

BUENA VISTA UNIVERSITY FACULTY HANDBOOK

Note: This Faculty Handbook is in the Process of Revision. Your patience is appreciated as we complete the revision process. Sections which have not yet been revised and superseded are noted and unrevised policies from the previous faculty handbook are contained therein. Sections which have been revised include a revision date. Upon completion, sections will be renumbered and indexed. If you have questions about policies, please contact the Office of the Vice President for Academic Affairs or the Office of Human Resources.

PART I. INTRODUCTION

This section is currently under revision

The purpose of this Faculty Handbook is to delineate the rights and responsibilities of Buena Vista University's faculty. It is intended to serve not only as a statement of Buena Vista University's values but also as a living document that both meets the faculty's needs today and anticipates the guidance needed to be prepared for tomorrow. It is the responsibility of the Handbook's primary users – the Buena Vista University faculty – to improve its clarity and relevance. Comments, suggestions, and questions should be forwarded to the Faculty Welfare Committee of the Faculty Senate, the Chair of the Faculty Senate, or the Dean of Faculty. The Office of Human Resources will be responsible for maintaining and updating the Faculty Handbook. Faculty Senate, working with the office of the Dean of Faculty, will conduct a comprehensive review of the handbook every five years (or more often as deemed necessary).

A. Welcome

B. History/Accreditation

C. University Mission, Vision, Values, Outcomes

Our Mission

We prepare students for lifelong success through transformational academic, professional and co-curricular programs.

Our Vision

By 2018, BVU will be recognized as a leader in blending a strong liberal arts education with professionally oriented career and life preparation for an increasingly diverse student population by:

- Providing students with exceptional classroom and experiential learning opportunities to gain the multidisciplinary knowledge and skills to succeed in their professions, careers and service to their communities.
- Strengthening programs, disciplines and modes of delivery which are vital to preparing globally-engaged and ethical citizens who contribute to the economic, intellectual and cultural development of our world.

Read more at <http://www.bvu.edu/about/who-we-are/mission-and-vision.dot>.

D. Administration and Organization

E. Handbook Review and Revision

PART II. POLICIES THAT APPLY TO ALL BUENA VISTA UNIVERSITY EMPLOYEES

The Buena Vista University Employment Manual and additional employment policies that apply to all Buena Vista University employees can be found on Beavernet and the Employee Self Service page by logging in at <https://hr.bvu.edu/wfc/applications/wtk/html/ess/logon.jsp>

PART III. POLICIES THAT APPLY TO BUENA VISTA UNIVERSITY FACULTY

Chapter 1. Introduction

This chapter is currently under revision

Chapter 2. Faculty Constitution, Bylaws and Governance

This chapter is currently under revision

Constitution of the Faculty

This Constitution is adopted to promote the effectiveness of Buena Vista University in its role in higher education as a church-related, liberal arts college and to provide a means by which the special competencies of the members of its faculty may be utilized more fully in the formulation and execution of the academic program of the University.

Article I. The Faculty

Section 1. Composition: All persons employed by Buena Vista University to teach six hours or more within that semester, the President of the University, the Vice President for Academic Affairs/Dean of Faculty, all administrators holding academic tenure or appointment by the President to the rank of Assistant Professor or above shall be voting members of the faculty. Professors emeriti and members of the staff who are designated as having professional rank shall be members of the Faculty but without vote. The privilege of suffrage may be granted by a two-thirds vote by ballot.

Section 2. Organization: The Faculty shall adopt by-laws, as it considers necessary, to perform its functions. There shall be a Senate, which shall be the agent of the Faculty. The Faculty shall elect the members of the Senate and delegate its functions and responsibilities.

Section 3. Meetings: The Faculty shall determine time, place and manner of holding its meetings. A majority of the voting members shall constitute a quorum.

Section 4. Officers: The officers of the Faculty shall consist of the President of the University, the Vice President of Academic Affairs/Dean of Faculty, the Chairperson, Chairperson-elect, and Immediate Past Chair of the Senate, a Secretary and a Faculty Marshal. The President of the University shall be the presiding officer at General Faculty meetings. In case of the President's absence, the Vice President for Academic Affairs/Dean of Faculty, the Chairperson of the Senate, the Chairperson-elect, and the Immediate Past Chair shall preside, in that order. The Chairperson of the Senate shall preside at Senate meetings; in case of the Chairperson's absence, the Chairperson-elect, and the Immediate Past Chair shall preside, in that order.

The Chairperson-elect and the Secretary shall be elected by the Faculty from nominations made by the Faculty Senate. The Chairperson-elect shall be elected for a term of one year and then shall automatically become Chairperson for the succeeding year. The Immediate Past Chair shall not be eligible for immediate re-election as Chairperson-elect but shall be eligible for election to the Senate; in case the Chairperson-elect resigns or otherwise is unable to perform his/her tasks, a successor shall be selected by a three-fourths majority of the Faculty Senate.

The Secretary, who shall be a voting member of the Faculty, shall be elected for a term of three years and is not eligible for immediate re-election.

The Faculty Marshal, who shall be appointed by the Events Committee, shall be responsible for the academic processions for Commencement and the Founders' Day Welcome Convocation, and for all other academic processions.

Section 5. Functions and Responsibilities: The faculty shall make recommendations on academic matters and on matters affecting the welfare of the institution, such as:

- Educational policies and programs, including the calendar
- Admissions, courses, curricula, schedules, graduation, academic standards, and degrees (both in course and honorary)
- Student affairs, such as orientation and guidance, extra curricular activities, inter-collegiate athletics, conduct, health and welfare • Improvement of instruction and professional standards of faculty • Employment qualifications, tenure, promotions, salaries, factors affecting faculty morale and welfare • Institutional facilities and resources.

All recommendations of the Faculty and Senate shall be transmitted to the Trustees through the Vice President for Academic Affairs/Dean of Faculty and the President of the University and are subject to review by the Board of Trustees.

Article II. The Senate

Section 1. Membership: The Senate shall consist of the President, the Vice President for Academic Affairs/Dean of Faculty, the Vice President for Student Affairs/Dean of Students, a representative of the off-campus educational centers appointed by the President, the Chairperson of the Senate, the Chairperson-elect of the Senate, the Immediate Past Chair of the Senate, six (6) members of the Faculty with rank of Instructor or above and at least one (1) year of service at Buena Vista University, the Secretary of the Faculty and two (2) voting members selected from the student body — one to be selected by the student body in the manner designated by the Student Senate and the other to be the President of the Student Senate. The Chairperson and the Chairperson-elect must meet the qualifications set forth for members of the Senate, except that they must have served at least two (2) years on the Faculty of Buena Vista University. Not more than three (3) of the six (6) regularly elected members shall be from any one School.

Section 2. Election: The Faculty members on the Senate shall be divided into three (3) classes of two (2), two (2), and two (2). One class shall be elected each year for a term of three (3) years, and only those serving as replacement Senators and completing the final year of a resigned Senator's term shall be eligible for immediate re-election. The President of the Student Senate is automatically a member of the Senate. The student member selected by the student body shall serve for one (1) year but is eligible for reappointment.

Section 3. By-laws: The Senate shall prepare by-laws for the conduct of its business.

Section 4. Officers: The officers of the Senate shall consist of the Chairperson, who shall be the presiding officer; the Chairperson-elect, who shall preside in the absence or at the request of the Chairperson; the Immediate Past Chair; and the Secretary of the Faculty, who shall be the Secretary of the Senate and a voting member of the Senate.

Section 5. Duties: The Senate shall be the working agent of the Faculty, and its policy recommendations to the University administration shall be regarded as officially representing the opinion of the Faculty. The Senate shall recommend and assist in the implementation of policies with respect to matters of vital

importance to the institution or the educational aims of the institution. The minutes of the Senate shall be circulated to all Senate members and to all members of the Faculty promptly after each Senate meeting. The recommendations of the Senate shall be subject to review by the Faculty.

Article III. Amendments

This Constitution of the Faculty may be amended only at a regular Faculty meeting by a two-thirds majority vote of the voting members present. A proposal to amend this Constitution must be submitted in writing at the meeting where the proposal is to be discussed. A majority vote of the voting members present at this meeting shall be necessary for the acceptance of the measure as a proposed amendment. If so proposed, it shall be voted upon at the next regular meeting.

Article IV. Adoption and Ratification

This Constitution of the Faculty of Buena Vista University shall be adopted at a regular Faculty meeting by a two-thirds majority vote of the voting members present. When thus adopted by the Faculty, this Constitution and any amendments thereafter approved shall be effective when ratified by a majority vote of the Board of Trustees at a regular meeting.

A copy of this Constitution of the Faculty of Buena Vista University and all amendments thereto shall be filed with the Secretary of the Board of Trustees.

By-Laws of the Faculty

Membership Records and Voting Rights

Complete current records of membership indicating voting rights in the Faculty shall be kept by the Secretary of the Faculty. The granting of suffrage by a two-thirds vote, under Article

I, Section I, shall be for either a) a particular meeting; b) for the academic year; or c) for a term of office.

Faculty Meetings

The Faculty shall hold two stated meetings in the fall semester and two in the spring semester. Special meetings may be called by the President, the Senate, or upon written request of ten voting members. Written notice of special meetings must be given to all members of the Faculty at least two school days in advance.

Nomination and Election Procedures

Nomination of Officers of the Senate

- At the regular March meeting of the Senate, the Senate shall conduct nominations for the post of Chairperson of the Faculty should such a vacancy exist, for the position of Chairperson-elect of the Faculty for the next year, and for the position of Secretary of the Faculty in those years that a vacancy exists.
- The selection of the nominees shall be made in the order listed above. This order may be suspended by vote of two-thirds of the voting members of the Senate.
- In case a vacancy exists for the post of Chairperson of the Faculty, the Senate shall be successive and secret ballot poll its members until two candidates have been selected, separately, with each having not fewer than five votes cast by the voting members of the Senate.
- Nomination for the Chairperson-elect of the Faculty shall be conducted by the same method as listed in Article III.
- Nomination for the Secretary of the Faculty shall be conducted by the same procedure as listed in Article III.

Nomination of Senate Members

- Not later than February 25, the Secretary of the Senate shall give to each voting member of the faculty a list of forthcoming vacancies in the Senate and a roster of eligible members.
- To be nominated to the Senate, an eligible faculty member or his/her sponsor must submit a petition signed by five voting members of the faculty and a letter indicating willingness to serve if elected. These documents are to be filed with the Chairperson of the Senate between March 1 and 10. As necessary, the Senate will add nominations until the number is at least two greater than the number of vacancies.

Election Procedures

- The election shall be held during the first two weeks of April each year. The Senate shall set the specific election dates which shall be in harmony with the University calendar. The Chairperson-elect shall be elected first, after which the members of the Senate shall be elected. The names of those nominees for Chairperson-elect who were not chosen to that office shall automatically be added to the list of Senate nominees. In case a Chairperson need be elected, his/her

election shall be held at the same time as that of the Chairperson-elect. The student members of the Senate shall be selected according to the rules of the Student Senate.

- On a date designated by the Senate at its official January meeting, the Secretary shall be instructed to circulate to all voting members of the Faculty a list of the nominees and the vacancies to be filled.
- Voting shall be done with a secret ballot, and may be done electronically.
- The Rules Committee of the Senate shall count the ballots and certify the results to the Secretary of the Faculty. Drawing lots shall resolve tie votes.
- The old Senate shall continue as the official working agent of the Faculty through Commencement and for one week thereafter. The new Senate shall hold at least one organizational meeting in May and shall meet officially with the old Senate immediately before Commencement for an official transfer of power. (It is understood that the one week of grace given to the old Senate following the official transfer of responsibility is for the purpose of conducting the business begun by the old Senate.)

Filling Vacancies in Faculty Offices and the Senate

The Senate shall have the power to fill all vacancies until the next regular election.

Amendment of By-Laws

These by-laws may be amended at any regular or called meeting of the Faculty by a majority vote of the voting members present, provided that the proposed change shall have been given to each member of the Faculty at least one week before the meeting.

Adoption of By-Laws

These by-laws of the Faculty of Buena Vista University shall be adopted at any regular or called meeting of the Faculty by a majority vote of the voting members present, provided that the proposed by-laws shall have been given to each member of the Faculty at least one week before the meeting.

By-Laws of the Faculty Senate

Officers of the Senate Chair

The Chair shall be responsible for preparing the agenda for Senate meetings and for consulting the Vice President for Academic Affairs/Dean of the Faculty thereon. He/She shall be the spokesperson for the Senate.

Chair-elect

The chair-elect shall work closely with the Chair and become familiar with the activities of the Senate and the Faculty. Should there be a vacancy in the Immediate

Past Chair position, then the Chair-elect shall assume the responsibilities of the Immediate Past Chair. Should a member of the Senate be elected as Chair-elect, then a vacancy shall have been created in the Senate.

Immediate Past Chair

The Immediate Past Chair shall continue with all special projects begun during his/her year as Chair. Additionally, the Immediate Past Chair shall serve as chair of the Tenure and Promotion Committee and every other year will be responsible for administering the Administrator evaluation.

Secretary

The Secretary shall undertake all duties specified in the constitution of the Faculty and its By-laws and such other duties as are commonly agreed upon by the Senate. He/She shall circulate in advance the agenda for each Senate meeting. He/She shall circulate the minutes of each Senate meeting to Faculty and Administration within five days. Should a member of the Senate be elected as Secretary, then a vacancy shall have been created in the Senate.

Meetings

- Regular meetings of the Senate shall be held in September, October, November, December, February, March, April and May.
- Special meetings of the Senate may be called, but Senate members must be notified at least 24 hours in advance of the meetings. Exceptions to this rule (in case of emergency) must be approved by the Chair of the Senate and one other member of the Rules Committee.
- Meetings of the Senate shall be conducted in a way agreeable to the majority of its members as determined by democratic process.
- A quorum shall be defined as a majority of the members of the Senate.
- Members of the Senate who are absent may vote by proxy if a request for the privilege of proxy and the name of the proxy are submitted by the Senate member to the Chair of the Senate, or in case of the Chair's absence to the Chair-elect by 8:00 p.m. of the evening before any meeting of the Senate. The absent member shall have the privilege of selecting his/her proxy, but the same eligibility rules shall apply for the proxy as apply for the Senate.

Committees

The Senate will exercise its functions through the use of standing and special committees. These committees shall formulate and recommend to the Senate the results of their studies in the particular areas assigned to them.

Criteria for Standing Committees

- Membership of Standing Committees is outlined below. School representatives on Standing Committees must be voting members of the Faculty (as outlined in Article I of the Constitution of the Faculty). School Deans are not eligible to serve as school representatives on Standing Committees.
- Chairs of Standing Committees will be nominated by the new Faculty Senate Chair from the At-Large faculty membership of the new Senate, unless otherwise noted. Standing Committee chairs must then be approved by a majority vote of the new Senate at its May meeting. Standing Committee chairs are non-voting except when their vote is necessary to break a tie.
- A list of the Standing Committees and their vacancies shall be circulated to the School Deans by May 1. The resulting committee assignments shall be in the hands of the Secretary prior to the May meeting of the Senate.
- All persons assigned to a Standing Committees shall be voting members of that Standing Committee unless specified otherwise.
- In addition to the regular members of the Committee, other persons may be coopted for limited service to a Standing Committee. The term of such service shall be determined by the Chair in consultation with the regular members of his/her committee. Co-opted members have no vote.
- Members of Standing Committees shall be appointed for one-year terms; the Senate shall set the dates for these terms. Members may be re-appointed for successive terms. Should a member of a Standing Committee be elected to a Faculty office, or to membership in the Senate, or begin service as a School Dean, then his/her membership on the Standing Committee shall cease.
- Sub-committees may be formed by Standing Committees.

List of Standing Committees

Rules Committee

This committee shall consist of the Chair and the Chair-elect of the Senate, the Immediate Past Chair of the Senate, the President of the University, the Vice President for Academic Affairs/Dean of the Faculty and the President of the Student Senate. To it shall be referred all matters dealing with the Constitution of the Faculty and its amendments and by-laws and any issues not specifically assigned to any existing committee.

Academic Affairs Committee

This committee shall consist of the Chair, the President of the University, the Vice President for Academic Affairs/Dean of the Faculty, one faculty member from each school of the University, the Associate Dean for Graduate and Professional Studies, one student appointed by Student Senate, and the Registrar (who shall serve in an ex officio, non-voting capacity). This committee shall formulate and recommend policies pertaining to academic standards at all levels of instruction. Among the responsibilities of the committee shall be graduation requirements; the academic calendar; student credit-hour load regulations; matters of policy formulation; curriculum; technology issues related to teaching; and consulting with the Director of Athletics to nominate the Faculty Athletics Representatives who are appointed by and serve at the pleasure of the University President. The committee shall also provide

oversight, evaluation and counsel for the Teacher Education and General Education subcommittees as well as for university-wide special academic programs (including BVU Foundations and Explorations General Education, ACES, Honors, University Seminar, and other programs assigned by the Faculty Senate) on an as-needed basis, as determined by the committee.

Because of the particular needs of Graduate & Professional Studies, Faculty Senate delegates many GPS governance functions to the Graduate & Professional Studies Council, which is not a standing committee of the Faculty Senate. However, the GPS Council collaborates with and reports to the Academic Affairs Committee on the governance of all programs shared between GPS and the Storm Lake Campus. The GPS Council reports to the full Faculty Senate for approval of the creation of new degrees at all academic levels and is the primary academic governing body for graduate programs at Buena Vista University. In all other matters (creation of new courses specific to GPS, creation of professional education partnerships with corporations or other entities, GPS academic calendars, etc.), the GPS Council reports to the Vice President for Academic Affairs. The VPAA and the GPS representatives on the Academic Affairs Committee and on the Faculty Senate shall regularly report to those bodies the activities of the GPS Council.

Admissions and Retention Committee

This committee shall consist of the Chair, one faculty member from each school of the University, the President of the University, the Associate Dean of Faculty, the Vice President of Enrollment Management, the Vice President for Student Affairs/Dean of Students, and two students appointed by Student Senate.

Additionally, the Director of Institutional Research and the Director of Retention Services will serve as ex officio, non-voting members. This committee will provide advice and counsel with regards to admissions policies, student retention initiatives and financial aid (especially academic scholarship) programs.

Events Committee

This committee shall consist of the Chair, the President of the University, the Vice President for Academic Affairs/Dean of Faculty, one faculty member from each school of the University, two students appointed by Student Senate, and the Director of University Marketing & Communications. Additionally, a member of Student Affairs appointed by the Vice President for Student Affairs/Dean of Students shall serve as an ex officio non-voting member. This committee shall formulate and recommend policy pertaining to the American Heritage Lecture Series, Scholars Day, convocation programs, and academic processions and regalia. It will oversee and evaluate the Scholars' Day programs and choose the faculty moderator for the American Heritage Lecture Series. No later than May 1 of each academic year, this committee shall submit for Senate approval the appointment of the Faculty Marshal for the next academic year. The Faculty Marshal shall be eligible for reappointment.

Faculty Development Committee

This committee shall consist of the Chair and one faculty member from each school of the University. Additionally, the President of the University and the Vice President for Academic Affairs/Dean of Faculty shall serve as ex officio, non-voting members of the Faculty Development Committee. This committee shall formulate and recommend policy related to campus-wide faculty development efforts. Additionally, this committee will be responsible for overseeing and awarding funds to faculty as individuals or groups.

Faculty Welfare Committee

This committee shall consist of the Chair, and one faculty member from each school of the University. Additionally, the President of the University and the Vice President for Academic Affairs/Dean of the Faculty shall serve as ex officio non-voting members of the committee. This committee shall be responsible for formulating and recommending policy pertaining to budget, appointments, promotion, tenure, retirement and such items as dismissal, leave, summer work, performance standards, grievances, work loads and research activity. This committee shall maintain and make available to the community the official copy of the Faculty Handbook.

Student Affairs Committee

This committee shall consist of the Chair, the President of the University, the Vice President for Academic Affairs/Dean of the Faculty, the Vice President for Student Affairs/Dean of Students, one faculty member from each school of the University, and four students appointed by Student Senate. This committee shall provide advice and counsel to new or revised co-curricular policies and programs except those directly attached to an academic program (e.g. choir, band, theatre, KBVU, The Tack, etc.), which shall remain under the purview of those academic areas. This committee shall provide consent over any policy or program that directly impacts the academic life of students. This committee shall focus on the integration of academic and co-curricular policies and programs to enhance student engagement. Student Affairs policies and programs that are brought before this committee, such as the student handbook and the code of conduct, shall be evaluated based on fit with the BVU mission, BVU goals/objectives, and BVU co-curricular goals/objectives.

General Education Committee

The General Education Committee is a subcommittee of the Academic Affairs Committee. The Academic Affairs Committee and Faculty Senate retain legislative authority where the substantive dimensions of the general education curriculum are concerned. The General Education Committee shall be chaired by the General Education Director. The General Education Director shall be appointed by the VPAA/Dean of Faculty. The membership of the General Education Committee shall consist of at least one faculty representative from each of the academic schools and the Director of Assessment. Neither the Director of General Education nor the Director of Assessment, an ex-officio member of the General

Education Committee, may serve simultaneously in the role of school-level representative. The membership of the General Education Committee shall be determined by the VPAA/Dean of Faculty with the advice and counsel of the General Education Director and the Council of Deans. Meetings of the General Education Committee shall be convened at the discretion of the Director of General Education.

The General Education Committee will make recommendations to the Academic Affairs Committee of Faculty Senate regarding changes to the general education curriculum. The duties of the General Education Committee in this area shall include, but are not limited to:

- Review of proposals to add or remove courses from the general education curriculum.
- Advising the Academic Affairs committee regarding the removal of general education distinction from courses that, in the opinion of the general education committee and the Director of Assessment, no longer meet the criteria for inclusion in the general education curriculum.
- Oversee the development and periodic revision of the substantive dimensions of general education courses not administratively housed in any of the academic schools (e.g. IDST400 and OBVU100).
- Work collaboratively with the Director of Assessment in support of processes for continuous improvement in the delivery of the program of general education.
- Regularly update the office of the VPAA/Dean of the Faculty and the Registrar regarding changes in the status of any general education course.
- Review during each spring semester the academic catalog listing of general education courses and ensure the accuracy of course listings in the subsequent academic year's catalog. Any changes to the listing of courses will be communicated to the office of the VPAA/Dean of the Faculty and the Registrar.

Graduate & Professional Studies Council

The Graduate & Professional Studies Council is not a standing committee of the Faculty Senate, but functions in that capacity in certain circumstances as enumerated below.

- The GPS Council consists of the VPAA/Dean of Faculty, Dean of Academic and Program Development for Graduate and Professional Studies, the Director of Online Programs, the Dean of the Harold Walter Siebens School of Business, the Dean of the School of Education, and three full-time faculty members qualified to teach in programs offered through Graduate & Professional Studies. In addition, the University Registrar shall be an ex-officio member of the GPS Council. Full-time faculty members assigned primarily to GPS, if available, shall be appointed to the GPS Council; otherwise, full-time faculty members with an interest in GPS programs shall be nominated by their school deans for service on this committee, and shall be selected by the VPAA in consultation with the Chair of the Faculty Senate.

- The GPS Council is the primary governing body for academic matters of sole concern to GPS, and is the primary governing (but not administrative) body for graduate programs at Buena Vista University. For all programs shared between Storm Lake and GPS, the GPS Council shall serve as a subcommittee of the Academic Affairs Committee of the Faculty Senate, and shall collaborate on all matters of shared interest through the Dean of Graduate and Professional Studies and Academic Program Development. For creation of new degrees, the GPS Council reports directly to the Faculty Senate, and Faculty Senate should exercise full due diligence in evaluating and approving such proposals. For programs, courses, academic calendars specific to GPS, development and oversight of professional development, corporate training, and other aspects of GPS operation that are limited to GPS and do not directly affect academic matters on the Storm Lake campus, the GPS Council reports directly to the VPAA. In all cases, the VPAA and the Dean of Graduate and Professional Studies and Academic Program Development will inform the Academic Affairs Committee and the full Faculty Senate of the activities of the GPS Council, and all records of the GPS Council's actions will be maintained in the archives of the Faculty Senate.
- The GPS Council shall meet monthly, or more often as needed, during the entire year. Actions taken by the GPS Council during the summer shall be reported to the Faculty Senate during its first meeting in the fall, and the GPS Council shall take only actions of sole concern to GPS during the months when Faculty Senate is not in session.

Special Committees

Special Committees and/or ad hoc committees shall be appointed by the Senate as need arises. These shall be temporary committees.

Committee and Senate Meeting Dates (Note: In this section “each month” refers to September, October, November, December, February, March, April, and May)

- **Senate** – Third Thursday of each month (except for the last month of a semester when it may be changed)
- **Academic Affairs** - First Wednesday of each month, with the third Monday of each month reserved for special meetings as needed
- **Admissions & Retention** – Second Wednesday of each month.
- **Events** - First Tuesday of each month
- **Faculty Development** - First Thursday of each month
- **Faculty Welfare** – Second Thursday of each month
- **Student Affairs** – Second Tuesday of each month

Alternate and replacement meeting dates may be set by the Chair of each committee on an as-needed basis, with sufficiently timely notice given to the respective committee members and to the members of the Faculty Senate.

