employee or student, the University of Evansville's ability to take disciplinary action will be limited and is determined by the context of the Prohibited Conduct and the nature of the relationship of the third-party Respondent to the University. A visitor or third-party who is accused of violating this Policy may have their relationship with the University of Evansville terminated and/or be permanently barred from the University or subject to other restrictions for failing to comply with this Policy.

In instances where the University does not have disciplinary authority over the Respondent or the conduct is unconnected to a University education program or activity, the University will take steps to support a Complainant or other campus community members by offering reasonably available Supportive Measures and provide assistance in identifying external reporting mechanisms.

**A. Federal Jurisdictional Requirements Unique to Title IX Sexual Harassment**

The Title IX regulations apply to specific forms of sexual harassment that occur in an education program or activity in the United States. Where conduct occurs outside of the education program or activity, outside of the United States, or would not meet the definition of Title IX Sexual Harassment, the University is required to dismiss any allegations in a formal complaint under Title IX.

However, in keeping with the University's educational mission and commitment to foster a learning, living, and working environment free from discrimination, harassment and retaliation, the University can move forward under the same resolution process for Sexual and Gender-Based Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking and other forms of Prohibited Conduct that occur outside of Title IX Jurisdiction (e.g., not in the United States, or as noted above, outside of the education program or activity).

**III. Intersection and Coordination with Other Policies and Procedures**

Discrimination or harassment on the basis of race, color, creed or religion, national origin, age, disability, veteran status, gender identity, and all federally protected groups/classes not covered by Title IX do not fall under this Policy.

In addition, student, staff and faculty conduct is governed by applicable University policies and by the following:

- University of Evansville Employee Code of Conduct
- University of Evansville Drug and Alcohol Policies
- University of Evansville Student Handbook
- Harlaxton College Student Handbook
- University of Evansville Staff Manual
- University of Evansville Administrator Manual
- University of Evansville Faculty Manual
- University of Evansville Adjunct Faculty Manual
- Harlaxton College Employee Manual, Part 1
- Harlaxton College Employee Manual, Part 2
- University of Evansville Protection of Children Policy

Where conduct involves the potential violation of both this Policy and another University policy, the University may choose to investigate other potential misconduct under the procedures set forth in this Policy, provided that it does not unduly delay a prompt or equitable resolution of the report. The classification of the Respondent's primary role (student or employee) will direct the processes that will be followed for resolution.

This Policy applies to all reports of Prohibited Conduct that are received by the University on or after the effective date of this Policy, regardless of when the Prohibited Conduct occurred. Where the date of the Prohibited Conduct precedes the effective date of this Policy, the definitions of Prohibited Conduct in existence at the time of the alleged incident(s) will be used. The procedures under this Policy, however, will be used to investigate and resolve all reports made on or after the effective date of this Policy, regardless of when the incident(s) occurred.

#### **IV. The Institutional Equity and Title IX Coordinator**

The University has designated an Institutional Equity and Title IX Coordinator to oversee the implementation of this Policy and to ensure compliance with Title IX, relevant portions of VAWA and Title VII, and to work with the University's Office of Safety and Security to ensure compliance with the Clery Act and other applicable laws. The Institutional Equity and Title IX Coordinator is also charged with providing education and training; overseeing complaints; coordinating the University's investigation, response, and resolution of all reports of Prohibited Conduct under this Policy; maintaining centralized records of all reports, investigations and resolutions in accordance to Title IX and the Office of Institutional Equity's Document Retention Policy.

The University's Institutional Equity and Title IX Coordinator is:

Ms. Annie Sills

Assistant Director of Institutional Equity and Title IX Coordinator

University of Evansville

Center for Diversity Equity and Inclusion, RUC Room 263 or Olmsted Administration Hall 118

1800 Lincoln Ave.

Evansville, IN. 47722

(812) 488-5261 [cs175@evansville.edu](mailto:cs175@evansville.edu) [titleIX@evansville.edu](mailto:titleIX@evansville.edu)

Concerns about the University's application of Title IX, Title VII and the Clery Act may be addressed to the University's Institutional Equity and Title IX Coordinator; the United States Department of

Education, Clery Act Compliance Division ([clery@ed.gov](mailto:clery@ed.gov)); the United States Department of Education, Office for Civil Rights ([OCR@ed.gov](mailto:OCR@ed.gov) or 800-421-3481); the Equal Employment Opportunity Commission ([info@eeoc.gov](mailto:info@eeoc.gov) or 800-669-4000); and/or (for Harlaxton College) the Office of Independent Adjudicator (<https://www.oiahe.org.uk/contact-us/> or 0118 959 9813).

To request disability accommodations, students should contact the University's Office of Counseling Services at (812) 488-2663 or [counselingservices@evansville.edu](mailto:counselingservices@evansville.edu). Employees and other members of the University community should contact the Office of Human Resources at (812) 488-2943 or [hr@evansville.edu](mailto:hr@evansville.edu).

#### A. Prevention and Awareness Programs

The University is committed to the prevention of Prohibited Conduct through regular and ongoing education and awareness programs. Incoming students and new employees receive primary prevention and awareness programming, and returning students and current employees receive ongoing training and related programs.

The Institutional Equity and Title IX Coordinator maintains broad oversight responsibility, but may delegate responsibilities under this Policy to designated administrators or external professionals who will have appropriate training and/or experience. When used in this Policy, the term Institutional Equity and Title IX Coordinator may include an appropriate designee.

### V. Definitions of Key Terms

- **Advisor:** The parties may be accompanied by an Advisor at any meeting or proceeding related to the resolution of a report under the Policy. The Advisor may be any person, including an attorney, and need not be affiliated with the University.
- **Complainant:** A student, employee, visitor, guest, or program participant who reports they have been the victim of sexual misconduct.
- **Confidential Resource:** Any University employee or independent contractor who has the ability to maintain the confidentiality of communications under applicable law or by designation. Confidential Resources include medical, clinical, and mental-health professionals, and clergy when acting in that professional role in the provision of services; and any employee providing administrative, operational and/or related support for such providers in their performance of such services.
- **Disciplinary Authority:** An disciplinary authority, who may be an external professional appointed by the University or an internal administrator, who is designated to review the investigative report and preside over the hearing to determine if a preponderance of the evidence exists to warrant the imposition of appropriate sanction(s) and/or remedies. The Disciplinary Authority for Respondents who are tenured or tenured track faculty is addressed below.
- **Exculpatory Evidence:** Evidence that indicates that a Respondent did not engage in Prohibited Conduct.
- **Formal Complaint:** A signed document filed by a Complainant or signed by the Institutional Equity and Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the University investigate the allegation of sexual harassment
- **Formal Grievance Process:** The investigation and adjudication of prohibited conduct resulting in a formal hearing and determination of responsibility, and if appropriate, accompanying sanctions.
- **Inculpatory Evidence:** Evidence that indicates that a Respondent engaged in Prohibited Conduct.

- **Informal Resolution:** A voluntary, structured interaction between the Complainant and Respondent to resolve concerns prior to a determination by the Disciplinary Authority. The informal resolution process is intended to be flexible while also providing for a full range of possible outcomes. Informal resolution may include mediation between the parties.
- **Preponderance of the Evidence:** The standard of evidence applied to determine whether Respondent is responsible for violating the policy. This means that the University will decide whether it is more likely than not, based upon the available information, that the Respondent is responsible for the alleged Policy violation(s).
- **Prohibited Conduct:** Reported conduct that is a violation of the Title IX and other Sexual Harassment and Misconduct Policy.
- **Respondent:** A student, employee, visitor, guest of program participant who is alleged by the Complainant to have committed Prohibited Conduct.
- **Responsible Employee:** A University of Evansville employee, who is not designated as a Confidential Resource, and is required to report incidents of Sexual Harassment and Misconduct to the Institutional Equity and Title IX Coordinator.
- **Supportive Measure:** A non-disciplinary, non-punitive individualized service offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent at any time before or after a Formal Complaint is filed or where no Formal Complaint has been filed.

## **VI. Definitions of Prohibited Conduct**

This Policy prohibits a broad range of behaviors, which are referred to collectively as “Prohibited Conduct.” In determining whether reported conduct violates this Policy, the University will consider the totality of the facts and circumstances involved in the incident, including the nature of the reported conduct and the context in which it occurred. Prohibited Conduct can be committed by or against individuals of any sex, gender, gender identity, gender expression, or sexual orientation, and can occur between individuals of the same or different sex or gender, gender identity, gender expression, or sexual orientation. It can occur between strangers or acquaintances, between individuals involved in a professional relationship, and between people involved in intimate or sexual relationships. Lack of familiarity with University policy is not a defense to a violation of this Policy. Unless specifically noted, intent is not a required element to establish a policy violation. Additionally, intoxication or impairment from alcohol, drugs or other substances is not a defense to a violation of this Policy.

### **A. Title IX Sexual Harassment**

The Title IX regulations define Sexual Harassment as conduct on the basis of sex, sexual orientation, or gender identity that must satisfy one or more of the following:

- (1) An employee conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct; or
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectionably offensive that it effectively denies a person equal access to an education program or activity; and
- (3) Sexual Assault, Dating Violence, Domestic Violence, Stalking and Retaliation, as defined below.

**(a) Sexual Assault:** *Sexual assault is having or attempting to have sexual contact with another individual without consent or where the individual cannot consent because of age or temporary or permanent mental incapacity (see below for definition of **consent**, including **incapacitation**). Sexual contact includes:*

**(i) sexual intercourse (anal, oral, or vaginal), including penetration with a body part (e.g., penis, finger, hand, or tongue) or an object, or requiring another to penetrate themselves with a body part or an object, however slight; or**

**(ii) sexual touching of the private body parts, including, but not limited to, contact with the breasts, buttocks, groin, genitals, or other intimate part of an individual's body for the purpose of sexual gratification; or**

**(iii) attempts to commit Sexual Assault.**

**(b) Dating and Domestic Violence** includes any act of violence against a Complainant who is or has been involved in a sexual, dating, domestic, or other intimate relationship with the Respondent, or against a person with whom the Respondent has sought to have such a relationship, as follows:

**(i) Dating Violence: includes any act of violence committed by a person:**

(1) Who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and,

(2) Where the existence of such a relationship shall be determined based on a consideration of the following factors:

**a. *the length of the relationship;***

**b. *the type of relationship; and***

**c. *the frequency of interaction between the persons involved in the relationship.***

**(ii) Domestic Violence: includes any act of violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under Indiana state law, or by any other person against an adult or minor Complainant who is protected from that person's acts under Indiana state law.**

Dating or Domestic Violence may also include forms of Sexual Harassment under this Policy, including Sexual Assault, Sexual Exploitation, and Stalking.

**(c) *Stalking:*** *Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress.*



*(d) Course of conduct means two or more instances including but not limited to unwelcome acts in which an individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish.*

Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used.

## **B. Other Forms of Prohibited Conduct**

(1) In addition, consistent with Title VII of the Civil Rights Act of 1964 and the recognition that Sexual Harassment can occur in a wider variety of contexts, the University also defines Sexual Harassment to include Sexual and Gender-Based Harassment, as described below:

**(a) Sexual Harassment** is any unwelcome sexual advance, request for sexual favors, and/or other verbal or physical conduct of a sexual nature when one of the conditions outlined in (i), (ii) or (iii), in the following section on Gender-Based Harassment, is present.

**(b) Gender-Based Harassment** includes harassment based on gender, sexual orientation, gender identity or gender expression, which may include acts of aggression, intimidation or hostility, whether verbal or nonverbal, graphic, physical or otherwise, even if the acts do not involve contact of a sexual nature, when one of the conditions outlined in (i), (ii) or (iii), below, is present:

**(i)** Submission to, or rejection of, such conduct is made implicitly or explicitly a term or condition of a person's instruction, academic standing, employment, or participation in any University program, activity or benefit.

**(ii)** Submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions.

**(iii)** Such conduct creates a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits or deprives an individual from participating in or benefiting from the University's educational, employment, and/or campus-residential experience when viewed through both a subjective and objective standard. A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of sexual assault, for example, may be sufficiently severe to constitute a hostile environment.

**(c) Sexual and Gender-Based Harassment:**

**(i)** May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.

- (ii) Does NOT have to include intent to harm, be directed at a specific target, or involve repeated incidents.
- (iii) May be committed by anyone, regardless of gender, age, position or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational or employment relationships, harassment can occur in any context.
- (iv) May be committed by a stranger, an acquaintance, or someone with whom the Complainant has an intimate or sexual relationship.
- (v) May be committed by or against an individual or may be a result of the actions of an organization or group.
- (vi) May occur by or against an individual of any sex, gender identity, gender expression or sexual orientation.
- (vii) May occur in the classroom, in the workplace, in residential settings, or other settings, as outlined in the Scope and Jurisdiction section of this policy.
- (viii) May be a one-time event or may be part of a pattern of behavior.
- (ix) May be committed in the presence of others or when the parties are alone.
- (x) May affect the Complainant and/or third parties who witness or observe harassment.

**Examples of Sexual and Gender-Based Harassment May Include, For Example:**

- i. Offering or implying an employment-related reward (such as a promotion, raise, or different work assignment) or an education related reward (such as a better grade, a letter of recommendation, favorable treatment in the classroom, assistance in obtaining employment, grants or fellowships, or admission to any education program or activity) in exchange for sexual favors or submission to conduct of a sexual nature.
- ii. Threatening or taking a negative employment action (such as termination, demotion, denial of an employee benefit or privilege, or change in working conditions) or negative educational action (such as giving an unfair grade, withholding a letter of recommendation, or withholding assistance with any educational activity) or intentionally making the individual's job or academic work more difficult because submission to conduct of a sexual nature is rejected.
- iii. Unwelcome sexual advances, repeated propositions or requests for a sexual relationship to an individual who has previously indicated that such conduct is not wanted, unwelcome physical contact of a sexual nature, or sexual gestures, noises, remarks, jokes, questions or comments about a person's sexuality that are so severe, persistent or pervasive that they would reasonably be perceived as creating a hostile or abusive work or educational environment.

**C. Retaliation** means any adverse action, intimidation, threat, coercion or discrimination against an individual for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the individual has made a report or Formal Complaint of Prohibited Conduct, testified, assisted, or participated or refused to participate in any manner in any investigation, proceeding or hearing under this Policy. Retaliation includes such conduct through associates or agents of a Complainant, Respondent, or participant in any investigation or proceeding related to this Policy.

**D. Sexual Exploitation** occurs when a person violates the sexual privacy of another or takes advantage of another person's sexuality without Consent. Sexual Exploitation may include:

Surreptitiously observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved; recording, photographing, transmitting, showing, viewing, streaming or distributing intimate or sexual images, audio recordings or sexual information without the knowledge and consent of all parties involved; or exposing one's genitals or breasts, or causing another to expose their own genitals or breasts, in non-consensual circumstances.

**E. Complicity** is any deliberate act or failure to act that knowingly or intentionally aids, attempts or assists the commission of a specific act of Prohibited Conduct by another person.

**F. Violation of University Directive** is the failure to abide by the terms of a Supportive Measure or comply with a requirement of this Policy.

## **VII. Related Definitions**

In determining whether certain forms of Prohibited Conduct violate this Policy, the University must determine whether the acts occurred with the Consent of the Complainant.

**A. Consent** requires a voluntary, informed and freely given agreement, communicated through mutually-understandable words and/or actions, to engage in agreed-upon Sexual Contact, Sexual Intercourse, Sexual Exploitation, or other sexual activity. Consent cannot be obtained through force, where there is a reasonable belief of the threat of force, or by taking advantage of another person's incapacitation.

In evaluating whether Consent has been freely sought and given, the University will consider the presence of any force, threat of force, or coercion; whether the Complainant had the capacity to give consent; and whether the communication (through words and/or actions) between the parties would be interpreted by a reasonable person (under similar circumstances and with similar identities) as a willingness to engage in a particular sexual act.

### **Important considerations regarding Consent include:**

- Consent to one form of sexual activity does not imply or constitute consent to another form of sexual activity.
- Consent on a prior occasion does not constitute consent on a subsequent occasion.

- Consent to an act with one person does not constitute consent to an act with any other person.
- The existence of a prior or current relationship does not, in itself, constitute consent; even in the context of a relationship, there must be real time and mutual consent to sexual activity.
- Consent can be withdrawn or modified at any time, and sexual contact must cease immediately once Consent is withdrawn.
- Consent cannot be inferred from the absence of a “no.”
- Consent cannot be inferred from silence, passivity, or lack of verbal or physical resistance, and relying on nonverbal communication alone may result in a violation of this Policy.

The age of Consent in the State of Indiana is 16. Individuals who are 14 or 15 years of age are legally incapable of giving consent to Sexual Intercourse or Sexual Contact by an individual who is four or more years older.

**Incapacitation** is the inability, temporarily or permanently, to give Consent because the individual is mentally and/or physically impaired, either voluntarily or involuntarily, or the individual is unconscious, asleep or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if the individual demonstrates that the individual is unaware at the time of the incident of where individual is, how the individual got there, or why or how the individual became engaged in a sexual interaction.

When alcohol or other drugs are involved, Incapacitation is a state of drunkenness, intoxication or impairment that is so severe that it interferes with a person’s capacity to make informed and knowing decisions. Alcohol and other drugs impact each individual differently and determining whether an individual is incapacitated requires an individualized determination. The University does not expect community members to be medical experts in assessing Incapacitation. Individuals should look for the common and obvious warning signs that show that a person may be incapacitated or approaching Incapacitation. A person’s level of intoxication is not always demonstrated by objective signs; however, some signs that a person may be incapacitated include clumsiness, difficulty walking, poor judgment, difficulty concentrating, slurred speech, vomiting, combativeness or emotional volatility. A person who is incapacitated may not be able to understand some or all of the following questions: “Do you know where you are?” “Do you know how you got here?” “Do you know what is happening?” “Do you know whom you are with?”

An individual’s level of intoxication may change over a period of time based on a variety of subjective factors, including the amount of substance intake, speed of intake, body mass and metabolism. It is especially important, therefore, that anyone engaging in sexual activity is aware of both their own and the other person’s level of intoxication and capacity to give consent.

It is important to remember that the use of alcohol or other drugs can lower inhibitions and create an atmosphere of confusion about whether Consent is effectively sought and freely given. If there is any doubt as to the level or extent of one’s own or the other individual’s intoxication or Incapacitation, the safest course of action is to forgo or cease any sexual activity. Even where there is insufficient evidence to establish Incapacitation, a Complainant’s level of impairment may still be a relevant factor in establishing whether Consent was sought and freely given.

In evaluating Consent in cases of reported Incapacitation, the University asks two questions: (1) Did the Respondent know that the Complainant was incapacitated? and if not, (2) Would a sober,

reasonable person in a similar set of circumstances as the Respondent have known that the Complainant was incapacitated? If the answer to either of these questions is “yes,” there was no Consent; and the conduct is likely a violation of this Policy. A Respondent’s voluntary intoxication is never an excuse for or a defense of Prohibited Conduct, and it does not diminish one’s responsibility to determine that the other person has given Consent.

## **VIII. Understanding Privacy and Confidentiality**

The University encourages all individuals who believe they have experienced or witnessed Prohibited Conduct to share information with the Institutional Equity and Title IX Coordinator or to a Responsible Employee (defined below), who will make a referral to the Institutional Equity and Title IX Coordinator. The Title IX Coordinator will provide the Complainant with information about resolution options and supports and resources. The Institutional Equity and Title IX Coordinator will also consult with the Complainant to determine whether and how the University should respond.

If a Complainant or witness does not wish to report to the University but wishes to seek support or information in a confidential setting, they should seek such support from one of the Confidential Resources listed below.

The following information about Privacy and Confidentiality is intended to differentiate these two terms as they are used in the Title IX process.

- A. Privacy** refers to the discretion that will be exercised by the University, including the Office of Institutional Equity, in the course of any investigation or disciplinary processes under this Policy. Information related to a report of Prohibited Conduct will be handled discreetly and shared with a limited circle of University employees or designees who need to know in order to assist in the assessment, investigation and resolution of the report and related issues. Individuals in the Office of Institutional Equity, along with Investigators, Disciplinary Authority members, and External Reviewers will receive training in how to safeguard private information. The University will make reasonable efforts to investigate and address reports of Prohibited Conduct under this Policy, and information may be disclosed to participants in an investigation as necessary to facilitate the thoroughness and integrity of the investigation. In all such proceedings, the University will maintain the privacy of the parties to the extent reasonably possible. The privacy of student education records will be protected in accordance with the university’s Policy on the Access to Student Records in accordance with the Family Educational Rights and Privacy Act (FERPA). Access to an employee’s personnel records is also governed by University policy and by applicable local laws.
  
- B. Confidentiality** refers to the level of protection that must be applied to statutory protections provided to individuals who disclose information in legally protected or privileged relationships, including professional mental health counselors, medical professionals, and ordained clergy (see Confidential Resources below). These Confidential Resources must maintain the confidentiality of communications disclosed within the scope of the provision of professional services. When an individual shares information with a Confidential Resource (on campus or in the community) as a confidential communication in the course of a protected relationship, the Confidential Resource cannot disclose the information (including information about whether an individual has received services) to any third party without the individual's written permission or unless permitted or

required consistent with ethical or legal obligations. Similarly, medical and counseling records cannot be released without the individual's written permission or unless permitted or required consistent with ethical or legal obligations.

Confidential Resources submit non-personally identifying information about Clery-reportable crimes to the Office of Safety and Security for purposes of the anonymous statistical reporting under the Clery Act.

- C. Release of Information by the University:** Pursuant to the Clery Act, the University must disclose statistics about Clery Act crimes in its daily crime log and Annual Security Report and provides those statistics to the U.S. Department of Education. If a report of Sexual Assault, Dating Violence, Domestic Violence or Stalking discloses a serious or continuing threat to the campus community, the University will issue a timely notification to the campus community to protect the health and safety of the campus community as required by the Clery Act. In all of these instances, the information is reported in a manner that does not include personally identifying information about persons involved in an incident. In addition, Confidential Resources may submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient or student.

The University will not release the name of the Complainant, the Respondent or witnesses to the general public except as otherwise permitted or required by law. The University will also maintain the confidentiality of any Supportive Measures provided to a Complainant, to the extent that maintaining such confidentiality would not impair the University's ability to provide the Supportive Measures. The University may also share non-personally identifying information about reports received in aggregate form, including data about outcomes and sanctions. All University proceedings are conducted in compliance with the requirements of FERPA, the Clery Act (as amended by VAWA), Title IX, state and local law, and University policy.

## **IX. Reporting Responsibility of University Employees**

It is important to understand the different responsibilities of University employees. Some employees are designated as **Confidential Resources**, meaning that they will maintain the Confidentiality of information shared with them, as described above. All other employees are designated as **Responsible Employees**, meaning that they are required to promptly share all information about Prohibited Conduct with the Institutional Equity and Title IX Coordinator.

- A. Confidential Resources** include any University employee or independent contractor who has the ability to maintain the confidentiality of communications under applicable law or by designation. Confidential Resources include medical, clinical, and mental-health professionals, and clergy when acting in that professional role in the provision of services; and any employee providing administrative, operational and/or related support for such providers in their performance of such services. Confidential Resources will not disclose information about Prohibited Conduct without the individual's written permission or as set forth in the Confidentiality section above. When individuals who otherwise are Confidential Resources receive information outside of the provision of services, the Confidential Resource is required to share that information with the Institutional Equity and Title IX Coordinator. For example, a licensed counselor who receives a

disclosure in the context of speaking at a prevention program would be required to share the information with the Institutional Equity and Title IX Coordinator.

The following are on-campus Confidential Resources:

**Office of Counseling Services**

Room 200, Ridgway University Center  
(812) 488-2663  
[counselingservices@evansville.edu](mailto:counselingservices@evansville.edu)  
<https://www.evansville.edu/counseling/>

The Office of Counseling Services is staffed by professional, licensed counselors and is available to all students. The office is open from 8:00 am to 4:30 pm Monday through Friday, with reduced hours in the summer. These hours may be adjusted by the University at any time. Appointments can be made by calling (812) 488-2663. Emergency counseling services are available after hours by calling the Office of Safety and Security at (812) 488-2051, and asking for the counselor on call.

**Director of Religious Life**

Ridgway University Center 262  
(812) 488-5262  
[religiouslife@evansville.edu](mailto:religiouslife@evansville.edu)  
<https://www.evansville.edu/religiouslife/>

The Office of Religious Life is staffed with licensed and ordained clergy in the United Methodist Church who provide pastoral care and counseling resources to the University of Evansville. Chaplains are best available by appointment or can be reached after hours by contacting the Office of Safety and Security at (812) 488-2051.

**Crayton E. and Ellen Mann Health Center**

Sampson Hall  
(812) 488-2033  
[healthcenter@evansville.edu](mailto:healthcenter@evansville.edu)  
<https://www.evansville.edu/offices/healthcenter/>

The Health Center is staffed and operated by a third-party vendor and is available to all full-time students, as well as employees who are enrolled on UE health insurance. The University of Evansville Health Center is staffed by Nurse Practitioners, Registered Nurses and medical assistants who are under the supervision of a medical doctor of the third-party vendor. The Health Center is open from 8:00 am to 5:00 pm Monday through Friday during the fall and semesters, with reduced hours in the summer. The hours may be adjusted by the University at any time.

While these Confidential Resources will ordinarily be able to maintain the confidentiality of the information shared with them in the course of their duties, there are certain limited circumstances where they may be required by law to share information. Those circumstances include:

- If they believe there is imminent danger of self-harm, or harm to others.

- If there is reason to believe that child, elder, or dependent abuse has occurred.
- If you report being sexually assaulted and are under the age of 18.
- If the individual express threats of violence towards another person.
- If federal law enforcement officials request your information under the United States Patriot Act.
- Under court order, subpoena or as otherwise required by law.

Employees may obtain confidential counseling from the University's Employee Assistance Program, which can be accessed by contacting 1-888-293-6948.

- B. Responsible Employees** are expected to promptly report any information they learn about suspected Prohibited Conduct or potential violations of this Policy. All University employees, except for those that are designated as Confidential Resources, are considered Responsible Employees.

Responsible Employees are expected to report all known information, including the identities of the parties, the date, time and location and any details about the reported incident to the Institutional Equity and Title IX Coordinator. The Institutional Equity and Title IX Coordinator may share reports with other University employees to ensure a coordinated institutional response. Responsible Employees may provide support and assistance to a Complainant, witness or Respondent; but they cannot promise Confidentiality or withhold information about Prohibited Conduct. Failure by a Responsible Employee to report suspected Prohibited Conduct in a timely manner may subject them to appropriate discipline, including removal from a position or termination of employment.

Responsible Employees are not required to report information disclosed at public awareness events (e.g., "Take Back the Night," candlelight vigils, protests, "survivor speak-outs" or other public forums in which students may disclose Prohibited Conduct (collectively, public awareness events). The University may provide information about Title IX and available University and community resources and support at public awareness events. When individuals who are designated as Responsible Employees also serve, at times, a dual role as Confidential Resources, the individuals should not report information that they receive while providing services as Confidential Resources (except as set forth in the Confidentiality section above). In addition, a Complainant may choose not to make a report in their own case, even if the Complainant would otherwise have reporting obligations as a Responsible Employee.

**C. Clery Act Reporting**

Pursuant to the Clery Act, the University includes statistics about certain offenses in its Annual Security Report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about individuals involved in an incident. The Clery Act also requires the University to issue timely warnings to the University community about certain crimes that have been reported and may continue to pose a serious or continuing threat to campus safety. Consistent with the Clery Act, the University withholds the names and other personally identifying information of Complainants when issuing timely warnings to the University community.

**D. Mandatory Reporting of Child Abuse and Neglect**

In addition to the above reporting responsibilities, all University employees have an obligation to report known or suspected child abuse and neglect consistent with Indiana state law and the



University's *Protection of Children Policy*. Child Abuse can be reported to the Indiana Department of Child Services hotline at 1-800-800-5566.

## **X. Campus and Community Resources**

A Complainant or witness has many options, including seeking counseling or assistance from a Confidential Resource, making a report under this Policy, and/or making a report to law enforcement. The University encourages prompt reporting of Prohibited Conduct to the Institutional Equity and Title IX Coordinator and law enforcement. The University also recognizes that deciding among these options can be difficult and is an intensely personal decision. Complainants and witnesses are encouraged to seek assistance from a Confidential Resource and to explore all potential reporting and support options.

### **A. Emergency Resources and Law Enforcement**

Emergency medical assistance and campus Safety and Security assistance are available 24/7 both on and off campus. Individuals are encouraged to contact law enforcement and seek medical treatment as soon as possible following an incident that may pose a threat to safety or physical well-being or following a potential criminal offense.

To report Prohibited Conduct that is imminent, in progress, or threatened, call:

**University of Evansville:** the University's Office of Safety and Security at (812) 488-2051 or the Evansville Police Department at (812) 436-7896 or 911.

**Stone Family Center for Health Sciences:** IU Police Department/G4S Security at (812) 855-2425 or (812) 855-2421 or the Evansville Police Department at (812) 436-7896 or 911.

**Harlaxton College:** Lincolnshire Police at 101 or 999.

### **B. Medical Treatment and Preservation of Evidence**

Regardless of whether a report is filed with local law enforcement, individuals should preserve all evidence that could be relevant to any criminal charges that may be brought or that might be needed to obtain a protection order. Individuals who have been subjected to sexual assault are encouraged to obtain a physical examination by a Sexual Assault Nurse Examiner (SANE).

University of Evansville and Stone Family Center for Health Sciences:

Deaconess Hospital

<https://www.deaconess.com/Services/Emergency-Care/S-A-N-E>

Hours: 24/7

(812) 450-3405

St. Vincent's Hospital

<https://www.stvincent.org/Locations/Hospitals/Evansville>

Hours: 24/7

(812) 485-4491

Harlaxton College:

Grantham Hospital

<https://www.nhs.uk/Services/hospitals/Services/Service/DefaultView.aspx?id=345138>

Hours: Daily from 8:00am - 6:30pm

Manthorpe Rd, Grantham

NG31 8DG

01476 565232

Peterborough City Hospital

<https://www.nwangliaft.nhs.uk/a-z-of-services/e/emergency-and-out-of-hours-care/>

Hours: 24/7

Edith Cavell Campus

Bretton Gate, Peterborough

PE3 9GZ

01733 678000

Before obtaining a SANE examination, individuals should avoid showering, using the toilet, washing, applying soaps or lotions, changing clothes, combing hair, drinking, eating or altering their physical appearance. If you must change clothes, put them in a paper bag or wrap them in a clean sheet. Do not place these items in a plastic bag as the bag may distort evidence. It is also important not to disturb any evidence that may be present in the location where the offense occurred or destroy or delete any correspondence relative to the offense. Even if a SANE exam is not sought, all victims of violence should consider obtaining medical attention so that any issues relating to possible injury or disease from the incident may be addressed.

#### **C. Campus Resources**

Members of the University community may obtain information about resources relating to Prohibited Conduct from:

- Annie Sills, Institutional Equity and Title IX Coordinator  
812-488-5261, [cs175@evansville.edu](mailto:cs175@evansville.edu)
- Keith Gehlhausen, Executive Director of Human Resources and Institutional Equity  
(812) 488-2943, [kg77@evansville.edu](mailto:kg77@evansville.edu)
- Dr. Rachel Carpenter, Vice President of Student Affairs/Dean of Students (812) 488-2500, [dc26@evansville.edu](mailto:dc26@evansville.edu)
- Dr. Rob Shelby, Vice President for Talent and Community  
(812) 488- 2949, [rs262@evansville.edu](mailto:rs262@evansville.edu)

The Institutional Equity and Title IX Coordinator will provide Complainants with written notice about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services, as well as options and available assistance for changing academic, living, transportation and working situations, if requested, if reasonably available and regardless of whether reports are made to law enforcement. These supports are described in greater detail in the section on Supportive Measures.

#### **D. Community Resources**

In addition to the on-campus confidential medical and counseling resources outlined in the Confidential Resources section of this Policy, assistance and information relating to incidents involving sexual assault, intimate partner violence and stalking may also be obtained from these

organizations not affiliated with the University. Be sure to ask each organization about its policy concerning confidentiality.

University of Evansville and Stone Family Center for Health Sciences:

**Holly's House:** Non-residential victim advocacy center

750 N. Park Drive

Evansville, IN 47710

(812) 437-7233

<https://www.hollyshouse.org>

**Albion Fellows Bacon Center:** Victim advocacy and shelter

Domestic Violence Hotline: 812-422-5622

Sexual Assault Hotline: 812-424-7273

<https://www.albionfellowsbacon.org>

**RAINN:** National sexual assault hotline

1-800-656-HOPE (4673) for 24/7 live chat or more information

<https://www.rainn.org>

**Matthew 25:** HIV/AIDS services

Old Post Office Plaza

101 NW 1st St, Suite 215

Evansville, IN 47708

(812) 437-5192

<http://matthew25clinic.org>

**Vanderburgh County Health Department:** HIV/STD clinic

420 Mulberry Street

Evansville, IN 47713

(812) 435-2400

<http://health.vanderburghcounty.in.gov>

Harlaxton College:

**Spring Lodge:** Sexual Assault Referral Centre

01522 524 402 (9-5, M-F)

0303 1234 0000 (After hours)

<http://www.springlodge.org>

**Trust House – Lincolnshire:** Rape/Sexual Abuse Counseling and Support Services

01476 570 284

<http://trushouselincolnshire.org>

**Lincolnshire Rape Crisis:** Rape/Sexual Abuse Counseling and Support Services

18 Melville St

Lincoln LN5 7HW

0800 33 4 55 00

<http://www.lincolnshirerapecrisis.org.uk/>

## **XI. Reporting Options**

The University encourages all individuals to report Prohibited Conduct or a potential violation of this Policy to the Institutional Equity and Title IX Coordinator, the Office of Safety and Security, and/or to local law enforcement. A Complainant has the right to report, or decline to report, potential criminal conduct to law enforcement. Upon request, the University will assist a Complainant in contacting law enforcement at any time. Under limited circumstances (posing a threat to health or safety of any individual or to comply with applicable law), the University may independently notify law enforcement.

An individual may make a report to the University, to law enforcement, to neither, or to both. Campus Title IX processes and law enforcement investigations operate independently of one another, although the Institutional Equity and Title IX Coordinator may coordinate information with law enforcement as part of the Initial Assessment. Anyone can make a report as follows:

### **A. Make a report to the Institutional Equity and Title IX Coordinator in person, by telephone, or email at:**

Ms. Annie Sills  
Institutional Equity and Title IX Coordinator  
Center for Diversity, Equity and Inclusion RUC 263  
812-488-5261  
[cs175@evansville.edu](mailto:cs175@evansville.edu)  
[titleix@evansville.edu](mailto:titleix@evansville.edu)

### **B. Make a report to local Law Enforcement**

A Complainant has the right to report, or decline to report, to law enforcement at any time. The University's investigation and adjudication processes are distinct from the criminal justice/law enforcement process. The University will assist a Complainant in contacting law enforcement or the Complainant may contact law enforcement directly.

- University of Evansville and Stone Family Center for Health Sciences:
  - **Evansville Police Department** at **812-436-7896** or **911**.
- Harlaxton College:
  - **Lincolnshire Police** at **101** or **999**.

### **C. Make an anonymous report**

A Complainant is not required to reveal their identity in order to report an incident; however, an anonymous report may limit the ability to respond with an investigation or disciplinary action. An incident can be anonymously reported to the University at:

University of Evansville Office of Safety and Security Report A Concern Form

Campus Conduct Hotline

Although providing anonymous information may limit the ability of the University to investigate or impose discipline, it can help the University maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location, group or Respondent; and alert the campus community to potential dangers when appropriate.

A Complainant or witness also has the ability to make an anonymous report to local law enforcement by contacting:

University of Evansville and Stone Family Center for Health Sciences:

**WE TIP Crime Hotline**

1-800-78-CRIME

1-800-782-7463

<https://wetip.com/>

Harlaxton College:

**Crimestoppers**

0800 555111

<https://crimestoppers-uk.org/>

The University will assist a Complainant in contacting WE TIP/Crimestoppers or the Complainant may contact WE TIP/Crimestoppers directly.

An individual may pursue some or all of these steps at the same time (e.g., one may simultaneously pursue a Title IX report and a criminal complaint). When initiating any of the above options, an individual does not need to know whether they wish to request any particular course of action nor how to label what happened. As part of a report to the Institutional Equity and Title IX Coordinator, an individual can also request Supportive Measures.

**D. Timeframe for Reporting**

Complainants and witnesses are encouraged to report Prohibited Conduct as soon as possible in order to maximize the University's ability to respond promptly and effectively. The University does not, however, limit the timeframe for reporting. Depending on the relationship of the Respondent to the University, the University may not have the authority to impose disciplinary action. Where the University does not have Disciplinary Authority (for example, a report is made after a student has left or graduated or an employee no longer works for the University), the University will still seek to meet its Title IX obligations by evaluating the reported conduct, providing reasonably available Supportive Measures to the Complainant, assisting the Complainant in identifying external reporting options, and may take other appropriate action to address the reported conduct.

**E. Amnesty**

The University encourages reporting and seeks to remove barriers to reporting by providing amnesty for Complainants and witnesses who report Prohibited Conduct for potential conduct violations occurring at or near the time of the incident. In general, the University will not pursue disciplinary action against a student who makes a good faith report to the University as a Complainant or witness to Prohibited Conduct for personal consumption of alcohol or other drugs (underage or illegal) which would otherwise be a violation of the University's Drug and Alcohol Policies, provided the misconduct did not endanger the health or safety of others. The University may initiate an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use.

**F. Requests for Anonymity**

Once a report has been shared with the Institutional Equity and Title IX Coordinator, a

Complainant may request that their identity not be shared with the Respondent (request for anonymity), that no investigation occur, or that no disciplinary action be pursued. The University will carefully balance this request in the context of the University's commitment to provide a safe and non-discriminatory environment for all University community members. The University will take all reasonable efforts to investigate and respond to the report consistent with a Complainant's request, but in order to pursue disciplinary action against a Respondent, the Respondent must be provided with sufficient notice of the reported conduct. In some circumstances, the Institutional Equity and Title IX Coordinator may arrange for limited preliminary fact-finding by an Investigator to gain a better understanding of the context of the report or take other appropriate steps, including consulting with appropriate administrators. For more information, see the section on **Balancing Complainant Autonomy with University Responsibility to Investigate**.

#### **G. Coordination with Law Enforcement**

A Complainant has the right to report, or decline to report, potential criminal conduct to law enforcement. Upon request, the University will assist a Complainant in contacting law enforcement at any time. Under limited circumstances posing a threat to health or safety of any University community member, the University may independently notify law enforcement. An individual may make a report to the University, to law enforcement, to neither, or to both. The University's resolution process and law enforcement investigations may be simultaneously pursued but will operate independently of one another. The University will, when appropriate, coordinate information with law enforcement if law enforcement is notified.

## **XII. Supportive Measures**

Upon receipt of a report of Prohibited Conduct, the University will provide reasonable and appropriate Supportive Measures. A Supportive Measure is a non-disciplinary, non-punitive individualized service offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent at any time before or after a Formal Complaint is filed or where no Formal Complaint has been filed. Supportive Measures are designed to preserve access to the University's educational programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of the Complainant, the Respondent or broader University community; maintain the integrity of the investigative and/or resolution process; and deter retaliation.

Supportive measures may include counseling, extensions of deadlines or other course related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

**Available Supportive Measures** include, but are not limited to:

- Facilitating access to counseling and medical services.
- Guidance in obtaining a sexual assault forensic examination.
- Assistance in arranging rescheduling of exams and assignments and extensions of deadlines.
- Academic support.
- Assistance in requesting long-term academic accommodations through the Office of Counseling Services if the individual qualifies as an individual with a disability.
- Change in class schedule, including the ability to transfer course sections or withdraw from a

course.

- Allow either a Complainant or a Respondent to drop a class in which both parties are enrolled in the same section.
- Voluntary changes in the Complainant's or Respondent's University work schedule or job assignment.
- Change in campus housing.
- Escort and other safety planning steps.
- Mutual "no contact order," an administrative remedy designed to curtail contact and communications between two or more individuals.
- Voluntary leave of absence.
- Referral to resources to assist in obtaining a protective order.
- Referral to resources to assist with any financial aid, visa or immigration concerns.
- Any other remedial measure that does not interfere with either party's access to education can be used to achieve the goals of this Policy.
- Reasonable Change in the Respondent's class schedule.
- Reasonable Change in the Respondent's University work schedule or job assignment.
- Reasonable Change in the Respondent's campus housing.
- Any other reasonable restrictive measure that can be used to achieve the goals of this Policy

The availability of Supportive Measures will be determined by the specific circumstances of each report. The University will consider a number of factors in determining which Supportive Measures to take, including the needs of the student or employee seeking Supportive Measures; the severity or pervasiveness of the alleged conduct; any continuing effects on the parties; whether the Complainant and the Respondent share the same residence hall, academic course(s), or job location(s); and whether court proceedings have been used to protect any parties (e.g., protective orders). The University will work in good faith to implement the requirements of judicially issued protective orders and similar orders, to the extent that doing so is within its authority.

The Institutional Equity and Title IX Coordinator is responsible for ensuring the implementation of Supportive Measures and coordinating the University's response with the appropriate offices on campus. The Institutional Equity and Title IX Coordinator has the discretion to impose and/or modify any Supportive Measure based on all available information and is available to meet with a Complainant or Respondent to address any concerns about the provision of Supportive Measures. The University will maintain the privacy of any Supportive Measures provided under this Policy to the extent practicable.

The University will provide reasonable Supportive Measures to third parties as appropriate and available, taking into account the role of the third party and the nature of any contractual relationship with the University.

#### **A. Emergency Removal**

Certain circumstances may warrant removing a student Respondent from a University education program or activity. The University may remove a student Respondent on an emergency basis from University property or employment, education or research programs or activities. The determination of whether to remove a student may be made by the Institutional Equity and Title IX Coordinator in consultation with other University employees, as necessary. This decision may be made at any point in the process.

Before imposing an emergency removal, the University will undertake an individualized analysis of safety and risk for the campus community to determine whether the Respondent's presence in the program or activity poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Prohibited Conduct and justifies removal of the Respondent from the University program or activity.

The Institutional Equity and Title IX Coordinator will promptly provide the Respondent with written notice of any removal and an opportunity to challenge the removal. During any challenge, the Respondent will remain off-campus and must comply with the notice of removal. That notice shall include a statement that the use of any information the Respondent chooses to provide may subsequently be used in implementing any aspect of this Policy, including the investigation and adjudication. The Respondent will have 72 hours to submit a written challenge of the safety and risk analysis to the Institutional Equity and Title IX Coordinator. The Institutional Equity and Title IX Coordinator will assign the matter to be reviewed by a decision-maker to evaluate the information in support of the individualized safety and risk analysis and any information provided by the Respondent and the Complainant, as applicable. The decision-maker will submit a final decision in writing to the Respondent and the Complainant within three (3) business days, with a copy to the Institutional Equity and Title IX Coordinator.

#### **B. Administrative Leave**

Following a report of Prohibited Conduct, the University may place a non-student employee Respondent on administrative leave, with or without pay.

### **XIII. Overview of the University's Resolution Processes**

The University is committed to providing a prompt, thorough, equitable, and impartial resolution of all reported violations of this Policy. To implement this Policy, the University has developed a formal and an informal resolution process to resolve reports of Prohibited Conduct:

- **Informal Resolution:** an informal framework that includes informal or restorative options for resolving reports that typically do not involve disciplinary action against a Respondent.
- **Formal Resolution:** formal procedures that involve an investigation, adjudication and, if appropriate, the imposition of sanctions.

In all formal and informal resolution processes, the University will treat Complainants and Respondents equitably by offering Supportive Measures to a Complainant when the University has notice of potential Prohibited Conduct, and by following either the formal or informal resolution process before the imposition of any disciplinary sanction against a Respondent. Upon receipt of a report of Prohibited Conduct, the University will conduct an initial assessment of the available information and consider the Complainant's stated interests, as well as the University's compliance obligations, in determining how to proceed. A report of Prohibited Conduct may be resolved through: provision of Supportive Measures only; pursuing the formal resolution process, which involves a prompt, equitable and impartial investigation, a live hearing, and an appeal; or, pursuing an informal resolution process, which requires the voluntary and written consent of the Complainant, the Respondent and the University. A Complainant is always entitled to reasonably available Supportive Measures, regardless of whether a formal or informal resolution process is



initiated.

**A. Time Frame for Resolution**

The University will seek to complete the appropriate resolution process as promptly as possible, consistent with the need to conduct sensitive and informed fact-gathering to ensure an equitable resolution. The Policy designates reasonably prompt timeframes for the major stages of the investigation and resolution process (typically set forth in business days), but the University may extend any timeframe in this Policy for good cause. An extension may be required for good cause to ensure the integrity and thoroughness of the investigation; to comply with a request by law enforcement; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in the University calendar, University finals periods, the complexity of the investigation, the volume of information, number of witnesses, length of the written record, and/or the severity and extent of the alleged misconduct. While requests for delays by the parties may be considered, the University cannot unduly or unreasonably delay the prompt resolution of a report under this Policy. Reasonable requests for delays by the parties may serve to extend the time period for resolution of the report.

The Institutional Equity and Title IX Coordinator, in consultation with the Investigators, has the authority to determine whether an extension is required or warranted by the circumstances. The University will notify the parties in writing of any extension of the timeframes for good cause, the reason for the extension and the length of the extension. Although cooperation with law enforcement may require the University to suspend the fact-finding portion of a Title IX investigation temporarily, the University will promptly resume its Title IX investigation as soon as it is notified by the law enforcement agency that the agency has completed the evidence gathering process. The University will not, however, wait for the conclusion of a criminal proceeding to begin or conclude its own investigation and, if needed, will take immediate steps to provide appropriate Supportive Measures.

Investigations will proceed according to the timeframes in this Policy to the extent possible during the summer and at other times when classes at the University are not in session. The Institutional Equity and Title IX Coordinator will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation.

Timeframes for all phases of the disciplinary process, including the investigation, any related disciplinary proceedings and any related review of the finding, apply equally to both the Complainant and the Respondent.

**B. Advisor**

Throughout the informal or formal resolution process, each party has the right to be accompanied at any meeting or hearing by an Advisor of their choice. The Advisor may be any person, including an attorney. A party may decline to use an Advisor for any or all stages of the formal or informal resolution process, with the exception of the hearing, where any questioning of the other party must be conducted by the party's Advisor. If a party does not have an Advisor for the hearing, the University will provide an Advisor, free of charge, who may be, but is not required to be, an attorney, to attend the hearing and conduct questioning on behalf of that party.

The Advisor may observe, provide support, and provide guidance or advice to the party (in a non-disruptive manner). With the exception of the Advisor's live questioning during the hearing, they may not speak on behalf of the parties or otherwise participate in, or in any manner delay, disrupt

or interfere with meetings and/or proceedings. An Advisor should plan to make themselves reasonably available; the University will not unduly delay the scheduling of meetings or proceedings based on an Advisor's unavailability. An Advisor may be asked to meet with a University administrator in advance of any proceedings to understand the expectations of the role, privacy considerations and appropriate decorum. An Advisor may be removed for failure to follow these expectations.

The Advisor is entitled to review all information gathered in the investigation that is directly related to the allegations (as part of evidence review), access to the investigation report, and to cross-examine the other party and all witnesses during the hearing.

**C. Obligation to Provide Truthful Information**

All University community members are expected to provide truthful information in any proceeding under this Policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of Prohibited Conduct is prohibited and subject to disciplinary sanctions, in accordance with the Students' Rights and Responsibilities section of the University of Evansville Student Handbook, Student Code of Conduct section of the Harlaxton College Student Handbook, the University of Evansville Employee Code of Conduct, and other applicable University policies and procedures. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

**XIV. Intake and Initial Assessment**

**A. Response to a Report of Prohibited Conduct**

Any person may report Prohibited Conduct to the Institutional Equity and Title IX Coordinator, the Office of Safety and Security, or the other reporting options cited above. Upon receipt of a report of Prohibited Conduct, the Institutional Equity and Title IX Coordinator will contact the Complainant to discuss the availability of Supportive Measures with or without the filing of a Formal Complaint, explain to the Complainant the process for filing a Formal Complaint, and consider the Complainant's wishes with respect to Supportive Measures.

During the Initial Assessment, a Complainant may request Supportive Measures only, or may file a Formal Complaint. Alternatively, as described below, the Institutional Equity and Title IX Coordinator may determine that it is appropriate to file a Formal Complaint on behalf of a Complainant. After the filing of a Formal Complaint, the Complainant may decide to seek Informal Resolution in lieu of a formal resolution process (investigation, hearing and appeal). A Complainant is always entitled to reasonably available Supportive Measures, regardless of whether a formal or informal resolution process is initiated.

The Institutional Equity and Title IX Coordinator will also determine whether the Policy applies to the report and whether the reported conduct falls within the jurisdiction and scope of the Policy and/or Title IX.

**(1) Overview of Initial Assessment**

As part of the Initial Assessment, the Institutional Equity and Title IX Coordinator will:

- Promptly contact the Complainant to discuss the availability of Supportive Measures.
- Consider the Complainant's wishes with respect to Supportive Measures.
- Assess the nature and circumstances of the report, including whether it provides the

names and/or any other information that identifies the Complainant, the Respondent, any witness and/or any other individual with knowledge of the reported incident.

- Address immediate physical safety and emotional well-being needs.
- Conduct an individualized analysis of safety and risk for the campus community to determine whether a student Respondent's presence in the University's education programs or activities poses an immediate threat to the physical health or safety of any student or other individual that justifies removal.
- Notify the Complainant of their right to contact (or decline to contact) law enforcement or seek a civil protection order.
- Notify the Complainant of the right to seek medical treatment.
- Notify the Complainant of the importance of preservation of evidence.
- Refer the report to the Office of Safety and Security to assess the reported conduct for any Clery Act obligations, including entry in the daily crime log or issuance of a timely warning.
- Provide the Complainant with written information about on and off campus resources.
- Provide the Complainant with a copy of this Policy and an explanation of the procedural options, including seeking Supportive Measures, the process for filing a Formal Complaint, the formal resolution process and informal resolution.
- Notify the Complainant of the right to be accompanied at any meeting or proceeding by an Advisor of their choice, and that the University will provide an Advisor, without fee or charge, to conduct questioning on behalf of that party at the hearing if they do not have an Advisor.
- Assess the available information for any pattern of conduct by Respondent.
- Discuss the Complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., confidentiality concerns).
- Explain the University's policy prohibiting retaliation and how to report acts of retaliation.
- Determine the age of the Complainant; and if the Complainant is a minor, make the appropriate report of suspected abuse consistent with Indiana state law.

