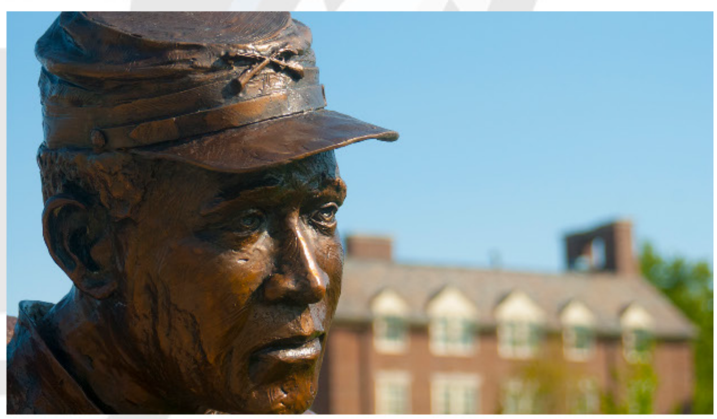

# FACULTY

## EMPLOYEE HANDBOOK

*The Employment Guide for Blue Tiger Faculty*



LINCOLN UNIVERSITY

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## I. Preface

The Faculty Handbook provides guidance on the policies, procedures and practices governing employment at the University. The content of this handbook is not all-inclusive nor a promise or contract between the University and its employees. These guidelines and summaries are intended to be an introduction to how University policies and procedures apply to University employees. The official polices of the University are the Rules and Regulations.

The University reserves the right to change, modify, eliminate or deviate from any policy or procedure in this handbook as it deems appropriate. It is the employee's responsibility to be familiar with information contained in the handbook and seek interpretation or clarification from appropriate administrative authority when necessary.

The University will, at its discretion, make changes and develop new or revised policies and procedures from time to time. When possible and appropriate, the University will seek input from staff committees, employee representatives and administrators. Differences that result from changes will take precedence over the contents of this handbook.

Revised August, 2024

## II. Code of Conduct, Ethics and Civility in the Workplace

The Code of Conduct establishes the University's expectation of integrity and ethical and professional conduct that creates and maintains a positive work and learning environment built on mutual respect by the following members of the University community: members of the Board of Curators; executive officers, faculty, staff and other individuals employed by the University and using University resources or facilities; consultants, vendors and contractors when they are doing business with the University; and volunteers and representatives acting as agents of the University. The code is not an attempt to define specifically what one should and should not do, but to communicate that the University affirms that conduct consistent with accepted standards is an integral part of its mission.

Consequently, each University community member must transact University business in compliance with all federal and state laws and in accordance with the University policies and regulations established by the Board of Curators. Executive officers, managers and supervisors are responsible for knowing the laws and regulations that are relative to their positions and responsibilities and for systematically teaching and monitoring compliance in their areas. Examples include, but are not limited to, human resources and employment regulations, conflict of interest policies, confidentiality, security and integrity of University documents and records, computer use and security policies, procurement guidelines, sound business practices, environmental health and safety regulations and ethical stewardship of the University's property and resources. Located appropriately throughout the Rules and Regulations, these standards of conduct, supported through policies, procedures and workplace rules, provide guidance for making decisions and exemplify the University's commitment to responsible and ethical behavior.

While disagreements can occur between members of the University community, open communication, mutual respect for diverse opinions, freedom of expression, and a climate of civility are essential principles that the University embraces. All University community members should act with integrity, personal accountability, support an inclusive culture, and follow established guidelines for civility and professionalism on the University's campus and where any such person acts on behalf of the University.

All University employees are expected to conduct themselves in a professional manner that promotes a safe, healthy, inclusive, and productive work environment. Employees are expected to exhibit a high degree of personal integrity, civility, and professionalism at all times while on the job. This expectation applies to all interactions with coworkers, supervisors, subordinates, customers, vendors, contractors, students, and/or visitors. Interactions may be verbal, nonverbal, physical, written, through imagery, electronic or digital means.

All supervisors also are expected to demonstrate leadership in exhibiting and promoting professionalism, civility, and respect. This includes setting clear expectations and managing the performance of those they supervise in accordance with these standards through regular communication and performance feedback. Supervisors are expected to address professionalism, civility and respect concerns and deficiencies through coaching and/or corrective action as appropriate.

Students are not subject to this code unless they are employed by the University but must comply with the Student Affairs chapter of the Rules and Regulations and the official Student Handbook and Code of Conduct.

The University is committed to ensuring compliance with its Code of Conduct, Ethics, and Civility in the Workplace policies. Should any employee believe that a violation of the Code of Conduct, Ethics, and Civility in the Workplace has arisen, the employee should file a complaint under the procedures in the Faculty Grievance Policy.

## III. Mission Statement

Lincoln University in Missouri is a historically black, 1890 land-grant, public, comprehensive institution that provides a diverse population access to excellent educational opportunities through teaching, research, and extension services within a nurturing, student-centered environment.

## IV. Affirmative Action

The University's Affirmative Action Program shall comply with all other necessary provisions as stated in the federal regulations.

The Affirmative Action Program will ensure equal employment opportunity by institutionalizing the University's commitment to equality in every aspect of the employment process. Therefore, as part of its Affirmative Action Program, the University must monitor and examine its employment decisions and compensation systems to evaluate the impact of those systems on women and minorities.

The Affirmative Action Program will also include those policies, practices, and procedures that the University implements to ensure that all qualified applicants and employees are receiving an equal opportunity for recruitment, selection, advancement, and every other term and privilege associated with employment.

The University will also employ affirmative action guidelines towards individuals with disabilities and Vietnam-era and disabled veterans. This compliance will include an attestation of affirmative action policy statements and assurances plus an opportunity for employees to self-identify. Self-identification is strictly voluntary and confidential and will not result in any form of retaliation.

## V. Non-Discrimination Notice and Prohibition Against Harassment

**Equal Employment Opportunity**

It is the policy of the University to promote and ensure equal employment opportunities for all persons regardless of race, color, national origin (including ancestry or any other subcategory of national origin recognized by applicable law), sex (including marital status, family status, pregnancy, sexual orientation, gender identity, gender expression or any other subcategory of sex recognized by applicable law), religion, age, disability, veteran status, genetic information or any other basis protected by applicable law. Equal employment opportunity principles govern all aspects of the University's personnel policies, employment practices and operations. All phases of employment, including recruitment, hiring, evaluation, promotion, transfer, assignment, training, benefits and separation, will be conducted in compliance with equal employment opportunity laws and regulations and to ensure non-discrimination or harassment related to any protected class under federal, state or local law. Supervisors at all levels share the responsibility to ensure equal employment opportunity.

**Complaint Procedure**

The University has established a complaint grievance procedure available to any University employee or job applicants who believe they have been discriminated against or harassed on the basis of sex (including discrimination on the basis of marital status, family status, pregnancy, sexual orientation, gender identity or gender expression). Any University employee or job applicant should immediately report such concern to the Title IX Coordinator at B2 Young Hall; (573) 681-5495; or TitleIX@lincolnu.edu.

Any staff employee who believes they have been the subject of discrimination or harassment on the basis of any protected class other than sex or gender should immediately report their concerns to the Campus Complaint Coordinator in 203C Young Hall; (573) 681-5912; or the Human Resources Office at 101 Young Hall; (573) 681-5020; or informlu@lincolnu.edu. If any complaint involves the President of the University, it should be made to the Board of Curators Secretary.

Allegations of sexual harassment that meet the definition of jurisdictional requirements of Title IX of the Education Amendments of 1972 and its implementing regulations will be addressed under the University's Sexual Harassment Policy & Grievance Procedures. All other allegations of discrimination or harassment (including sexual harassment as defined by Title VII of the Civil Rights Act) will be addressed under the University's Discrimination Complaint Policy and Procedures.

All employees are required to report any concerns or allegations of discrimination or harassment involving members of the campus community (i.e., faculty, staff, and students) of which they become aware.

## VI. Americans with Disabilities Act

University policy and federal and state law forbid employment discrimination against qualified persons with physical and mental disabilities. The University is committed to providing an accessible and supportive environment for employees with disabilities. Equal access for qualified individuals with a disability is an obligation of the University under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. The University does not discriminate on the basis of disability against qualified individuals with a disability in any program, service or activity offered by the University. The University is committed to ensuring that no qualified individual with a disability is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of auxiliary aids or other appropriate services; however, accommodations cannot result in an undue burden to the University or fundamentally alter the essential functions of the job. If an employee or applicant has a disability and needs an accommodation to perform the essential functions of his/her position, he/she should complete an Employee Request for Reasonable Accommodation Form and contact his/her supervisor or the Human Resources Office to discuss his/her needs.

## VII. Whistleblower Protection

A whistleblower is defined as any individual including, but not limited to, an employee of the University, who reports an activity that he or she considers to be illegal or dishonest to one or more of the parties set out below. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures.

Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an individual has knowledge of or a concern about illegal or dishonest fraudulent activity, the employee is to report the illegal or dishonest activity to the University's Complaint Coordinator. If such complaint involves the President of the University, it should be made to the Board of Curators Secretary. Individuals should exercise sound judgment to avoid baseless allegations. Employees who intentionally file a false report of wrongdoing will be subject to discipline up to, and including, termination.

Upon a report of illegal or dishonest activity, the University will conduct a prompt and thorough investigation of the allegations and take any appropriate action. The University and its employees will not retaliate or discriminate against a whistleblower, and any whistleblower who believes that he or she is being subjected to retaliation should immediately report such alleged retaliation or discrimination to the University Complaint Coordinator. The right of a whistleblower to protection under this policy does not include immunity to the whistleblower for any personal wrongdoing that is alleged and investigated.

## VIII. Genetic Information Discrimination

The University prohibits discrimination and harassment on the basis of genetic information. The University and its representatives may not request, require or purchase genetic information about an individual subject to limited inadvertent acquisitions described below.

The University prohibits using genetic information, including information obtained inadvertently, to discriminate against any employee or applicant in regard to hiring, termination, promotion, compensation, benefits, job assignments, training or any other term, condition or privilege of employment. The prohibition extends to making employment decisions based on stereotypes or assumptions about the abilities, traits or performance of individuals on the basis of genetic information. For purposes of this policy, the term "genetic information" means information about an individual's genetic tests; the genetic tests of that individual's family members; and the manifestation of disease or disorder in family members of the individual (family medical history).

Even the inadvertent acquisition of genetic information (i.e. if an employee casually mentions that a family member has cancer) or the acquisition of genetic information in the medical information provided to support a medical leave request, related to a request for a reasonable accommodation under the Americans with Disabilities Act or in any other lawful manner cannot be disclosed, nor can it be considered when making employment-related decisions.

If an employee believes that he or she has been the victim of genetic information discrimination or harassment or observes such discrimination or harassment at the University's workplace, the employee should immediately report such conduct to the University Complaint Coordinator or the Human Resources Office. If such complaint involves the President of the University, it should be made to the Board of Curators Secretary. A prompt investigation will be conducted. Appropriate discipline will be imposed against offenders, ranging from warnings to termination, depending on the severity of the conduct.

Regardless of the outcome of the investigation, no retaliation against any employee or other person making a good-faith report of suspected harassment or discrimination or participating in an investigation will be tolerated. If an employee believes he or she has suffered retaliation, the employee should follow the above complaint procedure to report such alleged retaliation.

## IX. Clery Act Reporting and Notification Statement

Under the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)) a copy of the University's Annual Security Report may be viewed on the University website at https://www.lincolnu.edu/police/clery-act.html. Additionally, all employees will annually be notified of the Clery Act Report through the University email system.

This report includes statistics for the previous three (3) years concerning reported crimes that occurred on-campus; in certain off-campus buildings or property owned or controlled by the University; and on public property within, or immediately adjacent to and accessible from, the campus.

## X. Rules and Regulations

Appointment and employment of all University employees is in accordance with the Board of Curators' approved University Rules and Regulations. A complete copy of the Rules and Regulations can be found on the University Website, www.lincolnu.edu. Periodic updates to the Rules and Regulations will occur as a result of Board of Curator actions.

## XI. Time of Hire

**Academic Appointment Notification**
A new faculty member will begin employment after the President signs the Personnel Transaction Form that authorizes employment. An Academic Appointment Notification signed by the President will be sent to the potential employee that indicates the official job title, academic rank, base salary and contract terms of appointment for the contractual period, if applicable. The faculty member will be asked to sign and return the completed notification to the Human Resources Office.

**Immigration and Employment**
The University will comply with the Immigration Reform and Control Act of 1986 ("IRCA") and subsequent related laws pertaining to employment eligibility verification to ensure it hires only U.S. Citizens and foreign nationals authorized to work in the United States. The University participates in the E-Verify Program. All new employees require approval by the Department of Homeland Security (DHS) to determine eligibility to work in the United States.

The Vice President for Academic Affairs (VPAA) may recommend sponsorship of faculty for professional visas to the President for approval. All immigration sponsorship is considered on a case-by-case basis with consideration given for hard-to-fill or high need faculty positions and departmental ability to fund University costs associated with such sponsorships. All approved applications and petitions sponsored by the University will be processed through the University's designated immigration counsel. The filing of an immigrant or nonimmigrant petition is not a guarantee of continued employment, nor a guarantee of any fixed terms or conditions of employment, nor a guarantee that a petition will be granted.

**Visiting Human Resources**
On the first day of work, the faculty member should schedule an appointment with the Human Resources Office to start the initial employment processes. This initial employment process will include: verifying employment authorization by completing an I-9 Form, state and federal tax forms and benefit enrollment form.

**New Employment Orientation**
As a new employee, the faculty member will be asked to participate in an employee orientation

session, usually during the Fall Institute in mid-August at the beginning of the academic school year.

This Faculty Handbook will be an important tool for proper employee orientation. It should be read and used as a resource when there are employment policy questions.

Faculty members will be required to sign an Employee Handbook Acknowledgement Form, indicating he/she has been given a copy of, reviewed and understands the handbook.

**Confidentiality**

Employees recognize and acknowledge Confidential Information (as hereafter defined) constitutes valuable, secret, special and unique assets of the University. Employees covenant and agree that during their employment with the University and following termination of their employment with the University for any reason, whether voluntary or involuntary, and whether with or without cause, employees will not disclose Confidential Information to any person, firm, corporation, association or other entity for any reason or purpose without the express written approval of the University and will not use Confidential Information except in the University's business. It is expressly understood and agreed that Confidential Information is the property of the University and must be immediately returned to the University upon demand, or, in the case of electronic information, be certified in writing to the University that electronic copies of Confidential Information have been deleted.

Confidential Information includes, but is not limited to:

- Student or personnel information — employment records, health records, social security numbers, grades or other personally identifiable student information, including performance evaluations, disciplinary actions, investigations, grievance appeals, etc.
- Third-party information — information protected by non-disclosure agreements or other contractual obligations.

In certain circumstances, the following may also be considered Confidential Information:

- Lincoln University information—financial and statistical records, job applications, unpublished strategic plans, internal reports, memos, contracts, peer review information, communications, proprietary computer programs, source code, proprietary technology, etc.
- Copyrighted material and other intellectual property.
- Third-party information—computer programs, client and vendor proprietary information, source code, proprietary technology, etc.

The aforementioned list of items comprising Confidential Information is not exhaustive. If an employee has any questions about whether the information, they receive is confidential, they should ask their supervisors or the University's Human Resources Office.

Confidential Information is valuable and sensitive. It is protected by law and by the University policies now in effect or later adopted. The intent of these laws and policies is to ensure that Confidential Information is used only as necessary to accomplish the University's mission.

Employees are required to conduct themselves in strict accordance with applicable laws and the University policies regarding Confidential Information. As a condition, and in consideration, of employee access to Confidential Information, employees must agree to:

1. Use Confidential Information only as needed to perform an employee's legitimate duties.
    a. Only access Confidential Information which an employee needs to know.
    b. Do not divulge, copy, release, sell, loan, review, alter or destroy any Confidential Information except as properly authorized.
    c. Do not otherwise misuse or carelessly treat Confidential Information.
    d. Understand that an employee will be held responsible for his/her misuse, carelessness or wrongful disclosure of Confidential Information.
    e. Do not reproduce Confidential Information except as necessary to perform an employee's legitimate duties.
    f. Do not remove any proprietary legends from any materials containing, disclosing or embodying Confidential Information.
2. Safeguard and prevent disclosure of employee passwords and/or access codes or any other authorization that enables access to Confidential Information. Employees will be held responsible for any failure to safeguard such passwords, codes or authorizations.
3. Report activities to their supervisor, the University's Human Resource Office or President who employees suspect may compromise the confidentiality of information or related to any loss of confidentiality of Confidential Information. Reports made in good faith, including the employee's name, will be held in confidence to the extent permitted by law.
4. Abide by employee confidentiality obligations even when an employee is no longer affiliated with the University.
5. Understand that employees have no right or ownership interest in any Confidential Information.
6. Understand that any materials provided to an employee to perform his/her legitimate duties will remain the sole and exclusive property of the University and must be returned to the University after an employee's affiliation with the University ceases.

All employees should sign a Lincoln University Access and Confidentiality Agreement to be maintained in the employee's individual personnel file.

**Parking**
University employees have the opportunity to purchase a parking permit. To purchase this parking permit, an employee should complete a Vehicle Registration form at the Cashier's Office located on the first floor of Young Hall and pay the annual published parking fee. The University will waive the cost of non-reserved parking tags for all LUMNEA faculty. A current driver's license, University identification card (see University Identification Card section), proof of insurance and license plate number are required to obtain a tag at the Cashier's window.

Employees parking on the University campus must comply with all University vehicle, traffic and parking regulations located at https://www.lincolnu.edu/police/parking/index.html.

**E-mail Account Set-up**
Employees are required to obtain and use a University email account. Email accounts are requested by the Human Resources Office by submitting a ticket to the Information Technology Services (ITS) help desk.

**Computer Set-Up**
Departments submit a request form to the ITS help desk requesting a computer set up for employees. ITS staff will come to the employee office and install all necessary software and operational functions based on the department's request.

**Telephone Set-Up**
Each department has a telephone extension number and equipment available for employees to conduct University business. At the discretion of area heads and in line with purchasing protocols, mobile phones may also be provided. The area heads will determine if an employee should be set up with an individual extension number. A request will be made from the department to the ITS for telephone set-up and training.

**Lincoln University Identification Card**
An employee ID card will be processed through the ITS department at the time of hiring. The photo ID card serves as identification, a library card and pass for event discounts.

**Datatel Colleague Identification Number**
At the time of hire, an employee will be designated a Datatel Colleague identification number by the Human Resources Office. This number will be utilized in lieu of a social security number for tracking any employment transactions and for reporting leave.

**Office Space**
Departments will determine employee office locations and campus addresses. The campus address for each employee needs to be reported to the Human Resources Office by the employee's department to ensure the employee can be identified in the campus directory.

**Building Access and Keys**
University employees may be issued necessary keys by completing the Key Request form found

on the University website and obtaining the required signatures. Upon receipt and review of a completed Key Request form, the order will be filled, and the authorizing unit notified that the employee may pick up the key from the access control specialist at the physical plant. Appropriate identification (University ID or driver's license) of the individual named on the Key Request form will be required to receive the key. Keys not picked up within ninety (90) days will be returned to inventory and a new Key Request form must be submitted. A key audit will be performed each time a new key is issued. No University key may be duplicated. When an employee transfers from one department to another, he/she must return to the access control specialist all keys relative to the department he/she is leaving. If there is a valid need for the employee to retain such keys, the area supervisor will provide a written justification. The employee who is issued a key is responsible for that key and will be charged for any lost or misplaced keys. Prior to termination, employees must remit all University keys to the access control specialist. The specialist must sign a departure document attesting to receipt of all keys. With the approval of the area supervisor, select students may be issued keys. (E.g., in Cooperative Research, students are assigned to animal care on an ongoing basis including night and weekend hours and must have access to facilities).

**Dress Code Policy**

The University prides itself on the professional atmosphere it maintains and the positive image that employees present as its representatives. This image is affected by the manner of dress used within University offices, in constituent offices, and in public when employees represent the University.

Proper dress, grooming, and personal cleanliness contribute to the morale of all employees and affect the business and institutional image that the University presents to students, parents, alumni, and the public. Maintaining a professional, business-like appearance is important to the success of the University.

It is the responsibility of all supervisors and department heads to enforce the dress code policy. Any questions regarding appropriateness of employee attire should be directed to the employee's supervisor, department head, or the Office of Human Resources. If it is determined that the employee's attire is inappropriate, the employee will be warned, and future infractions will result in corrective action. The employee also will need to leave work and return in appropriate attire. Accrued leave will be applied to the employee's time away from the office to correct employee attire.

**Business Casual**

Acceptable business casual attire includes but is not limited to, slacks, khakis, capris, polo shirts, shirts with a finished neckline, skirts, dresses, turtlenecks, or sweaters. Clothing and shoes must be neat and clean. The University expects all employees to use good judgment when deciding whether the attire they wear to work is appropriate.

Unacceptable attire includes, but is not limited to, clothing with offensive sayings or logos, sweatpants, yoga pants, shorts, sweatshirts, or workout attire; tank tops, cutoffs; beach attire; miniskirts, dresses or skirts that are excessively short; clothes that are too tight, flipflops or slippers.

When necessary for particular situations, such as interviews, business meetings or presentations, employees should dress in professional business attire. In addition, department heads may, at their discretion and at any time, request that an entire department dress in professional business attire for an event or meeting for a specific purpose, such as a recognition event, etc.

**Exceptions**
The following areas are exempt from Lincoln's dress code policy: facilities, physical education staff, coaches, agricultural field workers, and all uniformed employees such as LUPD officers.

**Summer Casual**
The University allows a more casual dress practice during its summer session. However, all employees must continue to present a professional image to all of the University's constituents and must use their best judgement to dress appropriately. Jeans only can be worn on Thursdays if the University is closed on Fridays.

## XII. Benefits

Only full-time faculty members are eligible to receive a comprehensive array of employee benefits. Such plans are subject to modification at any time without additional notice by action of the Board of Curators, by the President or as required by law. The University also offers retirement plans through the Missouri State Employees Retirement System and the College and University Retirement Plan, as well as an employee assistance program, education assistance waiver, graduate tuition waiver and unemployment and workers compensation. The University may also offer voluntary, non-contributory employee benefits as reviewed by the Employee Compensation and Benefits Committee and approved by the President.

All benefit plans are reviewed periodically by the Employee Compensation and Benefits Committee. Further details related to the University's benefit plans are set out in the individual benefit plans.

**Health Insurance**
The University's full-time regular employees have the opportunity to enroll in a health insurance plan at the time of hire or during an annual open enrollment period thereafter. The University provides a determined amount of monthly premium contributions for each employee, which covers all or a significant amount of the employee premium depending on the plan option chosen. A new employee can elect to enroll in a health plan from the date of employment, effective the first day of the employee's first full month of employment. An employee has the option for spouse and dependent coverage.

An employee's health insurance coverage ends when the employee elects to cancel coverage or upon employment termination. An election to continue health insurance coverage after termination from employment through COBRA provisions will be available to those qualifying employees, spouses or dependent children. Under COBRA guidelines, those terminated for gross misconduct are not qualified.

**Life Insurance**
Employees who are in regular positions of .5 FTE or more and enrolled in the Missouri State Employees Retirement System (MOSERS) are eligible for basic life insurance coverage paid by the University at an annual salary amount or a minimum of $15,000, whichever is more. Additionally, employee, spouse and child/ren optional life insurance is available at the expense of the employee through payroll deduction. Employees also have the option of purchasing additional insurance for themselves.

Academic faculty enrolled in the College and University Retirement Plan (CURP) or Civil Service Retirement Plan (CSRP) receive similar life insurance coverage.

**Long-Term Disability**
Long-Term Disability Insurance is paid by the University for employees enrolled in the MOSERS or CURP retirement system. This insurance covers absences due to injuries and illnesses that are not job-related. The University provides disability insurance as a voluntary benefit to employees and any disability benefits received by the employee are taxable. The University's long-term disability policy starts ninety (90) days after the onset of illness or injury. The policy coverage is to cover sixty percent (60%) of the insured's pre-disability income. This sixty percent (60%) will integrate where applicable with other income sources including social security awards and/or accrued leave. There is a maximum amount of $10,000 cumulative pay-out per month.

Academic faculty enrolled in CURP or CSRP receive similar long-term disability insurance coverage.

**Retirement Plans**
The University provides a vested employee retirement plan through MOSERS for a faculty employee (.5 FTE or more). The employee does not contribute to the plan and the University contributes a determined percent annually of an employee's salary.

Employees hired prior to January 1, 2011, are fully vested after five (5) years of employment. The formula-driven benefit (age and service years) is paid to employees upon retirement. Normal retirement benefit eligibility starts at age fifty-five (55) with twenty-five (25) years of service, at age sixty (60) with fifteen (15), at age sixty-five (65) with four (4) or when the employee's years of service and age equals eighty (80). A new employee will receive a MOSERS Employee Retirement Booklet at the time of employment.

Employees who began working at the University in a benefit-eligible position for the first time on or after January 1, 2011, without previously being employed with the State of Missouri will be enrolled in the MSEP 2011 retirement plan. The age and service requirements for retirement eligibility is a combination = ninety (90). Number of years to be vested is a minimum of five (5) years. Employee is required to contribute (4%) of gross wages. Subsidized service purchases and Backdrop is eliminated.

The CURP is for a faculty member hired after July 1, 2002, and who has not been previously under MOSERS. CURP is a defined contribution plan administered by TIAA CREF. Faculty members enrolled in CURP are required to select an investment strategy for contribution to be invested. The University usually contributes 6% of an employee's salary as determined by MOSERS each year.

**Undergraduate Educational Assistance Tuition Waiver for Non-LUMNEA/MNEA Faculty**
An educational assistance tuition waiver for undergraduate enrollment is granted to full-time (1.0 FTE) benefit-eligible employees immediately upon an employee's first day of employment and the employee's timely completion of an Employee Tuition Waiver and Reimbursement Form. In-state tuition for full-time employees shall be waived for the first six (6) hours each semester for undergraduate enrollment. Fifty percent (50%) of in-state tuition for dependent children and/or spouse of an eligible employee shall be waived for the first twelve (12) hours each semester for undergraduate enrollment. A FAFSA for the enrolled student must be completed to determine eligibility except individuals who hold prior baccalaureate degrees. Any financial aid awards (PELL and FSEOG) will be applied prior to calculating tuition waivers.

The Employee Tuition Waiver and Reimbursement Form must be submitted and approved for the respective semester no later than the last day for making financial arrangements with Student Accounts.

For the purpose of this policy, a dependent child is defined as one of the following: one of natural birth (documented by copy of birth certificate), one of legal adoption (documented by copy of legal adoption certificate), a stepchild by marriage (documented by birth certificate and marriage license) and not over the age of 24. To establish eligibility, the dependent child must complete and submit a financial aid application (FAFSA) to demonstrate dependent status.

This policy applies to fees for tuition only as stated above. This policy does not apply to any other fees. This policy does not include the summer session nor applied courses such as music where one-on-one instruction occurs. Only persons who have satisfied all University admission requirements are eligible to benefit from the provisions of the policy.

Any person who receives a tuition waiver as provided herein and does not maintain a cumulative grade point average of 2.00 or above shall be denied further benefits under this policy until a cumulative grade point average of 2.00 or above has been achieved. Benefits shall be denied until a 2.00 or above grade point average is achieved the subsequent semester.

An individual receiving the fee waiver benefit under this policy who is not a candidate for a degree shall be limited to a time period of thirty-six (36) months for receiving such benefits.

An eligible employee shall be granted up to three (3) academic hours of release time to attend undergraduate classes at the University during the normal work week. In addition, eligible employees may utilize the lunch hour for attending academic classes with the approval of their immediate supervisors.

If an employee received an educational assistance tuition waiver for undergraduate enrollment and his/her employment at the University is terminated for any voluntary or involuntary reason prior to the completion of the semester in which the tuition waiver was granted, the employee agrees to repay the amount of the tuition waiver under the terms of the Employee Tuition Waiver and Reimbursement Form.

**Graduate Educational Assistance Tuition Waiver for Non-LUMNEA/MNEA Faculty**
An educational assistance tuition waiver is granted for graduate enrollment to full-time (1.0 FTE) benefit-eligible employees immediately upon an employee's first date of employment and the employee's timely completion of an Employee Tuition Waiver and Reimbursement Form. Fifty percent (50%) of in-state tuition for full-time employees shall be waived for the first six (6) hours each semester (fall and spring only) for graduate enrollment. This benefit is available for employees only. Per IRS tax purposes, employee benefits for graduate tuition waivers that exceed the limit set by the IRS in a calendar year may be taxed and will appear on the employee W-2.

The Employee Tuition Waiver and Reimbursement Form must be submitted and approved for the respective semester no later than the last day for making financial arrangements with Student Accounts. This benefit cannot be combined with any other tuition adjustment program.

This policy applies to fees for tuition only as stated above. This policy does not apply to any other fees. Only persons who have satisfied all University admission requirements are eligible to benefit from the provisions of the policy.

Any person who receives a tuition waiver as provided herein and does not maintain a cumulative grade point average of 3.00 or above shall be denied further benefits under this policy until a cumulative grade point average of 3.00 or above has been achieved. Benefits shall be denied until a 3.00 or above grade point average is achieved the subsequent semester.

An eligible employee shall be granted up to three (3) academic hours of release time during the normal work week to attend graduate classes at the University. In addition, eligible employees may utilize the lunch hour for attending academic classes with the approval of their immediate supervisors.

**Educational Assistance Tuition Waiver for LLUMNEA/MNEA Faculty**
The University shall provide a tuition waiver for dependents up to full-time enrollment in fall/spring semesters. In the event that the University eliminates the flat-rate tuition option, full-time would be defined as twelve (12) credit hours per semester. This provision of this Agreement is inconsistent with University Rules and Regulations, the Collective Bargaining Agreement and shall prevail over said section of the Rules and Regulations as to members of the faculty bargaining unit.

**Unemployment Insurance**
Involuntary terminated employees can apply for unemployment through a claims process administered by the State of Missouri, Division of Employment Security. If the terminated employee is determined eligible for unemployment assistance, the State of Missouri requests reimbursement for these claims from the University.

**Workers' Compensation**
The University utilizes the State of Missouri Workers' Compensation Program. The State of Missouri, as a self-insurer, administers its workers' compensation program through the Office of Administration, Central Accident Reporting Office (CARO).

CARO is devoted to providing timely workers' compensation benefits to the employees of the University. CARO utilizes a preferred provider network, a medical referral service and case management designed to provide prompt quality medical care in an economical manner.

The University's Human Resources Office provides specific information regarding employer, employee and supervisor responsibilities and proper injury reporting. If medical treatment is required, an employee must seek authorized medical care through CARO. In the case of an emergency, an employee should seek medical care promptly then notify CARO when possible.

All employees — full-time, part-time, temporary or student workers — are eligible for coverage. Benefits available are medical care including fees and costs, payments based on lost wages and rehabilitation services.

The University in conjunction with CARO has established an Early Return to Work program to enhance the recovery of employees who are injured or contract an occupational disease in the course and scope of University employment. Employees will be placed in temporary modified duty assignments, when feasible, during the course of the recovery to perform duties consistent with the temporary limitations.

**Vision and Dental Insurance**
A Vision Plan and a Dental Insurance Plan are optional benefits and, if elected, are paid for by the employee. The premiums are payroll-deducted. Enrollment takes place at time of employment or during an open enrollment period each year. Dental and vision insurance is offered through an established vendor. The employee also has the option to enroll eligible dependents in dental and vision insurance at the employee's expense.