Amendment of By-Laws

These by-laws may be amended at any regular or called meeting of the Senate by a majority vote of the voting members present, provided that the proposed change(s) shall have been given to each member of the Senate one week before the meeting.

Chapter 3. The Faculty

Revised Spring, 2018

Employment as a Faculty Member

3.1 Faculty Appointment

BVU seeks to recruit the highest quality faculty to prepare students for lifelong success through transformational academic, professional and co-curricular programs. Faculty nurture learning within a curriculum that blends a strong liberal arts education with professionally oriented career and life preparation for an increasingly diverse student population by providing students with exceptional classroom and experiential learning opportunities necessary to gain the multidisciplinary knowledge and skills to succeed in their professions, careers and service to their communities. The University will support the faculty in their efforts to strengthen programs, disciplines and modes of delivery vital to preparing globally-engaged and ethical citizens who contribute to the economic, intellectual and cultural development of our world.

3.1.1 Hiring

Unless otherwise designated, appointments shall be made in accordance with the following provisions. For detailed descriptions of the hiring, search, and consultation process for each position, see also, *Faculty Search Procedures, Searches for Academic Administrative Positions, Appointment of Academic Administrative Personnel, Exceptions to the Ordinary Search Process, Terms of Appointments.*

Full time faculty

Full-time faculty members shall be appointed by the Vice President for Academic Affairs and Dean of Faculty (VPAA), with the approval of the President.

Part time faculty

Generally, part-time and adjunct faculty are appointed by the school dean, with the option of review and approval by the VPAA. Part time and adjunct faculty at BVU's Graduate and Professional Studies (GPS) sites and online are appointed by the school dean (or dean in the appropriate discipline) in consultation with the GPS dean and with the approval of the VPAA.

Administrative personnel

The appointment of administrative personnel may vary depending on the position and whether the appointment is a full-time or part-time status. (See also, *Appointment of Academic Administrative Personnel, Searches for Academic Administrative Positions, Exceptions to the Ordinary Search Process*) The VPAA is appointed by the President. The Associate Dean of Faculty is appointed by the President, in consultation with the VPAA. School deans are appointed by the VPAA, with the approval of the President. Generally, directors of academic programs (e.g. Library Director, Director of Assessment, Dean's Fellows Program Director) are appointed by the VPAA, in consultation with the President. Special project leaders are appointed by the VPAA.

Academic employees under short term grants and contracts

Depending on the terms and conditions of the external grant or contract, the hiring of full-time positions under a grant will generally be done by the VPAA, in consultation with the school dean. Grants that include positions which report directly to the grantee(s) will require approval of both the grantee(s) who received the grant and the VPAA and will be carried out in consultation with the school dean. Part-time employees, such as graduate students, shall be hired in accordance with the terms of the grant, generally by the school dean or director supervising the position with the approval of the VPAA.

3.1.2 Procedure for Monitoring Institutional Need in Hiring

New or Vacant Positions

New positions may be proposed by the president, vice president, dean and/or supervisor who will oversee the position. A dean and/or supervisor who proposes a new position shall submit written justification to the vice president who will oversee the position. Upon the vice president's approval, the President's Council will evaluate the written proposal for each new position for alignment with the strategic plan and the current fiscal circumstances of the institution. Notice of and justification for all new positions will be communicated to faculty and staff on a monthly basis. Upon approval by the President's Council, the position announcement will be published by the Human Resources Office and a search will commence.

When an existing full-time position becomes vacant, the vice president overseeing that position will submit written justification for filling the position to President's Council for careful review. The Council will determine whether continuation of the position is necessary to support the University's mission, current academic offerings, revenue needs and other factors deemed relevant to this process by the President's Council. Upon the approval of the

President's Council, the position announcement will be published by the Human Resources office and a search will commence.

Prior to announcing a vacancy, there should be a written agreement among all responsible parties on each major element of the position (e.g., rank, salary, and eligibility for tenure), how the position relates to the department's/unit's likely need for the future, the expectations concerning the essential functions of the professional work of the employee being recruited, and the resources that will be provided to help the employee meet those expectations.

3.1.3 Search Procedures

Buena Vista University provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability or genetics, or other distinctions protected under state and federal law. In addition to federal law requirements, Buena Vista University complies with applicable state and local laws governing nondiscrimination in employment in every location in which the University has facilities. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, performance evaluation, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

Buena Vista University engages in an open process of recruitment for full time faculty positions. Upon approval of the President's Council in accordance with *Procedures for Monitoring Institutional Need in Hiring* (See also, Employee Handbook), the position announcement shall be published by the Human Resources office and a search will commence. Reasonable effort will be made to publish the position announcements as widely as possible to reach qualified candidates. See, *Exceptions to the Ordinary Search Process*. A search committee will review applications and recommend final candidates consistent with the institution's announced criteria and commitment to a fair and open search.

- **Position announcement:** Announcements for faculty positions should be clear concerning rank, length of appointment, tenure status (tenure or eligibility therefore), contingent conditions, teaching and other essential functions, and requisite experience and credentials. Criteria and procedures for reappointment, promotion and tenure along with all other relevant information should be made available to all interested candidates upon request. Candidates should have at least fourteen days from the first appearance of the announcement to submit their applications. See, *Exceptions to the Ordinary Search Process*.
- **Confidentiality:** The University seeks to respect the confidentiality of candidates for faculty positions. The University will use discretion in contacting references. The search team will inform the candidate prior to contacting references who are not identified by the candidate. Names will not be made public without giving the candidate the opportunity to withdraw from the search.
- **Application:** Candidates should submit an application dossier including letter of application, current curriculum vitae, supporting evidence, and should disclose in a timely fashion any conditions that may materially bear upon the institution's

decision to offer the appointment. (e.g. delayed start date, unusual funding requirements, etc.)

- The search committee: for all full-time faculty positions, a search committee shall be appointed by the VPAA consisting of the supervising dean, a minimum of three faculty members from within the school in which the faculty position resides, one faculty member from outside the school, and other relevant personnel as approved by the VPAA. The interview process shall generally include at least one open session to provide the faculty with an opportunity to submit feedback to the search committee. See, *Appendix*, for a guide to faculty appointee considerations and evaluation sheet. Upon completion of the interviews, the search committee shall recommend up to three acceptable candidates to the VPAA. The committee shall provide to the VPAA a written assessment of the strengths and weaknesses of each candidate. The VPAA shall make the final selection from among the candidates put forth by the search committee, with the approval of the President. If the initial search does not produce an acceptable candidate to fill the position, the search process may be extended as approved by the VPAA, in consultation with the President. See also, *Exceptions to the Ordinary Search Procedures*

3.1.4 Background Checks

All faculty candidates are subject to a background check prior to hiring. Background checks will be performed in accordance with the provisions and limitations of Federal and Iowa law. See, Employee Handbook.

3.1.5 Exceptions to the Ordinary Search Process

In certain circumstances, it may be appropriate for the University to waive the ordinary search process. See, *Search Procedures*. Deviation from the ordinary search procedures is appropriate to accommodate special circumstances and only when it advances the mission, goals and initiatives of the University. Generally, a waiver will not extend beyond one year. Copies of a waiver and its rationale shall be kept in the VPAA's files for a minimum of five years. A waiver of the ordinary search process may be granted on a case-by-case basis in accordance with the following provisions:

Emergency Hires

When unforeseen circumstances prevent the University from conducting a full search to fill a full-time faculty position, the VPAA, in consultation with the President, may elect to waive the ordinary search process and make a temporary appointment. Temporary faculty appointments are normally of no more than one year in duration. Unforeseen circumstances may include, but are not limited to, an unexpected vacancy resulting from a faculty member's request for leave, late resignation, sudden termination, incapacitation or death, or a sudden increase in enrollment in a department. Though the ordinary search process timeline may be shortened and additional accommodations may be necessary, the University will

make a reasonable effort to follow the ordinary search process to the extent feasible in an exigent circumstance.

Short-Term Grants and Contracts

When a position needs to be filled quickly for the purpose of completing a project under the terms of an external grant or contract, a waiver may be granted. The waiver may generally last no longer than one year and may be granted by the VPAA, in consultation with the President.

Internal promotions and hires

In some cases, it may be appropriate to waive the ordinary external search process when assigning a qualified internal candidate to a new position. A waiver may be justified in circumstances such as the promotion of a qualified term or visiting faculty member to a tenure track position, promotion of a faculty member to a new position upon the completion of a terminal degree, promotion of a faculty member to an administrative position or other circumstances, as appropriate. In such cases, the VPAA should submit to the President a written rationale for granting a waiver. The President shall consider the request and rationale and grant the waiver provided s/he finds that the initial hire of the internal candidate supports the University mission, current academic offerings, revenue needs and/or other factors relevant to the best interest of the University. Where appropriate (i.e. in the case of an open administrative position), waivers in this category will generally be accompanied by an authorization for an internal search wherein the position is announced within the University community and all qualified University employees may apply.

See also, *Hiring*

3.1.6. Offer and Acceptance

The University will provide candidates for full-time faculty positions with a formal offer in the form of a letter of appointment signed by the Vice President for Academic Affairs and Dean of Faculty. The letter of appointment shall be transmitted within ten days of the University's conveyance of an intention to make the offer. In the event that an offer must be withdrawn, the University will promptly inform the candidate. An offer and/or acceptance made orally is not intended to be and shall not be considered binding, but such communications should be frank and accurate, in light of the fact that significant decisions are likely to be based on these exchanges.

To permit a faculty member to give due consideration and timely notice to his or her current institution, an offer of appointment to a new faculty member for the following fall should be made prior to May 1, when feasible.

The letter of appointment should be consistent with the announcement of the position. Each of the following should be stated clearly in the letter offering an appointment:

- the initial rank
- the length of the appointment
- conditions of renewal

- salary and benefits
- the essential duties of the position
- as applicable, whether the appointment is with tenure, the amount of credit toward tenure for prior service, and the maximum length of the probationary period. (in the unusual case of initial appointment with tenure, see *Process for Granting Tenure Upon Hire*)
- as applicable, the institution's commitments for the appointment (e.g. equipment, space, development funds)
- conditions relevant to the appointment (e.g. degree completion)
- the date when the appointment begins and the date when the candidate is expected to report
- the date by which the candidate's response to the offer is expected
- details of institutional policies and regulations that bear upon the appointment
- expenses and special considerations
- specific information on other relevant matters

3.1.7 Terms of Appointments

Generally

The terms and conditions of every appointment to the faculty and an overview of primary job requirements and functions will be stated or confirmed in writing and a copy of the appointment document will be supplied to the faculty member. Any subsequent extensions, modifications, special understandings or notices incumbent upon either party to provide, will be stated or confirmed in writing, and a copy will be given to the faculty member. See, *Offer and Acceptance, Contracts and Reappointment*.

With the exception of special appointments limited to a brief period of employment with the institution, and reappointments of retired faculty members on special conditions, full-time faculty appointments fall in one of three categories: (1) non-tenurable term appointments ("term"); (2) tenure-track appointments ("tenure track") and (3) appointments with continuous tenure ("tenured").

Except for tenured faculty members, every person with a faculty appointment will be informed in writing each year and/or at the expiration of their contract whether their appointment has been renewed and, where a faculty member is on tenure track, of matters relative to eligibility for the acquisition of tenure. See *Tenure and Reappointment* policies.

3.1.8 Contracts

Faculty contracts are binding mutual agreements between the individual faculty member and the University. Contracts will state the essential terms and conditions of the agreement between the parties. See, *Appointment and Offer & Acceptance*. Dates of service obligation will be specified in the contract. (e.g. generally, contract dates for full-time faculty who teach during the traditional academic year will run from Aug 15 to May 30, unless otherwise noted.) Contracts for full-time faculty members are valid and binding upon the signature of

both the University President and the faculty member to whom the contract is offered. Contracts for part-time faculty members are valid and binding upon the signature of both the VPAA/DoF and the faculty member to whom the contract is offered. Contracts for full-time faculty will accompany a notice of reappointment and will typically be issued for the subsequent academic year at least 60 days prior to the expiration of the current academic year. Signed contracts must be received by the Human Resources office on or before the return deadline specified in the contract, unless otherwise agreed. See also, *Resignation*.

Initial Faculty Contracts

Newly hired faculty members shall be offered an initial written contract in accordance with the terms of this policy. See also, *Appointment* and *Offer & Acceptance*. Initial faculty contracts must be signed and returned to the Human Resources office within ten working days of receipt of the contract, unless otherwise noted.

Tenure Track and Term Faculty

Contracts for non-tenureable term faculty members shall be for a designated period as defined in the faculty member's contract. Term contracts may not exceed three years. Reappointment of a term faculty member after the expiration of the contract term is solely within the discretion of the University. See, *Reappointment*

Contracts for tenure track faculty shall be for a designated period not to exceed one academic or fiscal year. A tenure track faculty member may be issued a maximum of six one-year tenure track contracts, subject to the terms of non-reappointment. See, *Reappointment*. See also, *Tenure Eligibility*, *Leave of Absence*, and *Separation* regarding special exceptions to accommodate leaves of absence and time limitations. Tenure track faculty members employed under the terms and conditions of previous handbooks or policy manuals shall retain tenure-track status with the adoption of this Faculty Handbook.

Tenured Faculty

Tenured faculty members receive a contract upon receipt of tenure, in any year in which they are promoted to a new rank, if there is a significant change in the nature of the terms of their appointment, and/or if necessary to comply with other administrative policy. Otherwise, tenured faculty members do not receive annual contracts as tenure track and term faculty do; rather, tenured faculty receive annual letters of reappointment. The letter of reappointment shall note the basic terms of the appointment for the coming academic year in accordance with the *Reappointment* provisions. Acknowledgement of receipt of letter of reappointment must be received by the Human Resources office on or before the return deadline specified in the letter. See, form in *Appendix*. Faculty members who were granted tenure status and their current rank under the terms and conditions of previous handbooks or policy manuals shall retain both their tenure status and current rank with the adoption of this Faculty Handbook.

3.1.9 Reappointment

Annual Notification of Reappointment

Notice of employment status for the following academic year will be provided to all full-time faculty members. Letters will be issued generally not later than 60 days prior to the expiration of the current academic year.

Term faculty are contract employees who may be granted reappointment at the discretion of the VPAA/DoF, in consultation with the supervising dean and also subject to continuing institutional need, successful evaluation and notice requirements. See *Procedure for Monitoring Institutional Need in Reappointment, Notice*. Term faculty members offered reappointment will receive a faculty contract stating the terms and conditions of the reappointment. See, *Contracts*.

Tenure Track faculty will be granted reappointment upon successful evaluation, completion of tenure benchmarks (See, *Evaluation and Tenure*), and subject to ongoing institutional needs and notice requirements. See, *Procedure for Monitoring Institutional Need in Reappointment and Notice*. Tenure track faculty members offered reappointment will receive a faculty contract in accordance with the provisions stated in this Faculty Handbook. See, *Contracts*

Tenured faculty shall have permanent or continuous appointment, with reappointment presumed, subject to the conditions listed in *Separation* policies and in *Contracts*. Notice of Reappointment for tenured faculty members shall include, at least, an acknowledgment of current position and rank, a statement of prospective salary, a statement indicating any course releases, and specification of any administrative duties continued through the next academic year. When necessary, tenured faculty members will receive an updated contract in accordance with the terms of the *Contracts* section of this Faculty Handbook. Acknowledgement of receipt by the faculty member of the letter of reappointment must be received by the Human Resources office on or before the return deadline specified in the letter. See also, *Resignation*.

Faculty members employed with tenure status and granted their current rank under the terms and conditions of previous handbooks or policy manuals shall retain both their tenure status and current rank with the adoption of this Faculty Handbook.

3.1.10 Procedure for Monitoring Institutional Need for Reappointment of Tenure Track and Term Positions

The University will examine institutional need for each full-time tenure track and term faculty position as part of the University's ongoing responsibility to monitor the use of institutional resources. An important purpose of this monitoring process is to keep the untenured and term faculty members who hold these positions informed in a timely manner of the status of their positions in the context of institutional need. See also, *Notice*.

Tenure track and term faculty positions may be eliminated based on insufficient institutional need in accordance with the procedures of this and other policies in the Faculty Handbook. When a tenure track position is retained, reappointment of the tenure-track faculty member who holds the position is determined on the basis of the faculty evaluation process. See *Evaluation, Reappointment, Separation, and Notice*. When a term position is retained, the

faculty member holding the position remains a contract employee who may be granted reappointment at the sole discretion of the University. See, *Reappointment*.

The VPAA/DoF, in consultation with the President, Deans Council, and Immediate Past Chair of the Faculty Senate, annually examines the institutional need for each tenure-track and term faculty position. The VPAA/DoF, in consultation with the school dean, annually examines the institutional need for each part time and/or adjunct faculty position. Institutional need refers to the degree to which a faculty position is deemed, from an institution-wide perspective, to be necessary to support the academic programs of the University. Factors to be considered include matters such as whether the position is necessary to support the University's mission, current academic offerings, revenue considerations and other factors deemed relevant to this process by the VPAA/DoF, in consultation with the President.

Recommendations for elimination of a tenure-track or term faculty position on the basis of insufficient institutional need must be justified in writing. If the VPAA/DoF wishes to recommend the elimination of a tenure-track or term position, s/he shall provide to the President a written justification for the proposed elimination. Copies of the proposal shall be provided to the Deans Council, the Chair of the Faculty Senate, the Immediate Past Chair of the Faculty Senate, and the faculty members in the affected department(s). If members of the Deans Council, the Chair of the Faculty Senate, Immediate Past Chair of the Faculty Senate and/or the faculty members in the affected department(s) disagree with the recommendation for elimination of a tenure-track or term faculty position s/he/they may write a rebuttal letter in favor of retaining the position. The President shall consider the recommendation and rebuttal letters and make his/her final decision, in consultation with the VPAA/DoF. If a tenure track faculty member is not reappointed under the terms of this provision, the position may not be rehired for a minimum of three academic years. (See also, *Separation, Notice*, as applicable)

3.1.11 Joint Appointments

When a full-time faculty member regularly teaches in more than one program or school within the University, he or she may receive a joint appointment. (See also, *Change of Title*.)

When a faculty member receives a joint appointment in two separate schools within the University, the letter of appointment shall designate the primary school for administrative purposes, committee service, and other school specific issues. The school dean in the primary school will carry the same responsibility as though all parts of the appointment were in the same school. The other school dean(s) shall cooperate with the dean of the primary school in the assignment of work load, evaluation, and other matters affecting the joint nature of the appointment. When a joint appointment is in separate schools within the University, the faculty member will vote and participate in the primary school and consult in the secondary school when decisions directly affect his or her program or courses.

3.1.12 Process for Change of Title

In certain circumstances, a faculty member who holds a tenured position may petition or be nominated for a change of title. To merit consideration for change of title, the faculty

member must meet the ordinary qualifications required in the new program and the candidate must have a record of consistently effective performance in the areas of *Evaluation*. Prior to the granting of a change of title, the Tenure and Promotion Committee shall have an opportunity to conduct an expedited review of the candidate's petition and supporting materials such as the faculty member's Curriculum Vitae, teaching materials, evaluations, scholarly works and other relevant evidence. The Tenure and Promotion Committee shall evaluate the candidate's eligibility for being granted the new title and make a written recommendation to the VPAA/DoF and the President within five business days of receipt of the candidate's file. The VPAA/DoF shall review the candidate's petition and supporting materials *de novo* and submit a written recommendation to the President, copied to the school dean and the candidate. Conditioned on a favorable recommendation by the President, the Board of Trustees shall make the final decision, by majority vote, whether to grant a change of title. In the case of a negative decisions denying a faculty member's petition for a change of title, the faculty member retains his or her existing title, rank, and tenure status.

3.1.13 Faculty Qualifications

In order to hold a faculty position, a faculty member teaching in a program should hold a degree at least one level above that of the courses and/or program in which the faculty member teaches. In some cases, equivalent experience, licensure, or similar qualifications may be considered by the institution in determining whether a faculty member is qualified. The minimum threshold of these qualifications will be explicitly stated. If a faculty member holds a master's degree or higher in a discipline or subfield other than that in which he or she is teaching, that faculty member generally should have completed a minimum of 18 graduate credit hours in a discipline directly related to the faculty member's area(s) of responsibility. (See, 2015 & 2016 Higher Learning Commission Guidelines, "Determining Qualified Faculty Through HLC's Criteria for Accreditation and Assumed Practices," *Appendix*.)

Tenure track positions

In order to hold a tenure track position, a faculty member shall hold a terminal degree appropriate for the courses and/or program in which the faculty member teaches. A terminal degree typically means the earned doctorate or highest professional degree in his or her field (or its acceptable foreign equivalent) unless an exception has been made. Examples of terminal degrees include, but are not limited to doctoral degrees, Ph.D., Ed.D., J.D., M.D. Other degrees and/or certifications, such as the M.F.A., M.S.W. or Master's with C.P.A. certification, may be designated as terminal in specific program areas at the time of hire. Earned degrees of academic faculty shall be from accredited institutions of higher learning, or comparable foreign institutions, and shall be in a discipline directly related to the faculty member's area(s) of responsibility.

Where a doctoral degree is required for a tenure track position, the VPAA/DoF, in consultation with the school dean, may grant a temporary exception to this requirement at the time of initial appointment provided that a candidate holds a master's degree (or similar) and is in the process of completing the terminal degree directly related to his or her area of responsibility. The faculty member may not obtain tenure unless he or she completes her or

his terminal degree on or before August 31 of the year in which the faculty member is scheduled to petition for tenure. (See *Faculty Rank* and *Tenure* policies.)

Faculty members who were granted tenure status and their current rank under the terms and conditions of previous handbooks or policy manuals shall retain both their tenure status and current rank with the adoption of this Faculty Handbook.

3.1.14 Faculty Qualifications and Statement of Exception, Graduate Programs

Policy Draft: December 8, 2017

Effective September 1, 2017, the Higher Learning Commission published the following statement regarding “determining qualified faculty” credentials (see p. 3 of HLC’s document titled “Determining qualified faculty through HLC’s criteria for accreditation and assumed practices”):

B.2. Faculty Roles and Qualifications

a. Qualified faculty members are identified primarily by credentials, but other factors, including but not limited to equivalent experience, may be considered by the institution in determining whether a faculty member is qualified. Instructors (excluding for this requirement teaching assistants enrolled in a graduate program and supervised by faculty) possess an academic degree relevant to what they are teaching and at least one level above the level at which they teach, except in programs for terminal degrees or when equivalent experience is established. In terminal degree programs, faculty members possess the same level of degree. When faculty members are employed based on equivalent experience, the institution defines a minimum threshold of experience and an evaluation process that is used in the appointment process. Faculty teaching general education courses, or other non-occupational courses, hold a master’s degree or higher in the discipline or subfield. If a faculty member holds a master’s degree or higher in a discipline or subfield other than that in which he or she is teaching, that faculty member should have completed a minimum of 18 graduate credit hours in the discipline or subfield in which they teach.

b. Instructors teaching in graduate programs should hold the terminal degree determined by the discipline and have a record of research, scholarship or achievement appropriate for the graduate program.

Further on p. 3 of the HLC document, it states:

Accreditation agencies expect that accredited institutions will use credentials as the primary mechanism to ascertain minimal faculty qualifications. HLC recognizes that experience also may be considered in determining faculty qualifications.

And on p. 4, the document states:

Faculty teaching in graduate programs should hold the terminal degree determined by the discipline and have a record of research, scholarship or achievement

appropriate for the graduate program... Tested experience may substitute for an earned credential or portions thereof. Assumed Practice B.2. allows an institution to determine that a faculty member is qualified based on experience that the institution determines is equivalent to the degree it would otherwise require for a faculty position. This experience should be tested experience in that it includes a breadth and depth of experience outside of the classroom in real-world situations relevant to the discipline in which the faculty member would be teaching.

In July 2016, a consortium of Iowa Community Colleges published a “Guideline for Faculty Qualifications,” in response to the HLC’s updated guidelines and expectations. On p. 17 of that document, which is signed by all 15 community college Presidents and endorsed by the Iowa Department of Education, it states:

Tested experience, in that it includes a breadth and depth of experience outside of the classroom in real-world situations relevant to the discipline, may substitute for an earned credential or portions thereof. An institution that intends to use tested experience as a basis for hiring faculty must have well-defined policies, procedures, and documentation that demonstrate when such experience is sufficient to determine that the faculty member has the expertise necessary to teach students in that discipline. In policies on tested experience, institutions are encouraged to develop faculty hiring qualifications that outline a minimum threshold of experience and a system of evaluation. The faculty hiring qualifications related to tested experience should be reviewed and approved through the faculty governance process at the institution.

Note, this particular document is written with community colleges and undergraduate courses in mind. A policy explicitly relevant to BVU and our faculty expectations is needed, and this document serves that purpose for graduate programs.

