



## Heidelberg University Faculty Manual

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## Table of Contents

1 History, Mission, General Organization, and Governance .....	1
1.1 History.....	1
1.2 Mission and Goals .....	2
1.3 Institutional Governance .....	4
1.3.1 Board of Trustees .....	4
1.3.2 The President .....	5
1.3.3 Academic Governance.....	5
1.3.3.1 Academic Affairs .....	5
1.3.4 University Committees and Councils.....	8
2 Contractual Relationships .....	11
2.1 Deliberative Body .....	11
2.2 Definition of Faculty Status .....	11
2.2.7 Criteria for Personnel Action.....	14
2.2.8 Qualifications for Appointment to Rank .....	19
2.2.9 Qualifications for Promotion to Rank.....	20
2.3 Types of Instructional Appointments.....	25
2.4 Search, Appointment, Orientation .....	27
2.5 Personnel Records .....	30
2.6 Faculty Evaluation .....	32
2.7 Tenure Policies; Non-Tenure-Track Portfolio System .....	42
2.8 Separation .....	51
2.9 Faculty Rights and Responsibilities .....	54
2.10 Faculty Development.....	55
2.11 Other Types of Leave .....	64
2.12 Working Conditions.....	65
2.13 Benefits .....	68
2.14 Compensation Policies.....	73
2.15 Grievance Policy.....	74

3 Academic Policies and Services of Interest to the Faculty .....	76
3.1 Grade Appeals and Grade Changes .....	76
3.2 Academic Honesty Policy .....	79
3.3 Student Attendance Policy .....	83
3.4 Responsibility for Meeting Classes as Scheduled .....	83
3.5 Communication with the University’s Legal Counsel.....	85
3.6 Fund Raising.....	85
3.7 Public Speech and Writing .....	85
Appendix A: Faculty Constitution .....	86
Appendix B: Revisions to the Faculty Manual .....	102

# 1 History, Mission, General Organization, and Governance

## Preamble

This version of the Manual was created by the Faculty Manual Task Force (FMTF), a subcommittee of the Faculty Personnel Committee. FMTF began work on the Manual in 2006, with the intention of entirely rewriting the prior manual. The present manual was presented to the Faculty for approval in September, 2009, and to the Heidelberg Board of Trustees in February, 2010. It was initially implemented in September, 2010.

The Manual is organized into three sections, plus appendices. Section 1 provides an overview of the history, mission, organization and governance of the institution. Section 2 deals with contractual relationships between Faculty members and the University, including the rights and responsibilities of Faculty, terms of appointment and continuing employment, tenure and promotion procedures, separation from the University, and grievance procedures. Section 3 is primarily informational, addressing academic and administrative policies of interest to the Faculty. Appendix A contains the *Constitution of the General Faculty of Heidelberg University*. Appendix B contains a list of revisions to the Faculty Manual and the date of the last revision.

University policies related to faculty might also appear in other campus publications, including the University Catalog, the Student Handbook, and various administrative memos. However, the Faculty Manual is a singularly important document, and should be regarded as the primary reference regarding the relationship between the University and individual faculty members. As such, Heidelberg University views it as an extension of the employment contract. To ensure that the Manual remains current, it is continually maintained, and revised when needed by the Faculty Personnel Committee.

## 1.1 History

Heidelberg was founded in 1850 by members of the German Reformed Church who named the University after the Heidelberg Catechism of 1563. Seeking to minister to the German population of Ohio, the founders of the University established a church-affiliated institution staffed by a largely theologically trained faculty. Into the 1890s and beyond, the ideal of training Christian scholars persisted as the goal of a Heidelberg education. No laymen served as President of the University until after World War II. Heidelberg tenured faculty members were required to be members of a Christian faith until the early 1970s. Today, many of the staff and the students are not members of the United Church of Christ. This denomination was formed in 1957 by a merger of the Evangelical and Reformed Church with the Congregational Christian Churches. In becoming an independent, church-related, liberal arts educational institution, Heidelberg has interpreted the educated person to be an individual who can articulate the relationship between academic learning and learning for life.

## 1.2 Mission and Goals

(Adopted by Heidelberg University Board of Trustees, October 11, 2003)

### 1.2.1 Mission Statement

Heidelberg University is a community of learning that promotes and nurtures intellectual, personal and professional development, leading to a life of purpose with distinction.

### 1.2.2 Statement of Educational Philosophy and Values

Heidelberg University, in the Liberal Arts tradition, educates persons who can act effectively and with integrity in a world of change. It cherishes academic excellence, honors knowledge, encourages original research, and promotes a lifelong commitment to free inquiry. Heidelberg is dedicated to being a diverse community that challenges students to understand their cultural heritage and the contemporary world, to explore frontiers of knowledge, and to develop powers of mind and spirit. In keeping with its historic affiliation with the United Church of Christ, students, faculty, staff, and the Board of Trustees work together to understand and respect diverse cultures, religions, and lifestyles. Heidelberg University develops individuals with high moral and ethical standards who are productive in their life's work, engaged in their communities, and responsible citizens of the world.

### 1.2.3 Statement of Institutional Goals

*At the time of graduation, Heidelberg students will be capable of:*

1. Demonstrating the breadth of knowledge and creative and critical thinking skills to fully participate as citizens of the changing world;
2. Synthesizing theory, knowledge and experience related to their majors;
3. Demonstrating the writing and speaking skills to communicate effectively within their disciplines;
4. Demonstrating the quantitative and problem-solving skills sufficient for their disciplines and for functioning in an increasingly technical society;
5. Demonstrating an awareness of their own cultures and a sensitivity to and appreciation of other cultures;
6. Valuing the quest for purpose, integrity, and spiritual growth;
7. Demonstrating an engagement with Heidelberg University and the local community, as well as with the nation and the world.

*In the years following graduation, alumni will find that their experiences while at Heidelberg played an important role in:*

8. Shaping their understanding and appreciation of the world;
9. Developing the abilities and strength of character to achieve their personal goals;
10. Developing the capacity and willingness to contribute in a positive and constructive way to the communities in which they live and to Heidelberg University.

## 1.2.4 Accreditation and Affiliation

Heidelberg University has continuously been accredited by the North Central Association of Colleges and Secondary Schools since 1913 and was included on the Association's first published list of accredited institutions. North Central Association of Colleges and Secondary Schools is located at 30 North LaSalle Street, Suite 2400, Chicago, Illinois 60602-2504 and can be reached at (312) 263-0456, (800) 621-7440 or by fax (312) 263-7462. The University is a full member of the National Association of Schools of Music and its requirements for entrance and graduation are in accordance with the published regulations of this accrediting agency. The University is recognized by the State Department of Education of Ohio and most other states. Information related to Title II compliance is available from the office of the Vice President for Academic Affairs and Provost.

The University is an institutional member of the Council for Higher Education of the United Church of Christ, the American Association of Colleges for Teacher Education, the Ohio Foundation of Independent Colleges, Inc. (OFIC), the Council for Independent College, (CIC), and the Association of Independent Colleges and Universities in Ohio (AICUO). Heidelberg is recognized by the College Entrance Examination Board.

The University's Master of Arts Degree in Counseling is recognized and approved by the Ohio Board of Regents and the Ohio Counselor and Social Worker, and Marriage and Family Therapy Board. The Master of Music Education (MME) program is recognized by the Ohio Board of Regents and the National Association of Schools of Music. The Athletic Training Education Program is recognized by the Ohio Board of Regents and is accredited by the Commission on Accreditation of Athletic Training Education.

## 1.3 Institutional Governance

According to the Board of Trustees Bylaws (approved November, 2004 ), the University is governed by a self-perpetuating Board of Trustees consisting of between 20 and 32 members, in addition to the President of the University who is a full voting member. The President is elected by the Board and is the chief executive officer and administrative head of the institution, furnishing educational leadership and administrative direction for all University activities. The President retains ultimate responsibility for the University under the Board. The Provost of the University serves as the chief academic officer of the institution. The General Faculty of Heidelberg University has principal responsibility for development of the academic policies of the University. The faculty helps develop long-range strategic planning for the University and advises the administration on matters concerning the general welfare of the institution. In addition to the President and Provost of the University, the administrative officers of the University include the Vice Presidents for Administration, Enrollment, and Institutional Advancement, and the Dean of Student Affairs. Full texts of the Charter, Amended Articles of Incorporation, *and* Bylaws and Standing Resolutions of the Board of Trustees are available through the Office of the President of the University.

### 1.3.1 Board of Trustees

Article I of the Bylaws of the Heidelberg University Board of Trustees (November, 2004) describes the authority and responsibilities of the Board.

#### Article I. Board Authority and Responsibilities

Section 1. The Board of Trustees shall have and exercise those corporate powers prescribed by law. Its ultimate authority is affirmed through its general, academic, and financial policy-making functions and its responsibility for the financial health and welfare of the corporation. The Board of Trustees shall exercise ultimate institutional authority as set forth in these bylaws and in such other policy documents it deems to be appropriate. These bylaws and other board policies shall take precedence over all other institutional statements, documents, and policies.

Section 2. The Board of Trustees shall have the authority to carry out all lawful functions that are permitted by these bylaws or by the Articles of Incorporation. This authority, in consultation with the president, shall include but shall not be limited to these illustrative functions:

- A. Determine and periodically review the mission and purposes of Heidelberg University.
- B. Appoint the president, who shall be chief executive officer of Heidelberg University, and set appropriate conditions of employment, including compensation.
- C. Establish the conditions of employment of other key institutional officers who serve at the pleasure of the president (in consultation with the board).
- D. Support the president and assess his or her performance.
- E. Review and approve proposed changes in the academic programs and other major enterprises of Heidelberg University consistent with the mission, plans, and financial resources of Heidelberg University.
- F. Approve institutional policies that bear on faculty appointment, promotion, tenure, and dismissal as well as personnel or anti-discrimination policies for all categories of employees.

- G. Approve the annual budget and annual tuition and fees, regularly monitor the financial condition of Heidelberg University, and establish policy guidelines that affect all institutional assets including investments and the physical plant.
- H. Contribute financially to the fund-raising goals of Heidelberg University, participate actively in strategies to secure sources of support, and authorize University officers to accept gifts or bequests subject to board policy guidelines.
- I. Authorize any need for debt financing and approve the securing of loans.
- J. Authorize the construction of new buildings, capitalization of deferred maintenance backlogs, and major renovations of existing buildings.
- K. Authorize the purchase, sale, and management of all land, buildings, or major equipment.
- L. Approve policies that contribute to the best possible environment for students to learn and develop their abilities and that contribute to the best possible environment for the faculty to teach, pursue their scholarship, and perform public service. These policies include the protection of academic freedom.
- M. Approve all earned and honorary degrees through the faculty and president, as they shall recommend.
- N. Serve actively as advocates for Heidelberg University in appropriate matters of public policy in consultation with the president and other responsible parties as the board shall determine.
- O. Periodically undertake or authorize assessments of the performance of the board.

## 1.3.2 President

The President is elected by the Board of Trustees and is the chief executive officer and administrative head of the institution, furnishing educational leadership and administrative direction for all University activities. The President retains ultimate responsibility for the University under the Board. The President is a member of the Faculty, and an *ex officio* member of all Faculty committees.

## 1.3.3 Academic Governance

Academic governance of the University is a shared responsibility between the Provost of the University and the faculty. The Provost provides academic leadership to the institution. The faculty organizes itself, according to the Faculty Constitution.

### 1.3.3.1 Academic Affairs

#### 1.3.3.1.1 Vice President for Academic Affairs and Provost of the University

The Provost of the University is appointed by the President. The Provost is a member of the General Faculty, and an *ex officio* member of all Faculty committees. The duties of the Provost include:

- A. Leading Academic Affairs both internally and externally
- B. Representing Academic Affairs on President's Cabinet and to the Board of Trustees
- C. Working with the President and other vice-presidents toward strategic goals, especially Academic Excellence
- D. Responsibility for hiring faculty



- E. Working with the Faculty Personnel Committee (FPC) on promotion, tenure, and termination decisions.
- F. Working with faculty committees to organize and govern the business of Academic Affairs, including curriculum, policies and procedures, and assessment of student learning
- G. Promoting innovative programs, pedagogy, curricula, and research
- H. Developing academic programs and collaborations with other institutions
- I. Overseeing the Faculty Evaluation and Annual Review processes
- J. Overseeing periodic departmental reviews
- K. Monitoring and insuring that accreditation requirements are met, where applicable
- L. Monitoring and insuring that assessment of student learning takes place
- M. Oversight of budgets for Academic Affairs
- N. Oversight of academic facilities and equipment such as classrooms, faculty offices, laboratories, the Library, and information technology
- O. Hearing appeals of student or faculty personnel issues.

### **1.3.3.1.2 Deans**

For vacant administrative positions in Academic Affairs, the Provost will either direct a search according to the procedures listed in the document, "Search Committee Procedures for Hiring Administrators", or the Provost may appoint an individual subject to approval by the President

Deans will serve Academic Affairs and promote Academic Excellence by:

- A. Facilitating communication among Faculty, Department Chairs and Directors, Academic Leadership Team, and Administration regarding academic policies, procedures, and concerns;
- B. Assisting in hiring procedures, orientation, and performance reviews for Department Chairs, Faculty, adjunct faculty, or related administrative/ staff positions;
- C. Meet monthly with division faculty;
- D. Serving on faculty and institution committees, including Faculty Personnel, Honors, Undergraduate Curriculum, and Graduate Educational Policies, and task forces
- E. Approving and overseeing academic budget concerns (such as adjunct and overload contracts, conference and travel requests from faculty); assisting with other budgetary requests
- F. Coordinating departmental schedules
- G. Assisting in recruitment efforts of the University and orientation of students
- H. Handling student academic concerns, such as grade appeals, scheduling issues, academic dishonesty cases, final exam changes, etc.
- I. Working with administration and Provost and Vice President for Academic Affairs to develop and support strategic initiatives and programs
- J. Working with external bodies to develop and maintain professional accreditation for respective programs

### 1.3.3.1.3 Department Chairs and Program Directors

The Provost works with the department to choose a Chair. Program Directors are appointed by the Provost.

The Chair/Director is available to other members of the department for advice and counsel. The Chair/Director shall be consulted first when disputes arise involving department members. The Chair/Director, counsels Faculty members in the department on professional matters, and provides recommendations concerning sabbatical leaves and other personnel actions pertaining to members of the department. Chairs/Directors may evaluate Faculty members in the department if the Chair/Director is serving as a member of the Faculty Evaluation Panel, and may also organize and deliver developmental observations of Faculty members in the department.

The Chair/Director arranges the departmental teaching schedule after consultation with members of the department and coordination with related departments, and in accordance with guidelines from the Provost and Registrar. The Chair submits required personnel forms for full-time positions and recommends appointment of part-time and adjunct faculty, as appropriate, to the Provost. The Chair coordinates appropriate academic matters with other Chair/Directors.

The Chair/Director is responsible, within the limit of the teaching capability in the department, for insuring that classes are conducted as scheduled. The classes of absent members of the department should be covered, preferably by another instructor or by prior arrangement for substitute work. Postponement of work to be accomplished at another time is an acceptable alternative only if more effective means of meeting the teaching obligation to the class cannot be developed.

Chair/Directors organize and conduct meetings of the departmental faculty. The need for meetings within a department will vary with the scope of activities and related matters. Each department should hold a department meeting of the faculty at least once each semester at a time when members of the department can be present for an uninterrupted meeting. At least once a year a meeting of the department faculty and the majors in the department should be held.

The Chair/Director is responsible for ensuring that the majors in the department are properly advised. The Chair attempts to bring the majors into departmental affairs and to arrange conditions which encourage the majors to consider the department as their academic home.

Chair/Directors are responsible for Program Reviews of the curriculum and for a continuing assessment of the curriculum. Objective data should be obtained whenever possible to assist in curriculum evaluation. Such data should be obtained from graduating majors, recent graduates, faculty members within the department, faculty members in related departments, and outside constituencies.

Chair/Directors, upon request by the Provost, will provide to the Provost an annual report for the department.

The Chair/Director, after consulting other members of the department, prepares an annual budget request for support of departmental activities in accordance with a timetable and procedure outlined

by the Provost. The Chair administers the approved budget to fulfill departmental teaching responsibilities and activities within limits of the approved budget.

The Chair/Director works with the Director of Library Services on library holdings, periodicals, and other material to support the department's teaching program.

The Chair/Director attends Chairs and Directors meetings, or arranges for coverage by colleagues.

### **1.3.4 University Committees and Councils**

In addition to the elected committees described in the Faculty Constitution, University Committees and Councils consist of appointed members, or a combination of elected and appointed members.

#### **1.3.4.1 Academic Enhancement Committee**

The Academic Enhancement Committee is open to any interested students, faculty, and staff. The purpose of the committee is to discuss, propose and effectuate ways to enhance the academic environment of the campus. Among other endeavors, the committee is responsible for presenting the Faculty Research Symposium, the Student Research Conference, and Academic Jeopardy.

#### **1.3.4.2 Calendar and Events Committee**

The committee consists of representatives from Academic Affairs, Institutional Advancement, Athletics, Student Affairs, and Admission. The committee reviews and implements long-term calendar plans and schedules major campus events including Homecoming, Parents Weekend, and Holiday events.

#### **1.3.4.3 Disabilities Identification Team (DIT)**

The Disabilities Identification Team consists of faculty members and staff appointed by the president on the basis of their expertise in matters related to physical, emotional, and learning disabilities and the Americans with Disabilities Act (ADA). The Director of the Owen Center, the Associate Dean for Student Affairs, and the Vice President for Business Affairs are non-voting members of the committee.

The committee reviews all applications for disability accommodations by students. The DIT will ensure proper documentation to determine a disability, and contingent upon these reviews, determine and recommend appropriate accommodations. The DIT supports students with disabilities in acquiring the necessary diagnosis and documentation. The DIT periodically will review the provision of accommodations in order to ensure their appropriateness.

#### **1.3.4.4 Faculty Athletics Representative (FAR)**

The FAR serves as the liaison between the faculty and the athletic department. The FAR certifies the academic eligibility of student athletes on team rosters, and serves as the faculty representative to the Ohio Athletic Conference and the NCAA. In addition, the FAR ensures that the institution establishes and maintains the appropriate balance between academics and intercollegiate athletics. The FAR is appointed by the President of the University.

#### **1.3.4.5 Faculty Marshal's Committee**

The committee consists of four representatives appointed by the Provost from members of the faculty. The committee assists in the planning of campus ceremonies such as Opening Convocation and Commencement, and members serve as marshals for faculty and students at those events.

#### **1.3.4.6 Honors Committee**

The committee consists of three Faculty members appointed annually by the Provost, and three honors students appointed annually by the Faculty members of the committee. The Director of the Honors Program, the Associate Vice President for Academic Administration, Honors, and Faculty Support, and the Service Learning Coordinator are non-voting members of the committee. The committee oversees the University Honors Program.

#### **1.3.4.7 Institutional Review Board**

The Board consists of six Faculty members, elected for 3-year terms. An appropriately qualified individual from outside the Heidelberg community is appointed by the Provost. The Institutional Review Board reviews and approves proposals for research which uses human subjects, and assures that the proposals comply with appropriate state and federal regulations.

#### **1.3.4.8 International Programs Advisory Council**

The committee consists of faculty, staff, and students who are appointed on an annual basis by the President. The committee's charges include:

- periodic review of the University's activities in the area of international programs promotion of international programs by facilitating and communicating the existence of such programs across the campus.
- providing to the President of the University and to the Heidelberg community an annual comprehensive list of all international programs that have taken place on and off campus during the academic year.

### **1.3.4.9 Science Day Committee**

The Science Day Committee consists of three faculty members from the sciences, appointed annually by the Provost. The function of the committee is to coordinate and plan the annual Science Day and Scholarship Day for area middle school and high school students.

### **1.3.4.10 Strategic Budgeting Committee**

The Strategic Budgeting Committee consists of four members elected by the General Faculty, the Vice President for Administrative and Business Affairs, and other members appointed annually by the President from the faculty, staff, and administration. The committee assists in developing a budget for the following fiscal year and in developing future budgets and budgeting procedures.

### **1.3.4.11 Strategic Planning Council**

The council consists of six faculty members, four administrators, two students, and the strategic planning coordinator. All positions are appointed by the President, except for three of the faculty positions which are elected by the General Faculty. The President of the University is a non-voting member of the council.

The council's responsibilities include formulating a strategic plan for the University which is measurable and consistent with the institutional mission, and working to ensure that this plan is embraced by the university's major constituent groups, including faculty and staff, students, alumni, Trustees, and the local community. The council also develops measurable goals which flow from and help to realize the plan.

## 2 Contractual Relationships between the University and members of the General Faculty.

Contractual relationships exist between individual Faculty members and the University. The relationships described in this section pertain to the Faculty as individuals, and not to the deliberative body known as the General Faculty.

### 2.1 Deliberative Body

The General Faculty (consisting of those designated in Article I, Section 2 of the Faculty Constitution) is a deliberative body with duties and responsibilities designated in Article II, Section 1 of the Faculty Constitution. Some members of the General Faculty do not hold academic rank, and are not governed by the Faculty Manual.

### 2.2 Definition of Faculty Status

The General Faculty of the University is composed of:

- A. the President of the University
- B. the Provost of the University
- C. full-time employees of the University who hold the academic rank of Instructor, Assistant Professor, Associate Professor, Professor, or other academic rank designated by the President and approved by the General Faculty
- D. other employees of the University as specified in the Constitution of the General Faculty.

#### 2.2.1 Ranked Full-time Faculty

Full-time Faculty hold the academic ranks of Instructor, Assistant Professor, Associate Professor, or Professor. Full-time appointments may be tenured, tenure-track, or non-tenure track, according to the contractual status with the University. In addition to teaching responsibilities, full-time Faculty participate in the governance of the University by serving on committees, hold voting rights on the General Faculty, serve as academic advisors, and perform other duties by agreement with the Provost of the University. Ranked Full-time Faculty may receive partial or full release from their teaching duties in order to conduct research or perform administrative assignments. Regardless of the contractual arrangement, such releases do not affect the employee's standing as a ranked full-time Faculty member.

#### 2.2.2 Ranked Significant Part-Time Instructional Staff

Significant Part-Time instructional staff positions are designated by the Provost as having special significance to the academic programs of the University. These positions have contractual responsibilities comprising one-half or more of a full academic teaching load. Significant Part-time instructional staff are eligible for certain benefits, including participation in the employee health-care program. Significant Part-time instructional staff are eligible to hold the academic rank of Instructor,

or Assistant Professor, subject to qualifications in Section 2.2.7, 2.2.8, and 2.2.9 of the Faculty Manual. Significant Part-time instructional staff are not members of the General Faculty and are not eligible to participate in University governance through committee service unless they are granted membership in the General Faculty according to the provisions of the Constitution of the General Faculty.

### **2.2.3 Adjunct Instructional Staff**

Adjunct instructional staff are contracted to teach on a per-course basis, and normally teach less than a full annual teaching load. Adjunct instructional staff are eligible to hold the title of Lecturer or Senior Lecturer. The title of Senior Lecturer is reserved for adjunct instructors who have taught at least 20 courses at Heidelberg or who have taught at the University for at least 10 semesters. Adjunct instructional staff are not considered to have academic rank as designated in Sections 2.2.1 and 2.2.2. Adjunct instructional staff are not eligible for University benefits. Adjunct instructional staff are subject to the Criteria for Personnel action and other responsibilities stated under 2.2.7 and 2.9.

### **2.2.4 Emeritus/Emerita Faculty**

Upon retirement or later, the title of Emeritus/Emerita Faculty may be conferred by recommendation of the Faculty Personnel Committee to the President and confirmation by the Board of Trustees. Request for appointment to Emeritus may be initiated by the Provost, the Chair/Director, or by individual Faculty members. The request must be accompanied by a Letter of Support addressing the Criteria for Personnel Action stated in Section 2.2.7. Appointment to Emeritus requires a minimum of 10 years service prior to retirement at Heidelberg, at the rank of Associate Professor or Professor. Appointment to Emeritus Faculty may be at the rank of Emeritus Associate Professor or Emeritus Professor. Emeritus status confers certain privileges, including:

- A. participation in the University email system;
- B. use of library and campus facilities;
- C. use of office and/or research space, upon availability and assignment by the Provost of the University.