**Sheltered Annuity Plans**
The University offers employees different options and companies through which to participate in tax-sheltered programs. These are 403-B plans and a deferred compensation plan.

**Missouri State Employees' Cafeteria Plan**
The Missouri State Employees' Cafeteria Plan is an optional benefit for University employees. At the time of employment or during an open enrollment period each year, an employee may enroll

in the plan and elect to tax defer any or all of the following:

- health insurance premiums
- medical expenses
- dependent care assistance

**Employee Assistance Program**

The University understands that everyone occasionally experiences life challenges that they may want assistance managing. To help employees be their best at work, care for their loved ones, manage their money matters, get help with legal needs and to improve their overall health, the University offers an Employee Assistance Program (EAP) for use by all employees. Information about the EAP program is provided as part of an employee's orientation process. Employees wanting information about the EAP can contact the Human Resources Office, review the EAP plan documents, consult the EAP provider directly or refer to the EAP provider's website for more information.

Participation in the EAP can be initiated at any time by any employee. Participation is voluntary and does not jeopardize employees' job security or career opportunities with the University. In addition, an employee's supervisor can determine it is necessary to require an employee to participate in the EAP as a method of correction of a behavior. Likewise, employees who participate in the EAP, either because of their own choice or the decision of their supervisor, are not exempt from their normal job requirements or other University policies and practices. In cases where employees have sought the services of the EAP, they will not be compensated for time they spend attending appointments; alternatively, they may take a form of paid leave. In cases where an employee's supervisor requires the employee to receive services from the EAP, the employee will be compensated for the time he/she spent traveling to and from and for attending appointments.

EAP records are maintained by the EAP provider and are not disclosed to the University or others unless employees provide advance written consent. The EAP provider only provides the University with nonconfidential statistical data, such as gender, age and dates of use, so the University can continuously evaluate the EAP's effectiveness.

Employees who terminate employment while receiving an EAP-provided service may, in certain cases, continue using the service until the free consultations are exhausted. Employees should consult the EAP plan documents and/or the EAP provider as to specific questions about their EAP benefits.

**Other Ancillary Benefits**

Other ancillary benefits will be determined through competitive proposal consideration and recommendation by the Employee Compensation and Benefits Committee and authorized by the administration (unless the vendor has been pre-approved by the state).

## XIII. Compensation

### Compensation Plan

Faculty annual nine (9)-month salary ranges will be determined by the Employee Compensation and Benefits Committee. The committee will provide current annual salary ranges each year following a review of the current data. The committee will utilize the *mean* of the Missouri state comparator group salaries as the mid-point in the range to develop a range for each University faculty rank with minimum and maximum points. The ranges established will represent 85% to 125% of the mean. Each faculty salary range will have a baseline (85% of mean), midpoint (100% of mean) and maximum (125% of mean). The University will use the College and University Personnel Association (CUPA) and the Coordinating Board for Higher Education (CBHE) as its primary resources for benchmarking faculty salaries. In certain situations, the University may use relevant market data provided by CUPA and CBHE where data is available. Specific compensation is to be determined by salary protocols.

At the time of appointment, initial compensation for a new or existing position will have a salary range of between 85% and 100% of the mean. Salaries designated as out of range must be justified in writing by means of a Variance Form available from the Human Resources Office. A salary for a newly appointed faculty member is designated as out of range if the salary is not within the designated annual range associated with the given rank at which the faculty member is appointed. Recommendations for salaries that exceed the 125% maximum are designated as out of range and must be approved by the President.

Based on national CUPA discipline data, the top two (2) relevant disciplines to the University shall be identified and an additional five percent (5%) of the base salary for the rank will be applied at the time of initial employment. This shall be based on CUPA-defined disciplines (CIP code) as determined upon academic appointment.

### Faculty Salary Adjustments

Base annual salaries shall be adjusted each year upon approval of the President and Board of Curators as funds allow.

### Salary Guidelines for Extramural Grant Awards

Faculty and staff with extramural grants working under unusual circumstances where consultation/collaboration is across departmental or University lines or involves a separate or remote operation and the work performed is in addition to or exceeds regular departmental load, may be compensated for this service, at a rate consistent with standard practice in grant-funded activity, and as specifically provided for in the agreement or approved in writing by the sponsoring agency. In addition, faculty and staff may, with approval by the administration, have their base salary (% of base salary charged to grant) increased up to a maximum of 125% if they are successful at obtaining extramural grant awards. Salary support in excess of the faculty/staff members' normal base salary must be fully supported (wages and benefits) by the funding agency and provided for in the grant proposal or by written permission of the granting agency. The adjustment in the base salary will remain in effect only through the duration of the extramural grant support for the adjustment. In the event funds are no longer available or at the end of the grant period, the base salary will revert to the previous salary level of the employee with any salary adjustments that may have been made by the University.

| | |
|---|---|
| Illustration: | |
| Base Annual Salary | $75,000.00 |
| FTE time applied to grant #xxxx | 25% |
| Base salary to charge to grant | $18,750.00 |
| Incentive pay (25% of base salary charged to grant) | $ 4,687.50 |

**Adjunct Faculty**
Adjunct faculty salary will be a flat rate of pay.

**Retired Faculty**
All University retired faculty, including professors emeriti, will be paid at the adjunct faculty compensation rate.

**Payroll Administration**
The Payroll Office is responsible for the transaction of employee pay. This includes paycheck disbursal, processing payroll deductions and benefit remittance.

Employee paychecks shall be deposited as follows:

- For salaried staff, pay day is the last working day of the month.
- For hourly employees, pay day is the 15th of each month.

Check advice information will be available through the employee section on WebAdvisor. All check disbursals will include a statement indicating gross earnings, withholdings, deductions and net pay. A leave accrual balance will also be included on the statement. At the end of each calendar year, in accordance with Internal Revenue Service guidelines, Tax Form W-2 income reporting will be sent to each employee's residential address.

**Administrative Stipends**
As members of the University's community, unclassified employees (academic, research and professional faculty) are expected to participate in a variety of the University's activities and services without additional compensation. In addition, the salary of full-time faculty members generally is full compensation for job duties and activities performed for the University. There are occasions, however, when a faculty member is asked to perform administrative duties on a temporary basis that are substantially outside the scope or reasonable potential scope of the faculty member's position. In such instances, the faculty member may be eligible to receive an administrative stipend under the procedures below. Any additional compensation paid to faculty for teaching duties is governed by the University's overload policies.

The University acknowledges employees may incur additional responsibilities because of vacancies within a department. A stipend will not be granted for the additional duties in this instance unless a position is vacant for six (6) months. The additional duties incurred by an employee because of vacancies in a department fall under the "other duties as assigned" category of the employee's job description. When an employee is assigned additional duties **not otherwise excluded above**, an employee may be eligible to receive an administrative stipend as allowed herein.

Increases in responsibility arise when an employee is temporarily assigned duties of a position that is in a higher grade or classification, or when new projects or duties are assigned representing a higher level of complexity or responsibility. A stipend may be offered to perform these duties on a temporary basis that are substantially outside the reasonable scope of the employee's position such as: (1) significant additional duties or short-term projects not currently a part of the employee's regular position; and (2) duties of a position in a higher grade or classification which would result in an upward reclassification if permanently assigned.

Additional duties receiving a stipend must be completed outside of the work schedule of a full-time assignment. If the need to perform the additional duties is during the employee's regular work hours, the employee must use annual leave for the time the duties are performed, and the additional time must be approved by Human Resources and the President of the University.

**Approvals and Authorization**

All administrative stipend arrangements must have prior approval before work or services can be performed by the employee and the request for a stipend must not be otherwise precluded herein. Justification for the following should be included in the stipend request: (1) an explanation of the duties to be performed beyond the employee's current work assignment; (2) the duration of the work assignment, start and end dates and estimated hours, hourly rate if applicable; (3) the selection process used to determine the work assignment, or the unique qualifications possessed by the employee that make him/her uniquely qualified to perform the work or services; and (4) stipends related to grants must demonstrate alignment with the requirements of the grant, University policies, and federal and state regulatory requirements.

The letter of justification requesting the administrative stipend must be approved and signed by a division/department-level executive member. The request for authorization signatory may be delegated below these management levels; however, the executive administrators remain responsible for complete requests that meet University policy standards.

The maximum duration for an administrative stipend is one (1) year. Extensions beyond one (1) year require approval by Human Resources and the President of the University.

**Eligibility**

Exempt and non-exempt employees are eligible for administrative stipends. These additional duties should be compensated at an hourly rate for the additional hours worked.

The department providing an hourly administrative stipend is responsible for any overtime pay that occurs.

Hours worked by non-exempt employees in excess of 40 hours per week must be compensated at time and a half. Time worked on supplemental assignments must be reported on the employee's timesheet for non-exempt employees.

Ineligible employees include casual or temporary employees; and student workers.

**Other Conditions**

- Administrative stipends may not be used for merit or performance-based compensation.
- Stipends are not to be used as a salary increase.
- Stipends are not to be used to distribute leftover monies at the end of a budget year.
- Stipends should not be used for teaching and advising a student, mentoring other faculty, fundraising or recruiting.
- Where duties are assigned on an ongoing basis as part of the employee's regular duties, the position needs to be reviewed for adequate compensation vs. stipend pay.
- Workload changes with no primary job function changes does not justify payment of a stipend.
- Assignment of temporary responsibilities at the same or lower level does not warrant an administrative stipend.
- Permanent increases in responsibility should be appropriately addressed through the reclassification or promotion processes, not via an administrative stipend.
- The amount of the administrative stipend shall not exceed the amount of salary increase that could be received by an employee if she/he were to receive a permanent promotion to the higher grade/ classification.

**Stipend Amount and Payment**

The payment of an administrative stipend cannot extend past the end date of the academic or fiscal year in which the stipend was approved, based on the employee's employment type. For example, a stipend paid to a 12-month employee cannot go beyond June 30 of the fiscal year in which it was granted; however, it may end earlier during the fiscal year if the temporary duties are completed or removed from the employee. Should it be necessary to continue the temporary work assignment beyond the end of the academic or fiscal year, a new justification and request needs to be submitted for review and approval.

**Supplemental Pay for Teaching Overload**

Teaching is normally performed by faculty as part of their regular duties. However, supplemental pay for teaching overload may be offered in limited and restricted situations of special need, with each case approved on an individual basis.

## XIV. General Employment Policies

**Position Classification**

The University shall utilize the framework of the EEO-1 Job Classification Guide as recognized by the U.S. Equal Employment Opportunity Commission as a benchmark for job classification. The University has adapted the job classifications to fit its unique higher education workforce. The following job classifications are in effect:

- Administrative Officers
- Administrative Staff
- Academic Administrative Staff
- Academic Faculty
- Professional Staff
- Administrative Support Staff
- Technical Staff
- Skilled Craft Workers
- Service and Maintenance Staff
- Research/Extension Faculty

The administrative officers of the University shall be designated by the President and report directly to him/her. In recognition of a common interest and of a large area of jurisdictional overlap, the administrative officers shall work diligently to develop and maintain the lateral relationships necessary to foster the exchange of related information and positive professional interaction. The administrative officers shall conduct the following, within their own area of jurisdiction: plan, monitor, coordinate and evaluate on-going programs; make personnel decisions; arbitrate grievances; prepare budget requests and monitor expenditures. They shall call regular and special meetings, set agendas, preside at meetings and provide ample opportunity for the free discussion of all matters relating to the welfare of their division and of the University. They shall assume other tasks and duties and undertake such studies as may be requested by the President.

The administrative staff includes, but is not limited to, non-instructional personnel who are directors or heads of specific areas and who are directly responsible to one of the administrative officers. Titles indicative of a member of this category are registrar, librarian and director. Administrative staff members have the responsibility for supervision and coordination of those directly subordinate to the administrator. The administrative staff member shall have additional duties and responsibilities as may be assigned by the administrative officer governing that area. Administrative staff members have the authority to recommend hiring, terminations, transfers, promotions and assignments of employees. The staff member may adjust or adjudicate grievances or recommend such action as is necessary to resolve a grievance. Responsibilities inherent in this position require the use of independent judgment.

The academic administrative staff includes those persons who carry the titles dean, department head, director for Cooperative Extension, director for Cooperative Research and director for International Programs. The staff member may be a full-time academic administrator and carry one (1) or more of the above titles or may hold a dual assignment, which is partially administrative and partially academic. For purposes of budgeting and reporting, it is necessary to proportion this type of assignment between the administrative and instructional functions. This shall generally be conterminous with a teaching load reduction for that staff member.

Academic faculty includes persons in the following categories: all personnel who have as their major responsibility the teaching of students enrolled at the University; all personnel who have as their major responsibility the conduct of original research conducted at and published from the University; those personnel who have as their major responsibility extension or community education planning, programming, coordinating or evaluation.

Professional staff includes persons whose assignments require either a college degree or experience of such kind and amount as to provide a comparable background. Professional staff includes all staff members requiring specialized professional training who would not be reported under administrative or academic staff (as listed above) and who should not be classified under any of the four (4) "non-professional" categories of activities which follow. Professional staff includes, but is not limited to, doctors, nurses and accountants with a degree or certification in their field; public relations personnel with degrees in journalism, English or related fields; and counselors with degrees in counseling, guidance or related fields. Professional staff shall perform the tasks for which they are qualified and to which they are assigned.

Administrative support staff includes persons whose jobs involve non-managerial tasks providing administrative and support assistance, primarily in office settings. Examples of these types of positions include: office and administrative support workers; bookkeeping; accounting and auditing clerks; dispatchers; data entry operators; computer operators; shipping, receiving and traffic clerks; word processors and typists; proofreaders; desktop publishers; and general office clerks.

Technical staff includes persons whose jobs require applied scientific skills, usually obtained by post-secondary education of varying lengths, depending on the particular occupation, recognizing that in some instances additional training, certification or comparable experience is required. Examples of these types of positions include research technicians or computer technicians.

Skilled craft workers include persons whose jobs include higher skilled occupations in construction (building trades craft workers and their formal apprentices) and natural resource extraction workers. Examples of these types of positions include boilermakers, brick and stone masons, carpenters, electricians, painters (both construction and maintenance) and plumbers.

Service and maintenance staff includes persons whose jobs include grounds upkeep, cleaning service, personnel service and protective service activities. Skill may be acquired through formal training, job-related training or direct experience. Examples of service positions include cleaners, janitors and groundskeepers. An example of a protective service position would include public safety officers.

**Job Description Policy**
Job descriptions serve to define the duties and responsibilities of all positions with the University. Each employee will be given a copy of the current job description for her/his position. A copy of each job description will also be maintained in the Human Resources Office. Due to the dynamics of organizational change, job descriptions will not necessarily be updated on a regularly scheduled basis, or when significant job function changes take place. Each organizational unit is responsible for providing updated job descriptions to the Human Resources Office.

The following components must be included in a written job description:

- position title
- department or office where the position is located
- job classification and salary grade
- status under the Fair Labor Standards Act (exempt or non-exempt)
- essential functions and estimated percent of time for each duty
- reporting requirements
- experience requirements
- education and training requirements
- required knowledge and skills
- other pertinent position information
- employee and supervisor acknowledgment signatures

**Criminal Background Checks and Disclosures**
To determine suitability for continued employment, the University will perform criminal background checks on any finalist considered for new employment. If a conviction is discovered, the University will evaluate the relationship between the conviction and the responsibilities of the vacant position. Should an applicant not be hired due to a criminal conviction or other background screening, the Human Resources Office will send the applicant pre-adverse action and adverse action correspondence in compliance with the Fair Credit Reporting Act. A relevant job-related conviction is grounds for non-selection of an applicant. Falsification of application materials, including failure to disclose criminal convictions, also is grounds for non-selection of an applicant.

An employee must notify her/his immediate supervisor within five (5) days of a conviction for a felony or any drug, alcohol or sex-related offense. Failure to report such conviction is grounds for disciplinary action up to and including termination of employment. The supervisor must notify the Human Resources Office immediately upon being informed of any such conviction.

Conviction is defined as including all felonies and misdemeanors except minor traffic violations in relation to any position which do not require driving. For positions that require the operation of a motor vehicle, the term “conviction” shall include minor traffic violations.

**Remote Work**

**A. Objectives**

The University recognizes that remote work can be an effective approach to fulfilling organizational objectives and providing employees with a flexible, productive work environment. Remote work arrangements are individually assessed based on the position duties and job requirements.

In order to provide flexible work options, a remote work arrangement may include:

- hybrid designations that involve an employee working some portion of the week/pay period at a remote site as well as on-campus, or
- fully remote designations in which most work is conducted at an alternate off-campus designated location.

A remote work arrangement may be made at the time of recruitment (i.e., condition of employment), during the employment period as determined by the employee's departmental leadership and the University's Human Resources Office, or at an employee’s request to transition to a remote work arrangement. All employees are expected to follow all professional standards of performance and conduct, applicable laws and the University's Bylaws, Rules and Regulations and policies and procedures while at all work locations. All employees also are required to complete all University mandatory training by specified deadlines, regardless of the work location.

A work schedule modification or remote work arrangement request for a health-related reason should be submitted directly to the University's Human Resources Office.

The University reserves the right to end the designated remote work arrangement at any time for operational needs, performance concerns, scheduling conflicts, budgetary impacts, customer service needs or other related matters. A minimum notice period of twenty-eight (28) calendar days should be provided to the employee prior to a required return to a designated campus location unless emergency circumstances necessitate the time period to be shortened or if a different time period is mutually agreed upon by the employee and the University.

Only hours spent on University-related work may be reflected as hours worked. If any time is dedicated to address personal items during the employee's workday, the employee is expected to use accrued leave as allowed under the University's policies.

**B. Evaluating a Remote Work Arrangement**

Remote work arrangements are not required to be uniformly available to all positions or employees within a department because <u>not</u> all positions are conducive to remote work arrangements. Remote work arrangements are based upon the University's mission in providing a residential campus experience coordinated with a department's defined business model.

Instructional duties are generally not eligible for a remote work arrangement. Instructors are expected to provide classroom instruction and conduct office hours *in person* unless an exception or official accommodation is approved, the position is hired as remote, or the class is officially designated as an online course.

Department leadership is responsible for determining the best use of a remote work arrangement while assessing the impact on campus operations, space availability, budget and the student experience. The remote work arrangement is intended to benefit the employee and the University without putting undue burden or added expense on the supervisor, team and/or department and must conform with all applicable University policies, procedures, Rules and Regulations and state law.

Each of the following factors should be considered by a department leadership:

- Remote work arrangements must not adversely affect the services provided to students, parents, employees, colleagues or the public, whether those services are directly provided by the employee or by other department members.
- Remote work arrangements must not be assigned if it adversely impacts productivity at the individual or department level, or if the arrangement negatively impacts communications, collaborations, team-based environments, etc.
- Work schedules in different time zones will need to be considered and managed to ensure department operations and services are not disrupted. Work schedules should be aligned with the Central Standard Time Zone when possible.
- A remote work location agreement is not intended to provide child, dependent and family care, convalescing or caring for an ill family member. The presence of children or other dependents, guests or pets in the remote work location cannot disrupt the overall performance of work activities or negatively affect the productivity of the employee.
- Although a work schedule modification that is reflective of both the employee and the University needs might be possible, the focus of the arrangement must remain on the effective fulfillment of job responsibilities.
- Remote work arrangements should be analyzed to determine if the position duties can be performed in a remote environment.

- The employee’s prior/current work performance and conduct should be considered to determine whether the employee is likely to be successful in a remote work arrangement.
- Remote work arrangements should not create or increase a need for additional staffing or increase work hours of existing staff.
- Remote work arrangements should not create data security or other confidentiality risks that cannot be effectively mitigated.
- Remote work arrangements require supervisors to be able to effectively manage work hours and productivity. The supervisor should provide clear performance goals and expectations for the employee, and the employee’s work quality, quantity and timeliness should be adequately monitored by the supervisor.
- Hourly (non-exempt) employees working over forty (40) hours during an assigned work week are eligible for overtime hours.

Departments considering remote work arrangements are encouraged to contact the University's Human Resources Office for consultation, especially for employment arrangements necessitating an out-of-state remote work location to ensure all employment law requirements and related costs are identified. Employees will be taxed according to the state and employment law and benefit provisions for the city and state designated as the primary work location, which may have a financial impact to the department.

Remote work arrangements should be reviewed by the department and employee after the first six (6) months and annually thereafter or at the time of evaluation to confirm continuation of the arrangement. Employees hired into a position designated as fully remote do not necessitate a review outside of the performance evaluation process. The University will review work location arrangements annually.

In the event of campus closure due to a declared emergency or inclement weather, employees may immediately be designated as remote workers for temporary or permanent arrangement. Remote work due to temporary campus closures will not require completion of a University Work Location Request Form.

**C. Assigning/Approving a Remote Work Arrangement**

Any requested change to an existing work arrangement (i.e., in-person, fully remote or hybrid) must be documented by completing the Work Location Request Form. Requests require review by the supervisor, approval by department leadership, and approval by the University's Human Resources Office. If questions exist about the potential effectiveness of the arrangement, the supervisor may consider evaluating a remote work arrangement on a pilot basis with a defined review period.

Remote work arrangement requests approved by the supervisor/department leadership must be submitted to the University's Human Resources Office for final review and approval prior to the work arrangement going into effect. The University's Human

Resources Office will provide a communication to the employee and supervisor once processing is completed.

Remote work schedule changes do not require the completion of the Work Location Request Form; however, all remote work schedule changes are to be discussed between the supervisor and the employee and approved in advance with a fourteen (14) calendar day minimum notice period. In addition, the supervisor shall notify the University's Human Resources Office in writing of any schedule changes.

**D. Electronic Devices and Data Security**

Reasonable steps must be taken to ensure that University property is assigned and used according to University policy and related requirements. Compliance with all Information Technology policies including, but not limited to, software licensing, virus protection and data security measures (i.e., multi-factor authentication) is required.

Employees with a remote work arrangement are required to have a University-issued computer or another electronic device. Security and confidentiality of University records must be maintained, and electronic records must be stored in University-identified drives via secure remote access technology provided by the University Information Technology. The supervisor should identify the employee's equipment needs and coordinate the acquisition of assigned equipment.

The employee must have high-speed internet service to work remotely. The University is not responsible for purchasing equipment to establish internet service such as modems, wireless routers and other DSL/cable communication devices.

The employee is required to follow all University policies and procedures regarding access to and destruction of sensitive or confidential data at any assigned work location. Employees are required to keep University-owned equipment and information secure at the work site.

**E. Workers' Compensation**

Because unknown workers' compensation liability may be incurred if accidents occur off-site, the employee will immediately report accidents to their designated supervisor, which occur at the remote work location during the agreed upon work hours while performing work-related duties.

Job-related accidents will be reported on the specified University form available.

**F. Ending a Remote Work Arrangement**

Upon notification that a remote work arrangement is ending, the employee may be asked to work at the designated campus work location as directed by the supervisor. Failure to return to the designated worksite within the defined timeframe may result in disciplinary action, up to and including dismissal. The supervisor is required to notify the University of the cancellation of the remote work arrangement prior to communicating the cancellation to the employee.

At the time of separation from employment, employees under a remote work arrangement are required to return all keys and University-issued electronic devices used to access or store data (e.g., computer/laptop, docking station, power supply, tablet).

Employees will be required to return all equipment within seven (7) calendar days following their separation date and will be billed the replacement cost if they fail to return required University equipment. Employees transferring to a different University position should initiate conversations between the new and departing units to ensure that property assignments can be transitioned accordingly.

**G. Exclusions or Special Circumstances**

Remote work arrangements are limited to the United States.

Student employees are not eligible for remote work arrangements unless an exception is approved by the University's Human Resources Office.

Remote work arrangements may be eligible for a flexible work schedule as discussed and agreed to by the employee, supervisor and department leadership.

Notification of a work location change, based upon a performance concern, may not occur until after the employee has had an opportunity to meet performance objectives as outlined in a performance improvement plan.

Commuting costs among multiple work locations, as designated in a hybrid work arrangement, are not an employer-reimbursable expense. Employees designated as non-exempt under the Fair Labor Standards Act (FLSA) with a fully remote work arrangement may be eligible for compensation for travel time if travel occurs during the assigned work schedule. Travel expenses incurred while commuting among multiple work locations, such as airfare, mileage, hotel and per diem, are not required to be covered by the employer.

Working in a remote work location may be authorized for shorter time periods (i.e., less than two (2) consecutive pay periods) in the best interests of the employee or the University as discussed and approved with the supervisor and the University's Human Resources Office. A Work Location Request Form is not required for one (1)-time, irregular or brief instances when an employee may perform work away from the designated campus location, nor will it be required when remote work is directed by the University due to a disruption of business operations or related emergency.

The University is not required to furnish or provide additional equipment for the remote work location beyond the designated computer requirements unless the designated item is approved by the University's Human Resources Office as a reasonable accommodation under the Americans with Disabilities Act (ADA).

Fully remote employees experiencing an extreme weather-related or other uncontrolled event (e.g., loss of electricity) that restricts or prohibits the ability to work should contact their supervisor for further instruction.

**H. Consequences**

Failure to follow this policy and University expectations may result in ending a remote work arrangement and may result in an employee disciplinary action, up to and including dismissal.

**Disabilities & Accommodations**

In order to reasonably accommodate qualified individuals with a disability, the University requests that employees with a disability initiate the reasonable accommodation process by completing a Request for Reasonable Accommodation form and return it to the Human Resources Office. Employees requesting an accommodation also will be asked to provide a completed Physician Questionnaire to the Human Resources Office to determine if the employee can perform the essential functions of his/her position with a reasonable accommodation.

**Pregnant Worker Accommodations**

The University will provide reasonable accommodations to employees and applicants with limitations related to pregnancy, childbirth or related medical conditions, unless the accommodation will cause undue hardship to the University's operations, as required by the federal Pregnant Workers Fairness Act (PWFA).

An employee or applicant may request an accommodation due to pregnancy, childbirth or a related medical condition by submitting the request in writing to the University's Human Resources Office. The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.

Upon receipt of a request for accommodation, the Human Resources Office will contact the employee or applicant to discuss the request and determine if an accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.

While the reasonableness of each accommodation request will be individually assessed, possible accommodations include allowing the individual to:  sit while working; drink water during the workday; receive closer-in parking; have flexible hours; receive appropriately sized uniforms and safety apparel; receive additional break time to use the bathroom, eat and rest; take time off to recover from childbirth; and be excused from strenuous activities and/or activities that involve exposure to compounds deemed unsafe during pregnancy.

An employee may request to use the employee's accrued paid leave or unpaid leave as a reasonable accommodation under this policy; however, the University will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

The University prohibits any retaliation, harassment or adverse action due to an individual's request for an accommodation under this policy or for reporting or participating in an investigation of unlawful pregnancy discrimination.

**Service Animals**

Service animals are trained to perform some of the functions and tasks that an individual with disabilities cannot perform for her/himself. A service animal is individually trained to work or perform tasks for the benefit of an individual with disabilities as described in the Americans with Disabilities Act. A service animal is permitted to accompany a person with a disability everywhere on campus except in situations where safety may be compromised, due to chemicals, living organisms, or health and safety issues.

The service animal must be trained and have current health records. The animal must wear some type of recognized identification symbol. The animal must be well-groomed and have good hygiene. It must be on a leash at all times while accompanying the handler. The handler must be in full control of the animal at all times. Consequently, the handler is responsible for the behavior and actions of the animal. The service animal may not display disruptive behaviors such as barking, whining, growling, rubbing, etc. The service animal may be excluded from the campus when the animal's behavior poses a direct threat to the health and safety of others, or if the animal is destructive, ill or not clean.

Additional guidelines relating to service animals are located in the office of the Coordinator of Access and Ability Services.

In the event of a dispute regarding a service animal, the complainant should confer with the Coordinator for Access and Ability Services. If the matter is not resolved, the complainant should submit a written statement addressed to the Grievance Committee. If the complainant remains dissatisfied with the committee's recommendations, the dispute will be forwarded to the University president who shall gather information, review the matter and issue a final decision on the University's behalf.

**Political Activity**

University employees may not engage in political activity: 1) during the course of their work day; 2) in any University room, building or property occupied in the conduct of job duties; 3) while utilizing any University resources or facilities; 4) while wearing a uniform or any insignia identifying the office or position of the employee; or 5) when using any vehicle owned or leased by the University or the State of Missouri.

The following are allowable political activities that University employees may engage in: 1) working with organizations of political parties qualified to place candidates on the ballot in accordance with Missouri State Statutes or of political parties seeking such qualification; 2) working with nonpartisan or bipartisan groups seeking the election of candidates to public office; 3) working with nonpartisan or bipartisan groups seeking the approval or disapproval of issues which are or may be submitted to the voters for approval; and, 4) working for individual candidates seeking public office, including candidates for membership of any political committee established by Section 115.611, RSMo.

Faculty are not authorized to display support materials for specific candidates (buttons, stickers, t-shirts) on their persons, class material or office space while conducting University-related business.

Such activities, like any other personal, non-official undertaking, must be done on the individual's own time and should not interfere with University duties. Employees may contribute funds or expend funds on behalf of the above parties, groups, candidates or issues, subject only to state and federal laws, which regulate political contributions.

**Public Office**

Before officially announcing candidacy, or accepting any elective offices, employees must inform their immediate supervisors of such intention, and the supervisors must make the fact known to the President. The President will offer no objection to the candidacy provided it does not require time or attention that should be given to University duties. Subject to the requirements of notice to the President, an employee may, without the President's permission, become a candidate for and hold a part-time position for public office. In case of doubt, the President will decide if the candidacy is permissible under this policy. Such activity must be conducted on the individual's own time and is not to interfere with University duties.

The holding of any full-time elective office in local, county, state or federal government is forbidden while the person is employed by the University unless the employee is granted a written exception by the President as allowed for some local government positions. Some offices, for example, the Missouri General Assembly, should be considered full-time although not in session for the entire year. Any employee seeking election to such an office must resign or request a leave of absence as of the date of filing in the primary. Before accepting such office, employees are required to resign from their University positions.

**Children on Campus**

The University is cognizant of the difficulties employees may encounter relative to safe and uninterrupted care of minor children. However, the University's first priority is to provide an environment conducive to academic and work pursuits. Therefore, employees are responsible for making childcare arrangements that do not include routinely bringing children to work for any extended period of time. In all cases, the adult who brings the child to campus is responsible for direct, constant care and attention to the child's health, safety and welfare.

Children who are sick and/or infectious should never be brought to campus, and certain areas of campus (e.g., construction sites) may never be open to children for safety and liability reasons.

Permission to bring children into the work environment must be sought in advance from the department head. Supervisors are encouraged to accommodate employees to the extent possible in arranging for sick or personal leave to be taken when childcare emergencies arise.

**Consensual Sexual or Romantic Relationships**
There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions, and the party who holds the position of greater authority or power assumes such risks. In the University context, such positions include (but are not limited to) supervisor and employee, senior faculty and junior faculty, mentor and mentee, professor and student and volunteer and student. Because of the potential for conflict of interest, exploitation, favoritism, bias and the appearance of impropriety, such relationships undermine the real or perceived integrity of the supervision and evaluation provided. Additionally, such relationships may be less consensual than the individual whose position confers power or authority believes. The relationship is likely perceived in different ways by each of the parties, especially in retrospect.