BVU believes in the highest possible levels of rigor in our classes and works to ensure that all faculty are experts in their subject matter. These expectations are especially important in graduate-level programs. HLC reserves the right to evaluate faculty criteria and the right to review policies and procedures for determining faculty qualifications, especially when qualifications are determined by experience rather than traditional academic credentials.

Therefore, based on the HLC language cited above and the Iowa Community College Guideline for Faculty Qualifications document (which serves as a guiding example), for BVU’s master’s-level programs, it is expected that faculty teaching courses should possess a doctorate or recognized terminal degree in the relevant field. Possession of a doctorate or terminal degree is thus a requirement for consideration of potential full-time, part-time, or adjunct faculty instructors for all graduate-level courses offered at BVU.

Exceptions

Two exceptions are allowable for BVU faculty listed as instructors of record for BVU masters-level graduate programs.

Exception 1.

All of BVU's master's programs provide (at least as an elective) some form of "first hand" experience for current students, including practicum placements, internships, or portfolio assessment. For these courses, a general standard is that adjunct instructors and/or supervisors may be individuals practicing the field; therefore, they may possess a master's degree (instead of doctorate). For these specific courses, in which the first-hand, field experience or placement is the objective, BVU allows instructors of record to possess a master's degree in their relevant field.

Exception 2.

For typical curriculum-relevant or content-based courses, it is ideal for all instructors to possess a doctorate or terminal degree in the relevant field. However, BVU will consider potential instructors for master's-level courses qualified *if* the individuals possess a master's degree in their relevant field and *also* fulfill one or more of the criteria listed here:

- Instructors are "ABD" in a relevant doctoral program (have completed all coursework and will receive a doctorate upon completion of a successfully defended dissertation project);
- Instructors have taken and received passing grades in at least 18 credit hours of post-master's-level graduate work within 10 years of teaching a course at BVU, and those specific post-master's courses are directly relevant to the course(s) they will be teaching for BVU;
- Instructors have ten or more years of experience directly working in the field and in specific positions relevant to the course(s) they wish to teach, and that experience is relatively recent (i.e. the end of the 10-year period is within 10 years of when they will be teaching for BVU).

All adjunct instructors who teach for BVU must be approved by both the Program Director for the relevant master's program and either the Assistant Dean of Graduate Programs or the Dean of Online, Site, and Graduate Programs. If an adjunct being considered falls within either Exception 1 or 2, additional approval is needed by the relevant School Dean and the Provost/Vice President of Academic Affairs.

3.1.15 Academic Rank

The system of academic rank is designed to encourage the development of each faculty member throughout the course of his or her academic career. As a faculty member progresses through the academic ranks, each rank should be viewed as a developmental stage of his or her career during which the faculty member progresses in his or her skills and effectiveness as a teacher, develops professionally, and undertakes increasingly complex and

meaningful service and leadership roles within the campus community. (See, *Evaluation*.) Faculty members whose progression culminates in the rank of professor are expected to become and remain the standard bearers for the campus community. Protected by rank and tenure, faculty members awarded the University's highest rank assume positions of leadership and offer the expertise, experience and judgment acquired through a lengthy period of service in support of institutional initiatives and in furtherance of the University's mission.

Instructor – a faculty member who holds a full-time term position is typically appointed at this rank. (See, *Terms of Appointments* and *Notice*.) The rank of instructor may also be assigned to a tenure track faculty member who holds a graduate degree, typically a master's degree, and who expects to receive a terminal degree during the probationary period prior to consideration for tenure. (See, *Faculty Qualifications*.) A tenure track faculty member in this situation may be given credit for years of service toward tenure upon completion of his or her terminal degree. In this circumstance, failure to complete the terminal degree during the agreed upon probationary period is considered a breach of contract and shall render the faculty member ineligible for consideration for tenure and/or promotion. (See, *Tenure policies*, *Separation*, *Non-Renewal*, *Notice*.)

Assistant Professor – a faculty member who holds a terminal degree from an accredited institution of higher education in an appropriate field and has the potential for further development in teaching, professional development, and service to the University and its mission may be appointed and/or promoted to this rank. (See *Faculty Qualifications*.) New tenure track faculty appointments are typically made at the rank of assistant professor.

Associate Professor – a faculty member who holds a terminal degree in an appropriate field and has at least six years of full-time faculty experience at the University or similar accredited institution of higher education may be promoted to this rank. (See *Faculty Qualifications*.) An associate professor must have demonstrated a record of consistently effective achievement in the areas of *Evaluation*. They will also have the potential for further development in teaching, professional development, and service to the University and its mission. (See *Evaluation*.) A faculty member who holds the rank of assistant professor at the University who petitions for tenure must petition for promotion to associate professor and he or she may not be promoted to the rank of associate professor without also successfully meeting the criteria for tenure. (See *Tenure*.) Alternatively, in the case of a faculty member hired at the rank of associate professor, he or she shall demonstrate that he or she has at least six years of consistently effective achievement in the areas of *Evaluation* as a full-time faculty member, or a combination of successful faculty and/or professional experience as determined by the VPAA/DoF, and has the potential for further development in teaching, professional development, and service to the University and its mission. (See *Evaluation*, *Tenure* and *Tenure Upon Hire*.)

Professor – a faculty member who, in addition to meeting all the requirements for the rank of associate professor, has at least 12 years of full-time faculty experience at the University or similar accredited institution of higher education may petition for promotion to this rank. (See *Faculty Qualifications*.) A professor must have demonstrated an excellent record of performance in the areas of *Evaluation*. (See *Evaluation*.) A faculty member who seeks

promotion to the rank of professor shall demonstrate that he or she has successfully assumed significant leadership roles in support of institutional initiatives and in furtherance of the University's mission. A faculty member who holds the rank of associate professor at the University, but who is not yet tenured, may not be promoted to the rank of professor without also successfully meeting the criteria for tenure. (See, *Tenure*.) Alternatively, in the case of a faculty member hired at the rank of professor, he or she shall demonstrate that he or she has at least 12 years of excellent performance in the areas of *Evaluation* as a full-time faculty member, or a combination of successful faculty and/or professional experience as determined by the VPAA/DoF, and has successfully assumed significant leadership roles at one or more previous institutions or organizations in support of key initiatives and in furtherance of the institution's or organization's mission. (See introductory statement, above.) (See also *Evaluation*, *Tenure* and *Tenure Upon Hire*.)

Prefixes

Faculty members whose title is preceded by one of the prefixes indicated below shall be employed on term contracts for a specified period of time. (See *Terms of Appointments, Contracts* and *Notice*.) Typically, faculty in this category are expected to fulfill duties and responsibilities primarily related to teaching unless otherwise specified in their contract. Provisions regarding additional performance criteria will be specified in the faculty member's contract. Rank designation, preceded by one of the following prefixes, shall be determined based on the individual's qualifications. Faculty members whose rank is preceded by one of the prefixes indicated below shall not be eligible for tenure and the rank assigned shall not be construed as conferring eligibility for tenure, promotion, or other academic status.

Adjunct -- Faculty members on contracts who are not teaching a full load (24 credits or its equivalent) but instead have been hired on a less than full-time basis to address enrollment or other curricular needs of the University will typically be appointed as adjunct faculty. Adjunct faculty duties are typically limited to teaching one or more courses on a section-by-section basis as specified in the faculty member's contract. Academic rank is typically that of Instructor, although rank may be assigned as appropriate to the faculty member's academic credentials.

Part-Time -- Faculty members on contracts who are not teaching a full load (24 credits or its equivalent) but instead have been hired on a less than full-time basis to address enrollment or other curricular needs of the University and have additional duties that may extend beyond teaching will typically be appointed as part-time faculty. A part-time faculty member's additional duties may include program or departmental responsibilities as specified in the faculty member's contract. Academic rank is typically that of Instructor, although rank may be assigned as appropriate to the faculty member's academic credentials.

Visiting -- A faculty member who holds a full-time position and is temporarily associated with the University while a) on leave from another institution of higher education or profession; b) filling a specific vacancy such as a sabbatical replacement; c) serving as a scholar funded by a grant or similar situation; or d) otherwise hired to fill a full-time faculty position on a temporary basis, will be appointed as visiting faculty. Academic rank may be assigned as appropriate to the faculty member's academic credentials.

Clinical or Research -- Clinical or research faculty are defined as those individuals who are qualified in a given field or discipline a) by having established records as accomplished practitioners; b) by having made significant contributions to their profession; or c) by serving as full-time professional staff who carry out responsibilities in an academic department in an applied setting in support of a University degree program, such as acting as a laboratory instructor or a professional who actively practices his or her profession together with students for teaching purposes. Expectations with respect to teaching, service and professional engagement will be specified for each faculty member at the time of appointment.

Special Titles

Emeritus – Full-time faculty who have retired from the University and meet the requirements set forth in the *Emeritus Status* policy may be appointed to the honorary rank of “Professor Emeritus or Emerita” in recognition of the faculty member’s years of service and dedication to the University. See, *Emeritus Status*. Emeritus faculty retain some privileges at the University. See, *Emeritus Status*. Emeriti may be given additional contracts to teach part-time or to perform other part-time duties at the University.

Reserve Officers Training Corps Titles -- A commanding officer of the Army Reserve Officer Training Corps program (ROTC) shall be assigned the title of Assistant Professor of Military Science. Other teaching personnel in the program may hold the title of Military Instructor, depending on qualifications and contract provisions. Personnel in the program shall have privileges at the University, as agreed by contract. Appointment and dismissal procedures are primarily determined by the United States Army in cooperation with the University.

Endowed Chair -- The title of endowed chair may be accorded to a distinguished scholar whose position is supported in whole or in part by endowment funds. (See *Guidelines for Endowed Chairs*.) A faculty member who holds an endowed chair is appointed at an appropriate rank, depending upon his or her teaching responsibilities and qualifications. An endowed chair is appointed for a specified term. Faculty members may be appointed to the position of endowed chair in accordance with the selection process set forth in *Guidelines for Endowed Chairs*. Appointment to an endowed chair does not confer tenure or promotion. If an endowed chair is filled by tenured faculty member currently employed at the University, the faculty member retains his or her tenure status and rank. If an endowed chair is filled by a faculty member also appointed to a tenure track line in an academic program, determination of rank and eligibility for tenure and promotion shall follow the policies and procedures for tenure and promotion as described in this Faculty Handbook. (See *Evaluation, Tenure, and Promotion* policies.)

3.2 Evaluation

In accordance with Buena Vista University’s mission, the faculty play a vital role in preparing students for lifelong success through transformational academic, professional and co-curricular programs. Faculty nurture learning within a curriculum that blends a strong

liberal arts education with professionally oriented career and life preparation by providing students with exceptional classroom and experiential learning opportunities to gain the multidisciplinary knowledge and skills to succeed in their professions, careers and service to their communities. The University supports the faculty in their efforts to strengthen programs, disciplines and modes of delivery vital to preparing globally-engaged and ethical citizens who contribute to the economic, intellectual and cultural development of our world. See, *BVU Mission and Vision Statements*.

All full time tenure track and tenured faculty members are expected to support this mission by contributing to the University in three primary areas: teaching, professional development and service. See, *Evaluation*. Term, part-time, adjunct, and other faculty are expected to support the University's mission through the performance of their teaching responsibilities. Term, part-time, adjunct and other faculty may, in accordance with the terms of their contract, also be expected to contribute in the areas of professional development and service. See, *Evaluation* and departmental policies, as applicable. Faculty members will be evaluated in these areas in accordance with the policies and procedures of this Faculty Handbook.

3.2.1 Teaching

The most fundamental obligation of the faculty is to create and nurture a culture of learning. Teaching is the principle activity by which faculty members honor this obligation. The quality of a faculty member's teaching is the most important performance category used in making judgments about granting contracts to term faculty, reappointment, granting promotion and/or tenure and in ongoing performance evaluation. The quality of a faculty member's teaching shall be evaluated comprehensively using evidence of contribution to student learning and the learning goals of the academic program(s) to which they contribute, teaching activities both inside and outside the classroom, and fulfilling the University's mission.

Faculty members create and nurture a culture of learning when their teaching is characterized by effective application of interrelated skills and expertise. This requires, at a minimum:

Content expertise: as content experts in their fields, faculty members must possess and maintain mastery and knowledge of the subject matter necessary to effectively design and deliver the courses they teach. Faculty members shall remain current in substantive and pedagogical developments in their field. The faculty members within a program, with oversight by the school dean, have primary responsibility for assuring that all faculty members are maintaining currency in the content and pedagogy of their field of expertise.

Facilitation of learning: As custodians of the curriculum, faculty members must employ effective course design and delivery techniques to facilitate student learning. Courses shall be designed using pedagogy well matched to the learning goals and appropriate to the discipline of the academic program(s) to which the course contributes. Content shall be delivered so as to promote active engagement and learning, maintain academic rigor, and support program objectives. Faculty are expected to interact and communicate with students in a timely and professional manner that promotes learning.

Course management: In delivering courses, faculty members must effectively organize and manage the course, convey clear learning expectations and course policies, and provide fair and timely feedback. Faculty members shall meet classes at the time and for the duration designated, avoid excessive absences and make reasonable arrangements to cover unavoidable absences (see, Ch. 5, *Absence Policy*), keep grade records up to date and accessible to students, keep office hours, submit grades in accordance with university-published deadlines and other tasks necessary to course management.

Mentoring: Faculty members serve as professional mentors to students. Faculty must model high standards of performance and professionalism, foster intellectual curiosity, stimulate enthusiasm and appreciation for learning and encourage the respectful interchange of ideas. Faculty shall guide and support advisees, both formally and informally, in their professional development as they prepare to enter their chosen field.

Contribution to campus academic initiatives: In addition to faculty contributions to their own program, as members of the University community faculty members must also participate in school and/or University level programs and academic initiatives. Faculty members shall participate in departmental, school, and University level assessment activities and ongoing processes for continuous improvement. Faculty members will also contribute to and support campus-wide academic programs such as general education, interdisciplinary curricula, interim, professional training, and co-curricular learning.

For specific policies related to teaching and classroom requirements, see also, Ch. 5, *Academic Policies*.

3.2.2 Service

Faculty members shall offer time and talent in service to students, their department, their school and the University. The faculty's contribution to service activities is important to the well-being of the Institution. Faculty service includes advising, university service and may extend to administrative service and professional service as defined below.

Advising: Faculty members serve as academic advisors and mentors to students as they plan their academic course work, make career plans and develop professionally. See also, "Mentoring," *Teaching*. As advisors, faculty members shall assist students in planning their course of study, choosing classes and understanding graduation requirements. Advisors serve as an important resource for students and are expected to be reasonably available for consultation throughout the course of the academic year. Advisors shall also take care to provide feedback to students concerning their performance and progress. Faculty members should refer students to campus support services helpful to the student's academic success and professional or personal development. In their role as advisors, faculty members contribute to the increased retention of students when they advise student organizations and projects, help organize and host events with students and actively engage in similar professional activities with advisees.

University Service: The vitality of an institution of higher learning rests, in large measure, on the commitment of faculty to serve the University community. Faculty members shall

serve the University community by participating in the governance process as a faculty senator, contributing to the work of faculty senate committees or subcommittees and/or serving on other committees and task forces in furtherance of University governance. As part of their service obligation, faculty members are expected to contribute to the recruitment and retention of students and work cooperatively with enrollment management personnel. Examples of service-oriented recruitment and retention activities include, but are not limited to: meeting with prospective students and attending recruitment events, visit days, competitions and camps; working actively with advisees (see, *Advising*); and hosting or staffing events for prospective students and advisees. University service may also include membership on committees outside the governance process (e.g. a search committee or grievance committee), special project and planning efforts, outreach activities and similar efforts that demonstrate that the faculty member plays an effective role in their school and the University.

Administrative Service: Members of the teaching faculty who have the talent and skill to undertake administrative and leadership roles serve as an important resource in crafting, managing, and implementing the University's programs and policies. Examples of administrative service include, but are not limited to, serving as a program director, project manager, grant administrator, part-time school dean or acting in a similar administrative position. The performance of administrative duties shall be evaluated under the terms of appointment and will vary according to position. See, Ch. 6, *Academic Administration*.

Professional Service: A faculty member's use of their professional expertise and competency in support of projects either within or outside the University warrants formal recognition. Professional service includes activities undertaken in the faculty member's capacity as an expert resource in their field. Activities of this type are performed outside the ordinary scope of teaching, professional engagement, and apart from the services that faculty perform as lay members of the community. Professional service includes, but is not limited to, holding office in a professional organization, planning and/or hosting a professional seminar or event, holding office or a position of responsibility in a government agency, non-profit organization or private business enterprise, serving as a representative to an accrediting body, or engaging in consulting activities in one's area of professional expertise. These types of activities are subject to reasonable time limitations and faculty members shall continue to prioritize teaching and shall neither neglect their University duties nor violate other University policies as they engage in this type of work. See, *Conflict of Interest*. See also, Human Resources Handbook, *Approval of Outside Employment*.

The work of a faculty member is multi-faceted, complex, and activities in one area of evaluation may overlap with another. Where service activities overlap with other areas of evaluation (e.g. professional service may overlap with professional development), faculty members should specify and explain in their professional development reports how components of the activity fulfill each area of evaluation.

3.2.3. Professional Engagement

A faculty member's obligation to remain professionally active in their area(s) of expertise serves as an important component in creating a culture of learning. It is an important source of intellectual vitality for the institution and an essential complement to effective teaching. Faculty members must remain current in their field through professional engagement activities, which vary by discipline and are defined broadly for evaluation purposes. Professional engagement activities typically include furthering one's own professional development in the field, improved teaching effectiveness, and/or contributions to the discipline. Examples of professional engagement activities include, but are not limited to: traditional research, discovery and scholarship in the field; production of creative works; publication of critical evaluation and analysis in the field; professional seminars and training; conference presentations; research and development in the area of teaching, learning and improved pedagogy; serving as an expert or consultant; writing and receiving grants to fund professional engagement, and service to professional organizations within the discipline

Faculty members are encouraged to use professional development funds, internal and external grants, and the sabbatical leave program available to help support faculty professional engagement activities.

The work of a faculty member is multi-faceted, complex, and activities in one area of evaluation may overlap with another. Where professional development activities overlap with other areas of evaluation (e.g. professional service), faculty members should specify and explain in their professional development reports how components of the activity fulfill each area of evaluation.

3.2.4 Tenure

Tenure is a commitment by Buena Vista University to a faculty member that the faculty member shall have a position of continuous appointment. Tenure is an honor bestowed by the Board of Trustees upon eligible candidates who hold the necessary academic credentials, who have shown clear and convincing evidence that they can successfully meet the obligations in each of the areas of *Evaluation* and will continue to be strong contributors to the University, its students, programs and mission. The decision to grant tenure is made upon a comprehensive review of the faculty member's performance during the faculty member's probationary period. Upon successful completion of the tenure process, tenure becomes effective on the first day of contractual obligation in the subsequent fiscal year. Tenure decisions shall be made based on merit without regard to tenure quotas and within the context of University policy. The locus of the faculty member's tenure is typically the academic program or its subfield as reflected in his or her title. (See also *Process for Change of Title*). The faculty member's continuous appointment is subject to the conditions of this Faculty Handbook and other governing policies. (See e.g., *Post-tenure Review*, *Separation* policies, *Employee Handbook*.)

Tenure track faculty members who have served at least two years of their tenure track probationary period as of the date of adoption of this Faculty Handbook must indicate, in writing, whether they wish to proceed under the tenure process policies in this Faculty Handbook or the Faculty Handbook under which they were hired. Once they make their selection, tenure track faculty members are bound by their decision through the conclusion of the tenure process. Tenure track faculty members who have not completed two years of the

tenure track probationary period as of the date of adoption of this Faculty Handbook will proceed under the tenure process of this Faculty Handbook. Faculty members who were granted tenure status and their current rank under the terms and conditions of previous handbooks or policy manuals shall retain both their tenure status and current rank with the adoption of this Faculty Handbook.

3.2.5 Eligibility for Tenure

Faculty members on tenure track are ordinarily considered for tenure in their sixth year of service at BVU with tenure becoming effective in the seventh year, unless otherwise specified in their contract of hire. (See “Effective Date” *Tenure and Promotion Process*.) The tenure track period may not exceed seven years. To be eligible to petition for tenure, a faculty member must have satisfied all prerequisites or conditions for tenure eligibility stated in his or her contract of hire including, but not limited to, degree completion, licensure, or similar requirements. The length of a faculty member’s probationary period may be reduced by giving credit for prior experience in a college or university faculty position. All such agreements must be in writing and by mutual agreement between the faculty member and the VPAA/DoF at the time of hire. When negotiating such an agreement, both the prospective faculty member and the VPAA/DoF should keep in mind both the positive effect of expedited tenure and the potential negative effect of an insufficient time to demonstrate excellence in teaching and other areas of evaluation. A minimum of three years as a full-time faculty member at BVU is required to be eligible for tenure in all but the most exceptional circumstances. (E.g., as part of a negotiated administrative contract. See *Process for Granting Tenure Upon Hire*.) The timeframe for the tenure process shall be designated in the faculty member’s contract at the time of hire. (See, *Contracts*.) Consideration for tenure may not be delayed or deferred absent an official leave of absence, illness or similar extenuating circumstances protected by law. Time spent on a leave of absence or similar leave totaling at least one year in length will generally not count as part of the tenure track probationary period. The tenure track probationary period will be extended to make up for the lost time unless an agreement to the contrary is reached between the University and the faculty member at the time leave is granted. The tenure track probationary period may not be interrupted by more than two years.

See also *Promotion*, contract provisions and other relevant governing policies.

3.2.6 Promotion

Promotion in rank is an honor bestowed by the Board of Trustees upon eligible faculty members in recognition of their ongoing and consistent record of achievement, experience, leadership, and contribution to the University and its mission. A candidate for promotion in rank shall petition for promotion to the appropriate rank. (See *Tenure* requirements, *Academic Rank*, contract provisions.) The candidate must demonstrate, by clear and convincing evidence, that he or she a) meets or exceeds the qualifications and criteria required of the rank the faculty member seeks, b) has a pattern of successful achievement over time in each of the areas of *Evaluation* commensurate with the rank the faculty member seeks, c) has complied with the terms of his or her contract, and d) shows promise that he or

she will continue to be strong contributors to the University, its operations, students, programs and mission. The decision to grant a promotion in rank is made upon a comprehensive review of the faculty member's performance during the course of his or her career. (See, *Academic Rank, Evaluation, Faculty Qualifications*, applicable contract provisions, and similar governing policies.)

3.2.7 Pre-Tenure Development and Evaluation

Several resources are available to new faculty members as they move through the tenure process. These mechanisms and processes are designed to provide the faculty member with timely feedback and support as they develop professionally and pursue tenure status.

New Faculty Academy

The New Faculty Academy ("NFA") is a year-long orientation program for new faculty. The NFA is designed to help new faculty members build a solid foundation by providing support, information, guidance and assistance to new faculty members as they begin to move through their probationary period and eventually seek tenure. The NFA includes an introduction and orientation to Buena Vista University policies, handbooks, best practices, curriculum and advising, evaluation process, resources and offices, and other relevant topics.

Document of Expectations, Annual Report and Reflection

In the first year of a tenure track faculty member's service at BVU, the faculty member, in cooperation with the school dean and with the approval of the VPAA/DoF, will draft a Document of Expectations. (See Document of Expectations form, *Appendix*.) The Document of Expectations is developed to include a professional plan for the duration of the faculty member's probationary period (typically six years). This document shall include the basic expectations and professional goals for the faculty member in each of the areas of evaluation. (See *Evaluation* sections.) The plan should be reviewed and updated at least annually as part of the reflection and evaluation process and shall be entered into the Tenure and/or Promotion Dossier ("Dossier"). The document will be shared with the Pre-Tenure Advisory Team as a tool used to aid the team in supporting the faculty member's development during the probationary period. (See *Pre-Tenure Advisory Team*, below.)

During the probationary period, faculty members will draft an Annual Report and Reflection ("Report"). In this Report, faculty members shall report and reflect on their progress in each of the areas of *Evaluation*. As the faculty member prepares his or her Report he or she is expected to use the Document of Expectations as a tool for reflection, improvement, reporting of one's accomplishments and building goals for the next year. The Report is submitted to the school dean, and copied to the VPAA/DoF and the faculty member's Dossier. The Report may be used as a tool to aid the dean in preparing his or her annual evaluation. It may also be used by the Pre-Tenure Advisory Team as a tool for supporting the faculty member's development during the probationary period.

Pre-Tenure Advisory Team

Each new faculty member shall have a Pre-Tenure Advisory Team. The Role of the Pre-Tenure Advisory Team (“team”) is to focus on the developmental component of a tenure track faculty member’s professional growth. The members of the team are responsible for mentoring the faculty member and serving as a resource for the faculty member as she or he progresses toward tenure.