The Initial Assessment will be conducted promptly and the time frame for the initial assessment will be tailored to the context and circumstances. The University will seek to complete the Initial Assessment within 10 business days, but recognizes that there may be circumstances in which the Initial Assessment takes longer based on the availability of the Complainant or other necessary information, a Complainant's request to maintain privacy or not seek disciplinary action, or other factors outside of the University's control. The University understands that a Complainant may engage in delayed decision-making, which may impact the timing of the conclusion of the initial assessment.

## **(2) Formal Complaint**

The formal resolution process (investigation, hearing and appeal) is initiated by the filing of a Formal Complaint. A Formal Complaint is a written document submitted to the Institutional Equity and Title IX Coordinator by the Complainant alleging that a Respondent engaged in Prohibited Conduct and requesting an investigation. The Formal Complaint may be submitted to the Institutional Equity and Title IX Coordinator in person, by mail, or by electronic mail. The Institutional Equity and Title IX Coordinator can be reached at:

Ms. Annie Sills  
Institutional Equity and Title IX Coordinator  
University of Evansville  
Center for Diversity Equity and Inclusion, RUC Room 263  
1800 Lincoln Ave.  
Evansville, IN. 47722  
(812) 488-5261  
[cs175@evansville.edu](mailto:cs175@evansville.edu)  
[titleIX@evansville.edu](mailto:titleIX@evansville.edu)

The Complainant may also contact the Institutional Equity and Title IX Coordinator directly for assistance in making a Formal Complaint. Where a Complainant files a Formal Complaint and the reported conduct falls within the scope and jurisdiction of the Policy, the Institutional Equity and Title IX Coordinator must pursue either a formal or informal resolution process.

#### **B. Dismissal of a Formal Complaint**

The Institutional Equity and Title IX Coordinator will determine whether the conduct alleged in the Formal Complaint falls within the scope of the Policy and the definitions of Prohibited Conduct. The Title IX regulations require the University to dismiss some or all of the allegations in the Formal Complaint related to Title IX Sexual Harassment, including Sexual Assault, Dating Violence, Domestic Violence and Stalking, if: 1) the conduct alleged, even if substantiated, would not constitute Title IX Sexual Harassment as defined in the Title IX regulations; 2) the conduct did not occur within University's education program or activity; or, 3) the conduct did not occur against a person in the United States. This means that the University may be required by law to dismiss some or all of the allegations in the Formal Complaint under Title IX and provide the parties notice of the dismissal and the opportunity to appeal that dismissal.

While Formal Complaints falling outside of the Title IX regulations will be dismissed for Title IX purposes, where such conduct otherwise constitutes Prohibited Conduct and falls within the scope of this Policy, it will still be addressed and proceed to either the formal or informal resolution process.

In addition, the Institutional Equity and Title IX Coordinator may dismiss a Formal Complaint, at any stage of the process, in any of the following three circumstances: (1) the Complainant notifies the Institutional Equity and Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; (2) the Respondent is no longer enrolled or employed by the University; (3) or specific circumstances, including a Complainant's decision not to respond to outreach from the University, prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

The decision about whether to dismiss a Formal Complaint, in whole or in part, may be made at any time in the process and will be communicated to all parties in writing. If some or all of the allegations in the Formal Complaint have been dismissed, the parties will receive written information about how to appeal the dismissal of the Formal Complaint.

### **C. Balancing Complainant Autonomy with University Responsibility to Investigate**

The University endeavors to respect the wishes of a Complainant to not pursue a Formal complaint. If a Complainant requests that their name or other personally-identifiable information not be shared with a Respondent, that no investigation into a particular incident be pursued, and/or that no disciplinary action be taken against the Respondent, the University will balance this request against its commitment to a safe, non-discriminatory learning, living, and working environment for all community members, including for the Complainant. In particular, the Institutional Equity and Title IX Coordinator will take into account the Complainant's articulated concerns, the safety of the campus community, fairness to all individuals involved, and the University's obligations under Title IX.

In these instances, before taking any further investigative steps, the Institutional Equity and Title IX Coordinator will discuss any concerns with the Complainant and seek to address and remedy barriers to reporting based upon concerns about retaliation or questions about procedural options and potential outcomes.

In evaluating the appropriate manner of resolution, including whether the Institutional Equity and Title IX Coordinator will file a Formal Complaint in the absence of a Formal Complaint by the Complainant, the Institutional Equity and Title IX Coordinator will consider a range of factors, including:

- the totality of the known circumstances;
- the nature and scope of the alleged conduct, including whether the reported behavior involves the use of a weapon;
- the respective ages and roles of the Complainant and Respondent;
- the risk that the Respondent may commit additional acts of Prohibited Conduct or other violence, taking into consideration, among other matters, any known history of arrests, violence, or other complaints of Prohibited Conduct involving the Respondent, any threats of future violence made by the Respondent, and whether multiple Respondents were involved in the reported incident;
- whether the report reveals a pattern of misconduct related to Prohibited Conduct (e.g., illicit use of drugs or alcohol) at a given location or by a particular group;
- the Complainant's interest in the University not pursuing an investigation or disciplinary action and the impact of such actions on the Complainant;
- whether the University possesses other means to obtain relevant evidence;
- fairness considerations for both the Complainant and the Respondent;
- the University's obligation to provide a safe and non-discriminatory environment; and
- any other available and relevant information.

Where possible based on the facts and circumstances, the University will take all reasonable steps to respond to the report consistent with the Complainant's requested course of action, but its ability to do so may be limited based on the reported information. Where the balance of factors requires the Institutional Equity and Title IX Coordinator to file a Formal Complaint on behalf of the Complainant, the Institutional Equity and Title IX Coordinator will inform the Complainant in writing about the chosen course of action.

**D. Consolidation of Formal Complaints**

The University may consolidate Formal Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Prohibited Conduct arise out of the same facts or circumstances. All parties will receive simultaneous, timely notification of any such consolidation. During the course of the investigation, the investigation may reveal the existence of additional or different potential policy violations, which may also be consolidated following notification to the parties of the amended notice of investigation.

**E. Determination after the Initial Assessment: Scope and Manner of Resolution**

The Institutional Equity and Title IX Coordinator will consider the nature of the report, the safety of the individual and the campus community, and the Complainant’s expressed preference for the manner of resolution in determining the appropriate course of action to achieve the goals of Title IX and the Policy. The range of available resolution options include:

<b>No Further Action</b> (Which may involve referral to another University policy)	<b>Supportive Measures Only</b> (Regardless of whether a Formal Complaint is filed)	<b>Formal Resolution</b> (Following a Formal Complaint by the Complainant or the Institutional Equity and Title IX Coordinator)	<b>Informal Resolution</b> (Following a Formal Complaint by the Complainant or the Institutional Equity and Title IX Coordinator)
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At the conclusion of the Initial Assessment, the Complainant will receive a written notice of the determination about how the University will proceed.

**XV. Informal Resolution**

The University may resolve reports through Informal Resolution (which may include the possibility of mediation), as appropriate based on the circumstances. Informal Resolution is not appropriate for all cases of Prohibited Conduct, and the University retains the discretion to determine which cases may be appropriate for Informal Resolution and the type of Informal Resolution process that may be appropriate in a specific case.

Informal Resolution is available only once a Formal Complaint has been filed, prior to a determination of responsibility, and if the Complainant, Respondent and the University voluntarily consent to the process in writing. Informal Resolution is not available in cases in which an employee is alleged to have sexually harassed a student.

Informal Resolution may involve agreement to pursue individual and/or community remedies that are designed to address a report of Prohibited Conduct; targeted or broad-based educational programming or training; requiring counseling; providing housing accommodations for student Complainants; making academic accommodations for student Complainants or providing workplace accommodations for employee Complainants; and/or any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy. With the voluntary consent of the parties, Informal Resolution may be used to impose agreed-upon disciplinary sanctions.

Any person who facilitates an Informal Resolution will be trained on the definition of Prohibited Conduct, including Sexual Harassment; the scope of the University's education program or activity; how to conduct an informal resolution process, including how to serve impartially, and be free from conflicts of interest or bias for or against either party.

If the parties are interested in pursuing Informal Resolution, the Institutional Equity and Title IX Coordinator will send written notice to the parties describing:

1. The allegations at issue;
2. The requirements of the Informal Resolution;
3. The circumstances under which the parties are precluded from resuming a Formal Complaint arising from the same allegations;
4. The right to end the Informal Resolution process at any time prior to resolution and resume the Formal Complaint process;
5. The consequences resulting from participating in the Informal Resolution, including that the records and communications created or maintained as part of the Informal Resolution process may be viewed by parties, or later used or considered in the Formal Complaint process, including at a hearing.

If an agreement acceptable to the University, the Complainant and the Respondent is reached through Informal Resolution, the matter is considered to be resolved, and the parties will be precluded from filing another Formal Complaint arising from the same set of facts or circumstances. Prior to reaching a resolution, any party can withdraw from the Informal Resolution process and resume the Formal Complaint process. The Institutional Equity and Title IX Coordinator will maintain records of all reports and conduct referred for Informal Resolution, which will typically be complete within 60 business days of the initial report. Records are maintained in accordance with the Office of Institutional Equity's Record Retention Policy.

## **XVI. Formal Resolution Process: Investigation**

The University will conduct a prompt and equitable investigation to gather information relevant to the determination of whether there is sufficient information, by a Preponderance of the Evidence, to determine that a Policy violation occurred. The investigation will be impartial and will be conducted by trained Investigators who have no actual bias or conflict of interest for or against the Complainant or Respondent.

During the investigation and disciplinary proceedings, both the Complainant and Respondent have equitable opportunities, including the opportunity to receive a written notice of investigation; to participate in the investigation; to review and present information and evidence; to be accompanied by an Advisor of their choice to any meeting; to timely and equal access to information that will be used in disciplinary proceedings; to timely notice of meetings at which their presence will be requested or required; to simultaneous written notice of the outcome, sanction and rationale; and to appeal the outcome.

The Investigators, not the parties, are responsible for gathering relevant evidence. The Complainant and Respondent will be asked to identify witnesses and provide other relevant information, such as documents, communications and other evidence, if available. The parties are encouraged to provide all relevant information as promptly as possible to facilitate prompt resolution and are encouraged to preserve relevant evidence. In the event that a party declines

to voluntarily provide material information, the University's ability to conduct a prompt, thorough and equitable investigation may be impacted.

**A. Initiating an Investigation**

When the decision is made to initiate an investigation, the University will designate two Investigators to conduct a prompt, thorough, fair and impartial investigation. The Investigators may be University employees and/or external Investigators. Any Investigator used by the University will receive annual training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence and stalking; the definition of Sexual Harassment in the Title IX regulations; the scope of the University's education program and activity; how to conduct an investigation that is fair and impartial, providing the parties with notice and a meaningful opportunity to be heard, protecting the safety of all participants while promoting accountability; how to create an Investigative report that fairly summarizes relevant evidence; and, how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The Investigators will be impartial and free from actual bias or conflict of interest for or against the Complainant or Respondent. If either party believes an assigned Investigator has a conflict of interest or bias, they may notify the Institutional Equity and Title IX Coordinator, who will determine if a different Investigator should be appointed.

**B. Notice of Investigation**

The Institutional Equity and Title IX Coordinator will notify the Complainant and the Respondent, in writing (typically via e-mail to each party's University e-mail address) of the following information: (1) the names of the Complainant and the Respondent; (2) the date, time (if known), location, and a brief summary of the reported conduct; (3) the reported Policy violation(s); (4) the presumption that the Respondent is not responsible unless determined by the Disciplinary Authority; (5) the right to an Advisor of their choice, who may or may not be an attorney; (6) the name of the Investigators; (7) information about the parties' participation options in the process; (8) the prohibition against Retaliation; (9) the importance of preserving any potentially relevant evidence in any format; (10) how to challenge participation by the Investigators on the basis of a conflict of interest or bias; (11) access to Counseling Services for students and/or Employee Assistance Program for employees; (12) a list of Supportive Measures available to parties and (13) a copy of this Policy. If, at any time, the investigation reveals the existence of additional or different potential violations of this Policy, the Institutional Equity and Title IX Coordinator will issue a supplemental notice of investigation.

**C. Acceptance of Responsibility**

At any point during the investigation, the Respondent may elect to accept responsibility for some or all of the Policy violations at issue. Where there is an acceptance of responsibility as to some but not all of the charges, the investigation will continue to conclusion. Where there is an acceptance of responsibility as to all of the potential Policy violations, the Investigators will complete an investigative report of all information gathered to date and refer the matter to the Disciplinary Authority for sanctioning as described below. Where both parties and the University agree, the matter may also be resolved through the Informal Resolution process.



#### **D. Investigative Steps**

During an investigation, the Investigators will seek to meet separately with the Complainant, Respondent and relevant witnesses. The Investigators are responsible for gathering inculpatory and exculpatory evidence directly related to the Formal Complaint. The Investigators will send written notice of the interview date, time, and location, name of participants and purpose of the interview to the parties and witnesses, in sufficient time for the party to prepare and participate.

The Investigators will interview the parties, and any witnesses likely to have information directly related to the Formal Complaint. The Investigators will also gather other related information or evidence, including documents, photographs, communications between the parties, medical records (subject to the consent of the applicable person), and other electronic records as appropriate.

At the conclusion of the investigation, the Complainant and the Respondent will both have the opportunity to review and respond to all information gathered in the investigation that is directly related to the allegations, including information shared by the Complainant or the Respondent during their interviews or through evidence either provides.

##### **(1) Witnesses**

Both the Complainant and Respondent have the option to provide names of potential witnesses to the Investigators. Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, the parties or related matters. Witnesses may also be offered to provide subject matter expert information (*See Other Evidence: Site Visits and Experts below*).

Where witnesses are interviewed as part of the investigation, the name of the witness and the information gathered in the interviews will be included in the written investigation report, which the parties will have the opportunity to review at the conclusion of the investigation. Witnesses may be asked to participate in the hearing in response to the information gathered by the Investigators.

##### **(2) Additional Evidence**

Both the Complainant and the Respondent are permitted to provide other relevant evidence to the Investigators. Evidence may be inculpatory or exculpatory. Evidence includes any facts or information presented in support of an assertion and may include text messages, email exchanges, timelines, receipts, photographs, etc. Any documentation shared by the Complainant or the Respondent with the Investigators will be provided to the other party. The Investigators may also consider additional documents, items or other relevant information.

During the course of the investigation, the parties should bring any new or evolving evidence, such as harassing or retaliatory conduct, to the attention of the Investigators. The Investigators may consider such information in the investigation and will also share any information about retaliation or violation of the terms of a Supportive Measure with the Institutional Equity and Title IX Coordinator for further action.

### (3) **Relevance**

The University will not restrict the ability of either party to gather and present relevant evidence. Evidence is relevant if it makes a material fact more or less probable than it would be without the evidence. In general, the Investigators have the discretion to determine the relevance and probative value of information proffered or received. At the live hearing, as further described below, the Disciplinary Authority has the discretion to determine whether questions posed by the party's Advisor are relevant, and only relevant questions may be asked of parties or witnesses at the hearing.

In addition, the Investigators and Disciplinary Authority will be guided by the following evidentiary considerations:

- ***Prior or Subsequent Conduct of the Respondent:*** Prior or subsequent conduct of the Respondent may be considered in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of Prohibited Conduct by the Respondent, either before or after the incident in question, regardless of whether there has been a prior finding of a Policy violation, may be deemed relevant to the determination of responsibility for the Prohibited Conduct under investigation. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar Prohibited Conduct so distinctive and so closely resembling either party's account of the encounter as to tend to prove a material fact may be considered. The Investigators will determine the relevance of this information and both parties will be informed if evidence of prior or subsequent conduct is deemed relevant.
- ***Prior Sexual History of the Complainant:*** Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are: 1) offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or, 2) the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. As set forth in the consent definition above, however, previous relationships or prior consent cannot imply consent to future sexual acts. The Investigators, in consultation with the Institutional Equity and Title IX Coordinator, will assess whether information related to prior sexual history makes a material fact in the investigation more or less likely. Where a sufficient informational foundation exists for the inclusion of prior sexual history, the Investigators will provide notice to both parties of the scope of any inclusion of such information in the investigative report. The parties will have a full and fair opportunity to respond to the information included in the investigative report.

### (4) **Social Media and Personal Communications**

The Investigators may also consider information publicly available from online sources that comes to the attention of Investigators. The University does not actively monitor online sources, however, and as with all potentially relevant information, the Complainant, Respondent or witness should bring online information to the attention of the Investigators if they believe it is relevant. The Investigators may also consider communications involving or

relating to one or both parties that either party brings to the attention of the Investigators or that is provided by the parties in response to a request by the Investigators. The Investigators may also seek a review of information available on University devices or servers, consistent with the University's technology policies.

**(5) Other Evidence: Site Visits and Experts**

The Investigators may visit relevant sites or locations and record observations through written, photographic or other means. In some cases, the Investigators may consult with relevant experts when deemed appropriate and necessary by the University. If the Investigators or the Disciplinary Authority determine that expert witness testimony is necessary, then the University would secure attendance and be responsible for costs. If either party wishes to provide expert testimony or evidence, they are solely responsible for securing attendance of any expert witness at a hearing, and for the costs or fees associated with any expert report or testimony.

**(6) Medical and Counseling Records**

The Investigators will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. If a person voluntarily chooses to share medical or counseling records with the Investigators, they must sign a written consent that acknowledges that relevant information from the medical or counseling records must be shared with the other party to ensure the other party has notice of that information and an opportunity to respond.

**(7) Expectations of the Parties**

The University expects all members of the University community to cooperate fully with the investigation and disciplinary procedures. It is understood that there may be circumstances in which a Complainant or Respondent wish to limit their participation, and the University will respect the choice of the Complainant or Respondent as to how to engage in proceedings under this Policy. The University may, however, move forward with formal resolution without the participation of a party or parties.

The University will not draw any adverse inference solely from a Complainant's or Respondent's decision not to participate in the investigation or any form of resolution under this Policy; however, the Complainant or Respondent should be aware that declining to participate in the investigation may impact the timing and outcome of the case.

**(8) Effect of Withdrawal**

At any time, the University may place an administrative hold on the Respondent's University transcript or defer or withhold the award of the Respondent's degree. Even if a Respondent withdraws from the University, the Institutional Equity and Title IX Coordinator may proceed with further action as necessary to eliminate, prevent or address any impacts of the reported conduct.

**(9) Safeguarding the Privacy of Complainants and Respondents**

As stated above, the University will not restrict the ability of either party to gather and present relevant evidence. Individuals involved in investigations or disciplinary proceedings under this Policy are encouraged to exercise discretion in sharing information in order to safeguard the

integrity of the process and to avoid the appearance of retaliation.

While discretion regarding the process is important, Complainants and Respondents are not restricted from discussing and sharing information with others who may support or assist them during the process. All parties, however, are encouraged to maintain the privacy of Family Educational Rights and Privacy Act (FERPA)-protected and/or sensitive information gathered or learned in the process.

**(10) Timing of Investigation**

The Investigators will provide periodic updates to the parties about the status of the investigation, with a goal to complete the fact-gathering portion of the investigation within approximately 50 business days.

**(11) Coordination with Law Enforcement**

If there is a concurrent criminal investigation, the University will seek to work in a collaborative manner in order to respect the integrity of external investigations and University investigations. This may include contacting the law enforcement agency that is conducting any investigation to inform that agency that a University investigation is also in progress, attempting to ascertain the status of the criminal investigation, and seeking to determine the extent to which any evidence collected by law enforcement may be available to the University in its investigation.

**(12) Evidence Review**

At the conclusion of their fact-gathering, the Investigators will make information gathered in the investigation available for review by the parties and their Advisors. Both parties and their Advisors will be given equal opportunity to inspect and review, either in hard copy or an electronic format, any evidence obtained by the Investigators that is directly related to the allegations submitted in the Formal Complaint. This includes evidence that the University does not intend to rely on in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Each party will have ten business days to submit a written response to the Investigators, which the Investigators will consider prior to the completion of the investigative report. In the written submission, the parties may offer additional comment or feedback on the facts as gathered, clarify information previously shared, suggest additional witnesses, suggest additional lines of questioning or inquiry, or identify any other relevant information or evidence to assure the thoroughness, sufficiency and reliability of the investigation. All collected evidence, regardless of inclusion in the investigative report, should be available during the hearing.

As necessary, the Investigators will designate reasonably prompt timeframes to ensure a timely completion of the process while also providing an adequate opportunity for both parties to respond thoroughly to the information gathered during the investigation. In the absence of good cause, information that could have been learned that is not provided to the Investigators upon review of the information gathered will not be considered in the determination of responsibility for a violation of the Policy.

**(13) Investigative Report**

Upon the conclusion of the evidence review by the Complainant and Respondent (including any additional investigative steps requested by the parties or identified by the Investigators, normally within ten business days after receipt and consideration of additional comments, questions and/or information from the parties), the Investigators will provide the Institutional Equity and Title IX Coordinator with an investigative report, who will then simultaneously share with the Complainant, Respondent, and appropriate Disciplinary Authority in writing (typically via e-mail to each party's University e-mail address).

**The investigative report will include both inculpatory and exculpatory facts. As noted above, the Investigators have the discretion to determine the relevance of any witness or other evidence. The investigative report will be sent to each party and their Advisors in an electronic format or a hard copy, for their review and written response. If a party disagrees with the Investigators determinations about relevance, the party can make that argument in the party's written response to the investigative report and to Disciplinary Authority at any hearing held.**

**XVII. Formal Resolution Process: Hearing and Appeal**

The University's formal resolution process is designed to identify and implement a tailored and individual response intended to address Prohibited Conduct, while supporting the University's educational mission, legal obligations and commitment to Title IX.

**A. Notice of Hearing**

The Complainant and Respondent will be notified in writing of the date, time, and location of the hearing; the charges to be reviewed by the Disciplinary Authority, including the date, time, location and factual allegations concerning the violation; the provisions of the Policy alleged to have been violated; the name of the Disciplinary Authority; how to challenge participation of the Disciplinary Authority on the basis of conflict of interest or bias; the right to have an Advisor present at the hearing and conduct questioning on the party's behalf; that the University will provide an Advisor, without fee or charge, to conduct questioning on behalf of the party at the hearing if the party does not have an Advisor present for the hearing; how to request that witnesses be present at the hearing; information about the hearing format; and the sanctions that may be imposed. The Respondent and Complainant will be provided the Notice of Hearing at least ten days prior to the date of the hearing. The time frame in which the hearing is conducted may be extended for good cause at the discretion of the Institutional Equity and Title IX Coordinator. Good cause may include the availability of the parties, the availability of witnesses, the timing of semester breaks, or any other extenuating circumstances. Hearings may be scheduled whenever the University is officially open (including summer and winter breaks).

**B. Selection of Disciplinary Authority**

The Disciplinary Authority will be either an external professional appointed by the University or an internal administrator. Any Disciplinary Authority used by the University will be free from conflicts of interest and bias for or against either party; receive annual training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence and stalking; the scope of the University's education program or activity; how to conduct a hearing and adjudicate in a manner that is fair and impartial by avoiding prejudgment of the facts at issue; technology that will be used at a live hearing; and on issues of relevance of questions and

evidence. Training materials will be posted on the University's Office of Institutional Equity webpage. If either party believes the Disciplinary Authority has a conflict of interest or bias, they may notify the Institutional Equity and Title IX Coordinator, who will determine if a designee should be appointed.

The role of the Disciplinary Authority is to provide all parties with an equitable opportunity to be heard, to make relevance determinations, and to objectively evaluate all relevant inculpatory and exculpatory evidence in order to reach a full and fair determination as to responsibility and imposition of any sanction, should there be a finding of responsibility. The Disciplinary Authority will review the investigative report and any written statements provided by the parties in response to the investigative report, all exhibits, and any additional relevant evidence introduced at the hearing. The Disciplinary Authority will determine whether there is sufficient evidence, by a Preponderance of the Evidence, to support a finding of responsibility as to each element of each Policy violation at issue. The Disciplinary Authority may reach credibility determinations but may not base credibility determinations on a person's status as a Complainant, Respondent or witness. Where a Complainant or Respondent declines to participate in a hearing, the Disciplinary Authority may not make an adverse inference against that party.

The Institutional Equity and Title IX Coordinator is administratively responsible for coordinating all aspects of the formal resolution process. For cases involving student Respondents, the Institutional Equity and Title IX Coordinator may utilize the Office of the Dean of Students for administrative assistance in coordinating the disciplinary process. For cases involving employee-Respondents, the Institutional Equity and Title IX Coordinator may utilize the Office of Human Resources for administrative assistance in coordinating the disciplinary process.

The Executive Director of Human Resources and Institutional Equity, or their designee, will serve as an advisor to the Disciplinary Authority. In all instances, the Disciplinary Authority may consult with the Executive Director of Human Resources and Institutional Equity or their designee to ensure that the sanction(s) and/or remedies satisfy the University's obligation to eliminate the Prohibited Conduct, prevent its recurrence and address its effects.

\*For tenured and tenure track faculty Respondents who may be subject to termination or suspension, the Disciplinary Authority is outlined below in the Adjudication and Appeal Process for Tenured and Tenure Track Faculty section.

### **C. Impact or Mitigation Statements**

In the time frame directed by the Institutional Equity and Title IX Coordinator, the Complainant and Respondent may submit a written impact or mitigation statement for consideration by the Disciplinary Authority. The decision whether to provide an impact or mitigation statement is completely voluntary.

An impact statement is written information from the Complainant regarding how the Prohibited Conduct has affected them and the Complainant's views on an appropriate sanction. Impact statements may include a description of: emotional impacts caused by the Prohibited Conduct; negative social or educational consequences arising from the Prohibited Conduct; medical or psychological consequences sustained as a result of the Prohibited Conduct; the Complainant's view on the Prohibited Conduct; or the Complainant's view on the appropriate sanction.

A mitigation statement is written information from the Respondent regarding any potential mitigating factors. Mitigation statements may include a description of: the Respondent's previous good character; worthy social or academic contributions and public service; whether the Respondent accepted responsibility for the Prohibited Conduct; cooperation with the investigation; the Respondent's mental or physical health; the Respondent's view on an appropriate sanction; and the likely effect of the sanctions on Respondent.

The Institutional Equity and Title IX Coordinator will review all information submitted in an impact statement or mitigation statement for relevance and appropriateness and may determine that some or all of the information submitted will not be provided to the Disciplinary Authority. Both parties will receive a copy of the impact or mitigation statement provided to the Disciplinary Authority.

**D. Adjudication and Appeal Process for Tenured and Tenure Track Faculty**

An external Disciplinary Authority will review the investigative report for tenured and tenure track faculty Respondents prior to a Disciplinary Authority hearing to assess whether the reported conduct could result in the termination or suspension of the faculty member. If the external Disciplinary Authority determines termination or suspension could be an appropriate sanction if the tenured and tenure track faculty Respondent is found responsible, the adjudication and appeal of the case will be handled in accordance with the University's Tenure/Tenure Track Faculty Suspension and Termination Policy.

If the external Disciplinary Authority determines that termination or suspension may not be an appropriate sanction for reported conduct of a tenured and tenure track faculty Respondent, the Disciplinary Authority will be the external Disciplinary Authority and the faculty member will be subject to the adjudication and appeal policies outlined below. However, if at any time during the Disciplinary Authority hearing, the external Disciplinary Authority determines termination or suspension could be an appropriate sanction, the adjudication and appeal of the case will be handled in accordance with the University's Tenure/Tenure Track Faculty Suspension and Termination Policy.

For faculty members who are not tenured or tenure track, the Disciplinary Authority will be the external Disciplinary Authority and the faculty member will be subject to the adjudication and appeal policies outlined below, regardless of the sanctions that may be imposed.

**E. Disciplinary Authority Hearing**

Hearings will be conducted either in-person or virtually with technology that enables the Disciplinary Authority and parties to simultaneously see and hear all participants.

The hearing is an opportunity for the parties to address the Disciplinary Authority. The parties may address any information in the investigative report and supplemental statement submitted in response to the investigative report. The University will make all evidence directly related to the allegations, as shared in the evidence review, available to the parties at the hearing, including for the purposes of cross-examination.

The Disciplinary Authority has the discretion to determine the format for the hearing and its deliberations. Typically, the Complainant and Respondent will have an opportunity to provide an opening statement to the Disciplinary Authority. Each party will then have an opportunity to

address the Disciplinary Authority and respond to questions by the Disciplinary Authority, or as described below, the other party's Advisor. The Disciplinary Authority will also hear from relevant witnesses, including the Investigator(s). Each party will have the opportunity to question the other party, the witnesses, and the Investigator(s) through their Advisor of choice or hearing Advisor provided by the University directly, orally, and in real time. If a party does not have an Advisor present at the live hearing, the University will provide an Advisor, free of charge, who may be, but is not required to be, an attorney, for questioning on behalf of that party.

Only relevant questions may be asked of a party or witness. Before a Complainant, Respondent, or witness responds to a question, the Disciplinary Authority will first determine whether the question is relevant and briefly explain any decision to exclude a question as not relevant as defined above. If a party or witness does not submit to questioning by the other party's Advisors at the hearing, the Disciplinary Authority may rely on statements made by that party or witness in reaching a determination regarding responsibility, after assessing the relevance of each statement and weighing the reliability of the statement against the fact that the statement was not further tested through questioning at a hearing. The Disciplinary Authority may not draw any inference from the decision of a party or witness to not participate at the hearing.

After all parties and witnesses have been heard, the parties will have an opportunity to provide a closing statement. The Advisor may not provide the opening or closing statement and may not provide answers or responses on behalf of a party. The Advisor's role during the hearing is to conduct questioning of the other party and any witnesses. A party may never conduct questioning of the other party themselves.

An audio recording will be made of the hearing. The recording will be maintained by the Office of Institutional Equity for at least ten years from the date of the hearing. A written transcript of the hearing will not be prepared. Requests to listen to the audio recording of a hearing should be made to the Institutional Equity and Title IX Coordinator.

#### **F. Determination of Violation and Possible Sanctions**

At the conclusion of the hearing, the Disciplinary Authority will determine whether there is sufficient information, by a Preponderance of the Evidence, to support a finding of responsibility for a violation(s) of the Policy. A Respondent is presumed to be not responsible for the alleged conduct unless and until a determination regarding responsibility is made at the conclusion of the resolution process. If a Respondent is found responsible, the Disciplinary Authority will determine the appropriate sanction(s) and may be given access to the Respondent's discipline/criminal history for consideration.

The Policy prohibits a broad range of conduct, all of which is serious in nature. In keeping with the University's commitment to foster an environment that is safe, inclusive, and free from discrimination and harassment, the Disciplinary Authority has great latitude in the imposition of sanctions tailored to the facts and circumstances of each report, the impact of the conduct on the Complainant and surrounding community, and accountability for the Respondent. Sanctions should support the University's educational mission and federal obligations.



**In determining the appropriate sanction(s) and/or remedies, the Disciplinary Authority will consider a number of factors, including:**

- the nature of the conduct at issue;
- the impact of the conduct on the Complainant;
- the impact or implications of the conduct on the University community;
- prior misconduct by the Respondent, including the Respondent's relevant prior discipline history, both at the University or elsewhere, and any criminal convictions, if such information is available and known;
- any expression of remorse or acceptance of responsibility by the Respondent;
- maintenance of a safe and respectful environment conducive to learning;
- protection of the University community;
- the necessity of any specific action in order to eliminate the Prohibited Conduct, prevent its recurrence and remedy its effects on the Complainant or other University community members; and,
- any mitigating, aggravating or compelling circumstances in order to reach a just and appropriate resolution in each case.

The Disciplinary Authority may also consider restorative outcomes that, taking into account the safety of the University community as a whole, allow a Respondent to develop insight about their responsibility for the behavior, learn about the impact of the behavior on the Complainant and the community, and identify how to prevent or change the behavior. Sanctions may be issued individually, or a combination of sanctions may be imposed. Sanctions will typically be imposed immediately, although the Institutional Equity and Title IX Coordinator in consultation with the Dean of Students (if a student) or Executive Director of Human Resources and Institutional Equity (if an employee) has the discretion to stay imposition of some or all sanctions pending an Appeal.

**(1) Sanctions and Corrective Action for Student Respondents**

Sanctions and corrective actions for student Respondents include, but are not limited to, censure, disciplinary probation, restitution, , suspension, expulsion, educational program attendance, educational project, professional assessment, transcript notation and/or notification to other institutions, and withholding or delaying the conferral of a degree.

Student-employees who are reported to have engaged in Prohibited Conduct in their employment capacity may be subject to sanctions both in connection with their employment and in connection with their student status, as appropriate under applicable processes. If a student is employed through a financial aid package, such as work study, any modification to the employment will not result in a decrease in student aid funds.

**(2) Sanctions and Corrective Action for Employee Respondents**

Sanctions and corrective actions for employee Respondents include, but are not limited to, verbal or written warning, disciplinary probation, suspension, termination of employment, training, guidance, adjustment of supervisory or evaluative responsibilities, other reasonable sanctions and corrective actions, and measures to protect health and safety. Sanctions of a faculty member may be subject to procedures outlined in the Faculty Manual. Those Procedures will be implemented in a manner consistent with the requirements of Title IX and the Clery Act.

## **G. Written Notice of Outcome**

The Disciplinary Authority will prepare a written decision and rationale, including the finding of responsibility or non-responsibility, and, if applicable, the sanction and rationale. The Complainant and Respondent will receive simultaneous written notification of the outcome (typically via e-mail to each party's University e-mail address) from the Institutional Equity and Title IX Coordinator or their designee, including:

1. Identification of the allegations potentially constituting Prohibited Conduct;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the Policy to the facts;
5. A statement of, and rationale for, the result as to each alleged Policy violation, including a determination regarding responsibility, any disciplinary sanctions, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided to the Complainant; and
6. The procedures and permissible bases for the Complainant and Respondent to appeal.

The Institutional Equity and Title IX Coordinator will also document individual remedies provided to the Complainant and other steps the University took or will take to eliminate a hostile environment, if one is found to exist. That documentation may be provided to the Complainant and/or Respondent as appropriate.

## **H. Appeals**

### **(1) Grounds for Appeal**

A Complainant or Respondent may appeal the decision of the Disciplinary Authority on one or more of the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could materially affect the outcome;
- The sanction(s) was grossly disproportionate to the Prohibited Conduct for which the Respondent was found responsible; or
- The Institutional Equity and Title IX Coordinator, Investigators, and/or Disciplinary Authority had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The Complainant or Respondent may appeal the outcome by submitting a written appeal within five business days of the date of the Notice of Outcome to the Institutional Equity and Title IX Coordinator in person or via e-mail.

If the Disciplinary Authority determines termination or suspension could be an appropriate sanction if the tenured and tenure track faculty Respondent is found responsible, the adjudication and appeal of the case will be handled in accordance with the University's Tenure/Tenure Track Faculty Suspension and Termination Policy, which complies with the most current version of the AAUP guidelines and Title IX Final Rule regulations.

When a party appeals either the determination of the Disciplinary Authority or the dismissal of a Formal Complaint, the Institutional Equity and Title IX Coordinator will do the following:

- a. Notify the other party in writing when an appeal is filed;
- b. Ensure that the External Reviewer for the appeal is not the Disciplinary Authority and ensure that this individual is trained appropriately;
- c. Allow both parties the opportunity to submit a written statement in regards to the appeal; and
- d. Issue the External Reviewer's written decision regarding the appeal and rationale to both parties.

**(2) External Reviewer**

The appeal for students and all employees that are not subject to the University's Tenure/Tenure Track Faculty Suspension and Termination Policy will be conducted by an External Reviewer. The External Reviewer will be a neutral party outside of the University, most often an attorney with legal experience, training and knowledge regarding sexual and gender-based harassment and interpersonal violence. The External Reviewer will be free from bias or conflict of interest for or against Complainants and Respondents and receive annual training on: (a) the definition of Prohibited Conduct, including Sexual Harassment; (b) the scope of the University's education program or activity; (c) how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; (e) the presumption of "not responsible" until any appropriate process concludes; and, (f) how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability.

The University will maintain a pool of External Reviewers selected through an inclusive committee process under the direction of the Institutional Equity and Title IX Coordinator. The External Reviewers will serve for a limited term, unless reappointed by the selection committee.

Within ten (10) working days of receipt of the appeal, the External Reviewer will render a written decision to the Institutional Equity and Title IX Coordinator, who will simultaneously share the written decision with the parties and their Advisors.

The options available to the External Reviewer are to: (a) affirm the findings, disciplinary decision and/or the sanction(s); (2) modify the findings, disciplinary decision and/or sanction(s); or (3) in the event of significant new evidence, order a new hearing based on the totality of the evidence.

The decision by the External Reviewer is final. No further appeals are available.

**Document History**

**Policy Revision Date: August 14, 2020**

**Policy Origination Date: August 1, 2019**

**This Policy supersedes the following policy:**

- Sexual Harassment and Misconduct Policy

## CONSENSUAL SEXUAL OR ROMANTIC RELATIONSHIPS BETWEEN EMPLOYEES AND STUDENTS

### **Policy Statement**

The University of Evansville is committed to maintaining a safe, positive, and respectful environment where students, faculty, administrators, and staff study, learn, and work without concern that potentially exploitative or coercive sexual or romantic relationships may damage the associations essential to our educational mission, create real or perceived conflicts of interest, or jeopardize the fair treatment of members of our community.

### **Reason for Policy**

The purpose of the Policy on Consensual Sexual or Romantic Relationships Between Employees and Students is to ensure that the University's academic and work environment remains free from real or apparent conflicts of interest when individuals in positions of unequal power and authority at the University are involved in consensual sexual or romantic relationships.

The relationships identified in this policy invariably involve individuals occupying positions of asymmetrical power and authority. That asymmetry has the potential to compromise the integrity of the academic or work environment and creates an inherent risk of exploitative or coercive sexual or romantic relationships. The existence of a relationship in this context, even where consensual, may also create the perception of favoritism or preferential treatment that damages the integrity of the supervision and evaluation provided and may harm third parties. These types of relationships may also raise concerns that the person in authority has violated standards of professional conduct, raise the potential for conflicts of interest or bias, and undermine the respectful and productive educational and supervisory affiliations between individuals, and may lead to actual or perceived sexual harassment, discrimination, and other behavior harmful to members of our community.

### **Consensual Sexual or Romantic Relationships and Evaluative Authority**

When individuals involved in a consensual sexual or romantic relationship are in positions of unequal power and authority at the University, such as faculty student, graduate assistant-student, supervisor subordinate employee, advisor-advisee, or coach-student athlete, there is the potential for a conflict of interest, favoritism, and exploitation. These relationships may be less voluntary than the person with greater power and authority perceives, or circumstances may change and conduct that was once welcome may become unwelcome. The fact that a relationship was initially consensual does not insulate the person with greater power and authority from a claim of sexual harassment. Further, a party's professional or academic reputation may suffer due to perceptions of favoritism or exploitation. Moreover, such relationships may lead to restricted opportunities, or a perception thereof, for others in the academic or work environment.

Therefore, this policy prohibits, with few exceptions, as identified in this policy:

- Sexual or romantic relationships between undergraduate students at the University and faculty, coaches, administrators, staff, and certain other individuals, as identified in this policy.
- Sexual or romantic relationships between graduate students at the University and faculty, coaches, administrators, staff, and certain other individuals, as identified in this policy, who have or may have in the future an instructional, evaluative or supervisory responsibility over the graduate student while the graduate student is at the University.

- Sexual or romantic relationships between supervisors and subordinate employees.

### **Definitions**

- For purposes of this policy, a “faculty member” is someone who teaches, educates, supervises, or evaluates students and includes but is not limited to regular, part time, adjunct, or visiting faculty. It includes faculty who may not be teaching during a particular semester or academic year but who serve as an academic administrator, as well as faculty who are on sabbatical or on some other form of leave. It also includes individuals who are graduate assistants who teach, supervise or evaluate students in connection with their academic endeavors.
- For purposes of this policy, “staff and administrators” include University employees, administrators, athletic coaches, contractors, volunteers, and others who coach, mentor, counsel, advise, employ, supervise, manage, or evaluate students for or on behalf of the University. For purposes of this policy, except for Resident Assistants, staff and administrators does not include undergraduate student employees who are primarily students.
- For purposes of this policy, “romantic” means showing, expressing, or relating to sexual interest, intimacy or relations, irrespective of whether such conduct is welcome.
- For purposes of this policy, an “undergraduate student” is someone who has not previously earned an undergraduate degree. Students who are pursuing a second or later degree are considered graduate students for purposes of this policy. Students with unclear registration status or a registration status other than as a graduate or undergraduate student, and graduate students who are members of a University athletics team based on NCAA eligibility rules, are considered undergraduates for purposes of this policy.

### **Prohibited Relationships with Undergraduate Students**

No faculty member, staff, or administrator (except for graduate assistants, as provided below), may have a sexual or romantic relationship with any undergraduate student at the University. No graduate assistant may have a sexual or romantic relationship with any undergraduate student at the University who is enrolled in a course in the department in which the graduate assistant is performing his or her duties.

No faculty member, administrator, or staff member may teach, instruct, evaluate, recommend (or serve as a reference for), supervise, or manage an undergraduate student with whom they have previously had a sexual or romantic relationship.

### **Prohibited Relationships with Graduate Students**

No faculty member, administrator, or staff member may have a sexual or romantic relationship with a graduate student in the department or program they instruct and/or supervise. Further, no faculty member, administrator, or staff member may have a sexual or romantic relationship with a graduate student over whom they have, or likely will have a future instructional, evaluative, supervisory, or managerial relationship while the graduate student is matriculating at the University, including one who may be called upon to formally or informally provide a recommendation (or serve as a reference) for future employment or fellowship, research or other educational positions.

No faculty member, administrator, or staff member may teach, instruct, evaluate, recommend, supervise, or manage a graduate student with whom they have or previously had a sexual or romantic relationship.

### **Prohibited Relationships Between Supervisors and Subordinate Employees**

Individuals in supervisory or managerial roles and those with authority over other employees’ terms and conditions of employment are prohibited from having a sexual or romantic relationship with any subordinate employee that reports to them. Vice presidents, deans, directors, and others who manage multiple departments are prohibited from having a sexual or romantic relationship with an employee who

works in their division, college, or department, even if that employee does not directly report to these individuals. Employees are encouraged to review the Employment of Relatives Policy in the University's Code of Conduct for rules regarding the supervision or evaluation of employees to whom a supervisor is related.

### **Pre-Existing Relationships**

To protect the integrity of the academic and work environment, the University requires that when a consensual sexual or romantic relationship exists or has existed between people in positions of unequal authority at the University, the person with the greater power and authority must not hold any supervisory or evaluative authority over the other person in the relationship.

Should a pre-existing sexual or romantic relationship exist that pre-dates one or both parties' affiliation with the University and that otherwise would be prohibited under this policy, the person in the position of greater authority within the University must immediately report the relationship to his or her department chair, dean, or the Executive Vice President of Academic Affairs/Provost (in the case of a faculty member), or the Director of Human Resources (in the case of an administrator, or staff member). It is the responsibility of both the person with the greater power and authority in the relationship and the individual to whom the relationship is reported to ensure that the party with the greater power is removed from any supervisory or evaluative authority over the other party to the relationship. In extraordinary circumstances where removal of supervisory or evaluative authority is not practicable, the parties must work with the department chair, dean, and the Executive Vice President of Academic Affairs/Provost (in the case of a faculty member), or the Director of Human Resources (in the case of an administrator, or 4 staff member) to determine whether a written management plan can be developed to manage the conflict of interest. Failure to comply with the notification, removal, or management plan requirement is a violation of this policy.

### **Consequences of Violations of this Policy**

If any faculty member, administrator, staff member, or student of the University of Evansville violates the terms of this Policy, disciplinary action may be taken in accordance with relevant disciplinary procedures contained in the relevant handbooks, policies, procedures, practices, or contracts. Violations of this policy may result in disciplinary actions, which can include, but are not limited to training, counseling, a written warning, suspension (including suspension of relevant responsibilities such as teaching or advising), or termination of employment. The disciplinary and/or corrective action will depend on the particular circumstances of the violation, including but not limited to whether the person in the position of greater authority promptly reported the relationship prohibited under this policy.

Nothing in this policy prohibits a member of the University community from bringing a complaint under the University's Sexual Harassment and Misconduct Policy, if, for example, the individual believes that the sexual or romantic relationship was not welcome or consensual. Further, in cases where there is a finding under the Sexual Harassment and Misconduct Policy that a relationship was welcome or consensual, an investigation and appropriate action may still be taken for violations of this policy.

**Document History Policy Origination Date: October 9, 2019**

## WORKPLACE VIOLENCE POLICY

To accomplish its missions of teaching, research, and public service, the University of Evansville strives to maintain a safe environment. Accordingly, threatening behavior and violence will not be tolerated.

### **Threatening Behavior**

Threatening behavior is defined as an express or implied threat to interfere with an individual's health or safety, or with the property of the University, which causes a reasonable apprehension that such harm is about to occur. Any employee who engages in threatening behavior will be subject to serious disciplinary action, which may include termination of employment. Examples of threatening behavior include, but are not limited to:

- Direct or indirect threats of harm
- Stalking or following an individual
- Conduct which reasonably causes others to fear for their safety

Any faculty member alleged to have violated this policy will have the right to appeal according to the *1982 Recommended Regulations on Academic Freedom and Tenure* of the American Association of University Professors. The University adheres to the principles presented in the AAUP document "On Freedom of Expression and Campus Speech Codes" in the *Policy Documents and Reports* of the American Association of University Professors (1995).

### **Violent Behavior**

Violent behavior is defined as the use of physical force or violence to restrict the freedom of action or movement of another person or to endanger the health or safety of another person or the property of the University. Violent behavior is so serious that individuals who engage in it can expect termination of their employment. Examples of violent behavior include, but are not limited to:

- Unwelcome physical contact
- Slapping, punching, striking, pushing or otherwise physically attacking a person
- Throwing, punching, or otherwise handling objects in an aggressive manner

### **Reporting Workplace Violence**

Any employee who experiences or witnesses threatening or violent behavior while on duty and/or on University property, should immediately report the incident to a supervisor. In the absence of a supervisor, the Office of Safety and Security should be contacted. The Office of Safety and Security should also be contacted immediately in the event of an emergency situation.

## University of Evansville Sexual Misconduct Training/Deterrence Policy

### 1. **Introduction**

To promote a positive, safe and respectful work environment, the University of Evansville has adopted policies for background screenings, sexual misconduct training, and confidential misconduct reporting.

### 2. **Background Screenings**

The University of Evansville Background Screening policy is intended to help protect the interests and the well-being of the students, staff, faculty, and public at the University of Evansville. This policy establishes parameters for criminal history and related background screenings of employees and individuals who are offered employment at the University. The complete policy can be found at:

<https://myue.evansville.edu/DepartmentPages/HR/Shared%20Documents/New%20Hire%20Process/New%20Employee%20Specialist%20Checklist.pdf>

### 3. **Sexual Misconduct Training**

The University of Evansville Sexual Misconduct Training policy is intended to deter incidents of sexual misconduct. Participation is required of all faculty, staff, and administrators. Training can be completed through on-line training or group sessions.

#### **A. Current UE Employees**

##### **On-line Training**

- On-line sexual misconduct training modules will be assigned to current employees when initial communication about sexual misconduct training is distributed.
- Employees that do not complete the on-line training within 90 days will receive a reminder to complete the training. The employee's supervisor and VP will be copied on this message for additional follow up.

##### **Group Sessions**

- Employees who do not complete the on-line training as assigned will be required to attend a group session to complete the training.
- At the conclusion of the group session, remaining UE employees who have not completed the training will receive a reminder to complete the training by the end of the fiscal year. The employee's supervisor and VP will be copied on this message for additional follow up.

#### **B. New Employees**

- During the new hire orientation, the new employee will receive an introduction to the program.
- On-line sexual misconduct training modules will be assigned.
- Employees that do not complete the on-line training within 90 days will receive a reminder to complete the training.
- The employee's supervisor and VP will be copied on this message for additional follow up.

#### **Confidential Misconduct Reporting**

- The University of Evansville utilizes the Campus Conduct Hotline as a tool for members of the campus community to report concerns in a confidential manner.
- During the new hire orientation, the new employee is advised of the UE Code of Conduct and Campus Conduct Hotline program.
- The Code of Conduct policy and Campus Conduct Hotline program are included in all employee manuals.
- ⑩ The University of Evansville Code of Conduct policy can be found at:  
<https://www.evansville.edu/offices/titleix/downloads/eia-cch-co-branded-brochure.pdf>



## EMERGENCY RESPONSE POLICY

### **General Information**

The University Telephone Directory includes emergency information relative to severe weather, natural disasters, and “Safety Coordinators” for each building on campus. All employees should familiarize themselves with the basic emergency information that can be obtained through the safety and security website, <http://evansville.edu/safety> or the residence life website, <https://evansville.edu/residencelife>. In addition, Emergency Response Guide Booklets have been provided to each academic and administrative department. These quick reference guides are to be kept in an easily accessible location in the event of an emergency. While the Guide is not all-inclusive of the University’s Emergency Response Plan, it provides the basic framework for general response and notification in the event of an emergency. Additional copies of the Emergency Response Guide can be obtained through the Office of the Vice President for Student Affairs/Dean of Students, at 488-2500 or [deanofstudents@evansville.edu](mailto:deanofstudents@evansville.edu)

### **Safety Coordinators**

Every building on campus has a designated Safety Coordinator. The Safety Coordinator is responsible for implementing a system within their designated building to disseminate important information and implement appropriate procedures for an evacuation or lockdown of the facility. A list of Safety Coordinators for each building is listed in the Faculty and Staff Emergency Response Guide or the University Telephone Directory.

### **Ace Alerts - UE Emergency Notification Ace Alerts System**

Ace Alerts is the University of Evansville’s Emergency Alert System. We have partnered with Rave Alerts as a resource to make sure you get alerts in a timely manner when they are sent out. It will be the primary form of communication in the event of an emergency. When an alert is sent out, it will be sent to all campus IP phones, email addresses, campus computers, and campus televisions, when the system is activated and an alert is issued, the Safety Coordinators are responsible for initiating their building plans for disseminating information to classrooms and labs that are not equipped with phones.

All current employees and students are automatically signed up for an email alert and a text message if you have provided your cell phone number to the university. A test of the system will be conducted at the beginning of the Fall and Spring semesters. It is highly recommended that you check your profile to make sure this resource is available to you. Updating your profile is available through AceLink.