Moreover, such relationships may harm or injure others in the academic or work environment. Relations in which one party is in a position to review the work or influence the career of the other may provide grounds for complaints by third parties when that relationship gives undue access or advantage, restricts opportunities or creates a perception of these problems. Furthermore, circumstances may change and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct.

Where such a relationship exists, the person in the position of greater authority or power will bear the primary burden of accountability and must ensure that he or she – and this is particularly important for faculty members – does not exercise any supervisory or evaluation function over the other person in the relationship. Where such recusal is required, the recusing party must notify his or her supervisor, department head or dean, as applicable, so that such head, dean or supervisor can exercise his or her responsibility to evaluate the possibility and adequacy of alternative supervisory evaluative arrangements. Staff members, mentors and volunteers must also notify the Human Resources Office. To reiterate, the responsibility for recusal and notification rests with the person in the position of greater authority or power. Failure to comply with these recusal and notification requirements is a violation of this policy, and therefore grounds for disciplinary action up to and including termination of employment.

With students – The University will view it as unethical and a violation of this policy if University employees, mentors or volunteers engage in sexual or romantic relationships with students enrolled in their classes or subject to their supervision. Such employee/mentor/volunteer-student relationships may include, but are not limited to, faculty and student, advisor and advisee, teaching assistant and student, coach and athlete, the individuals who supervise the day-to-day student living environment of student residents, mentor and mentee relationships and volunteer and student relationships. The behavior is, in most cases, unethical even when the relationship is consensual (i.e., both parties have consented), because the voluntary consent of the student is in doubt, given the power imbalance in the student-employee/mentor/volunteer relationship. Even if consent were to be shown, a clear conflict of interest would still exist which might create the appearance of discrimination or favoritism in grading or access to educational or other University opportunities. Employees who violate this policy are subject to disciplinary action up to and including termination of employment. Mentors and volunteers who violate this policy are subject to their mentor and volunteer status with the University ending at the discretion of the University.

Relationships between a graduate student and an undergraduate student, when the graduate student has some supervisory responsibility for the undergraduate student, are prohibited by this policy.

**Conflict of Interest**

University employees are expected to meet the specific responsibilities, requirements and obligations of their positions and to pursue related professional activities in a manner that precludes conflict of interest or commitment. While the University encourages employees to engage in professional and creative activities and public service and to engage in and disseminate research, such pursuits must not result in any type of personal gain that would improperly influence the performance of the employee's University duties. A conflict of interest is defined as any situation in which an employee's judgment or conduct in the performance of her/his official duties for the University could be influenced, or might give the appearance of being influenced, by the employee's familial, personal or business relationship with a third party. Faculty must comply with the University Rules and Regulations, Chapter X, Conflict of Interest and Financial Disclosure.

Areas in which conflicts of interest may arise include, but are not limited to, the following:

1. **Secondary Employment**: An employee's secondary employment, business and/or activities must not interfere with the employee's University position or duties nor represent a conflict of interest. Such secondary employment, business and/or activities also must not interfere with the regularly scheduled hours for which an employee is expected to perform her/his University duties. Any employee engaging in other employment running simultaneously with his/her employment at the University must give written notice to the Human Resources Office of his/her secondary employer, job position, duties and term of employment.

2. **Consulting**: University faculty and other exempt employees involved in financially profitable consulting activities. Consulting is a significant means of professional improvement as well as a form of community service. However, consultation may, in some instances, also constitute a business interest requiring disclosure and approval when the entity, for which the employee consults, transacts business with the University or is in competition with the University, or where the consultation itself competes with the work of the University. Consulting activities are therefore allowable under the following circumstances and with the following stipulations:

    - The consulting activity is related to the professional interest and development of the faculty member or other exempt employee.

- The consulting activity does not interfere with the time and energy required of the employee by her/his primary responsibility to the University.
- The employee does not utilize University materials, facilities and other resources for the consulting activity.
- The consulting activity does not compete with the work of the University and is not contrary to the best interests of the University.
- The consulting activity does not violate federal or state law.
- The consulting activity does not represent a conflict of interest under any other policies of the University.

3. **Grants or Contract**: University employees will not enter into any grant, contract or any type of business arrangement with the University through which they will profit financially. Employees shall not receive any personal gain, in any form, from any purchase of goods or services by the University. Employees shall not accept any gift, gratuity or other reward with monetary value from any person or entity which transacts business with the University, or which seeks to transact business. If an employee holds interest in any firm or corporation with which the University begins proceedings for entering into a grant or contract, the employee will disclose such interest, in writing, to her/his supervisor who shall make such fact known to the University department or unit initiating the grant or contract.

4. **Direct Financial Benefits**: University employees may not receive any direct financial benefit from the sale of textbooks or other educational materials to students at the University. The employee may, however, profit from the sale of such materials to other universities, libraries, etc.

**Conflict of Commitment**

A conflict of commitment may arise when employees undertake any outside activities that interfere with their ability to operate at the expected level of job performance. University employees should therefore carefully consider whether the outside activities, i.e., political office, would require a level of time and commitment that could impinge (or could reasonably be conceived as impinging) on the ability to meet the requirements of their University positions. Before employees undertake such outside activities, they must disclose the intention to their supervisors, who will forward this notice of intention through the proper channels. The University President will have the final authority in approving such outside activity.

The area of Cooperative Extension follows the University conflict of interest and commitment policies as well as the guidelines and requirements of its federal partner, CSREES/USDA. Extension employees must comply with University Rule and Regulation 10.10.

**Nepotism**

No person who is related by blood or marriage to any member of the Board of Curators shall be appointed to any position in the University as an officer, member of any faculty or employee. A relative includes, but is not limited to, spouse, child, grandchild, great-grandchild, great-great-grandchild, parent, grandparent, great-grandparent, great-great-grandparent, brother/sister, aunt/uncle, great aunt/uncle, niece/nephew, grandniece/nephew and cousin. All relationships are included, whether full, half, step, foster, adopted or in-law. No exceptions shall be made to this rule.

No University employee may be involved in the hiring process of a job applicant related by blood or marriage to the employee or who has a relationship with the employee that would be considered a personal conflict. A relationship that would be considered a personal conflict includes but is not limited to: domestic partners or significant others; individuals who are cohabitating, including roommates; individuals who are dating; individuals who are involved in a personal relationship; or individuals who are involved in a business relationship that might be construed as being a conflict of interest. The hiring process includes the search and screening process as well as the signature authority required to hire an applicant.

No restriction on employment of persons related to other employees of the University shall be made unless the employment would result in an employee having supervisory capacity over a relative (of any degree), either immediately or within the direct chain of command. No exceptions shall be made to this rule.

**Work Authorization**

Work authorization for an employee in a non-resident alien status is limited to a specific length of time. Because the University must serve as the official sponsor of each non-resident alien employee, it is the employee's responsibility to a make timely request to the Human Resources Office for filing of work authorization, change of status or extension of such authorization so that continuation of employment may be granted by the U.S. Immigration Service prior to the expiration date of the current status.

**Performance Evaluation**

All University faculty shall be evaluated annually. At the beginning of each academic year or within two (2) weeks of initial appointment, each faculty member shall complete a "Faculty-Supervisor Preliminary Evaluation Agreement," to be signed by the faculty member and the department head and sent to the dean by the date published in the annual "Schedule of Required Administrative Actions." It shall be the responsibility of each department head to make known and implement the instrument and weighing factors for the evaluation of the faculty assigned to the unit. It shall also be the responsibility of the supervisor to implement the evaluation processes that are in place, i.e., conferences with the faculty member, classroom visits, etc. During the spring semester, each faculty member will complete a self-evaluation form, based on the evaluation agreement, and submit it to the department head. The supervisor will then complete a "Faculty Evaluation" and share the results with the faculty member. Both will sign the evaluation. All faculty evaluations will be sent to the dean by the published deadline. A copy of the evaluation must be made available to the faculty member.

**Social Security Number**

Given that social security numbers are highly confidential and legally protected, the University shall protect the privacy and legal rights of its employees, including potential employees, by the institutionalization of safeguards on the collection and use of social security numbers. To this end, the University will work diligently toward the disuse of social security numbers as common identifiers, except where required for employment, financial aid and other legal transactions. When the social security number is required or requested, a disclosure statement will be provided in compliance with the Federal Privacy Act of 1974, the Family Education Rights and Privacy Act (FERPA), and other applicable federal and state laws.

**University Email / Portal Use Communication Policy**

The University has designated the University email system and the electronic Blue Tiger Portal (https://experience.elluciancloud.com/lum379437/) as the official means of communication to students, faculty and staff. Each student, faculty member and staff member receive an official University-hosted email account and network ID (username) and password. Official notices and information regarding the University will be sent through the LU email system and/or posted on the Blue Tiger Portal.

Typical communications available via email and/or the Blue Tiger Portal includes information regarding enrollment, grades, billing, payments, financial aid, assessment exams, campus activities and announcements and access to WebAdvisor.

It is expected that the email, and/or information contained on the Blue Tiger Portal, will be received and read by the recipient in a timely manner, as these communications and information contained may be time sensitive. Each individual who has a University email account and/or access to Blue Tiger Portal is responsible for monitoring their account as well as for any consequences of missing important messages or time-sensitive information contained therein.

## XV. Academic-Specific Policies

**The Academic Faculty**

The members of the academic faculty of the University shall be designated by the following titles: professor, associate professor, assistant professor, instructor and lecturer. Title designation and term of service shall be determined at the time of appointment.

**Appointment Policy**

The search for appropriate candidates is the responsibility of the unit head and must be conducted in accordance with the University Hiring Policy. All faculty appointments at the University shall be made by the President upon recommendation of the Vice President for Academic Affairs and Provost (VPAA). Annual notices of continued appointment shall be issued to all academic and research faculty.

**Initial Appointment: Minimum Qualifications for the Various Academic Ranks**

Initial appointment to full-time ranked faculty positions shall be defined in writing as tenure-track or non-tenure track. All degrees and qualifications listed below must be in a field relevant to the position:

1. Candidates for appointment at the rank of instructor must have earned an appropriate master's degree from an accredited university or a baccalaureate degree from an accredited college or university and the appropriate certification, license or clinical experience in the area of assigned responsibility.

2. Candidates for appointment at the rank of assistant professor must have one of the following:

- an earned terminal degree from an accredited university;
- doctoral course work completed and dissertation in progress; or
- the master's degree and the appropriate certification, license or clinical experience in the area(s) of assigned teaching/research responsibility.

3. Candidates for appointment at the rank of associate professor must possess a terminal degree from an accredited university and a minimum of seven (7) years of appropriate professional experience in the area of assigned responsibility at the rank of assistant professor.

4. Candidates for appointment at the rank of full professor must possess a terminal degree from an accredited university and a minimum of ten (10) years of appropriate professional experience in the area of assigned responsibility at the rank of associate professor.

Compensation at the time of appointment is recommended by the appropriate hiring authority and must fall within the guidelines set forth by the Employee Compensation and Benefits Committee. The most recent Faculty Salary Plan approved by the Employee Compensation and Benefits Committee and the President shall determine specific salary ranges.

**Appointment to Adjunct Faculty**

Adjunct faculty shall be defined as temporary faculty who are hired on less than a full-time basis to provide instructional services on a course-by-course basis or perform other faculty-related duties.

All adjunct faculty must meet the minimum academic requirements of master's degrees in the discipline for which they provide instructional services.

Compensation for adjunct faculty is a flat rate per credit hour, in accordance with the University pay scale regardless of degree or years of experience.

**Appointment of Lecturer**

The position of lecturer shall be defined as a non-tenure track, temporary full-time faculty who is hired on a yearly basis (3-year max), renewable appointment to teach in their discipline. The qualifications for this appointment are completion of all doctoral coursework with the exception of the dissertation, its defense and conferral of doctorate degree.

As full-time faculty, the lecturer is governed by the University Rules and Regulations applying to faculty and this handbook (e.g. office hours and limited committee work). Lecturer pay shall commensurate with the assistant professor rank on the University's compensation scale and general benefit.

**Conditions of Appointment: Cooperative Extension, Cooperative Research, and Extramurally-Funded Projects Personnel**

Cooperative Extension State Specialists and Cooperative Research Investigators shall be issued appointment letters defining both their academic rank and areas of professional responsibility. Academic rank shall be assigned within the academic department most closely associated with the faculty member's professional field of specialization or within Cooperative Research or Cooperative Extension, depending upon the area supporting the primary appointment. Such appointees shall be eligible for all the benefits and privileges of faculty, including tenure. Therefore, tenure can be awarded through Cooperative Research, Cooperative Extension or the appropriate academic department. The appointment letter defining the area where they may be eligible for tenure must come from the area in which tenure is being offered.

Faculty in Cooperative Research and Cooperative Extension may also be appointed to permanent non-tenure track positions depending upon the needs of the University and program area. Persons hired to these positions shall be issued appointment letters commensurate with their work assignments and shall be eligible for promotion and salary increases.

**Special Appointments**

The University shall recognize the following special appointments: Professor Emeritus and Curators' Distinguished Professor. Eligibility, procedures, and privileges are outlined in Chapter III, Academic Affairs of the Rules and Regulations.

**Notification of Non-Reappointment of Faculty**

Faculty shall receive written notification of non-reappointment according to the following schedule: in the first year of service, faculty shall receive notification by March 1; in the second or later years of continuous service, faculty shall receive notification by December 15 of the current academic year. Faculty with tenure may be terminated for cause or under financial exigency.

## XVI. Technology

**Office of Information Technology Services**

The ITS Office is headed by the Chief Information Officer (CIO) who is responsible for directing and coordinating the planning, implementation and maintenance of information technology resources for the University. This includes administration and management of technology purchases, administrative/academic computer needs, classroom technology solutions, online learning management systems, software evaluation and testing, software installation/troubleshooting, systems administration, technology planning, systems integration, data migrations, help desk operations, office automation, telecommunications and networking (including remote sites such as University farms/extension sites). The CIO is responsible for providing leadership, consultation and assistance to the entire University community relative to technology needs. The CIO also serves as the chief information security officer for the University ensuring cybersecurity standards and threats are addressed.

### A. Responsibility

<u>Lawful Use</u>
All use of computing resources is subject to federal, state and local law and University regulations. Users must abide by all use restrictions, whether or not safeguards are built into the system, and whether or not restrictions can be circumvented by electronic means.

<u>Copyright</u>
Users of technological resources must observe intellectual property rights, in particular, the software copyright law. Users must refrain from using University trademarks or logos without prior authorization and from implying, by use of University technological resources, that the person speaks for the University.

<u>Proper Authorization</u>
Except in cases of explicitly authorized external access, such as for incoming electronic mail, anonymous FTP or similar services or specially authorized external users, University computing resources are limited to members of the University community. Users must not permit or assist any unauthorized person in accessing ITS facilities.

Authorization for other external use of the University's computing resources by outside organizations or individuals requires written approval of the President and will be granted only when that use is determined to further the University's mission.

<u>Account Ownership</u>
Another person may not use an account assigned to University faculty, staff, students, or another individual approved for such use. Faculty, students, staff and any other individual approved for such use are individually responsible for the proper use of their accounts, including proper password protection and appropriate use of computing resources.

<u>Personal Identification</u>
Users of University computing resources, including microcomputers, laptops, workstations, servers, printers, software and cloud-based systems or other public facilities, must show identification upon request by members of the Lincoln University Police Department ("LUPD"), ITS staff or any other authorized University official.

<u>Contracts</u>
All use of University computers and networks must be consistent with all

contractual obligations of the University, including limitations defined in software and other licensing agreements.

External Data Networks
Users shall observe all applicable policies of external data networks when using such networks, including sites visited via the Internet. This includes but not limited to MOREnet acceptable use policies at https://www.more.net/service-policies.

Access to Data
Users must allow ITS personnel access to data files kept on ITS systems for the purpose of systems backups or diagnosing systems problems, including rules violations. All IT-related vendor contracts should include a provision that the University not only owns its data in software systems (including cloud-based systems), but the contractor cannot require the University to pay for its data extracts from those systems.

For-Profit Use
Without specific authorization, all activities conducted through the University computing resources for personal profit or for the direct financial benefit of any non-University organization are prohibited. However, this is not meant to restrict normal communications and exchange of electronic data, consistent with the University's education and research roles that may have an incidental financial or other benefit for an external organization. For example, it is appropriate to discuss products or services with companies doing business with the University or to contribute to Usenet bulletin boards discussing issues relating to commercial products.

Incidental Personal Use
Incidental personal use of University computing resources may be allowed when such use does not interfere with University operations, does not compromise the functioning of the University's network or does not interfere with the user's employment or other obligations to the University.

Threats and Harassment
University computing resources may not be used to threaten or harass any person. A user must cease sending messages or interfering in any way with another user's normal use of computing resources if the aggrieved user makes a reasonable request for such cessation. The University's Sexual Harassment and Discrimination policies are extended to include harassment and discrimination via computing resources.

Modification of Data or Equipment
Without specific authorization, users of ITS computing or network facilities may not cause, permit or attempt any destruction or modification of data or computing or communications equipment, including, but not limited to, alteration of data,

reconfiguration of control switches or parameters or changes in firmware. This rule seeks to protect "data, computing and communications equipment" owned by ITS, the University or any other person or entity. "Specific authorization" refers to permission by the owner or designated administrator of the equipment or data to be destroyed or modified.

Removal of Data or Equipment
Without specific authorization by the owner or designated administrator, users may not remove any University-owned or administered equipment or documents from a University facility.

Foreign Devices
Without specific authorization, users must not physically or electrically attach any foreign device (such as an external disk, printer, or video system) to ITS equipment or networks. Regardless of whether a foreign device is attached to ITS equipment or networks, users also are prohibited from using a device that interferes with or inhibits the functionality of University equipment.

## B. Security

Level of Security
Unless otherwise guaranteed, users should regard the network communication infrastructure as not secure from invasive technologies. ITS policy will ensure the greatest degree of confidentiality possible.

Concealed Identity
Users may not intentionally conceal their identity when using University computing resources.

Protected Personally Identifiable Information (Protected PII)
Per the Code of Federal Regulations (CFR 2028, Title 2, Volume 1, Section 200.79 and 200.82), PII means information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. Some information that is considered to be PII is available in public sources such as telephone books, public websites and University listings. This type of information is considered to be Public PII and includes, for example, first and last name, address, work telephone number, email address, home telephone number and general educational credentials. The definition of PII is not anchored to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified. Non-PII can become PII whenever additional information is made publicly available, in any medium and from any source, that, when combined with other available information, could be used to identify an individual.

University students, faculty and staff are prohibited from sharing protected PII. Protected PII means an individual's first name or first initial and last name in combination with any one or more of types of information, including, but not limited to, social security number, passport number, credit card numbers, clearances, bank numbers, biometrics, date and place of birth, mother's maiden name, criminal, medical and financial records, educational transcripts. This does not include PII which is required by law to be disclosed.

Unauthorized Data Access
Users may not make or attempt any deliberate, unauthorized access to or changes in data on a University computing resource, for example, to read personal communications of other users or to access confidential University files.

Security Compromise
Users shall not defeat or attempt to defeat or circumvent ITS security systems, such as by "cracking" or guessing user identifications or passwords or by compromising room locks or alarm systems.

Data Interception
Users may not intercept or attempt to intercept data communications not intended for that user's access, for example, by "promiscuous" wiretapping.

Denial of Service
Users may not deny or interfere with or attempt to deny or interfere with service to other users, e.g., by means of "resource hogging," distribution of computer worms or viruses, etc.

Personal Responsibility
Users are responsible for the security of their ITS accounts and passwords. Any user changes of password must follow published guidelines for good passwords. Accounts and passwords are normally assigned to single users and may not be shared with any other person without ITS authorization. Users must report any observations of attempted security violations.

## C. Software Purchases and Use Policy

All software purchases (both software and cloud-based subscriptions) must be approved by the CIO before purchase, and no software should be installed on the University network without ITS first ensuring that it will not create a network vulnerability from a cybersecurity perspective or cause other system issues.

All staff and faculty unauthorized use of university systems (including printing) and software for personal financial gain is subject to disciplinary action up to and including termination.

Unauthorized copying of software is illegal. Copyright law protects software authors and publishers, just as patent law protects inventors.

**Internet Usage**

The Lincoln home page www.lincolnu.edu is an official publication of the University. Unless otherwise indicated, all materials, including text and photographs, appearing on the home page or subsequent official home pages of specific departments are copyrighted and shall not be reproduced without written permission from the University.

Web pages linked to the University website may be created by academic departments, administrative departments, programs, centers or institutes, governance groups, faculty and staff. Recognized student groups may create home pages that are linked to the University website with the approval of the VPSA.

The official University root web pages are the responsibility of the web content manager. Content for all root web pages must be submitted to the Office of Marketing and Communications for approval before being placed on the University home page. Content on subsequent official University pages, such as academic department pages, administrative department pages, pages for programs, governance groups, or centers or institutes, must be approved by the department head, director or person in authority to speak for that entity and must conform to University guidelines for web page design. Class pages and faculty and staff personal pages must conform to University guidelines for web page design.

Plagiarism of World Wide Web documents, graphics or other resources is prohibited.

Hosting material that is illegal or dangerous is strictly forbidden. Examples of such material include pirated or unlicensed programs or applications, viruses or material containing viruses, documents containing information that is intended to be used in the perpetration of illegal activities, unlicensed music, art and other copyrighted material or any material that disrupts the University network.

**Electronic Mail**

E-mail shall be used only for purposes that support the mission statement of the University. These uses are for research, education or the support of academic pursuits. E-mail may not be used for commercial activities except in direct support of the mission of the University. Any harassment or discrimination via e-mail is strictly prohibited and will be grounds for the removal of e-mail privileges. Use of e-mail in opposition to the University use policies is not allowed.

Knowing or reckless distribution of unwanted e-mail or other messages is prohibited. Specifically, chain letters and other schemes that may cause excessive network traffic or computing load are prohibited.

Posting a message to multiple listservs, distribution lists or news groups with the intention of reaching as many users as possible is prohibited unless the posting is job or research related.

Accounts Provided to Faculty, Staff and Students

The University provides e-mail accounts to all current faculty and staff to conduct University business. The University provides e-mail accounts to all currently enrolled students at the University. In addition to the University policies applicable to all members of the University community, student use of email is subject to the University's Student Code of Conduct.

Information Security

While the University will make every attempt to keep email messages secure, it is important to note that email generally is not considered a secure form of communication. As a result, the University email accounts should not be used for the transmission and/or storage of sensitive information such as Personally Identifiable Information (PII).

Ownership of University Email Accounts

The University owns all University-provided email accounts. Subject to certain exceptions under applicable laws and University policies, the University also owns the information transmitted or stored using University email accounts.

The contents of any university-issued email accounts are subject to review by the University and should not be considered private by the individuals using or accessing them.

The University-issued email accounts are also subject to open records and sunshine laws and the contents of those mailboxes may be disclosed to third parties under sunshine and open records requests.

Passwords

To help safeguard a user's identity and privacy, the user should not share the user's University-assigned email account with, or give his/her password to, anyone. To increase the security of email accounts, the University email accounts must be protected with Multi-Factor Authentication (MFA) fourteen (14) days after the user's first login to his/her email.

Authorized Users of University-Provided Email Accounts and Termination of Services

The following outlines the authorized users of email at the University, as well as termination of services provisions:

Decommissioning of Mailboxes

If a mailbox is decommissioned and reactivated at a later date, the content of the mailbox may not be restored.

**Authorized Users**

Students
Access to University email ends 365 days after the end date of the most recent course the student was enrolled in or registered for.

Students on official leave of absence maintain access to email, calendar and productivity tools. However, these students must put in a request with the University's Information Technology Services (ITS) department and the request must be approved by the Dean of Students.

Faculty - Emeritus
Faculty with Emeritus status are eligible for perpetual access to the University email subject to compliance with the University's acceptable use policies.

Faculty (Formerly Full-time, Adjunct, and/or Affiliate)
Access for these faculty will be terminated immediately at the end of the faculty member's employment with the University. Access may be extended by thirty (30) days with the approval of the Executive Director of Human Resources and the VPAA.

Access will be terminated immediately in the case of termination for cause and will not be extended.

Staff (Formerly Full-time and/or Part-time)
Access for former staff will be terminated immediately at the end of the staff member's employment with the University.

Sponsored Affiliates (e.g., Visiting Scholars)
Access to University email for sponsored affiliates ends on the last day of their designation.

Continued Access for Business Continuity
Access to emails for individuals formerly associated with the University can be requested by the individual's supervisor or manager for the purpose of business continuity. This request must be submitted using the University's Helpdesk ticketing system and approved by the head of the Division that the former employee worked in and the University's legal counsel. Once the required approvals are obtained, the requested access will be provided for ninety (90) days unless a different length of time is specified in the request and approved by the Division head and the University's legal counsel.

Release of University Email Contents of Current and Former Faculty, Staff, and Students
To ensure compliance with the Family Educational Rights and Privacy Act and in consideration of general privacy principles, the University will not release – or otherwise provide - the email of any current or former student, faculty or staff member to a third-party, including, but not limited to, family members of any student, faculty or staff member, absent a subpoena, search warrant or court order or where such email could be required or authorized by law to be produced or

lawfully requested for any other reason, including disclosure to a government agency.

Acceptable Use of University Email Accounts

Members of the University community must comply with all University policies, including, but not limited to, the University's Acceptable Use policies, and guidelines and the standards of ethical conduct and safety. They must comply with applicable state and federal laws when using the University's provided email accounts. The University's Acceptable Use Policies available at https://www.lincolnu.edu/its-help-desk/lincoln-university-acceptable-use-policy-for-computing-and-network-services.html.

Email should be used only for purposes that are a part of the published Mission Statement of the University. These uses are for research, education or the support of academic pursuits.
Email may not be used for commercial activities by students, faculty or staff except in direct support of the Missions of the University.

University Email Subject to Legal Holds

To the extent University email is relevant to, or the subject of, a legal hold, the deletion and/or destruction of all such email will be suspended immediately upon notice that an investigation or litigation is pending, imminent, or reasonably foreseeable. The suspension will be tailored to cover only those records, documents, drafts and copies relevant to the investigation or litigation, as determined by the University's legal counsel.

A legal hold remains in effect until it is released in writing by the University's legal counsel. After the University community receives written notice of the lifting of a legal hold, all records, including email, relevant to the legal hold shall return to their normal handling procedures and retention schedules.

University Email Forwarding

Email sent to University email addresses should not be forwarded to personal email addresses.

University email is an official means of communication for the University. Faculty, staff and students are required to conduct University business from their University-assigned email address containing the lincolnu.edu domain. Individuals are generally prohibited from using their personal email when working in an official University capacity.

Active members of the University community assigned a University email address are responsible for having access to all University related emails and may be subject to discipline if not responsive.

Group Emails, Distribution Lists, Shared Mailboxes

All group emails, distribution lists and shared mailboxes must have at least one (1) designated owner. In the event of an owner's departure from the University, the relevant department or business unit will specify a new owner. Public facing groups working with students, the community and vendors should establish a shared email account that will ensure business continuity for University operations rather than publishing an individuals assigned University email on flyers or the University website.

Style Guide Communication
All communications should follow the University's applicable style guides including, but not limited to, the University's email signature guidelines.

University Management of Applications on Personal Devices
The University will manage applications installed on personal devices when those applications access University issued email accounts and associated services including, but not limited to, cloud storage and collaboration platforms. University management of these applications includes, but is not limited to, deleting University data from the device and deploying security settings on the device.

Locking Devices
University students, faculty and staff are required to secure their personal devices with access to University issued email accounts and related services with some form of authentication to prevent unauthorized access of University data. Authentication can take many forms such as passcode, fingerprint identification or facial recognition.

Secure Methods of Communication
Email is generally not considered a secure form of communication. Anyone needing to share sensitive information electronically should contact the University's ITS for assistance with securely transmitting the information. Email encryption is available and is an acceptable method of delivery. ITS assistance can be requested by submitting a ticket to the University's ITS Helpdesk.

Student data with protected personally identifiable information (PII) is prohibited from being shared in any way (outside of normal University business) and is prohibited from being sent via email.

Exceptions And Exemptions to the University's Email Regulations
Exceptions to, or exemptions from, any provision of these Regulations must be approved by the VPAF.

Regulation Violations
Any University department or unit found to operate in violation of this regulation may be held accountable for remediation costs associated with a resulting information security incident or other regulatory non-compliance penalties, including, but not limited to, financial penalties, legal fees and other costs.

Violations of this regulation by faculty, staff, or students may be subject to disciplinary action.

Official notices and information regarding the University will be sent through the University email system and/or posted on the Blue Tiger Portal. Each student, faculty member and staff member receive an official University host e-mail account and network ID (username) and password. Each individual who has a University e-mail and/or access to the Blue Tiger Portal is responsible for monitoring, in a timely manner, their account as well as for any consequences of missing important messages.

**Telecommunications**

The University will maintain a telecommunications infrastructure to provide communication and information services to all authorized users to support teaching, research and administrative functions.

<u>Access</u>

All University employees will be provided with access to a telephone to conduct University business. At the discretion of area heads and in line with purchasing protocols, mobile phones may also be provided. Staff approved for remote work will not be provided a standard telephone. Staff working remotely will be required to have high-speed internet at their own cost. ITS may require an employee to conduct a speed test to ensure adequate bandwidth is available.

<u>Acceptable Use: Employees</u>

Employees are not authorized to contract telecommunication services for University telephones except through purchasing.

Employees are expected to be judicious in the use of University telephones for personal calls. Employees are not permitted to use University phones for personal calls that incur costs. Except for emergencies, reverse-charge and personal calls may not be accepted or made on University telephones by employees. An employee who makes or accepts such calls may be liable for any costs incurred. Directory assistance calls (cost-incurred) should be limited to those of an essential nature.

Administrative units wanting to make a toll-free number available to callers must use a University-authorized carrier.

<u>Acceptable Use: Students</u>

Students are not permitted to make long-distance calls or accept collect calls or charge back services to University extensions. Students incurring such charges are liable for any costs incurred.

<u>Compliance</u>

The University may impose disciplinary procedures for misconduct in the area of telecommunications as provided under its Discipline Policy and under the Student Code of Conduct.

**Technology Equipment Purchases**

All computer software and hardware purchases must be submitted to ITS for review before purchase orders will be processed. ITS staff will review each recommendation/request in terms of compatibility, server resources, licensing agreements, etc.

Hardware and software requests that affect instructional or open labs must be made at least one (1) month prior to the semester start date to coordinate server resources and to investigate compatibility issues with other campus software.

**Employee Laptops**

University-issued laptops are intended for University-related business: as a productivity tool, a curriculum tool, for research and/or for work-related communication. They are not intended to be replacements for personally owned computers. University-issued laptops remain the property of the University. Each unit must be labeled with a unique property ID. Use of University-issued laptops for other purposes must comply with ITS "Responsibility" policies. The property ID may not be removed from the laptop until the unit is decommissioned/surplused.

Employees who are issued a laptop should: minimize the storing of student and alumni data that is deemed “confidential,” adhere to any encryption standards set by the University and take appropriate precautions to prevent damage to or loss/theft of the computer. Employees may be held responsible for costs to repair or replace the computer if damage or loss is due to negligence or intentional misconduct. Report a lost or stolen laptop immediately to LUPD and to the ITS Help Desk. For theft or loss off campus, employees must also notify the local police station. Any reports must include the laptop’s serial number.