The Pre-Tenure Advisory Team will consist of at least three members: a) the tenure track faculty member, b) one or two tenured member(s) in the tenure track faculty member’s discipline or a related discipline, usually from within in the faculty member’s school and c) one tenured member from outside the tenure track faculty member’s school. The members of the team will be appointed by the VPAA/DoF in consultation with the school dean and the faculty member. If, during the pre-tenure period, a tenured member of the team becomes unable or unwilling to continue serving on the team, a replacement shall be appointed by the VPAA/DoF in consultation with the school dean and the faculty member. Care should be taken to select tenured faculty members to serve on the team who will help in the holistic professional development of the faculty member.

The Pre-Tenure Advisory Team shall begin their work in the first year of the new faculty member’s employment. The full team shall meet, at least annually, to provide advice, feedback and consultation to aid in the professional development of the tenure track faculty member as she or he progresses toward tenure. The members of the team, particularly the discipline specific member(s) of the team, shall provide advice and feedback to the faculty member regarding expectations, methods, performance, and development in the field. The members of the team shall sit in on the faculty member’s classes each semester through the midpoint, then at least annually. The members of the team shall also allow the tenure track faculty member to sit in on their classes, at least once annually. The tenure track faculty member and his or her team will discuss the annual professional development goals and accomplishments, areas of strength and improvement, evaluations and recommendations from the school dean, the team, the school, or other sources. The team will use that feedback to assist the tenure track faculty member in his or her professional development. The school dean may, from time to time, consult with the team in support of the dean’s efforts to assist and evaluate the tenure track faculty member as he or she progresses toward tenure.

The tenure track faculty member may, at his or her discretion, solicit evaluation letters from members of the pre-tenure advisory team when the faculty member petitions for tenure and promotion. (See *Tenure and Promotion Process* and *Tenure and Promotion Dossier Checklist Appendix*.)

Rotation of Tenured Faculty

All voting members of the school committee who will vote on the tenure track faculty member’s midpoint review must observe a minimum of at least one class prior to the midpoint review. Subsequent to the midpoint review, all voting members of the school committee who will vote on the tenure track faculty member’s tenure must also observe a minimum of at least one class prior to the tenure vote. (See *Tenure Process*.) Tenured faculty shall complete the class observation survey and submit it to the school dean within five working days after attending the tenure track faculty member's class. (See, e.g., *Appendix*.) The school dean, in consultation with the tenure track faculty member, shall be

responsible for establishing the rotation of faculty visits to minimize disruption and avoid condensing visits just prior to the midpoint and tenure votes. This rotation will typically begin in year two of the tenure track faculty member's probationary period and ideally will allow voting members to observe class both early and later during the tenure track faculty member's probationary period.

Evaluative Feedback

Evaluative feedback is received by the faculty member in several ways and at several points during the pre-tenure process. This feedback will typically include, but is not limited to, the school dean's course observations, annual evaluations and meetings, the VPAA/DoF's annual review, student evaluations, Pre-Tenure Advisory Team classroom observations, and a formal midpoint review.

School Dean's Reviews

The school dean serves both in an evaluative role and is responsible for providing a work environment favorable to the tenure track faculty member's professional development. (See Ch. 6 Administration, *School Deans* and "School Deans Job Description," *Appendix*.)

The school dean will offer feedback to the tenure track faculty member in several ways including, but not limited to:

- Class observations: The school dean will work with the faculty member to arrange for the dean to observe a class and provide written feedback each semester during the pre-tenure process.
- Annual performance review: Annually, the dean shall provide each tenure track faculty member with an annual performance review, copied to the VPAA/DoF. The review will address each of the areas listed in *Evaluation*, progress toward annual goals such as those listed in the faculty member's contract and document of expectation, areas of concern or in need of improvement and other matters relevant to the faculty member's performance. In preparing his or her evaluation, the dean should consider the full breadth of available relevant evidence.
- Annual meetings: The dean will meet at least annually with the faculty member to discuss the report, review the faculty member's performance, advise the faculty member in assembling his or her Dossier and assist her or him as she or he progresses toward tenure.
- Formal comprehensive evaluations at the midpoint and final summation for tenure: Upon receipt of the written recommendation of the school committee, the school dean shall provide a formal comprehensive written evaluation of the candidate's performance. (See *Midpoint Review*, below, and *Tenure and Promotion Process*.) The dean's evaluation shall be placed in the candidate's Dossier, copied to the VPAA/DoF and the candidate. In writing these evaluations, the dean shall consider relevant evidence concerning the candidate's performance in his or her role as a faculty member. (See, *Evaluation, Code of Conduct*, BVU Employee Handbook, contract provisions, and other relevant governing standards.) The dean's report and recommendation shall include, at minimum, an evaluation of the faculty member's performance in compliance with

his or her contract and in each of the areas listed in *Evaluation*, along with a statement concerning the faculty member's potential for continued contribution in support of their program, the school, and the University's programs and its mission. For the midpoint review, the school dean's recommendation shall indicate whether the candidate is on a satisfactory trajectory toward tenure and shall also include a rationale for his or her recommendation. For tenure and accompanying promotion, the school dean's recommendation shall indicate whether she or he recommends the candidate for tenure and promotion. (See *Tenure and Promotion Process*.)

Vice President for Academic Affairs/Dean of Faculty Reviews

Annually, the VPAA/DoF will meet with the tenure track faculty member and the school dean to discuss the faculty member's performance and progress toward tenure. The VPAA/DoF shall prepare a memorandum of the meeting which shall be placed in the faculty member's file and Dossier. After the VPAA/DoF receives reviews from the school committee, the school dean, and the Tenure and Promotion committee, as applicable, as part of the midpoint review and/or tenure process, the VPAA/DoF will draft a formal review of the faculty member's performance. (See *Tenure and Promotion Process*.) The VPAA/DoF midpoint evaluation will include an assessment of relevant evidence concerning the faculty member's performance, indicate whether the candidate is on a satisfactory trajectory toward tenure and shall also include a rationale for his or her recommendation. At the point of the tenure decision, the VPAA/DoF, having access to a greater breadth of information concerning the candidate's full employment record, shall evaluate the candidate *de novo* and recommend whether she or he should be granted tenure and/or promotion, as applicable. (See *Tenure and Promotion*)

Midpoint Review

When a tenure track faculty member is at the midpoint in his or her tenure process, he or she will undergo a midpoint review. The purpose of the midpoint review is to allow the tenured faculty in the school, the school dean and the VPAA/DoF an opportunity to provide the candidate with formal feedback concerning his or her performance as he or she progresses toward tenure. Typically, this review will occur in the faculty member's third year, assuming an ordinary six-year tenure review process, unless otherwise agreed at the time of initial contract.

To aid the school committee, the school dean and the VPAA/DoF in giving feedback to the tenure track faculty member at the midpoint, the faculty member shall assemble a Midpoint Dossier ("Dossier") in the fall of the year of eligibility for midpoint review. This professional portfolio shall be submitted electronically to the VPAA/DoF office and shall be prepared in accordance with the Midpoint Dossier Checklist, *Appendix*. The faculty member shall ensure that the Dossier includes evidence sufficient to allow a comprehensive assessment of the faculty member's contribution to the University, student learning and development, professional development activities and service as defined by this Faculty Handbook.

The tenured faculty in the candidate's school shall meet to discuss the tenure track faculty member's performance. One tenured faculty member from outside the school, chosen at least one year in advance by the VPAA/DoF in consultation with the school dean and the candidate, shall join the tenured faculty in the school (collectively referred to, excluding the school dean, as "the school committee") for the meeting and deliberation. To aid in their deliberations, the school committee, as described, having already sat in on the candidate's classes, shall review the candidate's Dossier at least 24 hours in advance of the meeting. (See above.) The school dean may initially join the meeting to call the meeting to order, instruct the faculty on the governing provisions of University policy (or other policies, where applicable), answer questions concerning the process or information in the file and provide clarifying, new or other information relevant to faculty's vote. Thereafter, the school dean shall leave the meeting in order that the school committee may independently deliberate.

After discussion and careful deliberation, the school committee shall vote in a recorded roll-call indicating whether the candidate is on a satisfactory trajectory toward tenure. All members, including the "outside" member of the school committee, shall have full voting rights. The school committee shall select a secretary from among the members of the committee whose responsibility it will be to record the vote and take the official minutes of the meeting. The minutes should indicate the members present, the numerical vote, include a summary of relevant evidence considered, the majority's recommendation and the rationale for the committee's recommendation along with the rationale cited by any dissenting members. The draft shall be circulated among the school committee members who may offer comments and suggestions for change. The school committee's recommendation and meeting minutes are due to the school dean, copied to the VPAA/DoF, the candidate and the candidate's Dossier.

After the school committee's recommendation has been received by the school dean, the dean shall complete his or her midpoint evaluation in accordance with the *Dean's Review* policy, above. The dean's evaluation shall be forwarded to the VPAA/DoF, copied to the candidate and the candidate's Dossier.

The candidate may file a written rebuttal in his or her Dossier, copied to the VPAA/DoF and the school dean, should she or he prefer to do so. The rebuttal letter must be filed in accordance with the Timetable for Midpoint Review, Tenure and Promotion Process, *Appendix*.

After the VPAA/DoF receives the recommendations from the school committee, the school dean, and reviews the Midpoint Review Dossier, the VPAA/DoF will draft a formal review of the faculty member's performance in accordance with the *VPAA/DoF Review* policy, above. The VPAA/DoF, school dean and the candidate will meet to discuss the Dossier, recommendations and the candidate's progress toward tenure.

See also, *Tenure and Promotion Process, Evaluation, Faculty Rights and Privileges Faculty Development Funds, Awards*, and similar policies concerning faculty development and evaluation.

3.2.8 Tenure and Promotion Process

Petition

Faculty members on tenure track shall petition for tenure and promotion by submitting a request for consideration to the VPAA/DoF in their sixth year, unless otherwise specified in their contract of hire. (See also, *Separation* policies.) A copy of the petition shall be provided to the school dean and to the candidate's electronic Tenure and Promotion Dossier ("Dossier").

Candidates eligible for promotion apart from tenure may seek promotion by submitting a request for consideration to the VPAA/DoF. Candidates eligible for promotion apart from tenure may also choose to postpone their request for promotion. (E.g., an associate professor may choose to petition for promotion in the year he or she becomes eligible for promotion to the rank of professor, or may choose to postpone his or her petition until a later date.) A copy of the candidate's petition shall be provided to the school dean and to the candidate's electronic Dossier. (See *Promotion* policies.)

Upon receiving the candidate's petition for tenure and/or promotion, the VPAA/DoF will verify that the faculty member is eligible to petition for tenure and/or promotion and communicate any discrepancies to the nominee. (See *Eligibility for Tenure, Promotion, Academic Rank*, applicable contract provisions, and similar governing policies.)

Submission of the Tenure and/or Promotion Dossier

In the fall semester of the year of eligibility for tenure and/or promotion, each candidate will prepare a professional portfolio in support of his or her petition. The Tenure and/or Promotion Dossier ("Dossier") shall be submitted electronically to the VPAA/DoF office and shall be prepared in accordance with the Tenure and Promotion Dossier Checklist, *Appendix*. The faculty member shall ensure that the Dossier includes evidence sufficient to allow a comprehensive assessment of the faculty member's contribution to the University, student learning and development, professional development activities and service as defined by this Faculty Handbook.

At the time the Dossier is submitted electronically to the VPAA/DoF office, the candidate shall also submit the list of names and contact information for the individuals from whom he or she would like to solicit evaluation letters. (See "Tenure and Promotion Dossier Checklist" *Appendix*, for a complete description of the number and type of letters that should be included.)

School Review and Vote

All tenured faculty in the candidate's school, absent extenuating circumstances, shall meet to deliberate on whether the faculty member should be recommended for tenure and/or promotion. One tenured faculty member from outside the school, chosen at least one year in advance by the VPAA/DoF in consultation with the school dean and the candidate shall join the tenured faculty in the school, (collectively referred to, excluding the school dean, as "the school committee"), for the meeting and deliberation. All eligible members, including the "outside" member of the school committee, shall have full voting rights in all deliberations.

To aid in their deliberations, the school committee, as described, having already sat in on the candidate's classes, shall review the candidate's Dossier at least 24 hours in advance of the meeting. (See, *Pre-Tenure Development and Evaluation*.) In the case of a faculty member who is eligible for promotion apart from tenure, the same rotation and feedback process set forth in *Pre-Tenure Development and Evaluation* shall be used to ensure that all voting members of the school committee sit in a minimum of at least one class prior to voting on the faculty member's promotion. The school committee shall select a member of the committee to serve as the school committee's secretary. The secretary will take the official minutes of the meeting on behalf of the school committee. The school dean shall initially join the meeting to call the meeting to order, instruct the faculty on the governing provisions of University policy (or other policies, where applicable), answer questions concerning the process or information in the file and provide clarifying, new or other information relevant to faculty's vote. Thereafter, the school dean shall leave the meeting in order that the school committee may independently deliberate.

After discussion and careful deliberation, the school committee will vote in a recorded roll-call indicating whether the candidate should be recommended for tenure and/or promotion. The school's representative to the Tenure & Promotion Committee shall abstain. Results shall be recorded by the secretary. The official minutes prepared by the secretary shall indicate the members present, the numerical vote, include a summary of relevant evidence considered, the majority's recommendation and the rationale for the committee's recommendation along with the rationale cited by any dissenting members. The draft shall be circulated among the school committee members who may offer comments and suggestions for change. Faculty members who wish to write separately to further explain their vote may do so provided that they also circulate their memorandum to the school committee. The school committee's recommendation, along with any memoranda from faculty who wrote separately, shall be submitted by the secretary to the candidate's Dossier, copied to the VPAA/DoF, the school dean, and the candidate.

The candidate may choose to file a written rebuttal in his or her Dossier, copied to the VPAA/DoF, the school dean and the secretary of the school committee.

Dean's Evaluation and Recommendation

The school dean shall evaluate the candidate and recommend whether he or she should be granted tenure and/or promotion. The dean shall consider relevant evidence concerning the candidate's performance in his or her role as a faculty member. (See *Evaluation, Code of Conduct, Employee Handbook, contract provisions, School Review and Vote*, and other relevant governing standards.) The school dean's recommendations shall include, at minimum, an evaluation of the faculty member's performance in accordance with his or her contract, in each of the areas listed in *Evaluation* and a statement concerning the faculty member's potential for continued contribution in support of his or her program, the school, and the University's programs and its mission. The dean's written evaluation and recommendation shall be placed in the candidate's Dossier, copied to the VPAA/DoF and the candidate.

The candidate may choose to file a written rebuttal in his or her Dossier, copied to the VPAA/DoF and the school dean.

Tenure and Promotion Committee Review and Vote

The Tenure and Promotion Committee shall consider the fitness of each candidate for tenure and/or promotion. The Committee shall consider the relevant information reasonably available and pertaining to the candidate's performance as a faculty member and potential for continued contribution to the University. Though the Committee will generally rely upon the contents of the Dossier in making their recommendation to the VPAA/DoF, where necessary, and particularly where information is unclear or incomplete, the Committee may investigate to obtain information relevant to the candidate's tenure and/or promotion. The VPAA/DoF shall initially join the meeting to call the meeting to order, instruct the Committee on the governing provisions of University policy (or other policies, where applicable), answer questions concerning the process or information in the file and provide clarifying, new or other information relevant to the Committee's vote. Thereafter, the VPAA/DoF shall leave the meeting in order that the Tenure and Promotion Committee may independently deliberate.

After discussion and careful deliberation, the Committee will vote in a recorded roll-call indicating whether the candidate should be recommended for tenure and/or promotion. Results shall be recorded by the Committee chair who shall provide a written report of the Committee's recommendation. The report shall indicate the members present, the numerical vote, a summary of the rationale for the Committee's recommendation and the evidence considered, which shall be placed in the candidate's Dossier, copied to the VPAA/DoF and to the candidate.

The candidate may choose to file a written rebuttal in his or her Dossier, copied to the VPAA/DoF and the Chair of the Tenure and Promotion Committee.

Vice President for Academic Affairs/Dean of Faculty's Recommendation to the President

The VPAA/DoF, possessing a comprehensive view of the candidate's record, shall evaluate the candidate *de novo* and recommend whether he or she should be granted tenure and/or promotion. In doing so, the VPAA/DoF shall consider all relevant evidence such as, but not limited to, the Dossier, personnel records, evidence known to the VPAA/DoF in his or her administrative position, the terms of the candidate's contract, information obtained from the Tenure & Promotion Committee, the school dean and the school committee. The VPAA/DoF's written recommendation shall be submitted to the President and copied to the school dean, the candidate and his or her Dossier.

The candidate may choose to file a written rebuttal in his or her Dossier, copied to the VPAA/DoF and the Chair of the Tenure and Promotion Committee.

President's Recommendation to the Board of Trustees

The President of the University shall consider the candidacy of each nominee for tenure and/or promotion and recommend to the Board of Trustees whether the nominee should be granted tenure and/or promotion. Having access to the fullest breadth of information concerning the candidacy, the President shall make a final recommendation based on all relevant information received from across the University.

In the event of a recommendation to grant tenure and/or promotion, the President shall submit his or her written report to the Board of Trustees and copied to the VPAA/DoF, school dean, the candidate and the candidate's Dossier. In the event of a recommendation to deny tenure and/or promotion, the President shall submit his or her written report to the candidate's permanent personnel file copied to the VPAA/DoF, the school dean, the candidate and his or her Dossier. A memorandum indicating the outcome, though not the full report, shall be provided to the chair of the Tenure & Promotion Committee and the secretary of the school committee.

Board of Trustees

Conditioned on a favorable recommendation by the President, the Board of Trustees shall make the final decision, by majority vote, whether to confer tenure on the faculty member.

Effective Date

When tenure and/or promotion are granted by the Board of Trustees, tenure and/or promotion become effective on the first day of contractual obligation in the subsequent fiscal year. If a candidate is denied tenure, the next academic year, typically year seven, serves as the terminal year. (See also, *Notice, Separation.*)

Opportunity for Appeal

See *Appeals*.

3.2.9 Process for Granting Tenure Upon Hire

In exceptional circumstances, a person appointed to a senior faculty position or academic administrative position may be eligible for tenure upon hire. To merit consideration for immediate tenure, the ordinary probationary period must be waived, in writing, by the President. The candidate must have a clear and convincing record of sustained excellent performance in teaching, service and professional accomplishment and at an accredited institution of higher learning. (See *Evaluation* provisions for further explanation of performance areas considered in granting tenure.) Alternatively, a candidate with a clear and convincing record of extraordinary professional accomplishment may also be considered for tenure upon hire.

Prior to the granting of tenure upon hire, the Tenure and Promotion Committee shall have an opportunity to conduct an expedited review of the candidate's application dossier. Based upon the candidate's dossier, supplemental materials (e.g., teaching materials, evaluations, and scholarly works), references, and other relevant evidence, the Tenure and Promotion Committee shall evaluate the candidate's eligibility for tenure and make a written recommendation to the VPAA/DoF and the President within two working days of receipt of the candidate's file. Conditioned on a favorable recommendation by the President, the Board of Trustees shall make the final decision, by majority vote, whether to confer tenure on the faculty member.

3.2.10 Documentation of Deviation from Standard Procedures

In the unlikely event of a deviation from standard review procedures in the tenure and/or promotion process, all such deviations shall require written justification. Examples may include things such as deviation from a standard due date because of illness or leave, an altered contractual timeline at the time of hire, department-specific requirements, or similar matters of administrative necessity. (See *Process for Granting Tenure Upon Hire, Contracts and Appendix.*) The documentation shall be retained by the VPAA/DoF and copied to the faculty member's Tenure and/or Promotion Dossier.

3.2.11 Post-tenure evaluation

3.2.11.1 Overview

Two types of review occur post-tenure. The first, periodic developmental review of tenured faculty, is a professional development process aimed at the maintenance of continued professional growth among BVU's faculty in teaching and other areas of evaluation delineated in the *Evaluation* policies. Periodic developmental review of tenured faculty is intended to enhance and protect, not diminish, the important guarantees of tenure and academic freedom through a fair and transparent process. Evaluation provides guidance for continuing faculty development and assurance that faculty members are meeting their responsibilities to the University.

The second type of review, triggered post tenure review, is an institutional response to a circumstance where a tenured faculty member's deteriorating performance in one or more areas of *Evaluation*, if not remediated, is likely to lead to a finding of incompetence or breach of contract and result in termination for cause. Triggered post tenure review is structured as an intervention process designed to provide the faculty member with notice, a fair process, and assistance in rehabilitating the quality of his or her performance in an effort to prevent a finding of incompetence or breach of contract that necessitates reassignment or dismissal. (See, *Termination*). Where actions or behaviors fall into the categories listed in *Termination* and/or rehabilitation is not likely to be successful, the *Separation* provisions govern. Nothing in this post-tenure review policy shall be construed to prevent immediate termination for cause.

3.2.11.2 Developmental Review of Tenured Faculty

All tenured faculty members and school deans with continuous tenure who regularly serve as the instructor of record in a credit-bearing course or student activity will develop a three-year professional development plan and professional activity report. The three-year process begins in the fall semester of the first year after a faculty member is granted tenure status. (E.g., a faculty member upon whom tenure status is formally conferred in Fall 2017 would begin the three-year process in Fall 2018.) The dean of each school will develop a three-year rotation for all tenured faculty within the school. In the case of tenured school deans who regularly serve as an instructor of record, the VPAA/DoF is responsible for developing a three-year rotation for review of teaching deans, receiving documentation, offering plan approval and offering feedback on the reports.

A professional development plan will be submitted to the school dean, copied to the VPAA/DoF, in the faculty member's first year of the three-year cycle in accordance with the post-tenure developmental review schedule, *Appendix*. The faculty member and the school dean will discuss the plan. The school dean, in consultation with the VPAA/DoF, will provide written feedback in accordance with the post-tenure developmental review schedule, *Appendix*. (See also, Post Tenure Professional Development Plan Form, *Appendix*.) A copy of the plan and the school dean's feedback will be provided to the VPAA/DoF's office.

Each faculty member's three-year professional development plan should address his or her continued development and plan for contribution in the areas listed in *Evaluation*. Though a faculty member is not expected to contribute equally in all areas, special attention should be given to student learning. During the three-year period in which his or her plan is in effect, the faculty member will keep the plan updated and will provide to the supervising dean notice, within 30 days, of significant changes that will have the effect of materially altering the three-year professional development plan. Faculty members who are unsure whether a change is significant enough to warrant a change in their plan should consult their school dean for guidance.

In the third year of the faculty member's three-year cycle, the faculty member will submit a professional activity report to the school dean, copied to the VPAA, in accordance with the post-tenure developmental review schedule, *Appendix*. The faculty member and the school dean will discuss the report and the school dean, in consultation with the VPAA/DoF, will provide written feedback in accordance with the post-tenure developmental review schedule, *Appendix*. A copy of the school dean's feedback will be provided to the VPAA/DoF's office. The faculty member may submit a rebuttal letter if he or she disputes the school dean's feedback or if new material information about the faculty member's performance arises after the report's submission.

Each faculty member's professional activity report should address his or her performance and continued contribution to the University in the areas listed in *Evaluation*. The report should also include a reflective component wherein the faculty member analyzes his or her performance in the prior three years and illustrates how the faculty member's experience is likely to affect future performance. The faculty member should reflect on the full range of activities, successes, and challenges in the previous three years in an effort to identify practices that the faculty member will continue and things the faculty member will attempt to

improve upon, along with possible strategies for doing so. Though the faculty member is not expected to contribute equally in all areas, special attention should be given to the faculty member's contributions to student learning. When submitting their professional activity report, faculty members must also provide an updated curriculum vitae which shall be kept in the VPAA/DoF's files. (See, *Chief Academic Officer Files*.)

3.2.11.3 Triggered Post-Tenure Review

Purpose

Triggered Post-Tenure Review ("TPTR") is aimed at correcting problems with a tenured faculty member's performance in one or more areas of *Evaluation* that, if not remediated, are likely to lead to a finding of incompetence or breach of contract and result in termination for cause. TPTR is appropriate where the faculty member's performance can likely be remediated. Supervisors are expected to pay particular attention to deficient faculty performance in the area of student learning. Where actions or behaviors fall into the categories listed in *Termination* and/or rehabilitation is not likely to be successful, the *Termination* section governs and nothing in this policy shall be construed to prevent immediate termination for cause. (See, *Separation* policies.)

If a school dean who is also a member of the teaching faculty becomes a candidate for TPTR, all responsibilities indicated within the TPTR policy as ordinarily belonging to the school dean shall instead become the responsibility of the VPAA/DoF.

Supervisor's Early Intervention

In instances where poor performance is known or suspected, supervisors (usually the school dean and/or VPAA/DoF) are expected to make a reasonable effort to bring these issues to the faculty member's attention along with a request for remediation as early as possible in an effort to avoid a formal TPTR process. Supervisors should document these early requests, with a copy provided to the faculty member and the VPAA/DoF. The faculty member may offer a rebuttal letter, copied to the school dean and the VPAA/DoF.

Triggering events

Triggering events include a persistent and significant deficiency in the faculty member's performance in one or more areas listed in the *Evaluation* section that can likely be remediated with effort on the part of the faculty member and appropriate support from the University. See explanation in Overview and Purpose, above.