### **2.2.5 Administrators with Academic Rank**

The President of the University, the Provost of the University, the Associate Vice President for Academic Affairs, academic Associate Deans, Deans, and Directors normally hold academic rank, and thus are members of the General Faculty. The President, with or without academic rank, is a member of the General Faculty by the Ohio Revised Code 1713.08. In addition, other employees with administrative appointments who demonstrate adequate professional credentials may be granted academic rank by action of the Faculty Personnel Committee and the President of the University.

## 2.2.6 Special Academic Staff and Coaches

These positions may involve responsibilities including, but not limited to, athletics, athletic training, forensics/speech, music, or other designated positions which involve specialized work outside the classroom. These employees may be granted academic rank, depending upon the specific requirements of the position, and frequently combine classroom teaching with other designated work as part of the contractual arrangement with the University. These positions may be full-time or part-time.



## 2.2.7 Criteria for Personnel Action

Criteria to be used at Heidelberg University for consideration of promotion, continuation, tenure, and other personnel actions are as follows. These criteria may be modified or superseded by a Memorandum of Understanding from the Provost in collaboration with FPC as specified in Section 2.2.9.2 of the Faculty Manual or by the University's adoption of requirements of an outside accrediting agency.

Full-time teaching Faculty members are considered to be a subset of Ranked Full-time Faculty as defined in Section 2.2.1. Specifically, full-time teaching Faculty members are defined as full-time University employees who (1) hold academic rank, (2) have regular teaching duties, and (3) do not have a 12-month administrative appointment that specifies regular teaching duties. A full-time teaching Faculty member may have a reduced teaching load as specified in Section 2.2.1.

### 2.2.7.1 Teaching—Applies to All Academic Instructional Staff, Regardless of Employment Status

All academic instructional staff are required to fulfill the Basic Responsibilities Related to Teaching (2.2.7.1.1) and to demonstrate Excellence in Teaching (2.2.7.1.2).

#### 2.2.7.1.1 Basic Responsibilities Related to Teaching; all of the following:

- A. distributing a course syllabus according to guidelines established by the University and the instructor's academic unit;
- B. conducting class during scheduled times, including the final exam period assigned by the Registrar;
- C. maintaining office hours and/or availability to students outside class;
- D. covering material consistent with the course description;
- E. maintaining accurate records for student grading and attendance;
- F. submitting in a timely manner grades and other student information required by administrative offices (e.g., Registrar's Office, Student Affairs, Owen Academic and Career Support Center);
- G. participating, when requested, in the University's assessment program;
- H. fulfilling faculty-mandated course components for courses in the general education program and courses fulfilling graduation requirements;
- I. administering an institutionally Approved Method for soliciting student input.

The list of indicators for Excellence in Teaching is illustrative, not definitive or restrictive; other indicators may be supplied, and the University makes no requirements as to which indicators should be used.

#### 2.2.7.1.2 Excellence in Teaching; indicators may include but are not limited to the following:

- A. clearly articulating and helping students to meet the learning outcomes described in the course syllabus;
- B. utilizing pedagogy matching best practices in one's discipline;
- C. employing imaginative, innovative pedagogy;

- D. employing pedagogy and training from the Center for Teaching Excellence;
- E. expanding student exposure to new areas of study;
- F. challenging students through intellectually stimulating course content and classroom practices.

### **2.2.7.2 Professional Development and Activity—Applies to All Full-Time Teaching Faculty**

All Full-Time Teaching Faculty are required to demonstrate both Professional Development Related to Teaching (2.2.7.2.1) and Professional Development and/or Activity Related to the Faculty Member's Academic Fields (2.2.7.2.2).

The list of indicators for each sub-criterion is illustrative and not definitive or restrictive; other indicators may be supplied. The University expects engagement in both areas of professional development and activity but makes no requirements as to amounts or types of engagement in either area.

#### **2.2.7.2.1 Professional Development Related to Teaching; indicators may include but are not limited to the following:**

- A. attending faculty workshop sessions on campus;
- B. participating in a peer mentoring program;
- C. participating in a classroom-observation program;
- D. participating in programming from the Center for Teaching Excellence;
- E. attending conference programs or other professional activities related to teaching;
- F. participating in off-campus workshops, courses, or training related to teaching;
- G. presenting at, organizing or leading any of the above.

#### **2.2.7.2.2 Professional Development and/or Professional Activity Related to the Faculty Member's Academic Fields or to the Scholarship of Teaching; indicators may include but are not limited to the following:**

- A. publishing peer-reviewed books, book chapters, articles, creative works, text books, or other materials related to their academic fields or to the scholarship of teaching;
- B. publishing non-refereed materials related to their academic fields or to the scholarship of teaching;
- C. participating in professional performances, exhibits, presentations or similar activities related to their academic fields or to the scholarship of teaching;
- D. engaging in research or creative production related to their academic fields or to the scholarship of teaching;
- E. engaging in programs of study aimed at improving knowledge in their academic fields or to the scholarship of teaching;
- F. participating in professional organizations (committee membership, executive positions, review panels, etc.);
- G. submitting and/or obtaining grants to fund research or other professional activities.

### **2.2.7.3 Engagement in the Life of the University—Applies to All Full-Time Teaching Faculty**

All Full-Time Teaching Faculty are required to fulfill the Basic Responsibilities Related to Participating in the Life of the University (2.2.7.3.1) and to demonstrate engagement in the life of the University relative to each of the five sub-criteria: Participation in the Shared Governance of the University (2.2.7.3.2); Attendance at Academic, Cultural, Artistic and/or Athletic Events on Campus (2.2.7.3.3); Service to the Faculty Member's Academic Unit (2.2.7.3.4); Service to the University (2.2.7.3.5); and Service to the Community Beyond the University (2.2.7.3.6).

The University expects engagement in all five sub-criteria but makes no requirements as to amounts or types of engagement in any of them. The list of indicators for the sub-criteria are illustrative, not definitive or restrictive; other indicators may be supplied.

#### **2.2.7.3.1 Basic Responsibilities Related to Engaging in the Life of the University; all of the following:**

- A. making themselves available for teaching assignments, meetings, workshops and other activities on Monday through Friday of each week during the academic year when classes are in session;
- B. participating in the academic advising program or, for faculty members with predominantly graduate teaching responsibilities, participating in academic advising for their respective programs;
- C. attending Commencement and Convocation.
- D. participating in Faculty Opening Workshops for fall and spring semesters

#### **2.2.7.3.2 Participation in the Shared Governance of the University; indicators may include but are not limited to the following:**

- A. attending meetings of the department, the division, and of the General Faculty;
- B. standing for election to and, if elected, serving on elected faculty committees and/or appointed committees and task forces, including search committees;
- C. standing for election to and, if elected, serving as Faculty Chair, Faculty Secretary, Parliamentarian, or Faculty Representative to the Board of Trustees;
- D. volunteering for and, if selected and approved, serving as a member of the Faculty Evaluation Panel.

#### **2.2.7.3.3 Attendance at academic, cultural, artistic and/or athletic events on campus.**

#### **2.2.7.3.4 Service to the Faculty Member's Academic Unit (department, division, school, etc.); indicators may include but are not limited to the following:**

- A. guiding independent student work, including research;
- B. participating in programmatic assessments;
- C. writing and submitting reports to appropriate accrediting bodies;
- D. participating in recruitment and alumni-relations activities specific to the academic unit;
- E. completing other duties appropriate to furthering the goals of the academic unit.

**2.2.7.3.5 Service to the University; indicators may include but are not limited to the following:**

- A. participating in Scholars Day and other recruitment events;
- B. advising student organizations;
- C. participating in Welcome Week activities;
- D. participating in or planning student-sponsored or University-sponsored events;
- E. cultivating and maintaining relationships with donors in cooperation with the Office of Institutional Advancement.

**2.2.7.3.6 Service to the Community Beyond the University; indicators may include but are not limited to the following:**

- A. incorporating service learning into coursework;
- B. participating in University-sponsored service opportunities;
- C. participating in community organizations;
- D. attending community events;
- E. representing Heidelberg at community events.

**2.2.7.4 Professional and Ethical Relationships—Applies to All Academic Instructional Staff, Regardless of Employment Status**

Instructors must maintain professional and ethical relationships with students, Faculty colleagues and instructors, administrators, and staff members of the University. The University identifies components of “professional and ethical relationships” in adopting the following Statement on Professional Ethics of the American Association of University Professors. The components of the AAUP Statement are illustrative and aspirational, not definitive or restrictive; other indicators may be supplied, and the University makes no requirements as to any specific component of the AAUP Statement.

- A. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
- B. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student’s true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

- C. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.
- D. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
- E. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

The above list of Criteria for Personnel Action are considered as the responsibilities associated with instructional positions, as referenced in 2.9.2

## **2.2.8 Qualifications for Appointment to Rank**

The following minimum academic requirements (in terms of graduate credit and time of service) shall be regarded as prerequisites for initial appointment to academic rank. The applicability of “equivalent professional experience” in this section is determined by the Provost in consultation with FPC on a case-by-case basis and may include non-academic experience at Heidelberg or elsewhere. Qualifications for promotion to rank are described in 2.2.9.

The prerequisite qualifications for appointment to the several academic ranks shall be as follows:

### **2.2.8.1 Qualifications for appointment to rank of Instructor:**

Minimum of a Master’s Degree in teaching area; completion of most or all of the requirements for the doctorate or equivalent; prior teaching experience highly desirable.

### **2.2.8.2 Qualifications for appointment to rank of Assistant Professor:**

Doctoral degree or terminal degree equivalent recognized by Heidelberg in the Faculty member’s teaching area, or twenty semester hours of graduate study beyond the Master’s degree in the teacher’s major field and/or in fields which bear directly on the major field, to be completed either in a school or with a professional mentor/artist teacher. Successful teaching experience in higher education or equivalent professional experience is desirable.

### **2.2.8.3 Qualifications for appointment to rank of Associate Professor:**

Doctoral degree or terminal degree equivalent recognized by Heidelberg in the Faculty member’s teaching area; Evidence of outstanding achievement in teaching, service, and professional activity. A minimum of six years of full-time work at the rank of Assistant Professor, or equivalent professional experience is expected.

### **2.2.8.4 Qualifications for appointment to rank of Professor:**

Doctoral degree or terminal degree equivalent recognized by Heidelberg in the Faculty member’s teaching area; Evidence of continuing excellence in teaching, service, and professional activity. A minimum of six years of full-time work at the rank of Associate Professor or equivalent professional experience is expected.

## 2.2.9 Qualifications for Promotion to Rank

The following minimum academic requirements (in terms of graduate credit and time of service) shall be regarded as prerequisites for serious consideration for promotion, but do not in themselves constitute an automatic claim to promotion. The applicability of “equivalent professional experience” in this section is determined by the Provost in consultation with FPC on a case-by-case basis and may include non-academic experience at Heidelberg or elsewhere. In determining eligibility for promotion of an instructor with Significant Part-Time status, the following equivalence will apply: no less than two years of Significant Part-Time work shall equal one year of full-time work, as determined by the Provost in consultation with FPC.

Outstanding achievement in teaching, service, and/or professional activity shall provide the basis for consideration for promotion. Additional criteria are listed in 2.2.7.

The prerequisite qualifications for promotion to the several academic ranks shall be as follows:

### 2.2.9.1 Qualifications for promotion to rank of Assistant Professor:

Terminal degree or terminal degree equivalent recognized by Heidelberg in the Faculty member’s teaching area, or twenty semester hours of graduate study beyond the Master’s degree in the teacher’s major field and/or in fields which bear directly on the major field, to be completed either in a school or with a professional mentor/artist teacher. Appropriate professional activity and a minimum of two years successful teaching experience or equivalent professional experience is required to apply.

### 2.2.9.2 Qualifications for promotion to rank of Associate Professor:

Doctoral degree or terminal degree equivalent recognized by Heidelberg in the Faculty member’s teaching area; Evidence of outstanding achievement in teaching, service, and professional activity. A minimum of six years of full-time work at the rank of Assistant Professor or equivalent professional experience is required to apply. For Faculty hired prior to July 2016, a minimum of four years teaching experience is required.

### 2.2.9.3 Qualifications for promotion to rank of Professor:

Doctoral degree or terminal degree equivalent recognized by Heidelberg in the Faculty member’s teaching area; Evidence of continuing excellence in teaching, service, and professional activity. A minimum of six years of full-time work at the rank of Associate Professor or equivalent professional experience is required to apply.

### 2.2.9.4 Requests for Promotion

After consultation between the Faculty member and the Chair/Director, requests for promotion are sent by the applicant to the Faculty Personnel Committee, with a Promotion Portfolio supporting the request.

#### 2.2.9.4.1 What the Promotion Portfolio Includes:

- A. An introduction to the portfolio (see 2.2.9.4.2);
- B. A Departmental Letter of Evaluation for Promotion (see 2.2.9.4.3);
- C. Documents related to the two-year evaluation cycle for years since the last Tenure Progress Portfolio or appointment;
  1. Full-time Teaching Faculty Members, see Sections 2.2.9.4.4.A and 2.6.3;
 

Note that included in the documents related to the two-year evaluation cycle, Full-time Teaching Faculty Members completing their Faculty Self-Evaluations are required to refer to the results of an Approved Method in completing their discussion of teaching.
  2. Instructors Other than Full-Time Teaching Faculty Members, see Sections 2.2.9.4.4.B and 2.6.4
- D. Curriculum vitae;
- E. Statement of Teaching Philosophy;
- F. Letter(s) of Support from colleagues (optional);
- G. Appendices to the Promotion Portfolio;
- H. Other materials as specified by FPC and the Provost.

#### 2.2.9.4.2 Introduction to the Portfolio:

The introduction to the portfolio, no longer than 3500 words, should provide an overview of the materials contained in the portfolio, highlighting any items—including appendices—the candidate wishes to emphasize. The introduction must address specifically how any deficiencies noted in any documents related to the two-year evaluation cycle (see 2.6.3 and 2.2.9.4.4) have been addressed and corrected. Faculty members are encouraged to review their personnel files prior to submitting tenure progress portfolios.

#### 2.2.9.4.3 Departmental Letter of Evaluation for Promotion:

A Departmental Letter of Evaluation for a Promotion Portfolio is different than the Evaluation by a Faculty Evaluator written as a part of the two-year evaluation cycle. As part of developing the Letter of Evaluation, the Chair/Director shall consult with the full-time tenured Faculty of the department. In case the applicant is the Chair/Director, the Provost will designate a tenured full professor to fill the Chair/Director's role in this section. In the case of departments with fewer than three full-time tenured Faculty, the Chair/Director and the Faculty member will each designate one additional tenured Faculty member from a disciplinarily related department to participate in providing department input. The consultation may be a departmental meeting, by written contact, or by meeting with individual Faculty members. Any full-time Faculty member in the applicant's department may submit letters to FPC concerning the promotion request. These letters will be added to the Portfolio.



#### **2.2.9.4.4 Documents Related to the Two-Year Evaluation Cycle**

The portfolio must include all relevant materials from each portion of the two-year evaluation cycle:

- A. Full-Time Teaching Faculty Members (see 2.6.3): Formal Review of Instructional Materials (2.6.3.2), Evaluative Classroom Observation (2.6.3.3), Faculty Self-Evaluation (2.6.3.4), Evaluation by the Faculty Evaluator (2.6.3.5), and materials related to any Deficiencies and Action Plans (2.6.3.6).
- B. Instructors Other Than Full-Time Teaching Faculty Members (see 2.6.4): Formal Review of Instructional Materials (2.6.4.1), Evaluative Classroom Observation (2.6.4.2), Evaluation of Instructional Materials and Classroom Observation (2.6.4.3), and materials related to any Perceived Major Deficiencies (2.6.4.3.1) and Instructional Alerts (2.6.4.3.2).

#### **2.2.9.4.5 Materials Considered in the Recommendation Regarding Promotion**

The Faculty Personnel Committee must base its recommendation regarding promotion solely on materials submitted in the Promotion Portfolio. In some instances, the Provost may bring additional information or documents—including materials from the applicant's Faculty Personnel File—to the attention of the Faculty Personnel Committee prior to them making their recommendation, but the Provost must provide the candidate a written description of the information that he or she shared with the Faculty Personnel Committee within one week of the Provost's communication with the Faculty Personnel Committee.

The candidate shall have ten (10) calendar days from the date the candidate has been provided with a written description of the information shared with the Faculty Personnel Committee to submit a written response to the Faculty Personnel Committee.

#### **2.2.9.4.6 Recommendation Regarding Promotion**

After examining all materials, the Faculty Personnel Committee will vote on the promotion request and send a recommendation to the Provost of the University, who will then make a recommendation to the President. The Provost will notify the Faculty member and Chair/Director of the result of the promotion request after confirmation by the Board of Trustees.

### **2.2.9.5 Alternative Standards for Appointment, Promotion or Tenure**

The University reserves the right to establish alternative standards for the appointment, promotion and tenure of individuals.

#### **2.2.9.5.1 Written request for alternative standards**

A Department Chair or Search Committee wishing to establish alternative standards for the appointment, promotion or tenure of members of the instructional staff or new hires to fill a vacancy or newly created position shall submit a written request to FPC with a copy to the Provost. The written request of the Department Chair or Search Committee shall include, but not be limited to, the following:

- A. a complete listing of the desired alternative standards;
- B. a statement of the rationale for the alternative standards;
- C. the type of appointment and the academic ranks for which the individual receiving the appointment may eventually qualify, with a statement of the proposed requirements for promotion to each rank;
- D. an explicit statement as to whether the alternative standards will require new, different or additional study and academic credentials and, if so, a statement as to what those may include; and
- E. a statement as to whether the alternative standards are to be in addition to the Criteria For Personnel Action set forth in Sections 2.2.7, 2.2.8 and 2.2.9 or as permitted by those sections, in lieu of those requirements.

#### **2.2.9.5.2 FPC review of request for alternative standards**

FPC, in reviewing the written request, may consult with such other Faculty Committees and Faculty members as they deem may be helpful, including but not limited to the Department Chair and/ or the members of the Search Committee making the request, the Undergraduate Curriculum Committee and, where appropriate, Graduate School personnel and committees. In preparing their comments and recommendations on the request for the Provost, FPC shall give due consideration to, among other factors:

- A. the nature of the position to be changed, created or filled;
- B. the academic needs or projected academic or program needs the position to be filled, created or changed would meet;
- C. the need for flexibility, including hiring and retention flexibility, in the department or cross-department academic program in which the position exists or into which it is to be placed; and
- D. the need for the University to exercise financial care and prudence in the making of hiring and retention commitments.

#### **2.2.9.5.3 Provost's recommendation about request for alternative standards**

The Provost, after consultation with FPC and after having received FPC's written recommendation, shall decide whether to recommend approval or denial of the request and forward the

recommendation to the President. FPC may also send its written recommendation to the President. The President shall thereafter make the final determination as to whether to approve or deny the request and inform the Provost, FPC, and the Department Chair or Search Committee of his/her decision.

#### **2.2.9.5.4 Memorandum of Understanding**

If the request of the Department Chair or Search Committee is approved by the President, the Provost, after consultation with FPC and the Department Chair or Search Committee shall prepare and issue a Memorandum of Understanding which will include the information required in 2.2.9.5.1 above. The Memorandum of Understanding will be kept in the personnel file of any individual whose employment is in any way covered by the provisions of the Memorandum, and a copy will be retained in the Provost's office. No appointment, contract or employment action involving an individual covered by the Memorandum shall contravene the provisions of the Memorandum unless such variances are approved in writing by the individual involved after consultation with the appropriate Department Chair and FPC. Modifications may be made to the Memorandum during the term of any appointment or contract made pursuant to its terms only with the approval of the individual to which it applies made after consultation with FPC.

#### **2.2.9.5.5 Faculty member review of Memorandum of Understanding**

If the Provost should wish to establish alternative standards for any faculty member or academic position, the Provost shall provide a proposed Memorandum of Understanding to FPC for consideration and comment. The proposed Memorandum shall include the same information as is required by the provisions of 2.2.9.5.1 above.

#### **2.2.9.5.6 Resolving issues with alternative standards**

If FPC notifies the Provost that it has significant reservations as to the need and/or rationale for the proposed establishment of alternative standards for a Faculty member or academic position, the Provost shall meet with FPC and endeavor to resolve the issues raised by FPC. If the issues, in whole or in part, cannot be resolved, FPC and the Provost may each submit a written statement of their respective positions to the President along with their recommendations for action. After receipt of the written position statements and the recommendations of FPC and the Provost, the President shall make a final determination. Any such proposal will be considered by the President on an individual basis and upon its own merits. Such determination by the President shall be made before the establishment of any alternative standards for any Faculty member or academic position.

#### **2.2.9.5.7 Memorandum of Understanding for extension of time**

A Memorandum of Understanding may also be prepared allowing up to two additional years to complete requirements for promotion of an individual from the rank of Instructor to Assistant Professor. The request for a Memorandum for extension of time must be made by the individual Faculty member or the Faculty member's Chair/Director to the Provost with a copy being provided to FPC. The request must include a statement specifying progress being made toward promotion and a plan for completing the requirements and must be endorsed by the Faculty member's Chair/Director. After consultation with and receipt in writing of the recommendation of FPC, the Provost may approve or deny the request. If the request is approved, the Provost shall issue the Memorandum after consultation with FPC.

## 2.3 Types of Instructional Appointments

Instructional appointments are either full-time, part-time, supplemental, or adjunct. Full-time Faculty appointments are to positions designated either as tenure-track, in which the Faculty member is eligible for an appointment with continuous tenure upon meeting the designated criteria in Section 2.7, or to non-tenure track positions which do not lead to tenure or a tenure decision. This status will be clearly indicated in the letter of appointment.

### 2.3.1 Term

#### 2.3.1.1 Part-time, Supplemental, and Adjunct

All part-time, supplemental, and adjunct contracts are issued on a limited-term basis, with the term clearly specified in the contract. Supplemental contracts apply only to full-time employees. Instructional duties may be part of an administrative appointment or compensated under a separate instructional contract. If a member of the part-time or adjunct instructional staff is later offered full-time employment, the Faculty Personnel Committee and the Provost may consider giving credit toward promotion and/or tenure for time served under term contracts. This will ordinarily be limited to two years credit. Adjunct instructional staff are not eligible for University benefits.

#### 2.3.1.2 Non-tenure track, full-time

Full-time non-tenure track contracts are issued on a limited-term basis, with the term clearly specified in the contract. These are generally one- to three-year contracts. Term contracts originally issued after 2016 are not renewable unless explicitly stated in the original appointment agreement. Otherwise, employment will be terminated after the sixth year of service, with notice given in compliance with Section 2.8.2. In unusual cases, exceptions to this maximum may be made by the President in consultation with the Provost and FPC. If a Faculty member holding a non-tenure track full-time contract is later offered a tenure-track contract, the Faculty Personnel Committee and the Provost may consider giving credit toward tenure consideration for time served under the previous status. This ordinarily will be limited to two years credit.

### 2.3.2 Tenure-Track

Tenure-track contracts are considered probationary, with the performance of the Faculty member being evaluated by the department, the Faculty Personnel Committee, and the Provost of the University at the conclusion of the second, fourth, and sixth years of employment. Criteria for the awarding of tenure are described in Sections 2.2.9.1 and 2.7.

### **2.3.3 Continuous Tenure**

A tenured appointment is a means to certain ends: freedom in teaching, research and extramural activities and a sufficient degree of economic security to make the profession attractive to persons of ability. In that sense, tenure is essential to Heidelberg University as it seeks to fulfill its obligations to its students, its faculty and to society. Tenure may be awarded as described in Section 2.7. Tenured Faculty members receive continuing contracts in accordance with the terms of tenure and the terms of separation from the University described in Section 2.8.