### **Phone Numbers/Evansville Police Department**

The University of Evansville has an office of Safety and Security that provides 24-hour service to the campus. **The emergency number for the office of Safety and Security is 6911 or (812) 488-6911 from a non-campus phone.** Should an emergency situation develop, our first line of defense is with the Evansville Police Department, located within minutes of the campus. To ensure the maximum level of protection for our campus, it is essential that there be cooperation with the instructions provided by the Safety Coordinators, local authorities, and University officials. While we cannot plan for the unexpected, we can be prepared to respond in a way that lends itself to a positive outcome.

## INCLEMENT WEATHER POLICY

Unless an announcement has been made to the contrary, the University will operate normally despite bad weather. Since many of our students live on or near campus, it is assumed that academic and other buildings will continue to be open and serviced. Offices will remain open on a “business as usual” basis throughout the regularly scheduled workday. Faculty must meet for classes or in an emergency make arrangements for another faculty member to do so.

When weather conditions progress to the point where most roads and streets are virtually impassable, it may be necessary to suspend classes and/or routine operations. Information will be released by the Office of University Relations to area news media for broadcast.

If employees are home and advised not to report for duty, they will receive pay for time not worked. Personnel who are asked to return home after reporting to work will receive pay for the balance of their regularly assigned work schedule.

Some personnel will be requested to remain on duty on a voluntary basis, but circumstances may require others to stay because of the health, safety and essential service of the University community.

The Office of Safety and Security monitors a weather alert radio at all times. Decisions regarding school delays or closures shall be announced in one or more of the following ways: University Emergency Notification Ace Alerts System, University website’s main page, and/or through local TV and radio announcements.

## VEHICLE REGISTRATION

### **How do I register for a Parking Permit?**

You can register for your Parking Permit through the UE Self-Service portal using your UE username and password. The Parking Permits link is under “UE Forms.” Click on the menu icon (upper left-hand corner) > UE Forms > Employee > Parking Permits. If you need assistance with accessing self-service, please contact OTS help desk at (812) 488- 2077.

### **How much does a Parking Permit cost and how do I pay for it?**

Parking Permits are \$50 and can be paid through a quick and easy on-line payroll deduction of \$10 installments over five pay periods or by cash/check at the cashier window in Student Financial Services, Olmsted 105.

### **What if I am a President’s Club member or have a UE license plate - does that make a difference?**

President’s Club members are asked to register their vehicles on-line simply for the purposes of being able to provide timely information in the event of an emergency (i.e. someone has damaged your vehicle and we need to notify you). President’s Club stickers will be distributed via the Office of Development upon confirmation of the donation.

Discounts for UE license plates are only valid if the plate is active at the time of permit registration. There are no discounts or refunds once the permit is assigned. The discounted fee for employees who have UE license plates is \$25.

### **What is the process for applying and paying for a Parking Permit?**

Employees will go to the appropriate link on UE Self-Service and follow the processes for registering a vehicle. Once you have registered your vehicle and enrolled for payroll deduction, stop by the cashier window in Student Financial Services and pick up your Parking Permit.

**What if I don't want to do payroll deduction?**

If you opt to pay cash/check at Student Accounts, you will still need to register your vehicle on self-service. Then you will need to print out the registration confirmation sheet and take it to the cashier window in Student Financial Services. The cashier will take your payment, mark your confirmation sheet as paid, and issue your permit. Be advised: If you choose to pay cash/check, the process will take a little longer to prepare the transactions.

**What if I lost my permit or it is stolen?**

If you lose your Parking Permit or it is stolen, replacement Permits are \$25 and must be paid for at the cashier's window in Student Financial Services. Students can place the replacement charge on their student account or pay with cash or check. Employees must pay with cash or check. Once the replacement Permit is paid for, they will assign you a new permit.

**Where do I pick up my Permit?**

Parking Permits will be distributed at Student Financial Services upon presentation of a confirmation receipt.

**Handicap Permits:**

Handicap permits are available upon presentation of documentation from a physician confirming the need for special parking consideration and the length of time the consideration is needed. Holders of these permits may park in the handicap parking spaces at all times and all locations on campus.

**Temporary Permits:**

Temporary permit is available to visitors as well as participants attending special events such conferences, seminars, etc. Visitors may acquire permits through the Office of Admissions in Olmsted Administration Hall, Room 104, or the Office of Safety & Security at 1. S. Frederick Street.

**Short-Term Conferences Permits:**

Participants attending short-term conferences or seminars (one to five days) will be provided temporary permits by the conference director. It is the responsibility of the school or college sponsoring the event to arrange for such temporary permits through the Office of Safety & Security.

**Reserved Spaces:**

Spaces may be reserved in any lot to temporarily solve parking problems. These spaces will be designated by parking cone signs or barricades.

**Regulations:**

Employees are expected to follow the University's Traffic and Parking Regulations. A link to them can be found on the Office of Safety & Security's website, <https://www.evansville.edu/safety>. All tickets issued should be paid within the time allotted. Fines assessed against employees will be forwarded to the Office of Fiscal Affairs and Administration for collection, if not paid by the due date indicated on the sent from the Office of Safety & Security. Failure to pay fines may result in the suspension of parking privileges.

## Employment & Evaluation

### **Faculty Recruitment Procedures**

Recruitment of faculty relates directly to the quality and reputation of an institution; every effort must be made to attract the best candidates and to leave them with a favorable impression of the University of Evansville. Dean and department chairs are responsible for ensuring that the process is well organized and properly executed.

Faculty members (including adjunct faculty) normally possess an academic degree relevant to the course they are teaching and at least one level above the level at which they teach, except in programs for terminal degrees or when equivalent experience is established. When faculty are employed based on experience, the hiring department chair in consultation with faculty members assures that the new faculty member possesses a minimum of a baccalaureate with appropriate certification and/or experience. Documentation of evaluation for all faculty appointments will include complete official transcripts and a resume describing relevant experience and certifications. The Executive Vice President for Academic Affairs approves all faculty hires, including adjuncts.

The guidelines pertaining to recruitment of faculty are outlined for purposes of clarification.

### **Search Process**

1. When an academic unit has a vacant position, a position to be vacated, or a new position, the department chair or dean must prepare a "Request to Fill a Vacancy" form, rationale for filling the position and a description of the plan for conducting a proactive search for candidates from underrepresented groups. The form, rationale and plan are then forwarded to the EVPAA for approval. The request is then reviewed by the VPFA for budget authorization before being forwarded to the President for final approval.
2. All Affirmative Action policies and procedures shall be followed. These are outlined in greater detail in the Administrator Manual Chapter II.
  - a. All considerations and evaluations of candidates for employment must be made on the basis of merit and without regard to race, color, creed or religion, national origin, age, disability, sex, sexual orientation, or gender identity and expression.
  - b. Only questions related to a candidate's qualifications are permissible. It is, however, advisable and acceptable under the Americans with Disabilities Act to ask a candidate if he/she can perform the essential functions of the position without special accommodations. It is incumbent upon the candidate to inform us of special reasonable accommodations needed to fulfill the requirements of the position. The University must be able to make such accommodations if the candidate is hired.
  - c. A candidate should also be asked whether he/she has legal authorization to work in the United States. If the answer is no, it is advisable to inquire about visa status and ability to accept employment. A foreign national candidate who is seriously being considered must be scheduled at the interview, with the associate vice president in academic affairs, when possible to determine visastatus.
3. Announcements of faculty openings must be given wide dissemination.
  - a. The text of all vacancy notices and advertisements must be approved by the Office of Academic Affairs and the Affirmative Action Officer.

- b. When placing advertisements in national publications, care must be taken to ensure that we are reaching potential candidates who are qualified, including members of underrepresented groups, at reasonable cost. Publication placement and the cost for advertising the position must be approved in advance by the Office of Academic Affairs. The advertisement must include this statement: “The University of Evansville operates under a nondiscriminatory policy with regard to race, color, gender, gender identity and expression, creed or religion, national origin, age, disability, veteran status and all federally protected groups/classes. Minorities and underrepresented groups are encouraged to apply. The University of Evansville is an Affirmative Action/Equal Opportunity Employer and participates in the E-Verify Program. “
  - c. Personal and professional contacts are often beneficial to the search process in identifying well qualified candidates, including members of underrepresented groups, not actively in the job market. It is crucial that key faculty and administrators are involved in the screening, interviewing, and selection of candidates for faculty positions, and that due diligence be given to each search process.
  - d. A search committee must be appointed and should have a broad and fair representation including minority and student representatives. Search committee members should be drawn from the academic unit and, when necessary and/or advisable, from collateral academic areas.
    - The department chair/dean and/or search committee will establish criteria by which decisions are made regarding candidate review, selection of finalists, and candidates to be interviewed.
    - Confidential credentials (transcripts, letter of recommendation, etc.) must be kept safe and private. Credentials are to be reviewed in a secure environment and not shared with others who are not members of the search committee or administrators with a need to know. Similarly, discussion of candidate qualifications and credentials must be confined only to those committee members and administrators involved in the search and hire process.
  - e. Communication with the applicants is critical to an open and fair search process.
    - Written acknowledgment of all applications is required.
    - Keeping candidates informed of their status as the search progresses is equally critical. The general guideline to be followed is to treat candidates as you would wish to be treated had you applied for the position.
    - Inform all candidates of the time frame for the search. Do not share other information about the search, such as other candidate names, that an offer has been made, or why the candidate is or is not being recommended.
4. Candidate recommendations by the search committee are to be made to the department chair (who may in some instances chair the search committee). The department chair should present for the dean’s review the candidates’ letter of application, vitae and reference summaries from phone calls or reference letters for the top candidates. Based upon the criteria established for the position, the dean may ask for rationale for top candidates selected.

## Interview Process

1. Top candidates should be interviewed by phone to determine sincere interest in the position, understanding of the expectations for the position, and probable fit for the University. Then calls are made to those listed by the candidate as references and others who would be judged as good reference sources, such as supervisors, deans, and doctoral study advisors.
2. At this point the search committee can request campus interviews for one or two top candidates. This request should be accompanied by a tentative budget for the search which includes estimated travel, lodging, meal, and entertainment expenses. All candidates invited for campus interviews must be approved by the Dean and EVPAA upon review of the candidate information, tentative budget, and tentative agenda for the campus visit.
3. Care must be taken to avoid inviting candidates who are not serious about taking the position. Issues of salary, benefits, course load and other expectations should be addressed, at least in general terms, before any candidate comes for an interview.
4. Departments are responsible for scheduling campus interviews, subject to the approval of the dean and EVPAA. A full interview itinerary will be prepared which includes interview periods for the search committee, department chair students, dean, EVPAA, President, human resources and other colleagues of choice. Time for a presentation and/or class lecture should be scheduled. The dean and EVPAA will meet each candidate in separate sessions of appropriate time. When possible, the President will meet each candidate for fifteen to thirty minutes. Someone from the department should escort the candidate to the interview sessions.
5. When scheduling a prospective faculty member for a campus interview, the following guidelines shall be observed:
  - a. A detailed job description must be available for candidates *prior to* their being interviewed to ensure that the candidate is informed of the particular position's essential functions.
  - b. Candidates should normally spend no more than one day and a half and two nights on campus.
  - c. All candidates will be expected to give guest presentations in an appropriate class and/or conduct a seminar with faculty and students. Interviews should be arranged when the University is in session. Every effort should be made to test the teaching ability and professional knowledge of the candidate without being rude or confrontational.
  - d. During the interview process the faculty/search committee needs to accomplish the following:
    - Determine the candidate's potential in teaching, research, creative activity, and as a colleague.
    - Explore the long-range objectives and aspirations of the individual.
    - Consider the individual's potential contributions to diversity, commitment to diversity issues, and ability to communicate with students from various cultural backgrounds and perspectives.
    - In addition to learning more about the candidate, the search committee should take this opportunity to interest the candidate in joining our faculty.

- e. Do not over schedule. Allow time for the candidate to have some input into what he or she would like to do or see. It is an important courtesy to send the candidate a draft copy of the interview schedule in advance of the visit, and to ask if there are particular parts of the city or university that he or she would like to see.
  - f. Do not under schedule. Although a period of relaxed pace may be appreciated in a busy interview, no candidate should be left alone except at the beginning or end of the day or to allow preparation for a presentation.
6. The following fiscal guidelines shall be observed for campus interviews. An interview budget should be approved by the dean prior to making arrangements.
- a. Transportation costs will be paid to candidates not to exceed one plane ticket (round trip, economy airfare) or mileage at the prevailing university rate per mile.

Candidates must make their own transportation arrangements subject to reimbursement. Approve the travel plan with candidates prior to their making arrangements. Use online sources to assure reasonable travel rates. Original receipts showing payment for airfare, other forms of transportation, or a statement of mileage (beginning and ending odometer readings) should accompany the request for reimbursement.

- If parking or local (home) transportation to the airport is involved, receipts must be submitted.
  - Telephone calls placed by the candidate will not be reimbursed unless directly related to the interview. Similarly, meals eaten while traveling are generally not reimbursed.
- b. Candidates will be housed in a University guest house (maximum two nights stay) whenever possible. If not, use a hotel which provides UE discount rates. While a spouse may occasionally accompany the candidate, the bringing of children should be discouraged.
  - c. Transportation in Evansville will be provided as a courtesy by members of the academic unit faculty and search committee involved in the process. No car will be provided to candidates during their stay.
  - d. When entertaining candidates, good fiscal judgment should be exercised. Reimbursement for meals is generally limited to two "hosts" at dinner and should be guided by a maximum of \$35 per person. Breakfasts and luncheons should be in the university Dining Center or other campus facilities at which time more people may be invited to participate.

### **Hiring Process**

1. Upon completion of the interview, the candidate(s) will be informed of the University's schedule for decision making and thanked for his or her interest.
2. Faculty, staff and students involved in the interviewing process will be canvassed in a formal manner for their opinion of the candidate.
3. While a majority of the search committee (however constituted) should indicate their support for the candidate(s), the choice and recommendation of an individual for hire shall be the responsibility of the dean based upon the recommendations of the committee and department chair.
4. Before any offer is made to a prospective faculty/staff member, even on a tentative basis, approval must be obtained from the Exec. Vice President, Academic Affairs, who will consult with the President, who is responsible for all hires.

Because an appropriate rank and salary are determined by a number of factors relating to the university as a whole and are always subject to change by the President, no dean, director or department chair shall quote a final salary figure or any other specifics of an appointment to any candidate until an offer has been authorized.

5. When approval to hire is given by the EVPAA, the dean or department chair will contact the candidate by telephone to verify his or her continuing interest in the position and to make a verbal offer. A verbal offer constitutes a statement of “contract” and includes the following items. All terms must be clear and approved by the EVPAA.
  - Term of appointment.
  - Exact starting and ending date of the appointment.
  - Title of the position, including rank where applicable. Salary.
  - Probationary status (for faculty on tenure track appointments) including length of the probationary period and years credit toward tenure (if any).
  - Special responsibilities (if any).
  - Brief description of the duties and/or teaching load.
  - Moving expenses
  - Any other terms

Candidates are expected to respond to verbal contract offers within a week. The department chair or dean will notify the EVPAA of either an acceptance or rejection of an offer.

6. When a verbal offer is accepted, a contract will be issued by the EVPAA, signed by the President, and sent to the candidate for signature and formal acceptance of the position.

The department chair or dean may wish to send a personal letter to the candidate, which may elaborate on assignments or responsibilities the candidate is expected to undertake. A copy of that letter will be sent to the dean and to the EVPAA for the permanent personnel file.
7. Once the hiring process has been satisfactorily completed, all unsuccessful candidates will be notified by the search chair or department chair or dean.
8. At the conclusion of the search and hire,
  - All applications materials must be retained for one year.
  - The department chair or dean must prepare an “Affirmative Action Report, Recruitment and Search Effort for Faculty/Administrative Positions.” One copy is kept in the units and copies are sent to the EVPAA, Affirmative Action Officer, and Human Resources Office.



## Moving Expenses for New Faculty

In the course of the recruiting process, the University may negotiate with prospective hires for a moving allowance. To provide guidance during the negotiation process, the following policy should be adhered to in determining maximum reimbursements:

### Funding Limits According to Moving Distance

Less than 200 Miles	Up to \$ 1,000
Greater than 200 miles, but less than 500	Up to \$ 1,500
500 miles or Greater	Up to \$ 3,000

\*\*Any exceptions to the funding limits require approval of the President.

The University of Evansville, in collaboration with the Independent Colleges of Indiana, can offer the following movers' services at a reduced rate. To ensure reimbursement of your moving expenses up to your allowable amount, their services should be utilized unless a lower bid is obtained, or service is unavailable in your area.

Hogan/Mayflower 800-628-8991	Crown/Wheaton Van Line 800-248-7960
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Only qualified moving expenses as defined in the Internal Revenue Service Publication 521 Moving Expenses will be reimbursed. The following table provides examples of moving expenses that are reimbursable and non-reimbursable:

<b>Reimbursable</b>	<b>Non-reimbursable</b>
Air, train, or bus fare one way for employees and members of their household	Meals
Moving companies/movers	Temporary living expenses; lodging locally
Gas for rented vehicles	Pre-move house hunting trips
Tolls and/or parking	Storage
Truck/car rental	Expenses for entering into or breaking a lease, including security deposits
Lodging (through the move process, not locally)	Expenses of buying or selling a home
Actual fuel costs for personal vehicle or mileage for use of personal vehicles paid at the federal mileage rate for moving in effect at the time of the move.	

## Types of Moving Expenses

### **Direct Payments to Vendors**

Direct payments to vendors (such as moving companies) will be made based upon the authorized departmental submission of a web voucher with attached invoice(s) for such expenses. Such payments paid directly to a vendor will be included as non-cash taxable income in the employee's pay. Taxes will be withheld accordingly and reported on the employee's Form W-2.

### **Reimbursements to Employees**

Authorized reimbursements are paid to an employee for moving expenses paid from the employee's personal funds. A request for reimbursement should be submitted on a Supplemental Pay Request form with attached invoice(s)/receipt(s). Upon receipt of a properly documented and substantiated request for reimbursement of moving expenses, the reimbursement will be processed on the next scheduled pay. Taxes will be withheld accordingly and reported on the employee's Form W-2.

### **Office of Fiscal Affairs Moving Expense Reimbursement Policy**

The University may provide a moving allowance for prospective hires in accordance with guidelines provided in the Faculty and Administrator manuals. The moving allowance will be paid in Accounting & Audit based upon the completion of a Supplemental Pay Request and submission of moving expense invoice(s)/receipt(s). Moving expenses will be reported on the employee's W-2 in accordance with guidelines established in Internal Revenue Service Publication 521 Moving Expenses.

### **IRS Requirements**

All moving expenses paid or reimbursed will be taxable to the employee and subject to tax withholding, as per the Tax Cuts and Jobs Act of 2017.

## BACKGROUND SCREENINGS

### **General Information**

This policy is intended to help protect the interests and the well-being of the students, staff, faculty, and public at the University of Evansville. This policy establishes parameters for criminal history and related background screenings of employees and individuals who are offered employment at the University. Convictions or other fraudulent activities disclosed or discovered in the employment process may influence the selection of the candidate. Likewise, failure to be forthcoming about criminal history or any misrepresentation of education or work history may also influence the selection of the applicant.

### Policy Provisions

#### **Definition of background screening**

A background screening is the process of looking up official records about an employee or candidate for employment by a third-party vendor.

#### **Background screenings required for new hires**

Background screenings are required for any new hire into the positions identified in this policy. The University of Evansville reserves the right to perform background screenings for other positions and/or under other circumstances as identified in this policy.

#### **Background screenings for current employees**

Generally, current employees do not have to undergo a background screening. However, the University reserves the right to conduct a background screening for current employees promoted to a position of

broader university responsibility (e.g., faculty to dean-level or above, administrator to department head or above, and staff that accept financial responsibilities).

Additional screenings, such as a driving record, may be requested for current employees for particular job categories, if appropriate and job related.

### **Positions subject to background screenings**

For purposes of this policy, all new hires for part-time and full-time positions in the following areas are subject to background screenings:

- Staff
- Administration
- Faculty
- Adjunct Faculty

For all student worker and temporary positions, the hiring department, in consultation with the Office of Human Resources, will determine whether a background screening is appropriate, based on the duties and responsibilities of each position.

### **Information obtained as part of the background screening**

- Each background screening will, at a minimum, consist of:
- Social Security Number Trace and Address Locator
- Criminal Records Search
- Sexual Offender Database Search

Additional information such as, but not limited to, education verification, work history, professional license certification, and driving record also may be requested.

Credit history as part of the background screening

Some positions (e.g., financial-related positions) may require additional screenings, including a person's credit history, if appropriate and job related.

### **Access and Privacy**

#### **Access to background screening results**

The Office of Human Resources will retain the results of background screenings. If there are no criminal convictions or other issues revealed in the background screening, the Office of Human Resources will notify the department to complete the hire. If there are criminal convictions or other issues revealed in the background screening, the Director of Human Resources will notify the hiring manager, area Vice President, and President or their designee to review the results and collectively make a final determination regarding the suitability of the candidate for the specific position.

#### **University protection of an individual's privacy**

The Office of Human Resources will serve as the office of record for all background screening results and will strive to maintain confidentiality. Departments will not receive any details of a background screening, except as otherwise noted by this policy. The University of Evansville prohibits University employees and others from seeking out, using, or disclosing background screening information except within the scope of their assigned duties and this policy, and/or as allowed by applicable laws.

#### **Filing of background screening information**

If the individual is hired as an employee, the background screening results will be filed in and become a permanent part of the employee's personnel file in the Office of Human Resources. If the individual is not hired as an employee, the background screening results will be maintained with the individual's application in the Office of Human Resources.

### **Hiring Issues**

#### **Offers of employment before the background screening has cleared**

An offer can be extended with the understanding that actual employment is dependent upon acceptable background screening results.

#### **Decision-making process if criminal conviction is revealed**

If there is a criminal conviction or other issue revealed as part of the background screening process, the Director of Human Resources, hiring manager, area Vice President, and President or their designee will review the results and make the final determination regarding the individual's suitability for employment in the position. In some instances, the Director of Human Resources may recommend that additional department controls be implemented before employing, promoting, or reclassifying a person who has been convicted of a crime or has other issues that were revealed in the background screening. Consideration will be given to many factors, including but not limited to, the specific duties of the position, the number of offenses and circumstances, and whether the convictions or other issues were disclosed during the application process.

#### **Convictions that will generally preclude hiring**

Criminal convictions for theft, embezzlement, identity theft or fraud, child molestation and other sex offenses, workplace or domestic violence, felony drug offenses, or other convictions for behaviors that would be inappropriate for specific jobs may be grounds for denial of employment. This list is not inclusive but serves to illustrate the decision-making criteria.

#### **Misrepresentation of criminal, education, or work history**

Failure to be forthcoming about criminal history or any misrepresentation of education or work history may influence the selection of the applicant.

#### **Refusal to consent to background screening**

If a candidate for employment refuses to consent to a background screening, they may not be employed by the University of Evansville.

### **Process & Forms**

#### **Forms and documents needed for the background screening process**

Candidates who are extended a conditional offer of employment must complete a Consent and Disclosure Form that informs the candidate that University of Evansville will be utilizing the services of third part vendor to conduct the background screening and to request specific information necessary to complete the background screening.

#### **Process for the candidate to contest the results**

If the University intends to deny employment wholly or partly because of information obtained in a background screening, the applicant will first be provided with a copy of the background report, a statement of their rights under the Fair Credit Reporting Act, and a method and timeframe to contact the third party vendor about the results of the screening or to dispute its accuracy.

### **Questions about the background screening policy**

Questions about this policy should be directed to the Executive Director of Human Resources.

## RESPONSIBILITIES FOR EMPLOYMENT AND EVALUATION

Employment, evaluation, promotion, salary adjustment and tenure require approval of one's department chair, dean, the Exec. Vice President, Academic Affairs, and the President.

The President is responsible for personnel matters as they relate to the total university and its objectives. He or she reports and recommends to the Board of Trustees on all personnel matters.

The overall quality of the faculty is the responsibility of the Exec. Vice President, Academic Affairs who exercises initiative and judgment with the broader institutional view. This individual coordinate faculty employment and evaluation and shares responsibility for personnel-related processes with chairs and deans. All requests and recommendations for promotion or tenure (with all supporting materials and documents) must be passed along to the Exec. Vice President, Academic Affairs and the Faculty Promotion and Tenure Committee.

Where an academic unit is not organized into departments, the dean is responsible for liaison work with faculty members whose judgments are to be secured.

At the department level, the chair is responsible for securing consensus on persons proposed as new faculty members. There should also be general agreement among members of a department regarding a colleague's promotion or tenure. Some department chairs and deans will accomplish these tasks informally; others will use formal procedures. It is important that each faculty and/or administrative staff member working in a unit be heard and that individual judgments be given full consideration.

While each member of the faculty shares responsibility for employment and evaluation of colleagues, this does not reduce the chair or dean's responsibility in personnel matters. Chairs and deans are not only expected to secure faculty concurrence or to veto faculty personnel recommendations with which they do not agree, they are responsible for initiating, reviewing, interacting, and judging on personnel matters within their ranks. Department chairs and deans are expected to indicate their own judgment with respect to the requests or recommendations. Ideally, however, consensus should dominate personnel-related processes within the academic unit.

## APPOINTMENT AND REVIEW PROCESS

After consultation with appropriate department chairs and deans, the Exec. Vice President, Academic Affairs makes nominations for *full time* faculty positions to the President and recommends to the President changes in rank, salary, and tenure status. The President, in turn, submits recommendations to the Board of Trustees for approval.

All *part time faculty*, whether for day or evening classes, must be approved in advance by the department chair and/or dean of the academic unit through which a course has been approved. Appointment approval should be sought when class schedules are prepared for the semester during which the part time faculty member will be employed.

## FACULTY PERFORMANCE EVALUATION & MERIT PAY

The purpose of faculty performance evaluation is continuous improvement in performance. The process is intended to inform probationary faculty of their progress toward achieving tenure and offer assessments of teaching, service, and recent professional accomplishments for all faculty. In addition, it is the review on which salary recommendations are based in part.

The evaluation of faculty performance directly involves the faculty member, the department chair and/or dean, the Exec. Vice President, Academic Affairs and the President.

Deans will communicate with the Exec. Vice President, Academic Affairs about faculty performance evaluations. Deans will hold an evaluation session with department chairs under their direct supervision, and each department chair will schedule a similar session with each faculty member in the unit. In some cases, a meeting of a dean, department chair, and faculty member may be desirable or necessary. When requested or where indicated, the Exec. Vice President, Academic Affairs may attend.

The performance evaluation will involve the faculty member in a self-evaluation of goals and objectives as well as strengths and weaknesses. The faculty member and the immediate supervisor will engage in a dialogue to assess the faculty member's effectiveness in three areas: teaching; scholarly, professional and/or creative activities; institutional and/or public service.

Schedule (Whenever a date in this schedule falls on a Saturday or Sunday, the effective date will be the following Monday.)

**January 25**

Faculty undergoing a performance evaluation present required materials to their immediate supervisor (department chair or dean).

**February 10**

All department chairs submit written comments related to performance evaluations and any other related materials to the Dean. Evaluation conferences must be completed, and the faculty member provided with a copy of the written evaluation.

Note: A faculty member may request an evaluation of performance any time after the first ninety (90) days of employment.

Probationary faculty (tenure-track) will undergo a faculty performance evaluation annually covering the period January 1 through December 31 of the calendar year preceding the evaluation. This evaluation is in addition to the formal second- and fourth-year reviews.

Once tenured, faculty can change their evaluation cycle from one-year to two- or three-years. (Some academic units may require annual evaluations of all faculty, both probationary and tenured.) The request to change to a two- or three-year evaluation period must be made by December 1 of the calendar year preceding the evaluation. The evaluation should examine the entire time frame since the last evaluation.

The faculty member undergoing evaluation, or the department chair, may request a performance evaluation prior to three years.

For the purposes of evaluation, faculty in renewable, non-tenure-track appointments should be considered probational faculty for the first six years of their employment and as non-probationary faculty thereafter.

## **STANDARD TEACHING EVALUATION—INSTRUMENT & PROCEDURES**

Student course evaluations are considered one means for the documentation of teaching excellence for faculty performance evaluations, second- and fourth-year probationary reviews, and for tenure and promotion files. The current University-standard instrument for student evaluation of teaching is the “IOTA System,” consisting of two open-ended questions; “What about this course has helped you learn? What are the major strengths of this course?” and “What changes would you make in this course to assist you in learning?” The office of Academic Affairs will be responsible for administrative support of the process, but in all cases, results of the evaluation will be turned over to the faculty member without prior examination. As part of the performance evaluation process, it is the faculty member’s responsibility to review and summarize the student comments for each course, as well as to provide a one-paragraph reaction to the comments for each course focusing on the following questions: “Regarding the content and pedagogical methods in this course: What worked well? What problems were encountered? What will be changed in the future as a result of this experience? What is the instructor’s response to the student comments?”

Faculty members or academic units may administer alternative, supplemental, or specialized evaluations. Clinical, studio, and practicum courses in particular, as well as laboratory sections, may be evaluated by an assessment instrument other than “IOTA System” since it is not well suited to these types of offerings.

If an academic unit designs its own evaluation form tailored to the discipline and course type, a single, standard system and/or form must be used for all such courses in the unit. This evaluation tool must be approved by the Faculty Professional Affairs Committee and the Executive Vice President, Academic Affairs. In addition to the student evaluations, teaching effectiveness may be evaluated by peer review using the UE Peer Review of Teaching form:

[myue.evansville.edu/AcademicAreas/AcadAffairs/Pages/default.aspx](http://myue.evansville.edu/AcademicAreas/AcadAffairs/Pages/default.aspx). It is the faculty member’s responsibility to react to the results of peer reviews with self-reflection which will be included in the performance evaluation process.

Evaluation instruments shall be administered according to the following guidelines.

### **Probationary Faculty**

The following guidelines govern administration of the student evaluations for probationary faculty:

#### Student Evaluations

- A minimum of 50% of a faculty member’s classes must be evaluated by students each semester. (Repeat sections of the same course may be counted in the 50% evaluation formula.)
- In the case of probationary faculty or for accreditation requirements, department chairs may require that 100% of faculty members’ classes be evaluated by students and results submitted for review.
- With a three (3) course load in a given semester, students must evaluate at least two (2) of the faculty members’ courses.
- All courses (including First Year Seminar) regularly taught by a faculty member must be evaluated by students

once every two years.

- Courses evaluated using an alternative to the IOTA form must be evaluated at least once annually

#### Peer Evaluations:

- Each of the 2 year, 4 year and tenure reviews must include two completed UE Peer Review of Teaching Forms containing feedback from tenured faculty members chosen by the faculty member under review and approved by the department chair who have voluntarily conducted a classroom visit with the faculty member under review during the 2 years preceding.
- These peer reviews should be conducted by different tenured faculty members (within the academic unit if possible), and they should span multiple courses taught by the faculty member under review.
- Peer reviews of teaching may optionally be included with annual performance evaluation files as well.

#### **Tenured Faculty**

The following guidelines govern administration of the student evaluations for tenured faculty:

- At least one course per semester must be evaluated by students during each evaluation period.
- During each evaluation period, all courses (including FYS) taught by a faculty member must be evaluated by students once. In consultation with the department chair certain special category courses may be exempted.
- Courses evaluated using an alternative to the IOTA form must be evaluated by students at least once during each three-year period.
- Peer reviews of teaching completed by tenured faculty members are optional.

#### **FACULTY PERFORMANCE EVALUATION FILE**

Each academic unit must develop an appropriate Summary of Professional Activities form for use in the evaluation process X-REF to FORM. These forms should be nearly identical for all units but may contain variations as appropriate to specific disciplines. The following categories of information must be included:

1. Teaching and Advising Activities (courses taught, independent studies directed, academic advising, course modification and development, etc., and other teaching related activities such as thesis, honors, undergraduate research, etc.)
2. Scholarly/Professional Activities (publications, performances, exhibitions, papers read, conferences attended, consulting, awards/distinctions, grants received/submitted/in progress, professional memberships, and other scholarly/creative activity)
3. Service Activities (including a listing of departmental and university committees served on and position/s held, admissions efforts and other University events, student organizations sponsored or supervised, service to the community, etc.)

For the performance evaluation, each faculty member will prepare and submit a file to the immediate supervisor (department chair or dean) documenting activities in the categories above in the approved format. Probationary faculty members must include all relevant data from the previous calendar year. Tenured faculty must include all relevant data since the last evaluation ~~from the previous three calendar years~~. The file *must* contain the following data:

#### **Required Documentation**

*A statement specifying the weights for teaching, professional activity, and service.* Weights must adhere to the following minimums: teaching-minimum of 50%; professional and/or creative activity- minimum of 20%; service-minimum of 10%. The remaining 20% may be distributed among the three areas as determined by



the faculty member in consultation with the chair and with agreement from the dean at the time of the meeting in January when goals are set for the coming year.

*A written self-evaluation* that uses the IOTA student evaluation comments to generate momentum for self-improvement. This self-evaluation should build on their reflections on the IOTA results for each course, addressing what worked well, what problems were encountered, and what changes they made for the future as a result. In addition, it should survey individual's professional activities during the evaluation period, discusses successes or failures in meeting goals established for that evaluation period, and lists future goals.

*A summary of professional activities* (submitted in an approved format).

*Optionally, peer reviews* using the UE Peer Review of Teaching Form completed by tenured faculty members within the academic unit (or, where necessary, other academic units) can be included. If peer reviews are included, the faculty member should include their reaction to the peer reviews, addressing what they learned and how they plan to move forward.

*Student evaluations* of teaching conducted using the University standard instrument and procedure, and a summary of the comments.

## **Documentation of Effectiveness in Teaching, Academic Advising, and Program Development**

### **Course Materials and Teaching Evaluation:**

#### *Required Documentation*

- Syllabi for courses taught in the four years preceding the request for promotion or tenure.
- Student evaluations of your teaching including all IOTA forms for the four years prior to the request and your self-reflection summaries that provide information relative to how you have used student evaluations to help improve your teaching.
- Two peer reviews of teaching using the UE Peer Review of Teaching Form, conducted by tenured faculty members during the two years preceding the request for promotion or tenure.
- Relevant material indicating participation in curriculum planning, initiation or organization of courses, mini-courses, workshops, and/or institutes.

### **Suggested/Optional Documentation**

Internal departmental forms which have been approved for individual or departmental use by the EVPAA may also be submitted as applicable. Other types of written student evaluation should be summarized, or a sample provided with instructions to the reader that raw materials or additional samples are available upon request.

### **Other information that may be included:**

- Examples of innovative teaching techniques
- Samples of student work including tests and term papers
- Summarized evaluations of academic advising by students

The department chair or dean must consider all materials submitted and refer to them in the written evaluation.

*Peer review* may also be a part of the evaluation. Annually each faculty unit will decide whether peer review will be required and the mechanism for conducting it. Peer review may include evaluators from outside the unit. Even if the unit elects to forego peer review, an individual faculty member is entitled to peer review upon request.

Using all data available, the faculty member's immediate supervisor (department chair or dean) will prepare a written evaluation of the faculty member's overall contribution to the department, university, profession and community. This evaluation will adhere to the criteria for evaluation, promotion, and tenure as set forth in the Manual and must make specific reference to all data submitted by the faculty member and include an analysis of the standard student evaluations of teaching. Comments on the faculty member's professional growth during the evaluation period must be included as well as an assessment of the individual's accomplishments with respect to individual goals previously established.

After completing the written evaluations for all faculty members of the unit, the department chair or dean will recommend a level of merit salary increase for each faculty member and hold an evaluation conference with each individual. In addition to discussing the evaluation, the method for assigning levels of merit increases must be clearly explained to the faculty member. Both the supervisor and the faculty member must sign the written evaluation as evidence that the conference was held. (Note: The faculty member's signature certifies that the evaluation conference was held. It does not imply concurrence with the evaluation.)

The supervisor will then submit the written evaluations with the recommended level of merit and the faculty members' summary of professional activity to the next level administrative official (dean or Exec. Vice President, Academic Affairs). This official will review the evaluation materials and discuss them with the supervisor. If a dean is reviewing and conferring with department chairs, the dean will either endorse the chair's evaluation or, if there is substantial disagreement, prepare a separate written evaluation. In doing so, the dean shall have access to all of the data considered in the original evaluation. In addition, an evaluation conference will be held with the faculty member. Signatures of the dean and the faculty member on the evaluation statement must attest that the conference was held. The dean will then submit the written evaluation of the department chair (and dean where applicable) together with the faculty member's summary of professional activity to the Exec. Vice President, Academic Affairs who will review the data and the recommended merit levels.

When funds for merit-based salary, increments are provided to an academic unit, this money must be divided among the faculty in a manner that is consistent with the assigned levels of merit within that unit. This requirement does not preclude the possibility of assigning special increments for promotion and/or tenure, for special merit, or for adjusting average salary levels as determined by the department chair and/or dean, the Exec. Vice President of Academic Affairs, or the President.

## PROMOTION AND TENURE

The following individuals will provide input for decisions regarding promotion and tenure: the faculty member, other faculty members in the academic unit, current and/or former students, the department chair and/or dean, Exec. Vice President, Academic Affairs, the Faculty Promotion and Tenure Committee and when a department has fewer than three tenured faculty members, tenured faculty from outside the department. The awarding of tenure is a serious matter and must be approved by the Board of Trustees.

The University does not recognize tenure based solely on length of service. Excellence in teaching (both formal and informal) is the primary criterion for awarding both promotion and tenure. It is the responsibility of the faculty and department chair and/or dean of each academic unit to define the criteria for teaching effectiveness for their unit and to determine methods, procedures and instruments by which the faculty can be evaluated.

Although the University is committed to effective teaching above any other consideration, other factors also enter into the evaluation process. These include advising and program development, which are considered part of the teaching function, scholarly and/or creative activities, and institutional and/or public service.

### **Probationary Period and Review Procedures**

The normal probationary period is six years. Probationary faculty members are reviewed annually for determination of continuation of appointment or non-renewal of contract. During this process the department chair consults with the tenured faculty about appointment renewal and transmits a recommendation to the dean. In the second and fourth year of employment these reviews are formal. The purpose of formal reviews is to determine the faculty member's progress toward achieving tenure and to offer constructive suggestions and ideas for self-improvement. (This calendar may vary in cases where a probationary period is shortened because of previous full-time academic service at another institution. In such cases, the specific schedule will be outlined in the initial contract.) In addition, the chair or dean of an academic unit may call for a formal review in any year of a probationary appointment.

During formal reviews, it is the responsibility of department chairs and deans to ensure that there is sufficient information on a faculty member's teaching and professional activities to make a sound judgment. The review process will include an in-depth evaluation of teaching effectiveness, creative and professional contributions and service activities. In all instances, the faculty member's self-evaluation and related materials on teaching, professional activity, and service will be reviewed by the tenured faculty of the academic department, who must write individual letters of assessment for inclusion in the review file. If a department has fewer than three tenured faculty members not including the department chair, the probationary faculty member will consult with the department chair to select tenured faculty from outside the department to provide formal reviews so that the total number of tenured faculty reviewers in addition to the chair is at least three. If the probationary faculty member and the department chair cannot agree on the selection of tenured faculty from outside the department, the dean will resolve the issue.

The materials related to formal reviews allow the tenured faculty to assess how well the faculty member is progressing toward achieving tenure. This procedure also encourages tenured faculty to comment on areas that should be strengthened and/or improved as the candidate seeks to be successful in the tenure process. In addition, the department chair will meet with the tenured faculty as a group to fully discuss the individual being reviewed. At the conclusion of the academic unit's formal review, the department chair and dean will each write a summary evaluation of the faculty member. The evaluation reports are to address the faculty member's potential to contribute effectively to the achievement of the university's mission. The reports are to be submitted by the dean to the Exec. Vice President, Academic Affairs. It is important that the tenured faculty assessments as well as the summary evaluations and recommendations prepared by the chairs and deans extend beyond certifying adequate teaching performance and creative and/or professional contributions. Significant attention should be focused on the candidate's teaching effectiveness, creative and/or professional contributions and service activities. Any concerns regarding the individual's performance must be addressed, even if a recommendation for reappointment is made. The faculty member will receive copies of the summary evaluations and recommendation. All materials are forwarded to the Exec. Vice President, Academic Affairs for review and subsequent action. If the faculty member wishes to comment upon or respond to the evaluation and recommendation from the academic unit, s/he/they may do so in writing to the Exec. Vice President, Academic Affairs.

### **Probationary Review Dossier**

For the formal review of second year and fourth year probationary faculty, the candidate will submit the following material:

- A complete, updated curriculum vitae.
- A *written self-evaluation* that surveys the individual's professional activities during the years under review [or the three (3) preceding academic years].
- *Student evaluations* of teaching for the years under review [or the three (3) preceding academic years] conducted using the IOTA form and supplemented by a self-reflection paragraph for each course aimed at using the results of those evaluations to improve teaching moving forward.
- *Two peer reviews* of teaching using the UE Peer Review of Teaching Form. These peer reviews should be voluntarily conducted by two different tenured faculty members (within the academic unit if possible) chosen by the faculty member under review and approved by the department chair, and they should span multiple courses taught by that faculty member.
- Copies of work published, programs and reviews of performance or exhibitions, and related relevant documents.
- Any other supporting documentation deemed relevant to the review by the faculty member including but not limited to sample course syllabi, tests, reading lists, texts, supplemental student evaluations, etc.
- Outside solicited letters. (optional)

#### QUALIFICATIONS AND BASIS FOR PROMOTION

Note: Each academic unit shall determine what constitutes the terminal degree for its area on the basis of nationally recognized and accepted standards for the specific academic discipline with approval by the Exec. Vice President, Academic Affairs.

**Instructor.** Normally instructors possess an academic degree relevant to the courses they are teaching and at least one level above the level at which they teach, except in programs for terminal degrees or when equivalent experience is established. An instructor should also show marked ability or potential as a teacher.

**Assistant Professor.** Normally an assistant professor is to have an earned terminal degree or the equivalent professional attainment and show marked ability or potential as a teacher. An instructor who has not been promoted after four years of service and who believes the criteria for promotion to assistant professor have been met may request consideration for promotion.

**Associate Professor.** An associate professor is to have an earned terminal degree or equivalent professional attainment. An assistant professor is normally expected to have completed five years at that rank before applying for promotion to associate professor. This guideline does not preclude applying for promotion in less than five years in cases of extraordinary achievement.

#### **To be eligible for promotion to associate professor, the assistant professor:**

- Must give evidence of continued success in teaching.
- Is expected to have made *distinctive contributions* in either scholarly/professional/creative activity or institutional/public service
- Is to have had some *meaningful involvement* in the remaining area.

**Professor.** A professor is to have an earned terminal degree or equivalent professional attainment. An associate professor is normally expected to have completed six full years at the rank before applying for promotion to professor. This guideline does not preclude consideration for promotion in less than six years in cases of extraordinary achievement.

#### **To be eligible for promotion to professor, the associate professor:**

- Must give evidence of continued success in teaching

- Is expected to have made *distinctive contributions* in either scholarly/professional/creative activity or institutional/public service
- Is expected to have made *substantial contributions* in the remaining area.

Individuals who are coming to the University of Evansville from another institution and who are being offered an increase in faculty rank as part of their contract must meet the institutional standards for the rank to which they will be appointed. The credentials of the incoming faculty member must be submitted to the Promotion and Tenure Committee for review and assessment before a contract is offered.

***Distinguished Professor.*** A distinguished professor is to have an earned terminal degree or equivalent professional attainment. To be eligible for promotion to distinguished professor, a professor must have completed a minimum of ten (10) years in that rank at the University of Evansville in a full-time teaching capacity. In addition to meeting the criteria for evaluation for promotion and tenure outlined above, other requirements must be met. These would include:

- Evidence of a consistent and sustained record of excellence in teaching attested to in writing by the candidate's department chair and/or dean and a representative sample of colleagues within and outside the department, as well as substantial supporting evaluations from students.
- Evidence of scholarship and/or creative productivity on a consistent and sustained level attested to in writing by the candidate's department chair and/or dean and colleagues in the individual's field of activity both in this and other institutions of higher education in the region and/or nation.
- Evidence of a consistent and sustained record of institutional and public service attested to in writing by those in the community and region or nation who have evidence of the quantity and quality of the candidate's public service activities. Appropriate officials within the University must attest to the candidate's institutional service.

## QUALIFICATIONS AND BASIS FOR TENURE

### A. Non Tenorial Appointments

*Full time.* In addition to the ranks of instructor, assistant professor, associate professor and professor, which normally designate full time tenure-track faculty appointments at the University, there are also ranks of lecturer, adjunct instructor, adjunct assistant professor, adjunct associate professor, adjunct professor, clinical faculty, visiting instructor, visiting assistant professor, visiting associate professor and visiting professor.

The term *visiting* denotes a person on a one-year appointment only and is used especially for replacing a regular faculty member who is on leave. A visiting faculty member is normally not eligible for continued employment at the University after the visiting appointment expires.

The term *lecturer* denotes most persons who serve the institution on an occasional or limited basis. Years of service as a lecturer do not count as probationary time leading to tenure.

#### Clinical faculty

The term clinical denotes a faculty member who holds a full or part-time contract but is not on tenure track. Clinical faculty may be appointed at the Assistant or Associate level. A Clinical Assistant Professor may apply for promotion to Clinical Associate Professor after six years in rank. Clinical faculty appointments may be renewed indefinitely. Clinical faculty have the same benefits and privileges of tenure-track faculty and can serve on committees or in any capacity that does not require a tenured faculty member.

Adjunct ranks for full-time appointments are frequently granted to those persons who make occasional contributions to University programs or who are associated with special ongoing institutional programs. The Faculty Senate approved the following policies regarding adjunct faculty:

1. All appointments should be made in accordance with established employment procedures.
2. An honorarium may be paid if approved in the normal way.
3. No fringe benefits will be connected with adjunct appointments.
4. Adjunct faculty members may participate in faculty development programs to the degree that such participation may aid in their performance as representatives of the institution.
5. Appointments will be made in behalf of University programs and will be negotiated utilizing the appropriate channels. Lecturers and those with adjunct designations are not usually eligible for fringe benefits. Years of service in these ranks do not count toward probationary time leading to tenure.

*Part-Time.* Part-time faculty members may not hold tenure, regardless of prior full-time status. They normally teach no more than two courses per semester during a calendar year.

## **B. Tenurial Appointments**

**Administrative Positions.** There is no tenure for administrative positions; however, administrative personnel who also hold academic rank qualify for the rights and privileges of tenure by virtue of their academic status. Formal classroom instruction is the only activity which qualifies an administrator for tenure or promotion consideration. Individuals under consideration for administrative positions and/or for promotion in rank as a part of that appointment must meet the same criteria for promotion and tenure and must undergo the same review required of any full-time faculty member. This policy is applicable to candidates from either on or off campus. Faculty rank earned prior to assuming the administrative position is retained.

**Full Time Faculty.** Unless otherwise stated, all full-time appointments will be probationary until written notification of tenure has been received. A full-time faculty member required to serve a probationary period will, at the expiration of such probationary period and with a favorable evaluation and recommendation, be granted tenure. Once tenure is awarded, services will be terminated only for adequate cause. Exceptions would be made in cases of retirement for age, extraordinary circumstances (e.g., national emergency or prolonged disability) or financial exigencies.

The precise *terms and conditions* of appointment will be stated in writing and will be in the possession of both the University and the faculty member before an appointment is finalized.

- In no case will the total *probationary period* at the University exceed seven years. Since the purpose of the probationary period is to provide opportunities to observe the faculty member, time spent on leaves of absence will not be considered. The probationary period may include previous full-time academic service (at eligible ranks) at other accredited institutions of higher education. However, for new appointees with three years or more of the aforementioned service, the University of Evansville reserves the option of requiring a probationary period of no more than four years. In exceptional cases, tenure may be granted upon appointment to full time faculty status. It may also be granted at any time after initial appointment upon recommendation of the President and approval by the Board of Trustees.

- If a probationary appointment is not to be renewed a written notice will be given to the faculty member in advance of the expiration of the appointment, as follows: 1) not later than March 1 of the first academic year of service if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year at least three months in advance of its termination; 2) not later than December 15 of the second academic year of service if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination; 3) at least twelve months before the expiration of an appointment after two or more years of service.
- During the probationary period a teacher will have the *academic freedom* accorded all faculty members.

*In all cases wherein tenure is attained, the appointee will be notified by the University in writing.*

Termination of a permanent appointment because of *financial exigency* will be demonstrably *bona fide*. Such a vacancy will not be filled within two years unless the one released has been offered, and has declined, reappointment. A tenured faculty member terminated because *a subject has been dropped or a curriculum reorganized* will be continued in some other capacity if possible. In cases of dissatisfaction with dismissal in circumstances mentioned in this paragraph, one is entitled to follow Faculty Appeals Committee procedures.

The foregoing principles and regulations governing tenure apply only to fulltime regular appointees of the University who hold ranks of instructor, assistant professor, associate professor, clinical assistant professor, clinical associate professor or professor. Other faculty appointees (including visiting professors, lecturers, instructional assistants or term, part-time and temporary academic appointees) are governed by terms specified in each contract issued.

#### Suspension and Termination of a Tenured or Tenure-Track Appointment

- I. Adequate cause for the dismissal of a faculty member, or suspension of a faculty member without pay will be related, directly and substantially, to the fitness of faculty members in their professional capacities as teachers or researchers. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or their rights as American citizens or legal residents under federal, state, and local law. Suspension for any amount of time without pay will be considered “dismissal” for the purposes of this policy.
- II. Dismissal of a faculty member with continuous tenure, or with a probationary or other non-tenured appointment before the end of the specified term, will be preceded by (1) discussions between the faculty member and appropriate administrative officers looking toward a mutual settlement; (2) informal inquiry by the Faculty Professional Affairs Committee, which may, if it fails to effect an adjustment, determine whether in its opinion dismissal proceedings should be undertaken, without its opinion being binding upon the president; (3) a statement of charges, framed with reasonable particularity by the president or the president’s delegate.
- III. A dismissal will be preceded by a statement of charges, and the individual concerned will have the right to be heard initially by the Faculty Appeals Committee. Members of the committee who consider themselves disqualified for bias or interest will recuse themselves from the case, either at the request of a party or on their own initiative. Recused faculty may be replaced by the Faculty Senate.
  - a) Pending a final decision by the hearing committee, the faculty member will be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to the faculty member or others is threatened by continuance. Before suspending a faculty member, pending an ultimate determination of the faculty member’s status through the institution’s hearing procedures, the administration will consult with the Faculty Tenure and Promotion

Committee concerning the propriety, the length, and the other conditions of the suspension. A suspension that is intended to be final is a dismissal and will be treated as such. Salary will continue during the period of the suspension.