Initial Inquiry – Evidence Category 1

The first category of triggering events includes evidence sufficient to justify further inquiry and investigation. These triggering events justify the school dean, in consultation with the VPAA/DoF, to engage in further investigation of the quality of the faculty member's performance which may appear to be deficient, yet can likely be remediated. In the case of a

dean who is also part of the teaching faculty, the VPAA/DoF shall conduct the investigation of the quality of the dean's faculty performance.

Evidence triggering a performance inquiry may include, but is not limited to:

- Poor teaching performance (see, *Evaluation, Teaching*) for a minimum of two of the last three semesters as measured by a comprehensive evaluation of teaching activity including items such as, though not limited to:
 - Contribution to the major, general education, student learning and assessment.
 - Class performance, syllabi, course content, assignments, and student course feedback. (e.g. persistent and broad use of outdated and/or inaccurate information; poor, ineffective, outdated, inadequate methods in the field of study. Note that this is not intended to include mere subjective preferences or inter-disciplinary disagreements concerning ideology or methodology. See also, *Academic Freedom*.)
- Performance reviews and evaluations, early intervention documentation (where applicable), peer reviews, class observation reports, and similar evaluative and developmental review documents.
- Persistently inadequate performance in other areas of evaluation (see, *Evaluation, Service* and *Professional Development* sections) or general neglect of duties including, but not limited to:
 - Inadequate or minimal effort to serve the University community as defined in *Evaluation*.
 - Inadequate or minimal attempt to remain reasonably professionally engaged and/or current in the field as defined in *Evaluation*.
- Persistent violation of University policies that have a material effect on the faculty member's performance. (e.g. excessive unexcused/undocumented absences. See *Absence Policy*, Faculty Handbook, *Academic Policies*)
- Poor performance reports and similar evaluative and developmental review documents.
- Formal complaint(s) brought against the faculty member alleging poor performance in one or more areas listed in *Evaluation*. Allegations must appear to be credible and of sufficient quantity or severity to raise significant doubts about the faculty member's performance. Complaints concerning harassment, illegal or unethical activities, or similar violations, are subject to the processes outlined in the Employee Handbook, Academic Policies, Grievance policy, *Termination* and *Suspension* sections. See, *Employee Handbook*, Faculty Handbook, *Academic Policies*, *Grievance Policy*, *Suspension* and *Separation* policies.
- Poor professional activity report(s) and resulting developmental review(s).
- Refusal to comply with developmental post-tenure review processes. (See, *Developmental Review*.)
- Insufficient effort to remedy areas of performance previously brought to the faculty member's attention by the school dean or VPAA/DoF.

Upon the occurrence of one or more of these conditions, the dean who wishes to commence a further investigation shall provide to the faculty member, copied to the VPAA/DoF, a written notice of intent to open a post-tenure investigation with a statement of justification. The

faculty member shall be entitled to provide a rebuttal letter to the school dean and copied to the VPAA/DoF. If the faculty member of concern is a school dean who is also a member of the teaching faculty, the letter shall be provided by the VPAA/DoF and any rebuttal letter shall be directed to the VPAA/DoF.

The school dean and VPAA/DoF will meet with the faculty member to discuss the concerns raised about the faculty member's performance. Within 10 business days after the meeting, the VPAA/DoF shall send a letter to the school dean, copied to the faculty member, indicating whether the faculty member shall or shall not be subject to triggered post tenure review investigation, summarizing the evidence, and indicating the rationale for his or her decision. If the VPAA/DoF finds reasonable cause to justify the post-tenure investigation, the VPAA/DoF shall authorize the school dean to assemble a comprehensive performance portfolio.

Comprehensive Performance Portfolio – Evidence Category 2

The purpose of developing a comprehensive performance portfolio is to establish a relevant body of evidence so the faculty member's performance can be impartially and fairly evaluated in the context of his or her full contribution to the University. Within a period of 90 days, the school dean shall assemble evidence in each of the areas listed in *Evaluation* for submission to the Tenure & Promotion Committee. The faculty member in question shall make a reasonable effort to provide relevant documents and assist in assembling the portfolio, as requested. If a faculty member fails to do so, the *Separation* provisions apply. Particular care should be taken to gather all relevant evidence in the area(s) of concern that triggered the investigation.

Portfolio evidence should include, but is not limited to:

- The school dean's and VPAA/DoF's letters
- The candidate's response(s)
- An updated Curriculum Vitae
- The faculty member's Professional Development Plans and Professional Activity Reports (not to exceed a period of six years)
- Performance evaluations
- Comprehensive evidence of teaching performance for a maximum of six prior years (e.g. sample syllabi, sample assignments and outcomes, statement of contribution to the academic programs and assessment thereof, student evaluations, and the like.)
- Statement and supporting evidence of the quality and quantity of advising activity, service activities, and professional development activities, along with additional relevant evidence for a period not to exceed a period of six years.
- Additional relevant mitigating evidence, letters, or statements that the faculty member may elect to include.
- Reports of class visits (if elected) by the school dean (or VPAA/DoF in the case of a teaching dean).

Review of Comprehensive Performance Portfolio

The Tenure & Promotion Committee shall review the Comprehensive Performance Portfolio and, by majority vote, make a finding as to whether there is clear and convincing evidence of a persistent and significant deficiency in the faculty member's performance and whether that problem is amenable to rehabilitative efforts. The Tenure & Promotion Committee shall, within 10 business days of receiving the completed Comprehensive Performance Portfolio, draft a written recommendation and explanation to the VPAA/DoF, copied to the school dean and the faculty member.

Upon receiving the Tenure & Promotion Committee's written recommendation and explanation, the VPAA/DoF shall review the file *de novo* and issue a written finding and explanation within 10 business days. If the VPAA/DoF finds that there is not clear and convincing evidence of deficiency, the faculty member shall be released and the TPTR process shall conclude. If the VPAA/DoF finds that there is clear and convincing evidence of a persistent and significant deficiency in the faculty member's performance that is likely to be responsive to rehabilitative efforts, the faculty member shall be formally placed on TPTR and the development of a professional rehabilitation plan shall commence. If, however, the VPAA/DoF finds that there is clear and convincing evidence of deficiency, but the faculty member's performance is not likely to be responsive to rehabilitative efforts, the *Separation* procedures govern. The VPAA/DoF shall submit his or her written finding and explanation to the President, copied to the school dean and the faculty member. The faculty member shall have five business days after receipt of the VPAA/DoF's letter to file a notice of appeal of the VPAA/DoF's decision to the Faculty Appeals Committee. See, *Appeals*.

If a school dean who is also a member of the teaching faculty becomes a candidate for TPTR, the responsibilities indicated within this section of the TPTR policy as ordinarily belonging to the VPAA/DoF instead become the responsibility of the President.

Rehabilitative Professional Development Plan

Once TPTR has been formally invoked, the faculty member and the school dean, in consultation with the VPAA/DoF, shall draft a rehabilitative professional development plan. The plan shall be for the purpose of rehabilitating the faculty member's inadequate performance. The plan shall include a statement of remediation goals and a plan for achieving those goals. Additional required conditions shall be stated in the plan. Required conditions will generally include, but are not limited to, a) the use of a professional development team composed of the school dean and two tenured members of the faculty selected by the VPAA/DoF; b) progress reports at least every six months; and c) careful monitoring of the use of professional development funds and approval by the VPAA/DoF, in consultation with the school dean, for the purposes of improving performance and/or developing professionally within the faculty member's discipline. The plan shall be in effect no longer than 18 months or three full-length (traditional four-month) semesters. The final plan must be approved by the VPAA/DoF in writing.

In the case of a school dean who is also a member of the teaching faculty, the VPAA/DoF shall select a dean from another school within the University to assist in the drafting of the

rehabilitative development plan and serve on the professional development team. The VPAA/DoF may also remove the dean from his or her administrative position.

Conclusion of Triggered Post Tenure Review

Within a period not to extend longer than three full-length semesters or 18 months, the TPTR process shall conclude. Within 45 calendar days of the beginning of the final semester during which the faculty member is subject to TPTR, the school dean shall draft a final report and evaluation. In the case of a school dean who also serves as a member of the teaching faculty, the VPAA/DoF shall draft the final report and evaluation. The final report and evaluation, along with the updated Comprehensive Performance Portfolio which shall include additional relevant information and documentation produced during the TPTR process, shall be submitted to the Tenure & Promotion Committee. The faculty member may, within 10 business days, submit a rebuttal letter to the Tenure & Promotion Committee.

The Tenure & Promotion Committee shall review the evidence submitted and shall provide a written recommendation and explanation to the VPAA/DoF, copied to the school dean and faculty member, within 15 business days of receiving the updated portfolio and additional evidence. The Tenure & Promotion Committee shall vote to release the faculty member from TPTR unless, by majority vote, they find that there is clear and convincing evidence that the faculty member has failed to restore his or her performance to a reasonable professional standard in accordance with the remediation plan and *Evaluation* policies.

Upon receipt of the Tenure and Promotion Committee's recommendation, the VPAA/DoF shall review the file *de novo* and issue a written finding and explanation within 10 business days. The VPAA/DoF shall recommend to release the faculty member from TPTR unless the VPAA/DoF finds that there is clear and convincing evidence that, despite efforts to remediate, the faculty member has failed to restore his or her performance to a reasonable professional standard in accordance with the remediation plan and *Evaluation* policies. The VPAA/DoF shall submit his or her written finding and explanation to the President, copied to the school dean and the faculty member.

In the case of a school dean who serves as a member of the teaching faculty, the Tenure & Promotion Committee's recommendation will proceed directly the President who will make his or her independent finding.

Upon receipt of the VPAA/DoF's letter, the faculty member shall have five business days to file a Notice of Appeal with the Faculty Appeals Committee. (See, *Appeals*).

The President shall, upon review of all the evidence and the Faculty Appeals Committee recommendation (if applicable), make her or his final finding and written recommendation. The faculty member shall be released from TPTR unless the President finds clear and convincing evidence that, despite efforts to remediate, the faculty member has failed to restore her or his performance to a reasonable professional standard in accordance with the remediation plan and *Evaluation* policies. If the President finds that the faculty member has failed to restore his or her performance to a reasonable professional standard, as required, the President shall submit his or her recommendation to the Board of Trustees copied to the VPAA/DoF, school dean, and the faculty member. The Board of Trustees shall make the

final decision based on a majority vote. If the Board of Trustees finds clear and convincing evidence that the faculty member has failed to restore his or her performance to a reasonable professional standard in accordance with the remediation plan and *Evaluation* policies, the Board of Trustees will revoke the faculty member's tenure, and the faculty member will be terminated for cause from his or her tenured teaching position. (See, *Separation* policies.)

3.3. Separation

3.3.1 Notice

Non-Renewal of Term Appointments

Faculty members with term appointments are at-will contract employees. Notice of non-renewal upon expiration of the existing contract is not required.

Non-Renewal of Tenure Track Appointments

Written notice of non-renewal of a tenure-track appointment, other than for cause, shall be given as follows:

- In the first academic year of service, at least 90 days notice before the expiration of a faculty member's current contract;
- In the second academic year of service, at least five months notice before the expiration of the faculty member's current contract;
- In the third or subsequent year(s) of service, prior to a grant of tenure, at least twelve months notice before the expiration of the faculty member's current contract.

Termination for Cause

Termination for cause shall be effective immediately unless otherwise indicated in a severance contract. Written notice of termination for cause shall be submitted to the faculty member informing him or her of the reasons for dismissal. (See *Separation -- Termination and Appeals*)

Termination of Tenured Faculty

Tenured faculty members hold a position of continuous appointment except when the faculty member resigns, retires, or is terminated for cause or due to financial exigency or program elimination. (See *Separation* provisions.) In instances of termination due to financial exigency or program elimination, a tenured faculty member shall be given written notice of termination due to financial exigency or program elimination at least twelve months before the effective date of the termination. (See *Separation* and *Appeals*)

3.3.2 Resignation

Faculty members may resign their appointments effective at the end of an academic year. The faculty member should give written notice at the earliest possible opportunity but not later than May 15 or thirty days after receiving notification of the terms of appointment for the coming year, whichever date occurs later. Faculty members may request an extension of the notice requirement in case of hardship or in a situation where they would otherwise be denied substantial professional advancement.

Failure to sign and return an offered contract by the date stated therein shall be understood as voluntary resignation, unless, because of unusual circumstances, a written extension has been granted by the Office of the Vice President for Academic Affairs. Failure to petition for tenure upon eligibility and as agreed by contract shall be understood as voluntary resignation effective at the end of the academic year unless otherwise protected by law. Withdrawal from the tenure process at any point after submission of the petition for tenure (See, *Tenure and Promotion Process*), shall be understood as voluntary resignation effective at the end of the academic year unless otherwise protected by law.

3.3.3 Retirement

Traditional Retirement: Full-time faculty members are eligible to retire at the age of 65.

Early Retirement: Full-time faculty members may request early retirement. Early retirement may be granted at the discretion of the University and under terms mutually agreed to by the University and the faculty member and as approved by the President in consultation with the VPAA/DoF and the school dean. To be eligible to request early retirement, a faculty member (a) must have served as a full-time faculty member at the University for at least ten years; and (b) is no more than 10 years younger than the individual's full retirement age as determined by the Social Security Administration. (E.g. In 2016, the Social Security Administration designated 67 years of age as the full retirement age. In 2016, a faculty member may apply for early retirement no earlier than 57 years of age.) Priority will generally be given to faculty requests based on tenure status and seniority as defined by years of service as a full-time faculty member at the University unless circumstances exist that would result in a substantial hardship to an academic program, another applicant, or similar category. The Board of Trustees and the President of Buena Vista University reserve the right to refuse any request for early retirement.

Lump-Sum Option: Full-time faculty members who meet the criteria and are approved for early retirement may opt to take advantage of BVU's lump-sum option. Faculty members in this category receive a lump-sum payment in accordance with the terms and rates specified in Human Resources policies with no requirement for further services. (See Human Resources policies, Employee Handbook, Summary Plan Descriptions, applicable contract provisions, or similar policies.) Lump-sum payments available under the provisions of the Employee Handbook are calculated on the basis of the faculty member's salary specified in his/her final full-time contract. Faculty members who choose this option for early retirement will also be entitled to continued employee benefits under the terms specified in Human Resources policies, Employee Handbook, Summary Plan Descriptions, applicable contract provisions, or similar policies.

Phase-Out Option: Faculty members who meet the criteria and are approved for early retirement may opt to take advantage of BVU's phase-out early retirement option. Faculty members in this category may negotiate a reduction in teaching load to a minimum of one-half time per semester over a period not to exceed three years. During the phase-out period, the faculty member's duties other than teaching, such as committee assignments, academic advising, mentoring of junior faculty, and professional development, may also be reduced at an equivalent load. The terms of the reduced teaching load, along with the reduced service and professional development obligations will be agreed to by the faculty member and the VPAA/DoF, in consultation with the school dean, and approved by the President.

As part of the phase-out agreement, the faculty member gives up tenure but retains other benefits during the phase-out period as specified in Human Resources policies, the Employee Handbook, Summary Plan Descriptions, applicable contract provisions, or similar policies. Additional professional benefits such as travel and professional development expenses may also be available and may be pro-rated at the reduced level of pay. Faculty members who have opted for the phase-out early retirement option are not eligible for the lump-sum salary payment that accompanies the alternative early retirement option. (See Article II, Employee Handbook, Human Resources policies, Summary Plan Descriptions, and applicable contract provisions for specific salary and benefit information obtaining to early retirement options.)

3.3.4 Notice of Intent to Retire

A retiring faculty member shall notify his or her school dean and the VPAA/DoF in writing at least one year in advance of the proposed date of traditional retirement. Requests for early retirement must be submitted by December 1 and at least 18 months in advance of the academic year in which the faculty member proposes that his or her early retirement option will take effect. For example, a faculty member who wishes to request early retirement to take effect after the conclusion of the 2019/2020 academic year shall submit a request for early retirement by December 1, 2018. Exceptions to the notification requirements require the approval of the President in consultation with the VPAA/DoF and the school dean.

3.3.5 Special Faculty Honors for Retiring Faculty

See Chapter 4, Emeritus Status & Order of Cumberland & Tollefson, *Faculty Rights & Privileges*, "Honors and Awards."

3.3.6 Termination and Sanction of Faculty

3.3.6.1 Termination of Faculty

Termination of an appointment with continuous tenure, or termination of a tenure-track or term appointment before the end of the term specified in a faculty member's current contract may be effected by the institution only for adequate cause, due to financial exigency, or program closure.

See also *Non-renewal of Non-tenured and Tenure-track Faculty*

3.3.6.2 Dismissal for Cause

Faculty members may be terminated for cause or other sanctions imposed (see, *Sanctions*) in the circumstances described above, on the following bases and upon a showing of clear and convincing evidence.

- Upon breach of contract through refusal or inability to perform the duties normally assigned an individual of the stated rank and position, or through neglect of academic and professional responsibilities.
- Due to prolonged mental or physical illness to the extent that such illness materially impairs performance of essential duties and cannot be reasonably accommodated to allow the faculty member to perform the essential functions of her or his job and/or is not otherwise protected by law.
- Due to professional incompetence and repeated unsatisfactory performance not remedied by developmental efforts. (See also *Post-Tenure Review*)
- Due to willful, reckless, and/or serious violations of policies not otherwise protected by law including, but not limited to, the Faculty Handbook, the Employee Handbook, the BVU Code of Conduct, Human Resources policies, or standards of professional conduct.
- When the faculty member is convicted of or enters a plea of guilty or nolo contendere to a crime that is (1) punishable by a custodial penalty and/or (2) related to the faculty member's employment. This provision generally includes crimes or their penalties that have a negative effect on the ability of the faculty member to carry out his or her professional responsibilities and/or adversely affects the University's business or reputation, and is not otherwise protected by law or University policy.
- For engaging in fraudulent activity, reckless behavior, tortious behavior, unlawful behavior, or other conduct that creates an unjustified risk to the health, safety, or well-being of others in the University community and/or creates a significant adverse effect on the business or reputation of the University and is not otherwise protected by law or University policy.

3.3.6.3 Sanctions for Cause

Short of dismissal, sanctions for cause may be appropriate in some cases at the discretion of the University President or the VPAA/DoF. (See *Dismissal for Cause*.) Sanctions selected should be proportionate to the severity, frequency, and/or flagrant nature of the infraction. Sanctions for cause may include, but not limited to, things such as oral or written warning or reprimand, loss of privileges, removal and reassignment, restitution, probation, suspension and/or compliance with other stated conditions for a specified period.

3.3.6.4 Summary Suspension

Summary suspension is an action which requires a faculty member to immediately leave University property and events and not return during the suspension period, and/or to comply with other state conditions for a specified period. Summary suspension may be imposed upon a faculty member by the President of the University when there is reason to believe, based on available facts, that the faculty member represents a threat or potential threat of danger or disruption to the safety, health, or welfare of himself or herself, other persons, or property. A faculty member who is summarily suspended shall be given a verbal or written explanation of the reason for the suspension, the duration of the suspension, and any conditions that may apply. The faculty member may, within three business days, submit a written statement to the University President requesting that he or she consider (a) the reliability of information concerning the faculty member's conduct; and (b) evidence that may mitigate a finding that the faculty member represents a threat or potential threat of danger or disruption to the campus community. Summary suspension is a temporary emergency measure designed to preserve the safety of the campus community, preserve the status quo until a final decision can be made in the case. Summary suspension is not eligible for appeal under the *Appeal* provisions in this chapter. Following the imposition of summary suspension, reasonable efforts to expedite the usual investigation and disciplinary process will be made.

3.3.6.5 Dismissal Due to Financial Exigency

The Board of Trustees may declare a necessary reduction in force due to financial exigency. Financial exigency means an urgent need to reorder the nature and magnitude of financial obligations to restore or preserve the financial ability of the University and to preserve and sustain the academic mission of the University. Financial ability means the ability to provide from current income, both cash and accrued, the funds necessary to meet current debt payments and sound reserves, without invading or depleting capital. Reductions in force will be carried out in accordance with the policies listed in *Termination Procedures*. See also, *Notice* and *Appeal*.

3.3.6.6 Dismissal Due to Program Closure

Termination of an appointment with continuous tenure or a probationary or special appointment before the end of the specified term may occur as a result of *bona fide* formal discontinuance of a program. A program is defined as a major, a minor, or a related cluster of credit-bearing courses that constitute a coherent body of study within a discipline or set of related disciplines identified as such by distinct faculty action.

The decision to formally discontinue a program will be based upon educational considerations. Educational considerations do not include cyclical or temporary variations in enrollment. Educational considerations reflect long-range judgments that the educational mission of the institution will be enhanced by the discontinuance. Program closure and resulting terminations will be carried out in accordance with the policies listed in *Termination Procedures*. See also, *Notice* and *Appeal*.

3.3.6.7 Termination Procedures

Termination of a faculty member for cause, including termination of a tenured faculty member or termination of an untenured or term faculty member prior to the expiration of the faculty member's current contract, may be effected by the VPAA/DoF or the University President. (See, *Termination*).

Process for Reductions in Force Due to Financial Exigency or Program Closure

A declaration of financial exigency or a decision to formally discontinue one or more programs accompanied by a reduction in force shall be made by the Board of Trustees. A formal discontinuance of one or more programs not accompanied by a reduction in force shall proceed through the ordinary governance process. If a declaration of financial exigency is imminent, the Board of Trustees shall notify the President, the VPAA/DoF, and the Chair of the Faculty Senate in writing. The President, the VPAA/DoF, or the Board of Trustees may propose the formal discontinuance of one or more programs, as described, whereupon written notice shall be sent to the President, VPAA/DoF, and the Chair of the Faculty Senate. The notice shall indicate the proposed action, a rationale, and an indication of the likely scope of the reduction in force. Within ten working days from the date of the receipt of notification to the Chair of the Faculty Senate, an elected body of the faculty shall be assembled.

The elected body shall include one representative from each school. Each school shall meet and discuss who shall serve as the school's representative. At the conclusion of the discussion all full-time faculty members in the school shall vote to select their representative by secret ballot. The faculty member who receives the most votes shall serve as the school's representative. In the case of an even number of representatives, the immediate past chair of the Faculty Senate shall serve as a member of the elected body and shall vote only in the case of a tie.

The elected body shall offer its recommendations to the Board regarding:

- in the case of financial exigency, whether financial exigency exists or is imminent as part of an overall assessment of the institution's financial condition;
- in the case of a formal discontinuance of a program, whether the educational mission of the institution will be enhanced by the discontinuance;
- in the case of an accompanying reduction in force, whether all reasonable alternatives to reduction in force have been pursued.

The elected body shall have 30 working days to prepare a report and recommendation answering the applicable question(s) and to offer its recommendation for responding to the financial exigency, proposed program closure, and any necessary reduction in force. To aid the elected body in producing its recommendation, relevant evidence shall be made available to the elected body in a timely way and in no case later than ten days prior to the date when the final report and recommendation are due. Administrators and faculty directly affected by the decision shall have the opportunity to present evidence in a written report for consideration by the elected body, and that report shall be submitted along with other relevant evidence and the elected body's report for the Board of Trustee's consideration. If

the elected body does not submit recommendations, the President shall exercise his or her discretion in responding to the notification of impending financial exigency or proposed program closure.

3.3.6.8 Priorities for Termination in the Case of Reduction in Force

Where a reduction in force due to financial exigency or program closure is necessary, the following protocol for terminations shall adhere:

- First: reductions in force shall be effected via attrition through resignation and retirements.
- Second: faculty not on tenure track (e.g. term, part time or adjunct faculty)
- Third: untenured faculty who hold a tenure-track line
- Final: tenured faculty

Within each category, decisions regarding necessary terminations shall be made based upon seniority, as measured by rank and the length of service in rank at BVU unless serious damage to the maintenance of a remaining viable program(s) would result. A tenured faculty member will not be terminated in favor of retaining a faculty member without tenure except in unusual circumstances where a serious distortion of the academic program would otherwise result.

3.3.6.9 Assistance in Reassignment and Relocation

In the event a tenured faculty member is terminated for reasons of financial exigency or program closure, every effort will be made by the University to reassign the faculty member to a suitable position at the University. When possible, this reassignment should be in a teaching position for which the faculty member is qualified, and the faculty member's tenure will be maintained. If reassignment is not possible, the University will make reasonable efforts to assist the faculty member in finding suitable employment outside the University. Reasonable re-training and/or financial assistance and/or severance will be provided when possible, particularly in the case of program reduction unrelated to a declaration of financial exigency.

See also, *Notice* and *Appeal* provisions.