## 2.4 Search, Appointment, Orientation

### 2.4.1 Procedures for Filling Faculty Positions

In an effort to ensure consistency and to dispel ambiguity and misunderstandings in the appointment of persons to fill Faculty positions at Heidelberg University, the following steps are to be followed:

#### 2.4.1.1 Chair/Director Prepares and Submits Position Request Forms

A Chair/Director, in consultation with the appropriate Dean, will prepare and submit such position request forms as are required and forward them to the Faculty Personnel Committee with copies to the Provost.

#### 2.4.1.2 FPC Reviews Position Request Forms

FPC, in consultation with the Provost, will review the position request forms and recommend in writing to the Provost (i) whether to approve the request and (ii) whether the position to be filled be (a) a tenure track position; (b) a non-tenure track position with the possibility of conversion to a tenure-track position; or (c) a non-tenure track position without the possibility of conversion to a tenure-track position.

##### 2.4.1.2.1 Criteria for FPC Review

In making this recommendation, FPC should consider the nature of the position, the academic program needs the position is projected to meet, and the specific reasons for filling the vacant position at the present time.

##### 2.4.1.2.2 Timeframe and Conversion Criteria

In the case of a non-tenure-track position with the possibility of conversion to tenure-track, the FPC recommendation shall include the timeframe and criteria by which a conversion decision should be guided. Such criteria may include:

- A. individual academic oriented considerations;
- B. enrollment, academic relevance and financial viability of department curriculum;
- C. changes in academic programs related to the position;
- D. consideration of the need of the University to retain flexibility in meeting changing academic demands and coping with long and short term financial challenges without detracting from its core academic curriculum; and
- E. contributions of the new hire to enhancing the department's academic programs.

### **2.4.1.3 Provost Makes Recommendation to the President**

The Provost shall forward the position request forms, FPC's recommendation, and the Provost's recommendation to the President for final determination.

### **2.4.1.4 Notification of Conversion**

If a decision is made to convert a position to tenure-track, the current holder of the position shall be notified of the decision within three days and, pursuant to the provisions of Section 2.8.2, whether he/she will be appointed or considered in the recruitment process.

### **2.4.1.5 Provost Initiates Hiring and Search Committee Formed**

The Provost is responsible to initiate and oversee the hiring process. A Search Committee shall be formed when filling a full-time Faculty position. For significant part-time or one-year replacement positions, the Provost in cooperation with FPC will determine whether a Search Committee is necessary. Adjunct positions and part-time positions do not ordinarily require a Search Committee.

## **2.4.2 Appointment Procedures**

A written appointment agreement will be issued by the Provost. The terms and conditions of appointment shall be stated in the appointment agreement. Any special understandings, arrangements, obligations or expectations of the Faculty member shall be clearly stated in the appointment agreement. For tenure track appointments, the agreement shall state any credit towards tenure and when the tenure decision will be made. For non-tenure track appointments, the agreement shall state when the position will be evaluated for conversion to tenure track. For non-tenure track appointments that are fixed in length and are not tenure-eligible, the agreement shall state the length of the appointment. Statements made by University personnel during the interview and appointment process, or at a later time during employment, are considered to be part of the appointment agreement only if (i) they are appended in writing to the appointment agreement, and (ii) the Faculty member, prospective or employed, is presented with a copy of the amended appointment agreement and acknowledges its receipt in writing to the Provost.

## **2.4.3 Orientation**

New Faculty members attend an Orientation program, unless excused by the Provost. The orientation program takes place prior to the beginning of Fall semester classes. Orientation will serve as an introduction to policies and procedures of the University, including expectations for Faculty members, library and media resources available, Faculty member development and mentoring, registration and grading, and an overview of Academic Affairs. In addition to the New Faculty Orientation, further activities are coordinated by the Faculty Development Committee.

## 2.4.4 Equal Opportunity, Affirmative Action

"From its founding, Heidelberg University has believed in the dignity of the individual, and it is an affirmative action, equal opportunity institution. Heidelberg does not discriminate on the basis of race, color, national and ethnic origin, religion, age, political affiliation, socioeconomic status, sex, or handicap in the administration of its admissions policies, educational policies and programs, financial aid programs, employment practices, and athletic and other school-administered programs and activities." (Heidelberg University Catalog.)

This statement, expressing a fundamental fact of Heidelberg's approach to education, has long been an imperative in setting and achieving goals at Heidelberg. With the increasing awareness that, however salutary, such statements are prohibitory rather than positive, the University now adopts a restatement of that position, emphasizing the University's affirmative posture and its determination to continue to plan programs which reflect that posture.

Documents pertaining to compliance with provisions of Title II are available in the office of the Provost.

## 2.4.5 Employment Conflict of Interest

The position of a Faculty member as a professional, and the special relationship between Faculty members and students require that the University and Faculty members take reasonable precautions to reduce the possibility of conflict of interest or compromising circumstances.

Although not all-encompassing, the following guidelines are intended to minimize conflicts of interest. Combined with appropriate professional judgment, they will assist in eliminating questions of propriety toward the faculty member and the University.

(a) Billing for all instruction by a Faculty member is through the Business Office. This includes instruction under University auspices, using University facilities, or other instruction which parallels University instruction. Faculty members may not receive direct payment for instructional services from students, their parents, or their agents.

(b) Faculty members may not offer independent arrangements of a regular class or independent study to a family member without prior written approval from the Provost of the University.

(c) Full-time faculty may teach beyond the full-time contract, whether at the University or elsewhere, only with written notification to the Provost.

## 2.4.6 Special Appointment Categories

Certain positions may combine administrative and teaching responsibilities. These employees may be granted academic rank and be eligible for promotion, according to requirements in Sections 2.2.8 and 2.2.9. Recognizing the individual nature of such appointments, FPC may develop alternate criteria for promotion for individuals in this category.



## 2.5 Personnel Records

Each Faculty member of Heidelberg University will have a Personnel File in the Office of the Provost. No other official Faculty member file will be maintained by Heidelberg University, with the exception of the Human Resources Office, where a copy of the appointment letter and other records necessary for payment, benefits, and tax purposes may be kept. The Human Resources file shall be considered a subset of the Personnel File, kept for specific purposes. The Provost shall be responsible for the safekeeping of all Personnel Files. The Personnel File may never leave the Office of the Provost unless it is in the possession of the Provost or the President.

Documents to be found in each Faculty member's official personnel file are, but are not limited to, the following:

- A. Letter of application
- B. Appointment and acceptance letters, and subsequent personnel actions
- C. The Faculty member's letters of appointment agreement
- D. Letters of recommendation
- E. Academic transcripts from all undergraduate and graduate institutions attended
- F. Selected student course comment sheets or information from an Approved Method for gathering student input as described in 2.6.2.1.2 indicating probable cause to investigate the instructor for incompetence, misconduct, breach of contract, or other sanctionable offenses
- G. Current curriculum vitae
- H. Annual Faculty Evaluation Forms or Documents Related to the Two Year Evaluation Cycle (2.2.9.1.4)
- I. Records of awards, grants, and exceptional service to the institution
- J. Records of occasions requiring discipline or official warnings to the Faculty member from the Provost or President. The Faculty member must receive copies of any entry under this category and FPC may submit a written objection to the inclusion of any entry under this category.
- K. Appropriate background checks conducted by Human Resources-
- L. Other documents, as approved by the Faculty Personnel Committee and the Provost

A Faculty Member has the right to (1) be notified whenever anything is placed in their record, (2) be notified of what it is that has been placed in the record, with opportunity to see that material (in Provost's office, as noted), and (3) have the right to put in a written comment or response to any material the Faculty member deems unfair, inaccurate, or incomplete.

FPC recommendations for personnel action are normally based only upon items in the Personnel File and Promotion and Tenure Portfolios, but may include information provided to FPC by the Provost from the Provost's informal records as specified in Section 2.5.2.

Faculty Personnel Files may be viewed only by the Chair of the Board of Trustees, the President, the Provost, the Chief Human Resources Officer, Associate Vice Presidents for Academic Affairs, Deans, the Provost's Administrative Assistant, Administrative Assistants in the President's and Provost's offices for filing purposes, and the Faculty Personnel Committee. A Faculty member whose name appears on a Personnel File may review the contents of that File upon written request to the Provost. Such review shall occur in the Office of the Provost. In instances of employment disputes, the Executive Committee of the Board of Trustees and/or members of the Board of Trustees may have access to an employee's personnel file but only when shared with them by

the Chair of the Board of Trustees or the President and/or Provost. The file may not be taken from the Provost's Office unless by the President or Provost.

Electronic and paper copies of certain Faculty member's records, including student course comment sheets and letters of appointment, are also kept in appropriate administrative offices.

### **2.5.1 Promotion and Tenure Portfolios**

Promotion and tenure progress/application portfolios are submitted to FPC according to a published schedule. Records of initial appointment status, including initial rank and tenure eligibility, and subsequent promotion and tenure decisions are part of the Personnel file. Guidelines for completion of Promotion and Tenure files are distributed by the Faculty Personnel Committee (FPC) upon request.

### **2.5.2 Other Records**

In addition to the Personnel File, the Provost is required by the President to maintain in his or her office informal records of meetings and conversations with Faculty, memos and emails relating to University matters whether or not from faculty members, issues raised by outside constituencies, and other issues relating to the University and/or instructional staff matters brought to the attention of the Provost.

## 2.6 Faculty Evaluation

The evaluation procedures in this Manual apply to both untenured and tenured Faculty, as well as other classes of academic instructional staff such as full-time employees teaching under supplemental contracts, part-time instructors, adjunct instructors, and other types of instructional staff as described in Section 2.2.1.

While disciplinary processes less than termination are referenced in the section concerning tenured Faculty (see 2.8.4.1(2) below), such sanctions also apply to non-tenured instructional staff. Termination procedures are stated in Sections 2.8.3 and 2.8.4.

The evaluation of all academic instructional staff is covered by criteria described in Section 2.6.1. The evaluation process for full-time teaching Faculty members is described in Section 2.6.3. The evaluation process for all other academic instructional staff is described in Section 2.6.4.

### 2.6.1 Criteria

Faculty evaluation is based upon the Criteria for Personnel Action, described in Section 2.2.7. Academic instructional staff who are not full-time teaching Faculty members are evaluated based upon the criteria related to Teaching in Section 2.2.7.1 and Professional and Ethical Relationships in Section 2.2.7.4.

### 2.6.2 Student Input

The Faculty recognizes the importance of student input for developmental purposes and for the discovery of instances of instructional staff not fulfilling the Basic Responsibilities Related to Teaching as laid out in 2.2.7.1.1 or engaging in misconduct of other sorts.

#### 2.6.2.1 Approved Methods for Soliciting Student Input

For each section of each course taught, all instructional staff must administer a method for soliciting student input approved by the General Faculty and Academic Affairs (henceforth referred to as an “Approved Method”). Should Faculty members in a department wish to collect student input by a method that has not yet been approved by the General Faculty, a written request should be made to the Faculty Personnel Committee of the proposed method and a brief rationale. The Faculty Personnel Committee will present this to the General Faculty for a vote, and the change may be approved by a simple majority. Instructors that want to develop methods for soliciting student input in addition to the Approved Methods may do so as described in Section 2.6.2.2.

##### 2.6.2.1.1 Results of an Approved Method

Results from an Approved Method, with the exception of the questions described in Section 2.6.2.1.2, are reported directly to the instructor and may not be accessed by any other individual or office without the instructor’s written consent. Such results are for the developmental use of the instructor. However, Full-time Teaching Faculty Members completing their Faculty Self-Evaluations are required to refer to the results of an Approved Method in completing their discussion of teaching.

### 2.6.2.1.2 Information Regarding Basic Responsibilities Related to Teaching or Misconduct

An Approved Method includes two questions soliciting information regarding the instructor not fulfilling the Basic Responsibilities Related to Teaching as laid out in 2.2.7.1.1 or engaging in misconduct of other sorts:

- 1) Heidelberg University requests information about any problems you may have experienced with your instructor fulfilling the Basic Responsibilities Related to Teaching:
  - A. distributing a course syllabus according to guidelines established by the University and the instructor's academic unit;
  - B. conducting class during scheduled times, including the final exam period assigned by the Registrar;
  - C. maintaining office hours and/or availability to students outside class;
  - D. covering material consistent with the course description;
  - E. maintaining accurate records for student grading and attendance;
- 2) Heidelberg University requests information about any problems you may have experienced with your instructor in terms of professional, ethical, or illegal behavior, including harassment or discrimination of any kind.

Unlike other student responses, responses to these two questions are sent directly to the Associate Vice President for Academic Administration, Honors and Faculty Support or to an ombudsperson approved by the Faculty Personnel Committee, who reviews the responses, and if necessary meets with the Faculty member, to determine if there is sufficient cause to conduct an investigation of breach of contract or other serious misconduct that, if verified, could lead to an adverse employment decision. Responses to these two questions that do not fall under the specific topics listed in the question text will be ignored by the Associate Vice President.

If such a determination is made, the Associate Vice President will bring all such cases to the Faculty Personnel Committee and the Provost for consultation. If FPC, the Associate Vice President, and the Provost agree that an investigation is warranted, the Provost will conduct an investigation into the allegations. In such a case, the Provost will immediately notify the instructor of the charges and invite him or her to present evidence on his or her behalf. Allegations of a Title IX violation are immediately reported on receipt by the Associate Vice President in compliance with University policy.

### 2.6.2.2 Other Methods for Soliciting Student Input

Instructors are free to employ other methods for soliciting student input concerning their courses. The results of such methods are to be used in whatever manner the instructor deems appropriate.

## 2.6.3 Evaluation Process for Full-time Teaching Faculty Members

All full-time teaching Faculty members, tenured or non-tenured, are required to participate in a perpetual two-year evaluation cycle, consisting of:

### Year One

Fall Semester: Evaluative Review of Instructional Materials (2.6.3.2)

- Written Evaluation by Faculty Evaluator due December 1
- Faculty response (if any) due December 15

Spring Semester: Evaluative Classroom Observation (2.6.3.3)

- Written Observation Report by Faculty Evaluator due May 1
- Faculty response (if any) due May 15

### Year Two

Spring Semester: Faculty Self-Evaluation (2.6.3.4) and Evaluation by Faculty Evaluator (2.6.3.5)

- Faculty Self-Evaluation due first day following Spring Break
- Evaluation by Faculty Evaluator due May 1
- Faculty response (if any) due May 15

## 2.6.3.1 Faculty Evaluators

In order to ensure ownership by the Faculty of the evaluation process for Full-time Teaching Faculty Members, all three steps in the two-year evaluation cycle (Evaluative Review of Instructional Materials, Evaluative Classroom Observation, and Evaluation by Faculty Evaluator) are conducted by a member of the Faculty Evaluation Panel.

### 2.6.3.1.1 Faculty Evaluation Panel

The Faculty Evaluation Panel consists of twelve, or another number as determined by the general faculty, full-time teaching Faculty members as defined in Section 2.2.7, distributed across the academic divisions of the University.

### 2.6.3.1.2 Eligibility for the Faculty Evaluation Panel

Members of the Faculty Evaluation Panel must be:

- 1) full-time teaching Faculty members who hold the rank of Associate Professor or Professor, or
- 2) full-time teaching Faculty members who have a minimum of six years of full-time teaching experience (or the equivalent as determined by the Faculty Personnel Committee), at least three years of which must be at Heidelberg University.

While the Deans of the schools are not eligible to serve on the Faculty Evaluation Panel, they are charged with recruiting members of their schools to serve on the panel.

### **2.6.3.1.3 Terms of Service for the Faculty Evaluation Panel**

Members of the Faculty Evaluation Panel serve terms of two years that may be repeated. Service on the Faculty Evaluation Panel equates to service on a Faculty committee in terms of Participation in the Shared Governance of the University 2.2.7.3.2.

### **2.6.3.1.4 Populating the Faculty Evaluation Panel**

The Faculty Personnel Committee oversees the membership of the Faculty Evaluation Panel, working in consultation with the Deans. The process of populating the panel consists of the following steps:

1. At the start of each fall semester, the Faculty Personnel Committee issues a call to the schools for volunteers to serve as members of the Faculty Evaluation Panel.
2. The Deans of the schools recruit volunteers and forward their nominations to the Faculty Personnel Committee by November 1.
3. The Faculty Personnel Committee reviews the nominations and then presents a final proposed membership list for approval at the December meeting of the General Faculty.

The General Faculty may supplement the Panel as needed at any time on request from a department Chair/Director.

### **2.6.3.1.5 Training for the Faculty Evaluation Panel**

Members of the Faculty Evaluation Panel must undertake training as designated by the Faculty Personnel Committee during each spring semester. This training is coordinated by the Faculty Personnel Committee, the Faculty Development Committee, and the Provost.

### **2.6.3.1.6 Designating a Faculty Evaluator**

A full-time teaching Faculty member's Dean designates the member of the Faculty Evaluation Panel who will complete the required step(s) in the evaluation cycle for the following year, according to the following procedure:

1. At the start of each spring semester, the Faculty Personnel Committee issues a request for Deans to designate Faculty Evaluators who teach in their schools for their full-time teaching Faculty members.
2. Deans must work with their Faculty members to arrive at a Faculty Evaluator acceptable to both parties.
3. The Dean then contacts the Faculty Evaluator for each Faculty member.

### **2.6.3.1.7 Designating a Faculty Evaluator in Special Situations**

Chairs and Directors may not be evaluated by Faculty Evaluators from their own department or program. For Deans, the Provost will designate a Faculty Evaluator in consultation with each Dean; the Faculty Evaluator must come from a different school.

## **2.6.3.2 Formal Review of Instructional Materials**

During the Fall Semester of the first year of the two-year evaluation cycle, the faculty member's Faculty Evaluator will conduct a formal review of instructional materials submitted by the faculty member.

### **2.6.3.2.1 Materials Provided to the Faculty Evaluator**

No later than November 1, the faculty member will provide the Faculty Evaluator with two course syllabi (preferably from different levels or types of courses) and from one or both of those courses, two of the following: assignment prompts, laboratory exercises, examinations, descriptions of in-class or out-of class learning opportunities, evidence of student learning, or other materials deemed relevant. Accompanying these documents should be a 350-700-word explanation of the materials and how they demonstrate quality teaching relative to any or all of the criteria in Section 2.2.7.1.

### **2.6.3.2.2 Evaluation of Materials**

No later than December 1, the Faculty Evaluator will provide the Provost with a written evaluation of the materials; a copy of this evaluation will be sent to the faculty member. This report must include an evaluative statement regarding the faculty member's performance relative to the criteria in Section 2.2.7.1.

### **2.6.3.2.3 Faculty Response to the Evaluation of Materials**

The faculty member will have until December 15 to respond in writing to the evaluative statement. This response will be sent directly to the Provost.

## **2.6.3.3 Evaluative Classroom Observation**

During Spring Semester and no later than April 1 of the first year of the two-year evaluation cycle, the faculty member's Faculty Evaluator will conduct an evaluative classroom observation. The observation consists of the following steps:

### **2.6.3.3.1 Pre-observation Meeting**

Once the classroom observation has been scheduled, the faculty member and the Faculty Evaluator will meet at least one day prior to the class session to discuss the faculty member's plans for the class session to be observed. At this time, the faculty member must provide the observer with any relevant materials for that class session.

### **2.6.3.3.2 Observation**

The observer will attend the class session and take notes.

### **2.6.3.3.3 Post-observation Meeting**

No later than two weeks following the observed class, the Faculty Evaluator and the faculty member will meet to discuss the class session. At this time, the Faculty Evaluator should provide the faculty member with a general sense of what he or she will write in the observation report.

#### **2.6.3.3.4 Evaluative Classroom Observation Report**

No later than May 1, the Faculty Evaluator will provide the Provost with an evaluative observation report; a copy of this report will be sent to the faculty member. This report must include an evaluative statement regarding the faculty member's performance relative to the Teaching Excellence criteria in Section 2.2.7.1.2.

#### **2.6.3.3.5 Faculty Response to the Evaluative Observation Report**

The faculty member will have until May 15 to respond in writing to the observation report. This response will be sent directly to the Provost.

### **2.6.3.4 Faculty Self-Evaluation**

During Spring Semester of the second year of the two-year evaluation cycle, the faculty member will write a self-evaluation of no more than 2000 words. This self-evaluation will consist of four sections, each specifically addressing how--in the period since the faculty member's previous self-evaluation--the faculty member has met the four main Criteria for Personnel Action set out in Section 2.2.7: Teaching, Professional Development and Activity, Engagement in the Life of the University, and Professional and Ethical Relationships.

#### **2.6.3.4.1 Teaching**

This section must address the criteria in Section 2.2.7.1. The requirements in 2.2.7.1.1 must be addressed. The list of indicators for Excellence in Teaching listed in 2.2.7.1.2 is illustrative, not definitive or restrictive; other indicators may be supplied, and the University makes no requirements as to which indicators should be used.

This section must specifically refer to the formal review of instructional materials (2.6.3.2) and the evaluative classroom observation (2.6.3.3) conducted the previous year.

This section must also specifically address student input on the faculty member's teaching. This input might be solicited in a variety of ways, including mid-semester or end-of-semester student questionnaires, but it must include the results of an institutionally Approved Method of soliciting student input as described in 2.6.2. The faculty member must specifically address how he or she has considered student input to improve course design, individual lessons, or overall pedagogical practices.

#### **2.6.3.4.2 Professional Development and Activity**

This section must address the criteria in Section 2.2.7.2, including discussions of both professional development related to teaching and professional development and/or activity related to the faculty member's academic fields. The list of indicators for each sub-criterion (2.2.7.2.1 and 2.2.7.2.2) is illustrative and not definitive or restrictive; other indicators may be supplied. The University expects engagement in both areas of professional development and activity but makes no requirements as to amounts or types of engagement in either area.



#### **2.6.3.4.3 Engagement in the Life of the University**

This section must address the criteria in Section 2.2.7.3. The requirements in 2.2.7.3.1 must be addressed. The indicators for engagement in the life of the university listed in 2.2.7.1.2 are illustrative, not definitive or restrictive; other indicators may be supplied. The University expects engagement in all five sub-criteria--Participation in the Shared Governance of the University (2.2.7.3.2); Attendance at Academic, Cultural, Artistic and/or Athletic Events on Campus (2.2.7.3.3); Service to the Faculty Member's Academic Unit (2.2.7.3.4); Service to the University (2.2.7.3.5); and Service to the Community Beyond the University (2.2.7.3.6)--but makes no requirements as to amounts or types of engagement in any of them.

#### **2.6.3.4.4 Professional and Ethical Relationships**

This section must address any formal grievances lodged against the faculty member, as covered in Section 2.15.

#### **2.6.3.4.5 Appendices to the Self-Evaluation**

The Faculty member may include appendices as evidence for claims made in the Self-Evaluation.

#### **2.6.3.4.6 Submission of the Self-Evaluation to the Faculty Evaluator**

The faculty member must send the completed Self Evaluation to his or her Faculty Evaluator by the first day of classes following Spring Break during the second year of the evaluation cycle.

### **2.6.3.5 Evaluation by the Faculty Evaluator**

Following Spring Break of the second year of the two-year evaluation cycle, the Faculty Evaluator will review the Faculty member's Self Evaluation and write an evaluation of no more than 700 words, addressing the Faculty member's performance during the period covered by the Self Evaluation.

#### **2.6.3.5.1 Applicable Criteria for the Evaluation**

The evaluation must specifically address each of the four Criteria for Personnel Action set out in Section 2.2.7: Teaching, Professional Development and Activity, Engagement in the Life of the University, and Professional and Ethical Relationships. In addition, the evaluation may also refer to altered criteria, established in writing for that Faculty member by a Memorandum of Understanding from the Provost in collaboration with FPC as specified in Section 2.2.9.5.4 of the Faculty Manual, or to the University's adoption of requirements of an outside accrediting agency.