The University will secure services to repair any laptop still under warranty should its operation be impaired by a component failure or by normal wear and tear and ensure that all laptops are configured with a standard suite of programs that are appropriate for the computer, based on campus software standards and upon the professional needs of the employee to whom the laptop is issued.

**Management Software**

Staff employees will likely utilize one or more of these management software systems depending on their job function. Here is a brief descriptor of the systems. If employees are required to utilize any of these systems, they can receive training in the system(s) through the Center for Innovative Instructions; or by contacting the University’s technology department.

- **Canvas** is the Learning Management System for teaching and student learning. Contact the Center for Teaching and Learning for instructions and training on the use of the system.
- **Datatel Colleague** is an advanced enterprise resource planning solution designed specifically for higher education. Colleague places your institution’s information at your fingertips. Based on an innovative single-source technology approach, coupled with a date-driven rules-based architecture, Colleague has unparalleled flexibility. Colleague works with virtually any database platform, operating system, integrated portal and course management software solution. This is the major administrative and business management system utilized by the University.

- **Microsoft Office** is a popular set of interrelated desktop applications, servers and services: Access, Excel, Outlook, PowerPoint, Publisher and Word.
- **Adobe Creative Suite** is a collection of graphic design, video editing, and web development applications.

**Guidelines for Personal Use of Social Media**

Social media such as Twitter, Instagram and Facebook are powerful, web-based communications tools that were designed to connect friends and family with one another. These sites can have a significant impact on a person's reputation, relationships and livelihood. The following guidelines offer recommendations to all University employees on how to balance their personal uses of social media sites, while protecting themselves.

The guidelines for personal use of social media are not intended to and do not limit an employee's right to engage in protected concerted activities related to terms and conditions of employment.

1. The line between professional and personal business is sometimes blurred. Thus, employees should be thoughtful about their postings' content and potential audiences. Employees also should be honest about their identity. In personal posts, employees may identify themselves as University faculty or staff members. However, employees should be clear that they are sharing their views as individuals, not as representatives of the University.

2. Even when employees are personally engaging on social media, a University affiliation on employees' profiles has the ability to affect the University as a whole. If employees identify their affiliation with the University in their profile or comments, other users will naturally associate the employees with the University. Employees should always think before they post, be civil to others and their opinions and not post personal information about others unless employees have their permission.

3. Employees should not post confidential or proprietary information about the University, its students, its alumni or fellow employees.

4. Employees should use good ethical judgment and follow University policies.

5. Employees can protect their privacy and reputation by being mindful that online posts will be public for a long time, even after it has been removed from the Internet.

6. To help ensure that no one mistakes employees' personal postings for official University communications, it is recommended that employees refrain from postings that have the appearance of speaking on behalf of the University on their personal channels.

7. Employees are encouraged to share University news and events that are a matter of public record with their family and friends. Linking straight to the information

source is an effective way to help promote the mission of the University and build community.

**Violations and Enforcement Procedures**

Users must report any evidence of violation of these policies to appropriate ITS personnel and/or other University authorities. Users must not conceal or help to conceal or "cover up" violations by any party. The policies described herein (and in the comprehensive Information Technologies Policies document under the ITS link on the University website) are those that the University intends to use in normal operation of its computing resources.

Any actual or suspected violation of the policies must be brought to the attention of the Director of the Office of Information Technology, other appropriate ITS personnel and/or other University authorities.

ITS is authorized by the University to enforce these policies and regulations. Such enforcement may include temporary or permanent reduction or elimination of access privileges with prior notification and approval by the University administration, except in extraordinary cases in which any delay may seriously threaten the integrity of facilities, user services or data. In such extraordinary cases, ITS must, as soon as possible, notify the administration of any actions taken, including a statement describing the act, conduct or circumstances compelling ITS to act without prior notice and approval of the administration. When ITS believes it necessary to preserve the integrity of facilities, user services, or data, ITS may, with prior notice and approval of the administration, suspend any account, whether or not the account owner (the user) is suspected of any violation. ITS will attempt to notify the user of any such action.

Sanctions

Violators of this policy will be subject to the existing student or employee disciplinary procedures. Sanctions may include the loss of computing privileges and confiscation of devices disrupting University connectivity. Illegal acts involving University computing and networking resources may also subject users to prosecution by state and federal authorities.

**Access to Information Technology**

Access to information technology and network systems owned, operated or leased by the University is given for the sole purpose of supporting the University's education, research and regional service mission. Users of the University's information technology and network systems are responsible for using the systems in a manner consistent with this mission and in compliance with local, state and federal laws, MOREnet regulations and all policies and procedures of the University.

1. Access to all digitized systems at the University shall be controlled using University approved login credentials, and the violation of which shall be responded to by the egregiousness of the violation.

2. Credential (identity) maintenance for all enrolled or employed members of the University community must be performed online or in person or any trustworthy

mechanism and must not be made solely by telephone, e-mail or text messaging.

3. An automated process shall be used to disable or remove a student's system access credentials after graduation or a period of nonattendance.

4. Access credentials shall be disabled for repeated misuse.

5. Faculty and staff access shall be disabled or removed upon resignation or termination of employment.

6. Faculty, staff and students will continue to have access to limited information via the University portal services (e.g., tax information, grades) after they leave the University.

7. Only unique access credentials per user as approved by the University shall be used to access digitized resources which shall not be shared.

8. Character passwords must have sustainable time complexity as determined by policy.

9. Character passwords must be periodically changed as determined by policy.

10. Users must keep their passwords private and abide by all University information services policies.

11. The University shall use a network access control system to validate the identity and appropriateness of those connecting to the campus network. Access to systems and information shall be determined by the user's relationship with the University and the specific information classification.

The VPAF shall be responsible for issuing and maintaining procedures to implement this policy.

## XVII. Complaint Policy and Procedures

**Open-Door Policy**

The University believes that employees are valued assets and open communication within an atmosphere of mutual trust is of prime importance to its employees. Realizing that effective communication is always a two-way street, the University values employees' constructive opinions, suggestions and feedback so that issues of concern can be constructively resolved in the workplace.

The Open-Door policy is intended to establish an informal complaint or problem-resolution process and is not a substitute for the University's policies on harassment, equal employment opportunity, affirmative action or staff grievances.

An Open-Door policy means that the door to the employee's supervisor's office is always open and employees should feel comfortable speaking with their supervisors about any questions/concerns they have. In most cases, talking with the immediate supervisor is the most effective and efficient way to resolve issues. The supervisor is typically the most direct source of information regarding an employee's job and departmental policies and procedures. If the immediate supervisor is unable to provide assistance, then the employee may discuss problems or suggestions with a higher-level manager instead of, or in addition to, their supervisor. Issues are usually resolved through this informal communication. If a satisfactory resolution is not reached at this level, then complaints may be brought forward through the University's Staff Complaint and Grievance Policy and Procedure.

Employees are encouraged to meet and discuss suggestions, problems or concerns with their supervisors. Supervisors are expected to have an open-door policy that is designed to encourage employees to bring forward any concerns or questions to them so that issues can be resolved constructively together. It is a violation of University policy to retaliate against anyone who brings a good-faith concern to the supervisor's attention.
In addition to the faculty grievance policy, other University complaint processes are also available to faculty employees.

**Faculty Grievance Policy**
A faculty member may submit through the Campus Complaint Coordinator a formal complaint based on any of the following:

- A denial of, or infringement upon, academic freedom;
- A denial of an application for promotion or tenure;
- An inequity in salary due to disputes over facts or information. Equity is defined as a faculty salary within five percent (5%) of the average salary of all other faculty of the same rank in their discipline.

Further, a faculty member must allege that the salary disparity cannot be accounted for by the following: difference in years of service and years in rank productivity in teaching, research and service; the centrality of the person's work to the mission of the academic unit; past/present administrative duties; and other factors set forth as legitimate bases for salary determination in the faculty member's academic unit, such as special appointments, promotion and tenure documentation, or otherwise consistently communicated factors applied generally in hiring and salary increase decisions. For salary inequity appeals, three (3) full academic years must have passed since a final decision was rendered on a faculty member's previous appeal under this process.

**Faculty Complaint and Grievance Policy and Procedures**
The University encourages employees to seek a solution concerning disagreements arising from working relationships, working conditions, employment practices, or differences of interpretation of policy. The complaint basis must be a perceived violation of University policy, state or federal law. Complaints addressing employment discrimination or harassment, including sexual harassment and gender discrimination or academic processes, should be processed through the

separate respective grievance procedures.

All full-time and part-time regular staff employees are entitled to utilize the complaint procedure.

Informal Resolution Step

The employee is advised to discuss the matter and seek informal resolution with his/her immediate supervisor unless the supervisor is the respondent to the complaint. If so, the employee should discuss the matter with the next in line of authority. The complainant must initiate the complaint process within thirty (30) days following the alleged action or the date on which the complainant first knew, or reasonably should have known, of the occurrence. The employee will attempt a voluntary and informal means of resolving the complaint if possible, within five (5) days of notification. The supervisor should maintain a written summary of the discussion.

Formal Resolution Step

If informal resolution isn't acceptable, then the complainant will be asked to put forth a written statement with pertinent information of the complaint matter to the University Complaint Coordinator in the Office of the President within five (5) days. The formalized written statement needs to include: a description of the alleged violation or grievance matter, the individual(s) involved, when it occurred, witnesses and evidence of the alleged action and what recourse is requested. Once a formalized written statement of complaint matter is filed, the University Complaint Coordinator will refer the complaint to the appropriate University official for investigation within five (5) days, and the University official will conduct a fact-finding investigation.

The investigator will talk to the parties involved, review all relevant records and evidence and interview witnesses. The investigator will conclude with a written report that summarizes the results and a finding. The conclusion could be a "substantiated" finding that could result in some type of corrective action by the University. The conclusion could be an "unsubstantiated" finding that will result in no corrective action. The investigation outcome could be "inconclusive."

The investigator will submit the fact-finding summary report to the University Complaint Coordinator within ten (10) days,; and the University Complaint Coordinator will notify the involved parties in writing as to the outcome of the fact-finding investigation, including any action to be taken within ten (10) days. The University Complaint Coordinator will attempt to ensure timely processing of the complaint at all steps but may determine an extension of these timeframes is necessary. The University Complaint Coordinator will inform either party of his/her right to elect to proceed to the next step in the complaint resolution process, which is the written request for an impartial review by the Internal Grievance Panel.

If a request for a review by the Internal Grievance Panel is made in writing by one of the parties, the University Complaint Coordinator will refer the request to the Internal Grievance Panel Chairperson.

Internal Grievance Panel Review Step

The Internal Grievance Panel Chairperson will call a meeting of the whole membership, at which time a subcommittee will be selected to review the complaint. The subcommittee composition will have a diverse demographic representation of members that reflects the workforce as much as possible. The Internal Grievance Panel's designated subcommittee will have the authority to conduct the complaint review, issue findings and recommendations.

The designated subcommittee will conduct a review of the fact-finding report pertaining to the investigation of the complaint and may request further investigation be performed. The subcommittee must determine whether the complaint is substantiated, unsubstantiated or inconclusive and recommend any corrective action where appropriate.

The Internal Grievance Panel's designated subcommittee will submit its findings and recommendation to the University Complaint Coordinator. This resolution step should be completed with fifteen (15) days of receipt of the written request for an impartial review. Should the panel decide that the complexities of the investigation prevent a conclusion within this time frame, the deadline may be extended upon approval by the University Complaint Coordinator.

President's Decision Step

Following receipt of the Internal Grievance Panel's subcommittee written findings and recommendation, the University Complaint Coordinator will ask the President to make a written determination as to the result of the findings of the complaint matter and provide a copy of the determination to the parties within fifteen (15) days. The President will include a statement indicating what action (if any) will be taken as a result of the complaint. The President's written determination concludes the University's internal complaint process.

**Discrimination Complaint Policy and Procedures**

In accordance with the University's Equal Employment Opportunity Policy, the University has established a discrimination complaint procedure for any allegations of discrimination or harassment based on a protected class (other than those allegations of sexual harassment that are determined to fall under the Title IX investigation procedures set forth in the University's Sexual Harassment Policy & Grievance Procedures). This complaint procedure is for any type of alleged discrimination regarding job decisions, employment practices and other terms of employment or privileges of employment based on age, disability, marital status, veteran status, national origin, race, religion or sex. Additionally, this complaint procedure pertains to a hostile work environment or harassment based on age, disability, marital status, veteran status, national origin, race, religion or sex. All employees are required to report any concerns or allegations of discrimination or harassment, including members of the campus community (i.e., faculty, staff and students) of which they become aware to the Human Resources Officer or the Campus Complaint Coordinator. Should the University President be the subject of a complaint or concern under this policy, the complaint should be made to the Board of Curators Secretary.

The University will not retaliate against any individual who makes a harassment or discrimination complaint, assists another person in making a harassment complaint or cooperates in the

University's investigation of such allegations. In addition, the University also will not tolerate acts of retaliation by any employee or other persons affiliated with the University.

The University will promptly investigate all complaints of harassment and discrimination, and all employees are required to participate and cooperate in any such investigation. To the extent possible and appropriate, the investigatory report will be kept confidential.

Depending on the nature and seriousness of the offense, the University will impose all appropriate discipline, up to and including termination, against any individual found to have engaged in unlawful harassment or discriminatory conduct. When a person not employed by the University is found to have engaged in unlawful harassment against an employee, the University will take action as is appropriate under the circumstances.

The University recognizes that the issue of whether harassment or discrimination has occurred requires factual determination based on all the evidence received. The University also recognizes that false accusations of harassment or discrimination can have serious effects on innocent employees. False accusations of harassment may result in discipline ranging from warnings to termination and could be subject to civil litigation. The University trusts all employees will act in a responsible manner to establish a pleasant working environment free of discrimination and free of unlawful harassment.

**Sexual Harassment**

It is the policy of the University to provide a workplace environment that is free from sexual harassment, to assure compliance with federal and state employment law, and to provide a proper code of conduct for its employees. This policy applies to all employees of the University who are advised to promptly report occurrences of sexual harassment. Employees found to be in violation of this policy shall be subject to disciplinary action including termination.

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. Sexual harassment includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when the conduct explicitly or implicitly affects an individual’s employment, unreasonably interferes with an individual’s work performance, or creates an intimidating, hostile or offensive work environment.

The circumstances of sexual harassment include, but are not limited to, the following:

- The victim, as well as the harasser, may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim’s supervisor, an agent of the employer, a supervisor in another area, a co-worker or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of

the victim.

- The harasser's conduct must be unwelcome.

It is unlawful to retaliate against an individual for opposing employment practices that discriminate based on sex or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under Title VII.

The procedures for initiating, processing, and resolving a complaint are available in the Employee Handbook or can be obtained by contacting the Campus Complaint Coordinator or the Human Resources Office. Should the University President be the subject of a complaint or concern under this policy, the complaint should be made to the Board of Curators Secretary.

Allegations of sexual harassment that meet the definition of jurisdictional requirements of Title IX of the Education Amendments of 1972 and its implementing regulations will be addressed under the University's Sexual Harassment Policy & Grievance Procedures. All other allegations of discrimination or harassment (including sexual harassment as defined by Title VII of the Civil Rights Act) will be addressed under the University's Discrimination Complaint Policy and Procedures.

**Title IX Sexual Harassment Policy & Grievance Procedures**

**Notice**

In accordance with the guidelines set forth in Title IX of the Education Amendments of 1972 and the U.S. Department of Education, the University prohibits sexual harassment and discrimination based on gender of an individual or group of students in connection with academic, educational, extracurricular, athletic and all other programs of the University. This policy applies to administrators, faculty, staff, students, applicants for employment, third-party contractors and all persons who participate in the University's educational programs and activities as guests and visitors. This policy is equally applicable for all students and employees regardless of sex, gender, sexual orientation, gender identity or gender expression of any involved individuals. All University employees are mandatory reporters of any knowledge they have that a member of the University community is experiencing sexual harassment and/or retaliation.

Complaints or notice of alleged policy violations or inquiries about or concerns regarding this policy and procedures may be made internally to:

| Title IX Coordinator | Deputy Title IX Coordinator Employees | Deputy Title IX Coordinator Athletics |
|---|---|---|
| Title IX Office<br>Young Hall, B2101<br>(573) 681-5495<br>TitleIX@lincolnu.edu | Executive Director,<br>Human Resources<br>Young Hall202<br>(573) 681-5020 | Assistant Athletic Director<br>Compliance/SWA<br>Jason Gymnasium<br>(573) 681-5953 |

If an allegation of sexual harassment or gender discrimination is made, inquiries may also be made externally to:

Regional Office – Kansas City
Office for Civil Rights
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, Suite 302
Kansas City, MO 64106
Phone: (816) 268-0550
Fax: (816) 823-1404
Email: OCR.KansasCity@ed.gov

The University's complete Sexual Harassment Policy & Grievance Procedures, including procedures for the grievance and investigation process and rights of all participants, are available on the University's website.

**Ethics Hotline**

Lincoln University offers a confidential reporting platform, ensuring that all information provided is treated with the utmost confidentiality and anonymity. The University guarantees that concerns will be heard and addressed. The University encourages everyone to proactively report any activities that may violate laws or University policies, helping the University maintain a compliant and ethical environment. Confidential reports of concerns can be made to the University's Ethics Hotline by calling 1-833-226-3281, 24 hours a day, seven days a week or visiting the University's HR website to make a report online.

## XVIII.Health and Safety

**Drug-Free Workplace**
Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. Each employee is responsible to help ensure a drug-free, healthful, safe and secure work environment. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance on University premises or while conducting University business off premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences. Employees must, as a condition of employment, abide by the terms of this policy and report to the University any conviction under a criminal drug statute for violations on or off University premises. A report of a conviction must be made to the Human Resources Office within five (5) days after the conviction.

Exception
The distribution, dispensing, possession or use of alcohol is prohibited on the University campus except for those times, places and purposes approved by the President of the University.

In accordance with the Omnibus Transportation Employee Testing Act of 1991, any University employee who is required to obtain a commercial driver's license (CDL) to operate a commercial motor vehicle is subject to testing for alcohol and controlled substances.

**Commitment to Safety**

Protecting the safety of the University's students, employees and visitors is the most important aspect of running the University.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying their supervisors when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

In the event of an emergency, an employee should notify the appropriate emergency personnel by dialing 8 for an outside line, then dialing 911 to activate the medical emergency services.

Any workplace injury, accident or illness must be reported to the employee's supervisor and the Human Resources Office as soon as possible, regardless of the severity of the injury or accident.

**Clery Act and Crime Reporting**

Pursuant to the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092 (f)), a copy of the University's Annual Security Report may be viewed on the University website at the LUPD link. Additionally, annually the employees will be notified of the Clery Act Report through the campus UR email system.

This report includes statistics for the previous three (3) years concerning reported crimes that occurred on-campus; in certain off-campus buildings or property owned or controlled by University; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault and other matters.

**Personal Safety**

If for any reason employees feel threatened in the workplace, there are precautionary measures they may want to take. The following list is provided for employee information and, in some cases, may assist employees in avoiding an incident at work.

- If employees have been threatened or believe they are in some danger, **REPORT IT IMMEDIATELY.**
- Maintain documentation of events. Keep accurate notes of conversations, counseling sessions and brief encounters that employees find alarming.
- Avoid, if possible, any adverse personnel actions without a witness present.
- Do not release employees' routes to and from home and work.
- Alternate employees' routes to and from home and work.

- If employees are working late, they should inform LUPD and lock their office doors.
- Use the LUPD escort service when employees are on campus late at night.

In a hostage situation or threats from intruders, employees or students should remain calm and assure their captors of their intention to cooperate.

In the case of a fire or explosion with smoke present, employees should exit the building. Employees should not wait to determine whether the fire alarm is real or not. Employees should not use the elevator and use the stairwell and should not re-enter the building.

If employees receive a bomb threat or phone call, they should not touch a suspicious object and should notify LUPD immediately. Employees should not use cell phones, pagers, two-way radios, etc.

**Emergency Preparedness Plan**
All staff employees should be familiar with and have a working knowledge of the University's emergency preparedness plan. This plan is to establish emergency/disaster classification and control procedures for the University and emergency response personnel during periods of an emergency/disaster. Below are the different levels of emergency classification:

- Level I Emergency is an occurrence that can be handled routinely by one or more departments within the University.
- Level II Emergency is an occurrence that requires a major response and the significant commitment of resources from several departments within the University but will still be within the capabilities of the University. (Example: localized flooding, isolated damage to structures, etc.)
- Level III Emergency is an occurrence that requires an extensive response and commitment of resources from the University and could necessitate requesting outside assistance from the county, city, state and/or federal governments.

All employees should be familiar with the procedure for dealing with an emergency situation. The primary contact for notification is the dispatcher at the LUPD at (573) 681-5555. The LUPD will handle the communication channel based on the emergency level. Procedures for dealing with the following emergency situations:

1. Fire Emergencies Involving Chemicals or Hazardous Waste: Call the LUPD at (573) 681-5555. Give the nature of the emergency and the location. If unable to contact LUPD, call the Fire Department at 8-911. Set off a fire alarm and evacuate the building. Use a fire extinguisher or fire hose if it is possible to do so without jeopardizing personal well-being. Report the incident to the supervisor.

2. Chemical or Biological Spills: Evacuate the area to the extent appropriate and warn fellow workers and supervisors. Call the LUPD at (573) 681-5555. *Note:* Do not call state or national chemical emergency numbers without prior authorization from the LUPD, unless the spill

is of disaster proportions and immediate contact with LUPD is impossible. Take action to contain the spill if it is possible to do so without jeopardizing personal well-being.

3. Medical Emergencies Involving Chemicals or Hazardous Waste: Seek medical care for the injured person, when the injured person is conscious. If requested by the injured person, call an ambulance. Report the medical emergency to the LUPD (573) 681-5555 and to the immediate supervisor.

4. Tornado Warnings: The University receives tornado watches and warnings from the local television and radio stations. Jefferson City's warning sirens can be heard throughout the campus. If the sirens are activated, students and employees should take immediate shelter in basements or move to interior hallways away from windows. LUPD officers do not go from building to building giving instructions or coordinating evacuations to safe areas. Employees must heed the warning independently and move to a safe area on their own. The Jefferson City "all clear" sirens will alert employees when it is safe to return to work.

**On the Job Injury**

The University is part of the State of Missouri's Workers' Compensation system. If a University employee or a co-worker gets injured on the job, follow these procedures:

- Report all injuries immediately to the University Human Resources Office.
- Document the time, place, names of witnesses and nature of the injury in a written report.
- Unless it is an emergency, do not seek aid without informing the Human Resources Office before going to authorized medical providers.
- If it is an emergency, seek initial treatment at the nearest hospital emergency room or medical clinic.
    - Then notify the University Human Resources Office as soon as possible.
    - Notify the hospital or clinic that the employee injury is a workers' compensation injury and give the name, address and telephone number of the Human Resources Office.
- If medical treatment is required, employees should contact 1-800-624-2354 (or 1-800-735-2966 for the hearing impaired available) 24 hours a day for the name of an authorized medical care provider in the area prior to seeking treatment.
- Employees may seek their own medical care with the provider of their choice at their own expense, however;
- The State of Missouri may not pay for medical treatment if employees do not utilize authorized medical providers.

The Human Resource Office will assist in completing the necessary forms for workers' compensation.

**Zero Tolerance of Workplace Violence and Threats**
The University recognizes that in order to effectively fulfill its stated mission and goals, the work environment needs to be free of violence and threats for all members of the University community. The University is committed to providing a work environment that is free from violence and threats of violence and will not tolerate workplace violence of any type, from any source.

Workplace violence, as defined for this policy, is any physical assault, threatening or intimidating behavior, bullying or verbal abuse occurring in the work setting whether direct or through the use of University facilities, property or resources. It includes, but is not limited to, beatings, stabbings, shootings, sexual assault, domestic/dating violence, oral or written statements, psychological traumas, such as threats, obscene phone calls, an intimidating presence, gestures and expressions, stalking, swearing or shouting and bringing prohibited weapons onto University property.

The University's Zero Tolerance policy applies to all work locations, including offices, work sites, vehicles, field locations or other locations where University business is conducted. All members of the University community are covered under this policy, including faculty, staff and students and prohibit threatening or violent actions by employees directed against other employees, by employees directed against students, visitors and by students or visitors directed against University employees or other students or visitors.

The University considers threats and acts of violence on campus as a serious violation of University policy and will respond promptly to reports of violence and/or threats, including prompt investigation and timely involvement of law enforcement agencies, when appropriate.

**Possession of Weapons**
The possession of weapons of any type on University property at any time is strictly prohibited, except where permitted by appropriate job functions (i.e. LUPD offices). Weapons include possessing or carrying, whether openly or concealed, any gun, rifle, pistol, revolvers, BB or pellet guns, slingshots, martial arts devices, clubs, or any missile projecting weapons, explosives, ammunition, fireworks, knives, leaded canes, blackjack, metallic knuckles or any other weapon of like kind.

**Sexual Assault and Victims' Rights**
*The following section is an excerpt of the Lincoln University Sexual Harassment Policy and Procedures Manual. To find a detailed outline of the Sexual Harassment Grievance Process, visit lincolnu.edu/about-lincoln/title-ix or contact the Title IX Coordinator by email at TitleIX@lincolnu.edu.*

Sexual harassment is defined by the Title IX of the Education Amendments of 1972 as any conduct on the basis of sex that involves:

I. An employee of the institution conditioning the provision of an aid, benefit or service of the institution on an individual's participation in unwelcomed sexual conduct.

II. Unwelcomed conduct that is determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the institution's education program or activity; or

III. Conduct defined by the following:

a. Sexual assault as defined as an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. 20 U.S.C. 1092(f)(6)(A)(v).

b. Dating Violence as defined as violence committed by a person who has been in a social relationship of a romantic or intimate nature with the victim (complainant); and where the existence of such a relationship shall be based on a consideration of the following factors: length of the relationship, the types of relationship, the frequency of the interaction between the persons involved in the relationship. 34 U.S.C. 12291(a)(10).

c. Domestic Violence as defined as a crime of violence, felony or misdemeanor, committed by a current or former spouse or intimate partner of the victim (complainant), by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim (complainant) as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. 34 U.S.C. 12291(a)(8).

d. Stalking as defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress. 34 U.S.C. 12291(a) (30).

Individuals who have actual knowledge of incidents that involve the stated actions are required to report the matter to the Title IX Office, Deputy Title IX Coordinators, CSAO for Student Affairs/Dean of Students or the LUPD. Complainants (victims) of sexual harassment have the right to file an informal or formal complaint, which is called a grievance, to the Title IX Office.

**No Trespassing**
The University follows the guidelines and procedures outlined in RSMo. Sec. 569.140 concerning a violation of "No Trespass" on a University campus.

A person may be issued a "No Trespass" order when any of the following circumstances exist:

- The person is not a student, current University employee or legitimate visitor;
- The person was arrested on University property for committing a felony or misdemeanor;
- The person is found in a University building in violation of University regulations, and it is

apparent to the officer or other officials that there is intent to commit a crime within the building;

- The person has exhibited conduct such that the person's presence on the campus, in the opinion of the officer or other University officials, constitutes a threat to the safety or welfare of the University;
- The person refuses to produce identification as requested (when under circumstances where an innocent person could reasonably be expected not to refuse) and further investigation and/or assistance from outside agencies may be required to properly identify the person;
- The person has no legitimate purpose (academic or visitation) for being on campus;
- The person is causing a disturbance or is disrupting the tranquility of any area of the campus;
- The person is found in possession of a weapon or explosive;
- The person is found in possession of alcohol or drugs;
- The person is a student who has been suspended or expelled.

Both pedestrians and vehicles may be stopped if an officer or other University official suspects that any of the above conditions may exist.

Written notification of "No Trespass" will be given to any person found in violation of this policy. A person may be placed on "No Trespass" for a specific building, area or the entire University campus. "No Trespass" notices issued by officers will remain in effect for five (5) days only. During that time period, the notice will be reviewed by the Vice President of Campus & Culture ("VPCC"). If the VPCC determines the "No Trespass" order should be extended beyond the five (5)-day period, a recommendation will be forwarded to the President or her/his designee. A "No Trespass" order of five (5) days can be extended up to a period of one (1) year or longer, if approved by the President. If the order is approved, a registered notification will be sent to the individual being denied access to the campus or its buildings. (The complete written notice procedure is available from the LUPD.)

When issuing a notice of "No Trespass," officers shall act with as much restraint and courtesy towards the person stopped as that person will allow. Officers and other University administrators may exercise this authority in any place where they have a right to be pursuant to their official job and duties.

Juveniles will be given notice of "No Trespass" through the Prenger Family Services Juvenile Center. Juveniles found on campus in violation of "No Trespass" will be turned over to the juvenile authorities immediately.

Any person given written notice of "No Trespass" may appeal in writing within seventy-two (72) hours of the notice being issued. All appeals will be addressed to the President of the University who will either deny or approve the appeal. The President may also refer appeals to the vice president of the University with primary interest in the case. For example: A person given a "No Trespass" notice in a residence hall area would appeal through the VPSA.

**Animals on Campus**
The LUPD enforces all Jefferson City ordinances regarding animals. Animal owners are expected to abide by city ordinances while on campus. In addition, the following policies regarding animals are in effect:

1. All pets must be leashed and under the control of an adult. Except for animals trained to assist persons with disabilities, all pets which are unleashed or leashed and unattended on University property is subject to impoundment.

2. Pets on a leash and under the control of a responsible person are permitted on University grounds but are not permitted within University buildings, at the stadium or around groups of people. A loose pet trailing a leash, or one tied to a fixed object, is not considered under the control of a responsible person.

3. Except for animals trained to assist persons with disabilities and animals in use in University facilities for official research, classroom or observation purposes, dogs and other pets are not permitted within a University-owned or leased building. Any pet found within a University-owned or leased building may be impounded.

4. Impounded dogs or other pets may be reclaimed by the owner at the Jefferson City Animal Shelter upon payment in full of all costs incurred as a result of the impoundment, including any veterinary expenses.

5. Pets left unattended in motor vehicles on University property are subject to the same rules and regulations if they become a nuisance or if the welfare of the animal(s) is threatened.

**Tobacco Free Campus**
The University strives to present a healthy, safe and clean campus environment for its students, employees and visitors. For this reason, use of any tobacco product, including, but not limited to, cigarettes, smokeless tobacco, marijuana and e-cigarettes is prohibited on campus. This policy applies to all buildings on and off the main campus whether owned or leased by the University, University vehicles, open-air spaces and common areas.

**Solicitation**
Commercial solicitation is prohibited in and on all University property. For purposes of this policy, solicitation shall mean the sale of, or offer for sale of, any service, article or thing whatever to any person or University property by any agent, peddler, or other person. Exceptions to this rule may be made by the President of the University only. This prohibition shall not apply to any University group officially recognized as a campus organization by the University.

## XIX. Termination

**Termination of Employment for Cause**
In cases of termination other than financial exigency, a letter citing reasons for termination shall be written by the President and delivered to the faculty member by certified mail. The faculty member is then entitled to her or his full rights under the law.

Causes for Dismissal
The University may consider substantial proof of any one of or a combination of the following charges as adequate cause for the dismissal of a tenured faculty member or a faculty member with an unexpired term appointment:

1. incompetence
2. gross neglect of duty
3. violation of any state statute relating to professional employment
4. immoral conduct
5. conviction of a felony
6. insubordination (as in defiance, noncompliance)
7. repeated violation of institutional policies

Substantial proof shall be deemed to exist if one (1) or more of the above charges shall be admitted by the charged party.