3.4 Appeal of Employment Decisions

Faculty members have the right to appeal a significant adverse employment decision. Appeals are heard by the Faculty Appeals Committee. A faculty member is limited to one appeal per case. Adverse employment decisions that may be appealed are:

- Suspension for Cause (excludes temporary or summary suspension)
- Termination
- Non-reappointment
- Negative promotion and/or tenure recommendation by the VPAA/DoF

- Denial of promotion and/or tenure by the President
- VPAA/DoF's decision to place a faculty member on triggered post-tenure review
- Negative triggered post-tenure review recommendation by the VPAA/DoF
- Decision to revoke tenure
- Denial of due process in significant employment decisions
- Decision against manifest weight of the evidence
- procedural error
- abuse of discretion
- Other bases as provided by the provisions of this Faculty Handbook

Process

An aggrieved faculty member who wishes to appeal must file a written notice of appeal with the Faculty Appeals Committee within five business days after the faculty member knew or reasonably should have known of the adverse employment decision. An adverse employment decision may include any of the bases for appeal listed, above. A copy of the notice must be provided to the Associate Dean of Faculty, the VPAA/DoF, and the President. The notice of appeal must state the basis for appeal and should include a brief explanation. See form, *Appendix*.

The chair of the Faculty Appeals Committee shall schedule a closed hearing to take place no earlier than 15 business days and no later than 20 business days after the notice of appeal was filed. The chair of the Committee shall send to the faculty member notice of the time and place of the hearing. A copy of the notice must be provided to the Associate Dean of Faculty, the VPAA/DoF, and the President.

The Associate Dean of Faculty shall represent the University and present the case for the institution at the Faculty Appeals hearing. The VPAA/DoF may be present at the hearing and may testify as a witness at the hearing.

The parties are entitled to have an advisor present at the hearing, including legal counsel. The role of each party's advisor will be to consult with the party at reasonable intervals during the course of the hearing. The advisor may not address the Faculty Appeals Committee or other persons at the hearing unless permitted to do so by the chair of the Committee.

At least five business days prior to the hearing, the parties must provide to the committee and to one another a list of witnesses. The parties shall then have at least two business days to amend their list of witnesses.

The parties shall have the power to:

- Compel witnesses with relevant information to appear at the hearing
- Cross-examine opposing witnesses directed through the committee chair at the hearing
- Request from the opposing party, for the purposes of the hearing, production of relevant documents and evidence. Requests for documentation must be reasonable and each party has the right to object to the production as irrelevant or unduly burdensome. If the Committee rules that the request is reasonable, the opposing party shall comply with the request. Willful failure to comply with the

request will result in the requested evidence being construed against the party who refused the request.

Hearings are confidential, though the outcome of the final decision is not necessarily confidential. Hearings are non-adversarial in that the parties shall not directly address witnesses or one another. Rather, questions shall be directed to the Committee Chair who may then relay questions to the other party or to witnesses. Evidence presented at the hearing may include relevant evidence, whether testimonial evidence, documentary evidence, or tangible evidence. Relevant evidence is that evidence that has a tendency to make any important fact or element of the case more probable or less probable than it would be without the evidence. Witnesses must testify truthfully and may provide only relevant information about which they have firsthand knowledge.

See also, Faculty Appeals Committee Hearing Checklist, *Appendix*.

Committee Decision and Recommendation

At the conclusion of the hearing, the Committee shall deliberate and consider all relevant evidence presented on the record. The Committee shall provide a written recommendation to the President, recommending that the adverse employment decision be:

- Upheld
- Reversed on one or more of the following grounds:
 - the negative decision was against the manifest weight of the evidence such that no reasonable finder of fact could have ruled in favor of the decision made.
 - it is more likely than not that the decision was a result of procedural error and/or an abuse of discretion; and the procedural error and/or abuse of discretion was/were sufficiently prejudicial to have affected the outcome of the decision.
 - Returned to the President and the VPAA/DoF for reconsideration and further investigation because key evidence was unavailable and could not have been considered at the time the negative decision was made.

The written recommendation of the Committee shall also include a statement of rationale explaining the committee's conclusion(s) and any dissenting opinions. A copy of the Committee's written recommendation shall be sent to the President, the VPAA/DoF, and to the parties within a reasonable time, usually within five business days, after the conclusion of the hearing.

The Final Decision

The President shall consider the Committee's recommendation and reach a final decision in the case. The President shall report his or her final decision in writing within a reasonable time, usually within ten business days, to the VPAA/DoF and to the parties. The President's decision, along with the written recommendation of the Committee shall be forwarded through the President to the Board of Trustees in order that the Board may remain informed about the case. If the decision being appealed is a decision by the University President to

revoke a faculty member's tenure, the Board of Trustees shall consider the President's decision, along with the Committee's recommendation and reach a final decision in the case, by majority vote. The Board of Trustees shall report its final decision in writing within a reasonable time, usually within ten business days, to the President, the VPAA/DoF, and the parties.

Chapter 4. Faculty Rights and Privileges

This section is currently under revision. Revision dates noted in effected policies.

4.1 Academic Freedom

Revised Spring 2018

Introduction

Buena Vista University's Academic Freedom policies are adopted to enable the University to protect academic freedom and uphold the requirement of academic due process. The principles implicit in these regulations are for the benefit of those affected by the policies and programs of the institution. A university is a marketplace of ideas, and it cannot fulfill its purposes of transmitting, evaluating and extending knowledge if it requires conformity with any orthodoxy of content and method. In the words of the United States Supreme Court, "No one should underestimate the vital role in a democracy that is played by those who guide and train our youth. To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation.... Teachers and students must always remain free to inquire, to study, and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die." *Sweezy v. New Hampshire*, 354 U.S. 234, 250 (1957).

Statement on Academic Freedom

As stated in the American Association of University Professors (AAUP) 1915 Declaration of Principles on Academic Freedom and Academic Tenure a teacher's "[a]cademic freedom ... comprises three elements: freedom of inquiry and research; freedom of teaching within the university or college; and freedom of extramural utterance and action."

Members of the Buena Vista University faculty, regardless of their type of appointment, are entitled to academic freedom as defined in the AAUP's 1940 Statement of Principles on Academic Freedom and Tenure. The Statement indicates, verbatim:

- a. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- b. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of appointment.
- c. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

(See, full text of the Statement, *Appendix*)

Faculty Development

The faculty members of Buena Vista University are dedicated to their students' educational and personal welfare and to their own professional and personal development. From the most recently hired to the veteran, faculty members who continue searching and learning are crucial to the excellence of Buena Vista University.

Buena Vista University faculty members are expected to be teachers, scholars and community servants; however, their primary commitment is to teaching excellence. Such excellence results from reading and writing within specific disciplines and incorporating new data into courses, as well as adopting worthwhile teaching methods and entering into lively intellectual interaction with colleagues on campus or at professional meetings off campus.

Recognizing the importance of individual and corporate faculty growth, Buena Vista University supports the following development opportunities:

The Sabbatical

The program is for tenured faculty. Sabbatical may be for five months with full pay or nine months at half pay. Faculty members will be relieved of all teaching duties and other responsibilities in order to fulfill the sabbatical.

The maximum number of institutional sabbaticals shall be three per year; Wythe award sabbaticals do not count against this total number. There are three categories of sabbaticals, from which proposals will be selected (depending on merit): (1) to improve teaching; (2) to do research; and (3) for professional development such as administration or program retooling.

Faculty members seeking such a leave will submit a proposal (using the form provided by the Dean of Faculty), and the decision will be made on a competitive basis. Each proposal must include all of the following elements:

- A completed cover sheet form, identifying the faculty member, the project, the faculty member's leave history, and the time period during which the proposed sabbatical leave is to take place, along with the signatures of the faculty member and the dean of that individual's school (indicating that the dean is aware of, supportive of, and prepared to make all of the relevant staffing and course arrangements required by the proposal)
- An abbreviated CV representing the faculty member's period of service at BVU
- 3. A detailed document about the project, which must include:
 - A description of the project's goals
 - Information about the location(s) in which work on the project will be conducted
 - A timeline or schedule, indicating how the leave time is to be used
 - A detailed account of the procedures to be used to accomplish the described goals (lab or library research, participation in a class, etc.); the faculty member may also include any existing materials representing work begun on the project (bibliography, collected data, etc.), if applicable
 - A resource description, detailing both what the faculty member will need from the university and what benefits the university can expect as a result of this project; if the faculty member has acquired external funding (grant money, for example), a description of the grant award should be included.
 - A general description of a suggested evaluation process to be used by the faculty member, the dean of her/his school, and the Dean of Faculty to determine whether the given goals of the project have been met. The evaluative process in question must include some form of documentation or presentation that sums up and offers some self-critical reflection on the work done for the benefit of those charged with evaluating it.

Faculty receiving a sabbatical will not be eligible to enter competition for another for the next four years, unless in the opinion of the University another sabbatical would distinctly enhance the University. This exception would be rare, and the four-year period would normally apply.

The sabbatical will be granted by the Board of Trustees upon recommendation of the President. The Deans of the Schools and the Dean of Faculty will serve together as a screening committee for the proposals. Faculty utilizing a sabbatical opportunity are expected to return to the University for at least one year after the experience.

Financial Assistance for Advanced Study

Buena Vista University will provide a grant to selected faculty members of one-third salary for one year to permit attendance at a college or university to do advanced work on a doctor's degree. Such a grant shall be provisional upon the faculty member returning to a position at Buena Vista University. Financial assistance for advanced study is negotiated by the Vice President of Academic Affairs and the faculty member.

In addition, the University will provide a loan for an amount up to \$3,600. All funds will be made available on a schedule negotiated by the University and the faculty member. Loan arrangements are made with the Business Office Manager.

Faculty Development Accounts

The University provides financial support to faculty members for the following faculty development opportunities:

1. Faculty Travel Funds (Professional Meetings) (FT)

Each fiscal year the Dean of Faculty/VPAA budgets \$500 for each full-time faculty member to attend professional meetings. To access these funds, please follow the procedures listed below.

2. Faculty Development Special Projects (FDSP)

Full-time faculty members are given \$1,000 in faculty development special projects funds each year that can be used for expenses/professional development materials that aren't covered by faculty travel funds. Money in this account can not be carried over to the following fiscal year. To access these funds, please follow the procedures listed below.

Faculty members using faculty travel and faculty development funds to support travel expenses are required to submit an electronic travel request form itemizing estimated expenses. Electronic request forms need to be submitted to the Dean of Faculty Adm.Asst. for VPAA review. If a travel advance is needed, the travel request form must be submitted at least three weeks prior to the date the advance is needed.

Equipment purchased with Faculty Development Special Projects funds become the property of the University. If an employee leaves the University's employment, the equipment remains with the University unless the VPAA grants permission for the employee to take the equipment with him or her.

If an employee is allowed to take the equipment upon leaving the University, the fair market value of the item must be treated as taxable income to the individual. The fair market value of the equipment will be determined based on the five-year equipment depreciation scale used for equipment at the University.

Faculty Development Grants

Procedures for submitting proposals

All faculty members eligible to vote in Faculty Senate elections are eligible for Faculty Development Grants. The Faculty Development Committee will review and consider minigrant applications four times per academic year. Review dates will be communicated, via e-mail, in advance.

The Committee may modify the requirements and policies of the grant process with due notice given to faculty.

Contact the Dean of Faculty Office to access the funds awarded by the Faculty Development Committee.

Personal Level Grants (Up to \$1,000 per individual)

The intent of this program is to support individual faculty members who are actively engaged in a specific scholarly or professional development project. Faculty must demonstrate that they have, or will, exhaust their personal level development accounts (\$1000 general and \$500 travel) to be considered for funding from the Faculty Development Committee. Awards are competitive, and amounts awarded are subject to availability of funds and committee discretion. Faculty who have not received personal level support from the Committee during the current academic year, all other things being equal, have precedence over those who have. In addition, faculty who have not recently received personal level support from the Committee, all other things equal, have priority over those who were funded in the prior academic year.

Funds may be used to:

- pay tuition for scholarly or professional courses,
- purchase specialized equipment, specialized software, and/or books directly related to a specific scholarly or professional development project and which are not available elsewhere on campus. **When purchased, these items become the property of Buena Vista University.** **
- pay travel, lodging, meals (it is expected that faculty will have exhausted the Dean of Faculty discretionary travel funds before they will be eligible for personal level faculty development mini-grants for travel),
- pay other related expenses (subject to committee approval).

Additional funds may be available depending on demand and discretion of the committee.

Applications may be submitted at any time prior to the start date of the project. The Faculty Development Committee will review and consider mini-grant applications four times per academic year. In order to receive full consideration, applications must be turned in by the deadline for that quarter. A description, containing 500 or fewer words, that includes a statement of purpose for the project, the goals/objectives, expected benefit to the applicant, and an itemized budget are required. Consultation with a member of the Faculty Development Committee is recommended.

Upon completion, each individual will be expected to: (1) summarize briefly the nature of the learning experience and to evaluate its effectiveness (for future use by faculty interested

in pursuing similar training); (2) be available to make informal presentations upon request by others at the university (e.g. Faculty Friday presentations).

Grants may be used for time devoted to a project or pay stipends or wages related to a project. Faculty who have resigned from the University or whose contracts have not been renewed are also not eligible for faculty development funds.

Funds should be expended within the time frame indicated in the grant proposal or as otherwise specified by the Committee. Unused funds revert back to the Committee. Funds are only to be used for the project as approved by the committee.

If a faculty member receives a travel advance for faculty development grants, a completed travel voucher (with receipts attached) needs to be submitted to the Dean of Faculty Office within 60 days from the date of issuance of the advance or June 30th, the end of the fiscal year, whichever comes first. Failure to submit a completed travel expense voucher for a travel advance within the timeframe listed above will result in that amount will be submitted to the Payroll Department so it can be added to your payroll earnings record.

Reimbursement for expenses must be submitted to the Dean of the Faculty Office prior to the end of the fiscal year (June 30th). If expenses will be incurred after June 30, you need to contact the chair of the Faculty Development committee, so those funds can be set aside for your use after July 1.

Faculty who do not receive full funding for their project from the Faculty Development Committee are encouraged to request additional funds from his/her school Dean and/or from the Dean of the Faculty.

****Equipment purchased with Faculty Development Funds becomes the property of the University. If an employee leaves the University's employment, the equipment remains with the University unless the VPAA grants permission for the employee to take the equipment with him or her. If an employee is allowed to take the equipment upon leaving the University, the fair market value of the item must be treated as taxable income to the individual. The fair market value of the equipment will be determined based on the five-year equipment depreciation scale used for equipment at the University.**

Secondary Century Small Group Grants (Up to \$5000 per group)

The intent of this program, supported by the Second Century Faculty Endowment, is to provide support to groups of faculty for collegial, pedagogical, professional, and scholarly development. Pooling funds across schools for interdisciplinary or cross-school projects is encouraged.

Groups may be funded up to \$5000. Experiences may include but are not limited to: attendance at regional/national conferences and workshops, on-campus workshops or speakers, summer courses, collaboration with colleagues at other institutions, visits to other colleges and universities, occasional working dinners, or any other activities deemed useful by participants. Receipts must be submitted to the Dean of Faculty for final processing.

Groups of faculty may submit applications for funds, which should describe, in approximately 500 words: (1) goals for the group; (2) anticipated training needs/resources;

(3) a projected itemized budget; and (4) plan for evaluating outcomes. Applications may be submitted at any time. The Faculty Development Committee will review and consider applications four times per academic year. Applications must be received by the Committee 48 hours prior to the meeting.

Upon completion, each group will be expected to: (1) summarize briefly the nature of the learning experience and to evaluate its effectiveness (for future use by faculty interested in pursuing similar training); (2) be available to make informal presentations upon request by others at the university (e.g. Faculty Friday presentations).

The disbursement of funds is handled through the Dean of the Faculty's office.

Funds should be expended within the time frame indicated in the grant proposal or as otherwise specified by the Committee. Unused funds revert back to the Committee. Funds are only to be used for the project as approved by the committee. Within 60 days from the completion of the project (or June 30th, the end of the fiscal year, whichever comes first), a completed expense voucher with attached receipts, appropriate signatures and correct account number(s) must be returned to the Dean of Faculty Office for processing. **Any advance or prepaid expenses where paperwork is not turned in within 60 days (or June 30th, the end of the fiscal year, whichever comes first) will be submitted to the Payroll Department and reported as income.**

Groups who do not receive full funding for their project from the Faculty Development Committee are encouraged to request additional funds from the Dean of the Faculty.

Adjunct Grants

The intent of this program is to augment individual scholarly and professional development efforts of adjunct faculty at all BVU locations. Applicants are asked to submit a standard form, including a statement of support from their appropriate Dean, Site Director, or the Director of Online Programs; a description of the purpose of their project; and an itemized budget.

Total amount funded for adjunct faculty at all locations is \$5,000: thus, it is the Committee's intent to fund individual projects up to \$500. Additional funding may be available depending on demand and discretion of the committee. Types of funded support include tuition, conference fees, specialized equipment software, or books (*these items become the property of BVU*), travel, and copying. Other unspecified expenses (subject to Committee approval) may be included. Ineligible are reimbursement for time devoted to a project and stipends. Funds are disbursed through the VPAA/Dean of the faculty Office.

Funds should be expended within the time frame indicated in the grant proposal or as otherwise specified by the Committee. Unused funds revert back to the Committee. Funds are only to be used for the project as approved by the Committee. Within 60 days from the completion of the project (or June 30th, the end of the fiscal year,

whichever comes first), a completed expense voucher with attached receipts, appropriate signatures and correct account number(s) must be returned to the Dean of Faculty Office for processing. Any advance or prepaid expenses where paperwork is not turned in within 60 days (or June 30*, the end of the fiscal year, whichever comes first) will be submitted to the Payroll Department and reported as income.

Also within 60 days of completion of the project or by the end of the fiscal year, whichever comes first, submit a brief statement to the Faculty Development Committee that tells what you accomplished. These requirements must be fulfilled before the committee will consider any future funding requests.

Second Century Special Programs Grants

The intent of this program, supported by the Second Century Faculty Development Endowment, is to bring speakers, workshops, and other programs to campus to the benefit of specific departments, schools, or offices, including academic and coaching, library, and Center for Academic Excellence. Other departments/offices may apply if the proposed program will have significant impact on faculty development. Proposed programs can also be for the benefit of the wider academic community. Grants for program expenses and supplies will be considered up to \$5000.

Applicants must turn in a standard form, including an itemized budget and a description of the purpose of the program and the department(s), school(s), and/or academic office(s) that will benefit.

Amount funded is up to \$5000; additional funding may be available depending on demand and the discretion of the committee. Funds are disbursed through the Dean of the Faculty.

While this grant is meant to support programs of specific appeal, all funded programs must be announced to the SL campus and offsite and online communities in a timely manner so people have a chance to determine their own interest and to attend if they choose. *Note* Please mention "Supported/supported in part by the BVU Second Century Faculty Development Endowment" on promotional materials, posters, etc.

Within 60 days from the completion of the project (or June 30th, the end of the fiscal year, whichever comes first). A completed expense voucher with attached receipts must be returned to the VPAA/Dean of the Faculty Office. Any advance or prepaid expenses where paperwork is not turned in within 60 days (or June 30th, the end of the fiscal year, whichever comes first) will be submitted to the Payroll Department and reported as income.

Also within 60 days of completion of the project or by the end of the fiscal year, whichever comes first, submit a brief statement to the Faculty Development Committee that tells what you accomplished. These requirements must be fulfilled before the committee will consider any future funding requests.

New Century Faculty Development Award for Advising

At the May faculty/staff recognition dinner, the Faculty Development Committee will present an award to recognize one or two members of the Storm Lake campus full-time faculty whose advising serves as an exemplar.

In April each Dean may nominate up to three faculty members for the award. The deadline for nominations will be announced annually. Nominees will write a 250 word statement explaining their advising philosophy and duties.

The Faculty Development Committee may grant one or two awards each year, as the committee sees fit. The committee reserves the right not to grant an award in any given year. Each award is \$500, which the recipient may choose to receive as cash or as faculty development funds.

Award Criteria - The committee will consider effective advisors as those whose advisees

- Achieve their intellectual/creative potential.
- Evidence could include sponsorship of Scholars Day presentations, shows or presentations at external venues, publications, awards, etc.
- Achieve academic success in their program of study
- Evidence could include registering for appropriate classes, improvement in GPA, and timely graduation.
- Exhibit a record of success leading to their desired goal(s)
- Evidence could include successful admission to jobs or to graduate and professional programs.
- Exhibit overall satisfaction with the advising interaction
- Evidence could include successful management of advisee load and the relative success of those advisees.

New Century Faculty Development Award for Research or Creative Work

At the May faculty/staff recognition dinner, the Faculty Development Committee will present an award to recognize a member of the Storm Lake campus full-time faculty for a single item of research or creative work performed, presented, exhibited, or published in the previous calendar year.

In April, each Dean may nominate up to three faculty members for the award. The deadline for nominations will be announced annually. Nominees will write a 250 word statement explaining the project and its worth, using the criteria listed below. Nominees may also include other pertinent information/pictures/other items.

The Faculty Development Committee may grant one or two awards, as the committee sees fit. If two awards are granted, they may both be for research, both be for creative work, or

they may be one of each. Each award is \$1000, which the recipient may choose to receive as cash or as faculty development funds. Collaborators will be considered together as one recipient and will divide the award money. The committee reserves the right not to grant an award in any given year.

Research award nominations may include (but are not limited to) publication of academic work (book, paper, monograph, book chapter, etc.), poster session, or conference presentation.

Creative award nominations may include (but are not limited to) artwork, media arts, performance arts, literary arts, and the essay (including essay writing in the sciences, social sciences, etc.).

Award Criteria - For both creative and researched work, the committee will consider the prestige of the "venue" (place, publisher, etc.), impact of the work on the national, local, or academic community, and/or effect on student learning. Work that was published/performed/presented *exclusively* on the Storm Lake campus does not qualify for this award.

Reimbursement for Expenses

All reimbursement for travel, public relations, recruiting and entertainment expenses are to be submitted on a travel expense voucher which can be obtained in the Business Office.

Travel vouchers must include the following:

- Receipts of daily itemized expenditures for meals, lodging, travel, personal car mileage and miscellaneous purchases. A receipt is required for meals over \$5.
- Receipts for meals, lodging, gift and miscellaneous purchases are necessary when recruiting, entertaining donors, trustees or guests. The following information should be attached to each voucher: a) The names of the individuals, guests, trustees or donors receiving this gratuity; b) The place of expenditure; c) The date of the expenditure; d) The purpose of the expenditure; and e) The items or gifts that were purchased. This includes purchases charged to personal credit cards.

Exceptions to the above may only be approved by a Vice President or President.

Alcoholic beverages are not reimbursable by the University. Requests to present gifts or serve alcoholic beverages at University functions may be approved on a case-by-case basis by the Vice President of Academic Affairs or the President. The purchase of alcoholic beverages may be reimbursed only by permission of the Vice President of Academic Affairs or the President.

Travelers are responsible for making their own travel arrangements such as airline tickets, lodging and meals. In the case of out-of-state travel where airline travel and lodging are necessary, the use of local travel agencies may be recommended. It is the responsibility of the traveler to use the most economical method of travel.

The University provides travel advances only in cases when there is a need for a large amount of funds to be used for a trip. Faculty members using faculty travel funds, faculty development special project funds, or faculty development funding awarded by the Faculty Development Committee need to submit a travel request form to the Dean of Faculty at least seven (7) days prior to the date of the trip. The travel request form provides the applicant with the option of requesting a travel advance. If the advance is requested, the Dean of Faculty Office will process the paperwork for the advance.

In cases where a traveler is given a travel advance, the excess funds must be returned to the Business Office with the travel voucher before another travel advance can be issued.

All travel expense vouchers for expenses occurred must be submitted within 60 days of receiving a travel advance. Failure to do so will result in the amount of the travel being submitted to payroll as income to the individual.

Use of University vehicles is based on the availability of these vehicles on the dates a traveler may need them. A form signed by a School Dean or Vice President of Academic Affairs must be completed when reserving a vehicle. This must be turned into the Business Office to complete the reservation. Departmental charges for University vehicles are adjusted periodically depending in the actual costs of operating these vehicles. The use of University vehicles is more economical than for individuals to use their own vehicles and be reimbursed. University vehicle use by a person not employed by or attending the University is forbidden and may lead to termination.

Travelers using their own personal vehicles must list the mileage and the location of travel daily for each reimbursement claim. Reimbursement is at a rate that is adjusted periodically depending on the actual costs of operation.

The Purchasing Manager in the Business Office can provide information on economical rates available from car rental firms.

The University suggests that travelers use travelers checks when large sums of money are needed for a trip.

Wythe Award

In striving for excellence, an independent liberal arts college relies first and foremost on the quality and ability of its faculty. Without well-trained and competent faculty members, excellence in higher education becomes nothing more than a byword. With this fact in mind, Paul and Vivian McCorkle have created a special endowment fund specifically designed to enhance the educational excellence of this institution through faculty development.

Buena Vista University is most pleased that Paul and Vivian McCorkle have established this fund. Thus, it is with a deep sense of appreciation for the McCorkles' interest in faculty development and in their willingness to make a substantial gift in this area that we present the following guidelines for the use of the endowment they have created.

The fund shall be known as the Paul and Vivian McCorkle Endowment Fund for Faculty Development.