#### **2.6.3.5.2 Specific Examples and Deficiencies**

The evaluation must cite specific examples of how the faculty member has performed related to each criterion. If there are any deficiencies regarding these criteria, the Faculty Evaluator must state them explicitly.

### **2.6.3.5.3 Submission of the Evaluation by the Faculty Evaluator**

The Faculty Evaluator must send the written evaluation to the Provost by May 1; a copy of this report must be sent to the faculty member.

### **2.6.3.5.4 Faculty Response to the Written Evaluation**

The faculty member will have until May 15 to respond in writing to the written evaluation. This response will be sent directly to the Provost.

### **2.6.3.6 Deficiencies and Action Plans**

Should the Formal Review of Instructional Materials (2.6.3.2), the Evaluative Classroom Observation (2.6.3.3), or the Evaluation by the Faculty Evaluator (2.6.3.5) cite any deficiencies regarding the appropriate criteria, the following procedure will be followed:

#### **2.6.3.6.1 Notification of the Faculty Personnel Committee**

The Faculty Evaluator completing the report document will send a copy of the document to the chair of the Faculty Personnel Committee.

#### **2.6.3.6.2 Formulation of the Action Plan**

The Faculty member will formulate an Action Plan to address the stated deficiencies in consultation with his or her Chair/Director or Appropriate Dean. The Faculty member will deliver the Action Plan to FPC by a date specified by FPC. FPC will review the proposed Action Plan in consultation with the Provost and recommend any needed changes in the plan to the Faculty member.

#### **2.6.3.6.3 Due Date for Completion of the Action Plan**

The Faculty member will notify FPC upon completion of the Action Plan.

#### **2.6.3.6.4 Addressing Action Plans in the Self-Evaluation**

Faculty who have formulated and/or completed Action Plans during the period covered by a Self-Evaluation document must address that process in their self-evaluation.

## **2.6.4 Evaluation Process for Instructors Other Than Full-Time Teaching Faculty**

This section applies only to academic instructional staff who are not Full-Time Teaching Faculty as defined in Section 2.2.7.

The evaluator is defined as the Chair/Director of the department or program in which the instructor is teaching, or is the Chair/Director's designee. The designee must have completed at least three years of service at Heidelberg as a Full-Time Teaching Faculty member in the department or program, or the equivalent as determined by the Faculty Personnel Committee. The designee must not be a Dean.

Instructor Evaluation in First Semester of Service at Heidelberg University:

1. Formal Review of Instructional Materials (2.6.4.1)
2. Evaluative Classroom Observation (2.6.4.2)

Instructor Evaluation in Subsequent Semesters of Service at Heidelberg University:

Both of the evaluations above will be conducted at least once annually.

### **2.6.4.1 Formal Review of Instructional Materials**

During the first semester of service, and in each subsequent year of service, the evaluator will conduct a formal review of instructional materials submitted by the instructor.

#### **2.6.4.1.1 Materials Provided to the Evaluator**

The instructor will provide the evaluator with the course syllabus (or syllabi) within the first week of the semester and one assignment handout from the course(s) within in the first month of the semester.

### **2.6.4.2 Evaluative Classroom Observation**

The evaluator will conduct an evaluative classroom observation during the first semester of service, and at least once annually thereafter. The observation must be completed no later than October 1 or March 1, given the semester of service. The evaluator will attend the class session and take notes.

### **2.6.4.3 Evaluation of Instructional Materials and Classroom Observation**

The evaluator will keep a written record of the evaluation of instructional materials and the classroom observation. If the evaluator is the Chair/Director's designee, the evaluator will provide a copy of that record to the Chair/Director. The evaluator will communicate the evaluation of the instructional materials and the classroom observation with the instructor either in writing or in a meeting with the instructor. In the latter case, the evaluator will keep a written record of the occurrence of the meeting.

#### **2.6.4.3.1 Perceived Major Deficiencies**

If there are perceived major instructional deficiencies demonstrated either in the materials or in the conduct of the class during the classroom observation, the evaluator must state them explicitly in the written record of the evaluation.

#### **2.6.4.3.2 Instructional Alerts**

If the evaluator observes (1) any perceived major instructional deficiencies, or (2) any unusual circumstances that may require removing the instructor before the completion of the semester or term, the evaluator must immediately communicate those observations as an Instructional Alert to the School Dean. A copy of the evaluation record must accompany the Instructional Alert. The School Dean will notify the instructor of the receipt of the Instructional Alert. Alerts should be restricted to (1) or (2) above.

#### **2.6.4.4 Summer Terms and Other Terms Outside the Fall and Spring Semesters**

The formal review of instructional materials specified in Section 2.6.3.1 or Section 2.6.4.1 and evaluative classroom observation specified in 2.6.3.2 or Section 2.6.4.2 must occur no later than the middle of the given academic term. If the summer term or out-of-sequence term is the first term of service at Heidelberg, the instructor will not be offered subsequent service opportunities until the evaluator has completed his or her evaluation of the instructional materials and of the classroom observation.

## 2.7 Tenure Policies; Non-Tenure-Track Portfolio System

### 2.7.1 Tenure Acquisition

#### 2.7.1.1 Timing of Portfolio Materials Submissions

Tenure-track faculty submit additional materials as part of a Tenure Progress or Tenure Application Portfolio after completing the second, fourth, and sixth year of service (see 2.2.9.1 and 2.7.1).

Tenure, if granted, is usually decided after the conclusion of the sixth year of service. In the normal tenure evaluation process, faculty members collect materials for a Tenure Progress Portfolio after the second and fourth years of service. Second and Fourth Year Portfolios are intermediate steps which lead to the tenure application.

#### 2.7.1.2 Second and Fourth Year Tenure Progress Portfolios

##### 2.7.1.2.1 What the Tenure Progress Portfolio Includes:

- A. An introduction to the portfolio (see 2.7.1.2.2);
- B. A Departmental Letter of Evaluation for Tenure Progress (see 2.7.1.2.3);
- C. Documents related to the two-year evaluation cycle for years since the last Tenure Progress Portfolio or appointment;
  1. Full-time Teaching Faculty Members, see Sections 2.2.9.4.4.A and 2.6.3;  
Note that included in the documents related to the two-year evaluation cycle, Full-time Teaching Faculty Members completing their Faculty Self-Evaluations are required to refer to the results of an Approved Method in completing their discussion of teaching.
  2. Instructors Other than Full-Time Teaching Faculty Members, see Sections 2.2.9.4.4.B and 2.6.4
- D. Curriculum vitae;
- E. Statement of Teaching Philosophy;
- F. Letter(s) of Support from colleagues (optional);
- G. Appendices to the Tenure Progress Portfolio (optional);
- H. Other materials as specified by FPC and/or the Provost.

##### 2.7.1.2.2 Introduction to the Portfolio:

The introduction to the Portfolio, no longer than 3500 words, should provide an overview of the materials contained in the portfolio, highlighting any items—including appendices—the candidate wishes to emphasize. Faculty members are encouraged to review their personnel files prior to submitting tenure progress portfolios.

### 2.7.1.2.3 Departmental Letter of Evaluation for Tenure Progress:

A Departmental Letter of Evaluation for a Tenure Progress Portfolio is different than the Evaluation by a Faculty Evaluator written as a part of the two-year evaluation cycle. As part of developing the Letter of Evaluation, the Chair/Director shall consult with the full-time tenured Faculty of the department. In case the applicant is the Chair/Director, the Provost will designate a tenured full professor to fill the Chair/Director's role in this section. In the case of departments with fewer than three full-time tenured Faculty, the Chair/Director and the Faculty member will each designate one additional tenured Faculty member from a disciplinarily related department to participate in providing department input. This consultation may be a departmental meeting, by written contact with the Faculty, or by meeting with individual Faculty members. Any full-time Faculty member in the tenure probationer's department may submit letters to FPC concerning the Tenure Progress Portfolio. These letters will be added to the Portfolio.

### 2.7.1.2.4 Documents Related to the Two-Year Evaluation Cycle

The portfolio must include all relevant materials from each portion of the two-year evaluation cycle:

- A. Full-Time Teaching Faculty Members (see 2.6.3): Formal Review of Instructional Materials (2.6.3.2), Evaluative Classroom Observation (2.6.3.3), Faculty Self-Evaluation (2.6.3.4), Evaluation by the Faculty Evaluator (2.6.3.5), and materials related to any Deficiencies and Action Plans (2.6.3.6).
- B. Instructors Other Than Full-Time Teaching Faculty Members (see 2.6.4): Formal Review of Instructional Materials (2.6.4.1), Evaluative Classroom Observation (2.6.4.2), Evaluation of Instructional Materials and Classroom Observation (2.6.4.3), and materials related to any Perceived Major Deficiencies (2.6.4.3.1) and Instructional Alerts (2.6.4.3.2).

### 2.7.1.2.5 Materials Considered in the Tenure Progress Portfolio Review Process

The Faculty Personnel Committee must base its recommendation regarding a tenure progress portfolio review solely on materials submitted in the Tenure Progress Portfolio. In some instances, the Provost may bring additional information or documents--including materials from the applicant's Faculty Personnel File--to the attention of the Faculty Personnel Committee prior to them making their recommendation, but the Provost must provide the candidate a written description of the information that he or she shared with the Faculty Personnel Committee within one week of the Provost's communication with the Faculty Personnel Committee.

The candidate shall have ten (10) calendar days from the date the candidate has been provided with a written description of the information shared with the Faculty Personnel Committee to submit a written response to the Faculty Personnel Committee.

### 2.7.1.2.6 Tenure Progress Portfolio Review Process

The Second and Fourth Year Portfolios are reviewed by the Faculty Personnel Committee, which recommends to the Provost one of the following actions:

**Action 1:** continuation of probationary status, indicating acceptable progress toward tenure;

**Action 2:** continuation of probationary status with warning of unacceptable progress toward tenure, which requires formulation and completion of an Action Plan to improve perceived minor deficiencies;

In the case of Action 2, the probationary Faculty member will formulate the Action Plan in consultation with the Chair/Director. The Faculty member will deliver the Action Plan to FPC by a date specified by FPC. FPC will review the proposed Action Plan in consultation with the Provost and recommend any needed changes in the plan to the probationary Faculty member. If the Action Plan is required as a result of the Second Year Portfolio Review, FPC will specify an Action Plan completion date that is prior to the Fourth Year Portfolio submission due date. If the Action Plan is required as a result of the Fourth Year Portfolio Review, FPC will specify an Action Plan completion date that is prior to the Tenure Application submission due date. If the Action Plan is required by an off-year Portfolio Review, FPC will specify an appropriate Action Plan completion date not less than one full semester later. The Faculty member will notify FPC upon completion of the Action Plan or of the intent to withdraw from tenure probation. Completion of the Action Plan will be an additional criterion of evaluation by FPC in making its Fourth Year or Tenure Application recommendation.

**Action 3:** termination of probationary status because of perceived major deficiencies; one year's notice of non-renewal, in accordance with Section 2.8.2.

The Provost will determine what action shall be taken and notify the Faculty member and Chair/Director/Dean.

#### **2.7.1.2.7 Amended Tenure Progress Portfolio Recommendation**

FPC may amend a Second, Fourth, or off-year Portfolio Review recommendation to the Provost in cases of incomplete or inaccurate information made available to FPC in the Portfolio at the time of review. The Provost will consider the amended recommendation, taking any necessary action as specified in Section 2.7.1.2.2.

### 2.7.1.3 Tenure Application:

#### 2.7.1.3.1 What the Tenure Application Portfolio Includes:

- A. An introduction to the portfolio (see 2.7.1.3.2);
- B. A Departmental Letter of Evaluation for Promotion (see 2.7.1.3.3);
- C. Documents related to the two-year evaluation cycle for years since the last Tenure Progress Portfolio or appointment;
  1. Full-time Teaching Faculty Members, see Sections 2.2.9.4.4.A and 2.6.3;  
Note that included in the documents related to the two-year evaluation cycle, Full-time Teaching Faculty Members completing their Faculty Self-Evaluations are required to refer to the results of an Approved Method in completing their discussion of teaching.
  2. Instructors Other than Full-Time Teaching Faculty Members, see Sections 2.2.9.4.4.B and 2.6.4
- D. Curriculum vitae;
- E. Statement of Teaching Philosophy;
- F. Letter(s) of Support from colleagues (optional);
- G. Appendices to the Promotion Portfolio;
- H. Other materials as specified by FPC and/or the Provost.

#### 2.7.1.3.2 Introduction to the Portfolio:

The introduction to the portfolio, no longer than 3500 words, should provide an overview of the materials contained in the portfolio, highlighting any items—including appendices—the candidate wishes to emphasize. The introduction must address specifically how any deficiencies noted in any documents related to the two-year evaluation cycle (see 2.6.2 and 2.2.9.4.4) have been addressed and corrected. Faculty members are encouraged to review their personnel files prior to submitting tenure progress portfolios.

#### 2.7.1.3.3 Departmental Letter of Evaluation for Tenure Progress:

A Departmental Letter of Evaluation for a Tenure Progress Portfolio is different than the Evaluation by a Faculty Evaluator written as a part of the two-year evaluation cycle. As part of developing the Letter of Evaluation, the Chair/Director shall consult with the full-time tenured Faculty of the department. In case the applicant is the Chair/Director, the Provost will designate a tenured full professor to fill the Chair/Director's role in this section. In the case of departments with fewer than three full-time tenured Faculty, the Chair/Director and the Faculty member will each designate one additional tenured Faculty member from a disciplinarily related department to participate in providing department input. This consultation may be a departmental meeting, by written contact with the Faculty, or by meeting with individual Faculty members. Any full-time Faculty member in the tenure probationer's department may submit letters to FPC concerning the Tenure Progress Portfolio. These letters will be added to the Portfolio.

#### 2.7.1.3.4 Documents Related to the Two-Year Evaluation Cycle

The portfolio must include all relevant materials from each portion of the two-year evaluation cycle:



- A. Full-Time Teaching Faculty Members (see 2.6.3): Formal Review of Instructional Materials (2.6.3.2), Evaluative Classroom Observation (2.6.3.3), Faculty Self-Evaluation (2.6.3.4), Evaluation by the Faculty Evaluator (2.6.3.5), and materials related to any Deficiencies and Action Plans (2.6.3.6).
- B. Instructors Other Than Full-Time Teaching Faculty Members (see 2.6.4): Formal Review of Instructional Materials (2.6.4.1), Evaluative Classroom Observation (2.6.4.2), Evaluation of Instructional Materials and Classroom Observation (2.6.4.3), and materials related to any Perceived Major Deficiencies (2.6.4.3.1) and Instructional Alerts (2.6.4.3.2).

#### **2.7.1.3.5 Materials Considered in the Tenure Application Portfolio Review Process**

The Faculty Personnel Committee must base its recommendation for or against the granting of continuous tenure solely on materials submitted in the Tenure Application Portfolio. In some instances, the Provost may bring additional information or documents--including materials from the applicant's Faculty Personnel File--to the attention of the Faculty Personnel Committee prior to them making their recommendation, but the Provost must provide the candidate a written description of the information that he or she shared with the Faculty Personnel Committee within one week of the Provost's communication with the Faculty Personnel Committee.

The candidate shall have ten (10) calendar days from the date the candidate has been provided with a written description of the information shared with the Faculty Personnel Committee to submit a written response to the Faculty Personnel Committee.

#### **2.7.1.3.6 Tenure Application Portfolio Review Process**

After examining the material eligible for consideration in the tenure application portfolio review process (see 2.7.1.3.5), the Faculty Personnel Committee will vote on the tenure request and send a statement to the President and the Provost no later than 30 calendar days prior to that meeting of the Board of Trustees that occurs closest to, but not after, the expiration of the tenure applicant's current appointment. The statement will contain one of the following recommendations, or a rationale for failing to reach a decision:

- A. the granting of continuous tenure;
- B. one year's notice of non-renewal.

If the FPC recommendation is not unanimous, the differing opinions will be forwarded to the President. The Provost also submits to the President his or her recommendation. The Board of Trustees has authority in the awarding of tenure, as described in 2.7.5.

#### **2.7.1.3.7 Notifications and Explanations**

The Provost will notify the Faculty member and Chair/Director/Dean of the result of the tenure request after action by the Board of Trustees. Upon request by the Faculty member, FPC will provide a letter explaining its recommendation. However, no letter shall be issued before the final decision on tenure by the Board of Trustees.

### **2.7.1.3.8 Credit toward Tenure for Prior Experience**

In some cases, faculty members may be given credit in the initial letter of appointment agreement for experience prior to appointment at Heidelberg, including a shortened calendar for tenure consideration. Such credit will be clearly specified in the letter of appointment agreement. In these instances, the preliminary (second-year and/or fourth-year) portfolio(s) may be waived.

## **2.7.2 Requests for Early Tenure Consideration**

Although tenure evaluation is most often completed after the conclusion of the sixth year of service (or other term specified in the initial letter of appointment agreement), Faculty members may request such consideration earlier by following the procedure described in 2.2.9.5.

## **2.7.3 Chair/Director Evaluator**

If a Chair/Director is eligible for tenure review, he or she will select a tenured faculty member, subject to the approval of the Provost in consultation with the Faculty Personnel Committee, to act as an evaluator for the Chair/Director for the purpose of tenure consideration. The evaluator will consult with the Faculty of the department and issue a recommendation to FPC in lieu of the Chair/Director's recommendation.

## **2.7.4 Tenure Advocate**

A candidate for tenure may choose an advocate from the voting faculty to meet with FPC to discuss the Committee's consideration of the candidate. The advocate may present a written statement of recommendation for the candidate, may speak with the Committee, and shall have access to the documents given to the Committee regarding the candidate's tenure request.

## **2.7.5 Board Authority in Awarding Tenure**

After receiving the tenure recommendation from FPC, and the recommendation of the Provost, the President makes recommendation to the Board of Trustees. The President's recommendation includes the recommendations of FPC and the Provost. The Board of Trustees has sole authority for the granting of tenure. The Board will either grant tenure, or direct a one-year notice of non-renewal.

## **2.7.6 Grievances in the Tenure Process**

If tenure is not granted, the faculty member may pursue the grievance procedures described in Section 2.15.

## 2.7.7 Non-Tenure-Track Portfolio System

### 2.7.7.1 Acceptable Non-Tenure-Track Employment Status

#### 2.7.7.1.1 Timing of Portfolio Materials Submissions

Non-tenure-track Full-time Teaching Faculty submit materials as part of a Non-Tenure-Track Portfolio after completing the second and fourth years of service.

Appointment renewal, if granted, is usually decided in advance of the end of contracted service. In the normal Non-Tenure-Track evaluation process, faculty members collect materials for a Non-Tenure-Track Portfolio after the second and fourth years of service.

#### 2.7.7.1.2 Second and Fourth Year Non-Tenure-Track Portfolios

##### 2.7.7.1.2.1 What the Non-Tenure-Track Portfolio Includes:

- A. An introduction to the portfolio (see 2.7.7.1.2.2)
- B. Departmental Letter of Evaluation for Non-Tenure-Track Portfolio (see 2.7.7.1.2.3);
- C. Documents related to the two-year evaluation cycle for years since the last Non-Tenure-Track Portfolio or appointment;
  1. Full-time Teaching Faculty Members, see Sections 2.2.9.4.4.A and 2.6.3; Note that included in the documents related to the two-year evaluation cycle, Full-time Teaching Faculty Members completing their Faculty Self-Evaluations are required to refer to the results of an Approved Method in completing their discussion of teaching.
- D. Curriculum vitae;
- E. Statement of Teaching Philosophy;
- F. Letter(s) of Support from colleagues (optional);
- G. Appendices to the Non-Tenure-Track Portfolio (optional);
- H. Other materials as specified by FPC and/or the Provost.

##### 2.7.7.1.2.2 Introduction to the Portfolio:

The introduction to the Portfolio, no longer than 3500 words, should provide an overview of the materials contained in the portfolio, highlighting any items—including appendices—the candidate wishes to emphasize. Faculty members are encouraged to review their personnel files prior to submitting non-tenure-track portfolios.

##### 2.7.7.1.2.3 Departmental Letter of Evaluation for Non-Tenure-Track Portfolio:

A Departmental Letter of Evaluation for a Non-Tenure-Track Portfolio is different than the Evaluation by a Faculty Evaluator written as a part of the two-year evaluation cycle. As part of developing the Letter of Evaluation, the Chair/Director shall consult with the full-time tenured Faculty of the department. In case the applicant is the Chair/Director, the Provost will designate a tenured full professor to fill the Chair/Director's role in this section. In the case of departments with fewer than three full-time tenured Faculty, the Chair/Director and the Faculty member will each designate one additional tenured Faculty member from a disciplinarily related department to participate in providing department input. This consultation may be a departmental meeting, by written contact with the Faculty, or by meeting with

individual Faculty members. Any full-time Faculty member in the non-tenure-track Faculty member's department may submit letters to FPC concerning the Non-Tenure-Track Portfolio. These letters will be added to the Portfolio.

#### **2.7.7.1.2.4 Documents Related to the Two-Year Evaluation Cycle**

The portfolio must include all relevant materials from each portion of the two-year evaluation cycle:

- A. Full-Time Teaching Faculty Members (see 2.6.3): Formal Review of Instructional Materials (2.6.3.2), Evaluative Classroom Observation (2.6.3.3), Faculty Self-Evaluation (2.6.3.4), Evaluation by the Faculty Evaluator (2.6.3.5), and materials related to any Deficiencies and Action Plans (2.6.3.6).

#### **2.7.7.1.2.5 Materials Considered in the Non-Tenure-Track Portfolio Review Process**

The Faculty Personnel Committee must base its recommendation regarding a Non-Tenure-Track Portfolio review solely on materials submitted in the Portfolio. In some instances, the Provost may bring additional information or documents--including materials from the applicant's Faculty Personnel File--to the attention of the Faculty Personnel Committee prior to them making their recommendation, but the Provost must provide the candidate a written description of the information that he or she shared with the Faculty Personnel Committee within one week of the Provost's communication with the Faculty Personnel Committee.

The candidate shall have ten (10) calendar days from the date the candidate has been provided with a written description of the information shared with the Faculty Personnel Committee to submit a written response to the Faculty Personnel Committee.

#### **2.7.7.1.2.6 Non-Tenure-Track Portfolio Review Process**

The Second and Fourth Year Portfolios are reviewed by the Faculty Personnel Committee, which recommends to the Provost one of the following actions:

**Action 1:** continuation of employment status, indicating acceptable performance as a Non-Tenure-Track Faculty member;

**Action 2:** continuation of employment status with warning of unacceptable performance as a Non-Tenure-Track Faculty member, which requires formulation and completion of an Action Plan to improve perceived minor deficiencies;

In the case of Action 2, the Non-Tenure-Track Faculty member will formulate the Action Plan in consultation with the Chair/Director. The Faculty member will deliver the Action Plan to FPC by a date specified by FPC. FPC will review the proposed Action Plan in consultation with the Provost and recommend any needed changes in the plan to the Faculty member. If the Action Plan is required as a result of the Second Year Portfolio Review, FPC will specify an Action Plan completion date that is prior to the Fourth Year Portfolio submission due date. If the Action Plan is required as a result of the Fourth Year Portfolio Review, FPC will specify an Action Plan completion date that is prior to the current end of the employment agreement. If the Action Plan is required by an off-year Portfolio Review, FPC will specify an appropriate Action Plan completion date not less than one full semester later. The Faculty member will notify FPC upon completion of the Action Plan or of the intent to end employment as a Faculty member at Heidelberg University. Completion of the Action Plan will be an additional criterion of evaluation

by FPC in making its Fourth Year or subsequent Non-Tenure-Track appointment continuation recommendation.

**Action 3:** termination of employment because of perceived major deficiencies; a notice of non-renewal, in accordance with Section 2.8.2.

The Provost will determine what action shall be taken and notify the Faculty member and Chair/Director/Dean.