- b) The hearing committee may, with the consent of the parties concerned, hold joint prehearing meetings with the parties in order to (i) simplify the issues, (ii) effect stipulations of facts, (iii) provide for the exchange of documentary or other information, and (iv) achieve such other appropriate prehearing objectives as will make the hearing fair, effective, and expeditious.
- c) Service of notice of hearing with specific charges in writing will be made at least twenty days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing but denies the charges or asserts that the charges do not support a finding of adequate cause, the hearing tribunal will evaluate all available evidence and rest its recommendation upon the evidence in the record.
- d) The committee, in consultation with the president and the faculty member, will exercise its judgment as to whether the hearing should be public or private.
- e) During the proceedings the faculty member will be permitted to have an academic adviser and counsel of the faculty member's choice.
- f) At the request of either party or the hearing committee, a representative of a responsible educational association will be permitted to attend the proceedings as an observer.
- g) A verbatim record of the hearing or hearings will be taken, and a copy will be made available to the faculty member without cost, at the faculty member's request.
- h) The burden of proof that adequate cause exists rests with the institution and will be satisfied only by clear and convincing evidence in the record considered as a whole.
- i) The hearing committee will grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.
- j) The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the hearing committee in securing witnesses and in making available documentary and other evidence.
- k) The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the committee will identify the witnesses, disclose their statements, and, if possible, provide for interrogatories.
- l) In the hearing of charges of incompetence, the testimony will include that of qualified faculty members from this or other institutions of higher education.
- m) The hearing committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

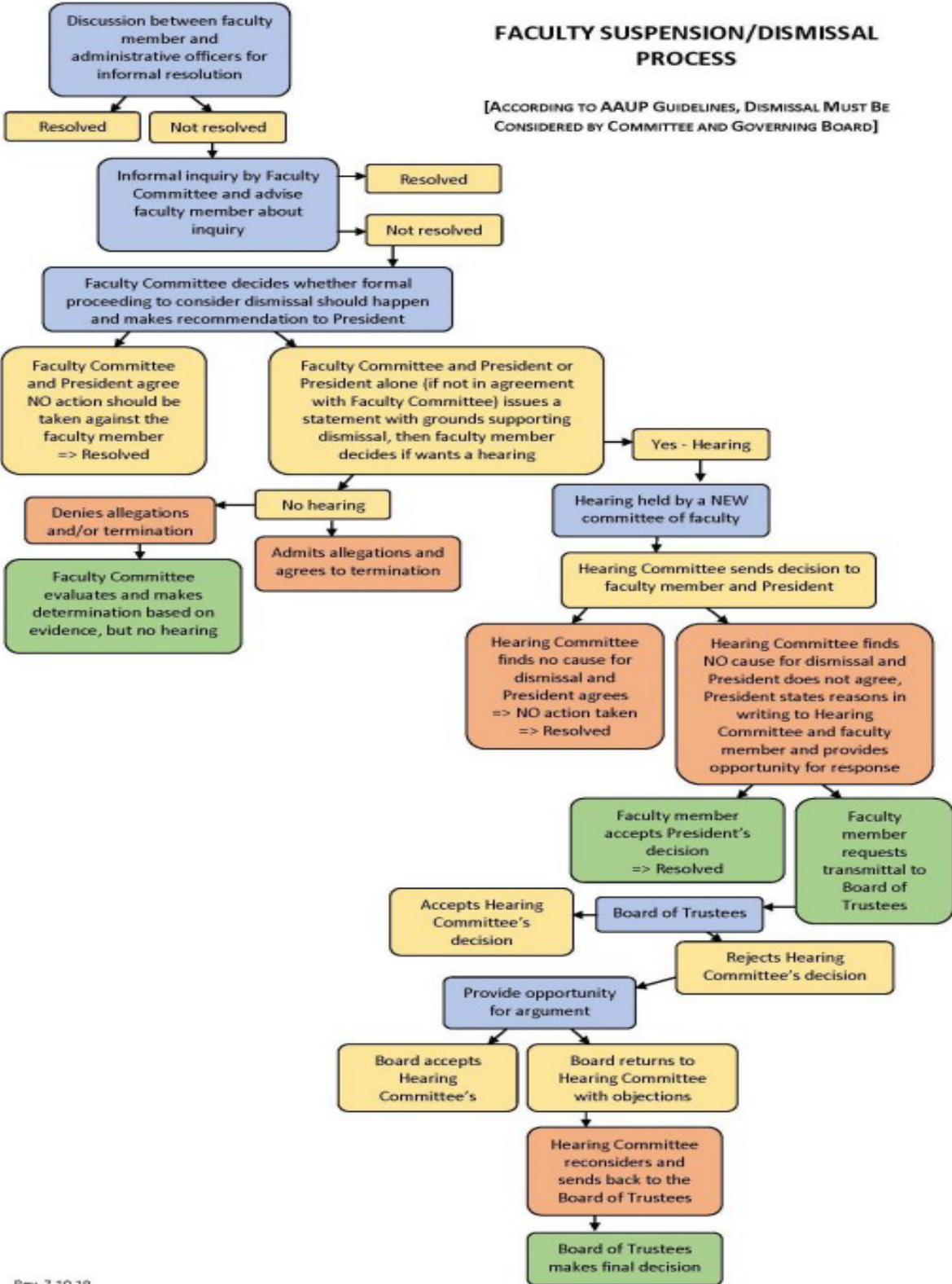


- n) The findings of fact and the decision will be based solely on the hearing record.
- o) Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the governing board of the institution. The president and the faculty member will be notified of the decision in writing and will be given a copy of the record of the hearing.
- p) If the hearing committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the president. If the president rejects the report, the president will state the reasons for doing so, in writing, to the hearing committee and to the faculty member and provide an opportunity for response before transmitting the case to the governing board. If the hearing committee concludes that adequate cause for a dismissal has been established, but that an academic penalty less than dismissal would be more appropriate, it will so recommend, with supporting reasons.

If dismissal or other severe sanction is recommended, the president will, on request of the faculty member, transmit to the governing board the record of the case. The governing board's review will be based on the record of the committee hearing, and it will provide opportunity for argument, oral or written or both, by the principals at the hearing or by their representatives. The decision of the hearing committee will either be sustained, or the proceedings returned to the committee with specific objections. The committee will then reconsider, taking into account the stated objections and receiving new evidence, if necessary. The governing board will make a final decision only after study of the committee's reconsideration.

# FACULTY SUSPENSION/DISMISSAL PROCESS

[ACCORDING TO AAUP GUIDELINES, DISMISSAL MUST BE CONSIDERED BY COMMITTEE AND GOVERNING BOARD]



Rev. 7.10.19

## Application for Promotion and Tenure

### **External Reviewers**

All faculty members eligible for tenure review and/or requesting consideration for promotion review in the fall term of the next academic year must consult with the department chair or dean to ascertain the names of three outside reviewers to whom materials will be sent for evaluation (see Promotion and Tenure Review Schedule in Appendix B). Two reviewers are to be selected by the candidate and one is to be selected by the department chair or dean. The department chair is responsible for contacting the external reviewers. When the department chair is applying for promotion or tenure the dean will contact the external reviewers. All materials are requested to be returned to the faculty member by September 1.

The role of the external reviewer is to provide impartial assessment of the faculty member's teaching materials and methodologies and professional and/or creative activities. The external reviewer is not an advocate for the faculty member and should not comment on the applicant's qualifications for tenure and/or promotion. The external reviewer's sole responsibility is to assess the material submitted by the faculty member.

In addition to their review letters, external reviewers are asked to include a copy of their curriculum vitae for inclusion in the review dossier.

### **Evaluation Criteria**

Evaluation for promotion and tenure includes ongoing evaluation of the faculty member's professional growth and progress toward that end. The purpose of this section is to specify the criteria used by the members of the Promotion and Tenure Committee of the Faculty Senate as they review a portfolio. This is followed by suggestions of ways information might be presented to colleagues, deans and/or chairs as well as to the committee.

#### **A. EFFECTIVENESS IN TEACHING, ACADEMIC ADVISING, AND PROGRAM DEVELOPMENT.**

Evaluation of success in this area is based on the faculty member's performance in the following activities:

1. Keeping course content up to date
2. Keeping teaching methods up to date
3. Using effective teaching techniques
4. Maintaining an environment which is conducive to learning and to achieving excellence
5. Communicating course objectives to students
6. Fulfilling course objectives
7. Evaluating students' accomplishments in reaching these objectives
8. Earning the respect of students and encouraging them to achieve excellence
9. Meeting classes conscientiously
10. Maintaining suitable and regular office hours
11. Contributing to curriculum planning, either departmental or interdisciplinary in nature
12. Contributing to curriculum planning, either departmental or interdisciplinary in nature
13. Initiating, organizing or evaluating courses, mini-courses, workshops, institutes, etc.
14. Providing advisees with informed and concerned guidance in selecting and achieving educational goals.

## B. EFFECTIVENESS IN SCHOLARLY PROFESSIONAL AND/OR CREATIVE ACTIVITIES

Evaluation of success in this area is based on the faculty member's performance in the following activities:

1. Attendance and participation at professional meetings, conferences and professionally related workshops or seminars
2. Engaging in research, professionally related travel or advanced study
3. Publishing books, articles, reviews, or critiques
4. Performing, exhibiting, consulting professionally or professionally related lecturing off campus

C. EFFECTIVENESS IN INSTITUTIONAL AND/OR PUBLIC SERVICE Evaluation of success in this area is based on the faculty member's performance in the following activities:

1. Serving on departmental or University committees
2. Serving in activities which provide a useful service to members of the community
3. Receiving awards, grants, honors or other recognition of service work
4. Performing off campus professionally related service work

No individual is expected to excel, or even take part, in every activity mentioned above. Rather, these activities illustrate the wide range from which a faculty member may choose in demonstrating worthiness to receive promotion or tenure.

### **The Promotion and Tenure Dossier: Guidelines for Documentation**

Information is organized by sections dealing with each of the areas identified in the *Faculty Manual* for which documentation is required, viz. effectiveness in teaching, professional and/or creative activities, and service. An introduction section should also be included.

Materials should be grouped so that readers can easily locate the information. A loose-leaf binder or other secure holder is important so that materials are not lost or accidentally moved to the wrong section. A table of contents coordinated with labeled section tabs is recommended.

In the case of materials which require a specialized background to fully appreciate, clarification of their content and significance can come through the comments of external viewers or peers within the University. The responsibility for creating the best case for promotion or tenure lies with the candidate. Each piece of documentation should be carefully considered before it is placed with the request. Strength of support rather than volume is the critical criterion.

### **Introductory Section**

Required Documentation:

A cover letter requesting consideration for promotion or tenure *must* accompany the materials. The letter should be placed at the very beginning of the dossier.

It must:

- State the intent of the candidate: are you applying for tenure, tenure and promotion, or promotion?
- Explicitly identify the areas to be supported as distinctive, meaningful or substantial as defined in the *Faculty Manual*, Chapter II, section on Qualifications and Basis for Promotion.
- Specify the length of time represented by the portfolio
- Include a current curriculum vita

The external review letters may be included here. If they are, each letter must be followed by the reviewer's curriculum vitae.

### **Evaluation by Peers**

Supports the candidate in the same areas as student evaluation data as well as currency in content and method. (See Student Evaluation).

#### **Required Documentation:**

- Letters of evaluation by each tenured member of the academic unit.
- In the case of tenure decisions, submit peer reviews from the second and fourth-year probationary review files.

If a department has fewer than three tenured faculty members not including the chair, tenured faculty members from outside the department must provide letters of evaluation so that the total number of tenured faculty reviewers is at least three.

#### **Suggestion/Optional Documentation:**

Could include report of observation of teaching in the classroom or laboratory by tenured faculty (including guest lecturers). Format may be free form or structured. External reviewers may be asked to address this area.

### **Evaluation by Department Chair/Dean**

Supports the candidate in the same areas as student and faculty peers.

#### **Required Documentation:**

- Tenure and/or promotion review letters from the chair and/or Dean.
- Annual performance evaluations for the four years prior to consideration for either tenure or promotion.
- In the case of tenure decisions, submit chair/Dean reviews from the second- and fourth-year probationary review files.

#### **Suggested/Optional Documentation:**

One might include report of classroom or laboratory observation, usually in letter format. Documentation of Effectiveness in Teaching, Academic Advising, and Program Development.

### **Course Materials and Evaluation by Students**

#### **Required Documentation:**

- Syllabi for courses taught in the four years preceding the request for promotion or tenure.
- Student evaluations of your teaching including all IOTA forms for the four years prior to the request and your self-reflection summaries that provide information relative to how you have used student evaluations to help improve your teaching.
- *Two peer reviews* of teaching using the UE Peer Review of Teaching Form, conducted by tenured faculty members during the two years preceding the request for promotion or tenure.
- Relevant material indicating participation in curriculum planning, initiation or organization of courses, mini-courses, workshops, and/or institutes.

### Suggested/Optional Documentation

Internal departmental forms which have been approved for individual or departmental use by the EVPAA may also be submitted as applicable. Other types of written student evaluation should be summarized, or a sample provided with instructions to the reader that raw materials or additional samples are available upon request.

### Other information that may be included:

- Examples of innovative teaching techniques
- Samples of student work including tests and term papers
- Summarized evaluations of academic advising by students

### **Documentation of Scholarly, Professional and/or Creative Activity**

Supports the success of the candidate in professionally related activities within or outside of learned societies. A description of the significance of the candidate's professional activity is helpful in cases where the activity is highly specialized or unusual.

### Required Documentation:

The external review letters may be included here. If they are, each letter must be followed by the reviewer's curriculum vitae.

### Suggested/Optional Activities:

- Attendance/participation at workshops, professional meetings, and/or seminars. Provide evidence of relevance to teaching or research focus.
- Presentation of papers, exhibitions, recitals in local, regional, or national forums. Could include blind review of papers; number of papers accepted and rejected for that conference; evidence of its being an invitational conference/exhibit/recital especially when regional and national.
- Offices held or other service to learned societies or professional organizations.
- Copies of grant or research proposals submitted for funding.
- Research in progress. Summarize activities and progress.
- Professional travel and/or advance study (including courses taken) citing relevance to teaching or research.
- Copies of published books, articles, reviews, or critiques written. An external reviewer might speak to these materials.
- Examples of manuscripts or articles reviewed for University and/or commercial presses.
- Participation in University colloquia or seminars as well as workshops or symposia organized. Be specific about your role as well as the relevance of this activity to teaching or research.
- Photographs of poster presentations including any handouts from such presentations.
- Copies of papers presented at conventions, etc. May include peer evaluations from the organization or group.
- Summary of consultation provided. Describe the scope, significance, and nature of any compensated professional consulting or practice (include the "Notification of Non-University Part-Time Employment or Consulting Activity" form).
- Audiotapes of recitals, photographs of art exhibits, videotapes of theatrical productions. An external reviewer might speak to these materials. May include peer evaluation from the organization or group.

## **Documentation of Institutional and/or Public Service**

Supports the candidate's success in service to the department or University as well as to the community at large. Incorporates recognition of candidate's successes from those outside the University.

### **Institutional Service**

#### Required Documentation:

Committee and task force participation at the Departmental and University levels. Clarify the relevance/significance of the activity to the Department or University. Clarify the particular role you played in the committee (chair, recorder, member.) Specify whether elected or appointed.

#### Suggested/Optional Documentation:

Letters of support from fellow members and/or chairperson documenting commitment and extent of participation may be used. Other activities may include student recruitment/retention activities, awards, honors or other recognition from students, faculty and alumni.

### **Public Service**

#### Required Documentation:

Service on civic boards, community agencies, and other off-campus professionally related service work.

#### Suggested Documentation:

While it is generally assumed that "service" implies uncompensated work, candidates should make it clear that this is the case where doubt may exist. Participation in the University Speakers Bureau may be included.

## **PROMOTION AND TENURE COMMITTEE STANDING RULES**

For procedural consistency from year to year, the following standing rules were adopted by two-thirds vote of the committee on October 31, 1991. These rules may be subsequently modified by two-thirds vote of the committee. Any rule that conflicts with the *Faculty Bylaws* or *Robert's Rules of Order Newly Revised* is out of order.

The chair is charged with verification of committee membership, identification of free meeting periods, scheduling of a meeting room, distribution of these standing rules of order, preparation of agenda, call of meetings, and the orderly and fair conduct of committee business in accordance with the *Faculty Bylaws and Robert's Rules of Order Newly Revised*.

The quorum of the committee shall be seventy percent (70%) of the membership (excluding *ex officio* members and membership vacancies).

Given requirements for prompt tenure decisions, candidates for promotion and tenure will be considered before candidates for promotion alone. Within each group, candidates will be considered in alphabetical order.

Consideration of a candidate's request for tenure and/or promotion is expected to be formal by initiated by the candidate's academic unit representative. This action shall be in the form of a motion; examples as follow:

Be It Resolved that [candidate's title and name] be recommended by the Faculty for the award of promotion and tenure to the rank of Associate Professor.

Be It Resolved that [candidate's title and name] be recommended by the Faculty for promotion to the rank of

[Assistant Professor, Associate Professor, Professor].

Should the candidate's academic unit representative fail to move the tenure and/or promotion, then any regular or *ex officio* member of the committee may so move. Should no resolution for recommendation be forthcoming, the candidate is reported out of committee without recommendation for tenure and/or promotion.

A motion for a candidate's tenure and/or promotion must be seconded by another regular or *ex officio* member of the committee. Should not second be forthcoming, the candidate is reported out of committee without recommendation for tenure and/or promotion.

Following a second, the motion for tenure and/or promotion is on the floor and subject to open debate as well as other parliamentary actions. The committee members who moved and seconded the recommendation are expected to present the candidate for consideration.

Committee debate should specifically address the following: The candidate's evidence for "excellence in teaching activities (both formal and informal)." The candidate's evidence for "distinctive" or "substantial" or "meaningful" scholarly, professional and/or creative activities. The candidate's evidence for "distinctive" or "substantial" or "meaningful" institutional and/or public service.

During committee debate, other possible actions include: The motion may be amended (e.g., to tenure with or without promotion). The motion may be tabled to a specified meeting date (e.g., to allow collection of additional information or to permit more detailed review of materials). The motion may be simply tabled without schedule reconsideration (the candidate is reported out of committee without recommendation).

These votes will be openly assessed unless a secret ballot is requested by any member. In open balloting, the chair will vote only to break ties; in secret balloting, the chair will vote with the membership (a motion fails with a tie vote).

Following close of debate, the committee's recommendation shall be determined by secret ballot: each member shall vote "yes," "no," "abstain," or "blank." The results will be openly counted by the committee's secretary. A favorable result is obtained by a greater number of "yes" votes than "no" votes (abstentions and blanks are not considered), and the candidate is reported out of committee with recommendation for tenure and/or promotion. Otherwise, the candidate is reported out of committee without recommendation for tenure and/or promotion.

As specified by the *Faculty Bylaws*, voting privileges are limited by *Robert's Rules of Order Newly Revised*: "No member should vote on a question in which he/she has a direct personal or pecuniary interest not common to other members of the organization" (p. 402) Such "conflict of interests" would require a member's "dual relationship" with a candidate, a personal or pecuniary relationship in addition to the given "faculty-to-faculty" relationship: a spouse-to-spouse, other external business associate-to-associate, or other compelling second relationship. Where such direct personal or pecuniary conflict of interests may exist, a committee member is expected to abstain from voting for or against a candidate's tenure and/or promotion.

"No member can vote who is not present when the question is completely put (*Robert's Rules of Order Revised*, p. 199)." Absentee and proxy voting are prohibited. If a member is unable to participate in Committee activities, the Committee will receive a temporary semester replacement appointed by the Executive Committee of the Faculty Senate.



## FORMAL PROBATIONARY REVIEW SCHEDULE

*Whenever a date in this schedule falls on a Saturday or Sunday, the effective date will be the following Monday.*

May 1	In Departments with fewer than three tenured faculty members not including the department chair, all second year, fourth year, and any other probationary faculty scheduled for formal review will consult with the department chair to select tenured faculty from outside the department to provide a formal review of performance. The total number of tenured faculty reviewers in addition to the chair will be at least three. If the probationary faculty member and the department chair cannot agree on the selection of tenured faculty from outside the department, the Dean will resolve the issue.
September 25	All probationary faculty scheduled for formal review. Submit required self-evaluations and relate materials on teaching and professional activities to their department chair.
September 25 - October 9	All tenured faculty in the academic department or school and any other tenured faculty selected as described above review the faculty member's dossier for formal probationary review and each write an individual letter of assessment for inclusion in the files.
October 10-11	Department chairs meet with tenured faculty to review and evaluate the faculty member for continuation or non-renewal based on the formal review. October 20 Department chairs submit complete probationary review files, including the summary evaluation of the faculty member with recommendations to for continuation or non- renewal of appointment, to the dean. A copy of the summary evaluation and recommendation is also provided to the faculty member.
November 1	Deans submit complete probationary review files for second-year, fourth year and any other probationary faculty scheduled for formal review. This must include summary evaluations of the faculty member with recommendations for continuation or non- renewal of appointment, to the Exec. Vice President, Academic Affairs. A copy of the summary evaluation and recommendation will be sent to the respective faculty member.
November 15	Faculty members wishing to comment upon or respond to an academic unit's and/or dean's evaluation and recommendation submit statements to the Exec. Vice President, Academic Affairs.

## PROMOTION AND TENURE REVIEW SCHEDULE

Whenever a date in this schedule falls on a Saturday or Sunday, the effective date will be the following Monday.

March 31	All faculty members eligible for tenure review and/or requesting consideration for promotion review in the fall term of the next academic year must consult with the department chair or dean to ascertain the names of three outside reviewers to whom materials will be sent for evaluation. Two reviewers are to be selected by the candidate and one is to be selected by the department chair or dean. The department chair is responsible for contacting the external reviewers.
April 13	The dean or chair will contact the external reviewers. All materials are requested to be returned to the faculty member by September 1.
May 1	In Departments with fewer than three tenured faculty members not including the department chair, all faculty members to be reviewed for tenure and/or promotion will consult with the department chair or dean to select tenured faculty from outside the department to provide a formal review of performance. The total number of tenured faculty reviewers in addition to the department chair or dean will be at least three. If the faculty member and the department chair or dean cannot agree on the selection of tenured faculty from outside the department, the Dean or VPAA will resolve the issue.
September 25	All faculty members to be reviewed for tenure and/or promotion submit required self-evaluations and related materials on teaching and professional activities to their department chair. Required reviews obtained from external evaluators will be incorporated into the faculty member's dossier.
September 25 - October 9	All tenured faculty in the academic department or school and any other tenured faculty selected as described above review the faculty member's dossier for tenure and/or promotion and each write an individual letter of assessment for inclusion in the files.
October 10 -11	The Department chair or dean meets with tenured faculty to review and evaluate faculty for tenure and/or promotion.
October 20	Department chairs submit complete tenure and/or promotion review dossiers, including in each the summary evaluation of the faculty member with a recommendation to grant or not grant tenure and/or promotion, to the dean. A copy of the summary evaluation and recommendation is also provided to the respective faculty member.
November 5	Deans submit to the Exec. Vice President, Academic Affairs complete tenure and/or promotion review files, including summary evaluations of each faculty member with a recommendation to grant or not grant

	tenure and/or promotion. A copy of the summary evaluation and recommendation is sent to the respective faculty member.
November 5 - December 10	Faculty Promotion and Tenure Committee reviews faculty dossiers and makes recommendations to grant or not to grant tenure and/or promotion to be transmitted by the Exec. Vice President, Academic Affairs to the President.
November 15	Faculty members wishing to comment upon or respond to an academic units and/or dean's evaluation and recommendation submit statements to the Exec. Vice President, Academic Affairs.
January 31	Exec. Vice President, Academic Affairs makes tenure and promotion recommendations to the President.
February 28	Deadline for a faculty member to appeal to the President if in disagreement with recommendation on tenure and/or promotion.

## Chapter III

### FACULTY RESPONSIBILITIES

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Membership on the University of Evansville faculty is considered full-time employment. It includes not only teaching duties and responsibility for professional growth but also academic advising, student conferences, committee assignments, community service, and other activities which contribute to the University.

Accordingly, it is reasonable and proper to expect a faculty member (1) to be readily available to students outside of the classroom on a regular and ongoing basis throughout the week, and (2) to limit non-University employment including professional private practice and/or consulting. During the evaluation process, it is the responsibility of the department chair and/or dean to make discretionary assessments of both the quantity and quality of employment activities in which the faculty member is engaged.

#### **Credentials File**

Accrediting agencies expect maintenance of up-to-date credentials files for all full-time and part-time faculty members. At the University of Evansville, the file is kept in the Office of Academic Affairs. To Include:

1. A complete set of official transcripts, both undergraduate and graduate.
2. An updated Curriculum Vita.

*Each faculty member is responsible for periodically updating the credentials file.*

#### **Office Hours**

Teaching and advising are ongoing processes: They do not start and stop in the classroom or on specific registration dates. Therefore, it is imperative that faculty members are reasonably available to students for informal consultation and academic advisement. In keeping with the institution's commitment to personal attention/connections to students, faculty members are expected to be accessible to students for a minimum of ten hours per week through a mix of office hours and electronic availability.

#### **Non-University Employment and Consulting for Faculty**

Because membership on the University of Evansville faculty is considered fulltime employment, it is reasonable and proper that engaging in non-University work should be subject to the following principles and regulations:

A faculty member may engage in or accept non-University employment, including consulting activities, only after receiving written approval from the Office of Academic Affairs. A request by the faculty member must be made to the Dean or department chair, who will forward it to academic affairs with an appropriate recommendation. The purpose of the evaluation is to ascertain whether or not such work would encroach upon the faculty member's primary obligations to the University. This procedure requires submission of a "Notification of Non-University Part-Time Employment or Consulting Activity" form at the beginning of the academic year, if the work will be ongoing, or immediately prior to engaging in a particular employment or consulting activity. After evaluation it will be approved or disapproved.

- a) Occasional speeches or leadership opportunities for which a faculty member is remunerated should be considered significant community service and do not require such evaluation or approval.

- b) In general, a faculty member should give preference to opportunities in consultation and service within the faculty member's field of specialized training.
- c) A faculty member should not enter into an agreement to provide a service in competition with the University.

The University shall assume no responsibility for agreements between off-campus employers and University faculty members. When accepting non-University work, employees are responsible for advising off-campus employers that the service or consultation is not being performed on behalf of the University.

### **Organizational Sponsorship**

Every student organization is required to have a faculty advisor or sponsor. Members of the faculty are urged to accept responsibility for leadership in various student groups when invited to do so. Eligibility for membership in fraternities and sororities and for participation in certain activities and organizations is based largely on academic achievement. While most eligibility is assessed by staff in the Student Life Center, faculty may be asked for progress reports.

### **Commencement, Baccalaureate and Academic Convocation**

All faculty members are expected to attend commencement ceremonies for May graduation and the Academic Convocation in August unless they receive permission to be absent from the Exec. Vice President, Academic Affairs and Provost. They are required to attend in academic regalia. Faculty members are encouraged to attend Baccalaureate in May.

### **Resignation**

Notification of resignation is expected early enough to enable the University to secure a replacement without impairing quality of the instructional program. The AAUP recommendation of May 15 is accepted by the University.

### **Procedures for Leaving the University**

A faculty member not under contract for the following year shall present a statement from the chair or dean indicating that the individual's work has been satisfactorily completed. The statement shall be submitted to the office of accounting and audit after:

- Grades have been recorded and returned to the registrar's office.
- Grade books and related records have been turned over to the unit chair or dean.
- The unit chair or dean has received a list of those students who will receive incomplete grades. Arrangements for removing incompletes must be specified.
- All University keys have been returned to the Physical Plant Office.
- All library materials have been returned or accounted for and clearance received from the library.
- Pcard (UE credit card) with a Pcard Cancellation form has been turned in to the Office of Administrative Services and final reconciliation of transactions has been complete.
- I.D cards have been turned in to the Human Resources Office by the employee upon termination.

The statement is not to be issued by the chair or dean before the faculty member's last scheduled examination unless other arrangements were made no later than two weeks prior to said examination. Final salary payments will be released upon compliance with these conditions.

A faculty member who is no longer under contract to the University is not entitled to use University property except as a visitor. All fringe benefits and services available to employees shall cease as of the last day of employment, unless specific arrangements have been made and approved by the University in advance.

#### Departing Employee Mail Forwarding Procedure

- Departing employee will leave a forwarding address and last day information with the administrative assistant or other appropriate person in his/her department.
- The department will inform Mail Services with departing employee information by means of a memorandum or e-mail to [mailservices@evansville.edu](mailto:mailservices@evansville.edu) or email the Lead, Distribution Services.
- Departing employee should contact U.S.P.S. online and complete an address change notification. It is the individual's responsibility to contact senders and inform them of his/her new address.
- After the former employee has left the University, all mail will continue to be sent to the department.
- The department will determine if the mail is University-related or personal. Appropriate action will be taken by the department.
- If the employee leaves no forwarding address, all mail will be returned to department after the employee's last University recognized work date.

*Please direct any questions to the Lead, Distribution Services at extension 1067.*

## Chapter IV

### DEPARTMENT CHAIR RESPONSIBILITIES

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A department chair is defined as someone who has a full range of responsibilities over a department including, but not limited to, both the operational and planning aspects of personnel, curriculum, instruction, scholarship, advising, merit evaluation and budgeting.

#### Duties and Responsibilities

##### **ADMINISTRATION**

The department chair is a crucial link in the administrative chain. As a day-to-day administrator, the chair must represent the department's needs, and in turn, communicate College and University policy decisions to the department's faculty at regular meetings. In addition, the chair should help the department develop productive relationships with, and be an effective representative of the department to, the other departments, the college, the University, and the outside community. Within the department, the chair should develop an effective operational structure. The chair should establish an appropriate, collegial committee system to assist him/her in managing the department. The chair may delegate specific duties to individuals interested in performing them. The chair should also be concerned with maintaining effective support staff and services and managing the department budget efficiently and equitably. Fairness and trustworthiness are important attributes that the chair must display at all times.

##### **PLANNING AND DEVELOPMENT**

The department chair is also responsible for the development of the department. This broader administrative role includes the ability to see and address the department's problems/challenges and to plan for future needs. Out of a commitment to the integrity of the discipline and to the teaching mission of UE, the chair should, in consultation with the faculty, set goals for the growth and development of the department and to establish ways to assess whether those goals are being accomplished. Perhaps the chair's most difficult task is to move the department toward the achievement of those goals.

##### **PROFESSIONAL CONCERNS**

The department chair is also expected to provide leadership in scholarly and teaching roles of the faculty. The chair should set an example for the faculty both in teaching and professional activities. He/she should also be concerned with both curriculum and faculty development. For example, the chair might seek to have faculty workshops on pedagogy or establish a department speaker series. The chair should direct and support the faculty as they engage in regular assessment efforts evaluating academic programs for continuous improvements and be responsible for reporting to the University Academic Assessment Committee as required. The chair should be supportive of the general curriculum and should seek to have faculty participate in the First Year Seminar sequence. The chair should encourage faculty to seek intramural and extramural grants and contracts and, when necessary, assist them in these endeavors.

##### **FACULTY**

The department chair needs to be able to communicate easily and effectively with the department's faculty. He/she /they must be available to and approachable by faculty for consultation. The chair must strive to be objective and fair in evaluation for promotion, tenure, and salary decisions, and in general help elicit the best performance from diverse faculty members. It is the chair's responsibility to evaluate each faculty member based on the criteria for evaluations set forth in Chapter 2 of the Faculty Manual and to make recommendations

to the supervising dean or vice president regarding merit raises. The chair should also support the search for the best possible new faculty members.

### **STUDENTS**

The chair should likewise be available to and approachable by students. He/she/ they should communicate well with them, be conscientious in advising them and effective in resolving their complaints. The department chair should devote some time to recruiting good students and in encouraging faculty to help in this task by developing effective recruiting tools, and at the other end, should be able to offer sound career counsel to advanced students. It is imperative that the chair be a leader in helping to develop the best procedures for advising and in working in close conjunction with the student affairs office to help with this task, especially for the incoming freshman class. The chair should also seek to involve students with faculty and departmental activities when it is appropriate.

### **LEADERSHIP**

The department chair's individual leadership style is perhaps the most elusive aspect of the role to prescribe and/or describe. Though individual style may differ, it is clear that the chair must be dedicated to the welfare of the department and to foster a professional work atmosphere. It is imperative that the chair be perceived as fair, reasonable, approachable, humane, and effective. The chair's prime concern is the welfare of the department and not how a decision affects the chair personally. The chair can usually gauge the quality of his/her/their leadership from the morale of the department, and a chair should seek feedback on the faculty's perception of his/her/their leadership.

### **TERM OF OFFICE**

The term of appointment for a department chair is three years. The appointment is made by the Dean (with the approval of the Exec. Vice President, Academic Affairs and Provost) in consultation with the faculty. A department chair may be asked to serve additional three-year terms by the Dean. Department chairs will be evaluated each year by their faculty. This feedback will be provided to the Dean. During the final year of the three- year term, the Dean will conduct an extensive review by February 15<sup>th</sup> to determine if the department chair will be asked to continue to serve the University in the role of department chair. It should be understood that circumstances may arise where the Dean will have to replace the department chair before the three-year term has run its course.

### **LEAVES AND CONCLUSION OF SERVICE**

Chairs who go on leave for the whole year during the chairmanship term will receive none of the compensation associated with the chairmanship. Chairs who go on leave for part of the year may receive reassigned time and stipends which are appropriate to the amount of their administrative service during that year.

Chairs who return to faculty ranks will no longer receive reassigned times or stipends. However, a chair who has served at least two consecutive three-year terms may retain 50% of his or her nine-month stipend as base salary upon the **recommendation of the dean of the college** and the **approval of the recommendation by the Exec. Vice President, Academic Affairs**. The chair may elect to take a semester administrative sabbatical in place of the nine-month salary supplement at the end of his/her/their term given the same stipulation as mentioned above.

### **ACTING DEPARTMENT CHAIR**

A faculty member who becomes acting department chair for the entire year will receive compensation which is appropriate for the regular chair. A faculty member who becomes chair for part of the year will receive compensation which is appropriate to the amount of his/her/their administrative service during the year.



## Chapter V

# ACADEMIC POLICIES AND PROCEDURES

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### **Academic Advising**

**Context and Definition:** Academic advising is an important part of the overall educational program at the University of Evansville and a responsibility of the faculty. It is University policy for all degree-seeking students to meet regularly with faculty advisors. Non-degree-seeking students are advised by the Office of Academic Advising until they matriculate into an undergraduate program. Core expectations for faculty advisors have always included the responsibility to provide comprehensive advice to students about the liberal arts and sciences context of their education, their academic majors, course selection, and career planning, as well as accurate information or suitable referrals concerning institutional policies, procedures, and resources. At the University of Evansville, we believe that such advising constitutes an appropriate and necessary element of any successful advising system and that good advising will be a dialogue between student and faculty, with the student making the ultimate decisions, and the faculty member assisting the student in formulating reasonable goals and expectations, understanding limitations, and assessing the consequences of particular courses of action.

**Procedures:** Faculty should monitor the progress of their advisees during the course of a term by scheduling regular conferences with them and being available for advising sessions when needed by the students. Faculty advisors are expected to be readily available on campus during class registration periods. Advisors will be supplied with student folders containing personal background information, the educational history and test scores for each advisee. Advisors can access grade reports, alerts and other information to support the advising process on-line. The Academic Advising Website is provided to both faculty and students, pulling together practical information about advising procedures, special advising concerns and problems, support services, academic policies and regulations, and degree requirements, into one location.

### **Academic Honor Code**

#### **Academic Honor Code**

In its mission, the University clearly states the intention to be value-oriented in all endeavors. The Academic Honor Code was created by the University community, students, and faculty alike, to create an atmosphere conducive to this high ideal and to academic integrity. The primary purpose of the Academic Honor Code is to enable students and faculty to conduct their academic duties in an atmosphere of freedom an ideal which requires the commitment of both students and faculty. Student commitment to the Academic Honor Code is implied by his or her matriculation at the University of Evansville. Members of the faculty affirm a commitment to the Academic Honor Code by clearly defining what is or is not unauthorized aid. Student commitment to the Academic Honor Code is implied by his/her/their matriculation at the University of Evansville. The code, which follows, is appropriate for all academic work which is to be submitted for credit. I understand that any work I submit for course credit will imply that I have adhered to this Academic Honor Code: I will neither give nor receive unauthorized aid, nor will I tolerate an environment that condones the use of unauthorized aid.

#### **The Honor System**

Under the honor system, faculty often utilize honor-based testing devices, such as the take-home exam and examinations without a proctor. Each instructor is obligated to clearly define unauthorized aid as it relates to assignments within his or her specific course(s). Instructors should discuss the importance of academic integrity, review related items in the syllabus, and clarify the definitions of cheating and plagiarism. When in doubt, the student is obligated to obtain an understanding of the instructor's use of the term. Ignorance is not accepted

as a valid excuse for a violation of the Academic Honor Code.

The non-toleration clause (“nor will I tolerate an environment that condones the use of unauthorized aid”) is integral to the Academic Honor Code as the honor system relies on the active participation of all students. Each student, therefore, is responsible for his/her/their own personal honor and the academic integrity of the University community. The academic honor system functions only when students value their personal honor and that of the community enough to guard it. This is not to say that students must constantly watch for violations. However, it is the student’s responsibility to uphold the integrity of the Academic Honor Code. Any observations or knowledge of misconduct should be reported immediately.

### **Faculty Responsibilities**

The following is offered as a guideline to the faculty’s responsibilities in promoting and implementing the Academic Honor Code.

1. Refer to the Academic Honor Code in each class syllabus.
2. Provide a clear, written definition of class expectations in the syllabus, including such items as writing style, citations, plagiarism, etc.
3. Devote some time in the first-class meeting to explaining the importance of academic integrity, reviewing related items in the syllabus, and clarifying the definitions of cheating and plagiarism.
4. On examinations, faculty may wish to include the honor code statement and require students to sign their reaffirmation.
5. On class papers and projects, faculty may wish to ask students to include a simple, signed statement reaffirming their adherence to the honor code.
6. For group projects, group papers or group presentations, clearly define the appropriate level of collaboration, the levels of group and individual work to be submitted, and the criteria for grading. This may be included in the syllabus or in handouts describing the parameters of a group assignment.
7. In the classroom, establish an academic environment that supports academic integrity based on fair evaluations and the assumption that all students enrolled are honest.
8. In all cases of possible dishonesty, the faculty member should confront the individual student. If the student does not believe he or she has violated the honor code, or if the student does not agree with the action proposed by the faculty member, the student has the right to due process by requesting an Honor Council investigation.
9. Disposition of a suspected Honor Code violation should take place within 10 business days of its detection either by (a) dismissing it, (b) settling it informally through a letter signed by the student and forwarded to the Office of the Dean of Students, or (c) requesting an Honor Council investigation of the alleged incident. See “Violations of the Honor Code” for the process to follow. All letters documenting the information resolution of Honor Code violations must be sent to the Office of the Dean of Students. Immediately after signing to ensure accurate.
10. Institutional records of the number of Honor Code violations on file.
11. When there is an Honor Council hearing, be prepared to present evidence and testify as needed.
12. Be willing to serve in the pool of faculty to be called upon for Honor Council hearings.
13. Participate in educating new faculty (full-time and part-time) about the honor system. The honor system and the implementation of its procedures fall under the administrative jurisdiction of the faculty and the president. The Office of the Dean of Students keeps records of violations and hearings and may be consulted by the Honor Council chair regarding procedures and past violations.

The honor system and the implementation of its procedures fall under the administrative jurisdiction of the faculty and the president. The Office of the Dean of Students keeps records of violations and hearings and may be consulted by the Honor Council chair regarding procedures and past violations.

### **The Pledge of Honor**

The Pledge of Honor Form must be signed and returned to the University by every new student – both freshmen and transfers. This pledge signifies that each student is familiar with the Academic Honor Code at the University of Evansville and will comply with the terms of the code.

### **Honor Council**

The Honor Council is composed of students and faculty members, both with full voting power. Eight faculty members, one from each academic governance unit, are appointed by the Faculty Senate. Six students are appointed by the Student Government Association, and six students are then appointed by the president of the University. At least one student of the 12 must represent each of the eight teaching academic governance units. For a hearing, a panel of five students and two faculty members is randomly selected from the appointment pool to serve as the hearing panel. The chair of the Honor Council will be appointed by the Faculty Senate chair in consultation with the vice president for academic affairs. In addition to those members selected from the appointment pool, the Honor Council chair will serve as a non-voting facilitator for each hearing panel. The dean of students will serve as an ex-officio non-voting member of each hearing panel.

If necessary, members of the University Judicial Board may serve on the Academic Honor Council if there is a scheduling conflict or potential bias of the appointed members for a particular hearing.

### **Due Process**

Alleged violators of the honor code, in accordance with due process, will have the following rights:

- The right to be faced by one's accuser
- The right to have charges against one given in writing 72 hours prior to the hearing
- The right to a hearing
- The right to have witnesses speak one's behalf
- The right to appeal the decision of that hearing to a higher level

The chair of the Honor Council sees that the case is processed with correct procedures and with the stated elements of due process.

The University of Evansville's discipline system does not include the right to have representation, including but not limited to legal and/or parental representation, at the Honor Council hearing. The University of Evansville, as a private institution, is free to devise a disciplinary procedure relevant to its lawful mission.

### **Violations of the Honor Code**

The honor system is based on the assumption that students are the first to protect the environment of honor. In code violations, the council holds by the principle that students should not receive credit for dishonest work.

### **Initial Action**

Where appropriate, suspected honor code violations should be reported to the dean of students, who will keep records of honor code violations. The dean of students will determine if this is the student's first offense. If a student has committed one violation of the Honor Code and is suspected of a second violation, the second case will be heard by the Honor Council. If the student is found responsible for a

second violation, the Honor Council will impose the appropriate penalty while giving primary consideration to the recommendation of the faculty member involved with the case.

Second offenses will automatically be referred to the Honor council for action. A student found responsible for a third violation will be expelled from the University. Once an honor code violation has been submitted by a faculty member, a student is not allowed to withdraw until the Honor Council is concluded.

If a violation of the Academic Honor Code comes to the attention of a student or faculty member, he/she/they will be encouraged to positively influence the student in question to change the current course of action or to self-report the violation. Some honor code violations may be handled informally between student and faculty (see below for procedure).

**Informal Resolutions.** Many first offenses can be handled between the student and the faculty member once the Office of the Dean of Students has verified that no previous offenses have occurred. This process often works best with cases that are fairly straightforward.

1. The faculty member should confront the student about what appears to be a violation of the honor code.
2. The faculty member should emphasize to the student that he or she has the right to have the case investigated through the Honor Council as outlined in the Student Handbook if the student does not believe he or she has committed a violation of the honor code.
3. If the student admits to the violation, the faculty member should discuss appropriate sanctions. If both parties concur with the sanctions, the resolution should be documented. Suggested elements to include in the documentation are:
  - a. A description of the violation
  - b. A description of the sanctions imposed
  - c. The following statement: "This letter will be forwarded to the Office of the Dean of Students as part of the documentation process of an Honor Code violation."
  - d. The following statement:

"By signing this letter, you acknowledge your waiver of an Honor Council investigation and hearing, accept your responsibility in this incident, and accept the sanctions as prescribed."

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

4. Provide the student with a signed copy of the letter. The instructor should keep a copy of the letter and all original materials relevant to the case and should forward the original signed letter to the Office of the Dean of Students. The letter will be kept on file for the remainder of the student's academic career at the University of Evansville.

If there is no agreement on the violation or the sanction, the case will be forwarded to the Honor Council via the Office of the Dean of Students.

In the event that the accused student reports himself or herself, the dean of students should be contacted. Subsequently, the Honor Council will evaluate the case.

- **Reporting and Investigations.** If it is not possible to approach a student suspected of a violation or the student does not self-report to the Honor Council, then the suspicions should be reported to the dean of students. The dean of students is responsible for notifying the accused student of Honor Council procedures.

- **The Hearing.** Honor Council hearing procedures are designed to ensure due process with University policy. At a hearing the Honor Council's responsibility is to ascertain whether the accused is responsible for the alleged violation. When a student is found in violation of the Honor Code, the council will recommend appropriate penalties. A recording will be made of all Honor Council proceedings.

**During an Honor Council hearing, the basic order of events is as follows:**

- The person initiating the report gives his or her version of the situation
- The hearing panel questions the person initiating the report
- The student(s) whose case is being heard presents his or her account of the situation, justification, and/or explanation. The Honor Council proceedings will continue regardless of whether the student chooses to participate.
- The hearing panel questions the student(s)
- Further comments by the student(s) and initiating person are considered
- Witnesses are brought in, although the hearing panel can limit the number of persons who may appear
- The Honor Council deliberates and renders a decision by applying the preponderance of evidence standard.

**Sanctions.** The penalty for a first violation will be determined on a case by case basis by the Honor Council. The recommendations of the faculty member(s) involved in the case will be given primary consideration. Possible sanctions include academic penalties, disciplinary action, and special conditions such as counseling. If a student has committed one violation of the Honor Code and is suspected of a second violation, the Honor Council will impose the appropriate penalty while giving primary consideration to the recommendation of the faculty member involved with the case. Penalty for a second offense may include suspension for a designated semester(s). A student found in violation of a third violation will be expelled from the University.

### **Honor Council Appeals**

Following the determination of the Academic Honor Council, both parties have the right to appeal the determination but solely for the following reasons:

1. There is evidence that the hearing procedures outlined in the Student Handbook for Honor Council processes were not adequately followed.
2. There is new evidence that will materially impact the Academic Honor Council's decision and this evidence was not presented at the original hearing for good cause as determined by the Honor Council Chair and in consultation with the Dean of Students.
3. The sanctions imposed by the Academic Honor Council are believed to be either too severe or too lenient for the violation which the student was found to be responsible.

All appeals must be emailed within five business days to the Dean of Students ([deanofstudents@evansville.edu](mailto:deanofstudents@evansville.edu)). All appeal requests must be accompanied by a written statement identifying the criteria for appeal (see above) and support the argument for appeal with appropriate evidence. A strong desire or need for a different decision will not be considered evidence for an appeal. The decision to hear the appeal will be made by the chair of the Honor Council in consultation with the Dean of Students and Executive Vice President for Academic Affairs.

In the event of an appeal, a hearing panel of three students and one faculty member will be selected from the appointment pool from among Honor Council members not involved in the original hearing. The Appeals Board should make every effort to dispose of all cases before them as quickly as possible, preferably within two weeks of the time charges being brought. The decision of Honor Council may be appealed by either party (the student of the initiating/complaining party) through the Appeals Board.

### **Appeals Board Hearing Order**

- The appeal is read.
- A tape or recording, or part thereof, of the original hearing shall be played if requested by either the violator, the original initiating agent or the Appeals Board.
- The person appealing the case gives an explanation for the appeal and then is questioned by the Appeals Board.
- The person(s) involved in the original case, who is either an alleged violator or an initiating agent who has not requested the appeal, reacts to the appeal and is then questioned by the Appeals Board.
- Summary statement(s) is(are) given.
- The Appeals Board will deliberate and make a decision.

### **Possible Appeals Board Decisions**

- Affirm the original finding and action taken
- Affirm the finding but adjust the sanction to a higher or lower level of penalty
- Reverse the finding and acquit the student
- Reverse the finding and order a new hearing
- The Appeals Board will inform the individual of its decision in writing.

### **Final Appeal**

The University president will be the final appeal for Honor Council hearings. The final appeal to the president must be submitted in writing to the Office of the President within one week of the date of notification of the action of the first appeal. Recordings of the Honor Council hearings may be reviewed by the president after the appeals conference.

In the case of an appeal being heard by the president, the president may or may not meet with the student at his discretion. The decision on the appeal may be made based on hearing records and the student's written appeal

## **STUDENTS AND FORMAL GRIEVANCES**

The University of Evansville embraces a culture that encourages students to seek informal resolution to issues or concerns by directly contacting the faculty or administrator who has the authority to respond. The University recognizes, however, that not all concerns can be handled effectively or efficiently by one individual and therefore provides formal processes by which students can pursue a more formal resolution to their concerns. Students seeking counsel about such processes may contact the Student Government Association office to consult with the Student Ombudsman/Enhancement chair or the Office of the Vice President for Student Affairs/Dean of Students.

Students wishing to file a formal grievance regarding an academic matter should submit a written and signed statement, as well as the resolution sought, to the Exec. Vice President, Academic Affairs, except where other procedures specific to the concern are in place (e.g. grade appeals). Students wishing to file a formal grievance regarding a non-academic matter should submit a written and signed statement, as well as the resolution sought, to the Vice President responsible for that particular area except where other procedures specific to the concern are in place (e.g. sexual harassment). The Student Ombudsman/Enhancement Chair of the Student Government Association or the Office of the Dean of Students can help direct students to the appropriate vice president.

## **ABSCENSES**

### **FACULTY ABSENCE**

The University, through the faculty, meets its obligation to assure that classes are available to students. Classes should meet as published in the University catalog and class schedule unless a special notice is issued by the Exec. Vice President, Academic Affairs. Faculty members are expected to begin and end classes promptly.

When unable to meet classes because of sickness or accident, a faculty member should notify the department chair as soon as possible. If a faculty member is absent due to illness or emergency for an extended period, the department chair must ensure that classes are properly taught. Under such circumstances the faculty member is normally eligible for continued compensation under the provisions outlined in Chapter V.

When faculty are absent for professional reasons, they must make satisfactory provisions for missed classes that are approved by the department chair. If travel expense support is requested, a "travel request" form must be submitted in advance of the absence and be approved by the dean and Exec. Vice President, Academic Affairs. Travel expenses may be partially or fully reimbursed subject to the conditions outlined in Chapter V. Authorization for use of a University car or travel expense reimbursement must be obtained before the actual travel occurs. Part-time faculty or staff members are normally not eligible for reimbursement of travel expenses.

### **STUDENT ABSENCE**

The University expects regular class attendance by all students. Students are considered sufficiently mature to appreciate the necessity of regular and punctual attendance, to accept this personal responsibility and to accept the consequences of failure to attend. When absences occur due to emergency or medical reasons, students are expected to notify their instructors of the absence prior to class or to seek the assistance of the Dean of Students in notifying instructors. Assistance in notifying professors of an absence should not be mistaken for an excused absence. The Dean of Students or designee has the authority to grant excused absences for significant medical, psychological, or personal reasons upon review of appropriate documentation and professional recommendation supporting such a request.

An instructor and/or academic unit may make attendance mandatory in particular courses. Each instructor is expected to maintain an attendance policy in keeping with the nature of the course and may consider it in evaluating performance in their courses.

Policy Governing Excused Absences. Students are sometimes permitted to miss class because of participation in official University events (e.g., athletic contests, music or theatre performances, or academic field trips). The following principles apply:

Only the instructor may excuse a student from a class or lab to attend an athletic practice or conditioning session, music or theatre rehearsal, etc.