Preliminary Proceedings
Whenever the question arises about the fitness of a faculty member with continuous tenure or a term appointment that has not expired, appropriate academic administrative officers (department head, dean, etc., as titled) should discuss the matter with the faculty member. Should it become apparent that informal discussion(s) will not or cannot lead to a satisfactory agreement or solution, the President shall appoint an ad hoc advisory committee to conduct an informal investigation to determine whether dismissal proceedings should be instituted. This committee, at its discretion, may recommend another available course of action.

Formal Proceedings Notice
Following a determination that dismissal proceedings should be instituted, a notice of the same, together with written charges, shall be prepared by the President or her/his designee and mailed to the charged party by registered or certified mail.

The statement of charges shall be framed with such specificity as to reasonably notify the party of that with which he/she is being charged.

Request for Hearing
Within ten (10) working days after the receipt of the statement of charges, the charged party may

file, with the University-designated official, a request for a hearing before an ad hoc Committee on Professional Conduct. A copy of the charges and the answer thereto must be included with the hearing request. The designated official shall transmit, within two (2) working days, the hearing request, the statement of charges and the answer to the Committee on Professional Conduct.

Hearing

The hearing shall be conducted not less than twenty (20) calendar days nor more than thirty (30) calendar days after the committee receives the request. Written notice of time and place for the hearing shall be delivered personally or by registered or certified mail to the faculty member charged not less than ten (10) days prior to the date set for the hearing. The committee shall conduct the hearing in accordance with the following guidelines:

1. Members who deem themselves disqualified for bias or interest shall remove themselves from the hearing panel at the request of either party or of their own initiative. Either party shall have a maximum of two (2) challenges without stated cause. Replacements for members removed shall be made by the chief academic officer of the University.

2. Evidence against the charged party will be presented by the appropriate academic officer (college dean, chairperson of the department, as titled) as the party representing the University.

3. The hearing committee may, with the consent of the parties concerned, hold joint pre-hearing meetings with the parties in order to (a) simplify the issues, (b) effect stipulations of facts, (c) provide for an exchange of documentary or other information, and (d) achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective and expeditious.

4. After consultation with the President and the faculty member, the committee will decide whether the hearing should be public or private.

5. The faculty member may waive a hearing. This should be done, in writing, at any time before the hearing. If the faculty member waives a hearing and denies the charges against her or him or asserts that the charges do not support a finding of adequate cause, the hearing tribunal will evaluate all available evidence in the record.

6. During the proceedings, the faculty member will be permitted to have an academic advisor and counsel of her or his own choice, who will be able only to advise, not participate in the proceedings.

7. A complete record of the hearing or hearings will be taken, and a printed copy will be made available to the faculty member, upon request, without cost.

8. The burden of proof that adequate cause exists rests with the University and shall be satisfied only by a preponderance of the evidence in the record considered as a whole.

9. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The charged party and the appropriate academic officer (college dean, chairperson of the department, as titled) shall have the right to confront and cross-examine all witnesses. If a person having relevant information cannot or will not appear as a witness, but the committee determines that the interests of justice require admission of her or his statement, the committee will identify the witness, disclose the statement and make every effort to provide for written questions.

10. In a hearing where a charge of incompetence has been made, testimony shall include that of qualified faculty members from this and/or other institutions of higher education.

11. The committee will not be bound by strict rules of legal evidence and may admit any evidence that is of probative value in determining the issue(s) involved. Every possible effort will be made to obtain the most reliable evidence available.

12. The findings of fact and the decision will be based solely on the hearing record.

13. Except for simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case either by the charged party or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the Board of Curators. The President and the charged party will be notified of the committee's decision, in writing, and each will be provided with a copy of the hearing record.

14. A simple majority of the Committee on Professional Conduct shall constitute a quorum.

Decisions of Committee and President

At the conclusion of the hearing, the committee shall, without delay, make findings of fact, conclusions and recommendations. A decision of the committee shall be determined by a majority of the members present and voting. The complete hearing record, together with all tangible evidence, the findings, conclusions and recommendations shall be submitted to the President of the University. The President may concur with or modify the committee's decision or may make such other findings and conclusions as in her/his opinion are supported by the hearing record. A copy of the President's decision shall be mailed to each party by registered or certified mail.

Appeal

The aggrieved party may file a written notice of appeal, through the Office of the President to the Board of Curators, within ten (10) working days after the mailing of the President's decision. Any notice of appeal shall be transmitted by the President, together with the complete hearing record, to the Board of Curators.

The Board, in its discretion, may grant the appellant a hearing. The decision of the Board of Curators, upon review of the complete record, shall be final.

The computation of a number of days in any time period contained herein shall exclude official University holidays and breaks.

<u>Disciplinary Actions-Suspension</u>
Pending a final decision by the Board of Curators, the charged party will be suspended, or assigned to other duties in lieu of suspension, only if harm to her/himself or others is threatened by her/his continuance. Before suspending a faculty member, pending an ultimate determination of her/his status, the administration will consult with the Committee on Professional Conduct concerning the propriety, length or other conditions of suspension.

<u>Dismissal</u>
If a decision to terminate is rendered, the effective date of termination shall be one (1) year from the date of the final decision of the Board unless the Board determines that an earlier date is appropriate, due to the gravity of the offense or other considerations.

**Employment Withdrawal Process**
The employee withdrawal process must be completed prior to the transacting of the employee's last payroll check to ensure any indebtedness to the University has been reconciled. Indebtedness includes financial obligation, outstanding cash advances, traffic and library fines, University-owned equipment and uniforms, filing of grade reports and return of keys and employee identification cards. The employee should come to the Human Resources Office to request the employee withdrawal form. The employee then needs to obtain the necessary departmental signatures on the form and then turn the completed form to the Cashier's Office. This will affect the release of the employee's last check.

**Withholding of Pay for Indebtedness to the University**
Any debt reconciliation must be documented by the terminating employee's area supervisor and submitted to the Payroll Office so that wages can be withheld before the final paycheck processing period is completed. The recognized debt can be deducted from the employee's last regular paycheck if it is before the regular paycheck release date. The employee shall be paid equal to or exceeding the minimum wage amount for any unpaid wages after deduction for debt owed so that there is no violation of federal and state minimum wage law. Accrued annual leave payout, if applicable, may also be withheld for any debt owed to the University by the employee.

## XX. Time Off

**Faculty Absence and Leave**
Complete policies relating to the faculty benefits of sick leave and personal leave are detailed in

the *Rules and Regulations,* Chapter VIII, University Employment. Faculty who take planned leave, excluding leave under the Family and Medical Leave Act, during the regular semesters must arrange for the coverage and/or management of their courses during their absence. Such arrangements must be approved by the area supervisor by means of the "Request for Leave" form.

**Personal Leave**

All LUMNEA faculty are granted forty-eight (48) hours of personal leave with pay each fiscal year, without carryover beyond the fiscal year. All non-LUMNEA faculty are granted forty (40) hours of personal leave with pay each fiscal year, without carryover beyond the fiscal year. Personal leave for new hires will be prorated from the time of hire through the end of the fiscal year.

Employee requests for, or reports of, personal leave are submitted to the employee's immediate supervisor when the employee plans to be absent from the regularly scheduled hours of work or has been absent due to illness or an emergency. Such requests or reports will be made and recorded in increments of no less than fifteen (15) minutes.

Employees shall notify the Human Resources Office when they are unable to work because the employees are quarantined pursuant to federal, state or local government order or advice of a health care provider, and/or experiencing COVID-19 symptoms and seeking a medical diagnosis. Employees shall discuss remote work options with their immediate supervisors. If employees are unable to work due to illness, employees shall utilize their sick, personal, and then annual leave. The University's existing FMLA leave, and sick leave policies still apply to all other qualifying reasons for leave outside of this policy.

**Sick Leave**

Full-time faculty who miss assigned classes, office hours or other duties due to illness or injury will report and be assessed sick leave for time missed, even in those instances when their teaching assignments, committee responsibilities, etc., are absorbed by colleagues. Sick leave is accrued at a rate of eight (8) hours per month of continuous full-time service and is accrued from the beginning of employment.

Sick leave accrues during any paid leave, including annual leave, sick leave, special leaves with pay and as otherwise required by law.

Requests for, or reports of, sick leave shall be submitted to the department head on a Request for Leave form when the faculty member plans to be absent or has been absent due to illness or an emergency and is then submitted to Human Resources. If a sick leave request is made for more than three (3) consecutive workdays, a written doctor's statement must be provided to the department head. Such requests or reports shall be made and recorded in increments of no less than fifteen (15) minutes.

If the illness or injury extends past two (2) weeks, the faculty member will report eight (8) hours of sick leave per day beginning with the third week. When it becomes necessary to cover the extended absence of an ill or injured faculty member, persons providing class coverage shall receive one (1) of the following forms of compensation: 1) pro-rated overload pay if the person providing class coverage is already assigned a twelve (12)-hour load for the semester, or 2) a reduced load for the following semester.

Upon termination of employment, faculty shall not receive payment for accrued sick leave. Any unused accumulated sick leave balances will be reported to MOSERS for creditable service upon retirement if the faculty member is enrolled in the MOSERS retirement system.

The University participates in the State of Missouri's sick leave reciprocal program, which allows the transfer of unused accumulated sick leave for up to a five (5)-year period after employment termination.

An employee who suffers an injury and is eligible for time off work under workers' compensation may elect to receive worker's compensation and utilize sick leave pay from the University. The sick leave will be prorated and taken in conjunction with workers' compensation. Sick leave accrual will be reduced accordingly.

Employees shall notify the Human Resources Office when they are unable to work because the employees are quarantined pursuant to federal, state or local government order or advice of a health care provider, and/or experiencing COVID-19 symptoms and seeking a medical diagnosis. Employees shall discuss remote work options with their immediate supervisors. If employees are unable to work due to illness, employees shall utilize their sick, personal and then annual leave. The University's existing FMLA leave, and sick leave policies still apply to all other qualifying reasons for leave outside of this policy.

**Vacation for Academic Faculty on Academic Year Contracts**

Periods when the University is closed, such as semester break and spring and Christmas vacation, are generally assumed to constitute vacation with pay for academic faculty on academic year appointments, and faculty on academic appointments less than twelve (12)-months are not eligible for annual leave accrual. University business, however, may require that a faculty member on an academic year appointment attend meetings or prepare reports or perform other essential tasks during what would normally be "vacations." Such participation may legitimately be required by administrative officers, college deans, department heads, and University committee chairpersons.

**Annual Leave for Academic Faculty on Twelve (12)-Month Appointments**

Faculty in twelve (12)-month positions shall be entitled to accumulate annual leave as follows:

- Faculty with less than ten (10) years of total University service earn ten (10) hours of annual leave each pay period with a maximum annual leave balance of 240 hours (i.e., a cap of thirty (30) days or two (2) times the annual total of fifteen (15) days).
- Faculty who have completed ten (10) years of total University service earn twelve (12) hours of annual leave each pay period with a maximum annual leave balance of 288 hours (i.e., a cap of thirty-six (36) days or two (2) times the annual total of eighteen (18) days).
- Faculty who have completed fifteen (15) years of total university service earn fourteen (14)

hours of annual leave each pay period with a maximum annual leave balance of 336 hours (i.e., a cap of forty-two (42) days or two (2) times the annual total of twenty-one (21) days).

The rate of accrual of annual leave is based on total uninterrupted years of service at the University, not on years in a particular position.

Faculty may accumulate more annual leave than their allowed maximum until June 30 of any year. After June 30, any excess annual leave over an employee's maximum balance is reduced to the maximum, at which time the employee can begin accumulating above the maximum.

- Employees who earn ten (10) hours of annual leave: maximum annual leave balance is 240 hours.
- Employees who earn twelve (12) hours of annual leave: maximum annual leave balance is 288 hours.
- Employees who earn fourteen (14) hours of annual leave: maximum annual leave balance is 336 hours.

Any faculty member entitled to annual leave who has resigned or otherwise separated from University service shall be entitled to receive reimbursement for the amount of this accrued leave, which does not exceed the faculty member's maximum annual leave balance allowable accumulation. Any excess annual leave accrued after June 30 above the maximum annual leave balance shall not be paid to a separating faculty member. In addition, faculty who fail to provide the required notice of their resignation will be deemed ineligible for rehire and will receive one-half (1/2) of any accrued leave available to them at the time of their separation.

Faculty member requests for, or reports of, annual leave will be submitted to the faculty member's direct supervisor when the faculty member plans to be absent from the regularly scheduled hours of work or has been absent due to illness or an emergency. Such requests or reports will be made and recorded in increments of no less than fifteen (15) minutes.

Faculty members shall notify the Human Resources Office when they are unable to work because the faculty members are quarantined pursuant to federal, state or local government order or advice of a healthcare provider and/or experiencing COVID-19 symptoms and seeking a medical diagnosis. Faculty members shall discuss remote work options with their immediate supervisors. If faculty members are unable to work due to illness, faculty members shall utilize their sick, personal and then annual leave. The University's existing FMLA leave, and sick leave policies still apply to all other qualifying reasons for leave outside of this policy.

**Special Leaves**
A faculty member can request a special leave of absence for professional reasons such as research or exchange opportunities. The leave request will be initiated by the faculty member and must receive approval by and through the chain of administrative command, including the President. The special leave of absence should not exceed a maximum of one (1) year.

**Sabbatical Leave**
A faculty member who has been employed full-time by the University six (6) consecutive years and who has been awarded continuous academic tenure is eligible to apply for a sabbatical leave. The person who is granted a sabbatical leave is entitled to one-half (1/2) an academic year at full salary or a full academic year at half salary.

Faculty members who wish to apply for a sabbatical leave must write a letter of application addressed to the Board of Curators transmitted through the appropriate academic channels beginning with the faculty member's immediate supervisor. The application for leave with pay shall include a precise statement of planned activities designed to contribute to the professional growth of the applicant and to the benefit of the University. At the end of the sabbatical leave period, the faculty member shall submit a report to the VPAA detailing the nature and extent of activities engaged in during the leave within sixty (60) days after return from sabbatical leave.

The faculty member who completes a sabbatical leave must return to the University for at least one (1) semester following the sabbatical. A faculty member who does not return following the sabbatical for a full semester after such leave or leaves prior to completing a full semester after the sabbatical leave will be required to refund to the University, on a prorated basis, the salary received during the leave by no later than thirty (30) days after separation from the University. Sabbatical leave is dependent upon available funding, as determined by the President in consultation with the provost/vice president for Academic Affairs (VPAA).

- No more than three (3) sabbaticals will be awarded per academic year (note: only one (1) person per department may be granted a sabbatical at a time and only two (2) persons per college may receive a sabbatical in the same year).
- The award of a sabbatical leave is not guaranteed.
- The review process will begin with the department head whose recommendation must include a cost analysis and plan for how to cover the duties of the faculty member during the sabbatical period.
- Department heads will submit their recommendation to the dean.
- The provost/VPAA will convene a standing Sabbatical Review Committee (made up of two (2) representatives from each college, one of which shall be the dean) who will review faculty sabbatical proposals and make recommendations to the provost/VPAA.
- The faculty sabbatical proposal must have the support of the department head, dean and the Sabbatical Review Committee.
- The provost/VPAA makes sabbatical recommendations to the President.
- The President upon review and consideration of the recommendations forwards the recommendations to the Board of Curators for final approval.
- Faculty recipients will be required to give a public presentation which will be advertised by the Office of the Provost/VPAA to their faculty colleagues.
- It needs to be noted that persons on sabbaticals cannot work at another institution for pay

without the permission of the provost/VPAA and President.

**Family and Medical Leave Act (FMLA)**
The Family and Medical Leave Act (FMLA) provides eligible employees with up to twelve (12) workweeks of unpaid leave for certain family and medical reasons during a twelve (12)-month period and up to twenty-six (26) workweeks of unpaid leave to care for a covered service member recovering from a serious illness or injury. Lincoln University uses a rolling twelve (12)-month period for calculating leave that is measured backward from the date an employee uses any FMLA leave and the maximum FMLA leave for any purpose is twenty-six (26) workweeks. During FMLA leave, an eligible employee is entitled to continued group health plan coverage as if the employee had continued to work. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or to an equivalent position at the University.

A. Employee Eligibility Criteria

To be eligible for FMLA leave, an employee must have been employed by the University:

- for at least twelve (12) months;
- for at least 1,250 hours during the twelve (12)-month period immediately preceding the commencement of the leave; and
- at a worksite (a) with fifty (50) or more employees; or (b) where fifty (50) or more employees are located within seventy-five (75) miles of the worksite.

Any employees performing military service will have their leave hours counted toward the 1,250-hour requirement.

B. Events that may Entitle an Employee to FMLA Leave

FMLA leave may be taken for anyone or for a combination of, the following reasons:

- the birth of the employee's child or to care for the newborn child;
- the placement of a child with the employee for adoption or foster care or to care for the newly placed child;
- to care for the employee's spouse, child or parent (but not in-law) with a serious health condition;
- the employee's own serious health condition;
- qualified exigencies arising out of a spouse's, child's or parent's active military duty or notification of an impending call or order to active duty; and/or
- to care for a covered service member who is the employee's spouse, parent, child or nearest blood relative, recovering from an injury or illness that the service member incurred in the line of active duty in the armed forces which

made such service member medically unfit to perform the duties of his/her office, grade, rank or rating.

The definition of spouse shall be interpreted in compliance with federal law to include lawfully married couples, whether opposite sex, same-sex or married under common law.

C. Limitations on FMLA Leave

Leave to care for a newborn or for a newly placed child must conclude within twelve (12) months after the birth or placement of the child.

FMLA leave for any employee shall be up to twelve (12) workweeks within a twelve (12)-month period for one or more of the following: the birth of the employee's child or to care for the newborn child; the placement of a child with the employee for adoption or foster care or to care for the newly placed child; to care for the employee's spouse, child or parent (but not in-law) with a serious health condition; the employee's own serious health condition; or qualified exigencies arising out of a spouse's, child's or parent's active military duty or notification of an impending call or order to active duty.

FMLA leave for any employee shall be up to twenty-six (26) workweeks within a twelve (12)-month period when such leave is taken to care for a covered service member who is the employee's spouse, parent, child or nearest blood relative, recovering from an injury or illness that the service member incurred in the line of active duty in the armed forces which made such service member medically unfit to perform the duties of his/her office, grade, rank or rating. When an employee takes FMLA leave for the purposes referenced in this paragraph, the employee also shall be allowed to take FMLA leave as allowed in the aforementioned paragraph, for a combined total of twenty-six (26) workweeks in any twelve (12)-month period.

When both spouses are employed by the University, they are together entitled to a combined total of twelve (12) workweeks of FMLA leave within the designated twelve (12)-month period for the birth, adoption or foster care placement of a child with the employees, for aftercare of the newborn or newly placed child or to care for a parent (but not in-law) with a serious health condition. Each spouse may be entitled to additional FMLA leave for other FMLA qualifying reasons (i.e., the difference between the leave taken individually for any of the above reasons and twelve (12) workweeks, but not more than a total of twelve (12) workweeks per person).

When both spouses are employed by the University, they are together entitled to a combined total of twenty-six (26) workweeks of FMLA leave within the designated twelve (12) month period to care for a covered service member who is the employee's child or nearest blood relative recovering from an injury or illness that the service member incurred in the line of duty or a combination of the aforementioned leave and leave otherwise allowed under the prior paragraph. Each spouse may be entitled to additional FMLA leave for any other FMLA qualifying reasons (i.e., the difference between the leave taken individually for the reason set forth in this paragraph and the twenty-six (26) workweeks, but not more than a total of twenty-six (26) workweeks per person).

D. Requests for FMLA Leave

An employee should request FMLA leave by completing a Request for FMLA Leave form and submitting it to the University's Human Resources Office.

When leave is foreseeable for childbirth, placement of a child of planned medical treatment for the employee's or family member's serious health condition or related to qualifying exigencies arising out of a covered family member's active military duty or notification of an impending call or order to active duty, the employee must provide the University with at least thirty (30) days advance notice, or such shorter notice as is practicable (i.e., within one (1) or two (2) business days of learning of the need for the leave). When the timing of the leave is not foreseeable, the employee must provide the University with notice of the need for leave as soon as practicable (i.e., within one (1) or two (2) business days of learning of the need for the leave).

E. Notification and Certifications

When requesting leave, employees must provide sufficient information to permit the University to determine whether the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Employees also must indicate if the requested leave is for a reason for which FMLA leave was previously taken or certified.

The University will give an employee who requests leave a "Notice of Eligibility" and a "Rights and Responsibilities" notice within five (5) business days after indicating the need for leave. These notices explain the employee's eligibility and expectations under FMLA leave. The University will provide any required certification form to the employee with this notice if the University requires the employee to submit a completed certification form in order to qualify for FMLA leave. The University may waive the employee's requirement of obtaining a certification in its discretion.

The employee must return the requested FMLA certification to the Human Resources Office within fifteen (15) calendar days. The Human Resources Office will review the certification and determine whether sufficient information has been provided or if deficiencies need to be corrected. If deficiencies are noted on the certification, the employee will be given seven (7) calendar days to correct any deficiencies.

When a complete and sufficient certification has been returned (or when the employee has otherwise provided sufficient information to designate the absence as FMLA), the University will provide the employee with a "Designation Notice" within five (5) business days of its determination of whether the leave qualifies for FMLA. If applicable, the University will describe the conditions of the leave and the requirements for employee returning to work in the notice.

The University reserves the right to require a second or even third medical opinion for all medical conditions except those occurring to a covered servicemember injured in the line of service, at the University's expense. Employees also may be required to provide periodic recertification supporting the need for leave as allowed by law and may be required to report periodically on their status and intent to return to work. The University may waive the certification requirement at its discretion.

If the employee's anticipated return-to-work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide the University with reasonable notice (i.e., within two (2) business days) of the employee's changed circumstances and new return to work date. If the employee gives the University notice of the employee's intent not to return to work, the employee will be considered to have voluntarily resigned.

Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee may be required to submit a fitness for duty certification from the employee's healthcare provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

All employees are not allowed to engage in any work for another organization or employer or participate in any personal business activities during University's normal business hours while on leave under the Family and Medical Leave Act without securing the advance approvals.

F. Use of Paid and Unpaid Leave

The FMLA provides eligible employees with up to twelve (12) or twenty-six (26) workweeks of unpaid leave dependent on the reason for the requested leave. If an employee has accrued paid leave (e.g., sick leave, vacation leave, personal leave), the employee must use any qualifying paid leave first in the order previously referenced. "Qualifying paid leave" is leave that would otherwise be available to the employee for the purpose for which the FMLA leave is taken. The remainder of the twelve (12) or twenty-six (26) workweeks of leave, if any, will be unpaid FMLA leave. Any paid leave used for an FMLA qualifying reason will be charged against an employee's entitlement to FMLA leave. The substitution of paid leave for unpaid leave does not extend the twelve (12) or twenty-six (26) workweeks leave period.

G. Designation of Leave

The University will notify the employee that leave has been designated as FMLA leave. The University may provisionally designate the employee's leave as FMLA leave if the University has not received medical certification or has not otherwise been able to confirm that the employee's leave qualifies as FMLA leave. If the employee has not notified the University of the reason for the leave and the employee desires that leave be counted as FMLA leave, the employee must notify the University's Human Resources Office within two (2) business days of the employee's return to work that the leave was for an FMLA reason.

H. Maintenance of Health Benefits

During FMLA leave, an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. To the extent that an employee's FMLA leave is paid, the employee's portion of health insurance premiums will be deducted from the employee's salary. For the portion of FMLA leave that is unpaid, the employee's portion of health insurance premiums must be paid by the employee to the University monthly in advance. An employee who is on leave is responsible for making his/her periodic payment of required contribution to the University at the following address: 820 Chestnut Street, 101 Young Hall, Jefferson City, MO 65101. While on unpaid FMLA leave, employees also must continue to pay their portion of all other premiums for any other benefits, which would otherwise be automatically deducted from their wages.

I. Return from FMLA Leave

Upon return from FMLA leave, the University will place the employee in the same position the employee held before the leave or an equivalent position with equivalent pay, benefits and other employment terms as required by law. An employee is entitled to reinstatement only if he/she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, the employee would not be employed at the time job restoration is sought.

The University reserves the right to deny reinstatement to salaried, eligible employees who are among the highest paid ten percent (10%) of the University's employees employed within 75 miles of the worksite ("key employees") if such denial is necessary to prevent substantial and grievous economic injury to the University's operations.

J. <u>Failure to Return to Work Following FMLA Leave</u>

If the employee does not return to work following the conclusion of FMLA leave, the employee will be considered to have voluntarily resigned. The University may recover health insurance premiums that the University paid on behalf of the employee during any unpaid FMLA leave except that the University's share of such premiums may not be recovered if the employee fails to return to work because of the employee's or a family member's serious health condition or because of other circumstances beyond the employee's control. In such cases, the University may require the employee to provide medical certification of the employee's or the family member's serious health condition.

In all instances of continuous FMLA leave, the employee on leave will not perform any functions for the University while on leave. The employee's supervisor shall promptly transfer the employee's responsibilities while he/she is on leave to ensure that such responsibilities are performed by another employee during such leave.

**Medical Leave Not Under FMLA**

Medical leaves not taken under the FMLA may be taken at the request of the faculty member and upon approval of the faculty member's department head and the University President. Requests for leave are to include the period of absence and a doctor’s certification stating the need for medical leave, duration of leave required and expected date of return to work.

Medical leave may be paid leave utilizing any accrued sick, vacation leave, or personal leave. Medical leave without pay may be requested and approved by the faculty member's department head and the President. Unpaid leave periods require the faculty member to cover the cost of faculty benefits during the time away from work.

In all instances of continuous medical leave not under FMLA, the faculty member on leave will not perform any functions for the University while on leave. The faculty member's department head shall promptly transfer the faculty member's responsibilities while he/she is on leave to ensure that such responsibilities are performed by another faculty member during such leave.

**Maternity Leave**

Maternity leave can be taken under the University's FMLA leave or Medical Leave Not Under FMLA policies.

**Military Leave**

An employee requesting uniformed services leave with pay must provide written documentation or orders to her/his immediate supervisor and the Human Resources Office as soon as possible in advance of the scheduled training or service, specifying the reason and duration of the leave.

Employees who are members of the National Guard or Reserve units will be granted uniformed services leave with pay not to exceed fifteen (15) regular workdays in any calendar year. Travel time required for reporting to the place of duty is included in the fifteen (15)-day allowance. Vacation or personal leave may be used for any training or service in excess of fifteen (15) workdays subject to the approval of the area supervisor.

This policy covers all regular full-time and regular part-time employees who serve in the Armed Forces, Army, National Guard or reserve component of the Armed Forces as it relates to military service requests. The policy is in accordance with federal law of the Uniformed Services Employment and Re-Employment Rights Act of 1994 and the Missouri Revised Statute, 105.270. This policy covers an employee's compensation, benefits, retirement eligibility, length of service, and reinstatement to employment rights.

Extended uniformed services leave without pay will be granted to employees performing active military or national defense service. Cumulative uniformed services leave is limited to five (5) years throughout employment at the University. Employees can continue benefits coverage while on unpaid leave, including health insurance coverage through COBRA, continued basic life insurance, and long-term disability for a year at their expense. Upon reinstatement, time served during the uniformed services leave will be credited toward the retirement service accrual with proper documentation. Employees are entitled to apply earned but unused vacation or personal leave to their service leave before beginning the unpaid portion. Vacation, personal leave and sick leave do not accrue while on leave.

Upon honorable completion of military service, employees are entitled to be reinstated to the position they held prior to military leave or to an equivalent position for which they qualify. If disabled by reason of uniformed service, employees are entitled to be reinstated to their former position or a position of similar pay and status for which they are qualified, with reasonable accommodation. Upon reinstatement, employees' compensation, benefits, retirement eligibility and length of service will be reinstated as if they had been continuously employed during the service leave period. Compensation will reflect any increases and annual across-the-board pay adjustments, or promotions by reason of seniority that reasonably would have been expected to take effect if the employee had not been on leave. To be eligible for reinstatement, employees must apply within the time periods outlined in the Uniformed Services Employment and Re-Employment Rights Act of 1994.

If, through no fault of the employee, it is impossible or unreasonable to apply for reinstatement within the prescribed period, the employee may report as soon as possible following the period, without forfeiting the employee's reinstatement rights.

Upon reinstatement, an employee is protected from discharge without cause for a period of time tied to the length of uniformed service. One (1) year of protection is provided if the period of uniformed service was more than 180 days. Six (6) months protection is provided for service of 31 to 180 days. There is no protection period for service of less than 31 days.

**Time Off Work to Vote**

All employees are entitled to time away from work to vote without affecting accrued vacation, personal or sick leave time. All polling locations are open from 6:00 a.m. to 7:00 p.m. University employees are encouraged to exercise their right to vote between the hours of 6:00 a.m. and 9:00 a.m. or 4:00 p.m. and 7:00 p.m. If an alternative schedule is needed for employees to vote, employees are asked to communicate with their immediate supervisor at least one (1) week in advance of such vote regarding the time needed to visit their designated polling locations.

**Jury Duty and Court Witness Leave**
Regular full-time employees are eligible for paid jury duty leave up to a maximum of ten (10) days within a rolling year. An employee will be granted leave with pay when required to be absent to serve on a jury or when subpoenaed to serve as a witness related to any matter involving the University before a court, commission or legislative committee. Employees who are called to such service must show the jury notice or subpoena to their immediate supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. A copy of the jury notice or subpoena must be forwarded to Human Resources Office for the employee's personnel file. Employees are expected to report to work whenever the court schedule permits.

The University will continue to provide University-paid health insurance benefits for the full term of the jury duty/witness absence. Vacation, sick leave and holiday benefits will continue to accrue during jury duty/witness leave. The employee may request an excuse from jury duty if the employee's absence would create serious operational difficulties.

Paid court leave is <u>not</u> available to employees appearing on their own behalf or in an action in which they are named as the plaintiff or defendant. Absences from work for court appearances not pursuant to a subpoena must be taken as vacation leave, personal leave or unpaid leave.

**Domestic/Sexual Violence Victim Leave**
The University complies with the Victims Economic Safety and Security Act ("VESSA") to assist employees affected by domestic or sexual violence with job-protected leave and accommodations. All employees who are the victim of domestic or sexual violence or who have a family or household member who is a victim of domestic or sexual violence are eligible for leave benefits under this policy. For purposes of this policy, the term "family or household member" shall mean a spouse, parent, son, daughter, other person related by blood or by present or prior marriage, or other person who shares a relationship through a son or daughter and persons jointly residing in the same household" who is a victim of domestic or sexual violence.

An eligible employee may take up to two (2) weeks of unpaid leave per year. An employee's leave need not be taken on consecutive days. Eligible employees may take unpaid leave from work to address domestic violence or sexual abuse by: (1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member; (2) Obtaining services from a victim services organization for the employee or the employee's family or household member; (3) Obtaining psychological or other counseling for the employee or the employee's family or household member; (4) Participating in safety planning, temporarily or permanently relocating or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or to ensure economic security; or (5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

Requests for leave under this policy shall be made to the Human Resources Office. Unless prior notice is not practicable, all leave shall be requested at least forty-eight (48) hours in advance of the need for such leave. If prior notice is not practicable, an eligible employee may provide certification of the need for leave within a reasonable period after the leave is taken. Eligible employees taking leave under this policy must provide certification that (1) the employee or the employee's family or household member is a victim of domestic or sexual violence, and (2) that the leave is for one of the qualifying reasons set forth above. The employee must provide the certification within a reasonable period after the University requests certification. Certification includes a sworn statement of the employee, as well as corroborating evidence. Corroborating evidence may come in the form of a police or court record, documentation from a victim's services organization, attorney, a member of the clergy or medical personnel. All documentation provided under this policy shall be maintained in the strictest confidence. Such information will only be disclosed with consent of the employee or as required by law.