#### **2.7.7.1.2.7 Amended Non-Tenure-Track Portfolio Recommendation**

FPC may amend a Second, Fourth, or off-year Portfolio Review recommendation to the Provost in cases of incomplete or inaccurate information made available to FPC in the Portfolio at the time of review. The Provost will consider the amended recommendation, taking any necessary action as specified in Section 2.7.7.1.2.6.

## 2.8 Separation

### 2.8.1 Retirement and Resignation

Faculty members who choose to terminate their appointment through retirement or resignation should notify the Provost in writing of their intention. Such notice should be sent as early as possible, preferably by January 1 for an appointment ending in May, or six months prior to the end of the contract term for appointments ending during the academic year.

Faculty members who retire from the University might be eligible for certain benefits, as described in Section 2.2.4.

### 2.8.2 Notification of Expiration of Appointment

Notice of non-reappointment, or of intention not to recommend reappointment, will be given according to the following time line:

- A. 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.
- B. Not later than December 15 of the second academic year of service, if the appointment expires at the end of the year; or, if appointment terminates during an academic year, at least six months in advance of its termination.
- C. At least twelve months before the expiration of an appointment after two or more years of service in the institution.

Faculty members who do not intend to return to the University for the succeeding year should notify the Provost or the President as soon as possible, and preferably by January 1. Under all circumstances notification should be given no later than May 15.

### 2.8.3 Termination of Contract

Non-tenured Faculty contracts may be terminated for cause in instances of egregious behavior, including, but not limited to professional negligence, failure to meet terms of the contract, moral turpitude, and/or unethical behavior. Such termination shall be recommended to the President by the Provost of the University in conjunction with the Faculty Personnel Committee. Termination for cause will ordinarily result in an immediate cessation of teaching responsibilities.

## 2.8.4 Termination of Tenure

Tenure appointment refers to a condition of continuous appointment that may be terminated for the following reasons only:

- A. Flagrant and/or continuing failure to fulfill the criteria for personnel action described in Section 2.2.7, or failure to perform assigned duties;
- B. Moral turpitude or illegal conduct unacceptable to the University;
- C. Demonstrable bona fide financial exigency declared in good faith by the Board of Trustees. During the process of arriving at such determination, the Board of Trustees may consult with faculty committees appropriate to the determination, especially in the areas of resources and programs;
- D. Changes in the educational program approved by the Board of Trustees. Such changes normally will originate in appropriate faculty committees, be approved by the General Faculty, and forwarded for action to the Board of Trustees. However, this shall not preclude the authority of the Board to initiate changes.

Persons on tenure appointment who are dismissed for reasons described in 2.8.4 (c) and (d) will receive their salaries and benefits for at least one year from the date of notification of dismissal, whether or not they are continued in their duties at the institution. Persons who receive a termination of tenure for reasons described in 2.8.4 (a) or (b) will not receive salaries or benefits after the time of the termination.

### 2.8.4.1 Termination of Tenure for Cause

No action involving possible loss of tenure under Section 2.8.4 (a)-(b) may be undertaken unless initiated by the Provost of the University or the President. Such officer shall submit to the Chair of the Faculty Personnel Committee, in writing, either a formal charge or a request for an appropriate investigation, together with a summary of the grounds for the complaint.

The Chair of the Faculty Personnel Committee shall promptly notify the Faculty member, in writing, of the complaint and offer that member the opportunity to meet with the Faculty Personnel Committee and any parties bringing the complaint. Faculty members will have the opportunity to be heard in their own defense by all bodies that pass judgment upon their cases. Faculty members are permitted to have with them a Heidelberg University colleague of their own choosing who may act as advocate. Advocates have the right to speak on behalf of the Faculty member, to question all witnesses, to examine adverse evidence, and to present evidence on behalf of the Faculty member.

The Chair of the Faculty Personnel Committee shall promptly assemble the Committee for the purpose of setting in motion a formal investigation, with the purpose of assembling and examining evidence. The investigation may lead to a hearing. If FPC finds, as a result of the formal investigation, that the charge is without sufficient merit or evidence, the Committee by majority vote may dismiss charges without a hearing. If held, the purpose of the hearing will be to examine the charge(s) against the Faculty member, to report the results of the formal investigation, and to allow the Faculty member an opportunity to speak and/or present evidence on their own behalf. The hearing will be attended by members of the Faculty Personnel Committee, the Faculty member and advocate, the person(s) originating the charge, and the Provost of the University. Minutes of the hearing will be kept by FPC,

and a full record will be made available to the parties concerned. In hearings where the charge involves failure to fulfill the criteria for personnel action or to perform assigned duties, the testimony should include that of teachers and other scholars, either from Heidelberg or from other institutions.

At the conclusion of its investigation of the charges, the Faculty Personnel Committee shall decide one of the following actions:

- A. dismissal of the complaint without prejudice to the Faculty member;
- B. a formal reprimand of the Faculty member with possible recommendations for disciplinary actions;
- C. removal of the Faculty member from tenured status and immediate termination of appointment.

The Chair of FPC will convey the committee's decision to the President. If the decision is to remove the Faculty member from tenured status and to terminate the contract, the President shall refer the FPC decision to the Board of Trustees. If the Faculty Personnel Committee decision is not unanimous, all opinions shall be forwarded to the President.

The Chair of the Faculty Personnel Committee will send a letter to the Faculty member explaining the Committee's decision.

If it is not possible to assemble a quorum of the Full Board, the Executive Committee may act for the Board. Termination of tenure will be by action of the Board of Trustees, or the Executive Committee acting on behalf of the Board of Trustees.

#### **2.8.4.2 Termination of Tenure for Financial Exigency or Program Change**

The President shall recommend to the Board of Trustees the termination of tenure and appointment of faculty members under 2.8.4 (c)-(d) after consultation with the Faculty Personnel Committee, the Undergraduate Curriculum Committee and/or Graduate Studies Committee, and the Strategic Budgeting Committee, or their designated representatives, on the basis of such criteria as educational needs, teaching flexibility, quality of performance or length of service.

Termination of tenure will be by action of the Board of Trustees, or the Executive Committee acting on behalf of the Board of Trustees. If the Board approves such termination of tenure, the faculty member will be given a twelve-month notice of termination of tenure and appointment, consistent with Section 2.8.2. A copy of the President's recommendation to the Board of Trustees will be sent to the Faculty member, who may pursue the grievance procedures under Section 2.15.

The University will make every effort to place the Faculty member in another position with the University, consistent with the Faculty member's competencies.

Further, a position abolished under 2.8.4 (c) or (d) will not be re-established for three years from the date of the Board of Trustees abolishment. If, within that time, the University should re-establish that position, or a portion thereof, the Faculty member released under these provisions shall be offered the position, or established portion thereof, before employment is offered to any other individual.



## 2.9 Faculty Rights and Responsibilities

In addition to other rights, all members of the campus community have the right to be treated fairly and professionally by students, colleagues, and the administrative officers of the University.

### 2.9.1 Academic Freedom

Members of the Faculty are entitled to all rights secured to them by the Constitution of the United States, the Constitution of the General Faculty, and by the principles of academic freedom as they are generally understood in higher education. These principles of academic freedom include:

- A. The right to discuss in the classroom material which has a significant relationship to the subject matter identified in the course description printed in the University Catalog;
- B. The right to determine course content, grading, and procedures for the classrooms in which they teach;
- C. The right to engage in scholarly and creative endeavors related to their teaching appointments;
- D. The right to publish or present research findings, and the products of creative work;
- E. The right to engage in service activities;
- F. The right to participate in institutional governance as defined in the Faculty Constitution.
- G. The University teacher is a citizen, a member of a learned profession, and a professional member of an educational institution. When speaking or writing as a citizen, the teacher is free from institutional censorship or discipline, but the special position held in the community imposes special obligations. As persons of learning and educational leaders, faculty members must remember that the public may judge the profession and the institution by their words and deeds. For these reasons, they should strive at all times to be accurate, to exercise appropriate restraint, to allow for and respect the opinions of others, and to make clear and reasonable efforts to indicate that they are not speaking for Heidelberg University.

### 2.9.2 Faculty Responsibilities

Along with the academic freedoms described in 2.9.1, faculty members have required responsibilities associated with their positions. These responsibilities are delineated in Section 2.2.7, Criteria for Personnel Action. Other faculty responsibilities are described in the employment contract and any supplementary appointment agreements or Memoranda of Understanding.

## 2.10 Faculty Development

Professional development of the faculty and staff is essential to maintain academic vitality. Both the individual and the University benefit from the professional growth of the faculty and the cost and responsibilities for the professional development program must be shared by both.

The University attempts to sustain an atmosphere which is conducive to the professional growth of individual faculty members and of the faculty as a whole, and financially supports professional development programs including travel abroad opportunities. However, for true professional development the most important factor is the initiative, motivation, scholarly interest, and enthusiasm of faculty members who voluntarily contribute their time, energy, and resources in seeking professional improvement and advancement. Without these factors a professional development program will not be successful no matter how well planned, intentioned, or financed.

Professional growth of individual faculty members is encouraged and recognized both on and off campus. On-campus opportunities include mentoring programs, academic classes, convocations, special lectures and performances, special workshops, seminars, funds for inviting individuals of special competence to campus, library support for research, funds and one-course release for support of research projects, and other matters related to intellectual inquiry. Off-campus opportunities include sabbatical leaves, leaves of absence and support for participation in professional meetings and workshops.

### 2.10.1 Sabbatical Leave

Sabbatical leaves are designed to contribute to the professional growth and all-around effectiveness of faculty members and thereby to the value of their subsequent services to Heidelberg University. Such leaves, when granted, are to be used for the pursuit of scholarly activities, such as study, research and/or writing.

After consultation with the Chair/Director or appropriate administrative officer, any full-time faculty member may apply to the Faculty Personnel Committee for a sabbatical leave after a minimum of six years of full-time service, or after completing six years of service since the individual's last sabbatical. FPC will announce each fall the deadline for submitting sabbatical proposals. The applicant must supply in writing the objectives and plan of the faculty member's proposed program, including expected outcomes of the plan. The application must also indicate a plan for coverage of the applicant's teaching responsibilities during the sabbatical period. The Faculty Personnel Committee, in consultation with the Provost, shall determine the relative merits of the proposed program. If FPC and the Provost approve the proposal, FPC will send to the President a recommendation for granting of sabbatical. All leaves must be approved by the President of the University and the Academic Affairs Committee of the Board of Trustees. Preference for sabbatical leaves will be given to faculty who possess a terminal degree.

Sabbatical leaves may be either for one year with half-salary, or for one semester at full salary. The University will continue its contributions to all supplementary benefits in force at the time the leave is granted. Potential sources of support or other remuneration, if known, should also be included in the application letter.

If additional funding or support for the maintenance of two households and related expenses is required, the faculty member should indicate a need for such funds in the letter of application for the sabbatical. The granting of sabbatical leaves shall be subject to budgetary considerations and the personnel needs of the departments involved.

At the conclusion of their leaves, recipients of sabbatical leaves will be required to file a full report of their sabbatical activities with the Provost of the University and will be expected to give a presentation of these activities to faculty colleagues.

Recipients of sabbatical leaves agree to return to their position with the University for a minimum of one year at the completion of the sabbatical.

## **2.10.2 Leaves of Absence**

After consultation with the Chair/Director or appropriate administrative officer, any faculty member may apply to the Faculty Personnel Committee for a Leave of Absence without pay. FPC will announce each fall the deadline for submitting proposals for Leaves of Absence. The applicant must supply in writing the rationale for requesting the leave. The application must also indicate a plan for coverage of the applicant's teaching responsibilities during the leave period. The Faculty Personnel Committee, in consultation with the Provost, shall determine the relative merits of the requested leave. If FPC and the Provost approve the proposal, FPC will send to the President a recommendation for granting of Leave of Absence, including the duration of the leave.

Leave of Absence without pay is usually granted to complete a degree, perform a research project, participate in a public service project, or for other types of professional development. Leaves of Absence are ordinarily for a period of one semester or one full academic year. Longer terms will be considered under special circumstances. All leaves must be approved by the President of the University and the Academic Affairs Committee of the Board of Trustees.

During Leave of Absence, the University will ordinarily continue contributions to retirement, hospitalization, and other insurance costs based upon base salary at the time of the leave, provided the participant maintains individual contributions to the plans. Upon recommendation of the President, the Board of Trustees may determine that such Leave of Absence is not of benefit to the University. In such cases, Heidelberg will not continue contributions, but participants may continue the insurance and retirement plans in full force by paying the entire premium.

A Leave of Absence will not count toward service time for the consideration of sabbatical leaves. However, all service time prior to the Leave of Absence shall remain in effect, and count toward service time for sabbatical considerations.

### **2.10.3 Faculty Professional Development Release Time Awards**

To help stimulate and support the professional development of faculty, the University has developed a program of release time awards for professional activities. Up to five awards, subject to budget and personnel constraints, will be made annually. Each award provides release time from one 3-credit course (or its equivalent) for a semester. The awards are intended to supplement the existing sabbatical leave policy by providing additional opportunities for the pursuit of scholarly growth.

Faculty from all disciplines within the University are encouraged to consider participation in the program. A wide range of professional activities will be supported, including research, writing, study, and public performance. Activities may focus on content or pedagogy within one's discipline, including the development of new courses. Activities normally considered to fall within the scope of faculty responsibilities, such as preparation for current courses or for committee assignments, will not be considered for release-time awards.

Applications should be made to the Faculty Personnel Committee according to a published schedule, for either semester of the succeeding year. Letters of application should include a brief description of the professional development activity and how that activity would be enhanced by a release-time award. Recommendations of awards will be made by the Faculty Personnel Committee to the Provost of the University who will announce recipients by April 15.

Only full-time faculty members with teaching responsibilities are eligible to participate in the program. Faculty participants are not eligible to receive a supplemental contract during the semester of release-time. Preference for awards will be given to individuals with a terminal degree and to those who have not received a release-time award within the preceding two years. The granting of an award pre-supposes that the faculty member intends to serve on a full-time basis during the year subsequent to the receipt of the release time award.

Participants are required to submit a brief written report of the semester's professional activities to the Faculty Personnel Committee after the completion of the semester for which release-time was awarded. Participants also may be requested to present their activities at a Faculty Forum or other public event.

### **2.10.4 Conferences and Professional Travel**

The University encourages annual attendance at regional and national professional meetings or workshops. The Provost will determine the policy for financial support and reimbursement of costs associated with conference attendance. Support will be available to all qualified faculty, subject to budgetary limitations. University support for professional travel may be reimbursed up to 100% of the cost. Faculty members seeking support for conference attendance and professional travel submit requests to the Chair/Director, showing expected expenses. Chair/Directors forward requests to the Provost for approval.

### 2.10.4.1 Grangaard-Noss Faculty International Travel Award

The amount available for spending from the Fund shall be used on an annual basis to provide international travel funds for qualified Heidelberg faculty who meet the criteria outlined below.

Faculty may use funds to travel for research; to create new courses; to present papers; to attend symposiums or conferences; to visit archives or to gain professional development.

- A. Applicants must briefly describe their activities during the time funded by addressing the nature of this activity, level of participation, roles as scholars, teachers, researchers, etc.
- B. An appointed faculty committee will recommend a finalist to the Vice President for Academic Affairs/Provost, who will make the final decision.
- C. Applicants must be full-time faculty.
- D. Applicants must apply in October of the academic year preceding the academic year of their planned travel. Awards will be announced in February following the October in which applications were submitted. Funds for travel will not be released until after May 1st of that same year.
- E. The committee is to be comprised of the Associate Vice President for Academic Affairs or an alternate senior administrator and one member each from FPC and FDC.
- F. If an apparent conflict of interest is noted (e.g. a spouse), the appointed faculty member will be excused from the process. A replacement member will be appointed by Vice President for Academic Affairs/Provost.
- G. This award is separate and freestanding from other awards; there are no prerequisites to receiving the Grangaard-Noss award.
- H. To qualify for this award, travel is required and the faculty member must travel away from the North American continent.
- I. No more than two awards will be funded.
- J. If travel does not take place within the year following the award, funds must be returned to the Fund.

## 2.10.5 Faculty Awards

Heidelberg supports three major awards for Faculty, awarded on an annual basis: the Ream-Paradiso Distinguished Teaching Award, the Distinguished Scholarship/Research Award, and the Jane Frost-Kalnow Professorship in the Humanities.

Prior to a call for nominations for Faculty Awards, the Provost will compile a list of Faculty members eligible for each award; the Faculty Personnel Committee (FPC) will then review the list and distribute it to the Faculty with the call for nominations, which will include the nomination deadline, criteria for each award, and nominating instructions: each nomination must be signed by the nominator and should include a one-paragraph rationale for the nomination that addresses the criteria. A nomination by email will be accepted as an electronic signature. Within one week following the nomination deadline, the chair of each selection committee will contact all nominees for that award, asking for acceptance of nominations and soliciting materials for the committee's consideration. Chairs must submit a selection/recommendation on behalf of their committees by the deadline specified by the Faculty Personnel Committee. All selection committee deliberations are confidential.

### 2.10.5.1 Ream-Paradiso Distinguished Teaching Award

**History:** Each year since the 1995-1996 academic year, one Faculty member has been selected by his or her colleagues to receive the prestigious Ream-Paradiso Distinguished Teaching Award.

**Award and Expectation:** The award, which consists of a cash award of \$2,000, is presented at the Faculty Awards Reception and Dinner held early in the spring semester. The recipient is expected to give a presentation to the Faculty and campus community, generally at the Academic Honors Ceremony.

**Nominations and Eligibility:** The Selection Committee (described below) has the flexibility to determine its method of soliciting nominations in addition to the FPC call for nominations noted in 2.10.5. Any Faculty member or member of the administration may follow the instructions noted in to nominate a full-time Faculty member in at least his or her fourth year of teaching at Heidelberg University who has not won the award in the last three years.

**Selection Committee Composition:** The Ream-Paradiso Distinguished Teaching Award Selection Committee consists of one elected Faculty member from each of the following standing committees: the Community Engagement Committee, the Undergraduate Curriculum Committee, the Faculty Development Committee, and the Faculty Personnel Committee. When possible, the Selection Committee also includes the last three recipients of the award available to serve. Faculty from the ranks of Assistant Professor, Associate Professor, and Full Professor should be represented on the Committee. If each of these ranks is not included, the Provost of the University, in consultation with the Selection Committee, will appoint as necessary. When possible, the recipient of the award from two years past shall serve as Chair of the Selection Committee.

**Selection Committee Deliberation and Reporting Process:** The Selection Committee has the flexibility to determine its method of evaluating how well the nominees meet the below-stated criteria for selection. Generally, after reviewing all nominations, the Committee determines up to five finalists and asks each to submit a three-to-five page professional self-evaluation addressing how he or she has met the four principal criteria for selection:

- A. Teaching effectiveness, including stimulating classroom methods; successful guidance in independent student work, including research; imaginative pedagogy; and willingness to experiment with teaching methodology.
- B. Professional activities and development, including involvement in research; publications and performances; and participation in professional organizations. .
- C. Service as mentor to Faculty and/or students, including presence in the department providing a model for students; and contributions to the Heidelberg community providing a model for Faculty.
- D. Service to the community, including service to the University which has improved the quality of the institution; and service to the community outside the campus.

The Chair of the Selection Committee should report the name of the Committee's choice for recipient of the Award to the Provost early in the second semester, according to the schedule published by FPC.

### 2.10.5.2 Distinguished Scholarship/Research Award

**History:** Each year since the 1997-1998 academic year, one Faculty member has been selected by his or her colleagues to receive the prestigious Distinguished Scholarship/Research Award for outstanding research, scholarship, or other creative accomplishments.

**Award and Expectation:** The award, which consists of a cash prize of \$2,000, is presented at the Faculty Awards Reception and Dinner held early in the spring semester. The recipient is expected to give a presentation to the Faculty and campus community, generally at the Academic Excellence Recognition Dinner.

**Nominations and Eligibility:** The Selection Committee (described below) has the flexibility to determine its method of soliciting nominations in addition to the FPC call for nominations noted in 2.10.5. Any Faculty member or member of the administration may nominate a full-time Faculty member in at least his or her fourth year of teaching at Heidelberg University.

**Selection Committee Composition:** The Distinguished Scholarship/Research Award Selection Committee consists of the Provost of the University or designee, and one elected Faculty member from each of the following standing committees: the Faculty Development Committee, the Community Engagement Committee, and the Faculty Personnel Committee. When possible, the Selection Committee also includes the last three recipients of the award available to serve, and the recipient of the award from two years past shall serve as Chair of the Selection Committee.

**Selection Committee Deliberation and Reporting Process:** The Selection Committee has the flexibility to determine its method of evaluating how well the nominees meet the below-stated criteria for selection.

After receiving nominations, the Selection Committee will request that nominees submit a summary of his or her scholarly work, composition, or research completed while at Heidelberg; a one-page synopsis of the most meaningful item of scholarship or research conducted by the nominee; a curriculum vitae enumerating the nominee's cumulative scholarly and research achievements; and relevant external review documents.

The criteria for selection concern the quality and significance of the nominee's scholarly endeavors or research, including:

- A. Significance within the respective academic discipline.
- B. Regional, national, and international importance.
- C. Overall contribution to knowledge, culture, or professional practice.
- D. Applicability and service to the University community (e.g., recognition resulting from work), professional organizations, and the surrounding local communities.

The Chair of the Selection Committee should report the name of the Committee's choice for recipient of the Award to the Provost early in second semester, according to the schedule determined by FPC.



### 2.10.5.3 The Jane Frost-Kalnow Professorship

History: Each year since the 2000-2001 academic year, the Jane Frost-Kalnow Professorship in the Humanities has been awarded to foster educational excellence in Humanities teaching at Heidelberg University and to recognize Humanities and other Faculty whose teaching excellence and scholarship make the Humanities such a strong component of a liberal arts education at Heidelberg.

Award: The Jane Frost-Kalnow Chair/Professorship in the Humanities is a permanent endowment of \$150,000 established to provide from the earnings and interest a stipend/honorarium, in addition to base salary, of \$2,500 each to two senior members of the Heidelberg Faculty, and an award of \$1,000 to those same Faculty members for the purpose of funding their faculty development activities during the two-year period in which they hold the Jane Frost-Kalnow Professorship.

One recipient is chosen annually, named at the Faculty Awards Reception and Dinner held early in the spring semester. Each Faculty member named to the Jane Frost-Kalnow Professorship holds that distinction for a period of two years, so there are always two Faculty members designated as holders of the Jane Frost-Kalnow Professorship.

Nominations and Eligibility: Any Faculty member or member of the administration may nominate a full-time Faculty member who holds the rank of Professor and an earned Doctoral or terminal degree from an accredited University or university. Nominees should represent excellence in teaching, scholarship, and service to the Heidelberg University community, as well as a commitment to the value of the Humanities in academic and human endeavors; nominees will be considered from among Faculty in the Humanities disciplines recognized by the University, as well as in the social sciences, education, arts, and music.

Previous recipients are eligible for nomination/consideration after at least three years following the completion of their prior term in the Jane Frost-Kalnow Professorship.

Selection: The Faculty Personnel Committee will review nominations and recommend up to three finalists to the Provost. The Provost will recommend one of the finalists to the President of the University, who will select the recipients of the Jane Frost-Kalnow Professorship in the Humanities. If the top candidates for selection are judged to be equally deserving, preference for appointment to the Jane Frost-Kalnow Professorship will be given to Faculty in the Humanities.

### 2.10.5.4 Faculty Service Award

Each year since the 2017-2018 academic year, one faculty member has been selected by his or her colleagues to receive the prestigious Faculty Service Award for outstanding service to the Heidelberg community. The award is presented early in second semester, according to a schedule determined by FPC. The Faculty Service Award Selection Committee consists of the Faculty Chair, a representative from the Community Engagement Committee, and a representative of the Faculty Personnel Committee. When possible the selection committee also includes the last three recipients of the award, who are ineligible to receive the award while serving on the selection committee.