When students are asked to miss class for official University events, the faculty or staff member responsible must request authorization from the appropriate office as noted below at least ten (10) days or as soon as possible in advance of the event or field trip. The following information is required:

- Purpose & brief description of the official University event.

- Dates, location, and times (as applicable).
- Alphabetical list of students involved [Last Name/First Name] along with their student identification number.
- Authorization for *non-academic* official University events is requested of and granted by the Vice President for Student Affairs/Dean of Students.
- The Vice President for Student Affairs/Dean of Students has the authority to grant excused absences for medical, psychological or personal reasons.
- Authorization for *academic* official University events is requested of and granted by the Exec. Vice President, Academic Affairs and Provost.
- Instructors affected will be notified one week prior to the class period during which absence is anticipated, or as soon as possible.
- Missed class time due to student participation in University approved events is to be considered an *excused absence*.
- The grade of a student may *not* be lowered in any class due to excused absences.

It is the student's responsibility:

- to take the initiative by consulting with their instructors before the absence occurs, and
- to do what is required by the instructor to make up all missed assignments and/or examinations.
- Instructors are required to assist students in these occasional situations of excused absences.

**Procedures Governing Excused Absences for Academic Purposes.**

Faculty or academic units requesting students to participate in official academically related University events (field trips, professional conferences, music or theatre performances, etc.) should proceed as follows to obtain authorization and insure notification of absences on behalf of their students:

- Faculty should route their requests through the departmental office so that administrative assistants can standardize them with the following format:
- Purpose & brief description of the "official University event."
- Dates, location, and times (as applicable).
- Alphabetical list of students involved [Last Name, First Name] along with their student identification numbers.
- Approval signature lines for Department Chair, Dean and the Office of Academic Affairs
- Once authorized by Academic Affairs, the signed document will be returned to the originating academic unit.
- Each student on the list will be given a copy of the authorization for an excused absence.
- Students are responsible for showing the authorization to their instructors when making arrangements for being absent and making up missed work.

Syllabi

Faculty members are required to prepare up-to-date syllabi for each of their classes. Each syllabus should include the course number and catalog description, credit hour policy definition which the course meets, course meeting times, course learning objectives that are stated as measurable syllabi outcomes and are consistent with the educational objectives of the department and University, methods of instruction, identification and schedule for all assignments (including tests, readings, papers, projects, etc., any special requirements, a class schedule including content to be learned, withdrawal and attendance policies and criteria for grading. Syllabi should include a statement concerning accommodations for students with disabilities (see suggested language in the "Accommodating Students with Disabilities" section in Chapter II of this Manual), as well as the Honor Code of the University of Evansville (see "" in the Honor Code section earlier in this Chapter of this Manual). In addition, any course that is offered as part of the general education program



should state which general education learning objectives will be addressed in the course. Copies of course syllabi shall be furnished to the appropriate department chair and dean during the first week of each semester.

#### Policy Statement for Assessment of Student Learning

All academic and selected student life programs at the University of Evansville assess student learning on a regular basis. The mission of student learning assessment is to improve student learning and enhance the effectiveness of the curricular and co-curricular programs at the University of Evansville by objectively measuring learning outcomes and using the results to inform both continuity and change. The assessment of student learning is conducted at the program level but is coordinated and evaluated by an Academic Assessment Committee consisting of a faculty member that serves as chair, a representative from each of the faculty academic governance units as defined in the faculty bylaws, the Director of Institutional Effectiveness, and an administrative representative from the VPAA office, the Dean of Arts and Sciences, the Chair of the Writing Subcommittee, the Director of General Education, and a representative for student life.

The assessment process begins with entering students and continues throughout their academic careers and into their postgraduate years. The information gathered is used by the academic programs to continually monitor whether the knowledge, skills and attitudes of students are meeting learning outcomes of the program and the educational objectives of the university. Normally, programs report to the Assessment Committee every third year, but may be asked to report on a more frequent schedule if improvement is needed. Academic assessment reports are shared with the department's academic dean and the EVPAA. At the college and university level, program reports are used to guide strategic decisions. Programs that have difficulty designing, implementing or reporting student assessment activities will receive assistance from the Academic Assessment Committee and the Director of Institutional Effectiveness. Programs are not meeting their responsibilities towards their students if they fail to carry out assessment of student learning by not performing assessment activities, not submitting a report, or by submitting a report which fails to show program planning based on student learning. In such cases, academic deans will work with departments to develop an active program of student learning assessment and may do so by working with accreditation bodies or external program reviewers.

Co-curricular assessment reports (from areas such as Student Life and Harlaxton College) are shared by the Academic Assessment Committee with the EVPAA and the Vice President for Student Affairs/Dean of Students.

#### Course Records

Course records of class attendance and grades earned shall be maintained by faculty members for each class taught. Traditional class roll books are available through the University Bookstore. Computerized records may be utilized; however, a printed hard copy must be kept on file. When a faculty member discontinues service to the University, the most recent course records must be left with the department chair or dean. Course records are the property of the University.

#### Independent Study

The purpose of Independent Study is to provide students an opportunity to pursue focused, in depth special topics or projects within the discipline when such topics are not sufficiently covered in existing courses. The student shall be registered for independent study credit in the semester during which the majority of the work is done.

Except in rare special circumstances, independent study is not to be used as a substitute for regularly scheduled

academic offerings, which will be defined by each academic unit. In such cases a letter from the student and sponsoring instructor must be submitted with the "Proposal for Independent Study" explaining why the course must be taken as an independent study.

Supervision of a moderate number of independent study projects is generally considered a normal part of a faculty member's teaching responsibilities. As a result, there is no special workload credit or financial compensation granted during the academic year. Exceptions require the approval of the department chair, dean, and the Exec. Vice President, Academic Affairs.

## **EXAMINATIONS**

### Final Exams

The final examination period is specified in a schedule published by the registrar. No final examinations may be administered prior to the dates established without prior approval of one's department chair and/or dean and the Exec. Vice President, Academic Affairs.

*No student shall be required to take more than two final exams per day.* If more than two exams are scheduled on the same day according to the Registrar's final exam schedule, the instructor of the course with the highest course number must make a rescheduling accommodation. If more than one exam must be rescheduled, the instructor for the second highest course number must also make an accommodation. To request rescheduling, the student must contact his or her instructor(s) within two weeks after the revised final exam schedule is published. Furthermore, if a conflict is created as a result of an instructor moving an exam date, that instructor shall make an accommodation for the student(s) affected.

### Credit by Examination

Prior to matriculating at the University of Evansville, students may earn an unlimited number of hours through the College Board Advanced Placement (AP) testing program, providing a grade of four or better on each examination has been achieved, and through the International Baccalaureate (IB) program, providing a grade of five or better in higher level subjects has been achieved. Students may also earn credit for up to two courses through either the College Entrance Examination Board's College Level Examination Program (CLEP) or through proficiency examinations administered by departments.

Proficiency examinations are administered by the following procedure:

- (1) the student secures a "credit by examination" form from the Office of the Registrar;
- (2) the student must fill out the form and secure the signatures of his/her advisor and of the chair and dean of the program unit in which the exam will be administered;
- (3) the student must pay a non-refundable fee in the Office of Student Financial Services;
- (4) a member of the faculty prepares, administers, and grades the examination. Credit for the course will be granted if the student passes the examination with a grade of C or better. No exam may be repeated.
- (5) the member of the faculty records only the grades of P and F on the credit by examination form, and the registrar enters only a grade of P on the student's official record (a grade of F does not appear on the student's official record).

## **TEST SCORING AND GRADE ANALYSIS**

The Computer Center offers a test scoring and grade analysis service to all faculty members. Further information and instructions are available at the Computer Center.

## **RETENTION OF TESTS, PAPERS, & FINAL EXAMINATIONS**

It shall be the responsibility of the instructor to maintain reasonable and objective criteria and data in grading and evaluation process. Any student wishing to question a course grade or individual grades on tests, papers or the final examination may do so and may also review the related materials.

To ensure due process in the event of a grade appeal, faculty must retain all graded materials for a period of one (1) year after completion of the course. In instances where a final grade of Incomplete (I) has been submitted, faculty must retain all graded materials for a period of two (2) years. [Incomplete grades are automatically changed to F if not removed within one year. Since an appeal of that failing grade may be logged, the extended two (2) year period is required. When an incomplete grade is removed, the instructor is required to retain all related graded materials for only one (1) year from the time of the grade change in lieu of the full two-year period. If graded papers, tests and/or final examinations have been returned to the student, it becomes the student's responsibility to present the related materials in a grade dispute.

## **COPYRIGHT COMPLIANCE IN THE ACADEMIC COMMUNITY**

Copyright exists to foster and induce the creation of all forms of intellectual property. The copyright law does so by providing fair returns to creators, producers, and distributors of original works of information and/or art. To the extent that any organization unlawfully makes and sells (portions of) copyrighted works without permission, authors and publishers, for example, are deprived revenues in very market for which they have written and published.

The copyright laws grant owners of copyright (authors and other creators and publishers) the sole right (1) to reproduce all or part of the work, (2) to distribute copies, (3) to prepare new (derivative) versions based on the original work, and (4) to perform and display the work publicly. Among the types of works which are subject to copyright protection are literary, dramatic, musical, choreographic and pictorial works, graphic works, pantomimes, sound recordings, sculptures, motion pictures and audio-visual works. These categories include reference works (including dictionaries), video, cassettes, and computer programs and databases.

Copyright protection begins at the moment the work is created and its duration, after registration, varies with the type of work and the year in which it was copyrighted. Some works are in the public domain because they have never been the subject of copyright protection or the term of copyright protection has expired. The fact that a previously published work is out of print does not affect its copyright. The absence of a copyright notice does *not* mean that the work in question may be freely copied. The best method for determining copyright ownership is by contacting the publisher of the work that you wish to copy.

## **GUIDELINES FOR REPRODUCING COPYRIGHTED MATERIAL**

Reproduction of copyrighted material, without prior permission of the copyright owner, particularly in an educational setting, is an issue of serious concern for the academic community. Although copying all or part of a work without obtaining permission may appear to be an easy and convenient solution to an immediate problem, such unauthorized copying can frequently violate the rights of the author or publisher of the copyrighted work, and be directly contrary to the academic mission to teach respect for ideas and for the intellectual property that expresses those ideas.

Civil and criminal penalties are imposed for copyright infringement and judgments may be rendered against the individual as well as the institution.

## Reproducing Copyrighted Material with Prior Permission

In principle, it is best to seek permission from the copyright owners and, if required, pay a fee for their use. Certain requests will ordinarily be granted without payment of fee—transcripts for the blind, for example, or material to be tried out once in an experimental program.

### Procedures for Obtaining Permission to Copy

1. Identify who owns the copyright for the particular work.  
Consult both the copyright notice as well as any acknowledgment pages in the work. Most works contain a notice of copyright; however, the information may not always reflect accurately the identity of the *current* copyright owner of the material in question. The absence of a copyright notice does *not* mean that the work in question may be freely copied. The best method for determining copyright ownership is by contacting the publisher of the work you wish to copy.
2. Request permission before or at the same time you order textbooks.  
Publishers do not also control the rights and need time to research the extent to which permission may be granted and assign author's royalties, if fees are involved.
3. If one is available, call the publisher's toll-free number or direct your written request to the publisher's Copyrights & Permissions Department, not the author. The page containing the copyright notice shows who owns the copyright, the year of publication and the publisher's name. The acknowledgment page may also contain information regarding ownership. Contact the bookstore for toll-free permissions request telephone numbers and/or publisher addresses.
4. Include all of the following information in your request:
  - A. Author's, editor's, translator's full name(s);
  - B. Title, edition and volume number of book or journal;
  - C. Copyright date;
  - D. ISBN for books, ISSN for magazines and journals;
  - E. Numbers of the exact pages, figures and illustrations;
  - F. If you are requesting a chapter or more: both exact chapter(s) and exact page numbers;
  - G. Number of copies to be made;
  - H. Whether material will be used alone or combined with other photocopied materials;
  - I. Name of college or university (letterhead is also suggested);
  - J. Course name and number;
  - K. Semester and year in which material will be used;
  - L. Instructor's name.

This information will be needed whether you call or write for permission.

5. Request permission whether or not works are in print.
6. Provide your complete address and the name of a contact person and telephone number in case there are any questions.

## Reproducing Copyrighted Material without Prior Permission

If time or circumstances are not conducive to obtaining permission to reproduce copyrighted materials, the current law (1978, Section 107) provides "**fair use**" guidelines that allow "reasonable" use of photocopies without permission for such purposes as "criticism, comment, news reporting, teaching, scholarship, and research." Unfortunately, neither the law nor the guidelines spell out fair use of media other than print. Some principles are

clear; for example, in music, the law protects the performance of the work as well as the work itself. There are also generally accepted practices governing fair use of video and film.

Although detailed examination of the law is beyond the scope of this document, the basic framework is laid down, accompanied by examples of violations and examples of reasonable “fair use” in photocopying copyrighted materials for personal and classroom use.

### **Fair Use**

The law sets forth four basic criteria for determining the principles of fair use:

1. The purpose and character of the use -- for example whether it is commercial or educational.
2. The nature of the copyrighted work.
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole.
4. The effect on the potential market for or value of the copyrighted work.

No one factor is determinative of a person’s right to use a copyrighted work without permission. (Educational use alone is *not* a sufficient reason to use copyrighted material).

### **What Is Allowed**

*Works in the public domain* may be freely copied; however, collections and edited versions of works in the public domain may be protected by copyright. Works that are in the public domain include works that have never been the subject of copyright protection and works whose term of copyright protection has expired.

*Multiple copies for classroom use* may be made by or for the teacher giving the course for classroom use or discussion provided that the copying meets the tests of (1) brevity, spontaneity, and (3) cumulative effect.

An instructor should follow these broad guidelines:

**Number of copies:** No more than one copy per pupil in a course.

**Copyright:** All photocopied material *must* include the notice of copyright.

### **Brevity:**

Fair use (reasonable copying without permission) defined as follows:

- *Prose:* either a complete article, story or essay of less than 2,500 words, or an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less.
- *Poetry:* a complete poem if less than 250 words and if printed on not more than two (2) pages or, from a longer poem, an excerpt of not more than 250 words.
- *Illustration:* One (1) chart, graph, diagram, drawing, cartoon or picture per book.
- *“Special” works:* Certain works in poetry, prose or in “poetic prose, which often combine language with illustrations (e.g., children’s stories) may not be produced in their entirety, even though they fall short of 2,500 words. An excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof may be reproduced.

### **Spontaneity:**

- The copying is at the instance and inspiration of the individual teacher, not directed or suggested by any other authority.
- The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness

are so close in time that it would be unreasonable to expect a timely request for copyright permission.

- Materials photocopied for a class in one term cannot be photocopied or used again for the same class in another term since the same “inspiration” to use the same material cannot occur again.

### **Cumulative Effect:**

- Multiple copies cannot exceed the number of students in a class.
- The copy of the material is for only *one course* in the school in which the copies are made.
- Not more than one short poem, article, story, essay, or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class.
- There can be no more than nine (9) instances of multiple copying for one (1) course during one (1) class term.
- The limitations of nine instances, and one item or two excerpts do *not* apply to current news periodicals, newspapers, and current news sections of other periodicals.
- If a work is “*out of print*”, that is no longer available from the copyright holder, then you are not affecting the market value of the work by copying it.
- The spontaneity test still applies, so regular use of the material requires the written permission of the copyright holder.
- If the materials become available again, all photocopies, videotapes, or recordings must be destroyed or erased.

***Single copies for personal use (for scholarly research or for use in teaching or preparing to teach a class) may be made, subject to fair use guidelines, of the following works:***

- A chapter from a book;
- An article from a periodical or newspaper;
- A short story, short essay, or short poem whether or not from a collective work;
- A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper.

### **Prohibitions**

In addition to the restrictions noted above, the following are prohibited:

- Copying may not be used to create or to replace or substitute for anthologies, compilations, or collective works, whether or not such unauthorized copies are collected and bound together or provided separately.
- Copies may not be made of “consumable” works, including workbooks, exercises, standardized tests, test booklets, answer sheets, and the like.

### **Copying may not:**

- substitute for the purchase of books, publisher’s reprints or periodicals;
- be directed by higher authority, such as a department chair or dean;
- be repeated with respect to the same item by the same teacher from term to term.
- No charge shall be made to the student beyond the actual cost of copying.

*The foregoing material was drawn in part from Questions and Answers on Copyright for the Campus Community, Copyright 1991 National Association of College Store, Inc. and the Association of American Publishers.*

### **Policy on Access to and Release of Student Education Records (FERPA)**

The University of Evansville complies with the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended (Public Law 93-380), designed to protect the privacy of students by giving them rights concerning their education records. Education records include records directly related to a student and maintained by the

University or by a party acting on its behalf. Among other provisions, the Act gives students (1) the right to inspect their records, (2) the right to challenge incorrect information in those records, and the right to keep their records private. Students attending the University will be notified of their FERPA rights annually in the Student Handbook. Each University office maintaining such records must implement this policy by appropriate means. FERPA permits educational institutions to disclose academic and financial information to the parents of financially dependent children. FERPA further provides that the University may release certain information about the student, designated as directory information, unless the student has informed the University in writing that such information may not be released.

### **Gramm-Leach-Bliley Act**

The University of Evansville complies with the Federal Trade Commission (FTC) rule related to the safeguarding of customer financial information under the Gramm-Leach-Bliley Act (GLB Act) of 2000. The law requires financial institutions to ensure security and confidentiality of customer records including names, addresses, telephone numbers, bank and credit card numbers, income and credit histories and social security numbers. Higher education institutions fall under the category of financial institutions because we participate in financial activities such as making Federal Perkins Loans. Detailed policy information may be obtained through the Information Security Coordinator.

### **STUDENT DIRECTORY INFORMATION**

This is information, which, by common usage, is known to be available from various sources. It includes: name, home address, local address, telephone listings, major field of study, full-time or part-time status, participation in officially recognized activities (in athletics, the weight and height of members of athletic teams), dates of attendance, degrees earned, awards received, photographs, and most recent previous school attended.

### **DRUG AND ALCOHOL VIOLATION DISCLOSURES**

According to the Higher Education Amendments of 1998, nothing in the General Education Provisions Act or the Higher Education Act of 1965 shall be construed to prohibit an institution of higher education from disclosing to a parent or legal guardian of a student, information regarding any violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance, regardless of whether that information is contained in the student's education records if (A) the student is under the age of 21; and (B) the institution determines that the student has committed a disciplinary violation with respect to such use or possession.

### **RESTRICTED INFORMATION**

Students are allowed access to restricted information, which may be released as described in the section below. It includes: date of birth, place of birth, social security number, the courses elected, grades earned, grade point average, class rank, academic and disciplinary actions by appropriate faculty, student or administrative committees, the most recent student educational records from previous educational agency or institution attended by the student, financial arrangements between the student and the University, and any other education record containing personally identifiable information. Letters of recommendation received after January 1, 1975, are considered restricted information unless the student has specifically waived right of access.

#### **The following are not "Education Records":**

1. Records of educational personnel, that is, instructional, supervisory and administrative personnel, which are in the sole possession of the maker and which are not accessible or revealed to any person except a substitute;

2. Records of the Department of Safety and Security which are maintained apart from other institutional records maintained solely for law enforcement purposes are not disclosed to individuals other than law enforcement officers of the same jurisdiction;
3. Records relating to individuals who are employed by the institution, which are made and maintained in the normal course of business, relate exclusively to individuals in their capacity as employees and are not available for use for any other purpose. (Records of individuals in attendance at the university who are employed as a result of their status as students are education records, e.g. work study);
4. Records relating to a student which are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional to be used solely in connection with the provision of the treatment to the student and not disclosed to anyone other than individuals providing such treatment;
5. Records containing information about an individual after he or she is no longer a student.

Access to and Inspection of Student Education Records Maintained by University Offices

A. Procedure for Students to Inspect their Education Records Students may inspect and review their education records upon request to the appropriate custodian of that record. They should submit a written request which identifies as precisely as possible the record or records he/she wishes to inspect. An appropriate University staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given within 45 days from the receipt of the request. When a record contains information about more than one student, students may inspect and review only their own records.

B. Types, Locations, and Custodians of Students' Education Records.

<b>Types</b>	<b>Location</b>	<b>Custodian</b>
Admissions Records	Office of Admissions	VP Enrollment/Director
Billing Records	Student Financial Services	Director
Official Academic Records	Office of the Registrar	Registrar
Health Records	Health & Wellness Center	Director
Financial Aid Records	Student Financial Services	Director
Placement Records	Center for Career Development	Director
Disciplinary Records (Conduct)	Office of Dean of Students	Dean

C. Right of the University to Refuse Access

The University of Evansville reserves the right to permit a student to inspect the following records:

1. The financial records of the student's parents
2. Letters and statements of recommendation for which the student has waived his or her right of access, or which were placed in file before January 1, 1975
3. Records connected with an application to attend the University of Evansville if that application was



- denied or the student was never in attendance
- 4. Those portions of records which contain information about other students
- 5. Those records which are excluded from the FERPA definition of education records.

D. Refusal to Provide Copies:

- 1. The University of Evansville reserves the right to deny transcripts or copies of records not required to be made available by FERPA in either of the following situations:
- 2. The student has an unpaid financial obligation to the University.
- 3. There is an unresolved disciplinary action against the student.

E. Fees for Copies of Records

- 1. There will be a fee of \$.50 per page for copies of records.

### **Release of Student Education Records Maintained by University Offices and Record of Requests for Release of Information**

#### **A: Directory Information**

Directory information may be released unless the student indicates otherwise. Students who wish no release of their directory information must inform the Office of the Registrar in writing within one week of the beginning of the Fall Semester each academic year. Students may rescind their request for no release at any time in writing at the Office of the University Registrar. While the University will honor a student's request to withhold directory information, it cannot assume responsibility to contact the student for subsequent permission to release such information. Regardless of the effect upon the student, the University assumes no liability as a consequence of honoring instructions that directory information be withheld.

#### **B: Restricted Information**

Any form of restricted information should be released only in person or in writing to the inquirer; such information should not be released by telephone without reliable identification as to the person and authority. The University of Evansville will release restricted information from a student's education records only with the written consent of the student, except:

To school officials who have a legitimate educational interest in the records. A "school official" is a person employed by the university in an administrative, supervisory, academic, research, or support staff position; or a person elected by the Board of Trustees; or a person employed by or under contract to the University to perform a special task, such as the attorney or auditor. "Legitimate educational interest" means that faculty or staff needs access to a student's "education records" in order to perform their assigned tasks involving a given student's educational interest. The custodian of any given record has the responsibility to allow access only when the need has been acknowledged as policy or when the need is clearly demonstrated. The custodian should consult with her/his supervisor in questionable cases. A school official has a legitimate educational interest if the official is:

- a. Performing a task that is specified in his or her position description or contract.
- b. Performing a task related to a student's education.
- c. Performing a task related to the discipline of a student.
- d. Providing a service or benefit relating to the student's family, such as health care, counseling, job placement or financial aid.

To certain officials of the U.S. Department of Education, the Comptroller General, and state and local

educational authorities, in connection with certain state or federally supported educational programs.

In connection with a student's request for receipt of financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid.

If release is required by a state law that was adopted before November 19, 1974.

1. To organizations conducting certain studies for or on behalf of the University.
2. To officials of other institutions in which the student seeks to enroll, on the condition that the University makes a reasonable attempt to inform the student of the disclosure.
3. To accrediting organizations to carry out their functions.
4. To comply with a judicial order or a lawfully issued subpoena.
5. To appropriate parties in a health or safety emergency.
6. To disclose academic or financial information to the parents of financially dependent children.

### **C: Record of Requests for Release of Information**

The University of Evansville will maintain a record of all releases of information from a student's education records not directly authorized by the student. The record will indicate the name of the party making the request, any additional party to whom it may be released, and the legitimate interest the party had in requesting or obtaining the information. The student may inspect this record of requests.

### **General Instructions**

When students request letters of recommendation, they must indicate to the writer and for the record whether or not they have waived their right of access. University offices may not require that a student waive right of access as a condition of receiving the services of that office.

### **Procedures for Correcting Records**

Students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records.

- A. A student must ask the appropriate college official to amend a record. In so doing, the student should identify the part of the record to be changed and specify how the record is believed to be inaccurate, misleading, or in violation of their privacy or other rights.
- B. The University of Evansville may comply with the request, or it may decide not to comply. If it decides not to comply, the University of Evansville will notify the student of the decision and advise them regarding the right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
- C. Upon request, the University of Evansville will arrange for a hearing, and notify the student, reasonably in advance, of the date, place, and time of the hearing.
- D. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the institution. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.
- E. The University of Evansville will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
- F. If the University of Evansville decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy or other rights, it will notify the student of the right to place in the

record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the University of Evansville discloses the contested portion of the record, it must also disclose the statement.

- A. If the University of Evansville decides that the information is inaccurate, misleading, or in violation of the student's right of privacy or other rights, it will amend the record and notify the student, in writing, that the record has been amended.
- B. Since students receive grade reports after the end of each semester. It is the student's responsibility to seek correction for any apparent errors in the posting of grades. Failure on the student's part to seek correction within a reasonable period of time indicates that records are accurate as stated.

## **Students' Academic Rights and**

### **Responsibilities Interpretation**

This policy is promulgated (in part) in order to implement the provisions of the Family Educational Rights and Privacy Act (FERPA) and regulations promulgated thereunder (collectively, the Act). It is not intended to replace or supersede any provisions of the Act and should to the extent possible be interpreted in a manner consistent with the Act. In the event of any conflict or inconsistency between the provisions of the Act and this policy, the provisions of the Act shall prevail.

### **IN THE CLASSROOM**

The professor in the classroom and the conference shall encourage free discussion, inquiry and expression. Student performance shall be evaluated primarily on an academic basis and not on opinions or conduct in matters unrelated to academic standards.

- a) Protection of Freedom of Expression. Students shall be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of the course of study for which they are enrolled.
- b) Protection against Improper Academic Evaluation. Students shall have protection through orderly procedures against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining the standards of academic performance established for each course in which they are enrolled. It shall be the responsibility of the instructor to maintain reasonable objective criteria and data in grading and evaluation processes.

### **GRADE APPEALS**

Undergraduate and graduate students who wish to appeal a final course grade should follow the procedures described below: Contact the instructor and attempt to resolve the disagreement.

- 1. If the problem cannot be resolved in consultation with the instructor the student should contact the chair of the department, who will mediate between the student and instructor and attempt to resolve the matter. At this point, the student should file a written appeal with the department chair and send a copy to the instructor.

2. If the student is not satisfied with the outcome of discussions with the instructor and the chair, the student may appeal directly to either the Undergraduate Admissions and Standards Committee (UASC) or the Graduate Curriculum and Admissions/Standards Committee (GCASC) depending on their enrollment status.

An appeal may be filed by completing the appeal form, which is available from the Office of Academic Services. The appeal form should be completely filled out and any supporting documentation should be attached to the form. At a minimum supporting documentation must include a course syllabus and a copy of the appeal letter. These materials should be returned to the Office of Academic Services.

The written grade appeal to either the UASC or the GCASC must be filed within 60 calendar days after the last day of the semester, although earlier contact is highly recommended.

Correspondence should be addressed to the instructor with a copy to the immediate supervisor.

A hearing will be conducted by either the UASC or the GCASC, based upon the student's enrollment status, to examine the merits of the appeal and either approve or deny the appeal. Both the instructor and the student will be notified of the time and date of the grade appeal hearing. Both the instructor and immediate supervisor will be requested to appear before the committee. The instructor and the student will each have equal time in which to present the essence of their case. Normally ten minutes would be allocated for each presentation. Each presentation will be made without the other party in the room. After materials have been presented by both parties, they will be excused, and committee members will discuss and reach a decision on the merits of the case. The student will be notified by the Chair of the UASC or the GCASC of the decision by mail within a week of the hearing.

The decision of either the UASC or the GCASC is final. However, a student may request the committee to reconsider its decision if the student has additional, new and relevant materials to submit. Students who wish to file a request for reconsideration should submit a new appeal form and attach the new materials they wish considered. It is the student's responsibility to retain all dated correspondence until the final decision is reached.

#### **APPEAL FOR VARIATION FROM UNIVERSITY STANDARDS**

A student who wishes to file a request for exemption from an University requirement, such as being excused from a graduation requirement, class overloads, exceeding transfer hours, substituting a class for a required class, etc., should do the following:

- The student should consult their advisor to discuss the variation or exception.
- The student may then obtain the appropriate form from the Center for Academic Services. The form should be filled out and complete supporting documentation should be attached.
- The student should sign the form and obtain signatures from the advisor and the appropriate department chair. The advisor and chair will note whether or not they support the appeal.
- The form should then be returned to the Center for Academic Services.
- Depending on the enrollment status of the student, either the Undergraduate Admissions and Standards Committee or the Graduate Curriculum and Admissions/Standards Committee will consider the appeal at its next meeting.

Committee members will either approve or deny the appeal. On some occasions, the committee may choose to request additional information. The student will be notified of the decision of the committee by mail.

- The decision of the committee is final. Students may appeal a committee decision if they have additional, new information to present in support of their appeal. The process is similar to filing the initial appeal.

## INTELLECTUAL PROPERTY POLICY

### **BACKGROUND**

The University of Evansville is committed to providing an environment that supports the creation, development, and dissemination of works of authorship and inventions by its faculty, staff, and students. This Intellectual Property Policy shall be applicable to and apply to all members of the University community, including but not limited to Employees, Faculty, Staff and Students as set forth herein. The University has developed this Intellectual Property Policy in order to: 1) promote and reward creative efforts and innovations, and 2) identify and protect the intellectual property rights of the University, its faculty, staff, and students in such copyrightable works of authorship and patentable inventions. The University encourages the production of creative works and the development of new and useful methods, systems of operation, materials, devices, and processes that contribute to the professional development of the individuals involved, enhance the reputation of the University, provide additional educational opportunities for students, and promote the public welfare. This Policy specifies that the development and rewards for intellectual property must reflect the mission of the University. In addition, the Policy describes the ownership of such works and inventions.

This Policy shall be incorporated into the Student Handbook which can be found online at AceLink - Links under student information and shall be effective the beginning of the Fall 2017 term on August 1, 2017 the Faculty Manual which can be found online at AceLink - Areas under Human Resources and shall be effective the beginning of the Fall 2017 term on August 1, 2017, the Administrator Manual which can be found online at AceLink - Areas under Human Resources and shall be effective the beginning of the Fall 2017 term, and the Staff Manual which can be found online at AceLink - Areas under Human Resources and shall be effective the beginning of the Fall 2017 term (collectively the "Effective Date"). This Policy replaces any and all intellectual property policies adopted by the University prior to the Effective Date. Ownership of Intellectual Property created by a Faculty member, Staff member, or Student that does not fall within the guidelines set forth herein shall vest in the Creator.

### **DEFINITIONS**

The following definitions shall apply to the terms used in this policy:

**"University"** means the University of Evansville.

**"University Intellectual Property"** means Intellectual Property (IP) owned by the University pursuant to this policy.

**"University Resources"** means: University funds from any source; facilities; classrooms; class time; personnel; offices; labs; studios; equipment, whether owned or leased; production facilities; computer hardware, software, support, or resources; funding, grants, gifts, contracts, and awards; or other University-owned resources.

**"Copyrightable Works"** means original works of authorship fixed in a Tangible Medium of Expression, now

known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. Ownership of original copyrighted works extends to copyright protection of *Derivative Works*.

**"Creator"** means any faculty, staff, student, or other person(s) either individually or in collaboration, who creates, or substantially assists in the creation of, Intellectual Property subject to this policy.

**"Derivative Works"** are based upon one or more preexisting copyrighted works. Examples of derivative works are translations, musical arrangements, or other types of reproductions based upon an original, copyrighted work (e.g., making a book into a movie).

**"Directed Work"** means an individual creates or develops Intellectual Property at the specific direction of the University or as a result of fulfillment of obligations of a specific contract with the University.

**"Dispute Panel"** means a panel that shall resolve disputes arising under this policy in accordance with Section H below. The Dispute Panel, chaired by the Executive Vice President for Academic Affairs (EVPAA), shall be composed of two members designated by the Creator(s) and two members designated by the EVPAA. In the event that the dispute is between two members of the University of Evansville community, one panel member will be designated by each disputant and two members will be designated by the EVPAA.

**"Employee"** means any person employed by the University, hourly or salaried, on either a full- or part-time basis, to perform University duties. Employees include faculty, staff, including administrative and professional staff, and students who receive salaries, work- study funds, or hourly wages while performing duties for their normal job function or at the specific direction of, or assigned by, the University. "Employee" does not include a student providing research assistance to faculty or engaging in collaborative research or creative endeavors with faculty.

**"EVPAA"** means the Executive Vice President for Academic Affairs, the chief academic officer who directs the overall planning, operation, and administration of the general academic program at the University.

**"Faculty"** means any person hired by the University to conduct instructional and/or teaching activities, whether on a full- or part-time basis. Faculty includes persons hired as adjunct or visiting professors and instructors.

**"Functional Interest"** means works that are used to enhance the effective functioning and coordination of ongoing operations of the University or in which the University has a contractual or legal obligation.

**"Intellectual Property"** means: 1) Copyrightable Works, and 2) Inventions.

**"Inventions"** means any new and useful process, product, discovery, software, machine or composition of matter, or improvement thereon, whether patentable or otherwise.

**"Policy"** means this Intellectual Property Policy.

**"OGSP"** means the Office of Grants and Sponsored Programs which assess freelance and state funding opportunities.

**"Online Course Materials"** includes works, including but not limited to courseware, that are created and distributed in connection with online instruction such that the works are distributed to Students primarily through the internet, including credit or non-credit academic courses and programs and instructional avenues such as massive open online courses. Online Course Materials designed with stipends or pursuant to a release-time agreement are governed by this Policy unless otherwise subject to a written contract or agreement for such works.

**"Principal Investigator"** means the scientist or scholar with the primary responsibility for the scientific, technical and administrative conduct of a funded research project or program. The Principal Investigator is responsible for all programmatic and administrative aspects of any such project or program.

**"Sponsor"** means a person or a third-party business or any other entity that finances the creation of Intellectual Property pursuant to a contract or arrangement between the University and that business, organization or person. The federal, state and municipal governments, or any agency of those governments, can be a Sponsor under this policy.

**"Staff"** means any person hired by the University, on either a full- or part-time basis, to perform University duties other than teaching. Staff includes administrative and professional staff, and students who receive salaries or assistantships, work-study funds, or hourly wages while performing duties at the specific direction of, or assigned by, the University.

**"Student"** means any person taking one or more courses at the University, either full-time or part-time who is not paid a salary or assistantship, work-study funds, or hourly wages by the University to execute work.

**"Tangible Medium of Expression"** includes, but is not limited to, books, periodicals, manuscripts, recordings, and other electronic media, such as websites and applications.

**"Employee Traditional Works of Scholarship"** means Copyrightable Works or Inventions that are created independently and at the Creator's own initiative during the normal course of their employment, such as the development of courses (including Online Course Materials), the teaching of classes, or scholarly research or creative endeavors considered within academia or by the University to be evidence of professional accomplishment or advancement. Employee Traditional Works of Scholarship include, but are not limited to, the following: scholarly books and articles, including books in any tangible form; course materials, including course notes, Online Course Materials syllabi, examinations and course assignments; literary works; musical works, including any accompanying words; dramatic works, including any accompanying music; pantomimes and choreographic works; pictorial, graphic and sculptural works; photographs, prints, diagrams, models and technical drawings; software; processes; products; machines; motion pictures and other audiovisual works, including any screenplays, teleplays or other original scripts or texts; sound recordings; and architectural works. Intellectual Property created by Employees with significant University resources shall not be considered an Employee Traditional Works of Scholarship.

**"Student Traditional Works of Scholarship"** means Copyrightable Works or Inventions that are created independently and at the Creator's own initiative during the normal course of their enrollment in the University, such as the fulfilling of academic requirements, or scholarly research or creative endeavors. Student Traditional Works of Scholarship include, but are not limited to, the following: scholarly books and articles, including books in any tangible form; course materials, including course notes, syllabi, examinations and course assignments; literary works; musical works, including any accompanying words; dramatic works, including any accompanying music; pantomimes and choreographic works; pictorial, graphic and sculptural works; photographs, prints, diagrams, models and technical drawings; software; processes; products; machines; motion pictures and other audiovisual works, including any screenplays, teleplays or other original scripts or texts; sound recordings; and architectural works. Intellectual Property created by a Student with significant University resources shall not be considered Student Traditional Works of Scholarship.

## **POLICY**

Ownership of Intellectual Property created in whole or in part by Faculty, Staff, or Students shall be subject to the following guidelines:

### **A. EMPLOYEES**

#### **A.1 Employee Traditional Works of Scholarship**

Traditional Works of Scholarship created by an Employee will be owned by the Creator unless ownership is otherwise assigned by the Creator. Subject to other requirements imposed by a publisher, the University shall retain a royalty-free, worldwide, unlimited right to use such Traditional Works of Scholarship for non-commercial, educational purposes only. If the Creator of Online Course Materials leaves the University, the Creator grants the University a non-exclusive, royalty-free, worldwide, unlimited license to use such Online Course Materials for online instruction including the right to revise such Online Course Materials as the

University may deem necessary or appropriate in its sole discretion. Notwithstanding the foregoing, any Intellectual Property created for purposes of Online Course Materials that is developed by an Employee who (i) is not considered to be Faculty as defined in this Policy; and (ii) whose job description includes development of Online Course Materials, shall be owned by the University consistent with the provisions of this Policy.

#### **A.2. University Directed Works of Scholarship**

If the University expressly directs an Employee to create or develop the Intellectual Property, or the Intellectual Property is created as a specific requirement of employment or as an assigned institutional duty, then the University shall own the Intellectual Property. Upon becoming subject to this Policy through the Employee's appointment, hire, admission or use of University resources, the Employee agrees to assign and hereby does presently assign any and all right, title and interest in University Directed Works of Scholarship to the University, and further agrees to cooperate in good faith to effectuate the terms of this Policy by signing additional documentation as may be required by the University or a third party to evidence such assignment.

#### **A.3. Voluntary Transfer of Intellectual Property**

If the Creator has voluntarily transferred the Intellectual Property, in whole or in part, to the University, with such transfer in the form of a written document signed by the Creator, then the University shall own the Intellectual Property.

#### **A.4. Development of Intellectual Property Funded by Sponsor**

If the Creator has created or developed Intellectual Property in connection with a project funded, in whole or in part, by a Sponsor, then the Intellectual Property shall be owned in accordance with the terms of any applicable contract or agreement between the University and the Sponsor regarding such project. Such arrangement is to be agreed to in writing, in advance of undertaking work on the project, and shall otherwise be in full conformance with other provisions of this Policy.

In the absence of such an agreement, any Intellectual Property arising from such project shall be owned by the University, and the Creator agrees to assign any and all right, title and interest in the Intellectual Property to the University as may be necessary, and further agrees to cooperate in good faith to effectuate the terms of this Policy by signing additional documentation as may be required by the University or a third party to evidence such assignment.

#### **A.5 Functional Interest in Works**

The University has a Functional Interest in works that are used to enhance the effective functioning and coordination of ongoing operations of the University, or in which the University has a contractual or legal obligation. For example, it has a Functional Interest in administrative and personnel procedures, including software, and internal handbooks and reports. The University has a Functional Interest in Intellectual Property created with Federal or other outside funds which carry an obligation that the University retain certain Intellectual Property rights or assign them to another party outside the University (see Section D). Certain collaborative agreements also require the University to negotiate Intellectual Property rights with other entities, creating a Functional Interest. If the University has a Functional Interest, the Intellectual Property is owned by the University.

### **B. STUDENTS**

#### **B.1 Student Traditional Works of Scholarship**

Traditional Works of Scholarship created by an unpaid Student will be owned by the Creator unless ownership is otherwise assigned by Creator. Subject to other requirements imposed by a publisher, the



University shall retain a royalty-free right to use such Traditional Works of Scholarship for non-commercial, educational purposes only.

### **B.2. University Directed Works of Scholarship**

If the University expressly directs an unpaid Student to create or develop the Intellectual Property, or the Intellectual Property is created as an assigned institutional duty, then the University shall own the Intellectual Property, regardless of whether the Student was working independently or in collaboration with a University Employee. Upon becoming subject to this Policy, Student agrees to assign and hereby does presently assign any and all right, title, and interest in University Directed Works of Scholarship to the University, and further agrees to cooperate in good faith to effectuate the terms of this Policy by signing additional documentation that may be required by the University or third party to evidence such assignment.

### **B.3. Voluntary Transfer of Intellectual Property**

If the Creator has voluntarily transferred the Intellectual Property, in whole or in part, to the University, with such transfer in the form of a written document signed by the Creator, then the University shall own the Intellectual Property.

### **B.4. Development of Intellectual Property Funded by a Sponsor**

Intellectual Property created or developed by an unpaid Student in connection with a project funded by a Sponsor shall be owned in accordance with the terms of any applicable contract or agreement between the University and the Sponsor regarding such project, regardless of whether the Student was acting as a Student or an Employee. Such arrangement is to be agreed to in writing, in advance of undertaking work on the project, and shall otherwise be in full conformance with other provisions of this Policy. In the absence of such an agreement, any Intellectual Property arising from such project shall be owned by the University, and the Creator agrees to assign any and all right, title and interest in the Intellectual Property to the University as may be necessary, and further agrees to cooperate in good faith to effectuate the terms of this Policy by signing additional documentation as may be required by the University or a third party to evidence such assignment.

### **B.5. Functional Interest in Works**

The University has a Functional Interest in works that are used to enhance the effective functioning and coordination of ongoing operations of the University, or in which the University has a contractual or legal obligation. For example, it has a Functional Interest in administrative and personnel procedures, including software, and internal handbooks and reports. The University has a Functional Interest in Intellectual Property created with Federal or other outside funds which carry an obligation that the University retain certain Intellectual Property rights or assign them to another party outside the University (see Section D). Certain collaborative agreements also require the University to negotiate Intellectual Property rights with other entities, creating a Functional Interest. If the University has a Functional Interest, the Intellectual Property is owned by the University.

## **COMMERCIALIZATION**

The University, in its sole discretion, may commercialize any Intellectual Property that is owned by the University in accordance with Sections A and B and shall have the authority to decide the revenue, if any, that the University will receive as a result of such commercialization. In the absence of a written agreement to the contrary, any revenue received from the commercialization of University Intellectual Property will be distributed as follows:

### **C.1. Deductions from Revenue of University Owned Intellectual Property**

The University may, at its discretion, first deduct from revenue all or any portion of any actual expenses incurred by the University in protecting, developing, or marketing the University Intellectual Property, including but not limited to legal fees and other fees paid to third parties. If the Creator objects to the amount of such expenses deducted, then he or she shall submit a written audit request to the EVPAA and the OGSP, and the University will engage an independent auditor to determine the amount of actual expenses incurred, provided, however, that the auditor's fees will be added to such expenses and deducted from the revenue as well.

### **C.2. Distribution of Net Income of University Owned Intellectual Property**

Notwithstanding ownership of the Intellectual Property by the University and except as may be otherwise set forth in a written agreement between the University and Creator, the net income (defined as revenues less costs defined in subsection C.1., and ongoing incremental costs), for University Intellectual Property, shall be distributed between the University and the Creator according to the following schedule:

The Creator will receive 100% of the first \$2,500 of the net income.  
After the first \$2,500 of net income and in the absence of a negotiated agreement, the Creator will receive 50% and the University will receive 50% of the net income.

In the event there are multiple Creators to whom net income needs to be distributed, the University shall distribute the Creators' shares equally, unless all Creators agree in writing to a different distribution allocation.

### **C.3 Commercialization of Independently Owned Intellectual Property**

The responsibility for securing patents and/or copyrights and commercializing the independently owned Intellectual Property of Creator shall be borne by the Creator. In such cases, the University shall have no entitlement to income generated and no liability for any matter arising out of the commercialization of the Intellectual Property.

Notwithstanding the above, the Creator and the University may enter into an agreement whereby the University participates in the commercialization of the Intellectual Property in exchange for a mutually agreed upon fee for services or a mutually agreed upon distribution of the net income.

### **GRANTS, SPONSORED WORKS, AND SPECIALLY FUNDED WORK**

Many grants and contracts from government agencies or private sponsors contain provisions governing Intellectual Property and/or other rights to the property which obligate the grantee (the University) in some way. In such cases, the University has a Functional Interest in the Intellectual Property and owns all property rights associated with the Intellectual Property. The OGSP will assure that Intellectual Property restrictions are accounted for in grant application and the associated administrative processes.

Principal Investigators are required to comply with any such restrictions, including reporting requirements. The EVPAA and the OGSP must be consulted in advance of any grant application regarding such restrictions. In the absence of such an agreement, any Intellectual Property arising from such project shall be owned by the University, and the Creator agrees to assign any and all right, title and interest in the Intellectual Property to the University as may be necessary, and further agrees to cooperate in good faith to effectuate the terms of this Policy by signing additional documentation as may be required by the University or a third party to evidence such assignment.

### **TRADEMARKS AND SERVICE/ACADEMIC MARKS**

University trademarks (marks, words, symbols and other identifying indicia) are the property of the

University. There are times when it may be appropriate to develop a trademark or service mark to use outside the University in conjunction with a University academic program or project. The creation and use of University trademarks and academic marks is managed through the Office of Marketing and Communication, which can be reached at 812-488-2573 which must be contacted in writing prior to developing a trademark or service mark to use outside the University in conjunction with a University academic program or project. University trademarks may not be used in any fashion without prior written approval. No marks other than those approved by the University may be used in conjunction with a University academic program or project.

#### ASSIGNMENT OF CREATOR

With respect to University Intellectual Property, the University may, upon request and in its sole discretion, assign ownership to the Creator, subject to a perpetual royalty-free license to the University to use the Intellectual Property for its own non-commercial purposes. If the University does not elect to commercialize University Intellectual Property within one (1) year of disclosure, the Creator may request that the University assign ownership of such University Intellectual Property to the Creator. The EVPAA and OGSP in consultation with the Creator and appropriate College/School deans, University vice presidents including the Vice President of Fiscal Affairs and Administration, and supervisors will endeavor to reach an agreement with the Creator regarding the ownership, use and development of the Intellectual Property within sixty (60) days of Creator's request. If the University elects not to participate in the commercialization of the University Intellectual Property within sixty (60) days of the Creator's request for assignment, the University will assign its ownership in the University Intellectual Property to Creator consistent with the provisions of this Agreement.

The University may also accept property that is voluntarily assigned and/or required by contract provision to be assigned to the University. The University shall determine whether to accept or reject any and all such requested assignments of any Intellectual Property.

#### OWNERSHIP OF INTELLECTUAL PROPERTY AND REPORTING

Generally, the party and/or parties with ownership rights will decide the uses of the Intellectual Property consistent with the Policy. All questions about whether a project involves a Functional Interest of the University should be referred to the EVPAA. The EVPAA in consultation with the Creator and appropriate College/School deans, University vice presidents including the Vice President of Fiscal Affairs and Administration, and supervisors will endeavor to reach an agreement with the Creator regarding the ownership, use and development of the Intellectual Property.

##### G.1 Reporting

The uniform application of this Policy requires that the University be made aware of Intellectual Property created by all members of the campus community including, but not limited to, Faculty, Staff, Employees, and Students. Responsibility for reporting the creation of Intellectual Property rests with the Creator. The Creator will complete and submit the *Intellectual Property Form* for all Intellectual Property subject to this Policy, regardless of its classification, to the OGSP at the time of its creation or potential creation ("*Intellectual Property Form*"). The *Intellectual Property Form* can be found on the OGSP website.

The *Intellectual Property Form* will be required to be submitted for all Intellectual Property subject to this Policy including but not limited to the following:

The Intellectual Property involves, or has the potential for involving, a Functional Interest of the University.

The Intellectual Property is produced with Federal or other outside funds which impose ownership, reporting

or other requirements on the University or the Creator. In such cases, reporting may be required within specified time limits, which must be observed.

The Intellectual Property is jointly created by Faculty and Staff and derived from work that is not a Traditional Work of Scholarship or professional consulting.

The Intellectual Property is created in a collaborative relationship with another entity requiring that entity's Intellectual Property policies be reconciled with those of the University.

The Creator intends to seek a patent on or otherwise commercialize the Intellectual Property, in which case, the process of protection or commercialization may involve substantial cost and effort, and the Creator may wish the University to consider providing some or all of that support and share the net rewards, liabilities or risks with the University consistent with the terms of this Policy.

The Creator intends to develop Online Course Materials.

The Creator has any question about ownership or other rights in the Intellectual Property.

In the case of a group Intellectual Property project, all those in the group shall be named on the *Intellectual Property Form*, and if the *Intellectual Property Form* contains an initial proposal for the disposition of rights and proceeds, all members of the group shall sign the *Intellectual Property Form*.

The *Intellectual Property Form* can be found on Acelink, under Areas, Academic Affairs, Forms, and should be submitted to the OGSP as provided in the terms and conditions of the *Intellectual Property Form*.

## **G.2. Determination process**

In the event that the ownership of Intellectual Property is in dispute or is uncertain, the EVPAA shall make a timely determination of ownership of the Intellectual Property and associated Intellectual Property rights, responsibilities, and use rights of the University and the Creator, and, if appropriate, how the University will recoup its costs and share in financial gains from the Intellectual Property by following the principles set forth in this Policy. In all cases, the Creator will be given an opportunity by completing and submitting the *Intellectual Property Form* to the EVPAA to explain the situation or proposal and recommend terms for ownership, responsibilities, use rights, risks and financial arrangements.

## **G.3. Written Determination**

The EVPAA's determination shall be made in writing and signed by the President of the University. The determination shall contain provisions outlining the allocation of ownership, interests, use rights, responsibilities, risks, and a mechanism for the sharing of net proceeds, if any, and other rights between the Creator and the University. The President will cause the written determination, once made, to be delivered promptly to the Creator. The determination, bearing the date on which it was delivered to the Creator, shall be filed with and maintained by the Vice President for Fiscal Affairs and Administration. The determination shall become final and shall be binding on the Creator and the University unless, within thirty (30) days of the date on which the President has delivered the determination to the Creator, the Creator files a notice of appeal of the EVPAA's determination with the President.

## **G.4. President or EVPAA as Creator**

In the event that the President or the EVPAA is a Creator or co-Creator of Intellectual Property as to which no agreement has been reached, and which requires a determination under Section G, the process

described in the above subsections (G.1-G.3) shall not apply as to that Intellectual Property. The determination shall instead be made by the Chair of the Board of Trustees of the University. The Chair's determination, when ratified by majority vote of the Board of Trustees, shall be final and shall be binding upon the Creator and the University.