The actual award to faculty from this fund shall be known as the George Wythe Award, in honor of the great teacher who had such a tremendous influence on the life and work of Thomas Jefferson. The award will read “The George Wythe Award is made possible by the Paul and Vivian McCorkle Endowment Fund for Faculty Development.” The recipient shall be known as the George Wythe laureate.

The award will be given at the end of the second semester (spring) of each academic year.

At the close of the fiscal year preceding the award (e.g. June 30 preceding the next May), the financial office of the College will determine the amount of funds available for the upcoming award by using the following guidelines:

The principal of the Endowment Fund and any subsequent gifts to it as well as any net appreciation shall not be expended. The amount of the award will be based on interest income from the above appreciated principal. These available funds shall become the stipend awarded to the George Wythe laureate. The stipend may be up to 8% of the appreciated principal. Any interest earnings over 8% shall be returned to the principal in an attempt to keep the principal equal to the current value of the dollar. If less than 8% interest income is earned on the appreciated principal, the stipend may only be awarded for that income amount. The appreciated principal cannot be violated.

The appreciated principal of the endowment shall be kept in trust by the University and managed by the University or its designee and shall not be invaded. No allocation of funds for awards may be made if the award will dip into the appreciated principal.

Selection Guidelines

The award is for excellence in teaching. Its purpose is to enhance the quality of teaching at Buena Vista University. It is not intended to reward individuals for long service or popularity.

Both tenured and non-tenured faculty may be considered for the award.

Receipt of an award in a previous year should not disqualify a faculty member from receiving the award in a current year.

The Committee Members

A faculty committee will be in charge of selecting the annual recipient of the George Wythe Award for excellence in teaching. This award is to be made annually to an excellent teacher and is to be used to enhance the recipient’s effectiveness and affectiveness as a teacher.

The committee will consist of seven faculty members; six of whom are tenured and one of whom is not tenured.

Of the tenured faculty members, each School will elect its own representative(s): two will be elected by the School of Communication and Arts; the remaining Schools will elect one tenured faculty member each.

Election will be by majority vote of all (tenured and untenured) faculty members in each School.

These six tenured faculty will serve staggered three-year terms on the committee.

There will be one untenured faculty member on the committee who will be elected to a three-year term by majority vote of the entire University's non-tenured faculty members. The office of the Dean of Faculty will administer this election. Should the elected nontenured member receive tenure before the three-year term expires, committee membership must be relinquished to an elected successor.

The committee chair will inform the appropriate Dean when a vacancy exists, or will exist, in a timely manner which will permit the vacancy to be filled by above procedures.

The initial Wythe Committee will be composed of two faculty who will serve three-year terms, two faculty who will serve two-year terms, and two faculty who will serve one-year terms. These initial terms will be decided by drawing lots except that the two members from the School of Communication and Arts must have staggered terms. The representative of the non-tenured faculty will be elected for a three-year term. All subsequent new members will serve three-year terms which will end following the public announcement of the award in the appropriate year.

Members of the Wythe Committee are not considered prime candidates for the Wythe Award, but need not necessarily be eliminated either. If a member is nominated for the award, he/she may accept or decline the nomination. If declined, membership on the committee will be maintained. If accepted, the member will be replaced on the committee by a newly elected faculty representative from his/her constituency.

The Chair is not eligible to be nominated for the Wythe Award. The Chair will be chosen annually at a meeting following the presentation of the award by majority vote of the committee members. At this meeting, any newly elected committee members will also participate, replacing members whose terms have expired.

Nomination and Selection

During the first (fall) semester of each academic year, the committee will invite nominations. The committee will inform the general community in an appropriate manner that the nomination process has opened and set a deadline or closing date for nominations. Nominating letters may come from deans, administrators, faculty, current students, former students or the committee members. Faculty may nominate themselves. The committee is not looking for extensive supporting documentation at this point, but letters of nomination should include nominator's reasons for recommending the faculty member.

Based on these letters of recommendation, the committee will select four or fewer major candidates for the award. These major candidates will be asked to provide a list of recommenders. From each candidate's list of recommenders, the committee will solicit recommendations from three (3) faculty colleagues, three (3) current students, three (3) former students and one (1) other source. A folder which contains all information on each candidate will be established.

The committee will make its decision based on all supporting material obtained as well as the judgment of its members. The standards of selection should include, but are not limited to:

Affectiveness and effectiveness as a teacher, including classroom performance, classroom assistance to students, advising, individual student projects undertaken, assistance with or guidance of extracurricular student activities.

- The candidate's potential for benefiting professionally from the award.
- The candidate's scholarly or professional development interests.
- The candidate's activities which have aided or encouraged colleagues toward more effectiveness in teaching.

From the final candidates, the committee may select two potential award winners through discussion. If consensus can be reached, so be it. If consensus is not possible, the Chair may use formal procedures to obtain a majority vote. The committee will rank order its first and second choices.

These rank-ordered choices, along with copies of the candidates' folders, will be forwarded to the President of the University who will also rank order his or her choices.

If the rankings of the committee and the President differ, the President will present both rank orders of the two potential award winners to the Board of Trustees at its annual spring meeting, where a final determination will be made. The President of the University will keep the Chair informed as this process proceeds.

In any given year, the committee, the President or the Board of Trustees may determine that there are no worthy recipients of the Wythe Award. If this unlikely event should occur, the money designated for the award will remain in the Paul and Vivian McCorkle Endowment Fund for Faculty Development as principal.

To facilitate the selection process, the folders will be maintained from year to year. The Chair will be responsible for the safekeeping of the folders. The material in the folders solicited from previous years will not enter into the committee's consideration until after the major candidates have been selected. Letters may be removed as they become dated or at the discretion of the committee. The candidate will receive a list of the names of those recommenders whose letters are in his/her file. The candidate may request that any or all of the letters be removed.

The Board of Trustees of the University may alter the nominations and selection process if deemed necessary, but only with due notice to the committee.

Logistics

The amount of the award will be determined annually by the financial officer of the University and must be used within five years of receipt of the award. Money held in the

Endowment for a laureate's use will function as principal until withdrawn by the laureate. Once the award amount is established for a given year/laureate, any interest earned on this award amount, if said money is not used immediately by the laureate, will be returned to the endowment as principal. Delay in using the award money will not increase the amount of the award.

Upon receipt of the award, the laureate may use the money in any way he/she deems appropriate to enhance his/her professional development and/or effectiveness as a teacher.

The George Wythe laureate is not limited to normal academic pursuits in fulfilling the purpose or obligation of the award, which is to be viewed as a continuing educational process. The laureate's range of options have been purposely left open but may include travel, study in his/her area of expertise or in a new area the laureate wishes to pursue, research or creative time, bringing guest scholars/teachers to campus, etc.

The disposition of the award is flexible. It may be used over a period of five years, during successive summers for example. The laureate need not request all funds available from the award in a particular fiscal year. No interest will accrue on unused funds for the benefit of the laureate, however. Said interest will be returned to the endowment as principal.

The award is to be spent to enhance the recipient's effectiveness and affectiveness as a teacher. It is not to be invested or spent in a manner inconsistent with the purpose of the award. The financial office will establish and administer an account for each recipient of the award. The recipient is to draw funds only as needed.

Any expenses incurred by the laureate in fulfilling the obligation of the award, up to the awarded amount, will be submitted to the financial office which will pay said expenses directly, or reimburse laureate, or advance laureate funds which will be accounted for by laureate to financial office following that office's guidelines.

A laureate requesting University-compensated leave time in association with the award must follow the procedures established in the faculty manual under "leave of absence" or "sabbatical." The customary University-compensated leave time associated with the award is one semester plus interim at full salary or one year at half salary. The University is not obligated to cancel previously arranged sabbaticals/leaves nor to accommodate the laureate in any given year if such accommodation will be detrimental to the educational program of the University. Under such circumstances, the laureate may request that the five-year limit on receipt of funds be extended. In the event that the laureate is not eligible for University-compensated leave time, the laureate may elect to receive uncompensated leave time.

The Wythe laureate will make a public announcement of his/her intention for fulfilling the obligations of the award prior to actually doing so.

It is expected that the recipient will share the experience publicly at the concluding end of the award.

Each recipient of the Wythe Award will be required to provide a written report of his/her experiences to the Dean of Faculty and the committee.

The selection committee will keep a permanent bound record of the written reports provided by each Wythe Award recipient for future reference and study.

As the fund increases, the award may not exceed the highest salary of a full professor at Buena Vista University. It is recommended that the excess be added to the principal with the goal of giving two annual awards, though the Board of Trustees may devise other methods of encouraging effective teaching at Buena Vista University.

If a recipient of the Wythe Award leaves the institution before using all or part of the award funds, the Award becomes null and void, and the designated funds will be returned to the endowment as principal.

The nomination and selection procedures established for selecting the recipient of the George Wythe Award will be formally evaluated by the Faculty Welfare Committee in 1991 and subsequently at least every ten years, or more frequently if deemed necessary by the Board of Trustees. Changes may be suggested at any time through the Faculty Welfare Committee. Such suggestions must be considered and approved by the Board of Trustees.

The existence of the Paul and Vivian McCorkle Endowment Fund for Faculty Development shall be perpetual.

In case the University ceases to exist, all funds of this endowment shall be turned over to the Iowa State University Foundation for National Merit Scholars. The fund shall be equally divided into two scholarship funds with the following titles: Vivian McCorkle National Merit Scholarship Fund and Paul McCorkle National Merit Scholarship Fund.

The awarding of these annual scholarships shall be left to the discretion of Iowa State University, and if the National Merit Scholarship Fund is a part of the University program, their rules may pertain if the University approves.

The McCorkle Fellows Program

Implementation: Policies and Practices Program Design

The Program consists of pre-travel faculty seminar, held in late May/early June, followed by faculty travel experience conducted in June, July or early August, and completed by an on-going faculty seminar held monthly during the academic year following the summer travel.

Each year, the McCorkle Fellows program will focus on a different region of the world (so, for example, one year Latin America, the next Pacific Rim, the next Africa, etc.).

Faculty members will apply for the McCorkle Fellows Award in the spring. A crossdisciplinary group of faculty members who are committed to internationalizing the curriculum will be selected as McCorkle Fellows. These Fellows will convene in a pretravel seminar, whose purpose will be to read scholarly works for a variety of areas related to that region, as a means of preparing for travel to that region. The pre-travel seminar will be followed by an educational immersion experience in the selected region (likely 10-14 days). The educational immersion experience will be followed by a yearlong faculty seminar, in which faculty who are teaching “regional” courses will gather on a monthly basis to continue to develop through reading and discussion their expertise in the region. The year-long seminar also includes support for a visiting scholars program. One or two faculty experts in the region will come to campus during the course of the academic year to lead workshops on topics and pedagogy related to the region under study.

At the conclusion of the fellowship year, each faculty member will submit a summary of their activities to the International program Director and the Dean of Faculty. This report should include an account of the manner in which a course or other educational experience that directly involves students has been modified by participation.

Eligibility

All faculty members who teach at least half-time for the University (both tenure track and non-tenure track) are invited to apply for acceptance into this program. Center faculty members/adjuncts who have taught for the University for a minimum of five consecutive years and who are teaching at least half-time (12 unites/year), are eligible to apply.

A. Although an individual may be selected as a McCorkle Fellow on more than one occasion, preference each year will be given to those who are qualified and who have never previously received this award, and no faculty member should receive the award in consecutive years.

Application

Applicants must demonstrate, in a 500 word essay, their interest in the program and their qualifications for participation in summer travel and the year-long seminar.

Specifically, the applicant should:

- Identify which of their courses will directly benefit from participation in this program;
- Provide sample syllabi;
- Indicate how participation in the McCorkle Fellows Program will benefit their teaching, scholarly work (if relevant), or the work they are engaged in to support undergraduate research and scholarship (if relevant), or other curricular activities (if relevant);
- Estimate how many students are likely to benefit directly from their participation in this program; and, E. Submit a curriculum vitae.

Selection Committee

A committee, the McCorkle Fellows Committee, will be in charge of selecting the annual recipients of the McCorkle Fellows Award.

The Director of International Programs, in consultation with the Dean of Faculty and the School Deans, will select three faculty members to serve as the original members of the McCorkle Fellows Committee. The Director of International Programs will serve as Chair of this committee. In addition to the three faculty members, the Dean of Faculty will also appoint one of the School Deans to serve on this committee for a three-year term. Each of these five members will serve as voting members.

The original three faculty members appointed will have one-, two-, or three-year terms, respectively, in order to follow for both rotation and continuity of the selection board. Thus, at the end of the first year, one new faculty member will be appointed for a three-year term; at the second of the second year, one new faculty member will be appointed for a three-year term. Rotations will continue with one new faculty replacement every three year thereafter. The School Dean will serve a three-year term, at which time another Dean will be appointed to serve.

A current member of the McCorkle Fellows Committee shall not be eligible for this award.

Selection

The McCorkle Fellows Committee will make its decision based on the faculty member's application as well as the judgment of its members. The standards of selection should include, but are not limited to:

- Affectiveness and effectiveness as a teacher, including classroom performance, out-of-classroom assistance to students, advising, individual student projects undertaken, assistance with or guidance of extra-curricular student activities;
- The applicant's potential for benefiting professionally from the award;
- The applicant's scholarly or professional development interest;
- The candidate's activities which have aided or encouraged colleagues toward more effectiveness in teaching.
- The number of award recipients for each year shall be set by the committee.
- Prior to receiving the award, each named McCorkle Fellow shall be required to sign a statement (see Addendum 4) indicating they accept the award, have read the McCorkle Fellows Guidelines, and agree to abide by their terms.

Timeline

The timeline for the McCorkle Fellows Award is as follows:

- By November 7: The Office of the Dean of Faculty will announce the award cycle for the McCorkle Fellows Award and a geographic focus for the subsequent academic year.
- March 1: Applications for appointment as a McCorkle Fellow for the coming academic year are due in the Dean of Faculty Office by 5:00 p.m.

- March 2 – 15: Fellows' applications are received by the McCorkle Fellows Committee.
- March 15 – 30: The McCorkle Fellows Committee convenes to recommend Fellows and reports its recommendations to the Dean of Faculty.
- April 1: McCorkle Fellows Committee announces the recipients of McCorkle Fellows Award for the coming academic year.

Expenditures

The monies designated for the McCorkle Fellows Award in any given year shall be spent as follows:

- To fund the educational immersion experience. This shall include:
 - Travel expense;
 - Lodging;
 - Each Fellow shall receive a specified stipend to pay for other expenses associated with the immersion experience.
 - Any expenses incurred by the McCorkle Fellows directly related to the seminars and/or workshops will be submitted to the Office of Business Services, which will pay said expenses directly or reimburse the Fellows following the Office's guidelines.
 - Pay the expenses directly related to bringing the outside experts to the campus to lead workshops on the topics and pedagogy related to the region under study.

See, appendix for Statement of Acceptance of McCorkle Fellows Award

SPECIAL FACULTY HONORS

Emeritus Status

Upon a written recommendation from the faculty member's school, and recommendations from the Faculty Welfare Committee, the Faculty Senate, the VPAA/Dean of Faculty, and the President, "Emeritus" status may be granted by the Board of Trustees to a retiring teacher who has tenure and has served BVU for 10 or more years.

Exception to these requirements may be made in special cases upon recommendation of the President, the Dean of Faculty, and the Faculty Senate.

It is the policy of the University to honor its Professors Emeriti and to encourage a continuing close relationship between them and the university. A teacher with emeritus standing may, with his/her own consent, be appointed to serve on special faculty committees, may take part in academic processions, and may attend regularly called meetings of the faculty and the Faculty Senate, but may not vote. Professors Emeriti shall be listed in the University catalog during the period of their lifetime.

The Order of Cumberland and Tollefson

Retiring faculty members may be named to the order if they meet the following guidelines:

- they have been employed full-time at Buena Vista University during the immediate 15 years prior to retirement.
- they hold tenure at Buena Vista University at time of retirement.
- they are held in high regard by the faculty at the time of their retirement.
- they hold the rank of associate professor or greater

The above are to be considered guidelines so that in exceptional cases the Faculty Welfare Committee and the Senate may name an individual to this group even if they may not meet the exact guidelines.

Members of the order shall be appropriately recognized at least once during each semester. The responsibility for honoring these individuals shall reside with the Dean of the Faculty. Suggestions: (a) American Heritage Lecture Series; (b) Major Events where a special invitation is sent; or (c) an appropriate gift at the recognition dinner. An order of the Cumberland and Tollefson plaque should be given to each inductee and a plaque honoring the recipients shall be prominently displayed at an appropriate location in the campus library located in the Harold Walter Siebens School of Business/Siebens Forum.

Honorary Degrees

Purpose

The purpose of the awarding of the honorary degree at Buena Vista University is many fold. The primary purposes are to:

Reward an individual for achievement beyond and above their contemporaries.

To stimulate the academic community by their presence, pronouncements, past or future work.

To bring recognition to the institution.

To reward those that have distinguished themselves for the University through service or giving.

To give the charge to the graduating seniors.

Policy

An individual to be nominated should be distinguished in two or more of the above.

The three honorary degree categories are:

- Academic – Awarded to an outstanding person with achievement in education, research, publishing, political committee on education or academic administration
 - Service to Buena Vista University – A member (past or present) of the university community and through outstanding giving, service, governance, teaching or leadership is worthy of recognition
- Distinguished service – Awarded for superior service to humanity, past or potential giving to institution, or of such stature to bring recognition to the institution characterizes the nature of this individual.

Procedures

Nominations for one or more of the above degrees may be made by any friend of the University. The nomination will be sent to the following committees for consideration under the following categories:

- Academic – Events and Public Relations Committee of the Faculty Senate. All academic honorary degree nominations should go through Faculty Senate for concurrence.
- Service – President’s Office, Trustees’ Development Committee.
- Distinguished Service – President’s Office and Trustees’ Development Committee.

All honorary degree nominations need to be submitted to the Board of Trustees for review at their February meeting. Nominations that are not submitted by the February meeting of the Board of Trustees shall be reviewed by the Executive Committee of the Board. The Executive Committee action will be final. All contact with the recipients will be made by the University President and/or a designated member of the Board of Trustees. The recipient will also receive the diploma and hood. The nominating committee shall recommend the degree to be conferred and include it in its recommendation to the Board of Trustees

Faculty Benefits

Faculty members are eligible for benefits on the first of the month following their date of employment. Buena Vista University offers a full benefits package. Contact the Office of Human Resources for specific details.

Employee Tuition Grants

Introduction: Full time employees of Buena Vista University are eligible for Employee Tuition Grant programs, including:

- BVU Employee Tuition Grant: (tuition remission)
- Tuition Exchange Inc. (TE) <http://www.tuitionexchange.org/apply.cfm>
- CIC Tuition Exchange Program (CIC-TEP) <http://www.cic.edu/tep/index.asp>

In each case, students must meet the relevant institution's standards for academic performance and personal conduct and other terms and conditions of the scholarship.

These awards cover a maximum of four years (eight semesters) of undergraduate education. Some participating institutions (TE and TEP) may offer scholarships for less than four years.

Contact the Office of Human Resources for specific details.

Chapter 5. Academic Policies and Responsibilities

This section is currently under revision. Any updated policies are listed first and noted by revision date.

See also, Academic Catalog and Student Code of Conduct

5.1 Statement on Professional Ethics

Spring 2018

The faculty of Buena Vista University adopt the American Association of University Professors Statement on Professional Ethics, originally adopted in 1966 and as amended in 1987 and 2009. The statement, which can be found [HERE](#), sets forth those general standards that serve as a reminder of the responsibilities assumed by all members of the profession. The AAUP statement is as follows:

1. 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.
2. 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.
3. 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, even when it leads

to findings and conclusions that differ from their own. 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.

4. 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.
5. 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 college or 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.

Notes

1. AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 91–93.

5.2 Program Review

Spring 2018

At Buena Vista University, administrators, faculty, and staff are committed to processes of continuous improvement in all aspects of institutional performance. Academic program review is among the chief mechanisms for monitoring and enhancing institutional performance. Moreover, academic program review is ongoing and fully integrated into the life of each academic program. BVU's plan for academic program review involves collection and evaluation of data on several aspects of program performance, including – but not limited to -- evidence of student learning, enrollment management, and the professional development of the faculty. It must be emphasized that the faculty assigned to each academic program identify targets, and assemble plans, for improved program effectiveness. The ultimate purposes of academic program review are, then, the optimization of student learning outcomes and persistent attention to overall program wellness.

5.3 Outside Employment

Spring 2018

Faculty shall not, while under contract, accept outside employment without the written approval of the dean and the VPAA/DoF. Permission to engage in outside employment must be renewed annually. Outside employment must not interfere with the performance of his or her duties as a faculty member, result in a violation of University policies, and/or cause a conflict of interest with the University, either actual or apparent.

(See also *Conflict of Interest* and *Evaluation* policies and applicable contract provisions.)

5.4 Leave of Absence

Spring 2018

Faculty members who wish to seek an unpaid leave of absence should confer with the VPAA/DoF and their dean. Requests for a leave of absence should specify the reason for and duration of the leave request. The VPAA/DoF shall consult with the school dean and shall recommend to the President whether the leave should be granted. The President makes the final decision whether to grant the unpaid leave of absence.

A leave of absence assumes the expectation of return to the institution upon completion of the leave. Time spent on leave of absence totaling at least one contract term generally will not count as part of the tenure track probationary period and the probationary period will be extended to make up for the lost time, unless otherwise agreed in writing at the time the leave is granted. (See *Eligibility for Tenure*). The tenure track probationary period may not be interrupted by more than two years. The terms and conditions of leave, including such things as retention of benefits, time of return, and progress toward tenure and promotion will be agreed upon at the time leave is granted.

5.5 Academic Honesty Policy

Spring 2018

Buena Vista University believes that personal integrity and academic honesty are fundamental to scholarship. We strive to create an environment where the dignity of each person is recognized and an atmosphere of mutual trust exists between instructors and students. Accordingly, honesty in all academic matters is expected from all students. Actions contrary to academic integrity will not be tolerated. Any attempt to cheat, misrepresent someone else's work as one's own, receive credit for work one did not do, obtain an unfair advantage over other students, or aid another student to do the above will be considered a breach of academic integrity. The faculty has confidence in the integrity of students and encourages students to exercise good judgment in fulfilling this responsibility.

See, BVU's full Academic Honesty Policy in the Academic Catalog:

<http://www.bvu.edu/bv/academic-resources/catalog/>

5.6 General Procedures for Accommodating Students with Disabilities

Spring 2018

For a full listing of the disability policies and services available at Buena Vista University, see: <http://www.bvu.edu/bv/cae/disability-services.dot>

Guidelines for Endowed Chair

These guidelines are offered to define the nature of endowed chairs at Buena Vista University and also to assist those who develop proposals for such endowments. Overall, the chairs should enrich the program and operations of the University. Each chair proposal should address the following issues:

Purpose

The specific purpose(s) for the chair should be clear and these purposes should determine the character of the chair. While the purposes are many and may be specific to a school, department, program, or donor, following are examples of purposes for which the chairs could be established:

- To honor the life or memory of the person in whose name the chair is established; the nature of the responsibilities may be consistent with that life.
- To bring distinguished scholars or creative artists as visitors to the campus for periods of time ranging from one semester to two years. In such cases, the intended goal of the visiting professor program should be clear and the chair would be designated as the “Visiting Professorship in ...” or Visiting Artist (Writer) in Residence”.
- To honor a distinguished Buena Vista University professor and provide greater opportunity for that professor to focus on those gifts-teaching, scholarship, or service-that have characterized the distinguishing contribution to the college. Chairs intended for this purpose could either be for a limited time e.g., three years, or could be permanent professorship positions.
- To provide additional time for research and scholarship for current faculty in a department. This would ban endowed research position in a department that could be awarded to different faculty at different stage in their career.
- To attract distinguished faculty to Buena Vista University. In contrast to “#3” above which focuses on distinguished faculty within the University.
- To enrich the curriculum of the college. The focus of such chairs would be on the curriculum and would have the designation of “Chair in ...” Filling such a chair could be by regular faculty appointment and reappointment.

Budget

The budget for the endowed chairs should be presented in the proposal. More specifically, the budget should recommend the salary of the appointee, discretionary budget, and support budget. In addition, the minimum endowment required for the position should be specified. The budget should also address, the effect of the endowed chair on both the annual operating budget as well as capital expenses budget (office, computing, etc.).

One goal of the endowed chair policy is to provide relief for the operating budget. The extent to which budgetary relief is provided by the chair should be stated in the proposal. For some chairs, however, the endowment income may not assist with the operating budget. In those

cases contributions for the general operating budget should not be expected and the endowment income should be adequate to cover the operating expenses.

Responsibilities

The description of the chair should identify the responsibilities of the appointee in ways that are consistent with the purposes for the chair.

Qualifications for appointment

In addition to the necessary qualifications for the specific responsibilities of the chair and the professional qualifications for teaching, appointees to endowed chairs should either fulfill the membership qualification for Buena Vista University Faculty (tenured or nontenured) or, if the chair is for a visiting professorship, the requirements for the visiting faculty member. The latter, while not as clearly established, include a sincere commitment to the mission of Buena Vista University. No restrictions shall be placed on the viewpoints of the holder.