Any Faculty member or member of the administration may nominate a full-time Faculty member who is in at least their third year of teaching at Heidelberg University. In addition to regular teaching responsibilities and/or research, the Faculty Service Award recipient will have gone above and beyond in service that benefits students and/or Heidelberg University, such as:

- A. Service as mentor
- B. Service as an expert when needed for the good of the university
- C. Service to the Heidelberg Community

The Chair of the Selection Committee should convey the name of its choice for winner of the Award to the Provost of the University early in second semester according to a schedule determined by FPC.

## 2.11 Other Types of Leave

The details of particular policies relating to employee leave are subject to change by applicable state and federal laws, and by a vote of the Heidelberg University Board of Trustees. While every effort is made to keep the Faculty Manual current, in the case of a discrepancy, the policies most recently approved by the Heidelberg University Board of Trustees will govern, in accordance with state and federal laws. For more information, consult the Benefits Handbook, which is available on the Heidelberg website at <https://inside.heidelberg.edu/offices/hr/benefits-handbook>, or may be requested from the Office of Human Resources. Any changes to policies relating to employee leave will be announced to members of the General Faculty and other teaching faculty to whom the policies apply in writing and within 60 days of the date of the change.

## 2.12 Working Conditions

### 2.12.1 Academic Regalia

Heidelberg Faculty utilize appropriate academic regalia for designated formal occasions during the academic year, including opening ceremonies and graduation ceremonies. Faculty wear the gown and hood appropriate to their highest degree. Academic regalia may be rented from the University store for individuals who do not yet own regalia.

### 2.12.2 Heidelberg University Intellectual Property Policy

#### 2.12.2.1 INTRODUCTION

Heidelberg University faculty, staff, and student personnel are regularly involved in a wide range of scholarly activities that stem from the core teaching, learning, research, and service missions of the University. While the primary focus of such efforts is the advancement of the purposes of the University, the products of scholarship often have implications for wider and differing applications. These products or intellectual properties thus may be of benefit to the individuals involved, to the University, and to the larger society in which we live. By establishing policy on Intellectual Property, Heidelberg University seeks to support faculty, staff, and students in identifying, protecting, and administering Intellectual Property matters and defining the rights and responsibilities of all involved. In doing so, it intends to promote the following goals:

- A. To sustain a University environment that encourages learning and the generation of new knowledge by faculty, staff, and students.
- B. To motivate the development and dissemination of intellectual property by providing appropriate financial rewards, flexible arrangements, and assistance to the creator (an individual or team throughout this policy) and to the University.
- C. To facilitate wide transfer of useful Intellectual Property to society for public benefit.
- D. Intellectual Property is the ownership and associated legal rights of creations, which are developed or guided chiefly by the intellect of their creators and which may be either tangibles or intangibles. In particular, Intellectual Property is created when something new has been conceived and developed or when a non-obvious result, which can be applied to some useful purpose, has been discovered using existing knowledge.

The purpose of this document is to provide the overarching policy framework under which Heidelberg University will manage the Intellectual Property resources of the University community consistent with Heidelberg's mission. This policy statement does not and should not provide all the necessary specific details required to administer successfully Intellectual Property for the entire University. Rather, the Board of Trustees in approving this policy statement delegates the implementation and administration of this policy, along with the development of appropriate and necessary processes, to the President of the University.

This policy shall apply to all persons in the employ of Heidelberg University in any capacity and to all students enrolled in Heidelberg University. Furthermore, this policy applies to all Intellectual Property created by Heidelberg University employees and students.

### **2.12.2.2 OWNERSHIP**

The broad principles governing ownership of all Intellectual Property created by all persons in the employ of Heidelberg University in any capacity and to all students enrolled in Heidelberg University are specified in this section. Ownership is the critical issue for the dissemination of Intellectual Property and the distribution of rewards from it.

The ownership principles established in this section are intended to help the Heidelberg community take maximum advantage of new opportunities to create Intellectual Property. In this spirit the University welcomes opportunities to create external and internal partnerships. The ownership principles provide constructive opportunities for forming such partnerships to the benefit of Heidelberg faculty, staff and students as well as the University. They also permit the development of specific operating procedures.

The application of these ownership principles shall be consistent with the use of University resources, shall always protect its legal status as a nonprofit institution, and shall never violate any laws of the United States or the State of Ohio.

The ownership principles are focused on the way the property is created, not on the nature of the property, and are presented in a hierarchal structure to make the order of precedence among them clear. Specifically, when any one principle applies to an Intellectual Property matter, higher numbered principles are not applicable to that specific matter. It follows from the last principle of ownership that the University is the default owner of Intellectual Property not covered by the others.

In order of precedence, ownership of Intellectual Property shall be specified as follows:

#### **2.12.2.2.1 Sponsored Project Agreements:**

The University may negotiate and sign Sponsored Project Agreements, including contracts and grants between external sponsors such as a corporations, government agencies or foundations and the University that specify completely or partially the ownership of Intellectual Property created as a result of specific sponsored projects. This category includes ownership requirements that result from a government funding source by operation of law (e.g., laws pertaining to Intellectual Property created using federal funds). All individuals working on a project under such a Sponsored Project Agreement shall be notified in advance of the terms of ownership in said agreement for any Intellectual property they may create working on the project. Although most sponsored project agreements would be for funded research projects, they should be available for other kinds of work including pro bono projects.

#### **2.12.2.2.2 Individual Project Agreements:**

The University may negotiate and sign Individual Project Agreements between the University and an individual member(s) of the faculty, staff or students that specify completely or partially the ownership of Intellectual Property created as a result of work conducted on a specific project. Individual Project Agreements by the University and potential creators are encouraged especially in situations that lack precedent and do not naturally fit into standard Intellectual Property practices.

#### **2.12.2.2.3 University Sponsored Projects:**

The University may initiate and fund specific projects that produce Intellectual Property and shall own the Intellectual Property created as a result of such projects. Whether or not a project should be undertaken as a University Sponsored Project shall be determined by the purpose of the work and not the form of the Intellectual Property to be created. Intellectual Property produced when University employees or students are assigned or employed to specifically produce designated work shall be considered work for hire, and the University shall own all rights to the property. The financial terms or other terms of support for University Sponsored Projects can vary from project to project as long as the participants are properly informed of the terms of the agreement for the project before they begin work on it.

#### **2.12.2.2.4 Traditional Academic Rights:**

In keeping with academic traditions at the University, the creator shall retain ownership to the following types of Intellectual Property, without limitation unless part of an agreement under the above principles of ownership: books (fiction, nonfiction, poetry, textbooks etc.); articles; poems; published standardized tests; all class materials including notes, tests, and syllabi; student papers (themes, term papers, reports, exams, etc.); musical works; dramatic works including any accompanying music; pantomimes and choreographic works; pictorial, graphic and sculptural works; motion pictures; video recordings and sound recordings; computer software and computer-related documents. In all cases the student shall own the copyright to his/her master's thesis and similar graduate documents. Consequently graduate advisors must take responsibility to ensure that the contents of graduate papers and/or projects do not fall under Intellectual Property agreements precluding the student owning the copyright to any portion of a graduate document. Intellectual Property, other than the copyright of the thesis/project, created doing research toward a graduate degree is subject to all the other terms of this policy. Heidelberg University reserves the right to maintain archival copies of graduate documents.

#### **2.12.2.2.5 Consulting Agreements:**

Intellectual Property created by Heidelberg personnel who are consulting with external entities (corporations, businesses, government agencies, foundations, etc.) without making essential use of University funds, resources or facilities is presumed retained by the external entity or the individuals as specified by the terms of the consulting agreement. Student employment with external entities will be considered as consulting under this policy, and externally employed students will be responsible for respecting the Intellectual Property policies of both Heidelberg and their employers.

#### **2.12.2.2.6 Independent Projects:**

Any Intellectual Property created by a University employee that is not part of its creator's employment responsibilities and that is developed on his/her own time without making extraordinary use of University funds, resources or facilities shall be owned by the creator. For the purposes of this policy, extraordinary use will be defined as that which is not commonly available for instructional purposes, and which requires additional significant expenditures on the part of the University. The determination of extraordinary use will be made by the Provost of the University, in consultation with the employee. Projects which require extraordinary use of University funds, resources, or facilities will result in joint ownership between the creator and the University. The creator shall notify the Provost of the need for extraordinary use of resources, and a joint ownership agreement negotiated prior to approval for the use of such resources.

When a student creates Intellectual Property independently, using only resources available in common to all students, such Intellectual Property is owned by the student. However, Intellectual Property created by a student(s) when working for pay or academic credit, or voluntarily working on faculty projects or University Sponsored Projects is subject to the other six ownership principles.

#### **2.12.2.2.7 Other Intellectual Property Generated by University Activities:**

University personnel and/or students might produce Intellectual Property from their work within the scope of the mission of the University that is not covered by the above ownership principles. The University shall be the owner of Intellectual Property, when its ownership is not governed by any of the previous items and when said Intellectual Property was created within the normal scope of employment and/or study or a direct result thereof, and shall share with the creator any revenues from it. The creator of any Intellectual Property that is or might be owned by the University under this policy is required to make reasonably prompt written disclosure of the work to the University. Depending on the nature of this Intellectual Property, it may be subject to patent or copyright policies.

#### **2.12.2.3 ARBITRATION**

In the case of a dispute between the creator(s) and the University regarding ownership of Intellectual Property, both parties agree to submit to binding arbitration. Upon notice of the dispute, the Chair of the Faculty Personnel Committee (FPC) in consultation with the Provost will arrange for the appointment of an arbiter. The arbiter should be from outside the university community, and able to rule fairly and impartially upon the dispute. When possible, the arbiter should be a member of the American Arbitration Association.

Upon appointment of the arbiter, both parties shall have up to three working days to accept or reject the arbiter. No more than one arbiter may be rejected by either party. If the arbiter is rejected, the Chair of FPC will designate another individual to serve as arbiter.

Once chosen, the arbiter shall convene the arbitration at an appropriate time and place. The arbitration will be attended by both parties, as well as the Chair of FPC. Within 14 days of the completion of the arbitration, the arbiter shall notify in writing the parties and the Chair of FPC of the ruling.

Heidelberg University will be responsible for all costs of the arbiter, and in no case will the faculty member be held responsible for these costs. The University is not responsible for costs incurred by the faculty member in the arbitration process, including attorney's fees.

### **2.12.3 Copyright and Photocopying Policy**

Heidelberg recognizes and abides by all applicable law regarding photocopying and fair use of copyrighted documents. Copying machines are available in designated campus locations, including Beeghly Library and the University Copying Center. Faculty members are responsible for adherence to all applicable statutes.

Beeghly Library publishes the following policy regarding Copyright and Fair Use:

Copyright is a constitutionally conceived property right given to creators of literary works; musical works; computer software; dramatic works; pictorial, graphic, and sculptural works; motion pictures; sound recordings and other audiovisual works. Included in The Copyright Act, Title 17, United States Code, is the fair use doctrine, which is the legal right to use copyrighted materials in a reasonable manner without the consent of the author.

Copyright law provides little guidance as to what in particular constitutes educational fair use of copyrighted materials. However library and higher educational groups have developed guidelines, to help determine what does constitute fair use of copyrighted materials in a library or classroom setting. The guidelines address photocopying or scanning of materials, library reserves and interlibrary loan, classroom use, and other uses.

In general, the guidelines address four main factors of the fair use doctrine:

- A. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit education purposes. However, even if the use is purely educational there are limits to the amount and uses of copies of the material. (Section 107(1) of the Federal Copyright Statute)
- B. Nature of the copyrighted work, which takes into account the amount of creativity invested in the original work. (Section 107(2) FCS)
- C. Amount and substantiality of the portion used in relation to the copyrighted work as a whole (Section 107(3) FCS)
- D. The effect of the use upon the potential market for or value of the copyrighted work. This is considered to be the most important when considering whether the use of an item falls under the fair use doctrine. (Section 107(3) FCS)



## **2.12.4 Human and Animal Research Policy**

Research involving human subjects must be approved by the Institutional Review Board (Section 1.3.4.7) prior to the beginning of the research.

## 2.13 Benefits

Fringe Benefits are applicable to faculty members on full time appointment or faculty employed half time or more. Faculty should consult with the Vice President for Administration and Business Affairs for additional information regarding fringe benefits.

The details of particular policies relating to employee benefits are subject to change by applicable state and federal laws, and by a vote of the Heidelberg University Board of Trustees. While every effort is made to keep the Faculty Manual current, in the case of a discrepancy, the policies most recently approved by the Heidelberg University Board of Trustees will govern, in accordance with state and federal laws. For more information, consult the Benefits Handbook, which is available on the Heidelberg website at <https://inside.heidelberg.edu/offices/hr/benefits-handbook>, or may be requested from the Office of Human Resources. Any changes to policies relating to employee benefits will be announced to members of the General Faculty and other teaching faculty to whom the policies apply in writing and within 60 days of the date of the change.

### 2.13.1 Mandatory Benefits

Heidelberg participates in all mandatory benefits for faculty, including workers compensation, social security, and unemployment compensation programs.

### 2.13.2 Admission to University Events

During the academic year, faculty members and their families are admitted free to most campus activities such as athletic contests, music performances, guest performances and lectures. Procedures for obtaining free tickets for events which require tickets will be announced. Certain activities and/or performances carry a designated charge for admission, and are exempt from this policy.

### 2.13.3 Disability Insurance

Total disability insurance is available to all full-time employees. (For the purpose of this program only, full-time employees are those working at least 32 hours per week.) The policy includes a monthly income benefit and a monthly waiver benefit of retirement annuity payments.

Employees become eligible for total disability insurance effective on the date of hire. Employees must complete an application within 31 days from employment. Employees electing not to join the plan must complete a waiver form and return it to the Business Office. Forms are available in the Business Office. Enrollment after 31 days will require evidence of insurability.

### 2.13.4 Flexible Benefit Plan

All full-time employees and those employed one-half time or more are eligible to participate in the Flexible Benefit Plan. This benefit program allows payment for certain expenses using “pre-tax” dollars. The Flexible Benefit Plan utilizes payroll deduction to establish an account which can reimburse participants for expenses including:

- A. Un-reimbursed medical expenses
- B. Dependent Care Assistance Program
- C. Insurance Premium Payment Plan
  - 1. Health Insurance Premium
  - 2. Disability Insurance Premium
  - 3. Dental Insurance Premium

On September 3, 2003, the Internal Revenue Service (IRS) and the U.S. Treasury department announced that certain over-the-counter medications may now be reimbursed with pre-tax dollars through health care flexible spending accounts (FSA). Thus, reimbursements through this FSA may now be possible for many medications, provided the employee properly and sufficiently substantiates the expense.

The Internal Revenue Service has set certain rules and regulations that must be carefully considered before enrolling in a medical reimbursement plan:

- A. You cannot change your deposit amount during the plan year, unless justified by a change in your family status.
- B. Medical expenses reimbursed through your Flexible Benefit Plan cannot be taken as federal income tax deductions.
- C. Any amount left over in your account after all qualified claims have been processed at the end of the plan year will be forfeited.

Additional information regarding eligibility and enrollment can be obtained from the Human Resources Office.

### **2.13.5 Medical Coverage**

All full-time employees, and those employed one-half time or more, are eligible to participate in the health care plan made available by the University. This insurance program includes both medical and prescription drug insurance benefits.

New full-time employees should apply for health insurance coverage when hired, no later than 15 days from the date of employment. Coverage becomes effective on the date of hire. The University shares in the cost of the premiums for all covered employees.

Details on the health insurance plan are available from the Human Resources Office and may be picked up when applying for these benefits at the time of employment. For answers to specific questions, contact the Vice President for Business Affairs or the Human Resources Office.

The Consolidated Omnibus Budget Reconciliation Act (COBRA) allows employees who lose health coverage because of termination or a reduction in the number of hours of employment, or employee dependents who lose coverage because of the death of the employee, divorce, legal separation, or because of the 23-year age limitation for dependent children to continue their coverage ranging from 18 to 36 months provided:

- A. They exercise their option for continual coverage within 60 days after the date of loss of coverage;
- B. They pay the applicable monthly premium plus a 2 percent administrative charge on a timely basis;
- C. The employee or dependent does not qualify for coverage under another group health plan or Medicare;
- D. The University continues to offer the health plan in which the employee or dependent was enrolled. It is the faculty member's responsibility to inform the spouse and children of their COBRA rights under the law and to inform the University in writing when a member of the family becomes eligible for COBRA benefits.

### **2.13.6 Dental Plan**

All full time employees are eligible to participate in a voluntary dental plan. This plan offers a variety of coverage to meet the varying needs of employees. Faculty members interested in participation in the dental plan should contact the Human Resources Office.

### **2.13.7 Professional Insurance Coverage**

Heidelberg University provides two forms of professional insurance coverage to faculty: professional liability and travel. Professional liability applies to a claim for damages caused by a "wrongful act" while the faculty member is performing professional duties appropriate to his/her contractual obligations. A "wrongful act" is defined as any actual or alleged act, error, omission, misstatement, misleading statement, neglect, or breach of duty by a faculty member in the discharge of his/her duties. Coverage includes legal representation for the faculty member. There are a number of exclusions to this coverage, the most pertinent of which includes a legal determination that the faculty member knowingly engaged in a dishonest, fraudulent, criminal or malicious action or recklessly violated any governmental regulation.

Travel insurance provides coverage for faculty traveling on University business, excluding commuting to and from campus. Coverage begins at the actual start of an anticipated trip from the faculty member's place of employment, home, or other location. Coverage terminates upon return to the place of employment or home, whichever occurs first. The policy provides payment for losses due to accident and also includes provisions for disability and medical expenses. There are a number of exclusions to this coverage. Examples include intentional, self-inflicted injuries by the faculty member or the faculty member being under the influence of alcohol or a "controlled substance," as legally defined, unless administered on the advice of a physician.

### **2.13.8 Reimbursement**

The University will reimburse persons for use of privately-owned vehicles on University-related business at a designated rate per mile. Requests for reimbursements for travel expenses should be accompanied by receipts and must be approved by the Chair/Director.

Reimbursement for designated moving expenses is available to new faculty. Contact the Vice President for Business Affairs for further information.

## 2.13.9 Retirement

Heidelberg provides a Teachers Insurance and Annuity Association-University Retirement Equities Fund (TIAA-CREF) retirement plan for all faculty and administrative personnel. Full-time employees in these categories are required to participate in the plan upon completion of three years of service, although they may choose to participate upon completion of one year of service. Those employed at least half-time but less than full-time also may choose to participate following one year of service. For eligible persons who previously have participated in a TIAA-CREF plan, and who have retirement annuity plans in force, participation shall be optional from the beginning of service and required at the conclusion of the third year of service.

Each participant in the retirement plan shall contribute monthly, to the nearest dollar, 6% of the monthly salary.

For each eligible participant in this retirement plan, Heidelberg will contribute an amount equal to 6% of the monthly base salary. Beginning with the month in which the employee reaches age 50, Heidelberg will also contribute an additional 3% of the employee's monthly base salary. Employees may also elect to make individual contributions to a Supplemental Retirement Annuity (SRA) account. The employee and employer contributions will be forwarded to TIAA-CREF each month. Employees receiving an Absence of Leave without pay might be eligible to continue participation in the Retirement Plan during the absence from campus. See Section 2.10.2 for details.

Upon enrollment in TIAA-CREF, participants will receive an enrollment packet with information about the TIAA-CREF system. Information booklets are available upon request.

Each retirement annuity plan written in accordance with this plan will be the property of the individual participant; the agreement is between the participant and TIAA-CREF.

Heidelberg reserves the right to discontinue its contributions toward retirement annuity premiums and its supplementary benefit payments at any time, as determined by the Board of Trustees.

By action of the Heidelberg University Board of Trustees, the effective date of this retirement plan shall be September 1, 1938, as amended June 11, 1965.

Those who plan to retire should meet with the appropriate Vice President to formulate retirement plans and celebrations.

## 2.13.10 Tuition Remission Benefits

Eligible children of faculty members employed on a full-time basis during and after the 1974-1975 academic year will be permitted to attend Heidelberg University without payment of tuition.

- A. Children must be unmarried, not over twenty-three years of age unless having served in the military, and dependent upon the parent employed by Heidelberg University.
- B. Children dependent on the employee as a result of adoption or marriage are eligible.
- C. No more than eight semesters or twelve quarters of full-time undergraduate work are permitted.
- D. Students in this program must stay in good academic standing as defined by the institution.

Full time faculty members who retire with a minimum of 10 years of full time service are eligible for the Tuition Remission program for dependent children, subject to the stipulations given above.

If the death of a faculty member occurs after a minimum of seven years of full time service, the Tuition Remission program will apply to the faculty member's dependent children according to the stipulations above.

A faculty member or the spouse of any faculty member may attend Heidelberg University without charge for tuition except for course work taken by an Independent Course Contract.

Heidelberg participates in two tuition exchange programs: Tuition Exchange and the Council of Independent Universities' Tuition Exchange Program. Both of these programs have restrictions which are not controlled by Heidelberg. As long as the program is available, children of persons hired after the 1974-1975 academic year meeting criteria 2.13.10 (1) – (4) above may participate. Information may be obtained from the Vice President for Business Affairs.

In all cases, the faculty member shall contact the Vice President for Business Affairs one year in advance of participation in Tuition Remission or Tuition Exchange programs.

Eligible children of faculty members may participate in the High School Options program without charge. Participation does not count toward the eight semester limitation for tuition remission or tuition exchange.

Eligible children and spouses of faculty members may receive tuition remission for Heidelberg summer classes which have sufficient enrollment. Participation does not count toward the eight semester limitation for tuition remission or tuition exchange.

Eligible children of faculty members employed on a full-time basis by the University/University during the 1973-1974 academic year are permitted to attend Heidelberg University without payment of tuition, or, if they choose to attend another University, Heidelberg will pay the tuition at that University, provided the faculty parent was so employed during the 1973-1974 academic year, including authorized leaves of absence.

## 2.14 Compensation Policies

Compensation is paid on a twelve month basis, on the first day of every month. Pay checks are ordinarily paid through electronic deposit at the financial institution of the faculty member's choice. While contracts are in effect throughout the designated academic year, raises or changes in compensation are decided by the Board of Trustees, and take effect January 1, or other time decided by the Board. For more information, contact the Vice President for Business Affairs.

## **2.15 Grievance Policy**

### **2.15.1 General Considerations**

This Faculty Hearing Procedure pertains only to those Faculty members with full-time appointment as identified in Section 2.3.

It is expected that all department problems will first be considered by the department involved and that most will be resolved within the department. The following procedure applies only after these resources have been utilized to the fullest extent.

### **2.15.2 Procedure for the Person Presenting Complaints**

The person wishing to present the complaint(s) shall do so first to the Provost of the University. The Provost has the responsibility of consulting with the parties involved and of attempting to resolve the problem.

If a mutually satisfactory resolution cannot be attained through the Provost's office, the person presenting the complaint must formally request, in writing, consideration of the issue by the Faculty Personnel Committee, which shall attempt to resolve the problem. The Committee shall also submit its written report to the President of the University.

If the problem cannot be resolved at this point and if the person presenting the complaint desires a formal hearing, the individual must directly request, in writing, that the Faculty Personnel Committee initiate formal hearing procedures and the formulation of an ad hoc Faculty Hearing Committee. The letter must contain the specific grievances by the individual.

The ad hoc Faculty Hearing Committee shall present its report(s) and conclusion(s) to the President of the University. If the report and conclusion are not unanimous, separate reports must be filed. The person presenting the complaint shall receive a copy of all reports together with the President's decision.

The President shall consider all reports and prepare a written decision concerning the complaint. The President shall discuss the decision and the supporting documents with the person presenting the complaint. The President shall submit the decision along with all reports to the Academic Affairs Committee of the Board of Trustees.

In the event that the President is a party to the grievance, the report of the Hearing Committee will be submitted directly to the Academic Affairs Committee of the Board of Trustees.