## **RESOLUTION OF DISPUTES**

### **H.1. Disputes Arising Over the Application of This Policy.**

Disputes arising over the application of this Policy, including the ownership of Intellectual Property or distribution of revenue to the Creator, shall be brought in writing to the EVPAA. The EVPAA will convene a meeting with the Dispute Panel within a reasonable time thereafter to resolve such dispute. A decision will be provided in writing, providing reasons for the decision, as a recommendation to the President whom shall then make a written determination regarding the dispute.

### **H.2. Appeal the Decision of the President to the Board of Trustees.**

Any party to a dispute may appeal the decision of the President to the Board of Trustees who may, in its discretion, refer the matter to binding arbitration, which shall be administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and any judgment or award rendered by the arbitrator may be entered in any court having jurisdiction thereof. Notwithstanding said Rules, any arbitration hearing to take place hereunder shall be conducted in Evansville, Indiana. This Policy and any arbitration hearing involving this Policy are to be governed by and construed according to, Indiana law. Any arbitration hearing relating to this Policy will be before one (1) arbitrator who shall be a licensed attorney with experience in intellectual property and university legal issues. The appealing party hereby consents to a single consolidated arbitration proceeding of multiple claims, or claims involving more than two (2) parties. The arbitrator shall be required to make written findings of fact and conclusions of law to support their award. Notwithstanding anything to the contrary in the Commercial Arbitration Rules and supplementary procedures, the arbitrator shall not be authorized or empowered to award punitive damages, and the parties to any such appeal expressly waive said damages. The cost of the arbitration shall be borne equally by the University and the party and/or parties bringing the appeal.

## **RESPONSIBILITY OF PARTIES**

It is the responsibility of the University and all members of the University community to ensure adherence to this Policy. All members of the University community including but not limited to, Faculty, Staff, Students, and Employees, must comply with laws protecting U.S. copyright owners. Copyright protection applies to Copyrightable Works and protection generally applies even if the work lacks a copyright notice and is not registered with the U.S. Copyright Office. Copying, digitizing, uploading or transmitting copyrighted materials constitutes infringement unless the work is in the public domain, the user has permission from the copyright owner, the user is a Faculty member acting within fair use guidelines or the use is identified under specific statutory exceptions.

## **CHANGES TO THE POLICY**

The University reserves the right to amend or modify the terms of this Policy as it may determine in its sole discretion is necessary from time to time. The EVPAA and a working in committee with three faculty representatives, shall have the power to recommend amendments and modifications. Any such modifications or amendments shall become effective upon approval by the President of the University and adoption by the Board of Trustees. It is not the intention of policy revisions to apply to inventions, copyrights, computer software and/or unpatented materials made or developed prior to the effective date of the revision or revisions. For any questions or concerns regarding this Policy, please contact the EVPAA.

Effective date: August 1, 2017

## UNDERGRADUATE AND GRADUATE PROGRAM PROCEDURES

### Curriculum Changes

Matters involving curricular changes are to be brought to either the Undergraduate Curriculum Committee or Graduate Curriculum and Admissions/Standards Committee (as appropriate) for review and approval prior to taking effect. If approved, those matters involving degree programs, majors within existing programs, or certificate programs carrying college credit shall be forwarded to the Faculty Senate for action.

Procedures require that proposals for curricular changes be routed to the Exec. Vice President, Academic Affairs for evaluation before being considered by either curriculum committee. When changes would affect only one department, the proposal is generally the responsibility of only the department chair and dean. If other departments are involved, the proposal is referred to the appropriate department(s) chair(s) and dean(s).

As stated in the Faculty Bylaws, Article III, Section 2, the Undergraduate Curriculum Committee and/or Graduate Curriculum and Admissions/Standards Committee is ultimately responsible for new and existing courses. The Undergraduate Curriculum Committee is responsible for examining and revising, if necessary, the entire general education program in light of changing social and academic needs. (Such changes would be brought before the Faculty Senate for approval.)

Both committees give low priority to addition or deletion of individual courses. The total pattern of a department, relationship among courses, and determination of departmental program objectives are the committees' priorities.

To establish a new course:

- the idea may originate with a faculty member, department chair and/or dean, or student.
- the initiator must prepare a course syllabus.
- the new course must be approved at the department and/or academic unit level.
- all new courses must be approved by either the Undergraduate Curriculum Committee or Graduate Curriculum and Admissions/Standards Committee depending on the enrollment level of the course. If a new course involves a new degree, it must also be approved by the Faculty Senate, the President and the Board of Trustees.
- the department chair must contact the registrar to establish a new course number.
- the department chair should ensure that new courses are included in catalog updates. The Office of the Registrar is responsible for establishing pertinent.

### CURRICULAR EXPERIMENTATION

Faculty members who wish to develop either new instructional approaches or experimental courses may have their teaching load reduced up to three semester hours (for one semester only) if they meet the criteria and complete the procedures described below. For courses taught by more than one faculty member, the three hours reduced teaching load may be divided among interested faculty members or, where justified, on other

bases.

To qualify for a reduction in teaching load, a faculty member must be involved in developing an innovative, instructional method or an experimental course which involves a substantive change in curricular direction. A reduction of teaching load may not be granted if, in the judgment of the department chair and/or dean, the reduction would cause serious problems with established curricular offerings. Neither may release time constitute an overload.

To obtain release time so that curricular experimentation may be accomplished, the initiator should first consult with the department chair and/or dean and present a complete outline of the proposed course or instructional approach. The chair and/or dean should make a recommendation to the Exec. Vice President, Academic Affairs. If a course involves general education requirements, approval of appropriate University, school or college committees should be sought from the outset.

If the application is approved and the initiator desires release time during the academic semester prior to the semester in which the course is to be offered, a course syllabus, bibliography and detailed proposed plan of instructional methodology must be submitted to the chair and dean and the Exec. Vice President, Academic Affairs before the course begins. If the application is approved and the initiator desires time release during the academic semester in which the course is to be offered, the aforementioned items must also be submitted.

In either case, the initiator must submit to the chair and dean and the Exec. Vice President, Academic Affairs a detailed mid-term evaluation of the course, a syllabus, student course evaluations and in-depth personal evaluation.

## **Special Programs**

### **The Center for Advancement of Learning**

The Center for in the College of Education and Health Sciences is an integral part of the University's education program, serving adult and non- traditional students in the tristate region. The Center offers both credit and non-credit programs, including certificate, lifelong learning, Bachelor and master's degree programs. A variety of non-credit seminars, classes, institutes, and workshops consistent with the mission of the University are also offered. The mission of the Center for Advancement of Learning is to serve our students, our institution, and our community through high quality education and to promote lifelong learning.

The Director for The Center for Advancement of Learning is the responsibility of the Director of Adult Education who reports to the Dean of the College of Education and Health Sciences. The Director works closely with individual faculty members, department chairs and deans to organize curricular offerings and to provide teaching staff. All faculty members, department chairs and deans are encouraged to bring proposals for new continuing education offerings to the Director of the Center.

## **SUMMER SESSION**

### **Summer Schedules**

Department chairs and college deans construct schedules for summer sessions during the fall semester. Teaching assignments during summer terms are offered in anticipation of course demand and are not guaranteed for any faculty member. If class enrollment is five or above, a course may not be cancelled. However, if class enrollment is four or less, a faculty member has the option to cancel the class if done so by April 30 After that time, cancelation of any summer course with low enrollment (four or less students) will be considered in consultation with the Registrar. Questions regarding class size should be directed to college deans.

## Summer Teaching Load & Compensation 2001

### Class Offering Policy

Classes may be cancelled by the instructor if enrollment is below 5 students. However, prior to cancelling a class, please consult with the Registrar.

### Cancellation deadlines:

- Summer I courses: April 15
- Summer II courses: April 15

After these dates, the class must be taught regardless of enrollment.

### Faculty Compensation

Compensation for teaching will be based on a percentage of the student tuition actually paid and the level of responsibility required of the faculty member. There will be three categories of responsibility:

1. Full Supervision - 50% of tuition paid\*
2. Moderate Supervision - 33.5% of tuition paid\*
3. Low Supervision - 16.5% of tuition paid\*
  - a. Faculty will be compensated at the moderate level for independent study courses.
  - b. Faculty will receive the appropriate percentage of the student tuition\* actually paid up to a maximum of the University median salary rate per hour, for this academic year. For 2021, the per credit hour amount is \$3,116. Therefore, the maximum salary rate for a three-hour class for summer 2021 is \$9,348
  - c. (3 x \$3,116).

Courses taught online or primarily online will be under the same salary plan as last year. Compensation will be at:

1. 50% for the first 11 students\*
2. 33.3% for the next 10 students\*
3. 16.6% for the remaining number of students\*

**Note:** Summer courses taught online will be automatically split into 2 sections when enrollment reaches 35. Classes will not be split into 2 classes prior to reaching 35, unless there is a compelling institutional reason approved by the Registrar and the EVPAA.

Salary calculations are based on the number of students enrolled in a class on the "salary census date". The "salary census date" for each session is as follows:

- Summer I and 10 weeks: May 19, 2021
- Summer II and Independent Study: June 23, 2021

**Note:** Some programs have a variable tuition rate that will affect total payment

### Contract and Salary Memos

The Office of Academic Affairs generates all contracts from the Summer Schedule Request forms submitted to the Registrar.

The Office of Fiscal Affairs generates a salary memo for each faculty member detailing specific courses,



enrollments and amounts paid for each offering. Paychecks will be available as follows:

- Summer I and 10 weeks: biweekly on June 25, 2021.
- Summer II: biweekly on July 23, 2021;
- Independent Study courses: bi-weekly July 23, 2021.

#### Education Abroad

Study abroad works to create opportunities for our students and faculty to have immersive international experiences. This is done through opportunities at Harlaxton College, provider programs, and faculty led programs.

#### Faculty Service Responsibilities while at Harlaxton College

Normally, University of Evansville faculty will be released from their major service responsibilities when teaching at Harlaxton during a semester. These include but are not limited to service as department Chair, on committees (elected and appointed), to professional and community groups, as advisors to students and student organizations, and in support of admissions and recruitment. Such release is intended to foster the faculty's full participation in the vital and unique experiential, pastoral, and travel opportunities that are integral to teaching, learning, and living at Harlaxton. For this reason, any additional compensation related to service, in the form of a course release or a financial stipend, will not be granted during the faculty member's time away from UE. Exceptions to any of the above must be approved in advance by the relevant Dean, the Executive Vice President for Academic Affairs, and the Executive Director and Dean of Harlaxton College.

## Chapter VI

# COMPENSATION AND EMPLOYMENT BENEFITS

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Active full-time personnel are eligible for health, life, dental and disability insurance, long-term care, vacations, holidays, sick leave, tuition remission, retirement, and other benefits under specified conditions. For benefit purposes, “full-time” means:

persons under contract as faculty who are not on pro rata or part-time employment. It includes regular and visiting faculty members and those on approved leaves of absence who were already enrolled for benefits. It also includes emeriti faculty members employed on pro rata or part-time basis.

All faculty who retire under the University’s retirement program, and who are enrolled at the time they retire, may continue benefits available in the same manner as an active employee unless they are specifically restricted by the insurance policy or employee benefit plan. This includes life and dental insurance, tuition remission, athletic and theater passes, and other such benefit programs. The University will continue to contribute to the cost of the benefits elected by the retirees/emeriti and their dependents in accordance with policy.

### **Employee ID Cards**

All permanent full-time and part-time University of Evansville personnel are required to have a valid photo identification card which is available at the Office of Safety and Security. There is no charge for the first card. There is a \$10 fee for replacement of lost cards without card access capabilities, and \$25 for lost cards with card access capabilities.

ID cards will offer the following benefits to full-time and part-time permanent employees:

1. Check out books and other materials from the University Libraries.
2. Receive a 10% discount on purchases from the University bookstore. Does not apply to textbooks, stamps or already discounted merchandise.
3. Discounted admission to UE theatre productions.
4. 50% discount on men’s and women’s basketball season tickets with the purchase of a minimum of two season tickets, and two free tickets during the week of a game.
5. All other athletic events, two free admissions by presenting ID at the gate.
6. Access to the Café Club, allowing monies to be placed on card for use at campus dining facilities.
7. Free access to the Fitness Center for employees only.

ID cards may also be issued to temporary full-time and part-time employees of the University. A request to issue cards to temporary employees must be made to the Office of Safety and Security and approved by the Dean or area Vice President. These cards will carry the following benefits:

Check out books and other materials from the University Libraries.

- Receive a 10% discount on purchases from the University bookstore. Does not apply to textbooks, stamps or already discounted merchandise.
- Discounted admission to UE theatre productions.
- One free admission to UE athletic events with the purchase of a ticket to that event. Excludes men’s and women’s basketball season tickets.
- Access to the Café Club, allowing monies to be placed on card for use at campus dining facilities.

- ID cards must be turned in to the Human Resources Office by the employee upon termination of services to the University.

## **COMPENSATION**

### **SALARY PAYMENTS**

Full-time faculty salaries are paid by direct deposit. Salaries are paid on a bi-weekly basis. Faculty will be paid over a 26-pay period unless otherwise indicated. Faculty who resign or who are not issued a contract for the next academic year, and who have a 26-pay option on their contract, will have the balance of the contract paid at the end of May. All regular employment benefits will cease May 31.

### **CONTINUATION OF PAY POLICY**

An employee who dies while employed at the University on a full-time basis will receive the equivalent of one month's salary beyond the date of death. Payment will be made to the employee's estate. Payment is made exclusive of any worker's compensation payments or other benefits available to dependents of University employees.

### **UNIVERSITY-OWN ED HOUSING**

University-owned housing may at times be offered at zero or reduced rental rates to administrators and faculty as part of their employment contract. If the employee does not pay rent comparable to the average rental rate paid by individuals (other students, employees, or non-employees) for comparable housing provided by the University, then the difference between rent paid by the employee and the average rental rate is includable in the employee's taxable wages.

This applies to both permanent and temporary housing. To be excluded from taxable income, the conditions discussed below must be met.

Internal Revenue Code §119(a) and (d) governs the taxation of employer-provided housing. If the housing is offered at zero or reduced rental rates, the value of the housing may only be excluded from income if all three of the following conditions are satisfied:

1. The employee's residence is located on the employer's business premises.
2. The employer furnishes the residence for its own convenience.
3. The employee must accept the residence as a condition of employment.

For purposes of the "business premises" test, it must be demonstrated that the housing constitutes an integral part of the University's business property or that it constitutes the premises on which the University carries on some substantial portion of its business activities.

IRS publication 15-B states that lodging is furnished for the "convenience of the employer" if it is furnished for "a substantial business reason other than to provide the employee with additional pay." The publication states that lodging meets the "condition of employment" test if the employer requires the "employees to accept the lodging because they need to live on business premises to be able to properly perform their duties". "Examples include employees who must be available at all times and employees who could not perform their required duties without being furnished the lodging."

An employee residing in University housing as of January 1 will be notified of the benefit value that will be added

to reportable wages, and the tax withholding effect on his/her net pay, via email from the Director of Accounting in January. A new employee will receive the email notification after the Office of Fiscal Affairs has reviewed his/her contract. Tax withholding will begin on the pay date after the email is sent and will continue throughout the calendar year, or until the Director of Accounting is notified of a change in housing arrangements

### **PART-TIME FACULTY SALARIES**

Part-time salaries will be paid for teaching graduate or undergraduate courses and overload compensation for regular full-time faculty or staff, when instruction has been authorized in advance by the Exec. Vice President, Academic Affairs.

Financial recognition can be made for exceptional expertise, reputation, or years of experience that might enhance the teaching experience. A memo indicating the correct amount must be submitted to the Office of Academic Affairs with the Part time and Supplementary Pay Request form. Classes taught by part-time faculty are subject to cancellation or pro rata compensation if enrollment falls below a minimum of 12 students.

No appointed full-time administrator will be paid additional compensation for teaching or other related activities except in special cases approved in advance by the Exec. Vice President, Academic Affairs.

### **SPECIAL PROGRAM COMPENSATION**

Participation in *non-credit continuing education* offerings pays \$18 per contact hour. In unique situations, the director of continuing education can authorize an increase of this amount. *Honorariums* are primarily designed for compensating substantive presentations in short-term credit and non-credit programs, e.g., one day, two days, or weekends.

### **FORM I-9**

Anyone who performs labor or services in return for wages or other pay must complete Form I-9 *within three business days of the date of hire* as required by law. When completing the Form, I-9, the employee will need to provide a document (or documents) that establishes identity and employment eligibility. (A passport or driver's license and social security card are usually most convenient for employees.) A complete list of acceptable documents and the Form I-9 are available at the Human Resources Office, Room 118, Olmsted Hall. Completion of the Form I-9 and accompanying documentation is a condition of employment.

### **PAYROLL DEDUCTIONS**

Deductions from paychecks are made for statutorily required withholdings for federal and state income tax, county option tax, social security tax, group insurance contributions, and payments to TIAA. University personnel may also elect deductions for United Way pledges, payments to the Evansville Teachers Federal Credit Union, and pledges to University development programs. No deductions are made for any benefits other than group insurance available to University employees. In accordance with IRS regulations, State of Indiana income tax is withheld on all employees unless they are a resident of Kentucky, Michigan, Ohio, Pennsylvania or Wisconsin. Residents of these states must file Form WH-47 which is available in the payroll office. The University will make every effort to accurately withhold all deductions authorized by the employee from the payroll check. Any errors that occur will be promptly corrected.

### **EMPLOYEE BENEFITS**

The precise details of all benefit plans are set forth in plan documents available to employees on the Human Resources area of the MyUE Campus Portal. The benefits vary depending on which plan is elected. If any questions arise concerning health, life, dental or disability insurance or coverage, or retirement benefits, the terms and provisions of the plan document shall be controlling. The University reserves the right to modify,

amend, suspend or terminate the benefits plans at any time. For additional information about each benefit, please contact the Office of Human Resources. The University and employees share in the cost of premiums for most insurance plans. The amount each pays varies and is subject to review a change at least once per year on June 1st. No contribution is made by the University for Medicare.

### **HEALTH INSURANCE**

The University of Evansville provides benefit-eligible faculty enroll in a health insurance plan administered by Meritain Health.

Faculty who enroll on the health insurance plan the first day of the month concurrent with or following the date of employment. More complete information may be obtained from the Office of Human Resources. Enrollment after the 31st day of employment will require waiting until open enrollment on June 1, unless an employee has a qualifying change in family status.

Continuation of health benefits is available for eligible employees and dependents in accordance with COBRA legislation. Contact the Office of Human Resources for complete information about continuation coverage.

### **ON-SITE MEDICAL CLINIC**

A medical clinic for faculty and dependents covered on UE health insurance is located in Sampson Hall. The clinic is open 32 hours per week and is staffed by UE nurses and a nurse practitioner contracted through Tri-State Community Clinics. All services offered by the clinic are provided at no cost to employees and dependents, including office visits, prescriptions, and labs. To schedule an appointment at the clinic, please go to: <http://www.tscommunityclinics.com/appointments/university-of-evansville-appointments>

### **GROUP LIFE INSURANCE**

Benefit eligible faculty may enroll in a group life insurance program underwritten by the Standard Life Insurance Company. Coverage will become effective the first day of the month concurrent with or following the date of employment.

Additional insurance for families in the amount of \$4,000 for the spouse and/or \$2,000 for each dependent child over six months old, but less than 25 years, is also available. In the event of accidental death, life insurance for the employee is doubled. Accidental death insurance is not available for dependents, spouses, or retirees.

Dependents' insurance, after the death of active, emeriti, or retired employees enrolled for life insurance at the time of death, will be continued subject to the conditions outlined in the policy booklet, provided the required contributions are made to the University.

### **VOLUNTARY LIFE INSURANCE**

Additional voluntary life insurance coverage is available from the Standard for benefit eligible faculty, with guaranteed issue coverage available up to \$350,000 for the employee and \$50,000 for the spouse. Coverage subject to evidence of insurability is available up to \$500,000 for the employee and \$250,000 for the spouse. Coverage for dependent children is also available.

### **LONG TERM DISABILITY**

Benefit eligible faculty may enroll in the Standard group long-term disability insurance on the first of the month following one year of employment.

Disability insurance provides monthly income benefits, which begin on the first of the month following five

consecutive months of total disability, equal to 60 percent of one-twelfth of the annual contract salary and, if enrolled in a TIAA retirement program for at least 3 months' contributions to the retirement accounts. The maximum disability income benefit is \$5,000 per month including Social Security and/or worker's compensation. An additional monthly contribution of 15% of the contract salary is paid into TIAA accounts for persons enrolled in and receiving the University's contribution into their retirement plan. A five percent contribution is made into the retirement account of those who are voluntarily participating in TIAA with 3 or more months of service, but less than the period required to receive the University's contribution. Benefits are paid after an employee cannot fulfill employment responsibilities for five consecutive months.

#### **DENTAL INSURANCE**

Regardless of participation in the group health insurance program, benefit eligible faculty may participate in the dental insurance program through Health Resources, Inc. (HRI), a voluntary group dental plan. Premiums will be paid entirely by employees. Coverage is available the first of the month concurrent with or following employment.

#### **FLEXIBLE SPENDING ACCOUNT (ACES)**

ACES is a flexible spending account program which is available to benefit eligible faculty. It is a tax-efficient way to pay for health, dental, and dependent care expenses.

The plan year for ACES is June 1 through May 31. Open enrollment for ACES will be announced and conducted during April each year for eligible employees. This will be the only opportunity for eligible employees to enroll until the next plan year.

#### **403(b) RETIREMENT SAVINGS PROGRAM**

All full and part-time faculty who work an average of 20 hours per week during the academic year (and at least 1000 hours per year), except employees whose employment is incidental to their education, are eligible to participate in the University of Evansville TIAA retirement plan. Eligible employees can enroll immediately and start pre-tax contributions into the plan following their hire date. The University of Evansville may make a discretionary match of employee contributions. The University reserves the right to modify its matching schedule at any time.

Employees are eligible for the match once they are age 21, complete one year of service, and work an average of 20 hours per week. The match begins on the first of the month following the employee's eligibility date. Employees with at least 1000 hours of employment at an institution of higher education or non-profit (research) institution during the previous 12 months prior to their hire date will be credited for that service toward the one-year eligibility requirement. Vesting of all employee and University contributions is immediate.

#### **POST-RETIREMENT HEALTHCARE**

The University of Evansville offers a program to assist benefit eligible faculty with post-retirement healthcare through Emeriti Health Care Solutions. The Emeriti program provides employee and employer contributions and investment options through TIAA, as well as healthcare group coverage at retirement through Aetna Life Insurance Company. All benefit eligible employees are eligible for a voluntary employee benefit association (VEBA) trust.

The University may make contributions to this account for benefit eligible employees age 40 and over. Benefit eligible employees of any age are eligible to make additional contributions in after-tax dollars to their VEBA account but are not required to do so to receive the University's contribution. The University reserves the right to modify its contribution at any time. It should be noted that these funds may only be

used to cover healthcare costs in retirement as defined by IRS regulations.

Assuming an employee receives VEBA contributions from age 40 to age 65, it is estimated that the projected contributions provided by the University would cover approximately 50% of the projected costs of retirement health insurance premiums for the employee only from age 65 to 85. Like any projection, there is no guarantee of investment growth or actual health care premium costs in the future. It is the responsibility of the employee to adjust their voluntary contributions in accord with their overall investment strategy for retirement. The retiree may also choose less expensive insurance options and extend the funds.

Emeriti currently offers a number of Medicare supplement group health insurance options through Aetna, ranging from basic prescription drug coverage only to comprehensive coverage. The retiree may choose any of the coverage plans, and there are open enrollment periods where the retiree may change plans. At age 65, the retiree must enroll in one of these plans to have future access to all Emeriti insurance.

The Emeriti standard for retirement eligibility is age 55 with at least 10 years of continuous service or age 65 with at least 5 years of continuous service. An employee who has satisfied the Emeriti eligibility standard will avoid forfeiture of their employer contributions to the VEBA account upon termination of employment, may begin receiving reimbursement benefits for qualified medical expenses, and will be eligible for enrollment in one of the Emeriti insurance plans at age 65. If an employee has not satisfied the Emeriti standard for retirement eligibility, they will avoid forfeiture of employer VEBA contributions if they have performed at least 10 years of continuous service at the University. However, they will not be eligible for the reimbursement benefit until age 55 (assuming account balance is over \$5000) and they cannot enroll in the Emeriti insurance plans. If you leave the University before the vesting period has passed, you forfeit the University contributions. Your voluntary funds and their investment growth dollars are yours but must remain in the VEBA account for use at retirement.

All other employees will not be eligible for post-retirement healthcare benefits except under the provisions of COBRA.

#### GRANDFATHERING OF POST-RETIREMENT INSURANCE PREMIUM SHARE

Faculty who meet the following criteria may be eligible for continuation of group life, health and dental insurance with the University's premium contributions continuing if enrolled at the time of retirement:

Employees reaching age 65 with at least 15 years of service prior to May 31, 2006 are eligible for continuation of group life, health and dental insurance with the University's premium contributions for themselves and their spouse. Employees grandfathered in 1997 with age 65 and at least 10 years of service prior to May 31, 2006 also are eligible for continuation of group life, health and dental insurance with the University's premium contributions for themselves and their spouse.

Employees age at least 55 whose length of service plus age equaled at least 80 on or prior to May 31, 2009, are eligible for continuation of group life, health and dental insurance with the University's premium contributions for themselves. Employees grandfathered in 1997 and with age at least 55 whose length of service plus age equal at least 75 on or prior to May 31, 2009 also are eligible for continuation of group life, health and dental insurance with the University's premium contributions for themselves. Spousal benefits will not be available.

Any individuals not meeting the criteria defined in sub-sections "a" and "b" above will not be eligible for

continuation of health insurance coverage on the Welborn or Meritain health insurance plans.

### **Tuition Remission**

The University of Evansville is committed to lifelong learning and scholarship. Employees, their spouses, and dependent children have the opportunity to participate in this process with the tuition remission benefit. Tuition remission benefits are available to regular operational budget employees, grant-related employees, retirees, emeriti, their spouses and dependent children who meet certain qualifications.

In the case of death or permanent disability of an emeritus professor or a full-time employee with at least five years of continuous full-time service and who was employed at the time of death or disability, any of their dependent children will continue to receive full tuition remission according to the rules of the program up to the first bachelor's degree.

All details governing tuition remission benefits are contained in the **Tuition Remission Policy**, which can be found at: <https://bit.ly/2GjR0i>

### **Tuition Exchange**

The University of Evansville participates in the Tuition Exchange (TE) program [www.tuitionexchange.org](http://www.tuitionexchange.org) and also in the CIC tuition exchange program [www.cic.edu](http://www.cic.edu). Under this arrangement, full-time faculty and their dependents are eligible to apply to participating colleges and universities for TE scholarships equivalent to basic tuition. A list of participating schools can be found on the websites listed above. For more information on TE, guidelines for eligibility, and the application process, contact the liaison officer in the Office of Academic Affairs, Room 205 Olmsted Hall.

### **Social Security**

The University of Evansville participates in Federal Old Age and Survivors Insurance (Social Security) and so must every University employee unless she/he is in an exempt category of practical training as certified by the Department of Immigration and Naturalization. Employees seeking exemption from social security tax must submit a written request to the Director of Human Resources.

All employees are required to produce their Social Security card before a payroll check can be issued. It is an IRS requirement (under penalty of a fine) that it be established that the name on the Social Security card matches the name on the paycheck and Form W-2.

### **Emeritus Status (updated 1/25/2021)**

Faculty members who officially retire may be accorded the title *Emeritus* and thus retain their faculty status and the academic rank which they held at the time of retirement. The title is conferred by the President upon the recommendation of the appropriate department chair, the dean and the Exec. Vice President, Academic Affairs. A *bona fide* retirement with a minimum of the (10) years of service to the University is required.

The benefits which accrue to emeriti and others who retire under the University's retirement program as previously described under the retirement policy include:

Retention of the University's health, life and dental insurance program as described above, if necessary, eligibility requirements are met.

- A complimentary faculty parking permit.
- Admission to athletic events, the University theatre and musical events.
- Library borrowing privileges equal to those of faculty members on active status.



- Participation in the academic processions of the University.
- Inclusion of name and emeritus title in the University directory.
- Tuition benefits and faculty bookstore discount.
- Access to the Fitness Center.
- With approval from the EVPAA/Provost, university-sponsored licenses to software and other resources needed to conduct professional activities as an emeritus faculty member.

## **Travel**

Financial Support for Professional Activity. Attendance at professional meetings and leadership in professional organizations are important to the faculty development and are encouraged by the University. While such participation is of benefit first and foremost to the individual faculty member, that involvement is also an expected part of one's professional career and considered in annual performance evaluations. Based upon the merits of the request, and within the limitations of the budget, the University will attempt to assist with travel expenses, particularly those related to travel, registration, and lodging. Full remuneration for professional travel is highly unusual, especially for meetings with great expense.

Funding Priorities. The following categories are generally considered when approving requests for travel funds. Some funds have been set aside to support certain faculty/student travel to professional conferences and/or for academic class trips. Proposals for travel for individual research are generally not funded but may be given limited consideration under certain circumstances.

### **Requesting Travel Support**

The travel budget is divided among academic units based on head count. Travel funds are limited, and for most trips, only partial reimbursement is possible. If financial support is sought, the "*Travel Request/Reimbursement Form*," must be accompanied by an explanation of the purpose and expenses involved. If approved, the chair or supervisor will forward the request to the Dean or Director who will authorize a specific dollar figure and sign approval. Travel requests must be submitted at least two weeks before the beginning date of the proposed leave. In emergency situations, requests should be submitted as soon as possible, but prior to commencing travel. Funding requests submitted after travel has commenced or is completed will not be considered unless so authorized by the Dean. In approving financial support for travel, the following guidelines apply:

The *lesser* of economy air fare (at a ticket cost corresponding to purchase two weeks before the travel date) or mileage (at a specific rate posted on the Travel website or My UE Portal. Mileage and Rental Rates will be reimbursable for travel regardless of the mode of transport finally selected by the individual. Generally, mileage will be determined from standard references (e.g. MapQuest® or Microsoft Streets and Trips®) between the University and the meeting location.

When necessary, travel advances of 75% of anticipated reimbursable expenses, excluding University prepaid expenses such as Pcard payment for a conference registration and/or airline ticket, may be requisitioned immediately prior to undertaking travel.

For vehicle travel information such as driver requirements, securing a rental vehicle, or group travel refer to the Vehicle Travel section of this manual.

As much of the travel expense as possible should be charged to a University Individual Pcard. Travelers should be aware of their Pcard transaction limits and request any necessary transaction limit adjustments prior to leaving. Original receipts are required for all Pcard transactions and are submitted with the reconciled Pcard statement at

the end of each Pcard cycle.

The following expenses will *not* be reimbursed: first-class air transportation, extra airline fees (premium seating, early boarding, etc.), entertainment, baby-sitting or day care fees.

Reimbursement for alcoholic beverages will be allowed when purchased in conjunction with necessary University-related business entertainment, consumption is nominal or moderate, and permitted under the terms of the funding source. Alcoholic beverages cannot be charged to federal grants or contracts. Faculty members are required to exercise sound judgment in determining whether consumption is nominal or moderate. Reimbursement for alcohol purchases must be charged the meals/entertainment object code 55025 rather than travel code 54000.

Original receipts are required for reimbursement of expenses for commercial transportation, lodging, conference registration, meal expenses in excess of the above guidelines, and most other travel expenses. If in doubt, get a receipt. As the University is a tax-exempt institution, an effort should be made to have vendors and service providers remove tax charges where possible.

<https://myue.evansville.edu/DepartmentPages/Accounting/Pages/default.aspx>

Upon approval of Travel Request, travelers with a UE Pcard should submit a travel note via email to Administrative Services, Purchasing Specialist at TV35. The email should include the travel dates and destinations. Providing a travel note will help prevent the UE Pcard credit card decline issues.

### **Requesting Travel Permission**

Faculty planning to travel outside of the tristate area for any University business purpose must request approval to travel from the department chair or other immediate supervisor. This request must be completed for risk management purposes. The request is made by completing Section I of the "*Travel Request/Reimbursement Form*". **Approval to travel must be obtained even if there is no financial support being requested for the trip.** This includes travel to athletic tournaments or other events for which the faculty member is representing the University and student organization trips for which the faculty member is serving as an Advisor.

### **Travel Reporting**

A final travel report must be submitted within ten (10) days of trip completion. To do so, resubmit the original, approved copy of the "*Travel Request/Reimbursement Form*" with daily expenses itemized (Section II), original receipts attached, and signature line signed. Reimbursements for out-of-pockets expenses will be made only for authorized travel. A brief (one paragraph) summary of activities during travel must be submitted to the Dean together with the "*Travel Request/Reimbursement Form*."

### **Harlaxton Spouses Travel Policy**

The University provides support for University of Evansville faculty participating at Harlaxton in the following manner:

During the academic year, spouses, partners and dependent children age 18 and under will be accorded free accommodations and meals can be purchased. Spouses and partners intending to accompany faculty members for the entire semester will be provided round trip economy travel (Evansville - London). Travel and accommodations for other family members is the responsibility of the faculty member.

### **Leaves**

## **Twelve-month Faculty Contract Leave Policy**

Twenty vacation days with pay are granted to benefit-eligible faculty with a twelve-month contract at the University of Evansville. The number of days is standard to the contract type and will not change because of rank or tenure. Faculty whose contract is less than twelve months, part-time and adjunct do not participate in the vacation benefit. However, they may be granted time off without pay by their supervisor or Executive Vice President for Academic Affairs & Provost.

All vacations are subject to the following provisions:

- At the start of the fiscal year on June 1, the faculty member is given the number of vacation days to use during that fiscal year. Twelve-month faculty hired after the start of one fiscal year (June 1) will receive a pro-rated amount of vacation to use during that fiscal year. For example, a twelve-month faculty member hired on August 1 will receive 16 days of vacation to use in the current fiscal year. However, a faculty member must work 30 calendar days before being eligible to use vacation days. Vacation days are not earned or accrued on a pro-rata basis throughout the fiscal year but are granted on either the first day of the fiscal year or 30 calendar days after the first day of employment.
- Vacation days must be used in the current fiscal year or the days are forfeited.
- Faculty are prohibited from cashing out unused vacation days at the end of the fiscal year or carrying unused vacation days forward to the following fiscal year.

### Vacation Payment

- Vacation pay is based on the faculty member's contract rate of pay.
- Vacation pay is based on an eight-hour working day.
- If a paid holiday falls within a vacation period, that day is counted as a holiday, rather than vacation.
- Because twelve-month faculty do not accrue vacation throughout the fiscal year; rather, vacation days are given to the faculty member at the start of each fiscal year, no unused vacation is paid to a faculty member at the conclusion of employment with the University.

**Leave of Absence.** Requests for leave of absence to pursue graduate study, consulting opportunities, governmental service, or other professionally related activity must be submitted to the appropriate area Vice President at least three months in advance of the leave. If approved, a leave of absence will be without pay, but the employee will continue to be eligible for fringe benefits. However, the entire cost of these benefits (such as health and life insurance) must be paid by the employee during the period of the leave.

**Family and Medical Leave.** The Family and Medical Leave Act was signed into law in February 1993 and became effective August 5, 1993. It is the policy of the University of Evansville to grant up to 12 weeks of family and medical leave during any 12-month period (measured forward from the date any employee's FMLA leave begins) to eligible employees in accordance with the Family and Medical Leave Act of 1993 (FMLA). The leave may be paid, unpaid, or a combination of paid and unpaid, depending on the circumstances and as specified in this policy. In order to qualify for a family and medical leave under this policy, the employee must have worked for the University at least 12 months and a minimum of 1250 hours over the previous 12 months. Part-time employees working fewer than 1250 hours per year are not eligible. A family and medical leave is defined as

any period during which an employee.

Is away from work for one (1) or more of the following reasons:

- For the birth of a child and to care for the newborn child.
- A child's placement with the employee for adoption or foster care.
- To care for the employee's spouse, child or parent with a serious health condition.
- Because of a serious health condition that makes the employee unable to perform the functions of the employee's job.
- FMLA leave for a newborn child, or for the adoption or foster care placement of a child, must be completed within 12 months of the birth, adoption, or placement. If both parents are employed by the University, they are entitled to an aggregate of 12 weeks of leave.
- FMLA leave for any event listed in items 3 and 4 may be taken on an intermittent or reduced schedule basis if medically necessary, as determined by medical certification. Such time must be recorded on an hour-for-hour basis regardless of the employee's classification.
- Any employee wishing to request leave under FMLA must provide the University with sufficient information to support a determination that the leave qualifies as a Family and Medical Leave. Family and Medical Leave Request forms are available from the Office of Human Resources.
- Requests for a foreseeable leave qualifying under FMLA should be made at least thirty days prior to the first date of the requested leave. Otherwise the notice must be given as soon as practicable. Please contact the Office of Human Resources for further information.

**Sick Days** In the event of illness, the income of benefit eligible employees is protected by earned sick leave. An employee's accrued sick leave balance may accumulate to a maximum of 5 months (110 working days). Sick days should be used only when your personal illness prevents you from working. The University reserves the right to require a physician's statement for any sick days. Faculty will receive full pay for a period of one month (22 working days) per year of service.

**Military Training** Military leaves will be given in accordance with the Uniform Services Employment and Reemployment Rights Act of 1994. All employees are to provide the University with advance notice of military service if possible. We ask employees taking a military leave to work with us voluntarily to accommodate each other's needs.

**Sabbatical Leave (Faculty Development).** The sabbatical leave is intended to enhance the quality of faculty members at the University of Evansville by providing development assignments of a semester or academic year to individuals engaging in productive research and/or creative activity or to those pursuing a structured study within their discipline which is designed to enhance teaching effectiveness.

**Eligibility** Any tenured faculty member holding the rank of assistant professor or higher who has accumulated six continuous years of service at UE is eligible to apply for a sabbatical. Other things being equal, priority in selection will be granted staff members in higher ranks with longer periods of service who have not previously had a sabbatical leave. Sabbatical leaves will not be cumulative. Faculty are eligible to apply for an additional sabbatical provided that six years of continuous service at UE have elapsed since completion of the previous leave.

**Calendar and Compensation** Faculty may select either of two options: (1) a full academic year at half salary, or (2) one semester's leave at full salary. A faculty member who is approved for one semester of professional development leave receives full and regular compensation with the understanding that he or she accepts no other remunerative employment during that semester. Exceptions must be approved by the EVPAA. Social Security, insurance and TIAA/CREF payments will be made at the sabbatical leave salary level (full or half) as though the faculty member were in residence.

**Application and Approval Procedures**—The applicant must present an acceptable faculty development plan of proposed research, study or other appropriate activity. To be considered, a plan must be submitted to one's department chair by October 1 and by the department chair to the dean by October 20 in the academic year preceding the requested leave. If approved by the chair and dean, it is forwarded to the Exec. Vice President, Academic Affairs by November 1. Faculty approved for sabbatical by the Board of Trustees will be notified of said approval after February's Board meeting.

Applications should include the following: (1) a detailed proposal outlining the program of research/creative activity or structured study to be undertaken; (2) justification in terms of intellectual growth development of faculty member, benefit to students, department, college, and University; and (3) anticipated results of the development leave such as projected publication, curricular revision or changes in teaching methodologies.

Approval of the leave and plan of study by the department chair (in consultation with the department faculty), the dean and the Exec. Vice President, Academic Affairs is required. The department chair will certify that the courses and responsibilities normally assigned to the faculty member will be suspended or covered by colleagues in the unit during the leave. In rare instances, a sabbatical replacement may be required and approved if appropriate and fiscally feasible.

**Faculty Responsibilities**—A sabbatical leave for faculty development carries certain expectations: Faculty on leave for one semester will teach a full load of 9-12 hours in the other academic term. Individuals on sabbatical leave are relieved of all campus responsibilities (teaching, committee assignments, Faculty Senate, etc.). Offices may need to be reassigned during the period of the leave, especially if a sabbatical replacement has been approved.

Any faculty member accepting a sabbatical leave for professional development must agree to return to full time teaching duties for a period of not less than one academic year. A recipient who fails to return to the University of Evansville must reimburse salary and fringe benefits paid during the leave.

After completion of the sabbatical leave, the faculty member will submit to his or her department chair, dean and VPAA, a report of the outcomes or accomplishments gained. [Where appropriate, the names of persons with whom the individual worked and competent to evaluate the individual's achievement are to be included. Transcripts or certification of any courses or workshops taken during the development leave should also be appended.] This will form part of the materials utilized for the performance evaluation.

During the next regular academic semester following a development leave, the faculty member will conduct a school/college or university wide colloquium as determined by the department chair and dean.

As part of the departmental academic assessment process, twelve months after completion of the sabbatical, a supplemental report evaluating the impact of the development leave on the unit's instructional program will be submitted by the individual, department chair and dean to the Exec. Vice President, Academic Affairs.

**Funeral Leave.** In the event of death of an employee's spouse or child, up to five (5) days off with pay will be permitted.

Upon the death of any of the following immediate family members, up to three (3) days off with pay will be granted: parent, guardian, brother, sister, mother-in-law, or father-in-law.

One (1) day off with pay will be permitted for any other relative.

**Jury Duty.** Employees who are summoned for jury duty will receive their regular salary for a period not to exceed thirty calendar days per year.

## Chapter VII

### RESEARCH, GRANTS AND AWARDS

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#### **RESEARCH**

Faculty members are encouraged to participate in research endeavors. The administration of the University of Evansville wishes to foster, encourage, and promote research and creative activity by members of the faculty. The University sponsors research, defined in the broadest sense, through various programs described in this chapter.

#### **PROTECTION OF HUMAN SUBJECTS**

To comply with DHHS federal regulations on the Protection of Human Subjects (454 CFR 465 as amended), the University has adopted the guidelines to assure that:

1. the rights and welfare of the human subjects involved are adequately protected,
2. the procedures used to obtain informed consent are adequate and appropriate, and,
3. the risks to the human subject are outweighed by the potential benefit to the subject by importance of the knowledge to be gained.

#### **HUMANE CARE AND USE OF ANIMALS**

The University has adopted the DHHS *Guide for the Care and Use of Laboratory Animals* (8623, Revised, 1985) and the PHS *Policy on Humane Care and Use of Laboratory Animals* (DHHS/NIH 78-23, revised 1986) to comply with the Animal Welfare Act (7 USC 2131 et seq.), as amended, and other Federal statutes and regulations relating to animals. These policies have been adopted, as applicable, to ensure the humane care and use of live vertebrate animals involved in research activities.

#### **REVIEW PROCESS FOR RESEARCH INVOLVING HUMAN AND ANIMAL SUBJECTS**

The Institutional Review Board will review and approve all biological, sociological, and behavioral projects, which affect human subjects. At this time, research is reviewed on an ad hoc, case by case basis. Review and approval are mandatory, however. Faculty and/or students involved in such research must first complete CITI Training. A link to the training site and instructions are provided at: <https://www.evansville.edu/institutional-research-board/citi-program.cfm>.

To review a proposal template please visit: <https://www.evansville.edu/institutional-researchboard/>

#### **GRANTS**

##### **UEXPLORE UNDERGRADUATE RESEARCH GRANTS**

Grants shall be awarded in a competitive manner to student or faculty-generated projects in the areas of research, scholarship, or creative activities. These projects may stem from any academic discipline, including the sciences, humanities, arts and professional programs.

The focus of the Undergraduate Research Committee is to facilitate faculty and student involvement in research and creative projects in a collaborative manner. UExplore grants therefore require that the role of the student and faculty be explained in explicit detail in the grant proposal. The role of the faculty supervisor is to assist in the project design, monitor progress, provide assistance when problems arise, and encourage dissemination of the results. Faculty are required to ensure that the student participation is at a collegial level rather than as subordinate assistants. The student/s involved with the grant should be allowed to write as much of the grant proposal as

possible and should be consulted on all matters involving student grant monies, summer stipends, student summer housing, and student travel monies.

In the event that the undergraduate project is not carried out under the supervision of a faculty member in the faculty member's area of expertise, the student alone may submit a proposal. The student must be supervised, however, by a panel of faculty members with the permission of the student's department chair if the project is conducted at UE. If the project is conducted off-campus (internship at a national lab, etc.), the department chair must certify that the project is properly supervised at the off-campus site.

Grant-awarded projects will be funded in a competitive basis on the following criteria:

1. Adds to the existing body of knowledge in the discipline
2. Originality of design, approach or question
3. Potential for publication or presentation
4. Correct format

All projects must be submitted in the format available on the Undergraduate Research Website <http://undergraduateresearch.evansville.edu>

The guidelines and timetables for funding requests are as follows:

**UExplore Grants:**

- a. Proposals generated either by student or faculty are acceptable and will be considered separately as to professional merit.

**Student-Generated Projects:** To be considered as "student generated," the student must be responsible for the majority of the concept development, project design, and proposal writing. Student/faculty collaboration, however, is recognized as essential in providing the student with a positive learning experience. Student projects must have a faculty supervisor whose name shall appear on the written proposal.

**Faculty-Generated Projects:** The committee acknowledges that faculty participation in original projects is integral to achieving the main goal of active student and faculty interaction in professional endeavors. This involvement not only stimulates faculty development, but also provides a role model for students. Faculty members are encouraged to solicit student participation in their projects at the collegial level.

- b. There are three times each year during which grants may be submitted to the Undergraduate Research Committee Chairperson. Reference the UExplore website for the exact dates for submission and for the required grant format. <http://www2.evansville.edu/undergraduateresearch/>

Fall and Spring Semester: Proposals for the UExplore Undergraduate Research Grants for the semester are typically submitted by the end of the second week of classes. Semester grants include up to \$1,000.00 in project supplies and the potential for a faculty member honorarium of \$750.00 upon completion of the funded project. Completion of the project will be considered when the faculty member submits evidence of publication or presentation of the work to the Undergraduate Research Committee Chairperson. If more than one faculty member is responsible for the project, the honorarium will be shared.

**Summer:** UExplore Undergraduate Research Grants for the summer require a Letter of Intent submitted to the Undergraduate Research Committee Chairperson typically by the end of the second week after classes for the Spring Semester begin. This letter must include a one-page discussion of the project and provide an estimation of the funds required to run the project, which include supplies, requested stipend amounts, and whether students will require summer housing.



The full Summer proposal is due to the Undergraduate Research Committee Chairperson typically one month after the Letter of Intent is submitted. Summer grants include up to \$2,000.00 in project supplies, summer stipend and housing for all participating students for 10 weeks, and the potential for a faculty member honorarium of \$750.00 upon completion of the funded project. Completion of the project will be considered when the faculty member submits evidence of publication or presentation of the work to the Undergraduate Research Committee Chairperson. If more than one faculty member is responsible for the project, the honorarium will be shared. Types of stipends that may be requested include up to \$3,500/10 weeks for student stipends and up to \$3,750/month for two months for faculty stipends. The faculty member must write an outside grant if a faculty stipend is requested.

### **Travel Funds:**

Any UE student who is doing research, scholarly projects, or creative activities may be eligible for travel funds to present their work regardless of whether the Undergraduate Research Committee funded the project. Travel funds are administered on a competitive need basis according to available funds.

To request travel funds:

1. Students or faculty who are traveling to conference or presentation should submit their request at least one month prior to the date of the event.
2. The request should include a one-page description of the work that will be presented.
3. The request should include a budget sheet of itemized travel needs (e.g. mileage, hotel, conference fee, etc.)

Consult the Undergraduate Research Website <http://www2.evansville.edu/undergraduateresearch/> or the Office of Academic Affairs for additional information.

### Alumni Research and Scholarly Activity Fellowships (ARSAF)

The University of Evansville Alumni Association initiated the fellowship program in 1972 to encourage faculty research and scholarly activity and to provide another avenue of funding for such efforts besides that provided by the University. This program, known as ARSAF, is funded entirely by gifts from alumni. Approximately, \$15,000.00 is awarded annually (academic year).

ARSAF is administered through the Office of Academic Affairs. The Faculty Professional Affairs Committee (FPAC) will solicit and consider applications once per year.

All recipients of ARSAF grants are encouraged to publish their findings.

Eligibility: Full-time UE faculty members.

Application Deadline: March 15. Funds available June 1.

Notification: 30 days after deadline.

An on-line application form is available on the MyUE portal/Academic Area Pages/Academic Affairs. ARSAF seeks to encourage diversity and creativity in faculty research and scholarly activity. Therefore, no limitations are placed upon subject matter or areas of interest that may be considered. To assist in applying for an ARSAF grant, the committee has developed some general guidelines:

- The best image and interests of the University will be considered in awarding these fellowships. Projects that have a direct benefit to UE and UE students will receive high priority.
- ARSAF funds will not be awarded for salary, work for advanced degrees, or for equipment already available on campus. Salary funds can be awarded for secretarial or student work.

- ARSAF funds for travel will be awarded only for the purpose of engaging in primary research and scholarly activity. Travel requests will normally receive a lower priority than other types of funding requests. When funding for travel is granted, the award will typically be for a portion of the actual cost of travel.
- Each funding request will be reviewed on its own merit and the actual amount approved will be based on the funds available at the time of the request.

Upon approval, you must write a letter of acceptance to the Chair of the Faculty Professional Affairs Committee and establish an account with the University comptroller. At the time of your grant termination date, your account will be closed within 30 days unless an extension has been requested and granted. A final report is due within 60 days of termination of the grant.

#### ARTS, RESEARCH, AND TEACHING GRANTS (ART)

Funds for the support of arts, research, and teaching (ART) projects of full-time faculty are available through the Office of Academic Affairs. The Faculty Professional Affairs Committee (FPAC) will solicit and consider applications once per year. The deadline for application is March 15.

The committee will convene during the spring semester to consider ART project proposals for the next fiscal year. ART grants and summer stipends are funded from the following year's budget (June 1 through May 31). Summer stipends will be supported only if funds remain in the budget after all deserving ART proposals have been funded. In addition, the committee chair will maintain close contact with the Office of the Exec. Vice President, Academic Affairs regarding any other acquisition or disposition of funds.

Financial support may be requested for any investigation which seeks to uncover new knowledge, develop new techniques and procedures, produce original works of art, bring together established facts and theories in such a way as to give them new relevance and significance, and/or serve the community. Projects undertaken must help develop the applicant as a researcher, artist, scholar, and/or teacher.

Proposals are sought from those who wish to prepare portions of completed doctoral thesis for publication, to write creatively for publication, or to write articles for lay magazines which have sizable circulations.

Research designed to meet requirements for advanced degrees or activities for which academic development funds are more appropriate will not be considered unless results of those activities are intended for wide professional review or probable adoption outside the University of Evansville.