The University will not retaliate or discriminate against any employee for taking leave under this policy. Upon completion of leave, an employee will be reinstated to the same job held prior to leave or an equivalent position. The University will maintain the employee's health insurance throughout any unpaid leave; however, the University may recover from the employee the premium that the University paid for maintaining such coverage if the employee fails to return to work for a reason other than a continuation or recurrence of a reason that entitled the employee to VESSA leave or circumstances beyond control of the employee. If the employee has exhausted all available leave and is still unable or unwilling to return to work, the University may terminate the employee unless he/she is eligible for rights and protections under other laws or other University policies.

The University also will grant reasonable safety accommodations to employees affected by domestic or sexual violence to the employee for their family or household member so long as the accommodation does not pose an undue hardship on University's operations. Reasonable safety accommodations are adjustments to a job structure, workplace facility or work requirement, including a transfer, reassignment, modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, implementation of a safety procedure or assistance in documenting domestic violence that occurs at the workplace or in work-related settings in response to actual or threatened domestic violence. In order to request a Reasonable Safety Accommodation, an eligible employee must provide the Human Resources Office a written statement signed by the employee or an individual acting on the employee's behalf, certifying that the reasonable safety accommodation is for a purpose authorized under the VESSA. The University reserves the right to deny such requests to the extent they impose an undue hardship on the University.

**Emergency Closure and Transition to Remote Operations**

As a major institution with 24/7 operations, the University will typically not close. However, under certain unusual and emergency circumstances, the University may cancel on-campus classes, suspend some or all administrative and academic functions and/or transition to remote operations. Certain continuous operations may need to remain operating on-site. Special pay procedures may apply depending on the type of closure.

During periods of campus emergency, as determined by the President, the President may place into immediate effect any emergency regulations, procedures and other measures deemed necessary or appropriate to meet the emergency, safeguard persons and property and maintain educational activities.

Types of Closures

- **On-Site Closure and Transition to Remote Operations**: Classes are cancelled on-campus, most buildings are closed, and the majority of academic and administrative functions are transitioned to remote operations. During a closure, employees (except those required to work on-site) are instructed that they should telework pursuant to the University's telework policy which may include delivery of courses online. Additionally, certain continuous operations may need to remain operating on-site (e.g., emergency services, facilities and grounds maintenance and student services). The necessity or feasibility of maintaining on-site operations will vary by the circumstances causing the closure, such as weather, health conditions, natural or human-induced disasters, major utility failures, etc.
- **On-Site Limited closure**: Only specifically designated building(s) are closed due to an emergency that impacts a limited portion of the campus. In the event of an emergency where only designated buildings are closed, the expectation is that employees will continue to perform assigned duties. Every attempt will be made to facilitate the performance of those duties through temporary relocation, work from home or other arrangements, which allow an employee to perform assigned duties.

All announcements will be released by the President through established processes. Only the President has the authority to close a campus. The President, or his/her designee, has the authority to approve a limited closure.

The President and his/her designees are responsible for designating employees as critical to the operation of the University who may be required to work on-site during a closure. Employees who are required to work on-site may differ, depending on the nature of the situation. The President and his/her designees are responsible for designating employees who may be required to work remotely during a closure. Employees who are not required to work on-site will be advised to work from another location so that emergency activities may be conducted more efficiently. Department and unit leaders or their designees are responsible for communicating to employees which positions are required to work on-site and those who are required to work remotely during on-site closures. It is the general expectation that most positions will work remotely if operationally feasible and not needed on-site.

Benefit-Eligible Non-Exempt Employees
Employees who are required to work on-site during closure will receive premium pay. Premium pay will be paid at time-and-a-half for all hours actually worked. Those hours actually worked will count toward the calculation of weekly overtime pay. If employees are required to work less than their regular schedule, they will receive administrative pay for those hours they are not required to work up to their regular FTE (based on the regular daily work schedule). Employees who are required to work remotely during a closure will receive their regular pay for hours worked and are not eligible for premium pay or administrative pay. Use of paid time off (e.g., annual leave) is required if an employee is absent from required on-site work and/or remote work. Should a closure extend beyond five (5) days, employees who are required to work on-site or via remote work may use available accrued annual leave, personal days, or sick leave (as appropriate). Employees may, with supervisory approval, or take leave without pay.

Benefit-Eligible Exempt Employees
Employees who are required to work on-site or via remote work during closure will receive their regular pay (based on their normal schedule). Exempt employees are not eligible for premium pay for hours worked during a closure. Employees who are not required to work on-site or via remote work during a closure will be granted administrative pay to continue their regular pay for up to five (5) workdays per closure. Pay is based on their normal daily work schedule and regular FTE. Should a closure extend beyond five (5) days, employees who are not working on-site or via remote work may use available accrued annual leave, personal days, sick leave (as appropriate) or take leave without pay (with approval).

Variable Hour and Student Employees
Variable hour and student employees who do not work during a closure will not be paid. Supervisors should work with those employees to make up the time if possible. Such employees may be requested to work and will be paid under normal pay procedures for hours worked.

**Pay Procedures for a Limited On-Site Closure**

Benefit-Eligible Exempt and Nonexempt Administrative, Service, and Support Staff, and Benefit-Eligible Non-Exempt Academic Employees
Employees who are directed to leave the worksite and are unable to perform their duties at a different location (including telework) will be granted administrative leave to continue their regular pay for up to five (5) workdays per closure. Pay is based on their normal daily work schedule and regular FTE. Employees who are required to work on-site or via remote work during a limited closure will receive their regular pay. If they are required to work less than their regular schedule, employees will receive administrative pay for those hours they are not required to work up to their regular FTE. Hours worked prior to the closure and/or travel time to/from home are not counted as hours worked and are not eligible for administrative pay. Should a limited closure extend beyond five (5) days, employees may use available accrued annual leave, personal days, sick leave (as appropriate), or take leave without pay.

Variable Hour and Student Employees
Variable hour and student employees who do not work during a limited closure will not be paid. Such employees may be requested to work and will be paid under normal pay procedures for hours worked.

**Academic Holiday Schedule**
The academic year holiday schedule is stated in the Academic Calendar approved by the Board of Curators.

**Religious Holiday Accommodation**
In accordance with federal law, the University will make reasonable accommodation for employees' observations of religious holidays as long as such accommodation does not cause undue hardship to the department or unit. Employees must submit personal or vacation leave requests, or when possible, arrange alternative scheduling within the unit in advance in order for the accommodation request to be considered. If an employee's supervisor determines that the absence would cause undue hardship to the department, the supervisor must provide written justification.

**University Business**
Faculty must receive approval from their immediate supervisors prior to engaging in any University planned activity for which they are away from their regular duties. A "Request for Leave" form must be completed if applicable. If the activity involves travel, the faculty member must file a "Travel Authorization Request." If the activity involves students, student names must be listed on the request and all requirements from the Office of Vice President of Student Affairs must be followed.

**Lactation/Breastfeeding**
Any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby at work for one (1) year after the child's birth. The University will designate rooms located at its office locations for this purpose. Employees are responsible for self-storing breast milk and assume all responsibility for the safety of the breast milk and the risk of harm for any reason, including improper storage or tampering. Nursing mothers wishing to use a nursing room must request/reserve the room by contacting their immediate supervisor.

Employees may use their assigned breaks for this purpose. Non-lunch breaks for nonexempt employees more than twenty (20) minutes in length will be unpaid, and non-exempt employees should indicate any breaks exceeding this time period in their time records as unpaid leave.

## XXI. University Resources

Faculty employees will find the following University resources useful in carrying out their day-to-day job duties. While the University has a vast array of resources, these are resources that are of common interest to any faculty and staff employee.

**Professional Development Training**

Faculty can get assistance in accessing individual training needs through several campus resources. A brief description of each resource is found below:

1. The Center for Teaching and Learning serves as the hub for professional development for faculty and staff to address institutional directives and personal growth goals in academia. The Center provides resources and support so faculty/staff can implement evidenced-based practices to improve the student experience and increase recruitment/retention rates. In addition, the Center highlights trends in higher education that will help the institution optimize its resources and operate more efficiently.

2. The Human Resources Office facilitates many types of training or orientation sessions for employees. The Staff Senate's subcommittee on Professional Development and Orientation works in conjunction with the Human Resources Office for periodic seminars on staff related topics. The Human Resources Office can also assist in locating specific training resources through state and federal referrals.

3. Title III Professional Development provides the training for faculty and staff through the Professional Development Institute. Through the Professional Development Institute, faculty and staff will be able to participate in workshops and seminars on and off campus for personal and professional development, take graduate courses and attend professional meetings and conferences and other activities designed to assist faculty and staff to continue learning and growing in keeping with new and innovative strategies focused on academic excellence. Funds are also available for departments and other units for workshops/seminars for their staff. Each request is considered on an individual-basis and is evaluated on the potential merit for professional enhancement for University faculty and staff. In order to increase training and skills to help better serve the diverse student body at the University, Title III has incorporated a Train-the-Trainer Program. All full-time faculty and staff, who agree to attend a workshop, conference, seminar or meeting and, upon their return to campus, share the information in a formal session with colleagues and coworkers, may receive financial support.

4. **Center for Online Learning**
   The Center for Online Learning manages all aspects of online curriculum delivery through the campus Learning Management System, Canvas, including instructional design and technology services. The Center oversees professional development and authorization of instructors to teach online and hybrid courses. The Center will assess current and potential programs for expansion of online and hybrid course delivery. In regard to the learning management system, the Center will provide training in the use of Canvas, respond to online learning ITS helpdesk tickets, and manage all aspects any integrated technology.

**University Website**

Each department is responsible for the accuracy and timeliness of their web content. Requests for site editing, including new pages of content or content updates, should be submitted to the Office of University Relations.

**ITS Technology Resources**
ITS at the University is responsible for maintaining and supporting the University's technology, infrastructure, networking, telecommunications and web capabilities and providing knowledge and expert assistance in development and support of new technologies.

**University Enterprise Resource Systems**
The University Enterprise Resource System (ERPS) technology staff is responsible for providing the following technology services: administration of the Datatel "Colleague" system, including programming support and user training; administration and housing of the servers for the Canvas learning management system and training and support for all applications; web content management for ensuring that material posted on the University website meets the marketing and public relations standards set by the institution.

**Mail Room**
The University Mail Room is located at Shipping and Receiving. All incoming and outgoing campus mail comes through the Mail Room. Each department has a designated mailbox and is responsible for retrieving it on a daily basis. Large volume mailers should contact the Mail Room (681-5144) for specific instructions. A return address is mandatory to ensure proper handling in address correction. Use of campus mail for personal business is prohibited.

**Food Services**
The Campus Dining Services are located in the Scruggs University Center (SUC). It is a full-service cafeteria on the first floor operated by Sodexo, the University food service provider. Credit or debit cards are accepted. Special event catering or snacks are also available through Sodexo.

## XXII. Business Operations Information

Faculty employees will find useful the following business operations in carrying out their day-to-day job duties. While the University has many business operations, these are business operations topic of interest to any faculty.

**Fall Institute**
The University campus community congregates every year in mid-August for the annual Fall Institute. This is the official start date of the academic year for faculty and an opportunity for both faculty and staff to hear updates on activities, share ideas and experiences and receive training on topics of interest.

**Form Usage**
An employee, who is conducting and processing any business or employment transactions, should access appropriate forms from the respective departmental website to ensure up-to-date form usage.

**Rules and Regulations**
Faculty employee appointments and employment are in accordance with the Board of Curators'

approved University Rules and Regulations. The Rules and Regulations and all policies therein are approved by the Board of Curators. A complete copy of the Rules and Regulations can be found on the University website.

**Travel**

Faculty should fill out a Travel Authorization Request for submittal to their supervisors, and submit a Leave Request form, if applicable. Faculty are responsible for complying with University travel policies and procedures and should exercise the same care in incurring University travel expenses as they would in personal travel. This policy applies to all travel expenses, regardless of the source of funds. When travel costs are to be funded by a sponsored project award, the terms of the applicable award will take precedence if they are more restrictive than University policy. At their discretion, University departments/divisions may impose more restrictive guidelines for budgetary or control reasons, but they may not be less restrictive than the guidelines stated in this policy and its respective procedures. The VPAF shall be responsible for developing operating procedures to implement this policy in accordance with IRS regulations.

Faculty planning travel should book their travel at least two (2) weeks in advance whenever possible. If the travel requires out-of-state air travel, the faculty should book their tickets twenty-one (21) days in advance to ensure the best rate. When booking hotels or determining Per Diem Rates, the Missouri CONUS rates should be followed, unless an exemption has been issued by the VPAF allowing the rate to be exceeded.

Faculty who are regularly required to travel as a part of their job should submit expense forms within fifteen (15) calendar days following the month of the travel. This does not prohibit faculty from requesting reimbursement sooner, if needed. All other faculty are to request reimbursement within fifteen (15) calendar days following their travel. Failure to timely submit a reimbursement request may result in faculty being personally responsible for their travel expenses. Exceptions to the fifteen (15)-day requirements may be granted by the President or VPAF.

Travel expenses for airfare, rental vehicles and lodging should be booked on a University purchasing card or direct billed to the University to avoid faculty having to personally incur the expense.

Cash advances for travel are not allowed except under the following conditions:

- Intercollegiate team travel
- International travel
- Travel including students

**Purchasing Office Supplies**

The administrative support staff of each department will be able to complete a requisition for the purchasing of office supplies. Once a requisition is completed, a purchase order is generated, and the supplies are ordered by the University's Purchasing Department. When the supplies arrive at the Purchasing Department, they will be delivered to the department. Detailed purchasing guidelines are located on the Purchasing Department's webpage.

**Accounts Payable**
Faculty may have occasions when Accounts Payable processes a check for them. Accounts Payable typically runs checks on Wednesdays during the school semester and during the summer. In order for Accounts Payable to process an employee's requests, the following MUST be met:

- A requisition must be entered in Colleague. See the Datatel Requisition Manual for more information.
- The requisition must be approved by all required approvers (see the Approvers section of the Datatel Requisition Manual for more information).
- The requisition must have a Purchase Order or Blanket Purchase Order number assigned to it. Purchase Orders must be accepted in Colleague by Shipping & Receiving.
- An Invoice, Check Request Form, or Request for Check Form must be received by Tuesday at 3:00 p.m.

**Budget Process**
Faculty should be aware that departments conduct a budget process every year in the fall for the upcoming fiscal year beginning in July. The department process is one step of the total process for developing and securing University-wide budget approval. Department heads or directors will be determining the financial resources unit needs and submitting requests for any additional funds. Each department's budget is rolled into a broader division budget for review and approval by the University's Budget Committee. Therefore, it's very important to keep department heads or directors informed if additional funding resources are anticipated.

## XXIII. Promotion and Tenure

**Principles and Amendments to the Report**
Three principles shall inform the University's policies on promotion and tenure: they shall be fair; they shall be meaningful; and they shall be in the mutual interest of individual faculty members and of the University as a whole. A detailed explanation of these principles, along with the complete philosophical underpinnings of the promotion and tenure policies, can be found in the Promotion and Tenure Report.

The policies contained within the Promotion and Tenure Report, this handbook and laid out in Sections 3.21, 3.22, 3.23, 3.24, 3.25, 3.26 and 3.27 of Chapter III of the University Rules and Regulations, may not be changed, added to, deleted or disregarded in any fashion except by means of the procedure for changes to policies delineated in Chapter I, Section 1.54; Development and Oversight of University Policies.

**Promotion and Tenure: Annual Performance Evaluations**
A faculty member's initial appointment letter will indicate whether the position is "tenure track"

or "non-tenure track." Faculty will receive promotion and/or tenure criteria with the annual appointment letter. New employees should discuss promotion and tenure requirements with their department heads to ensure that they understand all requirements.

Annual evaluations are integral to the promotion and tenure process and must be consistent with promotion and tenure criteria. Promotion and tenure awards are based on performance in scholarship/research, service/extension and/or teaching. Percentage of the work effort (in scholarship/research, service/extension and/or teaching) for the promotion and tenure application shall be agreed upon by the candidate and the department head. This agreement shall reflect average annual percentage effort estimates for each year included in the promotion and/or tenure decision.

Annual evaluations shall serve as a gauge as to whether the candidate is progressing adequately toward the promotion and/or tenure award. If annual evaluations reveal concerns with meeting promotion and/or tenure criteria, the candidate will be advised (by the department head) to work to remedy these concerns prior to the candidate's applying for promotion and/or tenure. A negative promotion and/or tenure decision should not be the first criticism the candidate receives.

**Promotion and Tenure Criteria: Percentage of Work Effort**
The criterion of teaching shall require a minimum of zero percent (0%) of effort and a maximum of eighty percent (80%) of effort.

The criterion of scholarship/research shall require a minimum of ten percent (10%) of effort and a maximum of ninety percent (90%) of effort.

The criterion of service/extension shall require a minimum of ten percent (10%) of effort and a maximum of ninety percent (90%) of effort.

Definitions, explanations and examples of each of the criteria are enumerated in tables in the Promotion and Tenure Report set out in Appendix A.

**Promotion and Tenure Criteria and the Evaluation Process**
Committees and individuals who evaluate promotion and tenure applications will assess each area of the application using a three-point scale. The evaluation will focus on the quality of performance in each area. The tables below provide examples of how quality of performance in each of the three criteria might be scored:

(3) **Outstanding: Extensive and Continuous Record of Top Quality Work**

| Teaching | Scholarship/Research | Service/Extension |
|---|---|---|
| Receives excellent teaching evaluations.<br><br>Record of quality advising<br><br>Superior competence.<br><br>Clear commitment to pedagogy. | Annual records of continuous, scholarly, peer-reviewed work.<br><br>Record of nationally recognized accomplishments. | Annual records of continuous multiple service or extension responsibilities with well defined, beneficial outcomes. |

(2) **Neutral: Completes the Minimum Requirements of the Position**

| Teaching | Scholarship/Research | Service/Extension |
|---|---|---|
| Receives positive teaching evaluations.<br><br>Fulfills typical advising responsibilities.<br><br>Demonstrates basic competence.<br><br>Fulfills typical teaching responsibilities (e.g., providing feedback to students; record-keeping. | Annual records of continuous, scholarly work. | Fulfills typical service or extension responsibilities (e.g., membership on committees). |

(1) **Poor: Does Not Meet Minimum Requirements of the Position**

| Teaching | Scholarship/Research | Service/Extension |
|---|---|---|
| Receives poor teaching evaluations.<br><br>Problems fulfilling basic teaching responsibilities (e.g., poor quality course materials, student complaints) | No scholarly work of any discernible quality. | Failure to fulfill service or extension responsibilities (e.g., membership on committees). |

The preceding examples should serve as guides, not checklists. Each candidate for promotion and/or tenure will present a unique set of accomplishments. Department heads will also be expected to delineate the specific requirements of the positions within the area and to convey these requirements to the candidate upon initial appointment.

**Minimum Eligibility Requirements for Promotion**

A faculty member, regardless of tenure or non-tenure status, who has met minimum qualifications for appointment and has been hired in a permanent position, shall be eligible to apply for promotion provided that he/she meets qualifications as outlined below.

**Eligibility for Promotion to the Rank of Assistant Professor**

An instructor with one (1) of the following is minimally qualified to apply for promotion to assistant professor:

- Earned doctorate or other terminal degree in the field from an accredited institution **and** the completion of two (2) years of service at the rank of instructor at the University.
- A master's degree **and** thirty (30) graduate hours from an accredited institution (in the area of professional specialization) **and** the completion of three (3) years of service at the rank of instructor at the University.
- A master's degree from an accredited institution **and** an appropriate professional certificate/license **and** the completion of three (3) years of service at the rank of instructor at the University.
- A master's degree from an accredited institution **and** the completion of ten (10) years of service at the rank of instructor at the University.

**Eligibility for Promotion to the Rank of Associate Professor**

An assistant professor with one (1) of the following is minimally qualified to apply for promotion to associate professor:

- Earned doctorate or other terminal degree in the field from an accredited institution **and** the completion of five (5) years of service at the rank of assistant professor at the University.
- A master's degree **and** thirty (30) graduate hours from an accredited institution (in the area of professional specialization) **and** the completion of twenty (20) years of service at the rank of assistant professor at the University.
- A master's degree from an accredited institution (in the area of professional specialization) **and** an appropriate professional certificate/license **and** the completion of twenty (20) years of service at the rank of assistant professor at the University.

**Eligibility for Promotion to the Rank of Professor**

An associate professor is minimally qualified to apply for promotion to professor if he/she has an earned doctorate or other terminal degree in the field from an accredited institution **and** the completion of four (4) years of service at the rank of associate professor at the University.

**Minimum Eligibility Requirements for Tenure**

A full-time assistant (or higher-ranking) professor in a permanent position and on a tenure-track appointment with one (1) of the following is minimally qualified to apply for tenure:

- Earned doctorate or other terminal degree in the field from an accredited institution **and** the completion of five (5) years of service at the rank of assistant professor at the University.
- A master's degree **and** thirty (30) graduate hours from an accredited institution (in the area of professional specialization) **and** the completion of five (5) years of service at the rank of assistant professor at the University.
- A master's degree from an accredited institution (in the area of professional specialization) **and** an appropriate professional certificate/license **and** the completion of five (5) years of service at the rank of assistant professor at the University.

**Terminal Degrees of Faculty by Area**

The doctoral degree in the faculty member's field is recognized as the terminal degree. The University also recognizes the master's degrees in the following specific fields as "terminal degrees":

| | | |
|---|---|---|
| 1. | Art: studio art and design | M.F.A. |
| 2. | Theater: creative artist or technical artist | M.F.A. |
| 3. | English: creative writing | M.F.A. |
| 4. | Social Work | M.S.W. |
| 5. | Nursing and Business Administration | doctorate in a related field |
| 6. | Library Science | M.L.S. |

**Probationary Service for Tenure**

For a tenure-track appointment, the maximum length of probation shall be seven (7) years. The contract for the seventh year shall be a one (1)-year terminal contract unless the decision to award tenure has been made or postponed by the act of the Board of Curators.

**Credit Toward Probationary Period**

Up to three (3) years prior full-time service at the rank of instructor or above may be credited toward the probationary requirement. Any agreement to credit prior service must be stated in writing at the time of appointment. Whether and how much service to credit will depend on such factors as academic rank, prior tenure status, quality of prior service and relevance of prior service to the requirements of the new position.

**Three-Year Pre-Tenure Review**

The purpose of the pre-tenure review is to provide the tenure-track faculty member with valuable information about her or his strengths and weaknesses. Every tenure-track faculty member will be responsible for submitting an application for a pre-tenure review to her/his unit supervisor. This application will be due on the first working day of September of the fourth year of the probationary period. Faculty members who were awarded credit toward the probationary period during the hiring process may request an extension or alternate accommodation from the unit supervisor. The application will meet the requirements for the formal application for tenure. However, the candidate does not need to provide letters of recommendation. The unit supervisor, after receiving the candidate's application, will forward the application to the department promotion and tenure committee. The committee will review the application and prepare a recommendation. The committee chair will then forward the application and the committee's recommendations to the dean within fifteen (15) working days of receiving the application. The dean will also prepare a recommendation enumerating the candidate's strengths, weaknesses, and opportunities for growth. The dean will forward copies of her/his recommendation to the candidate and unit supervisor within fifteen (15) working days of receiving the application. Information contained in the final assessment of the pre-tenure review should not be interpreted as a decision regarding subsequent tenure applications. That is, a favorable pre-tenure review is not a guarantee of a favorable tenure review.

**Stopping the Tenure Clock**

In the event of difficult circumstances, a faculty member may submit a request to temporarily "stop the tenure clock" for one (1) academic year. "Difficult circumstances" include, but are not limited to, the following:

- physical or mental illness;
- pregnancy or parenting obligations;
- caregiver responsibilities for someone in a close relationship;
- military service; or
- legal responsibilities.

A request to stop the tenure clock will be submitted in writing to the department head. The faculty member may include medical information or other documented reasons for the request. The department head will make a recommendation and forward the request and the recommendation to the college dean within two (2) weeks of receipt of the request. The college dean will then make a recommendation and forward the recommendations and request to the VPAA within two (2) weeks of the receipt of the request. Finally, the VPAA will make a recommendation and forward the recommendations and request to the President within two (2) weeks of receipt of the request. The President will make the final decision on whether the stop will be granted. The President will make her/his recommendation in writing within two (2) weeks of the receipt of the request. When possible, the request should be submitted prior to the first day of the academic year in question.

If the stop is granted, the academic year in question will not be evaluated towards tenure or tenure eligibility. At the end of the year, the faculty member will return to the tenure probationary period where he/she left off. Generally, the tenure clock may be stopped only once for an individual faculty member. Only under extreme circumstances should a faculty member request to stop the tenure clock more than once.

**Non-Reappointment**

Notification of non-reappointment shall be given by March 1 for persons in their first year of probationary service and by December 15 for persons in their second year. For persons in their third through sixth years of probationary service, notification of non-reappointment shall be given not less than one (1) calendar year prior to the expiration of the terminal contract.

**Procedures for Promotion and Tenure Evaluation**
The VPAA shall notify, in writing, each candidate who is eligible to apply for promotion and tenure in a given year. A candidate who is notified of eligibility for tenure must apply that year. An individual who is notified about eligibility for promotion may opt not to apply.

Candidates will take primary responsibility for preparing their applications for promotion and/or tenure. Candidates must submit complete applications to the department head on or before the due date. New evidence of the candidate's qualifications will not be solicited or accepted after the due date, except under special circumstances requiring the permission of the VPAA.

If eligibility for promotion and tenure fall in the same year, a candidate may apply for both in the same application. In this case, the cover letter will clearly indicate that the candidate wishes to be considered for both promotion and tenure.

The promotion and tenure evaluation process shall consist of six (6) levels. Each application for promotion and/or tenure shall be evaluated by the following individuals and groups in order: 1) the department promotion and tenure committee, 2) the department head, 3) the college promotion and tenure committee, 4) the college dean, 5) the VPAA, and 6) the President of the University. The President's decision will form a recommendation to the Board of Curators. The final decision on the granting of promotion and tenure rests with the Board of Curators. The final promotion and/or tenure decision shall be announced as a Board action and entered into the Board minutes.

The timeline for evaluation shall be as follows:

| **Level of Evaluation** | **Deadline** |
|---|---|
| VPAA notifies candidates of eligibility | First working day of May |
| Faculty member submits application to department head who makes applications available to committee | First working day of September |
| Departmental subcommittee submits recommendations and applications to department head | Fifteen (15) working days following receipt of application |
| Department head submits applications and recommendations to the Dean who makes them available to the college committee | Ten (10) working days following receipt of applications and recommendations |

| | |
|---|---|
| College committee submits applications and recommendations to college dean | Fifteen (15) working days following receipt of application and recommendations |
| Dean submits applications and recommendations to VPAA | Fifteen (15) working days following receipt of applications and recommendations |
| VPAA submits applications and recommendations to President | Fifth working day in January |
| President reports to Board of Curators | February/March Board meeting |

Following each level of the evaluation process, a designated individual from each level (e.g., the college dean, or committee chair) shall prepare a decision letter stating the decision regarding promotion and/or tenure, in addition to the rationale for the decision. This letter will be forwarded with the application to the next evaluative level. Therefore, each evaluation level will receive the application in addition to the decision letters from any lower levels of evaluation. At the same time, a copy of each letter will also be sent to the faculty applicant, so that the applicant is informed of the decision (and rationale for the decision) at every level of evaluation. The decision letter from the VPAA must be sent to the faculty applicant via certified mail.

During the evaluation process for promotion, a candidate receiving unfavorable decision letters may withdraw the application at any time before evaluation by the VPAA.

Tenure applications may not be withdrawn during the evaluation process.

Persons at each evaluative level shall primarily base their decisions on a substantive review of the candidate's accomplishments as evidenced in the application. However, tenure decisions may also reflect the long-term needs and plans of the University, which may include examination of:

1) projected student enrollments,
2) curricular changes, and
3) faculty retirement schedules.

**Components of Promotion and Tenure Applications**

Applications for promotion and/or tenure shall include the following elements in order:

1. A cover letter from the candidate addressed to the department head. This cover letter shall include the purpose of the application (request for promotion and/or tenure), a list of how the candidate has met minimum eligibility requirements, percentage efforts for scholarship/research, service/extension and/or teaching, summaries of accomplishments in teaching, service and scholarship/research (as necessary).
2. The candidate's curriculum vitae.

3. At least four (4) letters of recommendation (two (2) from inside of the University but outside of the candidate's department **and** two (2) from professional colleagues outside of the University).
4. A copy of the candidate's graduate transcripts.
5. A copy of annual performance evaluations for the years under consideration.
6. A copy of annual student evaluations for the years under consideration.
7. Evidence of accomplishments in scholarship/research, service/extension, and/or teaching for the years under consideration.

**Promotion and Tenure: Appeal**
Although a candidate may appeal decisions made at any evaluative level before the decision of the President, the appeal may not be submitted until after the VPAA has reviewed the application and issued a recommendation via certified mail. A candidate wishing to appeal must declare his or her intention to appeal in writing within five (5) working days of the receipt of the certified decision letter from the VPAA. The candidate shall submit the notification of the intention to appeal to the Campus Complaint Coordinator and the VPAA. The candidate shall then submit the appeal to the Campus Complaint Coordinator. (See Chapter III, Section 3.40, and Chapter VIII, Section 8.80.) The appeal must be submitted within ten (10) working days of the receipt of the certified decision letter from the VPAA. The Campus Complaint Coordinator will forward the appeal, along with the candidate's application, to an ad hoc Promotion and Tenure Appeals Committee, comprised of one (1) elected, tenured faculty member from each department, with a chair selected from among the members by the ad hoc committee. The University's legal counsel shall serve as a non-voting member of the committee. After hearing the appeal, the committee chair shall prepare a letter stating the decision of the committee and rationale for the decision. This letter shall be sent to the candidate and the President. The President shall determine the final outcome of the appeal.

The burden of proof is on the faculty member, who shall prepare the appeal by stating the grounds for appeal and the evidence against the promotion or tenure decision.

Grounds for appeal may be based on 1) use of improper procedure, 2) failure to consider the merits of the application, 3) use of arbitrary or capricious reasons for the negative decision, 4) use of gender, ethnicity, or other protected status in decision-making, 5) violation of the academic freedom or constitutional rights of the applicant, or 6) improper reasoning with regard to the long-term needs and plans of the University, including projected student enrollments, curricular changes and/or faculty retirement schedules.

**Policy on Reassignment of Administrators to Faculty Appointments**
Administrators who are transferred to an academic department, Cooperative Research or Cooperative Extension and assigned to teaching, research or extension duties, shall be compensated according to the current Faculty Compensation Plan with the appropriate faculty salary range. Placement within the range shall be determined by years of service to the University and years at academic rank. The initial placement methodology shall be used to determine the

correct salary within the range.