### **2.15.3 Establishment of the ad hoc Faculty Hearing Committee**

All full-time teaching Faculty members at Heidelberg University are eligible.

The Secretary of the Faculty shall choose, by random methods, thirty members who shall be available as a panel. The names of those on the panel shall be known only to the Secretary.



Upon receiving instructions from the Faculty Personnel Committee, the Secretary of the Faculty will choose, by random methods, four names from the panel. These names are to be chosen in the presence of the involved parties, if they so desire. These four names shall constitute the list of the Hearing Committee, providing the following conditions are met:

- A. No Faculty member who is in the same department(s) as the involved parties or who is involved in the hearing shall serve.
- B. Each party has the right to strike the name of one member of the original four and that person will be replaced by another randomly selected member.

No Faculty member shall serve on such a committee more than once in two consecutive academic years.

The Hearing Committee shall be discharged upon receipt of its report(s) by the President.

#### **2.15.4 Procedures of the Hearing Committee**

A member of the Faculty Personnel Committee shall serve on the Hearing Committee in any capacity that the Hearing Committee chooses. The Faculty Personnel Committee member shall be present throughout the formal hearing and shall insure the confidentiality of all records of the hearing. Upon completion of this responsibility, the Faculty Personnel Committee member shall not be involved in the deliberations of the Hearing Committee.

The involved parties have the right to select a Heidelberg colleague of their own choosing who may act as advocate. Advocates have the right to speak before the Hearing Committee, to question all witnesses, to examine adverse evidence, and to present evidence on behalf of the Faculty member.

There shall be a single session in which all parties involved shall make their statements before the Hearing Committee. If the Hearing Committee feels that it needs further information or clarification, the Committee may call other sessions to which all involved parties must be invited. From the time of the original request for the hearing to the final recommendations, the hearings should be completed as speedily as schedules and conditions will allow. Excluding vacation periods, this period of time shall not exceed sixty days.

Testimony and all documents and information regarding the hearing are viewed as confidential. Any tapes or transcripts are the property of the Faculty Personnel Committee and are not for duplication or distribution. However, all parties to the complaint may have access to the records under the supervision of the Faculty Personnel Committee.

## 3 Academic Policies and Services of Interest to the Faculty

### 3.1 Grading, Grade Changes and Grade Appeals

#### 3.1.1 Grading

Assigning grades is a right and responsibility of faculty. Once a student's grade has been officially recorded, the instructor may change it only by verifying with the Department Chair and the Provost of the University that an error in computing or in recording the grade has occurred. Written documentation of the computational error may be requested by the Provost. If the instructor discovers a computational or recording error that would affect the course grade, the instructor is required to initiate a grade change request.

Beyond the above circumstances and those cases of grade change detailed in the Heidelberg University Grade Change Policy (see 3.7.2 below) and the Student Grade Appeal Policy (see 3.7.3 below), the Faculty may be called upon, on an emergency basis, to act as a committee of the whole regarding an instructor's grades. Specifically, upon recommendation of the Academic Policy Committee in consultation with the Provost of the University, the General Faculty assembled at a regular meeting shall have the authority to determine, by a two-thirds majority, (1) the existence of truly rare and extraordinary circumstances surrounding an instructor's erroneous, capricious, or discriminatory grading of his or her students, and (2) what, if any, grade changes shall be made. In no case shall this power of the Faculty as a whole subvert or overrule the student grade appeal process.

The grading system is outlined in the current University Catalogue.

A calendar of dates for course grades and interim academic appraisals is issued each semester by the Registrar. It is the responsibility of each faculty member to check these due dates. At any time in the semester a special report should be sent to the Academic Success Center for students who seriously neglect their work.

All records should be kept carefully and grades reported accurately.

Credit can be granted to students only for courses in which they have been registered. The instructor should insure that all students' names appear on the class list and grade report submitted to the registrar at the end of the term.

Under no circumstances should an instructor deviate from the rule that an incomplete (I) is granted only when students, through no fault of their own, are unable to complete the work assigned. An incomplete should never be given to students who have fallen behind through negligence, excessive attention to extra-curricular activities, etc. A form supplied by the Registrar's Office and signed by the student and faculty member must be filed with the Registrar for each incomplete grade.

The instructor should not permit a student to improve a grade by taking another examination or by doing additional work unless that opportunity is offered to the entire class.

### 3.1.2 Grade Change Policy

Heidelberg course grades are calculated and assigned by the instructor who teaches the course. Once a student's final course grade has been officially recorded by the Registrar, the grade may be changed if, and only if, (1) a new grade has been determined under the Heidelberg Student Grade Appeal Policy in Section 3.1.3 of the Faculty Manual, or (2) a grade of Incomplete is replaced with a letter grade as specified in the current Heidelberg undergraduate and graduate catalogs, or (3) the Provost of the University has assigned a lower grade in an academic honesty violation as specified in Section 3.2.2, or (4) an error in computing or in recording the grade has been identified by the instructor and has been verified by the instructor, the Chair/Director and the Provost, or (5) the Faculty has acted under the powers specified in Section 3.1.1 of the Faculty Manual.

### 3.1.3 Student Grade Appeals

If a student believes that a final course grade has been assigned in an erroneous, capricious, or discriminating manner, the student may appeal the grade. No grade appeal may be initiated until the Registrar has released the official grade to the student. Grade appeals must move through the following stages until a satisfactory resolution to the problem is reached.

The appeal process begins with the instructor who assigned the grade. The student should meet with the instructor and attempt to resolve the dispute informally. Any such resolution of a grade appeal must be approved in writing by the instructor's Chair/Director and the Provost of the University.

Should an informal resolution of the grade appeal be inconvenient or undesirable to either the student or the instructor, the student shall submit a written letter of appeal to the Chair/Director. The student's written appeal shall state the basis (or bases) of the appeal—i.e., error in computation or recording, capriciousness, or discrimination—and provide evidence in support of the appeal. The latter two of these three claims are very serious and should be undertaken only in cases where the student has considerable evidence to substantiate the claims. Appeals must be accompanied by copies of all pertinent graded work, the course syllabus, and any relevant course handouts (such as assignment prompts). The letter(s) of appeal and supporting evidence will comprise the appeal portfolio and will remain in the custody of the Chair/Director or the Provost of the University until the dispute is resolved, at which time all materials belonging to the student will be returned. The student should keep a copy of all appeal materials.

Upon receipt of the appeal letter, the Chair/Director will notify the instructor and provide the instructor with a copy of the materials from the appeal portfolio. The Chair/Director will conduct an investigation, including a review of the student's work included in the appeal portfolio and interviews of the student and the instructor, within 15 working days of the receipt of the appeal letter. The Chair/Director's ruling shall indicate either that the instructor's grade shall stand or that the instructor's grade shall be changed to a different grade. In the latter case, the Chair will obtain grade-change approval from the Provost and then submit a change of grade form to the Registrar, indicating that the grade has been changed on appeal.

If either the student or the instructor believes that the Chair/Director has erred in his or her decision, the student or the instructor may submit a written appeal of the Chair/Director's decision

to the Provost of the University. The letter of appeal must state specifically how the Chair/Director erred in his or her decision and must be accompanied by evidence to substantiate that claim. The Provost shall investigate the charge of error and respond in writing to the student, the instructor, and the Chair/Director, within 15 working days of the receipt of the appeal. The Provost's ruling shall indicate either that the instructor's original grade shall stand or that the instructor's grade shall be changed to a different grade. In the latter case, the Provost will submit a change of grade form to the Registrar, indicating that the grade has been changed on appeal.

If the student or the instructor believes that the Provost has erred in his or her decision, the student or instructor may submit a written letter of appeal to the Academic Policy Committee. The letter of appeal must state specifically how the Provost erred in his or her decision and must be accompanied by evidence to substantiate that claim. The committee shall investigate the charge of error and respond in writing to the student, the instructor, the Chair/Director, and the Provost, within 15 working days of the receipt of the appeal. The committee's ruling shall indicate either that the instructor's original grade shall stand or that the instructor's grade shall be changed to a different grade. In the latter case, the Chair of the committee will submit a change of grade form to the Registrar, indicating that the grade has been changed on appeal. The decision of the committee is final.

Should the Chair/Director, Provost of the University, or a member of the Academic Policy Committee be the instructor of record of the course under appeal, the Provost, or the Associate Provost, will name an alternate to hear the appeal, if necessary. The alternate shall be either a faculty member within the department or in a related discipline, or another Chair/Director.

In a case where the instructor is absent from campus or is no longer employed by the college, the appeal shall begin directly with the Chair of the department in which the course was taken. The chair will attempt to notify the instructor of the appeal, in writing, within five working days of the receipt of the appeal. The instructor will have 30 calendar days from the date of the Chair's notice to respond. It is the responsibility of the instructor to ensure that the Chair receives the response in 30 days. After 30 days, the Chair will follow the procedure above, if necessary.

In counting time, "working days" are Monday through Friday when the University is in session during the regular Fall and Spring semesters. The grade appeal process must be started within the first regular semester following assignment of the final course grade.

Requests for an extension of a deadline shall be made in writing to the Provost of the University. Interpretation of this appeal process shall be conducted by the Provost of the College in consultation with the Academic Policy Committee. The Provost's decision shall be final in extending deadlines and interpreting this policy.

## 3.2 Academic Honesty Policy

### Academic Honesty

The University values honesty and integrity as fundamental to learning and personal success. All members of the University should respect the integrity of another's work and recognize the importance of acknowledging and safeguarding intellectual property.

Submitting the work of another person or resource as your own, allowing another person to submit your work as his or her own, or assisting another person to do either are all behaviors considered violations of the Academic Honesty Policy. Further examples include:

1. Plagiarizing. Plagiarism is quoting from a source or using ideas paraphrased from a source without proper documentation according to the standard set by the instructor. The source material can be in oral, written, digital, or online format, including another student's work- for example a test, lab report, or paper. Duplicating your own work from a previous assignment or another course is also considered plagiarism.
2. Giving or receiving unauthorized assistance during homework, quizzes, tests, or examinations.
3. Using unauthorized materials, including personal technology, during any quizzes, tests, or examinations.
4. Acquiring copies of an exam dishonestly.
5. Using other dishonest methods to complete course work.

### Guidelines for Violations and Sanctions

Heidelberg University recognizes that not all violations of the Academic Honesty Policy are committed with the same intent, and the University's response to Policy violations should be commensurate with offenses and educate students on the value of academic integrity. For consistency, all parties engaged in determining consequences for documented violations of Academic Honesty will follow guidelines suggested in the Academic Honesty Policy.

### **Academic Honesty Warning**

Student behavior that results from scholarly negligence or inexperience with academic integrity principles and policies will result in an Academic Honesty Warning. This behavior is properly handled and remedied primarily by the faculty member teaching the course in which they occur.

What constitutes scholarly negligence will vary by course and instructor, particularly in courses where students are introduced to college-level scholarship. The following are examples of behavior that constitute scholarly negligence.

- Single incidence of paraphrasing quoted material without citation
- Omitted citation in the final draft of a paper
- Copying on a small homework assignment or short quiz
- Engaging in unauthorized collaboration on an assignment especially when the assignment instructions are unclear.
- Signing in an absent student for class attendance/participation without instructor permission

When an incident is identified, the instructor will notify and meet with the student as soon as possible to discuss the behavior and consequences. Using the online reporting procedure (described below), the instructor will notify the Associate Vice Provost for Academic Affairs (AVPAA) about the

incident, a summary of the conversation with the student, and any additional actions taken. The student is then issued an Academic Honesty Warning.

In addition to reporting the incident, the instructor could take any of the following actions:

- Set additional meetings with the student
- Reduce the grade for an assignment
- Require resubmission of the assignment with a grade reduction
- Other course-appropriate actions

Sanctions for all behaviors receiving an Academic Warning will be determined by the course instructor and reported to the AVPAA.

At the end of each semester, the AVPAA and two elected faculty representatives from the investigative panel will review accumulated Academic Honesty Warnings. Students who have two or more warnings for the same behavior or four or more warnings of different behaviors may, at the discretion of the reviewers, be placed on Academic Honesty Probation in the following semester.

### **Academic Honesty Probation**

Student behavior that violates the Academic Honesty Policy with intent or who have accumulated sufficient Academic Honesty Warnings will be placed on Academic Honesty Probation for a minimum of one complete semester. The nature and impact of a student's behavior, a student's prior disciplinary record, and student motivation at the time of the incident determine the appropriate level of sanctions issued to a student on Academic Honesty Probation, see below. Sanctions may be issued by the course instructor, AVPAA, and/or an Investigative Panel consisting of elected representatives of the faculty, students, and administration.

### **Level One Violations**

Policy violations are characterized as Level One when the actions are dishonest in character and/or may impact grades on significant assignments.

The following list contains examples of behavior that would qualify as Level One violations

- Copying entire homework assignments or labs from others
- Collaborating with others on an independent assignment when guidelines explicitly forbid it
- Reusing the same material in different courses, without permission of both instructors
- Intentionally providing another student with one's own assignment, paper, exam or quiz
- Making lab data available to a student without instructor permission
- Fabricating a citation in a paper
- Limited copying and pasting from sources without citation
- Possession of unauthorized aids when it cannot be determined if the aid was used
- Limited copying from another student during an exam or substantial quiz
- Allowing another student to copy during exam
- Presenting a false excuse to miss an assignment, test/ exam, class, etc. or to receive unfair accommodation
- Pattern of repeated behavior that would otherwise be considered scholarly negligence

Examples of sanctions for Level One violations include any or all of the following:

- Ineligibility to hold a student leadership role in any university recognized organization
- Mandatory attendance at an educational program related to the violation type
- Failing grade (0%) for the assignment or exam
- Re-submission of an assignment as requirement for course completion although the original assigned grade does not change

### **Level Two Violations**

Policy violations are characterized as Level Two when the actions are one or more of the following: flagrantly dishonest in character, impact a major or essential portion of the course grade, involve significant planning and deliberation, or serious breaches of professional and personal integrity.

The following list contains examples of behavior that would qualify as Level Two violations

- Any level of violation committed by a graduate student
- Copying from others where the copied material represents a significant part of the course grade
- Splitting up large assignments and copying parts from each other without instructor permission
- Providing another student with an assignment when explicitly prohibited
- Extensive copying and pasting from sources without attribution
- Possession and obvious use of unauthorized aids
- Extensive copying during an exam or quiz
- Fabricating data for a lab or research paper
- Taking an exam for another person (or vice versa)
- Stealing or fraudulently obtaining answers, or an advance copy of an exam
- Submitting an entire paper or assignment written by another person or for another class
- Replacing the name on another's assignment and handling it in as one's own
- Pattern of repeated behavior that would otherwise be considered Level One violation

Examples of sanctions for Level Two violations include any or all of the following:

- Ineligibility for membership or participation in any university recognized organization
- Failing grade in course
- Failing grade in the course with a transcribed academic dishonesty designation that cannot be replaced by retaking the course (on or off campus)
- Academic suspension
- Dismissal from institution
- Revocation of degree and withdrawal of diploma

### **Reporting Violations of Academic Honesty**

The University expects members of the academic community to complete their work honestly and to report suspected violations of the Academic Honesty policy using an online complaint form. Instructors who suspect or observe a violation of the Academic Honesty Policy are required to report the incident within a week of when the incident was first suspected.

### **Student Reporting**

Students are encouraged to report any behavior they observe that appears to violate the Academic Honesty Policy using the online reporting form. The AVPAA will review the report in consultation with the instructor of record to determine the appropriate action.

### **Complaint Form**

The form for reporting complaints is located on [insideheidelberg.edu](http://insideheidelberg.edu) under the Quicklinks tab/forms. This form is digitally filed with the AVPAA, who will oversee all action pertaining to the reported incident.

### **Determination of Sanctions**

Course instructors have the authority to assign grades; therefore any sanctions that pertain to grades are at the discretion of the course instructor.

For all behaviors reported as Level One violations, the AVPAA, course instructor, and student will meet to discuss the incident. The AVPAA and course instructor will determine appropriate sanctions based on guidelines for Level One violations. Students may request review of the incident, report, and/or sanctions by a full Investigative Panel (described below) to assess the incident and determine sanctions.

For all behaviors reported as Level Two violations, the report and all related documentation will be reviewed automatically by an Investigative Panel (described below). The Investigative Panel will review all existing documentation and may request to interview any parties involved in the case as part of their investigation, and/or collect additional information. Involved parties may choose to appear before the investigative panel and/or submit a written statement. The panel will determine by simple majority if the student violated the standards of academic honesty. When an academic honesty violation is upheld, the panel will assign an appropriate set of sanctions according to the sanctions guidelines.

All reporting forms, evidentiary documentation, sanctions, and student information letters associated with violations of the Academic Honesty Policy will be placed on file in the student's academic record for the remainder of the student's enrollment at Heidelberg University. In cases where additional sanctions have been assigned, the instructor of record and the student's adviser will receive a copy of the student's notification letter.

With the exception of permanently transcribed sanctions, a student may request to have any reports or action statements be removed from their academic file upon graduation, see Level Two Sanction for exceptions. Students should address requests to the AVPAA.

### **Investigative Panel**

Investigative Panels that review reports of Academic Honesty Violations will consist of a representative of the Undergraduate Academic Policy Committee (UAPC) or the Graduate Studies Committee (GSC), an elected faculty member from the student's academic school, and 2 students from a trained pool of 10-15 members representing a range of academic standing, co-curricular involvement, and degree program. The AVPAA or designee will attend the investigative panel in an ex-officio role. To provide a timely response, the panel may need to convene using Skype or teleconferencing.



## Appeals

Students wishing to appeal the decision of the AVPAA and/or Investigative Panel, should submit an appeal form online through the Office of the Registrar within 30 business days. An appeal may be made when there is new evidence, when proper procedures were not followed, or when the penalty involves suspension or dismissal from the University. The appeal will be reviewed by the Undergraduate Academic Policy Committee (UAPC) or Graduate Studies Committee (GSC); the representative for UAPC or GSC that served on the original investigative panel will recuse themselves from all discussion of the appeal. The AVPAA or designee will inform the student and instructor of the outcome within 30 business days of the receipt of the appeal.

*The language and structure of this policy are based on reports, policies, sanctions, guidelines, and procedures from the University of Texas Rio Grande Valley, University of Massachusetts at Boston, Rutgers University, Marist College, University of North Carolina-Charlotte, University of Rochester, and Washington State University.*

## 3.3 Student Attendance Policy

Individual faculty members determine the attendance policy for their classes. Attendance policies are to be given to students in writing as part of the syllabus for the course. The policy will include steps for implementing the policy. Faculty members are required to maintain records of student attendance, and to report the last day of attendance when recording grades for the semester.

## 3.4 Responsibility for Meeting Classes As Scheduled.

Classes are to be taught at the time shown in the schedule of classes, except in extenuating circumstances. A change in the class meeting time should be made primarily to meet educational objectives, and may be made only if the change is acceptable to all students in the class. Any departure from the scheduled meeting time, other than those of a temporary nature, should be approved by the Department Chair/Director and coordinated with the Registrar.

### 3.4.1 Absence of Faculty members

Planned absence from campus should be approved in advance. The Department Chair/Director may approve absences of one or two class days. Absences longer than two class days must be approved by the Provost of the University. Requests for absence must be submitted in writing, well in advance of the planned absence.

When possible, faculty members should make prior arrangements for anticipated absences. When this is not possible, the faculty member should first attempt to notify the Department Chair/Director. If unable to reach the Chair/Director, the faculty member may contact another qualified member of the department and ask that individual to teach the class or make suitable alternate arrangements for meeting the obligations of the class. Classes should be cancelled only when alternate arrangements are not possible.

### **3.4.2 Cancelled classes**

Classes cancelled by a faculty member should be made up in an appropriate manner, either by scheduling alternate meeting times for the classes, or by other work appropriate to the educational purposes of the class.

### **3.4.3 Examinations during faculty absence**

Examinations or tests given during a faculty member's absence from campus may not be proctored by support staff.

### **3.4.4 Final examinations**

Final examinations are to be given in all classes unless an exam is not appropriate for the course. If an exam is not given, the final examination time period should be used to receive papers or to discuss papers or projects. Any exceptions to the adopted calendar and/or final examination schedule must be approved by the Provost of the University prior to the announcement to the class of the change. For courses with multiple sections, faculty members may request permission from the Provost to schedule a single exam time for those sections.

#### **3.4.4.1 Changing Final Exam times**

Students requesting to change a final examination time or day must make the request to the Office of the Provost of the University. The Provost's Office monitors requests for changes of exam time. Students may request a change in a final exam time only if:

- A. the student has 3 or more final examinations scheduled on one day, or
- B. the student has a work schedule which conflicts with an exam time, or
- C. there is a personal situation beyond the control of the student.

If the request for change is approved, the Provost will contact the Faculty member to determine a convenient time for the Faculty member and student. Students will be given written notification of approval or denial of requests to change exam times. Faculty members will be notified in writing of approval to change exam times.

## **3.5 Communications with University's Legal Counsel**

All contacts with the university's legal counsel should be made only with clearance by the Provost or the President. Vice Presidents are empowered to contact the attorney as needed or to delegate this task as appropriate.

## **3.6 Fund Raising**

Fund raising activities are coordinated through the Office of Institutional Advancement. Any fund raising activity which involves constituencies external to the University must be approved by the Office of Institutional Advancement. Faculty are encouraged to submit fund-raising requests through the Office of the Provost.

## **3.7 Public Speech and writing**

Faculty members retain all rights of expression guaranteed to them by the constitution of the United States, and by applicable federal and state statutes. When engaging in public speech or writing outside the campus community, faculty members should identify themselves primarily as individual citizens, and make clear that their views do not necessarily represent those of Heidelberg University. Faculty members should identify themselves as associated with Heidelberg University only when acting in their professional capacity, or when authorized to speak or write on behalf of the university.

## Appendix A: Faculty Constitution

### CONSTITUTION OF THE GENERAL FACULTY OF HEIDELBERG UNIVERSITY

Approved April 1, 2008

ARTICLE I – DEFINITION AND MEMBERSHIP	87
ARTICLE II – DUTIES AND RESPONSIBILITIES	89
ARTICLE III – ADMINISTRATIVE ORGANIZATION OF GENERAL FACULTY MEMBERS	89
ARTICLE IV - OFFICERS AND MEETINGS	90
ARTICLE V - FACULTY COMMITTEES	93
ARTICLE VI -- PARLIAMENTARY AUTHORITY	99
ARTICLE VII – BYLAWS AND STANDING RULES	99
ARTICLE VIII -- AMENDING THE CONSTITUTION	100
ARTICLE IX -- CONSTITUTIONAL REVIEW	101
ARTICLE X – ENACTMENT	101

## ARTICLE I – DEFINITION AND MEMBERSHIP

### Section 1. General Faculty defined

The General Faculty of Heidelberg University is a deliberative assembly. This Constitution comprises the policies and procedures the Faculty has selected to govern itself, and defines the membership, responsibilities, and operational components of the General Faculty. As rules of a deliberative assembly, the provisions of this Constitution do not address the employment relationship between the University and an individual member of the General Faculty, and do not extend, limit, interpret, or otherwise concern the employment contract.

### Section 2. Membership of the General Faculty

The membership of the General Faculty is defined as follows:

- A. the President of the University;
- B. the Vice President for Academic Affairs and Provost of the University—herein “the Provost;”
- C. full-time employees of the University who hold the academic rank of Instructor, Assistant Professor, Associate Professor, Professor, or other academic ranks designated by the President and approved by the General Faculty;
- D. full-time employees of the University who hold the title of Director of Library Services, Registrar, or other ranks or titles designated by the President and approved by the General Faculty;
- E. one undergraduate student appointed by Student Senate; and
- F. other persons contributing to the teaching and research missions of the college, for example, instructors with Significant Part-time contracts, who are appointed to the General Faculty on a term basis at the first regular meeting of the General Faculty each fall for that academic year.