To apply for an Arts, Research, and Teaching Grant:

1. A faculty member should obtain a copy of the application form at the *MyUE Portal*. The completed form is sent to the department chair or dean.
2. The department chair or dean will review the proposal and recommend approval or disapproval. One printed copy of the application, including the Signatures page, and an electronic copy in PDF or Microsoft Word format are then forwarded to the chair of the committee.
3. The Committee will study the application and may request clarification and/or revisions of the research proposal. In general, review will occur according to the following selection criteria:
  - A. Granting of funds will be based on the perceived value of the project in meeting the criteria of the ART

program. However, the special needs of new faculty members will be taken into consideration.

- B. Requests for paid student help will be funded only if educational benefits accrue to the students and only if their tasks are explicitly described in the proposal. If a student is significantly involved in a research-oriented project, the faculty member is encouraged to apply for an Undergraduate Research grant.
- C. In ordinary circumstances, travel funding will be approved only to support research.
- D. Stipends will be supported only when sufficient funds remain in the budget after approved ART proposals have been funded.
- E. Meals will not be funded except under extraordinary circumstances.
- F. Publication costs will not be funded (with the exception of costs of preparing the manuscript, e.g. graphics, photography, diagrams, blueprints, etc.)
- G. The grant recipient will contact the Office of Academic Affairs to arrange for the disposition and accounting of funds.
- H. Those who receive ART grants or stipends are expected to submit a brief (no more than one page) final report on the usage of funds and results of the project. This is to be submitted to the office of Academic Affairs by April 1 the following year.
- I. No new funding will be approved if a faculty member has not previously complied with the reporting deadlines.

#### **GRANTS FROM EXTERNAL FUNDING AGENCIES**

All proposals for external funding should be reviewed with the Corporate and Foundation Relations Officer. Faculty are encouraged to seek grants from external funding agencies in order to pursue research or other academic interests. Department chairs, and deans share in the responsibility for disseminating information regarding available grant programs and deadlines and for assisting with preparation of proposals and budgets. Once a faculty member decides to prepare and submit a grant proposal to either a federal agency or private foundation, the Corporate and Foundation Relations Officer should be notified of that intent and be apprised of budget requirements that would be incurred by the University.

The Corporate and Foundation Relations officer can provide institutional review of proposals for external funding and awards management assuring compliance with University, Government and agency mandates, legislative requirements, policies and procedures; providing specialized assistance and information regarding proposals and awards; and enhancing University efforts in securing financial support for research, training and education. Faculty members are encouraged to utilize this office as a resource in the development and preparation of grant proposals.

All grant proposals to external funding agencies must be reviewed and approved by the department chair and/or dean, the Vice Presidents for Academic Affairs and Fiscal Affairs, and the President before they can be forwarded to the granting body.

When a grant is received, specified, and approved, University contributions will be met. A special account will be established by the Office of Accounting and Audit for funds received from an external granting agency. The project director is responsible for managing and using the funds in accordance with the grant agreement and must have all requisitions approved by his/her immediate supervisor. The Office of Accounting and Audit provides bookkeeping and auditing services.

The Principle Investigator (PI) is also responsible for preparing progress and final reports as outlined by the external funding agency. For federal and state grants, the Office of Accounting & Audit must prepare or review all financial reports prior to submission to the funding agency. Copies of reports are to be provided to the department chair and/or dean and academic affairs. Any patents or copyrights which may result will be obtained in the name of the researcher unless the granting agency has other requirements.

## **FACULTY AWARDS**

### **Alumni Association Outstanding Teacher Award**

The University of Evansville Alumni Association is resolved, annually, to fund the Outstanding Teacher award, to a faculty member for exemplary teaching and student service. The goal of the award is to encourage both outstanding teaching and the inclusion of students in as many facets of academic life as possible. The award will consist of recognition at commencement, a plaque presented by the president of the Alumni Association Board of Directors, and a \$2000.00 cash prize.

Any full-time faculty member who is a classroom teacher, has taught at least two years at UE and holds the rank of instructor, assistant professor, associate professor or professor is eligible for consideration. Administrators or committee members involved in the annual selection and past winners within the last five years are not eligible. Students, faculty, staff, administrators and alumni may make nominations.

The Outstanding Teacher Award Criteria :

- A record of outstanding teaching effectiveness both within and outside the classroom
- The ability to inspire, promote and sustain the intellectual development of students.
- A pedagogical approach that is innovative, intellectually rigorous, creative and engaging.
- Demonstrated scholarly contributions and their integration into the classroom.
- Advising/mentoring of students and student organizations.
- Involvement in the University and/or greater community.

### **Selection Process:**

On-line nominations are submitted to Academic Affairs through an on-line form at <http://www.evansville.edu/alumni/outstandingTeacher.cfm>. The OTA committee is comprised of an AVP for Academic Affairs, one dean, a faculty representative from each college and students. The committee members may review additional information on the top candidates, including their vitae will be collected from their respective dean/department chair. The committee will review nominations and select the top three via blind vote. The award will be presented at the spring commencement ceremony by the Alumni Association Board of Directors president or his/her/their designee.

### **Eykamp Teaching Award**

The Eykamp Prize was established by Richard and Rita Eykamp in 2015 to honor Faculty Achievement at the University of Evansville. Recipients of the prize will receive an award of \$10,000 in recognition of extraordinary contributions to the University of Evansville as University Citizens. Examples of such

contributions include deep and successful involvement in recruiting students; expanding the number, scope, and competitiveness of grant funding for their department; bringing positive public awareness to the University through scholarship, knowledge, and understanding of their discipline. Up to two prizes a year may be awarded. Nominations for the Eykamp Prize may come from any member of the University of Evansville Community. Nominees should be tenured or tenure-track faculty members at the University of Evansville who have not received the award in the previous five years. Nominations can be submitted in writing or via e-mail to, Executive Vice President for Academic Affairs/Provost, mid spring. Nominations should include the name of the faculty member and a brief statement of the reasons that he or she are being nominated.

Recipients of the Eykamp Prize will be selected by an Awards Committee, appointed by the EVPAA, that includes members of the faculty and staff, academic administrators, and at least one member of the Board of Trustees. Awards will be announced and presented at the May Commencement Ceremony.

### **Class of 1961 Faculty Fellow Award**

The award is designated for pre-tenured faculty to support research after second year review. Two faculty are funded \$1,000 each to be spent before the end of the next fiscal year.

### **Dean's Teaching Award**

The college deans bestow this award at the end of the spring semester. Arts and Sciences gives two awards and the other colleges one award at \$500 each.

## Chapter VIII

### SUPPORT SERVICES

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#### **Offices of Academic Services**

The Office of Academic Services is responsible for coordinating the work of faculty academic advisors by assigning advisors to students; providing student advising folders with personal information, educational history, and test scores as well as academic warnings, tutoring and supplemental instruction, and other information that support the advising process; and serving as a clearinghouse for the dissemination of advising resource materials to the faculty. The University Registrar is responsible for monitoring the advising system, reassigning advisors, monitoring dismissal policies, and forwarding appeals and petitions to the Undergraduate Admissions and Standards Committee or Graduate Curriculum and Admissions/Standards Committee.

#### **University Libraries**

The University of Evansville Libraries provides faculty, students, administrators, and staff with an array of information services and resources that correlate directly with the teaching and learning mission of the University. The principal services of the Libraries are described below.

**WEB SITE** <https://www.evansville.edu/libraries/>

Effective fall 2017, the Libraries implemented several new information and research platforms. Alma/Primo (branded as QUEST) is the main platform providing discovery, catalog, and research services for both print and electronic resources. TIPASA (branded as QUILL) was also installed as the Interlibrary Loan portal. Visit the Libraries' web site or contact the Information Desk at 812-488-2482 for more information about these important services.

#### **HOURS**

Current hours of service are listed on the Libraries' web site at:  
<https://www.evansville.edu/libraries/aboutHours.cfm>.

#### **CIRCULATION LOAN PRIVILEGES**

Faculty may borrow books, bound journals, and music recordings for 16 weeks, and DVDs for 21 days. Materials must be returned or be renewed at the end of each semester. Upon leaving the University, all library materials must be returned before receiving a final paycheck. A current University identification card must be presented to borrow circulating materials. Identification cards are available through the University's Office of Safety and Security. Contact the Information Desk at 812-488-2482 for further information concerning circulation loan privileges.

## **COLLECTIONS**

The physical collection of University Libraries is comprised of a core collection of information resources. The collection directly supports the curriculum of the University and includes approximately 230,000 bound volumes and 11,000 audiovisual items. In addition, the Libraries offer an array of electronic resources, including full-text access to thousands of scholarly journals and other materials. A list of electronic resources is available at <https://www.evansville.edu/libraries/findAZDatabases.cfm>.

## **INTERLIBRARY LOAN AND RECIPROCAL BORROWING**

Interlibrary Loan affords the UE community access to research and information resources which are not part of the Libraries' collection. Books, journal articles, audiovisual materials, and other resources which are not owned by the UE Libraries may be borrowed from other libraries through the Access Services office. Details of the Interlibrary Loan service are available at <https://www.evansville.edu/libraries/interlibraryLoan.cfm>, or contact Access Services at 812-488-1062 for more information.

The UE Libraries participate in the Academic Libraries of Indiana (ALI) reciprocal borrowing consortium, allowing members of the UE community who visit other colleges and universities in the state to borrow items from their libraries. University faculty, students, and staff are eligible to participate in this program, but participants must obtain a special ALI borrower's card from the UE Libraries before visiting another institution. Contact the Information Desk at 812-488-2482 for details.

## **RESEARCH ASSISTANCE**

Research Assistance provides personalized, one-on-one guidance in the most effective use of the University Libraries' collection of online resources. Instructors may encourage students with class assignments which require a library research component to schedule a Research Assistance appointment through the Libraries' web site: <https://www.evansville.edu/libraries/rapSignup.cfm>.

Researchers needing immediate assistance can begin the process at the Information Desk or by calling 812-488-2482.

## **RESERVES**

Course Reserves is an important service which permits faculty members to place assigned class readings on reserve for students enrolled in their courses. Materials to be placed on reserve must be brought to the Libraries' Information Desk at least two (2) days in advance of when they are needed. Forms are available which permit faculty members to list the items and to designate which category of reserve is required. Materials already in the library may be placed on reserve as well as personal copies of books and articles furnished by faculty members. Contact the Information Desk at 812-488-2482 for more information.

## **UNIVERSITY ARCHIVES**

University Archives is the repository of archival records pertaining to the history and operations of the University of Evansville. Access to the archives is arranged by appointment and may be scheduled by contacting 812-488-2247.

## **OFFICE OF STUDENT LIFE**

The Office of Student Life provides programs and support services to assist students in obtaining their academic objectives. The various services offered are described in the undergraduate catalog and the student handbook. These services are available without charge to full-time and part-time students. Faculty and staff members are encouraged to refer students to the Office of Student Life for information or help regarding a variety of educational, vocational, and personal concerns.

In addition to the various functions of the office of Vice President for Student Affairs/Dean of Students, the Office of Student Life includes these services:

Health care services for students are available from the Health and Wellness Center located in Sampson Hall. The Office of the University Chaplain is in Neu Chapel. The director of the fitness center and intramurals is in the Student Fitness Center. The office of the director of Safety and Security and security services are in the General Services Building. The remainder of the services are housed in the Ridgway University Center.

New Student Orientation
Residence Life
Student Activities and Organizations
Judicial Affairs
Student Withdrawals and Cancellations
Center for Career Development
Center for Student Engagement
Fitness and Recreational Sports
Center for Cultural Engagement
Greek Life
Community Services Initiatives
Health Education
Counseling Services
Safety and Security
Disability Services
Religious Life
Health and Wellness
International Services

## TECHNOLOGY SERVICES

### **OFFICE OF TECHNOLOGY SERVICES**

The Office of Technology Services staff resides in the lower level and first floor of the Clifford Memorial Library. In addition to supporting the University's administrative functions by maintaining the University's ERP system Ellucian Colleague and a suite of custom applications, Technology Services maintain the campus administrative network that connects workstations and terminals to the various file, application and e-mail servers.

Some of the services provided to the academic community are:

1. Test scoring services
2. Faculty website for rosters, grades, advising
3. Student website for grades, class schedules, degree audit, degree shopping, personal information verification.
4. Hardware and software repair
5. Delivery of audiovisual equipment
6. Maintaining the campus network infrastructure
7. Maintaining the campus file servers and Internet access
8. Consultation regarding educational technology
9. Media and multimedia production assistance



10. Distance learning facilities
11. Technology Education
12. New hardware procurement
13. Telephone Services

Call extension 2958 for more information and details.

The Office of Technology Services provides the University community with facilities and services related to the technology of information and learning. These services include but are not limited to the following:

The main point of contact for most individuals needing the various services offered by the Office of Technology Services is the Help Desk. Full-time employees and a contingent of student workers staff the Help Desk and are responsible for the support and services offered by the department. The Help Desk is open Monday through Thursday from 7:30 a.m. to 5:00 p.m. It is located in the first floor of Clifford Memorial Library and can be contacted via email at [help@evansville.edu](mailto:help@evansville.edu) and by phone at 488-2077 or self-served at [help.evansville.edu](http://help.evansville.edu).

### **Media Services**

The Office of Technology Services provides an expanding array of media services to the University. These services include media production and development, audiovisual equipment for classroom use, and direct support of multimedia instructional presentations.

Media production services are available to all members of the University community and are delivered on a first-come, first-served basis. These services include, but are not limited to slide production, video production, audio production, online media presentations, CD-ROM mastering, instructional Web development, media presentation formatting, and several types of overhead transparencies. More complex projects require significant advance notice, but most projects can be completed within a week from the date of request. All media production requests must be submitted through the Help Desk, and many require discussion with OTS staff prior to their development.

### **Equipment Checkout**

The Office of Technology Services provides the following equipment available for checkout and classroom use: TV/VCR units, video projectors, LCD projection units, CD players, PA and sound systems, cassette recorders, overhead projectors, slide projectors various computer tablets, and Classroom Clicker set. To ensure delivery in an accurate, timely manner, instructors MUST reserve audiovisual equipment at least 24 hours before scheduled use. To schedule equipment, please contact the Help Desk. University sponsored organizations may use equipment, when not reserved for classroom use, by securing the signature of their faculty advisor. Technical support is also provided for special functions and events. Requests for this service should be made in writing and well in advance of the event to assure availability of equipment and technical support.

### **TELEPHONE SERVICES**

The Office of Technology Services has upgraded the telephone system on the UE campus with an Internet protocol telephone (IPT) system. In short, the telephones now work over the same network as the computers on campus. These telephones provide increased functionality with features such as voice mail, call transfers and better manageability for calls that come into or go out over the campus network. Internal telephone calls may be completed by dialing the four digits listed in the University directory. Calls from off-campus telephones to the University may be made by dialing the proper prefix and the four-digit number.

Refer to the UE campus telephone directory for more information.

### **Contracted Long Distance Vendor**

Dial 9 + 1 + the area code + seven-digit number. Each department is billed monthly for charges. Note that the services are billed to the department on a per minute basis. The telephone system is not intended to be used for personal calls. However, if it is necessary to place a personal call, keep the call as brief as possible. Long distance personal calls should be placed either using a credit card or collect. Personal calls are not to be charged to UE. Any telephone service problems should be reported to Telephone Services at ext. 2077. Requests for additional telephone service should be submitted in memo form to the employee's department head for approval and then forwarded to the Office of Technology Services. Depending on service requested, a budget adjustment request may need to be completed with appropriate approvals obtained. Contact Telephone Services at ext. 2077 for more details. For more information regarding this telephone system, go to the Web site [ots.evansville.edu/telephones](http://ots.evansville.edu/telephones). If you experience difficulties with the telephone system or have questions regarding its use, please call Telephone Services at 812-488-2077.

### **COMPUTING SERVICES**

The Office of Technology Services supports computer use for instruction and scholarship as well as computer use in administrative departments. The Office of Technology Services also installs, operates, and maintains the multi-protocol campus data network and the University's Internet connection. Several computer labs meet the students' and the University's general computing needs. Most of the labs function as computer classrooms, and the remaining are general-purpose labs. All but two labs are equipped with Virtual Desktop Interface (VDI) clients functioning as full-service IBM-compatible personal computers and the other labs offers iMac Apple computers. Computer labs under the supervision of Technology Services are directly connected to the campus network, the Internet and include laser printers. Projectors and scanners are also available in many labs. The Office of the Registrar schedules the labs for classes that need these facilities for course meeting locations. Schedules are posted outside each lab indicating course meeting times and special event reservations.

Extensive software resources are available in the computer labs with Microsoft Office being the standard business suite of applications offered on campus. Departments or individuals that are considering purchasing the appropriate licenses and wish to have computer software installed in the public labs for instruction should contact the Help Desk before doing so. As software installation in a networked environment can be difficult and time-consuming, such requests should be tendered a minimum of three months in advance of deadlines.

All lab computers are connected to the campus network, which is itself connected to the Internet. An account is available to staff and students, and these accounts allow users to exchange electronic mail and to share bulletin-board communications with local staff and students as well as anyone on the Internet.

### **Technology Services Policies**

As the Office of Technology Services offers users of the campus network the latest advances in technology, users of that technology must accept more responsibility for their access. In that respect, the University has adopted certain policies to which all users of the campus technology are expected to adhere.

### **SOFTWARE POLICY**

#### **Software Code of Ethics**

Unauthorized duplication of copyrighted computer software violates the law and is contrary to the University of Evansville's standards of conduct. The University of Evansville disapproves of such copying and recognizes the following principles as a basis for preventing its occurrences:

- The University of Evansville will neither engage in nor tolerate the making or using of unauthorized software copies under any circumstances.
- The University of Evansville will provide legally acquired software to meet legitimate software needs in a timely fashion and in sufficient quantities for all university computers that require such software.
- The University of Evansville will comply with all license or purchase terms regulating the use of any software that the University of Evansville acquires or uses.
- The University of Evansville will enforce strong internal controls to prevent the making or using of unauthorized software copies, including effective measures to verify compliance with these standards and appropriate disciplinary measures for violation of these standards.

The purpose of the code of ethics is to state the University of Evansville's policy concerning software installation and duplication. All employees shall use software only in accordance with the license agreement. Any other duplication of licensed software except for backup and archival purposes is a violation of the law. Unlawful duplication of copyrighted computer software violates the University of Evansville's standards of conduct. The following points must be followed in order to comply with software license agreements:

All software must be used in accordance with the license agreements.

1. No employee (faculty/staff/student) of the University of Evansville will make any unauthorized copies of any software under any circumstances. Anyone found unlawfully copying or installing software is subject to institutional disciplinary policies and may be subject to civil and criminal penalties including fines and imprisonment.
2. No employee (faculty/staff/student) shall give software that is licensed to the University of Evansville, to any other employee or non-employee, including clients, customers and others, that would be outside the scope of the license agreement between the university and the software vendor.
3. Any employee (faculty/staff/student) who determines that there may be a misuse of software within their department shall notify the Assistant Vice President of the Office of Technology Services.
4. All software used by the University of Evansville on University of Evansville computers will be properly purchased through appropriate procedures.

### **A Guide to the Ethical and Legal Use of Software for Members of the Academic Community**

SOFTWARE enables us to accomplish many different tasks with computers. Unfortunately, in order to get their work done quickly and conveniently, some people justify making and using unauthorized copies of software. They may not understand the implications of their actions or the restrictions of the U.S. copyright law.

1. UNAUTHORIZED copying of software is illegal. Copyright law protects software authors and publishers; just as patent law protects inventors.
2. UNAUTHORIZED copying of software by individuals can harm the entire academic community. If unauthorized copying proliferates on a campus, the institution may incur a legal liability. Also, the institution may find it more difficult to negotiate agreements that would make software more widely and less expensively available to members of the academic community.

3. UNAUTHORIZED copying of software can deprive developers of a fair return for their work, increases prices, reduces the level of future support and enhancement, and inhibit the development of new software products.

RESPECT for intellectual work and property of others has traditionally been essential to the mission of colleges and universities. As members of the academic community, we value the free exchange of ideas. Just as we do not tolerate plagiarism, we do not condone the unauthorized copying of software, including programs, applications, databases and code.

THEREFORE, we offer the following statement of principle about intellectual property and the legal and ethical use of software. This code intended for adaptation and use by individual colleges and universities was developed by the EDUCOM Software Initiative and is endorsed by the University of Evansville.

#### **SOFTWARE AND INTELLECTUAL RIGHTS:**

Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgement, right to privacy, and right to determine the form, manner, and terms of publication and distribution.

Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations, may be grounds for sanctions against members of the academic community.

#### **QUESTIONS YOU MAY HAVE ABOUT USING SOFTWARE:**

- a. *What do I need to know about software and the U.S. Copyright Act?* Unless it has been placed in the public domain, copyright law protects software. The owner of a copyright holds exclusive right to the reproduction and distribution of his or her work. Therefore, it is illegal to duplicate or distribute software or its documentation without the permission of the copyright owner. If you have purchased your copy, however, you may make a backup for your own use in case the original is destroyed or fails to work.
- b. *Can I loan software I have purchased myself?* If your software came with a clearly visible license agreement or if you signed a registration card, READ THE LICENSE CAREFULLY before you use the software. Some licenses may restrict use to a specific computer. Copyright law does not permit you to run your software on two or more computers simultaneously unless the license agreement specifically allows it. It may, however, be legal to loan your software to a friend temporarily as long as you do not keep a copy.
- c. *If software is not copy-protected, do I have the right to copy it?* Lack of copy protection does not constitute permission to copy software in order to share or sell it. Non copy-protected software enables you to protect your investment by making a back-up copy. In offering non-protected software to you, the developer or publisher has demonstrated significant trust in your integrity.
- d. *May I copy software that is available through facilities on my campus, so that I can use it more conveniently in my own room?* Software acquired by colleges and universities is usually licensed. The licenses restrict how and where the software may be legally used by members of the community. This applies to software installed on hard disks in microcomputer clusters, software distributed in disks by a campus lending library, and software available on a campus mainframe or network. Some institutional licenses permit copying for certain purposes. Consult the Office of Technology Services if you are unsure about the use of a particular software product.
- e. *Isn't it legally "fair use" to copy software if the purpose in sharing it is purely educational?* No. It is illegal for a faculty member or student to copy software for distribution among the members of a class without permission of the author or publisher.

**ALTERNATIVES TO EXPLORE:**

Software can be expensive. You may think that you cannot afford to purchase certain programs that you need. But there are legal alternatives to unauthorized copying.

**SITE LICENSED AND BULK-PURCHASED SOFTWARE:**

Your institution may have negotiated agreements that make software available either to use or to purchase at special prices. Consult the Office of Technology Services for information. Software available through institutional site licenses or bulk purchases is subject to copyright and license restrictions and you may not make or distribute copies without authorization.

**SHAREWARE:**

Shareware, or user-supported software, is copyrighted software that the developer encourages you to copy and distribute to others. This permission is explicitly stated in the documentation or displayed on the computer screen. The developer of shareware generally asks for a small donation or registrations fee if you like the software and plan to use it. By registering, you may receive further documentation, updates and enhancements. You are also supporting future software development.

**PUBLIC DOMAIN SOFTWARE:**

Sometimes authors dedicate their software to the public domain, which means that the software is not subject to any copyright restrictions. It can be copied and shared freely. Software without copyright notice is often, but not necessarily in the public domain. Before you copy or distribute software that is not explicitly in the public domain, check with the Office of Technology Services.

**A FINAL NOTE:**

Restrictions on the use of software are far from uniform. You should carefully check each piece of software and the accompanying documentation yourself. In general, you do not have the right to receive and use unauthorized copies of software or make unauthorized copies of software for others.

If you have questions not answered by this brochure about the proper use and distribution of a software product, seek help from the Office of Technology Services, from the software developer, or publisher. This brochure has been produced as a service to the academic community by EDUCOM and adapted by the University of Evansville. EDUCOM is a non-profit consortium of over 450 colleges and universities committed to the use and management of information technology in higher education, and ADAPSO, the computer software and services industry association. Although this brochure is copyrighted, you are authorized and encouraged to make and distribute copies of it, in whole or in part, providing the source is acknowledged.1987 EDUCOM and ADAPCO

**ACCEPTABLE USE POLICY****General Principles**

In support of the University of Evansville's academic mission, the Office of Technology Services supports, facilitates, and empowers access to, and use of, information technology resources. Computers and networks can provide access to resources on and off campus, as well as the ability to communicate with other users worldwide. Thus, access to the University of Evansville's computer systems and networks imposes certain responsibilities and obligations and is granted subject to University policies, and local, state, and federal laws.

Acceptable use is always ethical, reflects academic honesty, and shows restraint in the consumption of

shared resources. It demonstrates respect for intellectual property, ownership of data, system security mechanisms, and individuals' rights to freedom from intimidation, harassment, and unwarranted annoyance.

### **User Rights**

Users granted access to and use of University of Evansville computing resources have certain basic rights. These rights include but are not limited to:

- Freedom of expression.
- Freedom from harassment.
- Equitable share of resources.

It is a violation of the Acceptable Use Guideline for any user to violate these rights.

All users are expected to demonstrate a high level of ethics and regard for others in their access to and use of the campus computing resources. Access to the University's computing resources is a privilege that may be modified or terminated if a user violates the Acceptable Use Guideline or University policies, or local, state, or federal laws.

### **Guidelines**

- Acceptable Use
- Use resources only for authorized purposes.
- Access only files and data that are their own, that are publicly available, or to which they have been given authorized access.
- Use only legal versions of copyrighted software in compliance with vendor license requirements. Be considerate in their use of shared resources. Refrain from monopolizing systems, overloading networks with excessive data, or wasting computer time, connect time, disk space, printer paper, manuals, or other resources.

### **Unacceptable Use**

- The installation or use of unauthorized Wireless Access Points or Routers.
- Displaying sexually explicit, graphically disturbing or sexually harassing images, text or files in a public computer facility, or location, that can potentially be in view of other individuals.
- Attempting to access another user's computer files without permission.
- Supplying or attempting to supply false or misleading information or identification in order to access another user's account.
- Deliberate, unauthorized attempts to access or use University computers, computer facilities systems, programs, or data.
- The unauthorized capturing of computer network data directly from the network backbone or local area networking media, including wireless transmissions.
- Attempting unauthorized access to computers outside the University using the University's computers or communication facilities.
- Intentionally sending either e-mail or a program that replicates itself (i.e., avirus or worm) or damages another user's account, computer, or operating system.
- Recreational game-playing and/or audio/video file sharing that interferes with instructional or work-related use of university-owned computers.
- Using computer accounts for work not authorized for that account.
- Sending chain letters or unauthorized mass mailings.

- Users will not make, store, transmit or make available unauthorized copies of copyrighted material using the university's computers, networks or storage media. Nor may users use peer-to-peer file transfer services or take other actions likely to promote or lead to copyright infringement.
- Using any Information technology resources, including the University's electronic address (e-mail, web), for personal commercial gain, for charitable solicitations unless these are authorized by the appropriate University officer, for personal political activities such as campaigning for candidates for public office, or for lobbying of public officials. For purposes of this policy, "lobbying" does not include individual faculty or staff sharing information or opinions with public officials on matters of policy within their areas of expertise. Faculty and staff consulting that is in conformity with University guidelines is permissible.
- Using University provided personal web space or email accounts for commercial purposes, other than "classified ad" types of use. (As a rule of thumb, if a classified ad would be appropriate for printing in University Notes, then it is acceptable content for a personal web page.)
  - Using the computer for illegal purposes.
  - Sending or leaving abusive, obscene messages or content via computer. Harassing other users by the sending unwanted messages or files.
  - Mass emailing for selling, soliciting, or spamming other users. Running unauthorized servers or daemons, i.e., send mail, named, DHCP, on the network.
  - Denying service through any action will not be tolerated.
  - Running any unauthorized data packet collection program on the network.
  - Attaching any devices to the network without prior approval from OTS is forbidden.
  - Unreasonably slowing down the system through the excessive use of bandwidth; deliberately running wasteful jobs, playing games, downloading non-work-related video and audio files; running file sharing programs like KaAzA, Gnutella, and others; or engaging in other non-productive or idle network traffic.
  - Consuming gratuitously large amounts of system resources (network bandwidth, disk space, CPU time, printer queues, and supplies.)

### **Enforcement**

Minor infractions of this guideline, when likely accidental in nature, such as poorly chosen passwords, overloading systems, excessive disk space consumption, and so on are typically handled in an informal manner by electronic mail or in-person discussions. More serious infractions are handled via formal procedures.

Infractions such as sharing accounts or passwords, harassment, or repeated minor infractions as described in, but not limited to, the above guidelines may result in the temporary or permanent loss of access privileges. A student's academic advisor and/or Student Affairs, or immediate supervisor in the case of a staff or faculty, will be notified in such cases.

More serious infractions, such as unauthorized use, attempts to steal passwords or data, unauthorized use or copying of licensed software, violation of University policies, or repeated violations as described in the above paragraph may result in the temporary or permanent loss of access privileges. In all cases, these types of infractions will include notification of a student's academic advisor and/or Student Affairs, or immediate supervisor in the case of a staff or faculty.

The Office of Technology Services considers any violation of acceptable use guidelines to be a serious offense and reserves the right to copy and examine any files or information resident on University systems allegedly related to unacceptable use. Violators are subject to disciplinary action as prescribed in the

student and employee handbooks. Offenders also may be prosecuted under local, state, and federal laws. Due to the rapid advances in technology, these guidelines are subject to change frequently. For the most recent version of this document see <http://ots.evansville.edu/>.

## **FACILITIES AVAILABLE**

### **CARSON CENTER AND FITNESS CENTER**

Students, faculty and staff may use the gyms, pool, fields, and tennis courts described below. Spouses and children of faculty and staff members may use the pool at no charge anytime it is open for recreational swimming. All persons using facilities must register at the front desk of the Fitness Center. They must present university identification upon entering the facility.

**Guest Fees:** Guests can be admitted accompanied by faculty or staff. Guests are required to pay a \$3.00 guest fee.

**Spouse Membership:** A spouse to a member of the faculty or staff may purchase a membership to use the facility. Cost of the membership is \$190.00/year.

**Gym Areas.** Gym areas are available for recreational use by faculty or staff members during the following times (when not in use for classes, athletic events, or intramurals):

Facilities Available (Fitness Center): Aerobics Room, Conditioning Room, Free- Weight Room, Racquetball courts, Indoor Running Track, and two multi-purpose Indoor Basketball and Volleyball Courts. Outdoor walking and sprint tracks are always available.

Carson Center: Meeks Family Court (two regulation basketball and volleyball courts), and Maikranz Family Gym.

Monday - Friday: 6:30 am - 10:00 pm

Saturday: 11:30 am - 5:30 pm

Sunday: 11:30 am - 9:00 pm

*Summer hours:* Monday – Friday 8:00 am – 7:00 pm

**Wytttenbach Pool.** The pool is available for use at the following times (when not in use for athletics):

\*Depending on availability of lifeguard

**Tennis courts.** Eight tennis courts are available from 8:00 am - 10:30 pm except when being used for classes, athletics, or intramurals. When a sign indicating use is posted, persons must register for a court with the Fitness Center. Neglecting to do so will forfeit use.

**Lockers and Equipment.** Daily lockers in the Fitness Center are available to students and faculty for free while working out. Overnight lockers are available for a fee of \$5.00/semester. \$3.00/summer.

**Towel Service.** Towel service is available at the Fitness Center desk. There is a one-time charge of \$10. *This secures unlimited use of Fitness Center towels.*



*Equipment.* Equipment can be issued, when available, to individuals in exchange for a university identification card. If equipment is not exchanged for the identification withheld, the individual responsible for the equipment must pay the university cost price for the item before identification card is returned.

Equipment Available: Racquetball Racquets, Goggles, Balls, Tennis Racquets and Ball, Bicycle Helmets, Soccer Balls, Basketballs, Volleyballs, Weight belts, Jump Ropes and Aerobic Steps.

*Special Programming.* All faculty and staff may participate in many special programming events during the year; aerobics classes, specialized Fitness Programming and Intramural events.

### **INSTRUCTION SPACE**

The Registrar's Office is responsible for assigning/changing classrooms for all credit classes offered each semester. Assignments are made as a result of the "schedule building" process for each semester. Room changes will be made as needed to accommodate classes. Computer labs that are hosting classes will be scheduled through the Registrar's Office. This office will work in collaboration with the Office of Technology Services.

The Registrar's Office will schedule rooms to accommodate special final exam requests.

ALL other room reservations are done on-line at [myue.evansville.edu/DepartmentPages/Marketing/Pages/default.aspx](http://myue.evansville.edu/DepartmentPages/Marketing/Pages/default.aspx)

This will include but not be limited to meetings, class study sessions or help sessions, other special or one-time events. If any event requires the use of a computer lab, University Relations will work with OTS regarding the scheduling.

### **RIDGWAY UNIVERSITY CENTER**

The Ridgway University Center serves as the community center of the University for all members of the college family--students, faculty, administration, alumni and guests. Facilities for formal dining, lectures, discussion groups, workshops, committee meetings and student or staff organizational meetings are available. Informal dining is available on the main level.

### **RESERVING SPACE FOR UE SPONSORED EVENTS FOR NON-ACADEMIC USE**

See Facilities Use Manual. All other room scheduling will be done on-line This will include but not be limited to meetings, class study sessions or help sessions, other special or one-time events. If any event requires the use of a computer lab, please work directly with OTS regarding the scheduling.

### MICELLANIOUS SERVICES

#### **ADMISSION TO ATHLETIC EVENTS**

All full-time University of Evansville employees are eligible to attend regularly scheduled home athletic events on UE's campus for Women's Basketball, Women's Volleyball, Men's and Women's Soccer, Baseball and Softball free of charge on a space available basis. Employees must present a valid University of Evansville I.D. for admission to these athletic events and are limited to two (2) free admissions per game. This benefit does not include post-season tournaments.

For Men's Basketball tickets, employees will qualify for a 50% discount on two (2) season tickets but

remain liable for the full seat license cost per ticket. Employee season tickets may be purchased once season tickets have gone on sale. IRS guidelines state that any benefit of more than 20% of the price of goods offered to customers/employees must be included in the employee's gross income. The employee will, however, be responsible for the taxable amount on the additional 30% benefit.

Employees may pick up a limit of 2 complimentary individual game tickets for each regular season men's basketball (location to be based on availability and discretion of athletics ticket office and women's basketball (general admission) game held at the Ford Center at no penalty and subject to availability. The athletic department reserves the right to charge employees at a reduced rate for select season games as determined by the Director of Athletics. These tickets are available the week of the game only with a valid UE ID (must be the ID of individual acquiring tickets). Additional tickets may be purchased at full price. All tickets must be picked up at the Carson Center ticket office.

### **UNIVERSITY BOOKSTORE**

In cooperation with Faculty and Academic Administration, the UE Bookstore seeks to provide students with the best possible textbook service and price.

Requests for course material adoptions for the following semester are sent to each faculty member a few weeks before midterm of the current term. Please respond in writing as quickly as possible, using the adoptions form available from either the department secretary or the bookstore. You may also send your textbook adoptions through AceLink.

Every effort is made to assure that each textbook adoption is accurate. Please take care that the author, title and the ISBN number provided are for the exact materials needed. For example, the ISBN on the back of the book is for the book alone. A text bundled with supplemental material will have a different number. Contact the publisher's representative for information concerning textbook details.

Desk or review copies should be requested directly from the publisher. Neither the bookstore nor the University furnishes textbooks to instructors. If a desk copy is unobtainable, the instructor or the department may purchase one copy from the bookstore at a discounted price. Please return any complementary copies to the provider when finished.

The bookstore coordinates faculty regalia for commencement ceremonies. Rental fees are the responsibility of the individual, unless arrangements are made with the appropriate academic department. Order forms are circulated several weeks before the ceremony. Please respond promptly to insure timely arrival of regalia.

The UE Bookstore provides all full-time employees a ten percent discount on regularly priced clothing and gift items. Textbooks, sale priced items, and sundry items are excluded. Please show employee ID card before the clerk begins to ring up merchandise. Spouses are allowed to use the discount if they provide the employee's ID card at the time of purchase. Special seasonal sales and specials are announced in the Crescent and Ace-Notes publications.

### **CREDIT UNION**

University employees are eligible for membership in the Evansville Teachers Federal Credit Union. Payroll deductions requested will be forwarded to the credit union. Applications are available in the Human Resources Office.

## **UNITED STATES SAVINGS BONDS**

The University cooperates with the United States Government Payroll Savings Plan. Participation is optional; application cards and additional information may be obtained from the Human Resources Office.

## **OFFICE OF ADMINISTRATIVE SERVICES**

The Office of Administrative Services oversees Distribution Services (Central Receiving, mailings, and Mail Services), Office Supplies, furniture, surplus property, mail piece design, contract, Purchasing and Purchasing Card Program (Pcard). To make a purchase, it is necessary to complete a requisition, obtain approvals following the UE Approval Policy including the department budget director's signature, additional signatures as required and forward the requisition to the Office of Accounting and Audit for approval. The Office of Accounting and Audit will forward the approved requisition to the Office of Administrative Services so a purchase order can be created and processed. Ordering an item or service directly from a vendor on a requisition without appropriate signature approval can result in the individual who placed the order being held responsible for payment. *C.O.D. orders are not authorized at the University of Evansville.*

Requests for repair and/or service of items such as office equipment, furniture, scientific instruments, musical instruments, vending machines, and residence hall laundry equipment are also processed by the Office of Administrative Services.

University employees may not contract to furnish provisions, materials, services, or supplies to the University. Book royalties may be accepted when sales are handled through regular retail channels.

University employees are not to appropriate money, valuables, commissions, percentages, discounts, rebates, materials or supplies furnished to or for the University. Neither are they to receive for private uses any gift, bonus or gratuity in connection with, relating to, or transpiring from any business transaction with the University.

For more information about the Office of Administrative Services, refer to MYUE.

### COPY/PRINTING

For reproduction of copyrighted material, refer to the section entitled "*Copyright Compliance in the Academic Community and Guidelines to Reproducing Copyrighted Material*" in this manual. For more information, direct questions to [copyservices@evansville.edu](mailto:copyservices@evansville.edu).

### **Satellite Copy Machines**

Eleven quality copying machines, known as satellite copiers, are located throughout the UE campus for immediate small quantity copying of one to fifteen copies. Larger copy jobs are to be sent to Copy Services for production. For current fiscal year pricing, contact Copy Services at extension 1067 or email [copyservices@evansville.edu](mailto:copyservices@evansville.edu).

Satellite copy machines that accept departmentally assigned access codes also have scan to email capabilities. Only official University copying is authorized on departmentally assigned access codes. Currently, using scan to email is a free service.

**Satellite copiers are placed in the following locations:**

- Koch Center for Engineering and Science: Second Floor
- Ridgway University Center: Second Floor
- Residence Life Krannert Hall of Fine Arts Building: Second Floor
- Carson Center: Athletic Copy Area
- Olmsted Administration Hall: Second Floor Graves Hall: Second Floor
- Hyde Hall: Second Floor West End
- Schroeder Family School of Business: East End

To send files to a production copier (C70 or D125) you must have a (specific) print driver installed on your computer. To obtain a print driver, contact the Office of Technology's Helpdesk.

**Distribution Services/Mail Services**

As a part of Distribution Services (DS), Mail Services is located in the General Services building where United States Postal Service (U.S.P.S.) and campus mail is sorted once a day and delivered to departments and residence halls before 4:30 p.m. Monday – Friday. For security purposes, DS Mail Services receives student packages and notifies students via email for pickup. University related outgoing mail and parcels prepared for processing by UE departments are transported to UE's mail contract provider. This includes U.S.P.S. and U.P.S. parcels. Also, DS Mail Services delivers copy orders. Mail Services does not accept personal packages or mail for delivery to employees from carriers. For liability reasons, employees are to have personal mail and packages delivered to their home address.

Acceptable payment for mail services is via a Departmental Datatel account number for work-related (UE business) mail processing or personal check for non-UE related business. Cash is not accepted as a form of payment for these services. Postage stamps for personal use are available for purchase from the UE Bookstore. For more information, Distribution Services at extension 1067.

**United Parcel Service – U.P.S.**

Prepared U.P.S. outgoing University-related parcels that are properly wrapped, addressed with an attached *"UE U.S.P.S. Mail/Parcel Processing Request Form"* may be picked up by Distribution Services Courier and transported to UE's mail contract provider, Data Mail, Inc. for processing. The *"UE U.S.P.S. Mail/Parcel Processing Request Form"* must be completed, authorized and submitted along with the "ready to ship" parcel.

For convenience, there is a U.P.S. drop box for "Pre-Paid Return labeled" parcels that are less than 20" x 20" x 18". The drop box location is outside of the Bookstore delivery door to the left of the service lane. Contact Mail Services at extension 2197 or email at [mailservices@evansville.edu](mailto:mailservices@evansville.edu)

**UE Account Barcode Cards**

Mail Services provides *"UE Account Barcode Cards"* to departments to ensure accurate billing for first class and standard mail that is being sealed and metered by UE's mail processing provider. *"UE Account Barcode Cards"* along with a completed *"UE U.S.P.S. Mail/Parcel Processing Request Form"* are placed on top of single or bundled mail that is secured with a rubber band or binder clip by departments.

**General Mail Information**

Mail requiring special instructions should be bundled with a completed *"UE U.S.P.S. Mail/Parcel Processing Request Form"* securely attached. Departments will find a *"UE U.S.P.S. Mail/Parcel"*. Use of other means to provide information (such as post-it notes or writing on actual mail piece) is not acceptable. Domestic,

International and campus mail should each be bundled separately.

Free postage, shipping or delivery is not a fringe benefit. Employees are advised to have personal mail and packages delivered to their homes. Personal mail and/or packages received in Distribution Services will be returned to the department chair or director.

Packages received by overnight courier services (such as FedEx, UPS, DHL, etc.) are usually delivered the same day to the recipient by UE Distribution Services' staff. If expecting an overnight package, as a courtesy, please notify Mail Services in advance.

**Postage Stamps**

First-Class postage stamps are available for purchase from the UE Bookstore or any local USPS location.

**Addressing Campus Mail**

Campus mail guidelines are established to ensure that UE campus mail is promptly delivered as follows:

Address campus mail using at least three pieces of information such as 1) a person's Name/Subject, 2) department or Area Name or Student, and 3) building Abbreviation with room number when possible.

For example:

Lori Harriss/Accounting & Audit/OH 213

Kim Winsett/Administrative Services

Use the full name of a facility when possible. If using abbreviations, use only official campus abbreviations listed in the online UE Employee Telephone Directory Campus Abbreviations. For example:

<b>Building Name</b>	<b>Abbreviation</b>
Igleheart Building	IB
Hale Hall	HAL
General Services	GS
Olmsted Administration Hall	OH

Secure envelope by sealing it. If recycling old envelopes, use a black marker to cover any previous markings on the envelope.

**Contract Mailings**

The Distribution Services/Mail Service's Courier departs no earlier than 2:00 pm daily to stop by the Stone Family Health & Sciences Center, deliver all outgoing mail to UE's contracted mail processing vendor and to the United States Post Office. When planning large volume, direct mailings that involve databases, electronic address files, inserting, tabbing, etc., please contact the Mailing & Risk Management Specialist at extension 2011 for additional information and assistance. UE has a contractual agreement with a mailing vendor to provide such services.

**Notary**

Notary service is available in the Office of the Vice President of Fiscal Affairs and Administration, Room 214 and in the Office of Academic Affairs, Room 204, Olmsted Administration Hall for certification of University papers and documents requiring seals.

## VEHICLE TRAVEL

Anyone traveling on University-related business is responsible for arranging his/her own ground transportation requirements and are referred to as UE Drivers.

### **UE Driver Requirements**

Only authorized individuals are permitted to drive vehicles on UE-related business. All UE Drivers must possess a valid state of residence driver's license. In addition to a valid driver's license, students, volunteers, employees, and non-UE employees must present proof of insurance (Declaration of Insurance) to their respective UE department (to be filed within the department) for which they are representing while traveling. A valid Proof of Insurance should list the driver's name, policy number, effective date, and expiration date on insurance company letterhead. UE Drivers must follow all UE policies and procedures while traveling.

To assist UE Drivers, rental agreements have been negotiated along with on-line reservation tools with Enterprise Holdings, Budget (Avis) Rent-A-Car and Hertz Rent-A- Car. Go to MY UE.

### **Securing a Rental Vehicle for UE Travel**

UE Drivers may use a UE Individual Pcard or a personal credit card to secure a rental and purchase fuel.

When using a UE Individual Pcard, drivers should save their receipts and reconcile their trip charges in SDG2 (Smart Data Generation 2 MasterCard software) by entering the appropriate Datatel account number and expense description. Please note that there is no mileage reimbursement when using an Individual UE Pcard.

When using a personal credit card, drivers may request reimbursement using a pre-approved "*Travel Request/Reimbursement form*" for their trip expenses by either submitting receipts or by claiming the UE mileage rate, but not both. For example, a UE Driver cannot submit a rental receipt, not have gas receipts and try to claim the mileage rate for the gas purchase.

When driving a rental on UE related business, UE insurance is primary. For a copy of a UE vehicle insurance card go to the travel website at

### **Driving Your Personal Vehicle for UE Travel & Mileage Reimbursement**

UE drivers should list the estimated total number of miles to be reimbursed beside the Travel or Mileage line on the "*Travel Request/Reimbursement form*" and compute the amount requested at \$0.40/mile. Upon return from the trip, the traveler submits the actual mileage on the pre-approved "*Travel Request/Reimbursement*" form in the "Mi" column. Mileage will be reimbursed at the current UE mileage reimbursement rate.

Please note that since mileage reimbursement is being submitted, travelers will be financially responsible for trip fuel and/or personal vehicle expenses and are to not use their UE Pcard for these expenses. Additionally, when driving your personal car on UE business, your personal insurance is primary. For questions related to driving Personal Vehicle for Mileage Reimbursement, contact Accounting & Payroll Manager at extension 5125.

## **Group Travel**

All arrangements for travel by groups in chartered buses previously approved by Risk Management must be processed in accordance with normal purchasing procedures.

While faculty, department heads and others may request information for Risk Management approved chartered transportation services, no commitments or reservations may be made without an official University of Evansville purchase order, if unable to use UE Pcard. **(A requisition must be approved before a purchase order will be issued.) A Certificate of Insurance for the transportation vendor (that lists UE as additional insured) must be on file in the Office of Risk Management prior to any trip confirmation.** The Office of Administrative Services, with the approval of the Vice President of Fiscal Affairs and Administration, is authorized to make commitments on behalf of the University.

UE does not own or lease 15-passenger vans. Due to the high rollover risk factor of 15- passenger vans, the University strongly recommends the use of two minivans for trips or a Tran Connect van, if possible. UE policy only allows for a minimum of 10 people including the driver when renting the larger vans.

If a single field trip or multiple field trips (any trip off-campus) will be required of the students in your class, each trip needs to be specifically listed in your class syllabus.

A waiver will be required of each student if a field trip involves any of the following:

### **Overnight travel [using non-commercial drivers], OR**

- Any day trips over 400 miles round trip, regardless of the number of drivers, OR
- Any day trips lasting more than an estimated 16 hrs. with a minimum of two drivers, OR
- Any day trips lasting more than an estimated 12 hrs. with a minimum of one driver

### **Inherently dangerous trip [examples most likely would include the following:]**

- Geographically Remote site visits (example: Garden of the Gods in Southern, IL)
- Vectren Conservation Park site visits
- Most Venturing Crew activities

### **Water related activities on any body of water [river, lake, creek, pond, etc.]**

- Concrete Canoe competition
- Waivers can be obtained from the UE's MYUE Risk Management intranet site: <https://myue.evansville.edu/DepartmentPages/RiskMgmt/>

Forward all completed waivers at the completion of any field trip to the Office of Risk Management located in the second floor of the General Services building for storage.

## **VEHICLE REGISTRATION/PARKING**

**Registering Vehicle:** The University requires that any vehicle that will be used as transportation to and from campus must be registered with the Office of Safety & Security whether or not the vehicle will be brought onto campus. There is no charge for this registration.

**Permit:** All students, staff, faculty and University-related personnel must have a current and valid University parking permit to park on campus at any time. The permit must be displayed by hanging the permit behind the rear-view mirror of the vehicle being parked. The permit may be transferred to any vehicle owned by the permit holder and still be valid. Only one permit is available for each person. In

appreciation for their gifts to UE, employees who purchased a State of Indiana UE 2016 license plate are eligible for a \$25 credit for the purchase of (1) parking permit. To get the discount you must bring your 2016 vehicle registration form to the Office of Safety and Security when purchasing the UE parking permit. If you have not purchased your 2016 UE license plate prior to purchasing your permit, you may bring your 2016 UE license plate registration to the Office of Safety and Security when you have purchased your 2016 UE license plate and receive a refund of \$25.

**Handicap Permits:** Handicap permits are available upon presentation of documentation from a physician confirming the need for special parking consideration and the length of time the consideration is needed. Short term permits are available. \$50/year; \$25 for those joining the University at the beginning of the spring semester; \$10 for summer sessions. Holders of these permits may park in the handicap parking spaces at all times and all locations.

**How to Acquire a Parking Permit:** All University employees choosing to utilize official University parking areas must acquire a new parking permit prior to the opening of the fall semester of each year. Employees will be issued a color-coded parking permit indicating the specific parking area which they are eligible to use.

**Where to Acquire a Parking Permit:** Employees must acquire that parking permit directly from the Office of Safety and Security located at 1 S. Frederick Street. They may be purchased Monday through Friday between the hours of 8:00 am and 4:00 p.m.

**Temporary Permits:** Temporary permits are available to visitors as well as participants attending special events such as conferences, seminars, etc. Visitors may acquire permits through the Office of Admissions in Olmsted Administration Hall, Room 104, or the Office of Safety and Security at 1 S. Frederick Street.

**Short-term Conferences:** Participants attending short-term conferences or seminars (one to five days) will be provided temporary permits by the conference director. It is the responsibility of the school or college sponsoring the event to make arrangements for such temporary permits through the Office of Safety and Security.

**Cost of Permits.** All University parking permits are \$50 except for new employees coming in for only the second semester. Second semester parking permits are \$25.

**Lost or Stolen Permits.** A lost or stolen permit will need to be replaced. The cost will be based on the specific semester. Replacement during the fall semester will cost \$50, spring \$25 and summer \$10. Any driver using a permit that has been reported as lost or stolen will be fined \$100, whether or not he knows it was stolen.

**Reserved Spaces.** Certain spaces may be reserved in any lot to temporarily solve parking problems. These spaces will be designated by signs or barricades.

**Regulations.** Employees are expected to follow the parking regulations issued with the permit. All tickets issued should be paid within the time allotted. Fines assessed against employees will be forwarded to the Office of Fiscal Affairs and Administration for Collection if not paid by the due date indicated on the bill sent from the Office of Safety & Security. Failure to pay fines may result in the suspension of parking privileges.