**Workload Policy for Undergraduate Faculty**

The following definitions of work year, work week and teaching load define the faculty's responsibilities to students and the University:

1. Work Year: The normal full-time faculty appointment year is nine (9) months, as specified in the academic calendar. Instructional faculty meet a significant part of their responsibilities, such as class preparation and professional development, off campus. However, formal teaching and/or support responsibilities, plus the need to be available to work with students and other University staff, require a faculty member's presence on campus for a significant time period each week.

2. Work Week: Full-time instructional faculty are to schedule no fewer than ten (10) office hours per week, normally spread over five (5) days per week, for student consultation and assistance. Faculty with a reduced instructional load will schedule office hours on a prorated basis according to teaching full-time employment (F.T.E). Music, art and nursing science faculty who meet with students individually on a regular basis are to schedule no fewer than five (5) office hours per week for student consultation and assistance. These hours are exclusive of overload.

3. Teaching Load: The normal teaching load for full-time instructional faculty will be twelve (12) credit hours per semester or twenty-four (24) credit hours per academic year. Exceptions to the policy are listed below:
   - In cases involving studio teaching, such as in art and music, where contact hours exceed credit hours, the contact hours will not exceed an average of eighteen (18) class contact hours per semester or thirty-six (36) class contact hours per year, even if fewer than twelve (12) credit hours per semester are produced.
   - In cases involving laboratory instruction, such as in natural sciences, agriculture and technology, the laboratory hours will be equated to credit hours on the basis of a 1:1 ratio.
   - In cases involving activity-type teaching, such as physical education, where class contact hours exceed credit hours, the contact hours per semester will not exceed an average of fifteen (15) class contact hours per semester or thirty (30) class contact hours per year, even if fewer than twelve (12) credit hours per semester are produced.
   - In cases involving a substantial number of clinical or open laboratory teaching hours, such as in nursing science, where class contact hours exceed credit hours, the normal load will consist of an average of twenty-two (22) hours per week of combined teaching and/or student conference office hours.

All full-time teaching faculty will normally be assigned full teaching loads each semester unless there are administratively approved reductions for non-teaching assignments. If full teaching loads are not available, faculty members will be assigned other administratively approved responsibilities in order to provide a full workload.

**Overload Policies**

An overload during a fall or spring semester is defined as any instructional duties beyond the normal twelve (12)-credit-hour load. The following stipulations regarding overloads shall apply:

- The maximum overload for any one (1) faculty member per semester will be one (1) course or three (3) hours, whichever is greater.
- No overloads are allowed during the summer session.
- Full-time faculty will receive payment for overloads during the regular academic year for approved teaching beyond the normal credit or contact hours. Overload payment will be based upon credit hours in excess of twelve (12) per semester or twenty-four (24) per academic year. Overload payment will be calculated per credit hour and will be equivalent to the adjunct pay calculation.
- In cases where a fall semester overload may be balanced out or averaged as a normal load via an under load in the spring semester, any potential overload payment will be delayed to the spring semester or until such time as the year's average is ascertained.
- In cases when the semester overload is for a course that does not meet minimum enrollment standards, the faculty member may be compensated on a prorated basis where the pay for instructional services will be equivalent to the amount of fees generated per student credit hour charged. The amount of pay for "tuition only" shall not exceed the regular overload compensation. The decision regarding the amount of the prorated payment to be made to the faculty member will be determined based on the number of students enrolled in the course on the deadline date for adding classes, and agreement must be reached among the proposed instructor, the department head, and the dean, with written approval at all levels. Faculty who elect to provide instruction in special situations for which compensation is not provided will be credited in performance ratings with having made special contributions to the University's programs and the welfare of the student(s).

**Below Minimum Enrollments Instruction: Fall, Spring and Summer Enrollment**

As a general rule, the following minimum levels of enrollment are required in order for classes to be held:

- Graduate Level: 5 students
- Upper Division (Undergraduate Level): 15 students
- Lower Division (Undergraduate Level): 15 students

In cases where class enrollment minimums are not met, department heads are authorized to negotiate and make recommendations to adjust compensation in accordance with the stipulations outlined below. Final adjustments are pending approval from the college dean and VPAA.

When regularly advertised classes that do not reach minimum enrollment levels are offered, the faculty member may be compensated on a tuition-only rate. The tuition-only rate shall be defined as the total number of credit hours generated in the class on the deadline date for adding classes

multiplied by the appropriate graduate or undergraduate in-state tuition rate and shall not be reduced by any fringe benefit cost.
The amount of pay for tuition-only cannot exceed the normal rate of pay.

However, under-enrolled courses that are either new or exploratory in nature, required in the major for candidates for degrees or presented by the same instructor in conjunction with other, heavily enrolled courses may be conducted at full compensation, as an exception to the general rule, at the discretion of the college dean.

Faculty who elect to provide instruction in special situations for which compensation is not provided will be credited in performance ratings with having made special contributions to the University's programs and the welfare of the student(s).

All adjustments in compensation will require administrative approval.

**Summer Session**
The summer session shall be organized and conducted under the jurisdiction and direction of the VPAA. The schedule of courses shall be determined by the demand for courses and the adequacy of university resources to provide them.

**Selection of Faculty for the Summer Session**
Members of the instructional faculty for the summer session shall be selected on the basis of qualification to teach the courses to be offered. Instructional assignments shall be made from a prepared list of qualified faculty who have indicated interest and have been recommended by their immediate supervisors.

**Summer Workload Policy**
The maximum load for summer shall be nine (9) credits with no more than six (6) credits in a four (4)-week session. No overloads will be allowed during the summer session.

**Grant Reassigned Time and Salary Adjustment**
A faculty member who is a grant recipient may be partially or fully reassigned from instructional duties to carry out the special assignment. Upon approval of the administration, the faculty member may have her/his base salary increased up to a maximum of 125% of the base. The policy and formula application can be found in the compensation provisions of the handbook.

**Reporting of Grades**
At the close of each semester, all members of the academic faculty shall submit grades for all students registered for credit in their classes. Grades shall be submitted no later than 5:00 p.m. on the second working day following the end of final examinations. Copies of grade reports shall be submitted to the department head by the instructor at the same time.

**Review of the Undergraduate Curricula**
Proposals for the following (outside of the exceptions for honors courses and education courses, as outlined below) require only the approval of the dean (upon the support of the college) and the VPAA:

- new courses in the major
- deleting courses from the major
- change in number, title and/or credit hours of a course
- an honors counterpart to an already existing course

No action is required by the Senate Curriculum Committee and/or the Faculty Senate. All honors courses require the approval of the Honors Committee.

Matters of curriculum and policies for Teacher Education are under the jurisdiction of the Teacher Education Council and are exempt from this section.

**Teaching Dual Credit Courses**
Dual credit courses are coordinated by staff in the Division for Continuing Education and Extended Studies. Instructors who teach dual credit courses shall be paid based on number of students enrolled in a course. Current rate of pay is available from the Division for Continuing Education and Extended Studies.

**Misconduct in Science**
A crucial element of any fair and effective policy on scientific misconduct is a process that will distinguish instances of genuine and serious misconduct from insignificant deviations from acceptable practices.

> Misconduct (Definition)
> For purposes of this policy, misconduct is defined as fabrication, falsification, plagiarism or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting or reporting research. Misconduct does not include honest error or honest difference in interpretation or judgments of data. The complete policy and review process is found in *the Rules and Regulations*, Chapter III, section 3.41.

**Financial Exigency**
A condition of financial exigency may necessitate suspension or termination of academic personnel. Financial exigency may be declared by the President of the University only after careful analysis of funding and enrollment data has concluded that: federal, state, or other funding source is no longer providing support at an appropriate level; or enrollment decline in a given discipline(s) no longer justifies existing faculty size. General criteria for selection of persons to be terminated as a result of financial exigency shall include the following considerations:

1. Non-tenured faculty shall be terminated before tenured faculty;
2. Faculty members with the shortest term of service shall be terminated before those with

longer periods of service;

3. Academic rank shall not be a factor in terminating faculty. Exceptions to these criteria shall be made in writing in the event of compelling reasons and presented for approval to the President. Every effort shall be made to relocate persons so displaced.

**Commencement Attendance**
All faculty members are required to participate in commencement. Faculty wishing to be excused must obtain approval from the VPAA, through the department head and college dean.

## XXIV. Instruction and Advisement

**Course Syllabus**
All instructors of courses must submit their course syllabus to the respective academic department head and also make the syllabus available in Canvas no later than the last working day before the first day of class for each course taught, even if the syllabus has not changed from the previous course offering. Course syllabi are filed as documentation of the course content. Course syllabi typically include the following components: Introduction – Include the title of the course and number, term, meeting time and location, instructor name and contact information.

- Course Overview: The purpose of the course, any prerequisites and student expectations.
- Textbooks: List all required printed materials (i.e., textbooks, workbooks, dictionaries, etc.). Include any optional text/materials and other supplies.
- Course Objectives: Upon successful completion of this course, students will be able to: (list objectives here).
- Evaluation and Assessment: Outline methods of assessment for successful completion of the course. Include a schedule of assignments, quizzes, examination information, papers, other projects, grading and the grading scale.
- Policies: Describe policies for the course (i.e., attendance, plagiarism, classroom conduct, late assignments, make-up quizzes/exams, etc.).
- Notice of Americans with Disabilities Act (ADA) Compliance (required in every course syllabus): include University disability disclaimer, ***"It is the policy of Lincoln University to accommodate students with disabilities, pursuant to federal and state law. Any student with a disability who needs accommodation, for example in arrangements for seating, examinations, note taking, or access should inform the instructor at the beginning of the course".***
- Any disclaimers such as: "Instructors are not responsible for any assignments not handed in during class times. This includes assignments put in mailboxes, under doors, or given to any other person besides the instructor."
- Course Topics: Outline the topics to be covered and approximate time devoted to each topic (by week or by class). Include instructional methods used.
- Student class attendance policy.

- Consequences for coming late and leaving class early.
- Make-up policies for coursework, quizzes and exams.

**Web Advisor**
Before faculty can access class rosters and enter grades, a web advisor account must be set up. There are steps for setting up this account starting with getting a University email account. All faculty members should receive training on this learning management system from their department heads or by attending scheduled training through the Enterprise System Department representative.

**Canvas**
This tool is the learning management system used for teaching and student learning. It can use digital tools for online instruction.

**Schedule of Courses**
All faculty members should be provided course information as found in the *Schedule of Courses* for the courses that you will teach. *The Schedule of Courses* published by the Records Office lists the specific courses to be offered for that semester with the time of meeting, the building and the room number for each course. In the course descriptions, the following information appears sequentially:

- The academic program abbreviation and course number;
- The title of the course;
- The number of hours of credit;
- The time of class, beginning and ending of period;
- The day of the week;
- The room location by number and building;
- The faculty teaching the course.

## XXV. Student Matriculation: Policies and Programs

The below policies represent selected guidance on the student matriculation process important to know for academic advisement purposes. The complete policy section on student matriculation can be found in the Undergraduate Bulletin.

**Academic Policies and Regulations**
The area of Academic Affairs will enforce policies and regulations governing all matters relating to the delivery of courses, the adoption and management of degree programs, the matriculation of students and the admission of graduate students.

**Classification of Students**
Students shall be classified into the following categories:

- A freshman is a student who has met the entrance requirements, has enrolled in regular college work and has earned less than thirty (30) semester credit hours.
- A sophomore is a student who has earned thirty (30) to fifty-nine (59) semester credit hours.
- A junior is a student who has earned sixty (60) to eighty-nine (89) semester credit hours.
- A senior is a student who has earned at least ninety (90) semester credit hours.

Students will be reclassified each semester in accordance with the number of semester credit hours they have successfully completed.

**System of Course Numbering**

Courses numbered 100-299 are lower division courses. Courses numbered 300-499 are upper division courses. Courses numbered 400G, 500 and 600 are graduate courses. The following system of course numbering shall be used:

- 100 and below: remediation courses primarily for freshmen;
- 101-199: courses primarily for freshmen;
- 200-299: courses primarily for sophomores;
- 300-399: courses primarily for juniors;
- 400-499: courses primarily for seniors; those courses listed in the graduate bulletin may be taken for graduate credit by graduate students and are designated with a "G";
- 500-599: open only to graduate students;
- 600-699: open only to specialist degree students.

**Semester Credit Hour**

The semester credit hour is defined as one (1) fifty (50)-minute class period per week for a minimum of sixteen (16) weeks. For purposes of a credit hour definition in laboratory work, a one (1)-credit hour for laboratory work can meet either two (2) or three (3) hours per week for a minimum of sixteen (16) weeks. Courses offered in alternative formats (i.e., four (4)- or eight (8)-week sessions, intersession) must meet for a time period that equates to the fifty (50)-minute period times sixteen (16) weeks (for a total of 800 minutes per credit hour offered). Example: A three (3)-hour, four (4)-week summer course that meets for four (4) days each week must meet for 150 minutes each day.

**Student Load**

A part-time undergraduate student is one who is enrolled in one (1) to eleven (11) semester credit hours for the fall and/or spring semesters. A part-time load for the summer session is one (1) to five (5) semester credit hours. A full-time undergraduate student is one who is enrolled in at least twelve (12) credit hours for the fall and/or spring semesters. A full-time load for the summer session is at least six (6) semester credit hours.

An undergraduate student who is enrolled in over eighteen (18) semester credit hours for the fall and/or spring semesters or over nine (9) semester credit hours for the summer session is considered on overload. The current undergraduate bulletin lists the approval process for an overload.

A part-time graduate student is one who is enrolled in one (1) to eight (8) semester credit hours for the fall and/or spring semesters. A part-time load for the summer session is one (1) to five (5) semester credit hours.

A full-time graduate student is one who is enrolled in at least nine (9) credit hours for the fall and/or spring semesters. A full-time load for the summer session is at least six (6) semester credit hours. The maximum load for graduate students shall not exceed nine (9) hours per term (eight (8) week or semester term).

**System of Grading**
The following system of grading shall be in effect: **Grades**

- **"A"** work of exceptionally high quality;
- **"B"** work of superior quality but somewhat lower than "A";
- **"C"** work of medium or average quality;
- **"D"** work of an inferior quality;
- **"F"** failing work;
- **"PR"** (Progress-Re-enroll) indicates a student has made satisfactory progress in ENG 90 Basic English and must re-enroll in the course the following semester. This has no effect on GPA. A student may receive a "PR" only once for this course;
- **"S"** work of satisfactory quality;
- **"U"** work of unsatisfactory quality;
- **"I"** indicates a student has maintained an average of "D" or better but has not completed a small but essential part of the regular coursework;
- **"X"** indicates a student was absent from the final examination with the prior approval of the instructor or the dean of the college in which the course was taken;
- **"W"** indicates a student has dropped a course after the last day to register and/or add courses in any given term or semester; if a student withdraws from all courses, the "W" is awarded for each withdrawn course;
- **"H"** indicates a student has been a "hearer" (auditor) in a course;

All grades are final except "I" and "X." To remove the "I" and "X," the student must complete the required work within the first four (4) weeks of the following semester for undergraduate credit or before the end of the following semester for graduate credit. Should the student not enroll the following semester, the incomplete work must be completed before the end of one (1) calendar year from the end of the semester in which an "I" or "X" was received. Any extension of time must be approved by the college dean or the Dean of Graduate and Extended Studies. Failure to meet this four (4) week or one (1) year deadline will result in the incomplete grade changing to an "F." Any extension of time must be approved by the college dean or Dean of Graduate and Extended Studies.

Final grades shall be recorded and reported to the student at the end of each semester and summer session and become a part of the student's permanent record at the University.

**Grade Re-evaluation**
A student who has reasons which can be substantiated may request a grade re-evaluation according to the following procedure:

1. The student must first meet with the instructor (or department head, if the instructor is no longer employed) and request a re-evaluation of her/his performance in class;
2. The instructor, upon receipt of the student's request, will review her/his records. If the instructor determines that the request is valid and substantiated and that a change of grade is justified, the instructor will fill out a change-of-grade form and submit it to the department head for action;
3. The department head will forward the form to the dean;
4. The Dean will forward the form to the VPAA;
5. The VPAA will forward the form to the Records Office for final action.

If the instructor determines that the request for a change of grade is not justified, the student may appeal. To do so, the student must obtain a "Student Academic Complaint Policy and Procedure" form from the Office of Academic Affairs. The form specifies the action to be taken and the timeline for doing so.

**Auditing Courses ("Hearer")**
A student may register to audit any course upon written approval of the instructor. An auditor will not be held responsible for assignments or examinations but is expected to maintain regular attendance.

The transcript will carry a grade of "H" ("Hearer") and no credit is received for auditing a course. A student may not change from "audit" to "credit" after the last day to enroll in courses for credit. A student may change from "credit" to "audit" before the last day for dropping courses without failure.

**Grade Point Average**
The following grade point system shall be in effect:
"A" 4 grade points per credit hour
"B" 3 grade points per credit hour
"C" 2 grade points per credit hour
"D" 1 grade points per credit hour
"F" 0 grade points per credit hour
"PR" 0 grade points per credit hour
"S" 0 grade points per credit hour
"U" 0 grade points per credit hour
"W" 0 grade points per credit hour

Grade point average is the average number of grade points earned per credit hours attempted. In the cumulative GPA calculation, if a course is repeated, then only the highest grade earned is included in the total grade points calculation, and the credit hours are counted only once in the total credit hours attempted.

Activity physical education grades are included in grade point average calculations. Credit-by-examination (departmental and/or CLEP) and cooperative education credits are not calculated into the GPA. Transfer credit is not included in the GPA calculation except for purposes of granting honors and graduation honors. Courses in which a "PR," "I," "X," "H," "S," "U" or "W" are received are not included in computing the GPA.

**Repeated Courses**
A student may repeat any undergraduate course in which a grade of "D" or "F" was earned, and only the higher grade earned will count in the GPA determination. An undergraduate course in which a "B" or "C" was earned cannot be retaken to achieve a higher grade.

**Class Attendance Policy**
Research confirms that class attendance is an essential part of the educational experience and a requirement for an adequate evaluation of academic progress. Students are expected to attend all lectures, seminars, laboratories and field work for each registered class and to complete all work assigned by the instructor. Due to the relationship between class attendance and final course grades, total absences ideally should not exceed twice the number of times a class meets per week. Examples:

- Courses meeting three (3) times/week: maximum of six (6) absences acceptable
- Courses meeting one (1) time/week: maximum of two (2) absences acceptable

The maximum acceptable number of absences in other class formats, i.e., eight (8)-week, four (4)-week summer session and intersession, should be pro-rated according to the formula above.

If a student exceeds the maximum number of acceptable absences for a course, the course instructor may choose to lower the student's grade by one letter, provided this policy is clearly stated in the syllabus at the beginning of the course. In addition, course instructors will determine the following and will post it in all syllabi:

- Consequences for coming late and leaving class early;
- Make-up policies for course work, quizzes, and exams.

**University Approved Absences**
Excused absences for University-related activities may be issued only by the President, the VPAA, or the VPSA. Notification for excused absences will specify student names, the event and the time covered by the excused absence.

**Academic Status Policies**
Good Academic Standing - A student enrolled in Lincoln University who has a cumulative grade point average of at least 2.00 is considered to be in good academic standing.

Probation
A student whose cumulative GPA falls below a 2.0 at the end of a semester will be sent a notification letter informing the student that he/she has been placed on academic probation. During the probationary semester, the student will be limited to no more than thirteen (13) credit hours. The student must either raise her/his cumulative GPA to at least a 2.0 by the end of the probationary semester (or at mid-term if the student is enrolled in any eight (8)-week courses) or earn at least a 2.5 GPA for that same semester. A student who earns at least a 2.5 GPA for the semester will remain on probation if her/his cumulative GPA is still below a 2.0.

Suspension
Should the student on probation fail to raise her/his GPA to at least a 2.0 by the end of the probationary semester or earn at least a 2.5 GPA for that same semester, the student will be sent a notification letter informing the student that he/she has been placed on academic suspension from the University.

Appeals
A student may appeal an action of first suspension by written request to the Academic Routine Committee. The student may request that consideration be given to permit her/his return under one of the following conditions:

1. The student presents definitive documentation to show that some unique situation occurred that may have made academic failure in the most recent semester likely;
2. The student presents definitive documentation to show that significant and continuous academic progress has been made in each semester of academic vulnerability.

The student must send her/his appeal (including supporting materials) for reinstatement to the chair of the Academic Routine Committee. If a student is successful in her/his appeal of the suspension, continued enrollment will be permitted in a status of academic probation. In this case, the student will be limited to no more than thirteen (13) credit hours and will be required to earn a minimum 2.5 GPA in the semester that he/she returns.

Any student who incurs a second suspension will be dismissed from the University and must wait a minimum of three (3) years from the date of dismissal before applying for re-admission.

Courses taken during the summer session will be treated in the same manner as those taken during the fall and spring semesters. Students may be added to or removed from academic probation/suspension for one (1) semester or dismissed depending on their cumulative GPA. Students on academic probation or dropped for one (1) semester will not be permitted to enroll in intersession courses. Students who take intersession courses may be placed on academic probation/suspension for one (1) semester, or dismissed from the University, depending on their cumulative GPA. Any student dismissed from the University must wait a minimum of three (3) years from the date of dismissal before applying for re-admission.

**Alternative Course Credit**
The University shall offer to its students various means of obtaining course credit other than

through the traditional classroom/semester format. These means shall include departmental credit-by-exam, the College Level Examination Program (CLEP), the Cooperative Education Program (CEP), the Advanced Placement Program (AP courses for high school students), dual credit courses for high school students, experiential learning, advanced placement/credit in foreign languages and conference courses. Guidelines for all alternative course credit options and associated fees are stipulated in the current undergraduate bulletin.

**Upper Division Transfer Credit**

The University does not grant upper division (300-400) level credit for courses taken at a junior or community college, a technical institute or institute of technology or similar institutions, except in instances where upper division credit is granted through signed articulation and partnership agreements.

**Date of Bulletin for Satisfying Undergraduate Degree Requirements**

The *Lincoln University Undergraduate Bulletin* contains the undergraduate academic regulations and degree requirements of the University. A student may choose to satisfy these requirements for graduation from any one (1) bulletin issued in the eight (8) years prior to the awarding of a bachelor's degree or the three (3) years prior to the awarding of an associate's degree, provided that he/she was enrolled during the academic year for which that bulletin was issued. Students must meet general education requirements in effect upon first enrollment; they must meet major and minor requirements in effect at the time the major or minor is declared.

**Degrees Offered**

The University shall offer such degrees and certification as has been authorized by the State of Missouri, the Coordinating Board for Higher Education, the Higher Learning Commission of the North Central Association and other accrediting agencies. The following degrees are offered: associate's degrees, bachelor's degrees, master's degrees and the education specialist degree. Specific degree titles are listed in the current undergraduate and graduate bulletins.

**Requirements for the Various Degree Programs**

Requirements for all degree programs will be listed in the current undergraduate and graduate bulletins. This will include general education requirements, major and minor requirements and required grade point average.

**Policy on Modifying Programs for Students with Disabilities**

A student may request a program modification if he/she can document a disability that directly impairs her/his ability to meet the normal requirements of the program. Such documentation must be provided by qualified professionals in the area of the specific disability. These professionals must describe the specific disability in behavioral terms in relation to the specific modification sought by the student. Guidance regarding the type of information required to document specific disabilities will be provided to the student by the coordinator of Disability Services. The Section 504/ADA Compliance Review Committee will consider requests to modify programs of study.

**Residence Requirements**

Credit hours completed in regular classes, including conference courses, offered by the University on the main campus or any other location are said to be completed in residence. All students, including students who transfer to the University from another institution, must satisfy the following minimum residence credit requirement: A minimum of thirty (30) credit hours of 300- and/or 400-level course work must be successfully completed in residence to obtain a baccalaureate degree; a minimum of twelve (12) of these thirty (30) semester hours must be in the major and, if a minor is declared, at least six (6) of these thirty (30) hours must be in the minor.

**Academic Honors**

The Dean's List shall be compiled at the close of each semester. The Dean's List shall include all full-time undergraduate students earning a grade point average of 3.00 or above. A student who receives a grade of "I" or "X" shall not be considered for the Dean's List that term. Graduation with honors falls into three (3) categories:

- Summa Cum Laude is awarded for a cumulative GPA of 3.8 to 4.0
- Magna Cum Laude is awarded for a cumulative GPA of 3.6 to 3.799
- Cum Laude is awarded for a cumulative GPA of 3.2 to 3.599

To be eligible to graduate with honors, a student must complete at least sixty (60) hours in residence at the University. All academic coursework from other colleges and universities shall be included in the computation of the student's official grade point average for the purpose of granting convocation and graduation honors. Those courses, which do not carry credit toward graduation at the institution where they were taken, shall not count toward academic honors at the University.

**Second Bachelor's Degree**

The University shall award a second bachelor's degree to a student who has earned a first bachelor's degree from an accredited college or university if he/she 1) satisfies the curriculum requirements of the new major; 2) declares the new major in a field other than that of the first degree; and 3) completes a minimum total of 141 credit hours.

**Graduate Enrollment Prior to Admission into a Graduate Program**

An undergraduate student may enroll in a maximum of nine (9) graduate hours during her/his final undergraduate semester if he/she has a cumulative GPA of 3.0 and has been approved by her/his advisor and the dean of the proposed graduate degree area. These graduate hours can be applied to a graduate degree program once the student is officially admitted to the degree program. Specific admission criteria are listed in Section 3.81 of the University's Rules and Regulations and also in the Undergraduate Bulletin. A student will not receive graduate credit for any course work taken at the University prior to being officially admitted to the Graduate Program. After official admission, a maximum of nine (9) hours of graduate credit earned during conditional or special, non-degree-seeking status may be applied towards a master's or specialist degree.

All conditions for admission must be satisfied before the student earns more than nine (9) graduate hours. A student who fails to meet the conditions of her/his admission after nine (9) hours may be restricted from further enrollment in graduate level classes until the conditions are met.

**Admission as a Graduate Student**

Any person, who has earned a baccalaureate degree or higher, may be admitted as a graduate student. An official transcript showing the highest degree earned must be submitted to the office of Graduate Studies. Specific criteria for admission as a degree-seeking graduate student are published in the current graduate bulletin.

Students are limited to earning no more than nine (9) graduate credit hours that can be applied towards the planned degree prior to being unconditionally admitted to that graduate program of study. More specific information can be found in the current undergraduate and graduate bulletins and is available from the office of Graduate Studies.

**Undergraduate Admission into the Graduate Program**

An undergraduate student with senior standing may be admitted into graduate studies as a special student for a maximum of nine (9) hours of graduate credit, which can be applied toward the master's degree once the student is admitted to a specific degree program. The student must meet the following requirements: an overall grade point average of at least 3.00, approval of the dean of the degree area in which the student expects to major and a minimum grade of "C" in ENG 101 and ENG 102.

The student must complete the baccalaureate degree at the end of the semester in order for the hours to be counted. A student will not receive graduate credit for any course work taken at the University prior to being admitted to graduate studies. During the last semester of undergraduate enrollment, graduate fees will be assessed for any graduate course work.

**Dismissal from the Graduate Program**

A student who has attempted nine (9) credit hours and obtained the grades of "D" and/or "F" the first time the courses were taken is ineligible to continue in the graduate program for credit. A student who fails to demonstrate acceptable levels of expression in oral and written English may be recommended by her/his major advisor to the Graduate Council for dismissal from the graduate program. A candidate who fails to make satisfactory progress, upon completion of fifteen (15) credit hours, will be withdrawn from candidacy by the Graduate Council.

A student who has been dismissed for any of the above reasons may appeal to the Dean of Graduate and Extended Studies with supporting documentation for reinstatement. If the appeal is denied by the Dean of Graduate and Extended Studies, the student may appeal in writing, with supporting documentation, to the VPAA. If the request is denied by the VPAA, the student may appeal in writing, with supporting documentation, to the President. The decision of the President is final.

**Graduate Academic Appeal Process**

A graduate student who has reason to believe that he/she did not receive the grade that was deserved in a course or who perceives that he/she was not treated fairly in a course has the option to submit a written request of appeal by the second week of the semester following the term in which the grade was received or the incident occurred, or within two (2) weeks of the following summer session if the grade was received or the incident occurred in the spring semester. The appeal process is outlined in the graduate bulletin.

**Filing for a Degree**

A student must file for graduation with the Records Office or through the University website by the deadline dates as listed in the Academic Calendar, published in the Undergraduate and Graduate Bulletins and on the website. A student filing after the deadline date will not be able to receive the diploma until the next graduation period. Graduate students must file for graduation through the Office of Graduate Studies or through the University website.

**Commencement**

Commencement will be held once each year in May for students who complete all degree requirements in the previous December or in May.

Students who will complete all requirements during the summer semester will be allowed to participate providing they:

- Have no more than two (2) courses left to finish their degree requirements;
- File for summer graduation;
- Pay the graduation fee;
- Enroll in the two (2) courses needed for graduation;
- Sign an agreement acknowledging that they understand that their degree will not be conferred until after they have completed all degree requirements.

Students will have until the 15th day of February to file to participate in commencement. Students have the responsibility to satisfy all academic and financial requirements to be eligible to participate in commencement exercises.

## XXXI. The Faculty Senate

**The Faculty Senate: Composition, Purpose and Functions**

The Faculty Senate shall be composed of all permanent and temporary, full-time members of the academic faculty (academic appointment of .75 FTE or higher). It shall serve as a major advisory body to the President. Its primary functions are:

- To initiate and participate in formulating the general educational curriculum and policies of the University;

- To recommend policies governing the conduct of students in academic environments;
- To recommend approval of new degree and minor programs;
- To recommend elimination of degree programs;
- To recommend candidates for the various undergraduate degrees;
- To recommend standards concerning academic competence, ethics and academic freedom.

**Leadership of the Faculty Senate**
The Faculty Senate shall be presided over by an elected chairperson who may vote only in the case of a tie. A vice chair, secretary and parliamentarian shall also be elected by the Faculty Senate from among its members. The vice chair shall preside over meetings when the chair is absent. All officers shall be elected for a term of office of one (1) year and may be re-elected for no more than three (3) consecutive one (1)-year terms. A slate of candidates for each of the four (4) Senate officers shall be presented to the Faculty Senate by the Executive Committee. Members of the Senate, in session, may nominate additional persons to be included on the slate. Elections shall take place by secret ballot while the Faculty Senate is in session during the April meeting.

**Duties of the Officers of the Faculty Senate**
The Chair of the Faculty Senate shall have the following duties:

- Issue notices of Senate meetings;
- Preside at Senate meetings;
- Supervise the functioning of the Senate and its established bodies;
- Prepare and send an agenda for each meeting of the Senate five (5) working days prior to the meeting;
- Organize and appoint an ad hoc committees as directed by the Senate;
- Represent the faculty to the administration and Board of Curators and serve as liaison between the faculty and external committees;
- Forward any Senate actions to the appropriate vice president of the University;
- Represent the Senate as the University's voting member at meetings of the Missouri Association of Faculty Senates.

The Vice Chair of the Faculty Senate shall have the following duties:

- Preside at meetings of the Senate in the absence of the chair;
- Assist in the supervision of the working of the Senate in such a manner as directed by the Senate or by the chair of the Senate.

The Secretary shall have the following duties:

- Record the minutes of Senate meetings: regular, special and executive;

- Preside at meetings of the Senate in the absence of both the chair and vice chair of the Senate;
- Publish for the faculty the minutes of the meetings by the second Thursday of the month.