Term of appointment

Appointment terms may vary depending on the purpose of the chair. When the appointment extends beyond the initial term, established procedures for evaluation of teaching and scholarship will apply.

Selection

The selection process will follow the normal faculty appointment process, except in those cases in which good cause may be shown.

Procedures for revisions

Proposals should include the procedures for revision that are found in the endowment agreement to ensure that future changes to the purpose for which the endowment was established follow the agreed upon procedures.

Initiation of Chair Proposals

Establishment of Chairs may be initiated by Donors. Donors interested in establishing Chairs will work the President, VPIA, and VPAA.

Concepts for developing Chairs may be initiated by members of the administration, faculty or staff. When appropriate, the President, VPIA, and VPAA will work with the appropriate Academic Dean in developing a proposal for establishing a Chair that meets the interest of the donor, fulfills these guidelines, and further the mission and priorities of the University. Before the Chair is established, it will be presented to the faculty senate and receive the approval of the Board of Trustees.

Deviation from the Proposal Guidelines

The above guidelines will normally apply for all endowed chair proposals. In cases where proposals deviate from the guidelines, an explanation and rationale for the deviation will be included in the proposal.

Criteria for evaluation

Proposals will be evaluated on the basis of the following criteria:

- The extent to which they contribute the distinctive nature of Buena Vista University.
- The extent to which they comport with the mission and strategic plan of the university, i.e., the extent to which they address perceived needs and strategic opportunities of the University.

Review Processes for Evaluation of Annual Performance

Electronic Student Evaluations (Smart Evals)

Buena Vista University uses an online course evaluation system for students to evaluate their professors in each course. The current system is called Smart Evals, and the website has a default set of questions, which will be considered the core set of questions for evaluating faculty. The Faculty Welfare Committee will have the power to alter this default list of questions.

Evaluations must be administered once per semester, and faculty are required to set aside class time for students to complete the evaluation, even though evaluations may be open to students for a longer period of time. During the in-class evaluation period, the faculty member is required to leave the room and arrange to have another faculty or staff member supervise the evaluation.

Deans will have access to all evaluations of faculty, including student comments. Each faculty member will also have the option of adding supplemental questions to their evaluations before administering to their students. These additional questions are for use by the faculty member only, unless specified otherwise in writing by the faculty member.

Evaluations will be administered in all courses, regardless of class size. However, for classes with fewer than six students, faculty members will not have direct access to evaluation results. Instead, the Dean of their school will have access to the results, and provide the faculty member with a written summary that ensures the confidentiality of the students.

Travel courses shall be evaluated using the current standard university course evaluation tool (Smart Evals). Evaluations are to be administered upon completion of the course. While use of the campus-approved evaluation form is mandatory, faculty members may offer students additional course evaluation opportunities. As with standard courses, additional questions added by the faculty member will only be available to the faculty member, and will not be considered for purposes of tenure and promotion. The default questions for travel courses may be different than for on-campus courses, and will be written and regularly reviewed by the Faculty Welfare Committee. The current list of questions for travel courses is as follows:

- I was sufficiently prepared for this travel experience, by way of meetings, preparatory classes, or other forms of communication.
- The benefits of this experience justify the time and cost.
- This course provided me with new insights and perspectives.
- I found that the trip/sights/activities provided in this trip were organized and well planned.

- I felt appropriately safe on this trip.
- The pace of daily events was conducive to learning and reflection.
- I would recommend this course to other students.
- My interactions with the trip leaders were meaningful.
- Briefly describe your previous travel experience. [Open-Ended Response]
- If you were to make any changes on any aspect of this course, what would they be? [Open-Ended Response]

Assignment of Classrooms

Classroom use is determined by the Registrar of the University, under policies developed by the Dean of Faculty, Deans of Schools, and Faculty. All University facilities are utilized for all University needs, none being reserved for the exclusive use of an academic sub-unit.

Central scheduling of courses and classrooms is practiced in order to seek maximum use of facilities and optimum services to students. The Dean of Faculty, in consultation with the Deans of the Schools, outlines course offerings, lists faculty assignments and instructs the Registrar with regard to control of class enrollments.

Conduct in Classrooms

Faculty members are expected to meet classes promptly and regularly; to inform the Deans of Schools and the Dean of Faculty of expected or emergency absences as well as unusual or experimental classroom practices; to give attention to the physical comfort of students; and to exercise courtesy toward colleagues by erasing whiteboards and restoring classroom furniture arrangements.

Teachers bear responsibility for respecting rights and freedoms of students in their classes; for demonstrating appropriate professional dignity; for observing the limits of academic freedom; and for preserving the good reputation of faculty colleagues.

Course Syllabus

Faculty members are required to prepare and distribute a copy of the course syllabus (either hard or electronic copy) for each course taught to the student, school dean, and the Office of the Dean of Faculty the first day of class. Items that need to be included in the courses syllabus include:

- Contact information: Detail office hours, email and/or telephone numbers calls where students may reach you; if providing a home telephone number include your expectation of appropriate times for students to use the home telephone contact.
- Course narrative: The course narrative describes the course. The catalog course description may be used or a fuller discussion of the course offered provided it does not differ from the content expectations described in the catalog.

- **Course objectives/outcomes:** List course objectives including any agreed upon objectives appropriate to general education foundation or exploration course designation in order to provide an understanding for students about what they may expect to achieve from a course. Course objectives/outcomes are best framed from the perspective of what the student may expect to achieve and are best stated in measurable terms.
- **Attendance policy:** Detail how you view attendance, measure attendance, and what relationship attendance has with the student's final course grade.
- **Academic honesty policy:** Include reference to the academic honesty policy from the catalog either by providing the web link or page number notation for it; clearly identify when and what penalties occur in the course if violations of the policy occur—i.e. students fail the assignment, fail the course, etc.
- **Accommodations for students with documented disabilities:** Include mention that BVU complies with Section 504 granting accommodations for students with disabilities who have appropriate documentation. The following statement is one that could be used on syllabi: "If you have a disability, please contact the Director of the Center for Academic Excellence for assistance or to fill out paperwork requesting accommodations."
- **Grading scale:** Include how letter grades as well as Pass/No Credit designations are determined.
- **How students are evaluated:** Include an overview of the assignments students will complete that go into determining their grade.
- **Tentative schedule of course happenings:** Include a schedule of readings, class activities, assignments, etc. for the course. Some courses may have a complete calendar ready for distribution at the beginning of the semester while for other courses it may be more appropriate to provide weekly and/or monthly updates to students. The schedule of course happenings should be provided to students in writing whether on a weekly, monthly or semester/term basis.

Class Attendance

The value of a college education depends on full participation in the life of a university community. Because students are expected not merely to receive information passively or to pass examinations, but to participate actively in classes, it is important that unnecessary class absences be avoided. Faculty members have the responsibility to establish an attendance policy, inform students of the policy at the beginning of each course, and publish the policy in the course syllabus.

Assigning and Recording Grades

Official academic records for all students are maintained by the Registrar, who provides official evaluations and official transcripts.

Final grades for all students are submitted by faculty members under a calendar reported each session by the Registrar and Dean of Faculty. BVU faculty are

expected to provide prompt processing and reporting of grades to students and to the Registrar.

Grade Changes

Faculty need to submit grade changes on a form obtained from the Registrar's Office. The VPAA/Dean of Faculty makes the final decision on all grade change requests.

Office Hours

Faculty are expected to post and to keep several face-to-face office hours per week for the purpose of consultation, mentoring, and academic advising.

Office Assignments

Faculty offices are assigned by the Dean of Faculty, in consultation with the Deans of Schools and administrative colleagues. Effort is made to secure optimum utilization of facilities as well as optimum convenience and comfort for the faculty members involved.

Office Equipment

Telephones - Each faculty office is provided with its own telephone and exclusive number. Each employee is issued a long distance access code number that is used to bill long distance calls made from campus phones. All personal long distance calls need to be paid for in the Business Office.

Laptops – All fulltime faculty are provided with a university laptop and are expected to comply with the BVU Usage Policy. (Copy of policy can be found on BVU's home page: Departments/Office of Business Services/Information Services.)

Academic Assistants

BVU allows each full-time teaching faculty member to have up to two academic assistants for a limited number of hours each year. Students in the honors program are eligible to be paid a higher hourly rate.

To be eligible, a student must be a second year or above student and have a postinterim CGPA of 3.2 or better. The student does not have to show need on a financial application to qualify for this program. An academic assistant need not be majoring in the faculty's area of academic interest, although a majority of academic assistants do work in their area of academic interest (as they ought).

Requests for academic assistants are made during spring semester. A faculty member is encouraged to submit three names ranked in order of priority in case one of the first two students has already been chosen by another faculty member or wishes to work elsewhere. A faculty member is encouraged to discuss with a potential AA his/her

interest in the position. Such a discussion might include the following: AA responsibilities and value of the experience; difference in responsibilities between AA and work-study students; an evaluation process.

Academic Assistants have participated in a wide variety of academic experiences including research and paper writing; lab management; assisting faculty with such course activities as tutoring, small-group leadership, development of course materials and working with freshman seminar. The difference between work-study and Academic Assistants points to the academic nature of the latter: work-study often performs routine tasks necessary for the successful operation of an activity or workspace. Academic Assistants ought to be reaping academic benefits from the mentorship of a scholar, while contributing to the scholar's work. Academic assistants must not be used for nonacademic purposes.

Contact your school dean or the Office of Financial Aid for additional information or to obtain a list of students that qualify for academic assistants positions.

SPECIAL CAMPUS EVENTS

FOUNDERS DAY

Founders Day is celebrated on the Saturday prior to the start of Fall semester classes. All faculty members are expected to participate in the ceremonies unless excused by the Dean of Faculty for good cause. Academic regalia is worn for this event.

BACCALAUREATE AND COMMENCEMENT

There is one Baccalaureate and one Commencement each year at the end of the Spring semester. All faculty members are expected to participate in the ceremonies unless excused by the Dean of Faculty for good cause. Faculty members who do not own academic attire may rent it through the Lehnus Campus Bookstore. Names of commencement speakers are recommended to the President and Trustees by the Events and Public Relations Committee of the Faculty Senate.

BUENAFICATION DAY

Annually held the end of April, the day is dedicated to students and faculty engaging in service projects in Storm Lake and on the campus. Faculty and students work in teams on a wide variety of projects beneficial to the local community. Classes are canceled on this day.

AMERICAN HERITAGE LECTURE SERIES

The William Siebens American Heritage Lecture is generally held in late September and no later than mid-October. The lecture brings to campus important political and world

figures offering their insights on a number of important topics facing the world today. An afternoon question and answer session is open to all students, faculty, and staff.

SCHOLARS' DAY

Scholar's Day is held in April and is a chance for students to present the results of scientific or scholarly research, the presentation of original literary works, and numerous other possibilities. Faculty are encouraged to attend the afternoon activities and take in the presentations and visit the poster boards that grace the Grand Foyer of the Siebens Forum.

Guidelines for Travel and Off-Campus Study

Study Abroad

Buena Vista University offers semester, interim and summer study abroad opportunities in a wide variety of countries worldwide. While individual faculty may assist students with off-campus study experiences, all study abroad experiences should be channeled through the Director of International Education Programs (Study Abroad Coordinator). Students wishing to study abroad should be referred to the Director of International Education Programs (Study Abroad Coordinator) to learn of current opportunities.

Interim and Spring Travel

Several domestic and international travel courses are offered during the January interim session and occasionally in the spring immediately following graduation. These travel experiences are offered as part of the BVU academic program and are administered by BVU. All faculty planning such courses should submit their travel course plans to the Associate Dean of Faculty. As faculty prepare travel courses, it is important to recognize that both the individual faculty and the institution are committing to many responsibilities in addition to supervising student learning. As more students travel to more distant locales, opportunities for learning surely increase. But, at the same time, the opportunities for misunderstandings, misrepresentations and mishaps also expand. The following items provide a starting point, not an exhaustive list, for discussion regarding off-campus study experiences.

As a beginning point, it is helpful to think of the faculty role as the student's guide to a new learning environment. At the minimum, a faculty member should strive to create a solid academic experience and excitement about that experience for the student without providing false hopes and expectations as to what will be achieved. It is important to warn students sufficiently against the dangers inherent in alternative experiences to make them wary without creating undue apprehension. Discussion of the differences in values, lifestyles and expectations between our students and the new place(s) must be initiated, but the utmost care must be taken not to introduce or reinforce stereotypes.

The safety of the student(s) and faculty, as well as protection of the home institution, must be a primary consideration. Before traveling with students to any off-campus location, the safety and integrity of that location must be certified. The prospects of being a victim of crime, encountering civil unrest, contracting disease, the availability of medical treatment as well as health and dietary concerns must be clearly addressed with the student(s). Failure to adequately warn and prepare students can place the individual faculty and the institution in a precarious legal position.

For travel in the US, a general orientation on behaving defensively is essential. For travel abroad, the minimum precaution should be contact with the US State Department about travel advisories and the Center for Disease Control about health warnings and recommended immunizations. Faculty planning travel courses are also encouraged to consult with professional organizations specializing in academic experiences overseas; an example of which is the Council for International Educational Exchange (CIEE) which has developed a wide range of both faculty and student international experiences.

Because students will be experiencing new cultures and cultural expectations forewarning them to expect some elements of culture shock can help minimize any problems should they occur. A similar phenomenon has been known to occur upon reentry to the home campus – this is primarily after a prolonged period of study, however, and will most likely not trouble interim or spring travelers.

Once students have completed their travel course experience, additional information gathering and debriefing should occur. Program evaluation is useful to both the faculty director and the institution for future decision-making.

Legal liability for both faculty and employing institutions is being tested in the courts today in ways never before imagined. Faculty members conducting travel courses must recognize their obligation to provide extensive information about costs, credit, risks to health and safety and orientation to the new lifestyle. Faculty must be prepared to react to an emergency situation in a way that protects the best interests of the student and also considers their own personal liability. In addition, faculty must be vigilant regarding issues related to sexual discrimination and harassment, institutional obligations concerning drug-free environments, and the students' right to information about security and crime potential. The Americans with Disabilities Act requires consideration of including students who might otherwise have been counseled out of the program. Students must also be aware of the pervasiveness of AIDS throughout the world and the possible ramifications of at-risk behavior.

Interim (and spring) travel courses are offered for academic credit. While individual faculty leading the travel courses set the parameters of their experiences, they must also meet the guidelines set forth by the Associate Dean of Faculty related to expectations of such courses.

Students studying off-campus must complete two forms: 1) the Buena Vista University Off-Campus Study Waiver or the Buena Vista University Off-Campus Study Waiver for Required Courses, and 2) the Buena Vista University Medical Information, Insurance Certification and Authorization/Release for Foreign Travel. Copies of these forms, available from the Associate Dean of Faculty, should be distributed to all students participating in a travel course. Completed forms must be submitted to the Associate Dean of Faculty. Whenever possible, a complete itinerary for the off-campus experience, including names of hotels with their addresses and telephone numbers, must be provided to the Associate Dean of Faculty's office prior to interim (or spring) travel.

BUENA VISTA UNIVERSITY INTELLECTUAL PROPERTY POLICY

I. Purpose

To recognize and encourage research, authorship and invention by the Buena Vista University ("University") community by providing for the sharing of tangible rewards resulting from the commercialization of such research, authorship and invention.

To define the ownership rights associated with the products of research, authorship and invention by the University community.

II. Applicability

This policy shall apply to all forms of Intellectual Property created or developed, in whole or in part, by Members of the University.

- Within the scope of their employment; or,
- With substantial use of University equipment, services or resources; or,
- Pursuant to the terms of a written agreement to which the University is a party.

III. Revenue Sharing

For all forms of Intellectual Property for which this policy is Applicable (see paragraph II above) the Author/Creator will share annual net revenue (revenues less recovery of all legal and other costs involved in protecting the intellectual property rights of the work, licensing costs, and other directly related administrative costs) in the following percentages, unless different contractual agreements have been reached in relation to particular works:

Annual Net Revenue	Author/Creator (s)	University
<\$25,000.00	100%	0%
>\$25,000.00	90%	10%

Work the University explicitly commissions is exempt from these revenue sharing percentages (e.g. if the University commissions a piece of art for \$50,000.00, the fee would not be subject to revenue sharing).

IV . Ownership of Intellectual Property

1. General Rule :

A. The Author/Creator shall own all rights in Intellectual Property. 2

. Exceptions and Clarifications to the General Rule:

A. Commissioned Work. The University shall own a l l Intellectual Property Rights to Work it explicitly commissions and pays for.

V. Institutional Responsibility

The Vice President for Academic Affairs shall be primarily responsible for this policy and for fulfilling the University's obligation under it .

Addendum was accepted on March 22, 2011.

Regarding sharing of tangible rewards resulting from the commercialization of research, authorship and invention, it is the desire of BVU faculty that first consideration for use of funds should be toward enhancing faculty member's department.

Copyright Policy (Effective Sept, 2005)

Purpose: Buena Vista University sets forth the following policies to define and establish the respective rights and obligations of University employees and students regarding appropriate use of intellectual property.

Policy for Copyright Compliance

Scope: This policy affirms the obligation to observe copyright law in compliance with the Copyright Act, Title 17 U.S. Code.

"Fair Use" Policy

Scope: This policy affirms provisions regarding the use of copyrighted materials in the classroom, based on the "fair use" section of the U.S. Copyright Act of 1976.

TEACH Act Policy

Scope: This policy outlines the terms and conditions under which copyrighted materials can be used as part of mediated instructional activities transmitted via digital networks under exemptions of the Technology, Education, and Copyright Harmonization (TEACH) Act of 2002.

Resources

[In this section we will append relevant info related to guidelines, handouts, etc.]

POLICIES & PROCEDURES

SCOPE

This policy affirms the obligation to observe copyright law in compliance with the Copyright Act, Title 17 U.S. Code.

As an innovative, regionally acclaimed, non-profit educational institution, Buena Vista University is dedicated to disseminating knowledge through teaching, research and service. In support of the University's mission of preparing students for leadership and service in an information-driven, global society, the University provides high-quality resources, delivery systems and services for students both residential and remote. In recognition of our mission and guided by the principles of intellectual freedom, BVU sets forth these policies for all employees and students to foster an environment of respect for intellectual property and compliance with the law.

POLICY

It is the policy of Buena Vista University to comply with all applicable laws regarding copyright. These copyright laws apply to all copyright-protected materials regardless of whether they are reproduced or distributed in digital, electronic, print or other format. All employees and students who use equipment, facilities, resources or funds administered by the University in the course of University-related scholarly and creative activities are required to respect the proprietary rights of owners of copyrights and refrain from actions that infringe the rights of copyright owners.

Works are protected by copyright laws in the U.S. even if they are not registered with the U.S. Copyright Office and even if they do not carry the copyright symbol (©). Copyrighted works include, but are not limited to, printed articles from publications, TV and radio programs, videotapes, music performances, photographs, training materials, manuals, documentation, software programs, databases and World Wide Web pages. In general, the laws that apply to printed materials are also applicable to visual and electronic media and works transformed into digital format.

PROCEDURE

In order to use a copyrighted work, employees and students must either obtain permission or qualify for a legal exception to the requirement for permission. (See Policies and Resources sections regarding “fair use” and TEACH Act for further information.)

A Copyright Review Committee is hereby established as a Senate Standing Subcommittee of IRC. The committee shall consist of seven members: 2 faculty members, one librarian, one staff member each from Teaching and Learning with Technology Center, Online Programs, Information Services, and Mailroom and Printing Services. The committee will appoint a rotating Chair. The committee will meet at least once annually to determine agenda, then as needed. The committee is charged to:

Monitor the copyright environment to assess the implications of new legislation for University policy and practice.

Coordinate educational efforts by developing and making available common resources concerning copyright laws, and work collectively to ensure consistency of application and communication to the University community.

Provide notice, education and guidance to employees and students about the requirements of copyright law and the legal exceptions to the requirement for permission.

Make recommendations to resolve questions pertaining to interpretation of copyright law.

POLICIES & PROCEDURES

This policy affirms provisions regarding the use of copyrighted materials in the classroom, based on the “fair use” section of the U.S. Copyright Act of 1976. The policy:

- Addresses why the issue of “fair use” is of importance to the BVU academic community.
- Outlines for the BVU academic community the set of “fair use” factors, based on the “fair use” section of the U.S. Copyright Act of 1976.

POLICY

Section 107 of the copyright law commonly known as the doctrine of “fair use” provides the opportunity to make use of copyrighted materials without authorization from the copyright holder. This includes such use as news reporting, comment, criticism, teaching, research, and other scholarship. Employees and students are prohibited from copying materials not specifically allowed by copyright law, by “fair use” guidelines, by licenses or contractual agreements, or by express permission from the copyright holder(s).

The “fair use” provision of the copyright law is an important exemption to the exclusive rights of copyright owners. Because there is no blanket exemption in copyright law for educational or scholarly use of copyrighted works, each use must meet the “fair use” test. The University encourages members of the BVU academic community to exercise “fair use” rights appropriately in their teaching, research, and service activities. Members of the BVU community are urged to consult appropriate staff in the Library, Teaching and Learning with Technology Center, Online Programs or other members of the Copyright Review Committee for guidance in applying “fair use” tests.

Section 107 sets out four factors that should be collectively considered in determining whether or not a particular use is fair:

- The purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes;
- The nature of the copyrighted work;
- The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- The effect of the use upon the potential market for or value of the copyrighted work.

PROCEDURE

Faculty will use the provisions of the “fair use” doctrine in determining the extent to which copyrighted material will be used in the classroom. Permission shall be obtained for each use of a copyrighted work that does not fall clearly within the guidelines or when a clear and convincing finding of “fair use” cannot be made.

Employees or students who require assistance with “fair use” questions are encouraged to refer to the Resources section of this policy or consult with a member of the Copyright Review Committee.

Course syllabi should include a statement that “materials used in connection with the course may be subject to copyright protection.”

For the use of copyrighted work used as part of mediated instructional activities transmitted via digital networks (such as course materials in course management software such as Blackboard), see the Buena Vista University TEACH Act Policy.

POLICIES & PROCEDURES

TEACH Act Policy

SCOPE

This policy outlines the terms and conditions under which copyrighted materials can be used as part of mediated instructional activities transmitted via digital networks under exemptions of the Technology, Education, and Copyright Harmonization (TEACH) Act of 2002.

POLICY

The following works are permitted by the TEACH Act:

- A performance of a non-dramatic literary work
- A performance of a non-dramatic musical work
- A performance of any other work, including dramatic works and audiovisual works, but only in “reasonable and limited portions”
- A display of any work in an amount comparable to that which is typically displayed in the course of a live classroom session

The following works are excluded by the TEACH Act:

- Work produced or marketed “primarily for performance or display as part of mediated instructional activities transmitted via digital networks.” Examples include course cartridges prepared by publishing companies that require institutions to purchase licenses for student access.
- Work “not lawfully made and acquired” under the U.S. Copyright Act if the instructor or the institution know or reasonably should know materials were not lawfully made or acquired.
- Work originally produced in analog format cannot be digitized except under the following circumstances:
 - The amount converted is limited to the amount appropriate for the instructional activities [consistent with Section 111(2)]; and
 - A digital version of the work is not “available to the institution,” or is secured behind technological protection preventing accessibility in the distance-education program [consistent with Section 111(2)]

The materials may be used under the following conditions:

- The work or performance used is “at the direction of, or under the actual supervision of an instructor”.
- The work or performance used is “an integral part of a class session offered as a regular part of the systematic, mediated instructional activities” of the University.

PROCEDURE

Faculty will adhere to the requirements of the “TEACH Act” for the use of copyrighted works used as part of mediated instructional activities transmitted via digital networks. In order to apply provisions of the TEACH Act, course syllabi must include the following Copyright Notice: “Many of the materials posted to this

course site are protected by copyright law. These materials are only for the use of students enrolled in this course and only for the purposes of this course. They may not be further retained or disseminated.”

Works that do not meet the above conditions must qualify as “fair use” or qualify as a permitted use because permission has been granted from the copyright holder(s), or because the use is covered by a license or contractual agreement. Guidelines regarding the use of copyrighted works to be used as part of mediated instructional activities transmitted via digital networks can be found in the Resources section for TEACH Act.

CH 6. Academic Administration

This section is under revision

PART IV. APPENDIX

- A. Relevant statutory or explanatory language
- B. Forms, guidelines, etc.
 - IRB Forms
 - Program Review Template
 - GPS Course Syllabus template
 - GPS Checklist of Faculty Expectations
 - GPS Faculty Evaluation Sheet

STATEMENT OF ACCEPTANCE OF McCORKLE FELLOWS AWARD

I accept the McCorkle Fellows Award, acknowledge that I have read the McCorkle Fellows Award Guidelines, and agree to abide by their terms.

Date this _____ day of _____, 20 _____

Signature

Higher Learning Commission Guidelines on Faculty Qualifications

http://download.hlcommission.org/FacultyGuidelines_2016_OPB.pdf

PART V. INDEX