## OFFICE SUPPLIES

### **In-House Office Supplies**

The *"In-House Office Supply Order"* form (Revised 7/2019) is available MY UE ADMINISTRATIVE House Office Supply Order Form link located under **Forms & Instructions**. Only the current on-line version of the *"In-House Office Supply"* form may be printed, completed and submitted to Central Receiving via campus mail to request University forms (not available on AceLink), generic stationary and generic envelopes. Authorized and completed *"In- House Office Supply Order"* forms received by 11:00 a.m. are normally delivered to departments by the afternoon of the following business day. Please direct any questions to Central Receiving at extension 2181 or email at [centralreceiving@evansville.edu](mailto:centralreceiving@evansville.edu).

### **Contracted Office Supplies**

The University of Evansville's contracted office supply vendor is Office Depot/Office Max. Office supplies are ordered on-line by authorized department personnel using a UE Pcard. The website, <https://business.officedepot.com>, is the official site utilized by University personnel. This site displays University pricing on all items. Any office purchasing supplies through another source other than UE's contractual vendor may be denied reimbursement.

For new user training or more information, contact the Office of Administrative Services at extension 2941.

### **Purchasing**

Goods and services may be purchased for University-related business using a purchase order or UE Purchasing Card (Pcard). With regards to purchase orders, it is necessary to complete a requisition, obtain department Budget Director's approval, and forward the requisition to the Office of Accounting and Audit for approval. Accounting and Audit will forward the approved requisition to Administrative Services so a purchase order can be created and processed. Ordering an item or service directly from a vendor without following proper procedure can result in the individual who placed the order being held responsible for payment.

University employees may not contract to furnish provisions, material, services or supplies to the University. Book royalties may be accepted when sales are handled through regular retail channels. University employees are not to appropriate money, valuables, commissions, percentages, discounts, rebates, materials or supplies furnished to or for the University. Neither are they to receive for private uses any gift, bonus or gratuity in connection with, relating to, or transpiring from any business transaction with the University.

### **Pcard**

The University of Evansville (UE) Purchasing Card (Pcard) is designed to provide an efficient way to process low dollar (typically less than \$1,500) orders of University business-related goods and services. Qualified department purchases within predetermined purchase limits can be charged directly to the Pcard. All Pcard purchases are billed directly to the University and paid to the contracted bank sponsor. Charges are then uploaded directly to the cardholder's unit budget.

The Pcard is not to be used to purchase Capital Equipment or furniture. For furniture purchases contact the Office of Administrative Services at extension 2941. Capital Equipment may be purchased via a *"Requisition for Purchase Order"* form.

The Pcard program transfers purchasing authority directly to the cardholder. Rather than require a "Requisition" or a "Purchase Order", the Pcard enables departments to quickly and conveniently purchase goods and services from most vendors that accept MasterCard.

The Pcard is to be used strictly for University business only. No personal use of the card is allowed. The Pcard may be used in person or via mail, telephone, or fax. It may also be used over a secure Internet link. The Pcard is not intended to be used in a manner such that it avoids or bypasses appropriate procurement or payment procedures.

For more Pcard information (card types, training, requirements, use, etc.), Contact the Office of Administrative Services at extension 2941.

## **RECYCLING**

The University of Evansville's recycling program has been in operation since 1990. The program has grown from obscurity to one that serves all areas of the campus community, providing an effective method of separating recyclable materials from solid waste on campus. Recognizing the importance of keeping reusable materials out of our landfills has prompted the University to develop the best possible methods of recycling. Our goal is to have an efficient operation while providing a suitable means for conserving our natural resources and protecting our environment.

If you have questions about the program or would like to offer support, please call the Office of Risk Management at extension 2697. Together we can continue our effort of sound environmental practices that will help preserve our natural resources.

## **PHYSICAL PLANT**

The Physical Plant staff maintains and operates buildings and grounds and provides custodial and utility services.

1. **Keys.** The Physical Plant Department issues keys for all University physical property. To obtain a key, submit a "Key Requisition Form" to the Physical Plant Office. Forms are available at the office. A \$5 deposit per key is required, with a maximum total deposit of \$10 for multiple keys. Requisitions for keys to other than assigned offices must be signed by the appropriate Dean or Vice President. Reproduction of keys for the University lock system by anyone other than the University locksmith is not authorized. Issued keys should never be loaned or exchanged. All issued keys must be returned to Physical Plant upon leaving University employment. Final salary payment will not be released until all keys have been returned.
2. **Maintenance Service.** Requests for maintenance services may be submitted by phone or memorandum to the Physical Plant Office, on line at <http://www.evansville.edu/offices/physicalplant/>, or through ACE LINK. Requested services with specific costs beyond Physical Plant budget authority will require funding by the requesting department. Changes to building structures, wiring, plumbing, finishes, or furnishings are to be made by Physical Plant employees only.

TELEPHONE - See Office of Technology Services

## **OFFICE OF RISK MANAGEMENT**

Risk Management's mission is to work with campus constituents to develop and maintain a safe University environment for students and employees. This is accomplished through the development and administration of effective policies and procedures through collaboration with University faculty, staff, administration, students, risk management industry and higher education resources, all while adhering to federal, state and local regulations.

Risk Management involves all aspects of the campus community. This is represented on the Risk Management CORE Committee and through the six sub-committees including Academic-External, Academic-Internal, Athletic, Community/Special Events, Student, and Work Environment.

It is each employee's responsibility to carry out his/her assigned duties in a safe, responsible manner. The Director of Risk Management and Manager of Environmental Health and Safety are available to discuss and work with the UE community to manage risk for UE and its students and employees. Please contact extension 2027 with any questions.

### **Agreements & Contracts**

Agreements such as affiliations, clinical service, Harlaxton and all contracts normally submitted for review by the Vice President of Fiscal Affairs and emailed to [contracts@evansville.edu](mailto:contracts@evansville.edu). This email is monitored and assists in speeding up the review process and required signatures.

Other agreements and contracts entered into on behalf of UE are to be reviewed, prior to approval, by the Director of Risk Management to ensure that UE is managing its risk appropriately for the proposed terms and conditions of the contract. Additionally, it is to ensure that all non-UE parties of the contract are meeting UE's insurance requirements and conforming to UE's risk management guidelines.

### **Certificate of Insurance/ Contracted Vendors**

All UE contracted vendors that provide any type of goods or services, whether through an official agreement or contract, purchase order, or Pcard transaction, must have a current "*Certificate of Insurance*" on file within the Office of Risk Management prior to providing UE with the specified goods or services.

It is the responsibility of the initiating UE employee and/or department head to verify that the vendor has provided the Office of Risk Management with the correct documentation. If vendor has not provided appropriate information, Risk Management staff will work with requesting department and vendor to capture such documents.

### **Insurance**

The precise details of all the property, liability, and vehicle insurance coverage are set forth in separate policies, which are available through the Office of Risk Management. If any questions arise concerning coverage, the terms and provisions of the master policy shall be controlling.

### **Property Insurance**

University property is insured on a replacement value basis with a \$50,000 deductible per event. All losses must be reported to the Director of Safety and Security and the Director of Risk Management who has the insurance claims responsibility.

Personal property on the University premises is not insured by the University's insurance. Books, instruments, papers, vehicles, bikes, etc., should be protected from loss or theft, flood or water damage by the employee's personal insurance programs under separate policies or by extending their homeowners or tenant insurance policies. Losses should be reported to the Director of Safety and Security and the Director of Risk Management as a record for insurance claims and for any assistance in recovery of the personal items through local, state, and federal authorities.

### **Liability Insurance**

The University purchases general liability, sexual misconduct liability, auto liability and educators' legal liability insurance. Medical and educational professional liability coverage for errors and omissions is included in this insurance program. All policies are endorsed to include University employees as insured's while performing their job responsibilities both on and off campus.

Employees are responsible for insuring their personal belongings at all times. Employees authorized to entertain in their personally owned homes on behalf of the University, and with prior approval from Area Vice President and Director of Risk Management (for risk management purposes), should purchase homeowner's insurance to protect themselves from claims arising from defects in their home. Insurance law requires the University's auto liability insurance to be excess of any private auto insurance when a private vehicle is driven for University business.

### **Any act committed or work performed that is prohibited by a federal, state or local law is not covered by insurance.**

All threats of claims, lawsuits or subpoenas to employees involving their University responsibilities must be reported to the Area Vice President, Vice President of Fiscal Affairs and the Director of Risk Management immediately. The Vice President of Fiscal Affairs will obtain any necessary legal service under the University's insurance policies to defend any claim against the employee or the University for all actions involving University responsibilities.

### **Vehicle Insurance**

All University vehicles are covered beyond the maximum liability required by state laws when they are used on University business. University vehicles include owned, leased, loaned or rented vehicles to the University of Evansville or a UE employee for authorized University business. University vehicles are covered for damages to the vehicles with a \$500 deductible. Personal vehicles or private vehicles are not covered for property damage even though used for University business. The insurance carried by the vehicle owner is the governing policy in the event of damage to the vehicle. (While employees are operating vehicles for University purposes, they are protected for liability purposes).

### **Worker's Compensation Insurance**

The University carries insurance for all injuries received on the job both on the campus and at designated locations where responsibilities are carried out for the University of Evansville. Loss of income is also protected in accordance with the Indiana Workers.

**Compensation provisions.** All injuries, accidents or illnesses that occur on the campus or as a result of assigned work must be reported immediately on a University accident report and to the immediate supervisor. Any non-emergency medical treatment must be administered by St. Vincent's Occupational Medicine and scheduled by the Office of Risk Management. All other treatments may not be covered unless administered in this manner.

## APPENDIX A

### HARLAXTON COLLEGE

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A distinct faculty manual is available for Harlaxton College. While it mirrors University academic policies and procedures in many regards, it is specifically designed to help faculty during their time teaching at Harlaxton. A copy of the current manual is kept on file in the Office of Academic Affairs. Interested faculty and administrators are free to review it.

Faculty wishing to teach at Harlaxton must submit an application, CV and have an appraisal submitted by their chair or dean. The Harlaxton Executive Director and Dean and the Dean's Council will review these applications and inform faculty of the outcome of their application. This process generally takes place 18 months before a faculty member will teach at Harlaxton.

## APPENDIX B

### ATHLETICS MISSION

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Preparing student-athletes for life while successfully competing at the Division 1 level.

## APPENDIX C

### FACULTY PERSONNEL DEADLINES 2021-2022

September 25*	All second-year, fourth year, and any other probationary faculty scheduled for formal review submit required self-evaluations and related materials on teaching and professional activities to their department chair.
September 25*	All faculty members to be reviewed for tenure and/or promotion submit required self-evaluations and related materials on teaching and professional activities to their department chair. Required reviews obtained from external evaluators will be incorporated into the faculty member's dossier.
Sept.25–Oct.9*	All tenured faculty in the academic department or school review the faculty member's dossier for formal probationary review and write an individual letter of assessment for inclusion in the dossier.
Sept. 25–Oct.9*	All tenured faculty in the academic department or school and other tenured faculty selected to bring the number of reviewing faculty to at least three review the faculty member's dossiers for tenure and/or promotion and write an individual letter of assessment for inclusion in the dossier.
October 10-11*	Department chairs meet with tenured faculty to review and evaluate faculty for tenure and/or promotion.
October 20	Faculty submit sabbatical requests to department chair.
October 20*	Department chairs submit complete probationary review dossiers, including in each a summary evaluation of the faculty member with recommendation for continuation or non-renewal of appointment, to the dean. A copy of the summary evaluation and recommendation is also provided to the faculty member.
October 20*	Department chairs submit complete tenure and/or promotion review dossiers, including in each a summary evaluation of the faculty member with a recommendation to grant or not grant tenure and/or promotion, to the dean. A copy of the summary evaluation and recommendation is also provided to the faculty member.
October 20*	Department chairs submit sabbatical recommendations (including implementation plans/needs) to dean.
November 1	Deans submit sabbatical recommendations to the Exec. Vice President, Academic Affairs.
November 2*	Deans submit to the Exec. Vice President, Academic Affairs complete probationary review files for second-year, fourth year and any other probationary faculty scheduled for formal review. Each must include a summary evaluation of the faculty member with a recommendation to grant or not grant tenure and/or promotion. A copy of the summary evaluation and recommendation is sent to the respective faculty member.
November 5*	Deans submit to the Exec. Vice President, Academic Affairs complete tenure and/or promotion review dossiers, including in each a summary evaluation

	of the faculty member with a recommendation to grant or not grant tenure and/or promotion, to the Exec. Vice President, Academic Affairs. A copy of the summary evaluation and recommendation is sent to the respective faculty member.
November 5-Dec 10	Faculty Promotion and Tenure Committee reviews faculty dossiers and/or promotion to be transmitted by the Exec. Vice President, Academic Affairs to the President.
November 15*	Faculty members wishing to comment upon or respond to an academic unit's and/or dean's evaluation and recommendation submit statements to the Exec. Vice President, Academic Affairs.
December 3	Deadline for notification of termination to second year probationary faculty whose appointments expire on May 31.
***January 25	All faculty present required evaluation materials to their immediate supervisor (department chair or dean).
January 31**	Exec. Vice President, Academic Affairs makes tenure and promotion recommendations to the President.
February 1	Department chairs consult with tenured faculty about continuation or non-renewal of first, third- and fifth-year appointments.
February 10	All department chairs submit written comments related to performance evaluations and any other related materials to the Dean. Evaluation conferences must be completed, and the faculty member provided with a copy of the written evaluation.
February 10	Department chair recommends continuation or non-renewal of appointment of first, third- and fifth-year appointments to the dean and informs the faculty member about his/her recommendation.
February 10	Dean assigns salary merit pool to departments.
February 18	Dean recommends continuation or non-renewal of first, third- and fifth-year appointments to the Exec. Vice President, Academic Affairs and informs the faculty member about his/her recommendation.
February 28*	Deadline for a faculty member to appeal to the President if in disagreement with recommendation on tenure and/or promotion
February 28*	Exec. Vice President, Academic Affairs informs first year appointments about continuation or non-renewal.
March 2	Merit recommendations from dean submitted to Exec. Vice President, Academic Affairs.
March 31*	All faculty members eligible for tenure review and/or requesting consideration for promotion review in the fall term of the next academic year consult with the department chair to ascertain the names of three outside reviewers to whom materials will be sent for evaluation.



April 13*	The dean or chair will contact the external reviewers. All materials are requested to be returned to the faculty member by September 1.
May 1*	In Departments with fewer than three tenured faculty members not including the department chair, all second year, fourth year, and any other probationary faculty scheduled for formal review will consult with the department chair to select tenured faculty from outside the department to provide a formal review of performance. The total number of tenured faculty reviewers in addition to the chair will be at least three. If the probationary faculty member and the department chair cannot agree on the selection of tenured faculty from outside the department, the Dean will resolve the issue.

PROMOTION AND TENURE REVIEW SCHEDULE (Whenever a date in this schedule falls on a Saturday or Sunday, the effective date will be the following Monday.)

\*\*\*APPENDIX D

ACADEMIC ADMINISTRATION 2022-2023

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President	Christopher Pietruszkiewicz
Executive Vice President, Academic Affairs, and Provost	Michael S. Austin
Vice President for Development and Alumni Relations	Abigail Werling
Vice President for Enrollment & Marketing	Jill Griffin
Vice President for Student Affairs/Dean of Students	Rachel Carpenter
Vice President of Fiscal Affairs and Administration	Donna Teague
Vice President for Talent and Community	Rob Shelby
Associate Vice President Academic Affairs	Dave Dwyer
Assistant Vice President Academic Affairs	Paula Heldt
<b>College of Business and Engineering</b>	
Dean, Professor of Business Administration	Beverley Brockman
Associate Dean, School of Engineering and Computer Science & Professor of Civil Engineering	Suresh Immanuel
Associate Professor of Mechanical Engineering	Jared Fulcher
Associate Professor of Mechanical Engineering	Jessica Bock Lofton
Professor of Mechanical Engineering	John Layer
Professor of Mechanical Engineering	Peter Schmidt
Professor of Mechanical Engineering	Douglas Stamps
Professor of Mechanical & Civil Engineering	Brian Swenty
Professor of Mechanical & Civil Engineering	David Unger
Assistant Professor of Civil Engineering	Hyunsoung Park
Visiting Assistant Professor of Electrical and Computer Engineering	Pallav Kumar Bera
Assistant Professor of Computer Science	Maxwell Omwenga
Associate Dean, School of Business & Assistant Professor of Accounting	Martha Stilwell
Associate Professor of Accounting	Rania Mousa
Assistant Professor of Accounting	Ben Johnson
Accounting Lecturer and Career Success Coach	Megan Taylor
Associate Professor of Economics	Omer Bayar
Professor of Finance	Walayet Khan
Professor of Finance	Christopher Brockman
Assistant Professor Logistics/Supply Chain Management	Yolanda Obaze
Clinical Assistant Professor Logistics/Supply Chain Management	Faith Fox
Associate Professor of Management	Laura Dwyer
Assistant Professor of Management	Heather Fenton
Assistant Professor of Marketing	Aaron Schibik
Clinical Assistant Professor of Business Law	Joshua Fenton

Professor of Marketing	Robert Montgomery
Clinical Assistant Professor of Data Analytics	Julie Frazier

<b>College of Education and Health Sciences</b>	
Dean, Associate Professor of Physical Therapy	Mary Kessler
Co-Chair, Assistant Professor of Education	Shari Millikan
Co-Chair Clinical Assistant Professor of Education	Allison Jones
Associate Professor of Education	Amy McBride
Assistant Professor of Education	Lisa Marie Hale
Lecturer/Transition to Teaching Coordinator	Laura Watkins
Lecturer, Coordinator of Student Teaching	Leanne Nayden
Part-Time Lecturer	Sherrill Rayford
Adjunct Professor	George Iber
Professor Emerita	Davies Bellamy
Professor and Director of Health Services Administration	William Stroube
Associate Professor of Public Health	Payal Patel-Dovlatabadi
Associate Professor and Director of the Institute for Public Health	Su Jin Jeong*
Assistant Professor and Director Undergraduate Athletic Training Program	Jeffrey Tilly*
Program Director for Undergraduate Athletic Training	Susan Laughbaum
Head Athletic Trainer	Terry Collins
Professor, School of Health Sciences	Hyunjae Jeon
Chair, Associate Professor of Nursing	Jerrilee LaMar*
Assistant Professor of Nursing	Donna Cobb
Assistant Professor of Nursing and Simulation Coordinator	Joan Fedor-Bassemier
Assistant Professor of Nursing	Amy Walker
Assistant Professor of Nursing	Theresa Price
Assistant Professor of Nursing	Kelly Pruden
Assistant Professor of Nursing	Bailey Rankin
Assistant Professor of Nursing	Melissa Rea
Assistant Professor of Nursing	Katie Thomas
Assistant Professor of Nursing	Jamey Williams
Assistant Professor of Nursing	Joanie Moyer
Administrator/Chair Program of Anesthesia	Melissa Fitch
Clinical Coordinator/ Nurse Anesthesia	Joe Grazaitis
Assistant Program Director/ Associate Professor Nurse Anesthesia	Meghan Buchta
Chair, Associate Professor of Physical Therapy	Bethany Huebner*
Assistant Professor of Physical Therapy	Jordana Lockwich
Associate Professor of Physical Therapy	Ling-Yin Liang
Assistant Professor of Physical Therapy	Kyle Matsel
Assistant Professor of Physical Therapy	Charlene Nolen

Assistant Professor of Physical Therapy	Jason Pitt
Assistant Professor of Physical Therapy	Phil Plisky
Assistant Professor of Physical Therapy	Kate Schwartzkopf-Phifer
Assistant Professor of Physical Therapy	Kate Whetstone
Assistant Professor of Physical Therapy	Hannah Lamar
Assistant Professor, Director of Clinical Education	Mark Marchino
Director of Clinical Outreach	Kim Moors
Professor Emerita of Physical Therapy	Kyle Kiesel
Professor Emerita of Physical Therapy	Tink Martin
Chair, and Associate Professor of Physician Assistant Science	Andy Lampkins*
Medical Director	Paul Perry
Director of Clinical Outreach	Kim Moors
Director of Clinical Education Assistant Professor of Physician Assistant Science	Janelle Evernham
Associate Professor of Physician Science and Assistant Professor	Sean Harper
Clinical Professor of Physician Assistant Science	Claire Nutt
Clinical Assistant Professor Physician Assistant Science	Rebekah Basham
Clinical Instructor of Physician Assistant Science	Cindy Kissel
<b>College of Arts and Sciences</b>	
Dean, Professor of Chemistry	Ray Lutgring
Chair, Professor Archaeology	Alan Kaiser*
Associate Professor of Archaeology	Jennie Ebeling
Associate Professor of Archaeology	Patrick Thomas
Professor of Philosophy & Religion	James Ware
Chair, Associate Professor of Art	Todd Matteson*
Professor of Art	Stephanie Frasier
Professor of Art	Ralph Larmann
Chair Biology	Dale Edwards*
Associate Professor of Biology	Katie Aldred
Associate Professor of Biology	Mark Davis
Lab Supervisor Biology	Daniel French
Associate Professor Biology	Noah Gordon
Professor of Biology	Cris Hochwender
Assistant Professor Biology	Julie Merkle
Associate Professor of Biology	E. Ann Powell
Professor of Biology	Joyce Stamm
Chair, Professor of Chemistry	Kristy Miller*
Professor of Chemistry	Arlen Kaufman
Assistant Professor of Chemistry	Roslyn Lampkins
Professor of Chemistry	W. Bryan Lynch
Lab Supervisor Chemistry	Christopher Morong
Associate Professor of Chemistry	Michael Slade
Professor of Communications	Mark Shifflet*

Professor of Communications	Tamara Wandel
Assistant Professor Communications	Joe Atkinson
Chair, Professor of Literature	Mark Cirino*
Associate Professor of Creative Writing	Katie Mullins
Associate Professor of Creative Writing	Lisa Nikolidakis
Associate Professor of English	Robert Baines
Associate Professor of English	Kristina Hochwender
Assistant Professor of English	Sara Petrosillo
Assistant Professor of First Year Seminar	Kristina Grove
Chair, Associate Professor of German	Lesley Pleasant*
Associate Professor of Spanish	Lorena Andueza
Associate Professor of Spanish	Diana Rodriguez Quevedo
Assistant Professor of Spanish	Lucinda Crowe
Chair, Professor of History	James MacLeod*
Associate Professor of History	Daniel Byrne
Associate Professor of Political Science	Robert Dion
Senior Lecturer in British Studies and History	Edward Bujak
Senior Lecturer in British Studies and History	David Green
Professor of Religious Studies	Valerie Stein
Chair, Associate Professor of Psychology	Elizabeth Hennon Peters*
Professor of Psychology	Stephen Mark Kopta
Professor of Psychology	Lora Becker
Assistant Professor Psychology	Vincent Campese
Visiting Assistant Professor of Psychology	Evan McCracken
Associate Professor of Psychology	Kevin Jordan
Assistant Professor of Psychology	Matthew Powless
Associate Professor Cognitive Sciences	Derek Jones
Associate Professor of Sociology & Criminal Justice	Mari Plikuhn
Associate Professor of Sociology	Kevin Gray
Associate Professor of Mathematics and Chair	Erin Bredensteiner Davis
Professor of Mathematics	David Dwyer*
Professor of Mathematics	Mohammad Azaria
Assistant Professor of Mathematics	Omid Khormali
Professor of Mathematics	Clark Kimberling
Co-Chair, Professor of Music Director of Choral Activities	Dennis Malfatti*
Co-Chair, Associate Professor of Music, Director of Bands	Kenneth Steinsultz*
Professor of Music	Anne Fiedler
Associate Professor of Music	Alanna Keenan
Assistant Professor of Music Therapy	Demian Kogutek
Assistant Professor of Music, Director of Orchestral Activities	Chun Ming-Chen
Professor of Music	Tim Zifer
Assistant Professor of Music	Gregory Rike
Adjunct Professor of History	Kristen Strandberg
Visiting Assistant Professor of Music	Charles du Preez
Professor, Access Services Librarian	Meg Atwater-Singer
Professor, Collection Development and Electronic	Danielle Williams

Resources Librarian	
Chair, Associate Professor of Physics	John Stamm*
Professor of Physics	Jeff Braun
Lab Supervisor Physics	David Fentress
Chair, Managing Director	Sharla Cowden*
Professor of Theatre History and Criticism	Diane Brewer
Associate Professor of Theatre Lighting Design	Stephen Boulmetis
Associate Professor of Scenic Design	Eric Renschler
Visiting Assistant Professor of Acting	Stacey Yen
Assistant Professor of Theatre Costume Design	Sarah Smith
Assistant Professor of Theater Acting	Amelia McClain
Assistant Professor Theatre Production Manager	Michell Critel
Resident Director Adjunct Instructor of Directing	Wes Grantom
Costume Shop Manager	Jean Nelson
<b>Center for the Advancement of Learning</b>	
Senior Director	Cynthia Felts
Director of Online Learning	Leslie Barton
Assistant Director of Online Learning	Kristen Strandberg
Assistant Professor of Education Director Master of Science in Leadership Program	Johnna Denning Smith
<b>Center for Innovation and Change</b>	
Faculty Director	Derek Jones
Director	Erin Lewis
Associate Director	Brooksie Smith
<b>Eykamp Center for Teaching Excellence</b>	
Co-Faculty Director	Kristina Hochwender
Co-Faculty Director	Kyle Matsel
<b>Honors Program</b>	
Faculty Director	John Stamm
<b>First Year Seminar</b>	
Faculty Director	Derek Sims
<b>Harlaxton College</b>	
Executive Director and Dean	Holly Carter
Vice Principal for Business and Technology	Ian Welsh
Senior Lecturer in British Studies and History	Edward Bujak
Senior Lecturer in British Studies and History	David Green
College Accountant	Nicola Burrige

## APPENDIX E

### ACADEMIC POLICIES

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#### **Standard lecture/discussion courses**

1 hour of credit = 3 hours of work per week

#### **Standard lecture/discussion course plus other faculty responsibilities** (advising, committee work, recruiting, research, scholarship, service, etc.)

1 hour of credit = 4 hours of work per week

#### **Clinical instruction** (laboratories, clinicals, studio art, applied music, design projects, etc.)

1 clock hour = 1.5 hours of work per week

#### **Education**

##### **Student teacher supervisors**

1 student = 1 hour of work per week

##### **Intern supervisors**

1 intern = .5 hours of work per week

**Non-traditional courses in accelerated programs** (OL, GL, MS PSA) 1 clock hour = 3 hours of work per week

**[Approved by Deans' Council February 4, 2013]**

## **ACADEMIC CREDIT POLICIES**

### **Credit Hour Policy**

Academic Credit for semester length courses at the University of Evansville shall be based on the following “seat time” standards and definitions related to “Credit hour” specified in the final regulations issued by the US Department of Education (Regulatory Citation: 34 CFR § 600.2).

**“Clock hour:** *A period of time consisting of—*

1. *A 50- to 60-minute class, lecture, or recitation.*
2. *A 50- to 60-minute faculty-supervised laboratory, shop training, or internship.*

**“Credit hour:** a credit hour is an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates not less than—One clock hour of classroom or direct faculty instruction and a minimum of two hours of out of class student work each week for approximately fifteen weeks for one semester. At least an equivalent amount of work as required in paragraph (1) of this definition for other academic activities as established by the institution including laboratory work, internships, practicum, studio work, and other academic work leading to the award of credit hours.”

At UE under (2) of the above “Credit hour” definition, the following shall be quantified as one “Credit hour” as spelled out by the Indiana University Northwest on April 15, 2011

- “2 hours of laboratory, studio, or similar activities and one hour of additional student work per week, or
- 3 hours of laboratory, studio, or similar activities per week, or 3 hours of supervised independent study per week or
- 45 - 75 total hours of supervised clinical or fieldwork experiences (additional preparation time may be required).”

For non-semester length courses and semester length courses that are exceptions to the general rule the “learning outcome”, rather than “seat time”, standard may apply. The “learning outcome” standard requires that the student demonstrate to the satisfaction of the department awarding the credit evidence of actual achievement of course objectives in regards to the credit hour that are at least equal to the intended learning outcome under the Federal definition, i.e., a learning outcome expected from an amount of work equivalent to experiencing one hour of class attendance or faculty instruction per week, for 15 weeks, in a course that requires for the average student two hours of additional work for every one hour of class attendance and/or instruction.

UE follows the University of North Carolina at Chapel Hill’s application of the credit hour policy (effective since February 10 2012): *“This credit hour policy applies to all courses at all levels... that award academic credit (i.e., any course that appears on an official transcript issued by the University) regardless of the mode of delivery including, but not limited to, self-paced, online, hybrid, lecture, seminar, and laboratory.” Academic departments “are responsible for ensuring that credit hours are awarded only for work that meets the requirements outlined in this policy.”*

*[Approved by Faculty Senate December 4, 2012]*



## **Dual Credit Policy**

### **Dual Credit Course Requirements**

All Bridge (dual credit) teachers and courses offered in the high school will be approved by the Chair of the department for which credit will be earned and by the Exec. Vice President for Academic Affairs. Bridge teachers are considered adjunct faculty members and meet the same qualifications as other adjuncts.

Documentation for all faculty appointments will include complete official transcripts and a resume. An updated syllabus will be submitted each year for review and continued approval. Each course will be assessed per the academic requirements for the course being offered.

*Revised by L. Penland May 2015*

## **Teaching Load Credit Policy**

### I. Introduction

- The purpose of this policy is to identify and define those learning situations that contribute to a faculty member's teaching load.
- As stated in the Mission Statement "The University of Evansville is dedicated to active learning and scholarship," and various learning or teaching situations contribute to the atmosphere of active learning and the faculty capacity for scholarship and creative work.
- The following represents policies and practices that are currently in place and govern the calculation of teaching load credit for full-time faculty.

### II. Load Credit Policy for Standard Lecture/Discussion Courses

The Standard Teaching Schedule for Lecture/Discussion courses over the span of the academic year is eighteen (18) to twenty-one (21) semester hours, which in typical lecture classes is the equivalent of six (6) or seven (7) courses.

### III. In Standard Lecture/Discussion Courses, one (1) hour of teaching load credit is assigned for one (1) hour of academic credit. Load Credit Policy for Specialized Course.

- The University offers a variety of specialized courses that present unique teaching and learning situations.
- These specialized courses do not fit the Standard Lecture course format in terms of student contact hours, faculty responsibility, or preparation.

These Specialized Courses are:

- Laboratory Courses - variable enrollment courses that require 2 or more hours of contact time; sufficient expertise and time to plan and/or prepare equipment, software, or materials; and grading of lab work. 2/3 Teaching Load Credit (TLC) is earned for each contact hour, e.g. 2 TLCs earned for a 3 contact-hour lab.

Clinical or Clinical Practicum Courses (including Physical Therapy Laboratory Courses) - variable enrollment courses that necessitate guiding or mentoring by the faculty member for students in "hands-on" experiences.

Preparation of topic, materials, or equipment plus grading and evaluation are features of this learning situation. 3/4 Teaching Load Credit (TLC) is earned for each contact hour, e.g. 2 1/4 TLCs earned for a 3 contact-hour clinical.

- Studio Courses – courses that meet for 3 or more hours; require sufficient preparation and planning of materials or topic; may involve a combination of lecturing, demonstration, and directing students through hands-on experiences; and evaluation of work. The TLC earned in Art Studio Courses is a ratio of 2/3 (2 TLC for 3 contact hours).
- Internship Courses - variable credit courses that require the faculty member to monitor student progress; maintain communication with the on-site supervisor; and evaluate work. Teaching load credit is determined by department with approval from the Dean and VPAA. If the internship is a preferred experience in the degree program (e.g. a requirement for admittance in to graduate school), the internship should be assigned the same TLC allocation as Independent Study.
- Student Teaching - requires faculty members to maintain communication with the cooperating teacher or supervisor; complete periodic site visits; and monitor the development and work of the student. 1/2 TLC per studentteacher.
- Independent Study Courses – unique and department specific variable credit courses that fall under one of the categories below. Topics and projects are selected in consultation with the faculty member. Contact hours and course preparation may vary according to the course. Depending upon the nature of the Independent Study the TLC is 1/6 per student per credit; however, in exceptional circumstances more or less TLC may be granted but will not exceed the TLC credit assigned to a comparable standard lecture/discussion course. Load credit is determined by the department chair with approval from the appropriate Dean and the EVPAA.

#### Independent Study Categories

- Required courses needed for graduation and including courses not scheduled for the semester with enrollment of less than 6 students. The number of classes per week, preparation, and grading may be similar to standard courses. Faculty-directed student research involving 1:1 directed study and several lab or contact hours per week.
- Special topics or projects which may include but are not limited to courses needed: to prepare a student for graduate school, a standardized exam, or certification; to provide upper-level instruction in a language; or to provide instruction for unique lab or studio projects. Multiple class sessions per week may be needed.
- Special Topics Courses – variable credit courses that explore topics not included in other pre-approved courses and provide formal, in-depth instruction on a selected topic. Class preparation and contact hours may be similar to that of Standard Lecture courses. 1 TLC per 1 credit hour.
- Applied Music - variable credit courses that involve individual vocal or instrumental instruction in a 1:1 setting. Selection of repertoire, coaching of technique, and guiding student's preparation for performance are key components. 2/3 TLC per contact hour.
- Music Ensemble Courses - are variable sized courses. Extensive preparation of music material and instructional procedures are needed prior to each class, and length of class period varies. Strategies to develop technique and prepare students for performance are key features of these courses. For ensembles with enrollment of 12+ 1 TLC for each contact hour. For ensembles with enrollment of <12 the TLC is 2/3.

- Other Music Courses (literature or pedagogy of the applied, techniques classes)
  - are variable sized courses utilizing a specific topic to acquire performance skills and specialized learning related to performance. Techniques courses earn 1 1/3 TLC per course, all other courses earn 1/3 TLC per student.
- Team Teaching - those situations in which two or more faculty members share all responsibilities for one course. Load credit and responsibilities should be divided equally or fairly.

#### IV. Department Responsibility

- Adjustments or modifications in Teaching Load Credit for Specialized course offerings due to unique or special circumstances need to be made at the Departmental level with the approval of the Dean and VPAA.
- Each Department chair should avoid an overload above the Standard Teaching Schedule. In the event of an overload, extra compensation will not automatically be awarded.

**[Approved by Faculty Senate October 7, 2008]**

## **Transfer Credit Policy**

### **Transfer Credit**

The University of Evansville evaluates and may accept credit earned at other regionally accredited educational institutions. The majority of credit hours required for a University of Evansville degree must be earned from a bachelor's degree program. No more than 60 semester hours of credit from a junior college or community college may be transferred to the University, except in cases where an articulation agreement has been established.

At least 48 hours, including the last 15 hours and the majority of hours in the major, must be completed in residence to earn a baccalaureate degree from the University of Evansville, subject to the requirements of specific majors.

Once matriculated, a University of Evansville student may take no more than three courses (maximum 10 credit hours) from another institution for transfer credit to be applied to his or her degree. The total of all transfer hours may not exceed the requirements that must be completed in residence at UE. Prior written approval from the student's academic advisor and the registrar via the transfer credit request form is required for each course the student takes for transfer credit. Failure to obtain prior approval may result in credits not transferring. The three-course limit for transfer credit may not apply to students participating in an approved study abroad program not available through the University of Evansville.

Transfer credit is awarded only upon receipt of an official transcript sent directly to the UE Registrar's Office from the transfer institution. Each course is evaluated separately (except in cases of articulation agreements) to determine if it can apply toward a UE degree. The University reserves the right to accept or reject courses for transfer credit. Courses with a grade of D or lower and institutional exams will not be accepted for transfer credit. Grades are not transferred, only credits are transferred. Credits from other accredited educational institutions will not be posted to a student's transcript unless the credit applies to a student's degree program.

The University of Evansville has articulation agreements with Ivy Tech Community College of Indiana, Vincennes University, Henderson Community College and Owensboro Community and Technical College.

Please visit [www.evansville.edu/tuitionandaid/articulationagreements.cfm](http://www.evansville.edu/tuitionandaid/articulationagreements.cfm) for the most update list of UE's articulation agreements.

## **ENDOWED POSITIONS**

### **Selection Process for Naming Endowed Positions\***

As the need arises, an Endowed Position Advisory Committee will be established to recommend faculty members for endowed positions. The processes for determining Advisory Committee memberships depend upon the restrictions of the position and are described in the Appendix.

The relevant administrator\*\* will ensure the Endowed Position Advisory Committee assembles and will furnish the Advisory Committee with a description of the eligibility requirements and any benefits to the position holder. The Advisory Committee will provide the names of recommended appointees, normally at least two, to the relevant administrator. If only one faculty member is eligible, the committee will forward that name to the dean.

The Dean, in consultation with the EVPAA, or the EVPAA, in consultation with the president, will appoint the position holder from among the names submitted.

\*Endowed positions include, but are not restricted to endowed chairs and endowed professors\*\*The college/school Dean, in the case of a position restricted to a single department or college/school, or the EVPAA, in the case of a position for which faculty from more than one college or school are eligible.

### **Appendix: Processes for Selecting Endowed Position Advisory Committees**

A. When the position holder is restricted to a single department.

1. Unless specified otherwise, the department may, by two-thirds majority of the tenured faculty, recommend to the dean that the endowed position be used toward recruiting an additional faculty member if the position has been approved.
2. In all other cases, the college/school Dean will appoint an Endowed Position Advisory Committee.
  - a. The size of the committee will be determined by the dean, with a range of 3 to 5 members.
  - b. Make-up of the committee will include any members of the department not eligible or those who have waived the right to be selected for the endowed position.

B. When the position is not restricted to a single department but is restricted to a single college or school.

1. The college/school Dean will appoint an endowed position advisory committee.
2. The size of the committee will be determined by the dean, with a range of 3 to 5 members.
3. Make-up of the committee will include faculty from the relevant governance units and exclude any faculty member who is eligible for the endowed position unless that faculty member has waived the right to be selected for the endowed position.

C. When the position is not restricted to a single college or school.

1. The Deans will appoint a faculty member from each governance unit under their respective areas. Faculty members who are serving on the Advisory Committee will be required to waive the right to be selected for the endowed position.

## **HARLAXTON FACULTY POLICIES**

### Faculty Service Responsibilities while at Harlaxton College

Normally, University of Evansville faculty will be released from their major service responsibilities when teaching at Harlaxton during a semester. These include but are not limited to service as department Chair, on committees (elected and appointed), to professional and community groups, as advisors to students and student organizations, and in support of admissions and recruitment. Such release is intended to foster the faculty's full participation in the vital and unique experiential, pastoral, and travel opportunities that are integral to teaching, learning, and living at Harlaxton. For this reason, any additional compensation related to service, in the form of a course release or a financial stipend, will not be granted during the faculty member's time away from UE.

Exceptions to any of the above must be approved in advance by the relevant Dean, the Executive Vice President for Academic Affairs, and the Executive Director and Dean of Harlaxton College.

## **IMMIGRATION POLICIES**

### Green Card Policy

When a foreign national is hired into a faculty position, the hiring department may commit to the candidate that a decision to have the University of Evansville sponsor them for a Green Card will be made following the 4<sup>th</sup> year evaluation. The University pays for the PERM and the I-140 process; the faculty member pays for the change in status or the I-485 process.

Approval to initiate Green Card processing must be obtained through the EVPAA. When warranted, that approval may be provided as early as the beginning of the faculty member's first year of employment. Otherwise, each year the chair of the hiring department and the college/school Dean will hold discussion about whether to initiate the process for obtaining a Green Card. The process should not be initiated if the department does not plan to retain the faculty member.

Following EVPAA approval to begin Green Card processing, the Dean is responsible for ensuring the faculty member is informed and for directly informing the Assistant Vice President for Academic Affairs, who will contact and work with the faculty member and the Immigration Attorney during the application process.

## **POSTHUMOUS RECOGNITION OF STUDENTS POLICY**

### Policy on Posthumous Recognition of Students

#### Posthumous Degree

- A degree may be awarded posthumously to a student who was enrolled at the time of death and had substantially completed the work for a degree.
- The recommendation for the posthumous degree and the determination of substantial completion rests with the dean of the appropriate school, in consultation with the faculty of the department of the student's major.
- The dean's recommendation is to be made to the Executive Vice President for Academic Affairs (EVPAA), and if approved by the EVPAA the recommendation will be included in the list for faculty and Board of Trustees approval.
- The degree would be awarded at commencement in the year during which the degree would have originally been awarded.

#### Certification of Recognition

- A Certificate of Recognition may be awarded posthumously to a student who was enrolled at the time of death but who did not qualify for a posthumous degree.
- The recommendation for the posthumous certificate is made to the Executive Vice President for Academic Affairs by the dean of the appropriate school.
- The certificate would be awarded at commencement in the year during which the degree would have originally been awarded.

*Questions regarding this policy and application process should be directed to the EVPAA/Provost.*

**[Established April 2013]**



## **PROGRAM CLOSURE POLICY**

### **Undergraduate Program Closure Policy**

Consistent with Article III, Section 2 (Standing Committees) of the Faculty Bylaws describing the functions of the Undergraduate Curriculum Committee, this committee shall “consider proposals for deletions of undergraduate degrees and majors and recommend actions on such proposals to the Faculty Senate. (Additions or deletions of undergraduate degrees and majors must also be approved by the President and the Board of Trustees.)”

Upon approval by the President and the Board of Trustees for deletion of an undergraduate degree or major, the University will take the following administrative actions:

1. The program or department chair will notify any students remaining in the degree or in the major of the action and their right to complete their major or degree at the University.
2. The Registrar will not allow any new students to declare the major that has been approved for deletion.
3. The Office of Marketing and Communications will remove the degree or major from the UE website and will give appropriate notice to the public.
4. The Office of Admissions will work with the Office of Marketing and Communications to update affected Admissions publications as soon as feasible and will inform prospective students interested in the degree or major about the program closure.
5. The University will continue to provide classes to students in the degree or major at the time of the program closure approval in order to complete the degree or major. The University will also give affected students the opportunity and support to transfer to another program within the University.

The undergraduate degree or major will be officially closed only after the currently enrolled students have completed the major or degree, transferred to another program, or left the University. At that point the Registrar will officially close the major or degree.

The major or degree may be re-opened or reactivated following the same process of approval of new programs, according to the most current Faculty Bylaws.

### **Graduate Program Closure Policy**

Consistent with Article III, Section 2 (Standing Committees) of the Faculty Bylaws describing the function of the Graduate Curriculum and Admissions/ Standards Committee, this committee shall “consider proposals for deletions of graduate degrees and majors and recommend actions on such proposals to the Faculty Senate. (Additions or deletions of graduate degrees and majors must also be approved by the President and the Board of Trustees.)”

Upon approval by the President and the Board of Trustees for deletion of a graduate degree or major, the University will take the following administrative actions:

1. The program or department chair will notify any students remaining in the degree or in the major of the action and their right to complete their major or degree at the University.
2. The Registrar will not allow any new students to declare the major that has been approved for deletion.

3. The Office of Marketing and Communications will remove the degree or major from the UE website and will give appropriate notice to the public.
4. The Office of Admissions will work with the Office of Marketing and Communications to update affected Admissions publications as soon as feasible and will inform prospective students interested in the degree or major about the program closure.
5. The University will continue to provide classes to students in the degree or major at the time of the program closure approval in order to complete the degree or major. The University will also give affected students the opportunity and support to transfer to another program within the University.

The graduate degree or major will be officially closed only after the currently enrolled students have completed the major or degree, transferred to another program, or left the University. At that point the Registrar will officially close the major or degree.

The major or degree may be re-opened or reactivated following the same process of approval of new programs, according to the most current Faculty Bylaws.

## **PROGRAM REVIEWS**

### CONSULTANT REVIEW PROGRAM FOR ACADEMIC DEPARTMENTS

#### **Policy**

Academic programs that do not participate in specialty accreditation are reviewed on a ten-year cycle, in a process that includes external consultant reviewers, and a formal process for response by the reviewed programs. The response will emphasize evidence-based improvement.

#### **Overview: Purpose of the Program**

The purpose of the Consultant Review Program is to sustain and enhance academic quality in the programs without external accrediting agencies through regular self-study and review of academic departments and the programs they offer. The Consultant Review Program seeks to add a fresh and outside perspective to the experience and planning of the faculty. It is thus a complement to existing programs for assessment of student outcomes and is a component of departments' ongoing strategic planning. The Consultant Reviewer will work closely with the department chair, other department members, the college dean and appropriate colleagues to study, evaluate and report on all relevant dimensions of the department's educational operation. When possible, this review should be based on national norms and/or best disciplinary practices for schools of our size and type.

#### **The Self-Study**

In preparing for the review, the department chair, working in consultation with departmental colleagues and the college dean, shall compile a self-study that provides an overview of the department and helps the consultant identify key strengths, weaknesses, challenges, threats, opportunities, and potential future directions. As appropriate, the chair may delegate some of the self-study preparation to others in the department and should enlist the aid of Institutional Research, the Registrar, or other appropriate offices with data collection. Data that might be relevant include trends in the number of majors and graduates, faculty course loads, and Delaware cost study results. Keeping in mind that it is a priority of the University of Evansville to be student-centered in all that we do, self-studies typically should address the following:

### **Mission and Goals**

- A. How do the department's programs support the University mission, purpose, and educational objectives? (All self-studies should address this at the outset.)
- B. Does the department have stated goals that are clear, appropriate, and give shape and direction to the programs/courses it offers?  
Curriculum and Pedagogy.

Are the major and other departmental programs well structured, adequate and appropriate in relation to disciplinary norms?

1. Are the department's course offerings and schedule rotation adequate and appropriate in relation to the department's size and national expectations for the discipline? Do they allow for students' timely completion of the program?
2. What are the class sizes at each level, and are enrollments appropriate and viable?
3. How do the department's courses serve the General Education program, other departments or programs, and the Mission of the University?
4. Do courses, programs, requirements and teaching have an appropriate level of rigor?
5. Do course syllabi meet expectations or reflect best practices? (For example, do they include adequate course descriptions and requirements, course goals and learning objectives, connections between assignments/assessments/course goals, and another appropriate course information?) Sample course syllabi should be provided.
6. What teaching methods are employed by departmental faculty, and are they appropriate for course size and level and in relation to disciplinary practices?

### **Learning Outcomes and Assessment**

1. Are the student learning outcomes that have been established for the department's major programs appropriate in relation to disciplinary or national norms?
2. What does the direct evidence of student learning (e.g., results of major field tests or licensure exams, assessed portfolios, scored capstone projects, etc.) suggest about the quality of the department's programs? What does indirect evidence of student success suggest about student learning or the quality of the department's programs? (Examples of indirect evidence might include graduation rates; admission rates into graduate/professional schools; placement rates of graduates into appropriate careers or other alumni accomplishments; alumni perceptions on surveys; etc.)
3. Are program learning outcomes matched to individual course objectives? (See syllabi.)

### **Faculty**

1. Do the faculty, including adjuncts, have appropriate credentials and expertise to provide the curriculum? (Updated vitae for all faculty members should be provided.)
2. Are faculty appropriately involved in mentoring students (through academic advising, internships, research supervision, etc.)?
3. Are teaching loads evenly or appropriately distributed within the department?
4. What is the level and appropriateness of the faculty's scholarship/creative endeavor and/or their professional activity?
5. What is the level and appropriateness of the faculty's institutional and community service?
6. What is the level and appropriateness of faculty's engagement in professional development activities?

7. Is there effective evaluation of faculty for their professional development?
8. Is the number of classes taught by adjunct instructors reasonable for this program?

#### **Department Structure and Leadership**

1. Is there appropriate organizational structure and leadership within the department?
2. Are the faculty appropriately involved in departmental duties and decision-making?
3. What is the level of collegiality and morale within the department?

Are there appropriate supports for the department's programs such as budgets, library holdings, physical environment, equipment and other resources as needed for the programs offered?

#### **Special Issues/Initiatives or Other**

Are there any special initiatives or issues specific to the particular department e.g., questions about possible new programs or changes in directions, ideas for ways to maximize staffing and resources, etc.— that the department wishes the consultant to consider? These should be highlighted in the introduction or conclusion of the self-study. Are there other issues or concerns to discuss?

#### **Responsibilities**

##### The Department Chair

The Chair will have primary responsibility for implementation of the Consultant Review Program in his or her department, including:

- selecting a Consultant Reviewer, in consultation with the Dean and departmental colleagues (see below);
- preparing the self-study, with input from the Dean and departmental colleagues, and submitting it for the Consultant's review in advance of the visit;
- hosting the visit, including arranging for lodging, meals, and the schedule of activities;
- receiving the Consultant's report and developing the department's response to the report. **Selection of the proper Consultant Reviewer is a critical factor** in making this program helpful to the department and the college. Care should be taken to identify a Consultant Reviewer whose background will provide the greatest assistance in understanding the department and/or program(s) under review and in providing realistic and meaningful recommendations for strengthening the current program(s). Generally, this means Consultant Reviewers should be persons with experience in programs relatively similar to ours, or perhaps programs we admire and can reasonably aspire to be like. Those who have prior experience as program reviewers, experience in administrative roles (chairs, deans, directors) or professional offices that provide a wide perspective, or familiarity with a variety of institutions/programs are especially well prepared to serve as reviewers.

Approval for an appropriate Consultant Reviewer and for arrangements of the visit must be secured from the dean prior to issuing an invitation. The chair should present the dean with information about 2-3 possible consultants from whom to choose.

##### The Consultant Reviewer

- will be provided with an honorarium and expenses in amounts to be approved in advance by the Dean and Executive Vice President for Academic Affairs.
- will be provided with all available materials about the department and its program(s) for advance

study.

- should be scheduled to visit campus for approximately one full day (with 1 overnight, if needed) and should interview faculty (departmental and others if appropriate), the Dean, the EVPAA, students, and alumni whenever possible; visit classes, if preferred; and tour the library, labs, and other facilities as appropriate to the department. Other matters specific to the department should be included.
- will submit a written report within 30 days following the visit. This report will be sent to the department Chair and the college Dean and should include findings and recommendations. Its emphasis should be on identifying current strengths, on specific recommendations for enhancing academic programs, and on suggestions for improving operations of the department.

#### **Timeline**

The self-study typically should be completed in Fall, and visits should take place in the Spring semester. Additionally, see the suggested calendar and suggested site-visit schedule. Following the visit of the Consultant Reviewer, the faculty of the department should study and discuss the report. By the end of the academic year, the department should submit at least a brief response to the Dean. By or during Fall of the next academic year, the department should develop and submit an action plan which responds to the report but also focuses on the department's total plans for improvements.