The Parliamentarian shall have the following duties:

- Assure that Senate meetings are conducted in accordance with the Bylaws of the Faculty Senate and the current edition of *Robert's Rules of Order*;
- Advise the chair on *Robert's Rules of Order*;
- Assist the chair in determining a quorum.

**Faculty Senate Meetings**
The regular meetings of the Faculty Senate shall be the last Thursday of the month during the academic year at 11:00 a.m., except December and May. The Faculty Senate shall meet at least twice each semester. Special or emergency meetings may be convened by the chair, signature petition of one-third (1/3) of the Senate members or a two-thirds (2/3) vote of the Executive Committee.

The business of the Faculty Senate shall be conducted according to the current edition of *Robert's Rules of Order*. If a two-thirds (2/3) majority vote is required, that majority shall be interpreted to mean an affirmative vote equal to two-thirds (2/3) majority of the senators present and voting. The usual order of business shall be as follows: approval of the minutes of the previous meeting; reports; unfinished business; new business.

The Faculty Senate shall have the power to modify the agenda by a two-thirds (2/3) majority vote of members present and voting. A quorum shall consist of one (1) senator more than a total of fifty percent (50%) of the on-campus Senate members.

**Executive Committee of the Faculty Senate**
The Executive Committee shall act as a liaison between the Faculty Senate and the academic departments. The committee shall also perform other such duties and obligations as deemed appropriate by the Senate. Each academic department shall be entitled to one (1) representative on the Executive Committee. The chair and secretary of the Faculty Senate shall be the chair and secretary of the Executive Committee. The chair and secretary shall not be considered representatives of any department. The chair may vote only in case of a tie. The secretary shall be a non-voting member.

Each academic department shall elect its representatives by secret ballot no later than March 15 of the academic year preceding that in which newly elected representatives will take office. Executive Committee members shall serve three (3)-year terms. No member shall serve more than two (2) consecutive terms. A member may serve any number of nonconsecutive terms. No more than one-third (1/3) of the Executive Committee memberships shall expire in any given year. A member's seat on the Executive Committee may be declared vacant by a majority vote of the remaining members if a member has missed more than three (3) consecutive meetings, has left the University, or has submitted a letter to the Senate chairperson resigning from the Executive Committee. Vacancies shall be filled by election of a new representative within thirty (30) days.

**Duties of the Executive Committee**

The Executive Committee shall have the following duties:

- Provide oversight for membership and composition for the Senate and University standing committees;
- Recommend faculty members for such committees and announce those recommendations at the April meeting of the Senate;
- Review lists of prospective graduates as provided by the VPAA and recommend approval by the Faculty Senate;
- Maintain current listings of faculty for Senate voting purposes;
- Solicit candidates for Senate office; develop and present the slate for Senate elections;
- Conduct Senate elections during the April meeting;
- Consider issues that do not fall under the charge of any other standing committee of the Senate;

**Meetings of the Executive Committee**

The Executive Committee shall meet at least once a semester. The chairperson may call the committee into session for special meetings as necessary. Each member of the committee shall be given written notice of all meetings of the committee at least seven (7) days prior to such meetings.

The business of the Executive Committee shall be conducted in the same manner as the meetings of the Senate. A quorum for the Executive Committee shall consist of two-thirds (2/3) of the membership of the committee. No committee business shall be conducted unless said quorum is present.

Should a member of the committee be unable to attend the meeting, whether special or regularly scheduled, that member shall designate an alternate from her/his unit and provide the chosen representative with her/his proxy.

**Standing Committees of the Faculty Senate**

To facilitate the work of the Faculty Senate, standing committees and sometimes special committees (ad hoc) are necessary and shall be established to study, prepare and recommend policies on educational practice; review curriculum; and fulfill other functions as set forth in their charges. Standing committees of the Faculty Senate shall assist administrative officers in the implementation of such policies after they have been adopted. Standing committees shall serve in an advisory capacity. Policies, procedures, programs, etc., recommended by those committees shall be presented to the Faculty Senate for consideration. Upon approval, they shall be transmitted through the appropriate chain of command.

The officers of the Faculty Senate shall appoint committee chairpersons and one-third (1/3) of the membership. The Executive Committee shall recommend the remaining two-thirds (2/3) membership of the committees. Except for the initial appointment of the standing committees, members shall serve terms of three (3) years. Upon appointment of any new standing committee, one-third (1/3) of the membership shall serve for one (1) year, the second-third (1/3) for a period of two (2) years, and the remaining third (1/3) for a period of three (3) years.

Thereafter, the appointments shall take place annually for three (3)-year periods. The Executive Committee shall recommend committee appointments to the chair by April 1 of each academic year. As a general rule, simultaneous assignment to more than two (2) standing Faculty Senate committees shall be avoided, although this guideline shall not prejudice the selection of any member of the Faculty Senate for such committees. The chairpersons of the standing committees, with the exception of the Executive Committee, shall serve as the Faculty Senate representation on the University Shared Governance Committee. The Faculty Senate chairperson and secretary shall serve as ex officio officers, with the Staff Council chairperson and secretary, having the duties of presiding and recording minutes, in turn or jointly, as designated by the University Shared Governance Committee.

The following are the standing committees of the Faculty Senate:

- Curriculum Committee
- Educational Policies Committee
- Executive Committee
- General Education Committee

The Curriculum Committee shall have the following functions:

- Review and approve, or reject, all changes in undergraduate courses, curricular and degree requirements proposed by academic units;
- Advise the University President on criteria for the establishment and deletion of courses and curricula;
- Coordinate its activities with those of the Educational Policies Committee and other appropriate University committees.

The Educational Policies Committee shall have the following functions:

- consider policies and procedures;
- recommend policies and procedures in matters related to academic regulations.

The General Education Committee shall have the following functions:

- Recommend and/or approve revisions to the existing general education curriculum;
- Ensure that assessment measures are developed;
- Review and recommend approval or denial of proposals for new general education courses;

- Evaluate all general education courses periodically in relation to general education program objectives;
- Promote a climate for discussion about and act as a clearing house for information on general education issues;
- Keep faculty abreast of current developments in general education and the role their courses play within the larger context of general education.

All Faculty Senate standing committees shall provide minutes of all meetings to the Senate Chair (for record-keeping purposes) with copies to appropriate administrative units. The Senate may, at its discretion, charge other standing Faculty Senate committees if needs dictate.

**Faculty Membership on Standing University Committees**
The University President shall appoint committee chairpersons and one-third (1/3) of the membership of the standing committees of the University. The Executive Committee of the Faculty Senate shall recommend one-third (1/3) of faculty committee appointments to the President by May 1 of each academic year. All full-time faculty members are eligible to serve on University committees. As a general rule, simultaneous appointment to more than two (2) standing committees shall be avoided, although this guideline shall not prejudice the selection of any Faculty Senate member for standing committees.

**Recommendations and Proposals**
Any committee, department, college, Faculty Senate member or group of members, or other area of Academic Affairs may bring a recommendation, a resolution, a proposal for a new policy, a change in policy or the deletion of an existing policy to the Faculty Senate.

Proposals or resolutions for new policies, any change in a policy or deletion of an existing policy will then follow the procedure prescribed in Chapter I of the Lincoln University Rules and Regulations, Section 1.54; Development and Oversight of University Policies.

Recommendations for new programs, changes in a program or deletion of a program will be sent through the established chain of command. If the resolution, proposal or recommendation is passed, it will be sent through the appropriate chain of command. If it is an action requiring Board approval, the Board of Curators will be the final authority.
Actions passed by the Faculty Senate in its shared governance capacity are communicated to the University administration for approval and implementation. These actions shall be recorded within the minutes and subsequent records of the Faculty Senate with proper designations. The designation for each action shall conform to the following format: Faculty Senate, Term and Number, e.g.: FS-2007-2008-01.

**Amendments to the Faculty Senate Bylaws**
The bylaws of the Faculty Senate may be amended at any regular Senate meeting by a three-fourths (3/4) vote of all members present and voting. The proposed amendment(s) must be submitted at a prior Faculty Senate meeting.

# Appendix A
# Promotion and Tenure Criteria

## Academic Promotion and Tenure Meaning and Purpose

Significantly, the AAUP stresses academic freedom in even the title of its *Recommended Institutional Regulations on Academic Freedom and Tenure*. As the AAUP explains, "The principles implicit in these regulations are for the benefit of all who are involved with or are affected by the policies and programs of the institution. A college or 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 addition to providing freedom of teaching, research and "extramural expression," academic tenure also provides a reasonable degree of economic security. Tenure is therefore a highly desirable status to be achieved, so much so that institutions that do not grant tenure may find it difficult to attract qualified faculty members.

## Promotion and Tenure Policies

Three principles inform the University's policies on promotion and tenure:

- They shall be fair.
- They shall be meaningful.
- They shall be in the mutual interest of individual faculty members and of the University as a whole.

1. **Promotion and Tenure: Shall be fair**

   Fairness requires that the criteria for promotion and tenure be known to the candidate from the very beginning (i.e., within a month) of that person's employment at the University. Full disclosure of promotion and tenure criteria shall be standard procedure; additional or previously undisclosed criteria shall not be introduced during the probationary period. Thorough knowledge of promotion and tenure criteria necessitates the thorough, systematic and on-going training of all persons taking part in the promotion and tenure process: candidates, other faculty members (who will serve as mentors and as members of promotion and tenure committees), department heads, research/extension directors and deans.

   Although the committee insists on fairness in the requirements for promotion and tenure, it has not necessarily equated fairness with sameness; there is no fairness in demanding identical academic behavior from the potter and the accountant, the agricultural researcher and the nursing educator, the psychologist and the professor of pedagogy or the entomologist and the CIS designer. It is fair, on the other hand, to require of all persons seeking tenure that they determine, with their respective department heads and deans, meaningful performance goals in service/extension, teaching, and scholarship/research, as appropriate to their appointments.

2. **Promotion and Tenure: Shall be meaningful**

   The criteria for promotion and tenure exist in order to ensure quality faculty performance at the University. This document recognizes and celebrates genuine contributions to the betterment of the University and its students; it rejects activities that are merely *pro forma* or *merely* quantifiable. In such a quality-oriented environment, significant questions are, for example:

| | | | |
|---|---|---|---|
| Not | How many different technologies do you use in class? | but | To what purpose and with what outcomes are they used in class? |
| Not only | How many publications do you have? | but also | How are your publications regarded by qualified persons in your field? |
| Not only | How many advisees do you have? | but also | What is the quality/outcome of your advice? |

The insistence on meaningful requirements for promotion and tenure contributes to making the University a place where substantial work of high quality is done by both faculty and students.

3. **Promotion and Tenure: Shall be in the mutual interest of individual faculty members and the University as a whole.**
   Tenure is not an entitlement, and it is not awarded automatically at the end of the probationary period. Nevertheless, it is in the interest of the University to want and expect tenure-track faculty members to achieve tenure. The candidate and the rest of the University are not adversaries; rather they are partners in the expenditure of time, money and energy to help forge a lasting and rewarding relationship.

**Promotion/Tenure and Annual Evaluations**
A faculty member's initial appointment letter will indicate whether the position is "tenure-track" or "non-tenure-track." Faculty will receive promotion and/or tenure criteria with the initial appointment letter. New employees will then have an opportunity to discuss promotion/tenure requirements with their department heads to ensure that they understand all requirements.

Annual evaluations are integral to the promotion/tenure process. Annual departmental evaluations must be consistent with promotion/tenure criteria. Promotion/tenure criteria are based on performance in service/extension, scholarship/research and/or teaching. Percentage of the work effort (in scholarship/research, service/extension and/or teaching) for the promotion/tenure application shall be agreed upon by the candidate and the department head. This agreement will reflect average annual percentage effort estimates for each year included in the promotion or tenure decision.

Annual evaluations will serve as a gauge as to whether the candidate is progressing adequately toward the promotion/tenure award. If annual evaluations show problems with meeting promotion/tenure criteria, the department head and candidate will plan to remedy these problems prior to applying for promotion/tenure. A negative promotion/tenure decision should not be the first criticism the candidate receives.

**Promotion/Tenure Criteria and Evaluation Process**
The following tables list criteria for promotion/tenure with possible subcategories and associated measures of performance. These tables are to serve as guides, rather than checklists. Each candidate will present a unique set of accomplishments. Although examples are provided in the tables, the candidate may provide evidence of appropriate activities not included in the examples.

Committees and individuals who evaluate promotion/tenure applications will assess each area of the application using a three-point scale. This evaluation focuses on the quality of performance in each area.

Evaluators may use the following scale and examples as a general guide for making promotion/tenure decisions:

3 – **Outstanding**: Extensive and continuous record of top-quality work. For example:
- *Teaching:* Receives excellent teaching evaluations; record of quality advising; superior competence; and clear commitment to pedagogy.
- *Scholarship/research:* Annual records of continuous, scholarly, peer-reviewed work; record of nationally recognized accomplishments.
- *Service/extension:* Annual records of continuous multiple service or extension responsibilities with well defined, beneficial outcomes.

2 – **Neutral:** Completes the minimum requirements of the position. For example:
- *Teaching:* Receives positive teaching evaluations; fulfills typical advising responsibilities; demonstrates basic competence; and fulfills typical teaching responsibilities (e.g., providing feedback to students, record-keeping).
- *Scholarship/research:* Annual records of continuous, scholarly work.
- *Service/extension:* Fulfills typical service or extension responsibilities (e.g., membership on committees).

1 – **Poor**: Does not meet the minimum requirements of the position. For example:
- *Teaching:* Poor teaching evaluations; problems fulfilling basic teaching responsibilities (e.g., poor quality course materials, student complaints).
- *Scholarship/research:* No scholarly work of any discernible quality.
- *Service/extension:* Failure to fulfill service or extension responsibilities (e.g., membership on committees).

Each evaluator will assign a score to each area (service/extension, scholarship/research and/or teaching) of the application. In the case of a committee, the chair will compile and average scores of each committee member for each area. For example, if there are four (4) committee members, and they each rate the service/extension area of an application as 3,3,2,3, respectively, the average for service/extension would be (3+3+2+3)/4 = 2.75. Numerical ratings for each area will then be multiplied by the percentages of work effort specified for each area in the cover letter of the application. Resulting scores in each area will then be added together for the final score of the applicant as follows:

*Committee/evaluator avg. for teaching *(Percentage effort for teaching)*

+

*Committee/evaluator avg. for scholarship/ research *(Percentage effort for scholarship/research);*

+

*Committee/evaluator avg. for service/extension *(Percentage effort for service/extension); equals,*

*= Final score for candidate*

After receiving each committee's evaluation, the chair will call a meeting to validate recommendations. Candidates with final scores of 2.25 and above will be recommended for promotion to assistant or associate professor and/or tenure. Promotion to full professor will require a final score of 2.5 or above.

Tenure decisions may also consider the long-term needs and plans of the University, which may include examination of: 1) projected student enrollments, 2) curricular changes, and 3) faculty retirement schedules

**1. *Service/Extension Level of Effort: Mini 10% – Maxi 90%***

| Activities | Characteristics | Examples |
|---|---|---|
| **Student Service** | Assist in student development outside of the classroom | • Sponsoring/advising student organizations<br>• Planning/participating in student extracurricular activities (e.g., homecoming)<br>• Organizing review sessions for professional examination (e.g., GRE, LSAT, GMAT, C-BASE)<br>• Mentoring students |
| **Community Service** | Enrich the community through University outreach | • Holding leadership positions in the community (e.g., political office)<br>• Participating in non-profit organizations that serve the community<br>• Holding positions on community boards or committees<br>• Lecturing or performing other service to community groups<br>• Participating in University extension activities that directly benefit communities |
| **University Leadership** | Assume major responsibilities for University activities | • Serving as a department head, program administrator or other leadership role<br>• Holding office in the faculty senate<br>• Chairing committees<br>• Performing activities that enhance public understanding of the University |
| **University Service** | Facilitate the daily operations of the University, usually as part of a committee | • Actively participating on committees<br>• Assisting with technology or Internet-based activities (e.g., website or on-line teaching)<br>• Participating in University recruitment/marketing<br>• Participating in accreditation review<br>• Preparing and updating university documents<br>• Special appointment activities which benefit the University<br>• Procuring outside funding (e.g., donations) |

## 2. *Teaching Level of Effort: Min 0% – Max 80%*

| Activities | Characteristics | Examples |
|---|---|---|
| **Advising** | Assist students in academic and career planning | • Advising students (number of advisees)<br>• Serving as a freshman advisor<br>• Participating in workshops to improve advising skills<br>• Developing advising materials for students<br>• Assisting students with scholarship/internship applications<br>• Assisting students with application to graduate school or job searching (e.g., writing personal statements) |
| **Teaching Competence** | Teach with knowledge of one's subject and current developments in the field | • Receiving high student evaluations<br>• Enrolling in coursework or continuing education in one's field<br>• Receiving teaching awards<br>• Receiving high evaluations from department head<br>• Receiving high departmental peer evaluations |
| **Pedagogy** | Examine strategies of instruction that maximize student learning | • Preparing excellent course materials (e.g., syllabi, assessment instruments)<br>• Receiving high student evaluations<br>• Receiving high evaluations from department head<br>• Receiving high departmental peer evaluations<br>• Participating in seminars/workshops designed to improve teaching<br>• Receiving teaching awards<br>• Participating in curriculum development<br>• Producing original curriculum products (e.g., CD-ROM for class use) |
| **Teaching Workload** | Fulfill departmental teaching needs | • Teaching overloads<br>• Teaching many preparations (different courses taught)<br>• Teaching independent study courses<br>• Receiving high evaluations from department head<br>• Sponsoring students in extracurricular activities (e.g., taking students to professional meetings) |

## 3. *Scholarship/Research Level of Effort: Min 10% – Max 90%*

| Activities | Characteristics | Examples |
|---|---|---|
| **Discovery** | Build new knowledge through traditional research or focusing on integration of disciplines. | • Publishing in peer-reviewed forums, authoring books, book chapters or monographs (may be interdisciplinary)<br>• Presenting at professional meetings (may be interdisciplinary)<br>• Producing and/or performing creative work within discipline<br>• Organizing exhibitions of creative works<br>• Holding concerts and/or theatrical productions<br>• Creating infrastructure for future studies<br>• Authoring grant proposals (may be interdisciplinary)<br>• Receiving high evaluations from professionals outside the university<br>• Receiving honors from professional societies<br>• Collaborating with colleagues to design and deliver an interdisciplinary course |
| **Application** | Aid society and professions in addressing problems. | • Interacting directly with stakeholders to provide resources and information<br>• Creating workshops and seminars directed at stakeholder's needs<br>• Serving industry or government as an external consultant<br>• Serving as a judge, referee or journal editor/reviewer<br>• Assuming leadership roles in professional organizations<br>• Publishing reviews of others' work |
| **Advancement** | Study teaching models and practices to achieve optimal learning. | • Developing teaching workshops and seminars<br>• Advancing learning theory through classroom research<br>• Developing and testing instructional materials<br>• Designing and implementing a program level assessment system<br>• Developing continuing education courses<br>• Assuming leadership roles in teaching activities within organizations |

**Minimum Eligibility for Promotion and Tenure**

<u>Eligibility for Promotion to the Rank of Assistant Professor.</u> An instructor with one (1) of the following is minimally qualified to apply for promotion to assistant professor:

- Earned doctorate or other terminal degree in the field (see "Terminal Degrees" section) from an accredited institution and the completion of two (2) years of service in the rank of instructor at the University.
- A master's degree and thirty (30) graduate hours from an accredited institution (in the area of professional specialization) and three (3) years of service in the rank of instructor at the University.
- A master's degree at an accredited institution and an appropriate professional certificate/license and three (3) years of service in the rank of instructor at the University.
- A master's degree from an accredited institution and ten (10) years of service in the rank of instructor at the University.

<u>Eligibility for Promotion to the Rank of Associate Professor</u>. An assistant professor with one (1) of the following is minimally qualified to apply for promotion to associate professor:

- Earned doctorate or other terminal degree in the field (see "Terminal Degrees" section) from an accredited institution and five (5) years of service in the rank of assistant professor at the University.
- A master's degree and thirty (30) graduate hours from an accredited institution (in the area of professional specialization) and twenty (20) years of service in the rank of assistant professor at the University.
- A master's degree from an accredited institution (in the area of professional specialization) and an appropriate certification/license and twenty (20) years of service in the rank of assistant professor at the University.

<u>Eligibility for Promotion to the Rank of Professor.</u> An associate professor is minimally qualified to apply for promotion to professor if he/she has an earned doctorate or other terminal degree in the field (see "Terminal Degrees" section) from an accredited institution **and** four (4) years of service in the rank of associate professor at the University.

<u>Eligibility for Tenure.</u> An assistant (or higher ranking) professor with the one (1) of the following is minimally qualified to apply for tenure:

- Earned doctorate or other terminal degree in the field (see "Terminal Degrees" section) from an accredited institution and five (5) years of service in the rank of assistant professor at the University.
- A master's degree and thirty (30) graduate hours from an accredited institution (in the area of professional specialization) and five (5) years of service in the rank of assistant professor at the University.
- A master's degree from an accredited institution (in the area of professional specialization) and an appropriate certification/license and five (5) years of service in the rank of assistant professor at the University.

**Terminal Degrees of Faculty by Area**
The doctoral degree in the faculty member's field is recognized as the terminal degree. The University also recognizes the following as appropriate terminal degrees in the disciplines listed below:

| | | |
|---|---|---|
| A. | ART: Studio Art and Design | M.F.A. |
| B. | THEATRE: Creative Artist or Technical Artist | M.F.A. |
| C. | ENGLISH: Creative Writing | M.F.A. |
| D. | SOCIAL WORK | M.S.W. |
| E. | NURSING and BUSINESS ADMINISTRATION | Doctorate in a related field |

**Probationary Service for Tenure**

Length of Probationary Service

On a tenure-track appointment, the maximum length of probation will be seven (7) years. The contract for the seventh year will be a one (1)-year terminal contract unless the decision to award tenure has been made.

Credit Toward Probationary Period

Up to three (3) years prior full-time service at the rank of instructor or above may be credited toward the probationary requirement. Any agreement to credit prior service must be stated in writing at the time of appointment. Whether and how much service to credit will depend on such factors as academic rank, prior tenure status, quality of prior service and relevance of prior service to the requirements of the new position.

Three-year Pre-tenure Review

The purpose of the pre-tenure review is to provide the tenure-track faculty member with valuable information about his or her strengths and weaknesses. Every tenure-track faculty member will be responsible for submitting an application for a pre-tenure review to his/her department head. This application will be due on the first working day of September of the fourth year of the probationary period. Faculty members who were awarded credit toward the probationary period during the hiring process may request an extension or alternate accommodation to the department head. The application will meet the requirements for the formal application for tenure. However, the candidate does not need to provide letters of recommendation. The department head, after receiving the candidate's application, will forward the application to the department promotion and tenure committee. The committee will review the application and prepare a recommendation. The committee chair will then forward the application and the committee's recommendations to the dean within fifteen (15) working days of receiving the application. The dean will also prepare a recommendation enumerating the candidate's strengths, weaknesses, and opportunities for growth. The dean will forward copies of his/her recommendation to the candidate and department head within fifteen (15) working days of receiving the application. Information contained in the recommendations of the committee and the dean is not binding. That is, a favorable pre-tenure review is not a guarantee of a favorable tenure review.

Stopping the Tenure Clock

In the event of difficult circumstances, a faculty member may submit a request to temporarily "stop the tenure clock" for one (1) academic year. Difficult circumstances include, but are not limited to, the following:

- physical or mental illness;

- pregnancy or parenting obligations;
- caregiver responsibilities for someone in a close relationship;
- military service; and
- legal responsibilities.

If the stop is granted, the academic year in question will not be evaluated towards tenure or tenure eligibility. At the end of the year, the faculty member will return to the tenure probationary period where he/she left off. Generally, the tenure clock may be stopped only once for an individual faculty member. Only under extreme circumstances should a faculty member request to stop the tenure clock more than once. A request to stop the tenure clock will be submitted in writing to the department head. The faculty member may include medical information or other documented reasons for the request. The department head will make a recommendation and forward the request and the recommendation to the college dean within two (2) weeks of receipt of the request. The college dean will then make a recommendation and forward the recommendations and request to the VPAA within two (2) weeks of the receipt of the request. Finally, the VPAA will make a recommendation and forward the recommendations and request to the President within two (2) weeks of receipt of the request. The President will make the final decision on whether the stop will be granted. The President will make his/her recommendation in writing within two (2) weeks of the receipt of the request. When possible, the request should be submitted prior to the first day of the academic year in question.

Non-Reappointment. Notification of non-reappointment will be given by March 1 for persons in their first year of probationary service and by December 15 for persons in their second year. For persons in their third through sixth years of probationary service, notification of non-reappointment will be given not less than one (1) calendar year prior to expiration of the terminal contract.

**Components of Promotion/Tenure Applications**

Applications for promotion and/or tenure shall include the following elements in order:

(1) A cover letter from the candidate addressed to the department head. This cover letter will include the purpose of the application (request for promotion/tenure), a list of how the candidate has met minimum eligibility requirements, percentage efforts for scholarship/research, service/extension, and/or teaching, and summaries of accomplishments in teaching, service and scholarship/research (as necessary).

(2) The candidate's curriculum vitae.

(3) At least four (4) letters of recommendation (two (2) from inside of the University but outside of the candidate's department **and** two (2) from professional colleagues outside of the University).

(4) A copy of the candidate's graduate transcripts.

(5) A copy of annual performance evaluations for the years under consideration.

(6) A copy of annual student evaluations for the years under consideration.

(7) Evidence for accomplishments in scholarship/research, service/extension, and/or teaching for the years under consideration.

**Procedures for Promotion/Tenure Evaluation**

The VPAA will notify, in writing, each candidate who is eligible to apply for tenure and promotion in a given year. A candidate who is notified of eligibility for tenure must apply that year. An individual who is notified about eligibility for promotion may opt not to apply.

Candidates will take primary responsibility for preparing their applications for promotion and/or tenure. Candidates must submit complete applications on or before the due date to the department head. New evidence of the candidate's qualifications will not be solicited or accepted after the due date, except under special circumstances requiring the permission of the VPAA.

If eligibility for promotion and tenure fall on the same year, a candidate may apply for both in the same application. In this case, the cover letter will clearly indicate that the candidate wishes to be considered for both promotion and tenure.

The promotion/tenure evaluation process consists of six (6) levels. Each application for promotion and/or tenure will be evaluated by the following individuals or groups in order:

1. the department promotion and tenure committee,
2. the department head,
3. the college promotion and tenure committee,
4. the college dean,
5. the VPAA, and
6. the President of the University.

The President's decision will form a recommendation for the Board of Curators. The final decision on the granting of tenure and promotion rests with the Board of Curators. The final promotion/tenure decision will be announced in the minutes of a Board of Curators meeting.

**The timeline of evaluation shall proceed as follows:**

| Level of Evaluation | Deadline |
|---|---|
| VPAA notifies candidates of eligibility. | First working day of May |
| Faculty member submits application to department head who makes applications available to committee. | First working day in September |
| Departmental committee submits recommendations and applications to department head. | Fifteen (15) working days following receipt of application |
| Department head submits applications and recommendations to the dean who makes them available to the college committee. | Ten (10) working days following receipt of applications and recommendations |
| College Committee submits applications and recommendations to dean. | Fifteen (15) working days following receipt of applications and recommendations |
| Dean submits applications and recommendations to VPAA. | Fifteen (15) working days following receipt of applications and recommendations |
| VPAA submits applications and recommendations to President. | Fifth working day in January |
| President reports to Board of Curators. | February/March Board meeting |

Following each level of the evaluation process, a designated individual from each level (e.g., the college dean or committee chair) will prepare a decision letter stating the decision regarding promotion and/or tenure, in addition to the rationale for the decision. This letter will be forwarded with the application to the next evaluative level. Therefore, each evaluation level will receive the application in addition to the decision letters from any lower levels of evaluation. At the same time, a copy of each letter will also be sent to the faculty applicant, so that the applicant is informed of the decision (and rationale for the decision) at every level of evaluation.

During the evaluation process for promotion, a candidate receiving unfavorable decision letters may withdraw the application at any time before evaluation by the VPAA. Tenure applications may not be withdrawn during the evaluation process.

Persons at each evaluative level will primarily base their decisions on a substantive review of the candidate's accomplishments as evidenced in the application. However, tenure decisions may also consider the long-term needs and plans of the University, which may include examination of: 1) projected student enrollments, 2) curricular changes, and 3) faculty retirement schedules.

**Promotion/Tenure Appeal**

Although a candidate may appeal decisions made at any evaluative level, the appeal may not be submitted until after the VPAA has reviewed the application and issued a recommendation. Appeals must be submitted after the candidate receives a decision letter from the VPAA, but before he/she receives a decision letter from the President. The candidate will submit the appeal to the President. The President will forward the appeal, along with the candidate's application, to the Promotion and Tenure Appeals Committee. The Promotion and Tenure Appeals Committee shall be a standing committee of the University. The committee shall consist of one (1) tenured faculty member elected from each department. The University's legal counsel will serve as a non-voting member of the committee. After hearing the appeal, the committee chair shall prepare a decision letter stating the decision of the committee and rationale for the decision. This letter will be sent to the candidate and the President. The President will determine the final outcome of the appeal.

The burden of proof is on the faculty member, who will prepare the appeal by stating the grounds for appeal and the evidence against the promotion or tenure decision. Grounds for appeal may be based on evaluators':

1) use of improper procedure,
2) failure to consider the merits of the application,
3) use of arbitrary or capricious reasons for the negative decision,
4) use of gender, ethnicity, or other protected status in decision-making,
5) violation of academic freedom or constitutional rights of the applicant, or
6) improper reasoning with regard to projected student enrollment, curricular changes or retirement schedules.

**Tenure Status and Administrative Appointments**

Appointment to an administrative position shall not be construed as conferring academic tenure for or awarding service credit toward achievement of academic tenure. However, persons appointed to positions as administrative officers may at the discretion of the Board of Curators concurrently be appointed to an academic position in an appropriate department and on that basis be awarded immediate tenure or credit toward academic tenure.

Appointment to an administrative or other non-academic-tenure-bearing position shall not deprive that person so appointed of tenure previously acquired at the University.

## APPENDIX B

## LINCOLN UNIVERSITY
## RECEIPT FOR FACULTY EMPLOYEE HANDBOOK

**Faculty Acknowledgement Form**

I acknowledge that I have received a copy of this Faculty Employee Handbook ("Handbook") from Lincoln University ("the University"). I understand that it is my responsibility to read and comply with the policies contained in this Handbook and any revisions made to it.

I understand that I should consult with my supervisor or the Office of Human Resources regarding questions not answered in the Handbook.

I understand the University reserves the right to modify, change, delete, supplement, rescind or revise information contained in the Handbook, at any time and as the University deems necessary or appropriate, at its sole and absolute discretion and with or without advance notice, so long as such changes are in compliance with federal and state laws and any terms required under a collective bargaining agreement applicable to me, if any. I also understand that efforts will be made to communicate significant changes in a timely manner and that such revisions may supersede, modify, or eliminate existing policies, procedures, and benefits.

Furthermore, I acknowledge that this Handbook is neither a contract of employment nor a legal document. In case of divergence from or conflict with the Bylaws and Rules and Regulations approved by the Board of Curators, the official Bylaws and Rules and Regulations will prevail.

Faculty Signature: ______________________________

Printed Name: _________________________________

Date: _______________________________________