### Section 3. Faculty members

In the context of this Constitution and the *Heidelberg University Faculty Manual*, the term “Faculty member” is used to designate only a member of the General Faculty holding the academic rank of Instructor, Assistant Professor, Associate Professor, or Professor, or the administrative title of President of the University, and excludes other instructional staff. Further meaning and application of the term “instructional staff” is provided in the *Heidelberg University Faculty Manual*.

## **Section 4. Non-voting administrative representatives**

Non-voting administrative representatives to the General Faculty are defined as follows:

full-time employees of the University who do not hold the academic rank of Instructor, Assistant Professor, Associate Professor, or Professor but who hold the title of Vice President, Dean of Students or other administrative titles designated by the President and approved by the General Faculty.

## **Section 5. Faculty members on leave**

Faculty members on leave retain all privileges of General Faculty membership and shall be included in the semiannual Secretary's Report to the General Faculty.

## **Section 6. Eligibility for election**

Only Faculty members as defined in Section 3 of this Article are eligible to be elected by the General Faculty as officers of the General Faculty as defined in Article IV, to be elected to General Faculty committees or task forces as defined in Article V, or to be elected by the General Faculty to University committees and councils as defined in the *Heidelberg University Faculty Manual*, Section 1.3.4.

## **ARTICLE II – DUTIES AND RESPONSIBILITIES**

### **Section 1.**

The duties and responsibilities of the General Faculty of Heidelberg University shall be to establish and implement policies concerning the academic life of the University, to advise the Board of Trustees, the President, the Provost of the University, and others concerning the academic life and general welfare of the University, and to implement University objectives established in conjunction with the Board of Trustees, the President, and the Provost of the University.

At the request of the General Faculty, the General Faculty's decisions and recommendations shall be reported by the Chairperson of the General Faculty to the Provost of the University the President or to the Board of Trustees through the President. Whatever action the Provost, the President, or the Board of Trustees takes with respect to such recommendations and decisions shall be promptly reported by the Chairperson of the General Faculty.

### **Section 2.**

The General Faculty discharges its duties when assembled under the provisions of Article IV, through standing and ad hoc committees and task forces as provided in Article V, and through the various academic departments as provided in Article III.

## **ARTICLE III – ADMINISTRATIVE ORGANIZATION OF GENERAL FACULTY MEMBERS**

### **Section 1.**

Members of the General Faculty holding academic rank are organized into administrative schools and divisions. Each school or division is in turn organized into academic departments and programs. The academic divisions and departments of the University have academic functions under the provisions of this Constitution as well as administrative functions defined by their own internal policies, by the administrative policies of Heidelberg University specified in the Heidelberg University Faculty Manual and other documents, and by administrative policies established by the Provost of the University.

## ARTICLE IV - OFFICERS AND MEETINGS

### Section I. Chairperson of the General Faculty

The position of Chairperson of the General Faculty is normally filled by succession of the Chairperson *pro tempore* as provided for in Article IV, Section 2. When necessary, the Faculty shall elect a Chairperson, at or before the first General Faculty meeting of the academic year or as necessary to fill the position. The term of office shall be for one year, beginning with the first day of the Fall semester.

The Chairperson of the General Faculty shall

- A. preside at all meetings of the General Faculty;
- B. be an *ex officio* non-voting member of all General Faculty committees except the Faculty Personnel Committee;
- C. call all meetings of the General Faculty, including special meetings, in accordance with Article IV Section 8;
- D. construct the agenda for all meetings of the General Faculty;
- E. distribute the agenda, receive and distribute the Secretary's minutes, receive and distribute minutes from Faculty committees and other relevant materials for all General Faculty meetings pursuant to Article IV Section 7 and Article V Section 9(d);
- F. receive any written proposal to amend the Constitution of the Faculty and distribute it to the General Faculty pursuant to Article VIII Section 1;
- G. at the request of the General Faculty, the Faculty's decisions and recommendations shall be reported by the Chairperson of the General Faculty to the Provost of the University, the President, or to the Board of Trustees through the President;
- H. on behalf of the General Faculty, seek reports from the Provost pursuant to Article IV Section 6;
- I. invite student members of General Faculty committees to hear and comment on their respective Committees' reports;
- J. invite other persons of the University community to address the General Faculty assembled; and
- K. perform other duties as the General Faculty shall so direct.

### Section 2. Chairperson *pro tempore*

The General Faculty shall elect a Chairperson *pro tempore*, at or before the first General Faculty meeting of the academic year or as necessary to fill the position. The Chairperson *pro tempore* shall preside at the General Faculty meetings in the absence of the Chairperson and on other occasions when it is necessary for the Chairperson to vacate the chair. The term of office shall be for one year, beginning with the first day of the Fall semester. The incumbent Chairperson *pro tempore* shall then become the Chairperson of the General Faculty in the following academic year.



### **Section 3. Secretary**

The General Faculty shall elect annually, at or before the first meeting of the academic year, a Secretary whose duties shall include

- A. recording minutes of all General Faculty meetings;
- B. keeping and making available for inspection the records of General Faculty bodies;
- C. maintaining a Faculty Register pursuant to Article VII Section 3; and
- D. such other duties as the General Faculty shall direct.

The Secretary shall seek administrative support for necessary clerical assistance in the discharge of his or her duties.

### **Section 4. Parliamentarian**

The General Faculty shall elect annually, at or before the first meeting of the academic year, a Parliamentarian whose principal duty shall be to advise the presiding officer on procedure.

### **Section 5. Faculty Advisory Representatives to the Board of Trustees**

The General Faculty shall elect, at or before the first meeting of the academic year, Faculty members to serve two-year terms as Faculty Advisory Representatives to the Board of Trustees of the University as follows: two Faculty members to the Academic Affairs Committee of the Board, initially one one-year and one two-year; and two Faculty members to the Enrollment Management and Student Affairs Committee of the Board, initially one one-year and one two-year. The reporting duties to the General Faculty by the Faculty Advisory Representatives to the Board shall be prescribed by the General Faculty, consistent with the policies of the Board of Trustees.

### **Section 6. Report from the Provost**

The General Faculty shall seek a report from the Provost regarding the disposition of all matters brought to the Provost by the General Faculty according to the provisions of this Constitution.

### **Section 7. Sessions of the General Faculty**

The General Faculty is in session from the first day of class in the Fall semester through the last day of the final examination period in the Spring semester, excluding those days when the University is not in session. The General Faculty shall establish a schedule of regular monthly meetings to be held at a designated time during the academic year while the University is in session.

The Chairperson of the General Faculty shall notify members of the General Faculty in writing not less than 48 hours in advance of regular meetings. This notification shall include a list of the matters which may come before that meeting, as well as the minutes of the previous regular meeting and of any special or emergency meetings which may have intervened.

## **Section 8. Meetings of the General Faculty**

All meetings of the General Faculty are called by the Chairperson of the General Faculty. Special meetings may be directed by the Provost or by petition of at least ten members of the General Faculty. The petition shall be brought to the Chairperson of the General Faculty who will then call the special meeting. The Chairperson of the General Faculty shall notify members in writing not less than 48 hours in advance of special meetings. That notification shall include a complete list of the petitioners and a brief statement of the matters to be considered at the special meeting.

Meetings may be called under special conditions as defined by the Provost of the University with less than 48 hours' notice.

## **Section 9. Quorum**

At all meetings of the General Faculty a quorum shall be 40 percent of the current membership of the General Faculty.

## **Section 10. Passage of motions**

At all meetings of the General Faculty passage of any motion shall require an affirmative vote of a majority of those members voting. An abstention from voting is not a vote. A record of the number of affirmative votes, negative votes, and abstentions from voting shall be kept for all motions with respect to which a division of the assembly has been requested.

## **Section 11. Secret ballot**

At all meetings of the General Faculty a secret ballot shall be taken on any question at the request of any member of the General Faculty.

## **Section 12. Vacancies of elected officers**

In the event of a vacancy of an elected officer of the General Faculty, an election shall be held at the next regular meeting of the General Faculty, to fill the unexpired term of the vacator.

## **Section 13. Open meetings**

The General Faculty aims to set the example of making its regular meetings open to observation by interested persons of the University community. Nonmembers may address the General Faculty assembled only upon request of a member in attendance or upon invitation of the Chairperson of the General Faculty. The right of participating in deliberation is reserved for members of the General Faculty and non-voting administrative representatives to the Faculty as defined in Article I, Section 4.

## ARTICLE V - FACULTY COMMITTEES

### Section 1. Types of committees

General Faculty committees are either standing committees, or ad hoc committees and task forces. Standing committees are defined in their entirety through the provisions of this Constitution. Ad hoc General Faculty committees and task forces are defined, created, and dismissed by the General Faculty assembled or by standing committees of the General Faculty, according to the provisions of this Constitution. Both types of General Faculty committees are creatures of the General Faculty, i.e., the nature, composition, scope of duties and responsibilities, and internal function are controlled in their entirety by the General Faculty, subject to the provisions of this Constitution. The President and the Provost are *ex officio*, non-voting members of all General Faculty committees. The Chairperson of the General Faculty is an *ex officio*, non-voting member of all General Faculty committees except the General Faculty Personnel Committee.

### Section 2. Standing Committees of the General Faculty

The standing committees of the General Faculty of the University shall be the

- A. Academic Assessment Committee,
- B. Community Engagement Committee,
- C. Faculty Development Committee,
- D. Faculty Personnel Committee,
- E. Graduate Studies Committee,
- F. Undergraduate Academic Policy Committee,
- G. Undergraduate Curriculum Committee.

### Section 3. Membership and charges of Standing Committees

Membership and charges of these standing committees shall be as follows:

#### A. Academic Assessment Committee (AAC)

**Membership:** Four Faculty members, one or two elected each year for three-year terms; and one undergraduate student appointed by the Student Senate for a term of one year. The individual charged by the Provost with coordinating assessment on campus is an *ex officio*, non-voting member of this committee.

**Charges:** AAC shall study and make recommendations concerning campus assessment policy and ensure implementation of assessment activities, including but not limited to

- A. periodically evaluating the University mission documents;
- B. periodically evaluating the general education learning outcomes;
- C. coordinating all academic assessment activities on campus with Academic Affairs and the Director of Institutional and Market Research;
- D. reviewing academic assessment data and making recommendations to the General Faculty.

## **B. Community Engagement Committee (CEC)**

**Membership:** Four Faculty members, one or two elected each year for two-year terms; one student appointed by Student Senate for a term of one year.

**Charges:** The Community Engagement Committee shall study and make recommendations to the General Faculty concerning facilities, resources and programs which contribute to the overall growth and development of the students including, but not limited to

- A. promoting volunteerism and citizenship among Heidelberg students in coordination with the Service Learning Coordinator of the Honors Program;
- B. coordinating, planning, promoting, and/or sponsoring events on campus that further the academic mission of the University;
- C. coordinating, planning, promoting, and/or sponsoring educational programs between the University and Tiffin-area organizations including but not limited to Tiffin University, Tiffin Public Schools, Tiffin Catholic Schools, Ritz Theater, and Tiffin-Seneca Public Library; and
- D. providing the appellate hearing body for student disciplinary cases.

## **C. Faculty Development Committee (FDC)**

**Membership:** Four Faculty members, one or two elected each year for a three-year term.

**Charges:** The Faculty Development Committee shall study and make recommendations to the General Faculty concerning overseeing and facilitating resources and programs, outside the scope of Faculty member evaluation, that promote a life of learning through growth and development of Faculty members in their instructional, scholarly, and institutional endeavors including, but not limited to

- A. gathering information on advances and new concepts in teaching, both on and off the campus, and organizing workshops, discussion groups, notices, and literature to help Faculty members keep abreast of such information;
- B. planning, implementing, and evaluating mentoring programs for new and continuing Faculty members;
- C. coordinating the selection of Aigler Summer Grant recipients in conjunction with Academic Affairs;
- D. establishing, maintaining, and supporting programs beyond sabbatical leaves, leaves of absence, and release time, that encourage professional activities, growth, and development;

- E. establishing and maintaining programs to promote and facilitate Faculty-member interaction and congeniality;
- F. maintaining a dialogue about educational resource development and allocation between the General Faculty, CNIT, Beeghly Library, Instructional Resource Center, Media Communication Center, Owen Academic and Career Support Center, Writing Center and Academic Affairs;

#### **D. Faculty Personnel Committee (FPC)**

**Membership:** Four Faculty members consisting, at the time of election, of four tenured professors, including at least two full-professors and at least one associate professor, with one elected each year for a four-year term. As a matter of practice, the committee member with the most consecutive years of service on this committee will be Chair.

**Charges:** The Faculty Personnel Committee shall study and make recommendations to the General Faculty, and where appropriate, on behalf of the General Faculty to the President and the Board of Trustees, on a wide range of Faculty-member employment and welfare issues including, but not limited to

- A. advising the President and Board of Trustees, through the Vice President for Academic Affairs, on the following matters, including but not limited to
  - 1. promotion
  - 2. tenure
  - 3. initial appointment and re-appointment
  - 4. release time
  - 5. sabbatical leaves and leaves of absence
  - 6. termination
  - 7. other Faculty-member personnel matters determined by the President;
- B. conducting Faculty elections for standing committees, and of Faculty-member representatives to administrative committees;
- C. overseeing all Faculty-member evaluation procedures, including the work of the Faculty Evaluation Panel;
- D. updating the Faculty Manual; and
- E. studying and making recommendations to the Faculty regarding compensation, benefits, workload, intellectual property, and the teaching and research environment.

#### **E. Graduate Studies Committee (GSC)**

**Membership:** One Faculty member with graduate teaching experience from each of the four graduate programs, one or two elected each year for terms of three years, and one graduate student appointed by the committee chairperson for a term of one year. The Registrar is an *ex officio*, non-voting member of this committee.

**Charges:** The Graduate Studies Committee shall study and make recommendations to the General Faculty concerning matters of graduate policy and curriculum including, but not limited to

- A. reviewing, approving and recommending changes in the graduate curriculum and academic programs;
- B. admissions, placement, scholarships, academic probation, suspension, dismissal, academic honesty, student appeals including grade appeals, and matters of student academic life;
- C. general matters of academic administrative policy including, but not limited to, the University graduate calendar, library policy, and honorary degrees; and
- D. any educational endeavors which will have a long- or short-range impact on graduate academic programs.

**Coordination with Undergraduate Programs:** The Graduate Studies Committee shall not propose any policy or curricular changes that will affect the policies or curriculum of the University's undergraduate programs without first consulting the Undergraduate Academic Policies Committee and/or the Undergraduate Curriculum Committee, as appropriate.

## **F. Undergraduate Academic Policy Committee (UAPC)**

**Membership:** Four Faculty members, one with tenure, one or two elected each year for terms of three years; and one undergraduate student appointed by the Student Senate for a term of one year. The Registrar is an *ex officio*, non-voting member of this committee.

**Charges:** The Undergraduate Academic Policy Committee shall study and make recommendations to the General Faculty concerning matters of undergraduate academic policy including, but not limited to

- A. admissions, placement, scholarships, academic probation, suspension, dismissal, academic honesty, student appeals including grade appeals, and matters of student academic life;
- B. general matters of academic administrative policy including, but not limited to, the University calendar, library policy, and honorary degrees; and
- C. any educational endeavors which will have an impact on long-or short-range academic policy of the University.

**Coordination with Graduate Programs:** The Undergraduate Academic Policy Committee shall not propose any policy or changes that will affect the policies of the University's graduate programs without first consulting the Graduate Studies Committee.

## **G. Undergraduate Curriculum Committee (UCC)**

**Membership:** Four undergraduate Faculty members, at least one of whom is tenured, one or two elected each year for terms of three years; and one undergraduate student appointed by the Student Senate for a term of one year. The Registrar is an *ex officio*, non-voting member of this committee.

**Charges:** The Undergraduate Curriculum Committee shall study and make recommendations to the General Faculty concerning matters of the undergraduate curriculum including, but not limited to

- A. the undergraduate general education curriculum, majors, minors, internships, externships, clerkships, practicums, service learning, and other academic programs; and
- B. any educational endeavors which will have a long- or short-range impact on undergraduate academic programs.

**Coordination with Graduate Programs:** The Undergraduate Curriculum Committee shall not propose any curricular changes that will affect the curriculum of the University's graduate programs without first consulting the Graduate Studies Committee.

## **Section 4. Elections to standing committees**

General Faculty elections to these standing committees shall take place annually, at the last General Faculty meeting of the academic year. New members are seated immediately following the election, unless provided for otherwise by the General Faculty.

## **Section 5. Vacancies**

In the event of a vacancy of an elected Faculty member on any of these standing committees, an election shall be held no later than the next regular meeting of the General Faculty, to fill the unexpired term of the vacator. A committee member who seeks to resign from a committee assignment shall propose a motion, Request to be Excused from a Duty, to the Chairperson of the General Faculty prior to the next regular meeting of the General Faculty.

## **Section 6. Meetings**

Each of these standing committees shall meet at least once a semester during the regular academic year.

## **Section 7. Duties regarding issues raised**

Unless otherwise provided for in this Constitution, each of these standing committees has the duty to deliberate, and make a timely report on, matters within its charges raised by itself or

- A. any member of the General Faculty,
- B. the General Faculty,
- C. any body defined within this Constitution.

## Section 8. Additional committees

Committees in addition to these standing committees may be established. The size, qualifications of members, and terms of office of members of such committees may be prescribed by:

- A. the General Faculty, or
- B. any of the standing committees of the General Faculty.

## Section 9. Procedures and requirements of standing committees

Each of these standing committees, and each committee established pursuant to Section 8 of this Article shall

- A. elect a chairperson at the beginning of each semester, unless another method of selecting a chairperson is provided by this Constitution or by a standing rule of the General Faculty;
- B. establish and make known to the General Faculty in written form the time and place of its regular meetings and the procedures for the conduct of its business pursuant to Article V, at the beginning of each semester;
- C. provide annual budget requests to the Provost in a timely manner, and expend any budgeted funds according to the direction of the General Faculty;
- D. record minutes of all matters which have come before the committee, all actions taken thereon, and all matters which are pending before it. All minutes not submitted since the last meeting of the General Faculty minutes shall be sent to the Chairperson of the General Faculty at least 48 hours before the next Faculty meeting; the Chairperson of the General Faculty will distribute them to the General Faculty; and
- E. submit all reports and vote documents for consideration by the Faculty to the Chairperson of the General Faculty, who shall distribute them to the Faculty at least 48 hours before the General Faculty Meeting at which they are to be considered. The Secretary of the General Faculty shall maintain a permanent file of such reports and vote documents.



## **ARTICLE VI -- PARLIAMENTARY AUTHORITY**

### **Section 1.**

The General Faculty and committees provided for in this Constitution shall be governed by the rules contained in this Constitution and any Bylaws enacted in accordance with this Constitution.

Meetings of the General Faculty and of all the committees provided for in this Constitution shall be governed by the rules contained in the current edition of *Robert's Rules of Order, Newly Revised*, where those rules are consistent with this Constitution. The General Faculty may adopt special rules of order for itself and its committees as it sees fit. Those rules shall supersede any contrary rules of Robert but otherwise shall be consistent with the provisions of this Constitution.

## **ARTICLE VII – BYLAWS AND STANDING RULES**

### **Section 1.**

The General Faculty shall make bylaws and standing rules as may be necessary for the proper conduct and regulation of its business, provided those rules do not conflict with this Constitution. Such bylaws and rules shall be adopted or amended and become effective upon an affirmative vote of a majority of those present at a meeting of the General Faculty.

### **Section 2.**

Bylaws may be adopted or amended at a meeting of the General Faculty only when the proposal has been circulated to the General Faculty by the Secretary with the agenda for the meeting at which the vote is to be taken.

### **Section 3.**

All bylaws and standing rules shall be entered in a Faculty Register by the Secretary. The Secretary shall maintain and publish the Register in paper and electronic form in a manner and location determined by the General Faculty. The Register shall be available to the University community.

## ARTICLE VIII -- AMENDING THE CONSTITUTION

### Section 1. Procedure for amending the constitution

The following procedure is the only method by which the Constitution of the General Faculty of Heidelberg University may be amended:

- A. A written proposal to amend the Constitution of the General Faculty may originate as a petition signed by at least 25% of the membership of the General Faculty, or as a proposal from the Faculty Personnel Committee. In both cases, the amendment proposal shall be filed with the Secretary of the General Faculty.
- B. The Chairperson shall distribute to the General Faculty this written proposal of amendment not more than ten calendar days after it has been filed with the Secretary.
- C. The General Faculty shall vote on the proposed amendment at a meeting not less than four calendar days, nor more than sixty calendar days, from the time the proposal of amendment has been distributed to the General Faculty. The proposed amendment must be read at least two meetings before a vote is taken.
- D. For an amendment to become effective it must receive an affirmative vote of two-thirds of all votes cast.
- E. For purposes of amending the Constitution of the General Faculty, the following rules apply:
  1. in computing time, summer vacation and all other vacations during the academic year shall be excluded;
  2. for the purpose of voting, absentee ballots shall not be counted.
- F. When a motion to amend the Constitution of the General Faculty has received the necessary votes, it shall become effective immediately, unless the proposal itself otherwise provides.

## **ARTICLE IX -- CONSTITUTIONAL REVIEW**

### **Section 1.**

At intervals of five academic years, beginning in 2013, the Faculty shall convene a committee to review the Constitution and to recommend to the General Faculty such amendments as it may deem appropriate.

### **Section 2.**

The provisions of this Constitution shall be consistent with the law, the University Charter and Articles of Incorporation, the Bylaws of the Board of Trustees, and other Board policies. Any provisions of this Constitution counter to applicable State or Federal Laws shall be null and void.

## **ARTICLE X -- ENACTMENT**

### **Section 1.**

The Constitution of the General Faculty of Heidelberg University shall become effective on April 29, 2008, following its approval by an affirmative vote of two-thirds of all the votes cast at a meeting for which due notice of the proposal has been given.

**[End of the Faculty Constitution]**

### **Dates of Faculty Approval of Amendments on Second Reading:**

April 28, 2015 (changes throughout)  
November 3, 2015 (Art. IV, Sect. 13)  
November 6, 2018 (Art. V, Sect. 3)

## Appendix B: Revisions to the Faculty Manual

Faculty Manual Section	Date of Last Revision
1.3.3.1.3 Department Chairs and Program Directors	August 2018
1.3.4.6 Honors Committee	August 2018
2.2 Definition of Faculty Status	August 2018
2.2.7 Criteria for Personnel Action	August 2018
2.2.7.1 Teaching	August 2018
2.2.7.2 Professional Development and Activity	August 2018
2.2.7.3 Engagement in the Life of the University	August 2018
2.2.7.4 Professional and Ethical Relationships	August 2018
2.2.9.4 Requests for Promotion	August 2018
2.5.1 Promotion and Tenure Portfolios	August 2018
2.5.2 Other Records	August 2018
2.6 Faculty Evaluation	August 2018
2.6.1 Criteria	August 2018
2.6.2 Student Input	August 2018
2.6.3 Evaluation Process for Full-time Teaching Faculty Members	August 2018
2.6.4 Evaluation Process for Instructors Other Than Full-time Teaching Faculty	August 2018
2.7.1 Tenure Acquisition	August 2018
2.7.2 Requests for Early Tenure Consideration	August 2018
3.1.2 Grade Change Policy	August 2018
3.2 Academic Honesty Policy	August 2018
2.11 Other Types of Leave	October 2018
2.13 Benefits	October 2018
2.5 Personnel Records	October 2018
2.6.4 Evaluation Process for Instructors Other Than Full-time Teaching Faculty	October 2018
2.7.1.3.6 Tenure Application Portfolio Review Process	October 2018
1 Preamble	February 2019
2.7 Tenure Policies; Non-Tenure-Track Portfolio System	February 2019
2.7.7 Non-Tenure-Track Portfolio System	February 2019
2.6.2.1 Approved Methods for Soliciting Student Input	February 2019
3.4.4.1 Changing Final Exam Times	February 2019